

Submission Number	Date Submission Received	Municipality	Submission Author
Submissions from Landowners, Developers, Planning Representatives and Solicitors			
D05.2009.003.1.001 Delegation at Statutory Meeting	2010-06-02 2010-06-16	M	Catherine Lyons, Goodmans LLP (on behalf of Minotar Holdings Inc, Corlots Developments and Cherokee Holdings)
D05.2009.003.1.002 Delegation at Statutory Meeting	2010-06-18 2010-06-16	M	Don Given, Malone Given Parsons Ltd (on behalf of North Markham Landowners' Group)
D05.2009.003.1.003 Delegation at Statutory Meeting	2010-06-16 2010-06-16	M	Jeff Greene, Gatzios Planning & Development Consultants Inc (on behalf of Grace Chinese Gospel Church of North York)
D05.2009.003.1.004	2010-06-16	M	Cattanach Hindson Sutton VanVeldhuizen LLP
D05.2009.003.1.005	2010-06-16	M	Thomson Rogers (on behalf of Trinison Management Corp)
D05.2009.003.1.006	2010-07-20	M	Kagan Shastri LLP (on behalf of Vetmar Ltd)
D05.2009.003.1.007 Delegation at Statutory Meeting	2010-06-16	M	Claudio Brutto (on behalf of Hochglaube Green Acres)
Submissions from Members of the Public			
D05.2009.003.2.001	2010-05-03	M	Treacy, Michelle and Jesse Rudy
D05.2009.003.2.002	2010-05-06	M	Zeesman, Bernie

D05.2009.003.2.003	2010-05-07	M	Boxen, Gloria
D05.2009.003.2.004	2010-06-04	M	Smith, Lorne
D05.2009.003.2.005 Delegation at Statutory Meeting	2010-06-16	M	Marion Matthias
D05.2009.003.2.006 Delegation at Statutory Meeting	2010-06-16	M	Tom Farrar
Submissions from Governments and Public Agencies			
D05.2009.003.3.001	2010-06-02	M	Town of Markham
D05.2009.003.3.002	2010-06-08	M	Region of Peel
D05.2009.003.3.003	2010-06-14	M	Chippewas of RAMA First Nation
D05.2009.003.3.004	2010-06-16	M	Donnelly Law (on behalf of Huron-Wendat First Nation)
D05.2009.003.3.005	2010-08-03	M	Toronto and Region Conservation Authority
D05.2009.001.3.006	2010-08-24	M	York Region District School Board
D05.2009.001.3.007	2010-08-23	YR	Ministry of Municipal Affairs and Housing
Submissions from Special Interest Groups			
D05.2009.003.4.001 Delegation at Statutory Meeting	2010-06-18 2010-06-16	M	Jim Robb, Rouge Duffins Greenspace Coalition
D05.2009.003.4.002	2010-06-16	M	Sustainable Urban Development Association

Submission Number
D05.2009. 003.1.001

Date of Submission:
June 2, 2010

Submission Author:
Goodmans LLP on behalf of Minotar Holdings, Cor-lots
Developments and Cherokee Holdings
Catherine Lyons, Goodmans LLP

**Delegation at Statutory
Meeting**

June 16, 2010

Comments or Requested Change to Proposed ROPA 3

Analysis and Recommendation

We are solicitors for Minotar Holdings Inc., Cor-lots Developments and Cherokee Holdings ("Minotar"), owner of lands located north of Major Mackenzie Drive between Kennedy Road and McCowan Road, in the Town of Markham.

By notice of May 13, 2010, we have been advised of the upcoming Statutory Public Meeting respecting the proposed Regional Official Plan Amendments ("ROPA") 1, 2 and 3. Minotar continues to object to ROPA 3, regarding an urban area expansion in the Town of Markham to accommodate projected growth to 2031, as currently presented. By way of letter dated March 1, 2010, attached hereto, we articulated our clients' concerns in this regard, as the proposed boundary bisects our clients' lands and will result in an orphaned remnant parcel outside the expanded boundary. We reiterated these concerns directly in our meeting with Regional Staff on April 6, 2010, as is reflected in the public record of the Submission Analysis, also attached hereto.

We also wish to reiterate our clients' concerns respecting the accuracy of aerial imagery used to map features in the Region's new Official Plan, as continued in ROPA 3. As you know, Minotar retained Natural Resources Solutions Inc. ("NRSI") to undertake a detailed, site level review of its lands. Upon review of the schedules attached to the proposed ROPA 3, we note that

As stated in response to previous submissions on behalf of the landowners on the Regional Official Plan, there are several policies within the Regional Official Plan which allow for the refinement of the key natural heritage features and key hydrological features through the development process.

Policy 2.2.41 states:

That site specific studies can be used to determine or verify the significance of woodlands. An amendment to this Plan shall not be required if a site specific study determines that a woodland does not meet any of the criteria identified in policy 2.2.39 of this Plan.

The Regional Greenlands System incorporates the Greenbelt Natural Heritage System as identified in the Greenbelt Plan. Any lands in addition to the Greenbelt Natural Heritage System have been identified through Markham's Environmental Policy Review and Consolidation Study. It appears that a large portion of the

swaths of designated woodlands not previously apparent on the maps to the new regional Official Plan are shown on both sides of the agricultural drainage ditch travelling north-west through the western Minotar lands.

Minotar lands are also within the Greenbelt Plan, and the Greenbelt Natural Heritage System.

Lastly, we note that Figures 2-5 of ROPA 3 (excerpts from Maps 2-5 to the Region's Official Plan) use colour tones which are difficult to construe. It would appear that Minotar's lands are shown to be within the Greenbelt Protected Countryside, with all Greenbelt lands also within the Region's Natural Heritage System.

If this is indeed the intention, Minotar objects to the inclusion of the entirety of its Greenbelt lands within the Region's Natural Heritage System, as such is not supported by the detailed site level analysis conducted by NRSI.

We will be in attendance at the June 16, 2010 Statutory Public Meeting to again state our clients' concerns respecting the proposed urban expansion through ROPA 3, as well as the mapping thereto.

Delegation at Statutory Meeting

- Clients own lands between Kennedy and McCowan Road north of Major Mackenzie
- Have worked with Regional staff on the technical aspects and had many questions answered
- Challenge for municipalities is that the Province has directed that growth must be accommodated and studies have indicated that it amounts to approximately 1000 + ha, but there are different way of arranging the land area. The numbers exercise that has been set by the Province is not the way to plan a community
- Information is missing in the exercise to direct growth such as servicing locations, whether roads and other infrastructure

See staff response above

can be placed through green features such as wetlands or how will natural areas be secured when many are outside of the expansion area, how will the transit network be implemented and lands secured, since much of this is not in the growth area

- Clients lands are half within the urban expansion area and half outside, therefore not in favour of the urban boundary and will appeal the Plan

Direct Line: 416.597.4183
clyons@goodmans.ca

June 2, 2010

Our File No.: 06.3883

Via Email

Denis Kelly, Clerk
Regional Clerk's Office
Corporate Services Department
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Dear Mr. Kelly:

Re: Proposed Regional Official Plan Amendment 3 – Town of Markham Urban Expansion

We are solicitors for Minotar Holdings Inc., Cor-lots Developments and Cherokee Holdings (“Minotar”), owner of lands located north of Major Mackenzie Drive between Kennedy Road and McCowan Road, in the Town of Markham.

By notice of May 13, 2010, we have been advised of the upcoming Statutory Public Meeting respecting the proposed Regional Official Plan Amendments (“ROPA”) 1, 2 and 3. Minotar continues to object to ROPA 3, regarding an urban area expansion in the Town of Markham to accommodate projected growth to 2031, as currently presented. By way of letter dated March 1, 2010, attached hereto, we articulated our clients’ concerns in this regard, as the proposed boundary bisects our clients’ lands and will result in an orphaned remnant parcel outside the expanded boundary. We reiterated these concerns directly in our meeting with Regional Staff on April 6, 2010, as is reflected in the public record of the Submission Analysis, also attached hereto.

We also wish to reiterate our clients’ concerns respecting the accuracy of aerial imagery used to map features in the Region’s new Official Plan, as continued in ROPA 3. As you know, Minotar retained Natural Resources Solutions Inc. (“NRSI”) to undertake a detailed, site level review of its lands. Upon review of the schedules attached to the proposed ROPA 3, we note that swaths of designated woodlands not previously apparent on the maps to the new regional Official Plan are shown on both sides of the agricultural drainage ditch travelling north-west through the western Minotar lands.

Lastly, we note that Figures 2-5 of ROPA 3 (excerpts from Maps 2-5 to the Region’s Official Plan) use colour tones which are difficult to construe. It would appear that Minotar’s lands are shown to be within the Greenbelt Protected Countryside, with all Greenbelt lands also within the Region’s Natural Heritage System. If this is indeed the intention, Minotar objects to the inclusion of the entirety of its Greenbelt lands within the Region’s Natural Heritage System, as such is not supported by the detailed site level analysis conducted by NRSI.

We will be in attendance at the June 16, 2010 Statutory Public Meeting to again state our clients' concerns respecting the proposed urban expansion through ROPA 3, as well as the mapping thereto.

Yours very truly,

GOODMANS LLP

Per:

A handwritten signature in dark ink, appearing to be 'C. Lyons', written over the printed name.

Catherine Lyons

cc: Minotar Holdings Inc.

March 1, 2010

Our File No.: 06.3883

Via Email

Denis Kelly, Clerk
Regional Clerk's Office
Corporate Services Department
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Dear Chair Young and Members of the Planning and Economic Development Committee:

**Re: Region of York Planning and Economic Development Committee, March 3, 2010
Item D.3: Preliminary Urban Expansion Areas in the Town of East Gwillimbury, City of
Vaughan and Town of Markham**

We are solicitors for Minotar Holdings Inc., the owner of land located north of Major MacKenzie, in the Town of Markham between Kennedy Road and McCowan Road.

We have reviewed the report of the Commissioner of Planning and Development respecting Preliminary Urban Expansion Areas. We wish to advise the Committee that our client does not support the boundary of the preliminary urban expansion area illustrated on Figure 3 respecting the Town of Markham. Between Major MacKenzie Drive to the south and Elgin Mills Road to the north, the easterly boundary of the proposed urban area bisects our client's lands. This boundary location will result in the creation of isolated neighbourhoods which will be difficult to access and service. The proposed delineation of the urban boundary also results in parcels being orphaned outside of the urban boundary with no logical connection to the agricultural area and no land use connection to the urban area.

