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October 6, 2009

Regional Council
Region of York
17250 Yonge Street
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Attention: Chair and Members of Regional Council

Dear Sirs/Mesdames:

**Re: Draft York Region Official Plan
File No. 19OP-2009**

We are the solicitors for Arten Developments Inc. ("Arten"). Arten is currently proposing to redevelop the lands municipally known as 64 and 72 Major Mackenzie Drive West and 115 and 119 Church Street South, in the Town of Richmond Hill (the "Site"), which is generally located to the north and east of the intersection at Major Mackenzie Drive West and Church Street South. The development proposal contemplates, in part, the development of an 8-storey residential apartment building that would front onto Major Mackenzie Drive East with access to the underground parking facility being provided from Church Street South.

We note that the Site is located within the section of Major Mackenzie Drive (from Weston Road, to the west, and just west of Ninth Line, to the east) that is identified on Map 11 of the Draft York Region Official Plan as a "Regional Rapid Transit Corridor." We note further that Map 12 of the Draft York Region Official Plan identifies this same section of Major Mackenzie Drive as being planned for a basic street width of "up to 45 metres."

While we generally support the identification of this section of Major Mackenzie Drive as a Regional Rapid Transit Corridor, it is unclear how the proposed basic street width of "up to 45 metres" was derived, nor is it clear how such a proposed street width will materialize along the various portions of Major Mackenzie Drive within the section identified as a Regional Rapid Transit Corridor. We note that there is no exception for the portion of Major Mackenzie Drive East where the Site is located, and it is generally unclear how a right of way of up to 45 metres could be facilitated within this context.

October 6, 2009

- 2 -

In our view, given the role that Regional Rapid Transit Corridors serve in the overall transit, intensification, and general planning policies of the Draft York Region Official Plan, the subject policies should be refined so as to address, in part, how the planned Regional Rapid Transit Corridor will materialize, in terms of scale, along the various portions of Major Mackenzie Drive. This will provide an opportunity for a more focused review of, in part, the various contextual differences that exist along this section of Major Mackenzie Drive. In addition, such refinement will make possible a more conducive environment for negotiating appropriate land dedications to facilitate the development of the Regional Rapid Transit Corridor on a site-by-site basis.

We trust that this is satisfactory. Should you require any further information, please feel free to contact the undersigned.

Yours very truly,

McCarthy Tétrault LLP

Per:

A handwritten signature in black ink, appearing to read 'Daniel B. Artenosi', written over a horizontal line.

Daniel B. Artenosi
Associate | Sociétaire

DBA/

c: Bryan Tuckey, Commissioner of Planning and Development Services
Denis Kelly, Regional Clerk