We ask for the opportunity to be consulted before the boundary is finalized.

We will be in attendance at the March 3, 2010 Committee Meeting when this matter is considered.

Yours very truly,

GOODMANS LLP

Per:



 Catherine Lyons
cc: Minotar Holdings Inc.

\5820374

April 26, 2010

Submission Number	Date of Submission:	Submission Author:
D05.2009.1.159	February 10, 2010	Goodmans LLP (on behalf of Minotar Holdings Inc)
D05.2009.1.163	March 1, 2010	Goodmans LLP (on behalf of Minotar Holdings Inc, Corlots Development and Cherokee Holdings Inc)
D05.2009.1.177	April 16, 2010	

Comments or Requested Change to Draft Official Plan	Analysis and Recommendation
Property: Approximately 210 acres of land between Kennedy Road and McCowen Road, north of Major Mackenzie Drive; Markham. <u>Woodlands</u> The work of Minotar's natural heritage consultant, Natural Resources Solutions Inc (NRSI), as attached to our October 6, 2009 letter, supports certain further adjustments to OP Map 5. Please confirm that these adjustments may be made in future on the basis of the site level study that has been undertaken by NRSI without an Official Plan Amendment being required. <u>Key Hydrologic Features</u> The adopted OP Key Hydrologic Features Map (Map 4) indicates that a portion of a wetland is located on the Lands and that the Lands are traversed by a permanent or intermittent stream. As you know, a provincially significant wetland (PSW) has been delineated by the Ministry of Natural Resources (MNR) on the Lands, but detailed site level analysis of the Lands by NRSI has illustrated that the MNR wetland boundaries are inaccurate. As noted in our October 6, 2009 correspondence, we understand that, should the MNR and/or Conservation Authority revise the mapping of the PSW based on the more accurate and current information obtained by	That is correct. Policy 2.2.41 states: That site specific studies can be used to determine or verify the significance of <i>woodlands</i>. An amendment to this Plan shall not be required if a site specific study determines that a <i>woodland</i> does not meet any of the criteria identified in policy 2.2.39 of this Plan. That is correct. Policy 2.2.37 states: That boundary refinements or reclassification of existing evaluated <i>wetlands</i> by the Province will not require an amendment to Map 4 of this Plan. Where new evaluated <i>wetlands</i> are identified by the Province, the Region will periodically amend this Plan to include updated information.

the owner, an amendment to the Regional Plan would not be required to address the revised boundary.

With respect to stream delineation remaining on Map 4, we request confirmation from Regional staff that the nature and bounds of the "stream" may be adjusted to reflect site level analysis without the requirement for an Official Plan Amendment.

Policy 2.2.1 includes streams as a key natural hydrologic feature.

That is correct. Policy 2.2.23 states:

That minor refinements to the extent or presence of key *natural heritage features* and key *natural hydrologic features* resulting from site specific studies conducted in accordance with the requirements in the Oak Ridges Moraine Conservation Plan, the Greenbelt Plan, the Lake Simcoe Protection Plan and updated information from the Province or the appropriate conservation authority, will not require an amendment to this Plan. However, where there is a boundary refinement to a *wetland, Life Science Area of Natural and Scientific Interest*, or significant habitat of endangered, or threatened species, confirmation will be required from the Province prior to any *development* or *site alteration* occurring in these areas. In regard to minor changes to *Environmentally Significant Areas*, approval will be required by the appropriate conservation authority.

Potential Urban Expansion

The adopted OP Regional Structure Map (Map 1) as recommended for Council adoption contained conceptual pink stars that illustrated potential urban expansion areas in Vaughan, Richmond Hill, Newmarket and Markham, including one in the vicinity of the Minotar Lands. Due to a modification made by Council Resolution, Map 1 as adopted did not contain the Potential Urban Expansions in the Town of Markham.

This modification did not reflect staff's findings and the results of the exhaustive plan review process. Further to our

A report was received by Regional Council at it's meeting of March 25, 2010 (Clause 3 of Report 2 of the Regional Planning and Economic Development Committee (PEDC)) which identified preliminary urban expansion areas in the Town of East Gwillimbury, City of Vaughan and Town of Markham. Regional Council adopted the recommendations of the report, but deferred the introduction of the urban expansion amendments (ROPA's 1, 2 and 3) until the PEDC of May 5, 2010. This deferral also delays the Statutory Public meetings on the Amendments until the PEDC meeting of June 16, 2010.

discussion, we understand that it is intended that a future Regional Official Plan Amendment will deal with the question of urban expansion areas in detail. Through this process, we expect that Regional staff will support their prior finding that the vicinity of the Minotar Lands is an area suitable for future growth. We look forward to participating in that planning process; however, if the timing of the Region's proposed OPA addressing growth in this area does not coincide with the approval of the OP currently before the Province, our client may have no choice but to file an appeal.

We have reviewed the report of the Commissioner of Planning and Development respecting Preliminary Urban Expansion Areas. We wish to advise the Committee that our client does not support the boundary of the preliminary urban expansion area illustrated on Figure 3 respecting the Town of Markham. Between Major Mackenzie Drive to the south and Elgin Mills Road to the north, the easterly boundary of the proposed urban area bisects our client's lands. This boundary location will result in the creation of isolated neighbourhoods which will be difficult to access and service. The proposed delineation of the urban boundary also results in parcels being orphaned outside of the urban boundary with no logical connection to the agricultural area and no land use connection to the urban area.

We ask for the opportunity to be consulted before the boundary is finalized.

As you know, we are solicitors for Minotar Holdings Inc., Cor-lots Developments and Cherokee Holdings, owners of land located north of Major Mackenzie, in the Town of Markham between Kennedy Road and McCowan Road.

The boundaries for the preliminary urban expansion areas were created to fall along natural boundaries, such as existing roads or undevelopable land uses.

The boundary for the preliminary urban expansion area in Markham, while it does bisect the subject property, includes developable land of the subject property and coincides with the Markham staff recommendations in their Growth Management work. The remaining portion of the subject property, which would fall outside the urban boundary, is protected by the Greenbelt. Regional staff is of the opinion that this is a logical line for the boundary to occur.

A meeting was held on April 6, 2010 between Regional Staff and the submitter.

With respect to key natural heritage features and key hydrologic features on the mapping policies 2.2.4, 2.2.37, and 2.2.41 apply. Policy 2.2.4 precludes development and site alteration within features and adjacent lands unless requisite studies determine there is no negative impact on features or

Thank you for your time and consideration at our meeting on April 6, 2010. At that meeting, we discussed a possible new Policy to be added to the Regional Official Plan ("ROP") respecting key natural heritage features and key hydrologic features. This new Policy, it was suggested, would be similar to that which already exists at Policy 2.2.41 respecting woodlands, and so would make provision for adjustment to the ROP mapping without a ROP amendment in those instances where site specific study determines that the key natural heritage feature and/or key hydrologic feature is not present, or is present to a lesser extent than is shown on Plan mapping.

We have considered this further, and believe that such a Policy would be a useful addition. Accordingly, we propose the following draft language for a new Policy, following Policy 2.2.3:

Key Natural Heritage Features and Key Hydrologic Features

2.2... That site specific studies can be used to determine or verify the significance of key natural heritage features and key hydrologic features. An amendment to this Plan shall not be required if a site specific study determines that a key natural heritage feature or key hydrologic feature is not present, or is present to a lesser extent.

We would be pleased to discuss this matter with you further.

functions. Through this process, features are field-truthed and studied in detail. Policies 2.2.37 and 2.2.41 provide specific exceptions from mapping modification requirements for wetlands and woodlands.

In addition to those policies, the following policy in the implementation section of the ROP applies.

Policy 8.4.3 states:

That the boundaries and facilities identified on Maps 1 to 12 are intended to indicate the general location. Exact boundaries shall be defined in local official plans and zoning by-laws, except in the following cases:

- a. the boundary of the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan. In this case, the boundary may only be clarified through reference to the applicable Provincial Regulations; and,
- b. the boundaries of the Urban Area identified on Map 1, are fixed where they are identified by a municipal street, rail line, parcel fabric as it exists on the day of adoption of this Plan, lot and/or concession blocks, or, other clearly identifiable physical features.

Received February 10, 2010

D05.2009.1.159

Goodmans^{LLP}

Barristers & Solicitors

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Facsimile: 416.979.1234
goodmans.ca

Direct Line: 416.597.4183
clyons@goodmans.ca

February 10, 2010

Our File No.: 06.3883

By E-Mail – Regular Mail

John Waller, Director, Long Range and Strategic Planning
York Region Planning Department
York Region Administration Building
17250 Yonge Street, 4th Floor
Newmarket, ON L3Y 6Z1

Dear John:

Re: Region of York Adopted Official Plan, being considered by MMAH

As you know, we are solicitors for Minotar Holdings Inc., owners of approximately 210 acres of land between Kennedy Road and McCowen Road, north of Major McKenzie Drive, in Markham (the "Lands"). As you also know through our discussions on this matter, our clients have certain concerns respecting the Region of York's Adopted Official Plan (the "OP"), which we understand is now before the Province. In the context of the Region's discussions with the Province respecting potential modifications to the Plan, we wish to raise the following matters on behalf of our client (some of which we also addressed in our October 6, 2009 letter, a copy of which is attached hereto). We suggest that these concerns could be appropriately dealt with through modifications of the OP which is currently before the Province.

Woodlands

We appreciate staff's efforts in refining the *significant woodlands* definition, and in particular the Woodlands mapping respecting the Minotar lands, in the adopted OP. The work of Minotar's natural heritage consultant, Natural Resources Solutions Inc. ("NRSI"), as attached to our October 6, 2009 letter, supports certain further adjustments to OP Map 5. Please confirm that these adjustments may be made in future on the basis of the site level study that has been undertaken by NRSI without an Official Plan Amendment being required.

Key Hydrologic Features

The adopted OP Key Hydrologic Features Map (Map 4) indicates that a portion of a wetland is located on the Lands and that the Lands are traversed by a permanent or intermittent stream. As you know, a provincially significant wetland (PSW) has been delineated by the Ministry of Natural Resources (MNR) on the Lands, but detailed site level analysis of the Lands by NRSI has illustrated that the MNR wetland boundaries are inaccurate. As noted in our October 6, 2009 correspondence,

we understand that, should the Ministry of Natural Resources and/or Conservation Authority revise the mapping of the PSW based on the more accurate and current information obtained by the owner, an amendment to the Regional Plan would not be required to address the revised boundary.

With respect to stream delineation remaining on Map 4, we request confirmation from Regional staff that the nature and bounds of the "stream" may be adjusted to reflect site level analysis without the requirement for an Official Plan Amendment.

Potential Urban Expansions

The adopted OP Regional Structure Map (Map 1) as recommended for Council adoption contained conceptual pink stars that illustrated potential urban expansion areas in Vaughan, Richmond Hill, Newmarket and Markham, including one in the vicinity of the Minotar Lands. Due to a modification made by Council Resolution, Map 1 as adopted did not contain the Potential Urban Expansions in the Town of Markham.

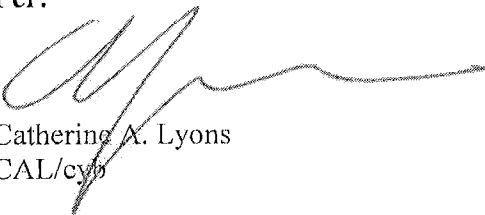
This modification did not reflect staff's findings and the results of the exhaustive plan review process. Further to our discussion, we understand that it is intended that a future Regional Official Plan Amendment will deal with the question of urban expansion areas in detail. Through this process, we expect that Regional staff will support their prior finding that the vicinity of the Minotar Lands is an area suitable for future growth. We look forward to participating in that planning process; however, if the timing of the Region's proposed OPA addressing growth in this area does not coincide with the approval of the OP currently before the Province, our client may have no choice but to file an appeal.

We would be pleased to discuss these matters with Regional and/or Provincial staff further, and will make ourselves available to meet at staff's convenience.

Yours very truly,

GOODMANS LLP

Per:



Catherine A. Lyons
CAL/cyb

c.c. Client
Paul Bottomley

October 6, 2009

Our File No.: 06.3883

By E-Mail – Regular Mail

Chair and Members of Regional Council
Region of York
York Region Administration Building
17250 Yonge Street, 4th Floor
Newmarket, ON L3Y 6Z1

Attention: Denis Kelly, Regional Clerk

Dear Mr. Kelly:

Re: Region of York Draft Official Plan

We are solicitors for Minotar Holdings Inc. owners of approximately 210 acres of land between Kennedy Road and McCowen Road, north of Major McKenzie Drive, in Markham (the "Lands"). An air photo of the Minotar Lands is attached at Schedule A.

The Lands are primarily comprised of tablelands used for agricultural purposes, with natural heritage elements related to the Robinson Creek. A portion of the Lands are within the Greenbelt.

On Minotar's behalf, we reviewed the Region of York Draft Official Plan (the "Draft OP") with particular attention to the mapping and policies related to natural heritage matters. We have received expert advice in this exercise through Minotar's natural heritage consultants, Natural Resources Solutions Inc. ("NRSI"). A detailed, site level review of the Lands has been undertaken by NRSI using the Ecological Land Classification model. A map which demonstrates the outcome of this analysis is attached as Schedule B.

Significant Woodlands

"Significant Woodlands" are identified on Draft OP Map 5. Based on detailed site level analysis, it is evident that there are at least four areas on the Minotar Lands which have been designated as "Significant Woodland" where no feature exists. Accordingly, we hereby request that the Map 5 of the Draft OP be corrected to reflect the more accurate information shown in Schedule B.

Key Hydrologic Features

Key Hydrologic Features are shown on Draft OP May 4. This map identifies a "Wetland" and a "Waterbody" on the Lands.

A provincially significant wetland (PSW) has been delineated by the Ministry of Natural Resources (MNR) on the Lands. We note that on the basis of the detailed site level analysis of the Lands by NRSI, the MNR Wetland boundaries are inaccurate. Please confirm that should the Ministry of Natural Resources and/or Conservation Authority revise the mapping of the PSW based on the more accurate and current information obtained by the owner, that an amendment to the Regional Plan would not be required to address the revised boundary.

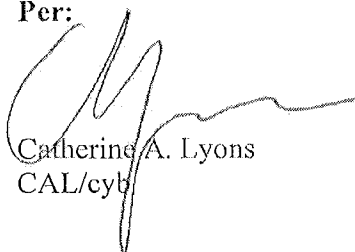
With respect to the "Waterbody" identified in the Region's draft OP, on a number of maps including Draft OP Map 4, we note that the correct feature identification should be "Watercourse". Accordingly we hereby request that the Draft OP be corrected to accurately show the Watercourse and not a Waterbody.

We note that the Town of Markham staff has been provided with the results of the natural heritage analysis of the lands as shown on Schedule B to this letter. Markham staff has advised it will update its mapping as appropriate.

It is critical that the errors noted above in the draft Official Plan be corrected prior to adoption of the plan. We look forward to receiving corrected maps for our review.

Yours very truly,
GOODMANS LLP

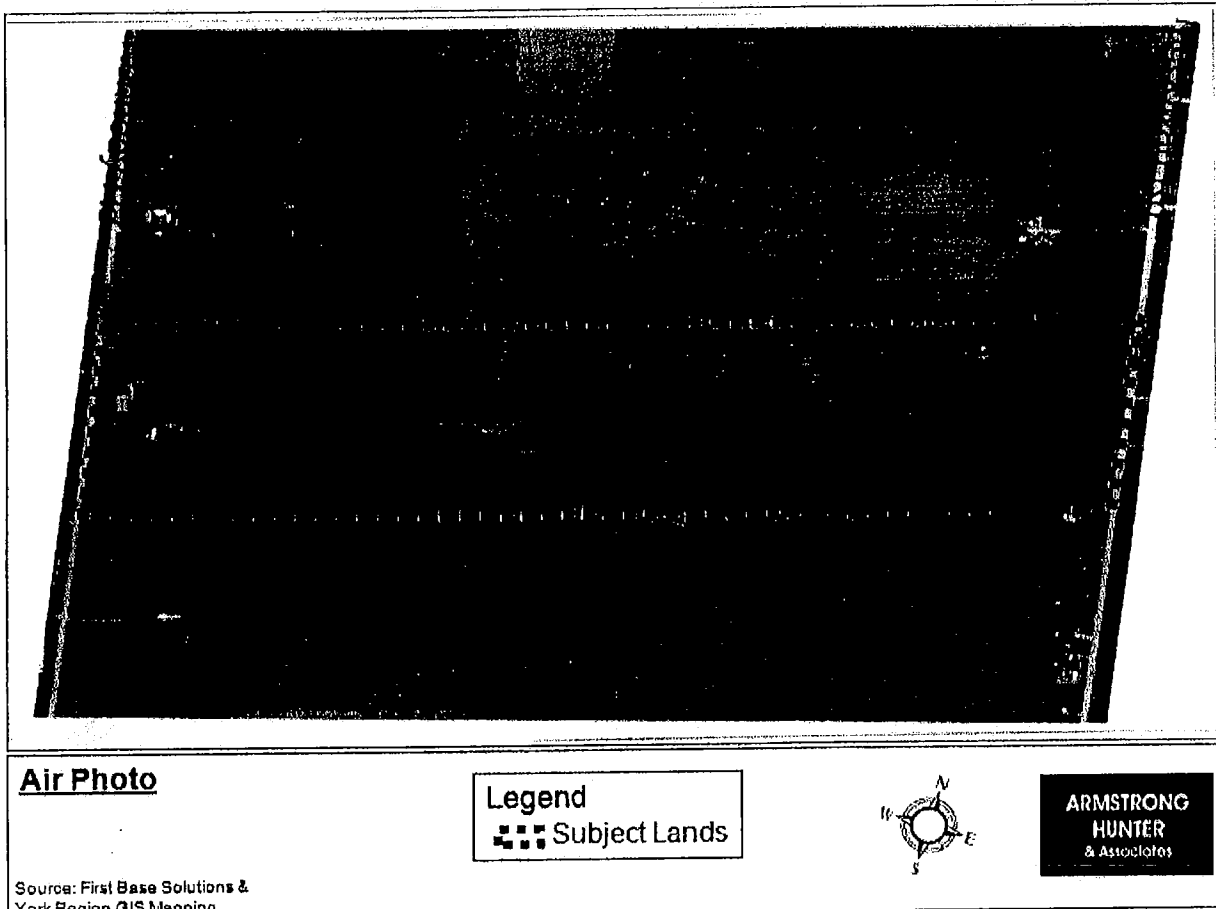
Per:



Catherine A. Lyons
CAL/cyb

c.c. Jim Baird
Paul Bottomley

Schedule A: Air Photo

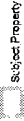


Schedule B: Site Level Analysis

Minotar Natural Heritage Characterization

Ecological Land Classification

Legend



State Property

Ecological Land Classification

(CLM1) Mineral Cultural Meadow Ecosite

(CLM2) Mineral Cultural Savannah Ecosite

(CLM3) Mineral Cultural Woodlot

(FOD4-2) Dry Fresh Ash Deciduous Forest Type

(FOD5-1) Dry Fresh Maple Deciduous Forest Type

(FOD5-6) Dry Fresh Sugar Maple-Basswood Deciduous Forest Type

(FOD5-8) Dry Fresh Sugar Maple-White Elm Deciduous Forest Type

(FOD6-4) Fresh Moist Sugar Maple-White Elm Deciduous Forest Type

(FOD7) Fresh Moist Lowland Deciduous Forest Ecosite

(FOD7-2) Fresh Moist Ash Lowland Deciduous Forest Type

(FOD8) Fresh Moist Willow Lowland Deciduous Forest Type

(FOD9) Fresh Moist Poplar Deciduous Forest Ecosite

(FOD9) Fresh Moist Cedar-Hardwood Mixed Forest Ecosite

(H) Spruce Hedges

(MAN2-10) Foronatural Meadow Marsh Type

(MAN2-2) Reed Canary Grass Mineral Meadow Marsh Type

(MAS3-1) Cattail Mineral Shallow Marsh Type

(MAS3-1) Cattail Organic Shallow Marsh Type

(SHC1-1) White Cedar Mineral Coniferous Swamp Type

(SWD) Organic Mineral Deciduous Swamp (Blue Beech)

(SWD2) Ash Mineral Deciduous Swamp Ecosite

(SWD4-3) White Birch-Poplar Mineral Deciduous Swamp Type

(SWD4-4) Yellow Birch Mineral Deciduous Swamp

(SWD5-1) Black Ash Organic Deciduous Swamp Type

(SWD7-2) Yellow Birch Organic Deciduous Swamp Type

(SWM1-1) White Cedar-Hardwood Mineral Mixed Swamp Type

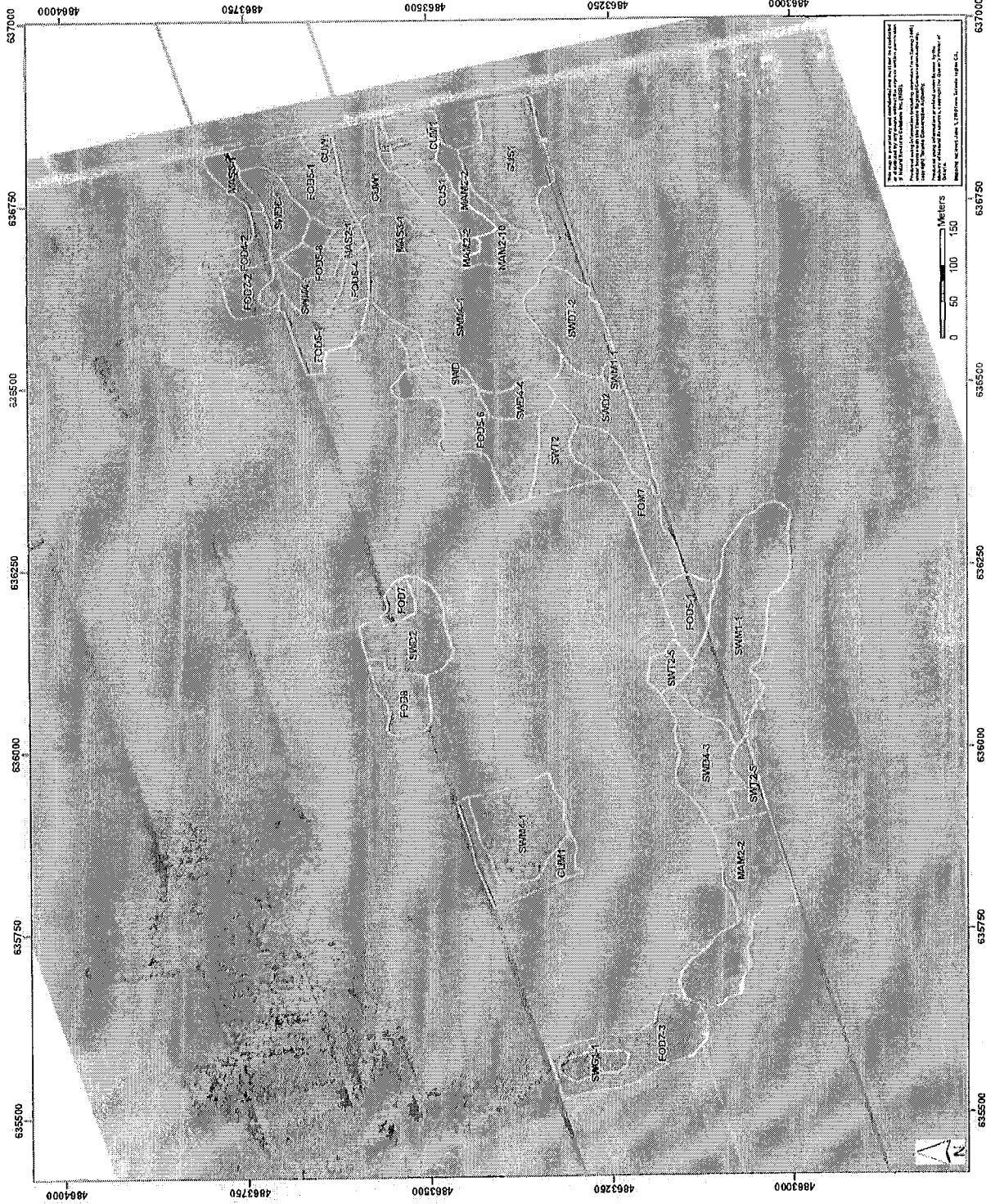
(SWM2-1) White Cedar-Hardwood Organic Mixed Swamp

(SWT2) Mineral Thicket Swamp Ecosite (Bulldozer)

(SWT2-5) Rice Cedar Mineral Thicket Swamp Type

NAD83 - UTM Zone 17
Scale: 1:5,000 (11x17")
Airphoto: 2006

NATURAL RESOURCE SOLUTIONS INC.
Aquatic, Terrestrial and Wetland Ecosystems



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March 1, 2010

Our File No.: 06.3883

Via Email

Denis Kelly, Clerk
Regional Clerk's Office
Corporate Services Department
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Dear Chair Young and Members of the Planning and Economic Development Committee:

Re: Region of York Planning and Economic Development Committee, March 3, 2010
Item D.3: Preliminary Urban Expansion Areas in the Town of East Gwillimbury, City of
Vaughan and Town of Markham

We are solicitors for Minotar Holdings Inc., the owner of land located north of Major MacKenzie, in the Town of Markham between Kennedy Road and McCowan Road.

We have reviewed the report of the Commissioner of Planning and Development respecting Preliminary Urban Expansion Areas. We wish to advise the Committee that our client does not support the boundary of the preliminary urban expansion area illustrated on Figure 3 respecting the Town of Markham. Between Major MacKenzie Drive to the south and Elgin Mills Road to the north, the easterly boundary of the proposed urban area bisects our client's lands. This boundary location will result in the creation of isolated neighbourhoods which will be difficult to access and service. The proposed delineation of the urban boundary also results in parcels being orphaned outside of the urban boundary with no logical connection to the agricultural area and no land use connection to the urban area.

We ask for the opportunity to be consulted before the boundary is finalized.

We will be in attendance at the March 3, 2010 Committee Meeting when this matter is considered.

Yours very truly,

GOODMANS LLP

Per:



Catherine Lyons

cc: Minotar Holdings Inc.

\5820374

Received April 16, 2010

Goodmans^{LLP}

D05.2009.1.177

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April 16, 2010

Our File No.: 06.3883

Via Email

Barbara Jeffrey
Manager, Land Use Policy and Environment
Long Range & Strategic Planning
The Regional Municipality of York
17250 Yonge Street, 4th Floor
Newmarket, ON L3Y 6Z1

Dear Barbara:

**Re: Region of York New Official Plan
Proposed New Policy Language**

As you know, we are solicitors for Minotar Holdings Inc., Cor-lots Developments and Cherokee Holdings, owners of land located north of Major Mackenzie, in the Town of Markham between Kennedy Road and McCowan Road.

Thank you for your time and consideration at our meeting on April 6, 2010. At that meeting, we discussed a possible new Policy to be added to the Regional Official Plan ("ROP") respecting key natural heritage features and key hydrologic features. This new Policy, it was suggested, would be similar to that which already exists at Policy 2.2.41 respecting woodlands, and so would make provision for adjustment to the ROP mapping without a ROP amendment in those instances where site specific study determines that the key natural heritage feature and/or key hydrologic feature is not present, or is present to a lesser extent than is shown on Plan mapping.

We have considered this further, and believe that such a Policy would be a useful addition. Accordingly, we propose the following draft language for a new Policy, following Policy 2.2.3:

Key Natural Heritage Features and Key Hydrologic Features

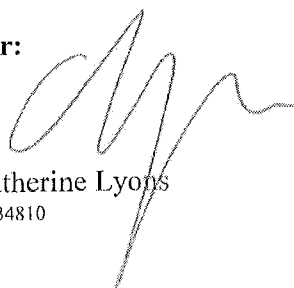
2.2.●. That site specific studies can be used to determine or verify the significance of *key natural heritage features* and *key hydrologic features*. An amendment to this Plan shall not be required if a site specific study determines that a *key natural heritage feature* or *key hydrologic feature* is not present, or is present to a lesser extent.

We would be pleased to discuss this matter with you further.

Yours very truly,

GOODMANS LLP

Per:

A handwritten signature in black ink, appearing to be 'C. Lyons', written over the printed name and ID number.

Catherine Lyons
5834810

Submission Number
D05.2009.003.1.002

Date of Submission:
June 16, 2010

Submission Author:
Malone Given Parsons on behalf of
North Markham Landowners Group
Don Given

Delegation at Statutory
Meeting

June 16, 2010

Comments or Requested Change to Proposed ROPA 3

Analysis and Recommendation

The North Markham Landowners' Group (NMLG) is a group of developers and interested landowners that own or control approximately 930 hectares in North Markham in an area bounded by Major Mackenzie Drive to the south, the Markham municipal boundary to the north, Woodbine Avenue on the west and 9th Line on the east. Their holdings represent approximately 23 percent of the gross total area commonly referred to as the Markham Whitebelt.

NMLG has a number of concerns with the Region's Proposed Amendment 3 ("OPA 3") to the adopted Official Plan for the Regional Municipality of York ("ROP") which seeks to define an urban boundary expansion in Markham.

It is NMLG's understanding that Regional Staff interpret the policies of the ROP to suggest that any further urban boundary expansion, beyond what is defined through OPA 3, will constitute a firm edge limiting outward growth and require the completion of a new REGIONAL MUNICIPAL COMPREHENSIVE REVIEW. Consequently, it is important that the Region get it right this time.

In that context and on NMLG's behalf, Malone Given Parsons Ltd. respectfully requests that the York Region's OPA 3 be revised to reflect the NMLG Alternative urban boundary identified in ATTACHMENT 1 - *North Markham – Proposed Urban Boundary*

That is correct, any further urban area expansions would be completed as a part of the next Regional Municipal Comprehensive review.

York Region's municipal comprehensive review included the completion of forecasting and land budget work, a Regional Intensification Strategy, a comprehensive public consultation exercise throughout 2006 to 2009, infrastructure master plan updates for transportation, and water and wastewater and an updated Natural Heritage Strategy.

Expansion

This request is supported by Attachment 2 - *Land Needs and a Recommended 2031 Urban Boundary Expansion for North Markham* report which was commissioned by the North Markham Landowners Group and provided to your Planning Staff previously to provide the substantive bases for the NMLG recommended urban boundary expansion in north Markham.

The NMLG Alternative is premised upon the following bases:

- Identify an urban boundary for Markham on ROP Figures 1 through 8 to reflect the total of new lands necessary to accommodate growth to 2031 identified as necessary by the Region's Land Budget report of March 2010 ("Land Budget").
- Include sufficient lands within the proposed urban boundary to maintain a balanced mix of housing, address the Region's identification of 52% intensification as an appropriate target for Markham, minimize the risks associated with over-intensification and realistically (albeit ambitiously) plan for future growth in Markham.
- Revise the location of the urban boundary such that it reflects the historical and optimum pattern of growth in Markham.
- Provide for an urban boundary expansion that aligns with the Region's plans for servicing most of north Markham and Whitchurch-Stouffville as identified in the Water-Waste Water Master Plan Update (approved *December 2009*) and which is consistent with the pending Development Charges By-Law.
- Revise the proposed location for an urban boundary expansion to align it with the Region's plans for transit in north Markham as identified in the Transportation Master Plan Update (approved *December 2009*) and to leverage the plan for higher order transit along the length of Major

A thorough and detailed land budget report was made available in March, 2010. The Region's land budget is a key component of the regional municipal comprehensive review and Growth Plan conformity exercise. Detailed consultations were held with provincial staff on the land budget methodology and assumptions.

The land budget work included:

- The use of the Growth Plan's forecasts, densities and intensification for York Region.
- The completion of an intensification strategy that identifies a minimum 40% residential intensification target between 2015 to 2031, and plans for 88% of residential growth and 83% of employment growth to occur in existing Urban Areas.
- An assessment of the available residential and employment land supplies and demonstration of the need for a proposed urban expansion, and
- A demonstration of how the minimum designated greenfield area density target of 50 people and jobs per hectare is to be achieved.

A portion of the Whitebelt is required to accommodate the York Region's forecast growth. The Regional Official Plan and the urban area expansion Amendments ROPA's 1,2,3 implement the results of the regional municipal comprehensive review.

The boundaries for the urban area expansion amendments are:

- Clearly defined (i.e. concession streets, major natural features, utility corridors)
- Contiguous expansion to urban area
- Large enough for new generation of planned communities (block plan, secondary plan process)

Mackenzie Drive and ensure its integration with new communities expected in north Markham.

Discussion:

In the following sections, NMLG offers more detailed submissions in support of the NMLG alternative proposed urban boundary for north Markham.

- **Identify the urban boundary expansion line required for Markham on ROP Figures 1 through 8 to reflect the amount of new lands necessary to fully accommodate growth to 2031 as required by the Region's Land Budget report of March 2010.**

The Region of York identified in its Land Budget that 1,010 hectares of land beyond Markham's current settlement area are required to accommodate growth to 2031.

NMLG has evaluated the amount of additional developable lands proposed for inclusion in an expanded urban boundary illustrated in OPA 3 and has concluded that the line appearing in ROP Figures 1 through 8 encompasses less than the 1,010 hectares identified by Regional Staff as required to accommodate growth to 2031.

It appears that the Region's proposed urban boundary expansion is not based upon the Region's own Land Budget but instead is based on the Town's recommended growth strategy for north Markham which does not align with the Region's own work:

- i. It allocates only 300 hectares for new employment lands versus the Region's recommended 328 hectares, and
- ii. It allocates only 600 hectares of land for community lands versus the Region's recommended 682 hectares.

- Consistent with local priorities

The Region will carefully monitor the pace and nature of intensification and growth.

NMLG wishes to point out that the Town's land budget has never been vetted as have the Region's via its Land Budget. To date, the Town has not released their land budget calculations. The numbers include in their proposed growth strategy are in fact less than those advised by the Town's consultants. On a related matter, there has been no discussion nor any report released by the Town in which alternate urban boundary configurations were presented and commented on.

Within its Land Budget, the Region identifies that 75 hectares of land in north Markham will be required for major retail and has included this amount in its community lands estimate. NMLG's analysis is consistent with this, identifying the need as 75 hectares minimum for major retail, and potentially as much as 120 hectares. The Town has made no allowance for major retail growth, assuming instead that this particular retail function can be absorbed into new community designs without allocating lands for it. We are not aware of any Town study that would support the feasibility of this approach or any technical basis for excluding major retail growth from its land budget. NMLG does not consider this approach to planning for major retail growth either possible or desirable.

NMLG is concerned that the proposed land area does not account for future exclusion of lands that will need to be set aside for the protection of fish habitat under the Province's *Red Side Dace Recovery Strategy* and its pending Regulation. Based on its latest work, NMLG estimates that the north Markham expansion area should be adjusted to allow for approximately 86 hectares of red side dace habitat protection in the 2006-2031 growth period over and above the 1010 hectares already in the Land Budget.

York Region has completed a municipal comprehensive review that supports an urban boundary expansion in Markham of 1,010

hectares. We understand that Regional Staff have indicated that the incremental land differences between the proposed OPA 3 land area and the land need identified through the Region's municipal comprehensive review will require an additional REGIONAL MUNICIPAL COMPREHENSIVE REVIEW to be address any future urban area expansion.

It is imperative then that OPA 3 should include all land requirements identified by the completed REGIONAL MUNICIPAL COMPREHENSIVE REVIEW.

- **Include sufficient lands within the proposed urban boundary expansion to maintain a balanced mix of housing, address the Region's identification of 52 % intensification, minimize the risks associated with over-intensification and realistically (albeit ambitiously) plan for future growth in Markham.**

(i) Balanced Mix of Housing:

The Region's adopted Official Plan and studies by the Town of Markham as it works toward a new local Official Plan contain some very aggressive targets. The Region's targets appear in the form of residential intensification plans well above the Growth Plan's 40 percent requirement, high employment lands job densities, greatly increased modal splits for new transit systems, and a dramatic and unprecedented shift in housing form from grade-accessed to apartments and condominiums.

A 52 % intensification requirement is itself highly aggressive, assuming a very ambitious market shift (and a supply to meet that shift), so that 60% intensification is of even more concern. Yet, the land area proposed by OPA 3 necessarily means that the Region is now assuming 60% intensification to meet the Table 1 population

and employment, which is a move away from their own work (without support).

NMLG believes that the Region needs to view its base 52% intensification requirement for Markham in a new context. That standard was set in a different economic regime and predicated on substantial funding for transit being available. Such is not the case today nor will it be in the near future. The global economic realities have forced the province to severely cut back or delay its commitment to funding transit. The timely delivery of significant new and expanded transit networks is a fundamental principle underpinning the region's 52% intensification requirement for Markham. The reductions and delays in provincial funding for transit puts the Region's 52% intensification target at risk. NMLG suggests that the Region reserve additional lands for a boundary expansion should transit funding not re-materialize.

An expanded urban boundary for the Town of Markham must address a balanced mix of housing for families, ensure affordability and recognize the limited ability to provide additional soft services within intensification areas.

NMLG does not support the Town of Markham's 60% intensification goal as being either realistic or desirable. NMLG is very concerned that OPA 3 reflects the Town's growth strategy for north Markham, which in turn is rooted in their 60% intensification goal.

Research performed by The Centre for Spatial Economics (C4SE) on behalf of NMLG demonstrates a marked current preference for single family graded-accessed housing units. Though the demographic analysis indicates that the Markham population on average will be older in 2031, the preferred housing type will remain unchanged.

C4SE estimates that under the Region's 52% intensification scenario

20,000-22,000 grade-accessed housing units that would have been constructed in pre-intensification days will not be built. This change directly impacts the supply of homes for families. The challenge will be to increase the supply of family scale apartment units as intensification proceeds within the current settlement area. This will be difficult as this is not the market preference for housing in Markham, and the units will be substantially more expensive than the grade-accessed housing option.

These concerns are underscored even further with the Town's intensification target of 60%. Unlike the Region, the Town has not released a land budget in support of its growth management strategy. The basis for the 60% Staff recommendation is not available and can only be inferred by NMLG.

The Town's intensification target will translate into a further loss of 5,000 grade-accessed family-capable units. This will increase stress on the supply of homes for families.

NMLG suggests that OPA 3 must be based upon the Region's own work and its 52% intensification target and not based upon the target identified by Markham.

The consequences of setting overly ambitious and unrealistic targets for intensification must be recognized. They ultimately serve only to frustrate the development process, add risk to infrastructure investment and to focus criticism when they can't be delivered.

Sufficient lands must be included in a proposed urban boundary expansion in order to maintain a balanced stock of housing to satisfy the need for homes for families, and for Markham to remain attractive to new employers. NMLG believes that OPA 3 should include more land to meet these needs and expectations.

As a point of comparison, Vancouver has occasionally been touted as an example of successful intensification and something to which Markham should aspire. In Metro Vancouver, in the period 1981-2001, residential intensification was 78%. A review of the Statistics Canada 2006 Census data reveals the impact on homes for families.

In the communities of the inner ring, in the 1991-2006 period, the number of grade-accessed units decreased by 18,000. Apartment units increased by 93,000 units of which 13,000 were family capable (3 PPU or greater). Overall, there was a net loss of 5,000 family units in the core Vancouver communities.

Conversely, those seeking grade-accessed units are moving to the outer ring communities of Metro Vancouver. In the same period, there was an increase of 57,000 grade-accessed units in the outer ring communities, and an increase of 96,000 apartments of which 16,000 units are family capable, for a total increase of 73,000 family-capable units in the outer ring communities.

For the City of Vancouver proper, the change has been profound. In 2006, 46% of housing units were small, single occupant apartments.

Vancouver is a different context for intensification more akin to downtown Toronto than is Markham. NMLG views Vancouver as an intensification model to which Markham cannot and should not aspire.

(ii) Housing Affordability:

An urban boundary expansion must also consider the affordability of future housing. Hemson Consulting Ltd. identified to the Town that a shift to more apartments penalizes young families seeking grade-accessed units. A comparably-sized apartment is at least 50 percent more expensive than an equivalent townhouse. Similar to C4SE,

Hemson confirmed that the future residents and employees that Markham seeks to attract will continue to prefer grade-accessed housing units.

(iii) Impact on the Delivery of Services, including Soft Services:

NMLG does not believe that the need for services, particularly community services, in the intensifying areas was fully addressed prior to a decision by Markham to select the 60% intensification goal.

Based on the growth allocated to Markham, NMLG has determined that an additional 417 hectares of land will be required for library services, fire services, indoor recreation, parks development and public works services.

At the 52% intensification requirement, 257 hectares of the total 417 hectares of new lands required for growth related community services will be required within the Town's Built Boundary. At 60% intensification, this requirement will increase to approximately 305 hectares of land for new community services.

Also, there will be a need for 46 new schools (38 elementary and 8 secondary) with an associated requirement for 84 hectares of land. Allowing for lands already owned by the school boards, at 52% intensification, an additional 44 hectares of lands within the Built Boundary will be required. At 60% intensification, this increases to an additional 58 hectares.

Discussions with the York Region District School Board and the York Region Catholic School Board have identified that both boards are struggling with how to provide schools in intensification areas. A viable model in terms of built form, proximity to homes and capital funding has not yet been found.

For either scenario, the quantum of land required to accommodate growth-related new community services and new schools, ranging from approximately 290 hectares to 360 hectares, is simply not available within the Built Boundary.

Separation of Live-Play in relation to parks and Live-Learn in relation to schools is an undesirable strategy. People want libraries, parks and schools within close proximity to where they live. Having to drive to these facilities or be bused to school will negatively impact the quality of life for new residents in intensifying areas.

NMLG is not aware of any analysis undertaken by the Town of Markham to address this issue. NMLG submits that the urban boundary expansion identified for Markham reflected in OPA 3 does not sufficiently address the impact of over-intensification on homes for families or the need for additional schools, parks, and other recreational facilities in those areas. The Region should therefore err on the side of caution and therefore increase the size of an urban area expansion proposed in OPA 3.

(iii) Realistic Growth

It is NMLG's position that plans for future growth must not only be desirable but also realistic. NMLG believes that it is unlikely that the Town will achieve 60% intensification by 2031. With approval of the new regional Official Plan, Markham must immediately start the process of ramping-up intensification requirements for new applications to ensure it achieves the 60% goal each and every year beginning in 2015. This, in itself, will be a difficult change to implement quickly.

- **Revise the location of the proposed urban boundary expansion such that it reflects the historical and optimal pattern of growth in Markham.**

Markham's approach, and by inference York Region's approach, to an urban boundary expansion is directly linked to a strategy that envisages future north Markham development commencing at Woodbine Avenue and proceeding eastward. It is Malone Given Parsons' experience that regional and municipal decisions on the location and shape of any urban boundary expansion are marked by extensive studies and public discussions of alternatives. Unfortunately, in the case of Markham, no such reports have been tabled nor have any public discussions or debates on alternative locations for future urban expansion within the Whitebelt occurred and therefore the rationale for the identified strategy is unclear.

NMLG does not support the eastward progression of future development in north Markham which is reflected in proposed OPA 3. This approach does not reflect the historical patterns of growth of community areas in Markham, and is considered to be less than optimal. NMLG recommends instead that phased growth, focused north of Major Mackenzie, radiating eastward and westward from McCowan, coincides with and complements the centre of growth that has occurred south of Major Mackenzie in the new communities of Cornell, Greensborough, Wismer and Berczy Village.

From the perspective of employment lands, the opportunity exists for the early delivery of new employment lands in eastern portion of north Markham as sufficient sanitary sewer capacity already exists on 9th Line, and the lands are suitable for development as employment lands as they fall within the restrictive noise contours of a possible future airport at Pickering. The new employment lands in north west Markham can proceed based on the available servicing

capacity available at Warden and Major Mackenzie being allocated to it, and development of the community lands south of Elgin Mills and west of Warden deferred to a future date.

NMLG suggests that the urban boundary expansion to accommodate growth to 2031 in Markham should be as shown on the attached drawing *North Markham – Proposed Urban Boundary Expansion (ATTACHMENT 1)*. This proposal is based on a master planning perspective for the entire Markham Whitebelt leading towards the eventual full build-out contemplated by the Region. It is consistent with and respects the Region's long term planning and financing for strategic infrastructure such as roads, transit, sewers and treatment facilities, and water supply.

The Markham Whitebelt is a finite resource, and a critical component in planning long term growth in the GGH. It warrants planning on the broadest scale and in the context of its ultimate use. Planning for new communities on a concession by concession basis is an incremental and short-term approach that should be avoided. The design of the Markham Whitebelt is the final land use building block in defining Markham itself.

While acknowledging the constraints placed on designation of new lands by the Growth Plan, NMLG suggests that it is preferable if the urban boundary expansion in north Markham conforms to a more traditional and observable feature such as a regional arterial road rather than a subjective line dividing a concession block, or individual parcels of land or following a natural heritage system feature the boundary of which may not be easily discernable upon the landscape.

- **Revise the proposed location for an urban boundary expansion to align it with the Region's plans for servicing most of north Markham and Whitchurch-Stouffville on**

McCowan Road via a North Markham Collector as identified in the Water-Waste Water Master Plan Update (approved *December 2009*) and to be consistent with the pending Development Charges By-Law.

The Region's 2009 Water-Waste Water Master Plan Update provides for a new sanitary sewer referred to as the North Markham Collector Sewer running along McCowan Road north from 16th Avenue to Whitchurch-Stouffville, with construction planned for the 2016-2021 period at a cost of \$79 million.

This sanitary sewer will provide the additional capacity required for the full development of north Markham with the exception of those lands east of the Little Rouge. Funding for this sewer is included in the Region's revised Development Charges By-Law which takes effect in September 2010. The lands east of the Little Rouge can be serviced by available capacity in the existing sewer.

Until the North Markham Collector becomes available, it is essential that the Region and the Town maximize the use of currently available sanitary servicing capacity for development in north Markham. Analyses by MMM Group on behalf of NMLG indicate that servicing capacity is available for community lands west of Berczy Creek and its western tributary as logical extensions for development of the Victoria Square and Cathedral Town communities, but that there is insufficient current capacity to service both the proposed new employment lands north of Elgin Mills Road and west of Warden Avenue and the projected community areas south of Elgin Mills, west of Warden Avenue and north of Major Mackenzie Drive.

While local engineering solutions may be possible to permit both the new employment lands and this community area to develop simultaneously, they would not benefit the remainder of north Markham and may come at a significant cost to the municipality(\$10

million to \$12 million) occurring in the earliest projected timeframe of the North Markham Collector.

The cost is based on employment lands being developed first via a sewer on Warden Avenue, and would be in addition to that for the North Markham Collector which would still be required for full development of the Whitebelt. The cost of the North Markham Collector would not be reduced due to implementation of local solutions.

In contrast, the urban boundary expansion proposed by NMLG is consistent with the Region's Water-Waste Water Master Plan Update, and would use the North Markham Collector for development along McCowan Road north of Major Mackenzie Drive. The new employment lands in north west Markham could be serviced by a new local sewer along Elgin Mills Road running westward from the North Markham Collector. Construction of this local sewer would be consistent with the Region's Water-Waste Water master Plan and the ultimate build-out of north Markham.

- **Revise the proposed location for an urban boundary expansion to align it with the Region's plans for transit in north Markham as identified in the Transportation Master Plan Update (approved *December 2009*) specifically to leverage higher order transit along the length of Major Mackenzie Drive and ensure its integration with new communities expected in north Markham.**

The Region's 2009 Transportation Master Plan identifies Major Mackenzie Drive as the primary mid-Regional rapid transit route serving east-west travel demands from Weston Road in Vaughan to the Donald Cousens Parkway in Markham.

NMLG regards the early delivery of higher order transit on the Major

Mackenzie corridor as essential if the Region is to achieve its vision for the new, compact and sustainable communities in north Markham. Compact communities must have transit available early in their development to foster a move away from travel by private vehicles, and transit success requires those higher levels of ridership that the new communities could provide. Therefore, early development at transit-supportive densities along the length of Major Mackenzie to the current terminus of the Donald Cousens Parkway east of Highway 48 would support both of these objectives.

The urban boundary expansion proposed by NMLG, with development focused along the entire length of Major Mackenzie from Woodbine Avenue to the Donald Cousens Parkway, mirroring traditional patterns of growth in Markham, supports creation of this mid-Regional rapid transit route in north Markham, and delivers dense compact community form close to transit.

In contrast, the urban boundary expansion and the associated future growth as proposed in OPA 3 would support development of this new primary transit route in only the western portion of north Markham, severely limiting the route's viability and its effectiveness as a vehicle to promote compact transit-oriented community design.

Summary:

In summary, NMLG suggests that OPA 3 should be revised to reflect an urban boundary expansion that incorporates sufficient lands in a configuration that reflects historical growth in Markham, ensures a balanced mix of housing, supports the Region's Transportation and Water-Waste Water Master Plans, and addresses the impacts of over-intensification in terms of the need for community services including schools.

Delegation at Statutory Meeting

See staff response above

- Providing copy of a letter and a Report on the North Markham Landowners Group proposal as well as presentation
- Supportive of Region and the intensification target of 52% and the land area required
- However do not support the boundary are shown in ROPA 3 and are offering an alternative as described in the report and presentation
- Request that there be further discussion toward bringing back an alternative boundary in September



June 16, 2010

The Regional Municipality of York
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L3Y 6Z1

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Attention: Bryan Tuckey, *M.C.I.P., R.P.P.*
Commissioner of Planning and Development Services

**Re: Project 07-1717: North Markham Landowners' Group
Official Plan Amendment #3
York Region Urban Area Expansion in the Town of Markham**

Dear Mr. Tuckey,

The North Markham Landowners' Group (NMLG) is a group of developers and interested landowners that own or control approximately 930 hectares in North Markham in an area bounded by Major Mackenzie Drive to the south, the Markham municipal boundary to the north, Woodbine Avenue on the west and 9th Line on the east. Their holdings represent approximately 23 percent of the gross total area commonly referred to as the Markham Whitebelt.

NMLG has a number of concerns with the Region's Proposed Amendment 3 ("OPA 3") to the adopted Official Plan for the Regional Municipality of York ("ROP") which seeks to define an urban boundary expansion in Markham.

It is NMLG's understanding that Regional Staff interpret the policies of the ROP to suggest that any further urban boundary expansion, beyond what is defined through OPA 3, will constitute a firm edge limiting outward growth and require the completion of a new REGIONAL MUNICIPAL COMPREHENSIVE REVIEW. Consequently, it is important that the Region get it right this time.

In that context and on NMLG's behalf, Malone Given Parsons Ltd. respectfully requests that the York Region's OPA 3 be revised to reflect the NMLG Alternative urban boundary identified in ATTACHMENT 1 - *North Markham – Proposed Urban Boundary Expansion*

This request is supported by Attachment 2 - *Land Needs and a Recommended 2031 Urban Boundary Expansion for North Markham* report which was commissioned by the North Markham Landowners Group and provided to your Planning Staff previously to provide the substantive bases for the NMLG recommended urban boundary expansion in north Markham.

The NMLG Alternative is premised upon the following bases:

- Identify an urban boundary for Markham on ROP Figures 1 through 8 to reflect the total of new lands necessary to accommodate growth to 2031 identified as necessary by the Region's Land Budget report of March 2010 ("Land Budget").

- Include sufficient lands within the proposed urban boundary to maintain a balanced mix of housing, address the Region's identification of 52% intensification as an appropriate target for Markham, minimize the risks associated with over-intensification and realistically (albeit ambitiously) plan for future growth in Markham.
- Revise the location of the urban boundary such that it reflects the historical and optimum pattern of growth in Markham.
- Provide for an urban boundary expansion that aligns with the Region's plans for servicing most of north Markham and Whitchurch-Stouffville as identified in the Water-Waste Water Master Plan Update (approved *December 2009*) and which is consistent with the pending Development Charges By-Law.
- Revise the proposed location for an urban boundary expansion to align it with the Region's plans for transit in north Markham as identified in the Transportation Master Plan Update (approved *December 2009*) and to leverage the plan for higher order transit along the length of Major Mackenzie Drive and ensure its integration with new communities expected in north Markham.

Discussion:

In the following sections, NMLG offers more detailed submissions in support of the NMLG alternative proposed urban boundary for north Markham.

- **Identify the urban boundary expansion line required for Markham on ROP Figures 1 through 8 to reflect the amount of new lands necessary to fully accommodate growth to 2031 as required by the Region's Land Budget report of March 2010.**

The Region of York identified in its Land Budget that 1,010 hectares of land beyond Markham's current settlement area are required to accommodate growth to 2031.

NMLG has evaluated the amount of additional developable lands proposed for inclusion in an expanded urban boundary illustrated in OPA 3 and has concluded that the line appearing in ROP Figures 1 through 8 encompasses less than the 1,010 hectares identified by Regional Staff as required to accommodate growth to 2031.

It appears that the Region's proposed urban boundary expansion is not based upon the Region's own Land Budget but instead is based on the Town's recommended growth strategy for north Markham which does not align with the Region's own work:

- i. It allocates only 300 hectares for new employment lands versus the Region's recommended 328 hectares, and
- ii. It allocates only 600 hectares of land for community lands versus the Region's recommended 682 hectares.

NMLG wishes to point out that the Town's land budget has never been vetted as have the Region's via its Land Budget. To date, the Town has not released their land budget calculations. The numbers included in their proposed growth strategy are in fact less than those advised by the

Town's consultants. On a related matter, there has been no discussion nor any report released by the Town in which alternate urban boundary configurations were presented and commented on.

Within its Land Budget, the Region identifies that 75 hectares of land in north Markham will be required for major retail and has included this amount in its community lands estimate. NMLG's analysis is consistent with this, identifying the need as 75 hectares minimum for major retail, and potentially as much as 120 hectares. The Town has made no allowance for major retail growth, assuming instead that this particular retail function can be absorbed into new community designs without allocating lands for it. We are not aware of any Town study that would support the feasibility of this approach or any technical basis for excluding major retail growth from its land budget. NMLG does not consider this approach to planning for major retail growth either possible or desirable.

NMLG is concerned that the proposed land area does not account for future exclusion of lands that will need to be set aside for the protection of fish habitat under the province's *Red Side Dace Recovery Strategy* and its pending Regulation. Based on its latest work, NMLG estimates that the north Markham expansion area should be adjusted to allow for approximately 86 hectares of red side dace habitat protection in the 2006-2031 growth period over and above the 1010 hectares already in the Land Budget.

York Region has completed a municipal comprehensive review that supports an urban boundary expansion in Markham of 1,010 hectares¹. We understand that Regional Staff have indicated that the incremental land differences between the proposed OPA 3 land area and the land need identified through the Region's municipal comprehensive review will require an additional REGIONAL MUNICIPAL COMPREHENSIVE REVIEW to be address any future urban area expansion.

It is imperative then that OPA 3 should include all land requirements identified by the completed REGIONAL MUNICIPAL COMPREHENSIVE REVIEW.

- **Include sufficient lands within the proposed urban boundary expansion to maintain a balanced mix of housing, address the Region's identification of 52% intensification, minimize the risks associated with over-intensification and realistically (albeit ambitiously) plan for future growth in Markham.**

(i) Balanced Mix of Housing:

The Region's adopted Official Plan and studies by the Town of Markham as it works toward a new local Official Plan contain some very aggressive targets. The Region's targets appear in the form of residential intensification plans well above the Growth Plan's 40 percent requirement, high employment lands job densities, greatly increased modal splits for new transit systems, and a dramatic and unprecedented shift in housing form from grade-accessed to apartments and condominiums.

¹ York Region Staff, through proposed Modification #72, noted in their May 5, 2010 report to the Planning and Economic Development Committee, that any urban area expansion required beyond that identified in the three pending OPAs requires a REGIONAL MUNICIPAL COMPREHENSIVE REVIEW

A 52 % intensification requirement is itself highly aggressive, assuming a very ambitious market shift (and a supply to meet that shift), so that 60% intensification is of even more concern. Yet, the land area proposed by OPA 3 necessarily means that the Region is now assuming 60% intensification to meet the Table 1 population and employment, which is a move away from their own work (without support).

NMLG believes that the Region needs to view its base 52% intensification requirement for Markham in a new context. That standard was set in a different economic regime and predicated on substantial funding for transit being available. Such is not the case today nor will it be in the near future. The global economic realities have forced the province to severely cut back or delay its commitment to funding transit. The timely delivery of significant new and expanded transit networks is a fundamental principle underpinning the region's 52% intensification requirement for Markham. The reductions and delays in provincial funding for transit puts the Region's 52% intensification target at risk. NMLG suggests that the Region reserve additional lands for a boundary expansion should transit funding not re-materialize.

An expanded urban boundary for the Town of Markham must address a balanced mix of housing for families, ensure affordability and recognize the limited ability to provide additional soft services within intensification areas.

NMLG does not support the Town of Markham's 60% intensification goal as being either realistic or desirable. NMLG is very concerned that OPA 3 reflects the Town's growth strategy for north Markham, which in turn is rooted in their 60% intensification goal.

Research performed by The Centre for Spatial Economics (C4SE) on behalf of NMLG demonstrates a marked current preference for single family grade-accessed housing units. Though the demographic analysis indicates that the Markham population on average will be older in 2031, the preferred housing type will remain unchanged.

C4SE estimates that under the Region's 52% intensification scenario 20,000-22,000 grade-accessed housing units that would have been constructed in pre-intensification days will not be built. This change directly impacts the supply of homes for families. The challenge will be to increase the supply of family scale apartment units as intensification proceeds within the current settlement area. This will be difficult as this is not the market preference for housing in Markham, and the units will be substantially more expensive than the grade-accessed housing option.

These concerns are underscored even further with the Town's intensification target of 60%. Unlike the Region, the Town has not released a land budget in support of its growth management strategy. The basis for the 60% Staff recommendation is not available and can only be inferred by NMLG.

The Town's intensification target will translate into a further loss of 5,000 grade-accessed family-capable units. This will increase stress on the supply of homes for families.

NMLG suggests that OPA 3 must be based upon the Region's own work and its 52% intensification target and not based upon the target identified by Markham.

The consequences of setting overly ambitious and unrealistic targets for intensification must be recognized. They ultimately serve only to frustrate the development process, add risk to infrastructure investment and to focus criticism when they can't be delivered.

Sufficient lands must be included in a proposed urban boundary expansion in order to maintain a balanced stock of housing to satisfy the need for homes for families, and for Markham to remain attractive to new employers. NMLG believes that OPA 3 should include more land to meet these needs and expectations.

As a point of comparison, Vancouver has occasionally been touted as an example of successful intensification and something to which Markham should aspire. In Metro Vancouver, in the period 1981-2001, residential intensification was 78%. A review of the Statistics Canada 2006 Census data reveals the impact on homes for families.

In the communities of the inner ring, in the 1991-2006 period, the number of grade-accessed units decreased by 18,000. Apartment units increased by 93,000 units of which 13,000 were family capable (3 PPU or greater). Overall, there was a net loss of 5,000 family units in the core Vancouver communities.

Conversely, those seeking grade-accessed units are moving to the outer ring communities of Metro Vancouver. In the same period, there was an increase of 57,000 grade-accessed units in the outer ring communities, and an increase of 96,000 apartments of which 16,000 units are family capable, for a total increase of 73,000 family-capable units in the outer ring communities.

For the City of Vancouver proper, the change has been profound. In 2006, 46% of housing units were small, single occupant apartments.

Vancouver is a different context for intensification more akin to downtown Toronto than is Markham. NMLG views Vancouver as an intensification model to which Markham cannot and should not aspire.

(ii) Housing Affordability:

An urban boundary expansion must also consider the affordability of future housing. Hemson Consulting Ltd. identified to the Town that a shift to more apartments penalizes young families seeking grade-accessed units. A comparably-sized apartment is at least 50 percent more expensive than an equivalent townhouse. Similar to C4SE, Hemson confirmed that the future residents and employees that Markham seeks to attract will continue to prefer grade-accessed housing units.

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NMLG does not believe that the need for services, particularly community services, in the intensifying areas was fully addressed prior to a decision by Markham to select the 60% intensification goal.

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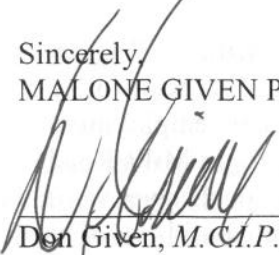
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Summary:

In summary, NMLG suggests that OPA 3 should be revised to reflect an urban boundary expansion that incorporates sufficient lands in a configuration that reflects historical growth in Markham, ensures a balanced mix of housing, supports the Region's Transportation and Water-Waste Water Master Plans, and addresses the impacts of over-intensification in terms of the need for community services including schools.

NMLG is available at your convenience to discuss the requested changes to OPA 3.

Sincerely,
MALONE GIVEN PARSONS LTD.



Don Given, M.C.I.P., R.P.P.
President

Cc.

Members of Regional Council

William Fisch, *Chair, York Region*

Bruce Macgregor, *Chief Administrative Officer, York Region*

John Waller, *Director, Long Range and Strategic Planning Branch, York Region*

Barbara Jeffrey, *Manager, Land Use Policy and Environment, York Region*

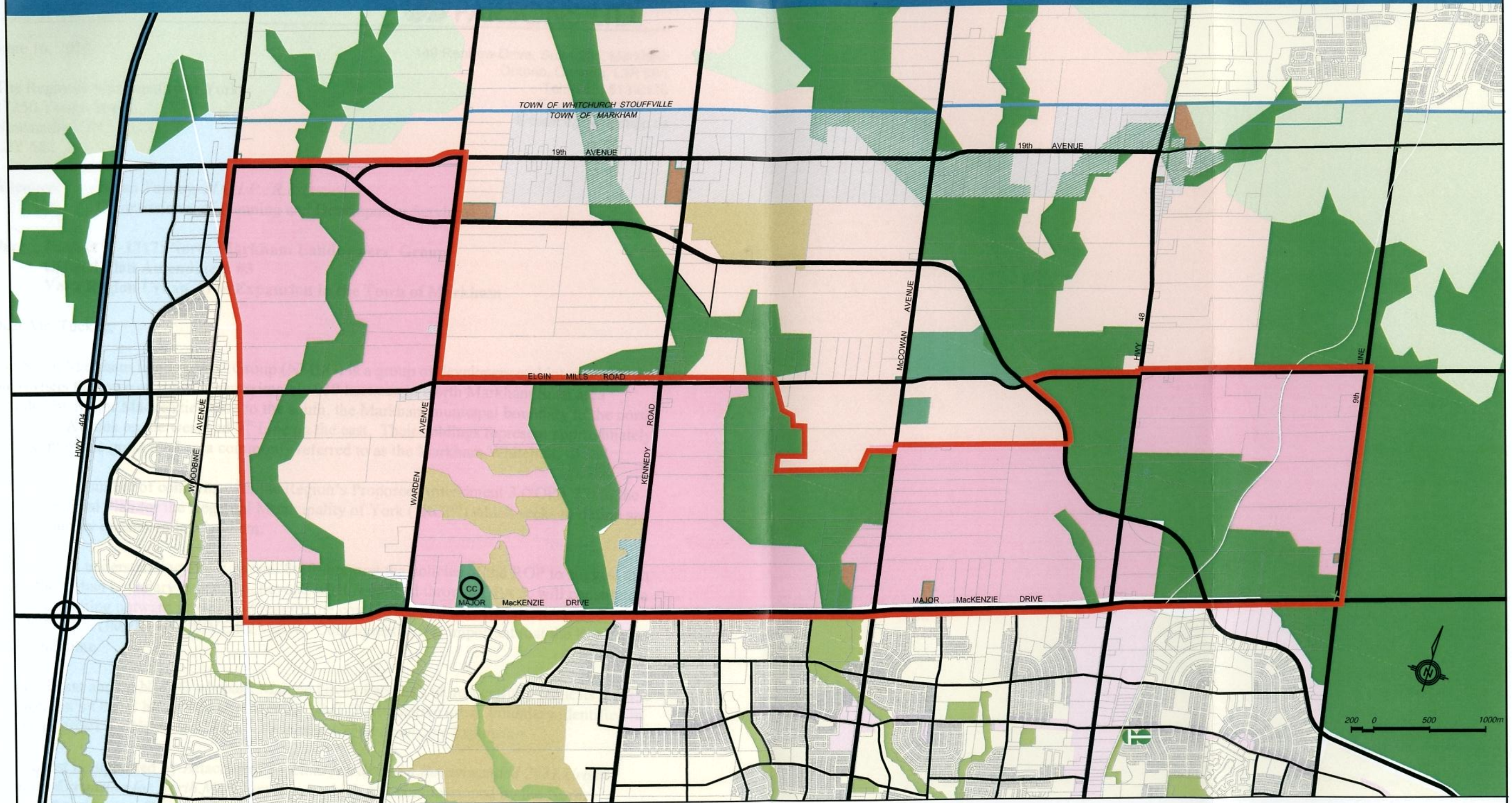
North Markham Landowners' Group

N. Jane Pepino, *Aird & Berlis LLP*

Attachment:

1. North Markham – Proposed Urban Boundary Expansion.
2. Report - *Land Needs and a Recommended 2031 Urban Boundary Expansion for North Markham*

NORTH MARKHAM - PROPOSED URBAN BOUNDARY EXPANSION



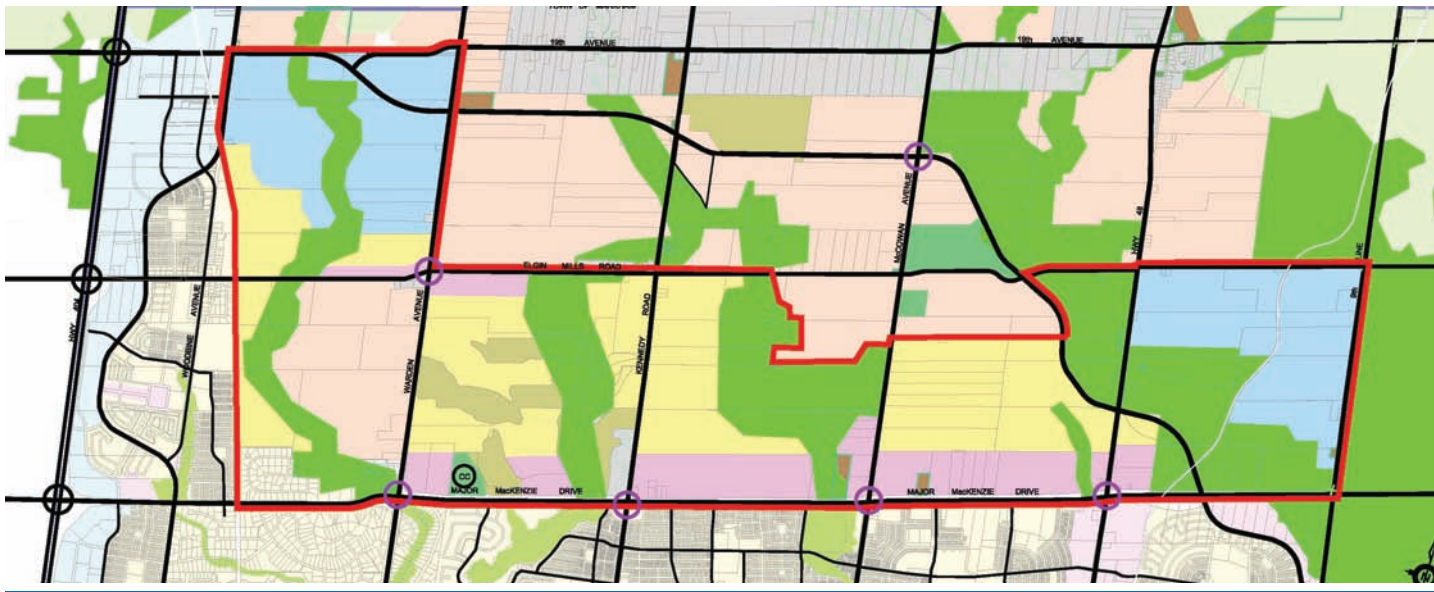
LEGEND

- OAK RIDGES MORaine
- GREENBELT
- GOLF COURSES
- CEMETERIES, PLACES OF WORSHIP

- COMMUNITY CENTRE, FAIRGROUNDS
- URBAN BOUNDARY EXPANSION LANDS
- FUTURE URBAN AREA

- CC COMMUNITY CENTRE
- PROPOSED URBAN EXPANSION BOUNDARY TO 2031
- ARTERIAL ROAD NETWORK

Land Needs and a Recommended 2031 Urban Boundary Expansion for North Markham



Prepared For:

The North Markham Landowners Group

Prepared by:



In association with:

**Centre for Spatial Economics
MMM Group**

Land Needs and a Recommended 2031 Urban Boundary Expansion for North Markham

Prepared By:

Malone Given Parsons Ltd.

140 Renfrew Drive, Suite 201
Markham, Ontario
L3R 6B3

In Association With:

MMM Group

100 Commerce Valley Drive West
Thornhill, Ontario
L3T0A1

Centre for Spatial Economics

15 Martin Street, Suite 203
Milton, Ontario
L9T2R1

April, 2010
10-1913

EXECUTIVE SUMMARY

This Land Needs and a Recommended 2031 Urban Boundary Expansion for North Markham report has been prepared by a consulting team led by Malone Given Parsons Ltd. as retained by the North Markham Landowners Group (NMLG). Its purpose is to present the consulting team's perspectives on the needs and benefits that must be addressed in defining the extent and structure of an urban boundary expansion into north Markham. It is provided as input to the Growth Management analyses and decision processes underway at the Town of Markham and the Region of York in the spring of 2010.

The NMLG is the single largest stakeholder in decisions about growth into north Markham. The Group's land holdings represent roughly 26% of the potentially developable lands in the north Markham whitebelt - the area intended to accommodate future growth (see Figure A). In anticipation of planning for growth, the Group has retained a consulting team with expertise in planning, economics, the natural environment and its features and functions, transportation planning, piped services planning, and law. The team has been working for over three years to develop its understanding of the area and the planning requirements to which it must respond.

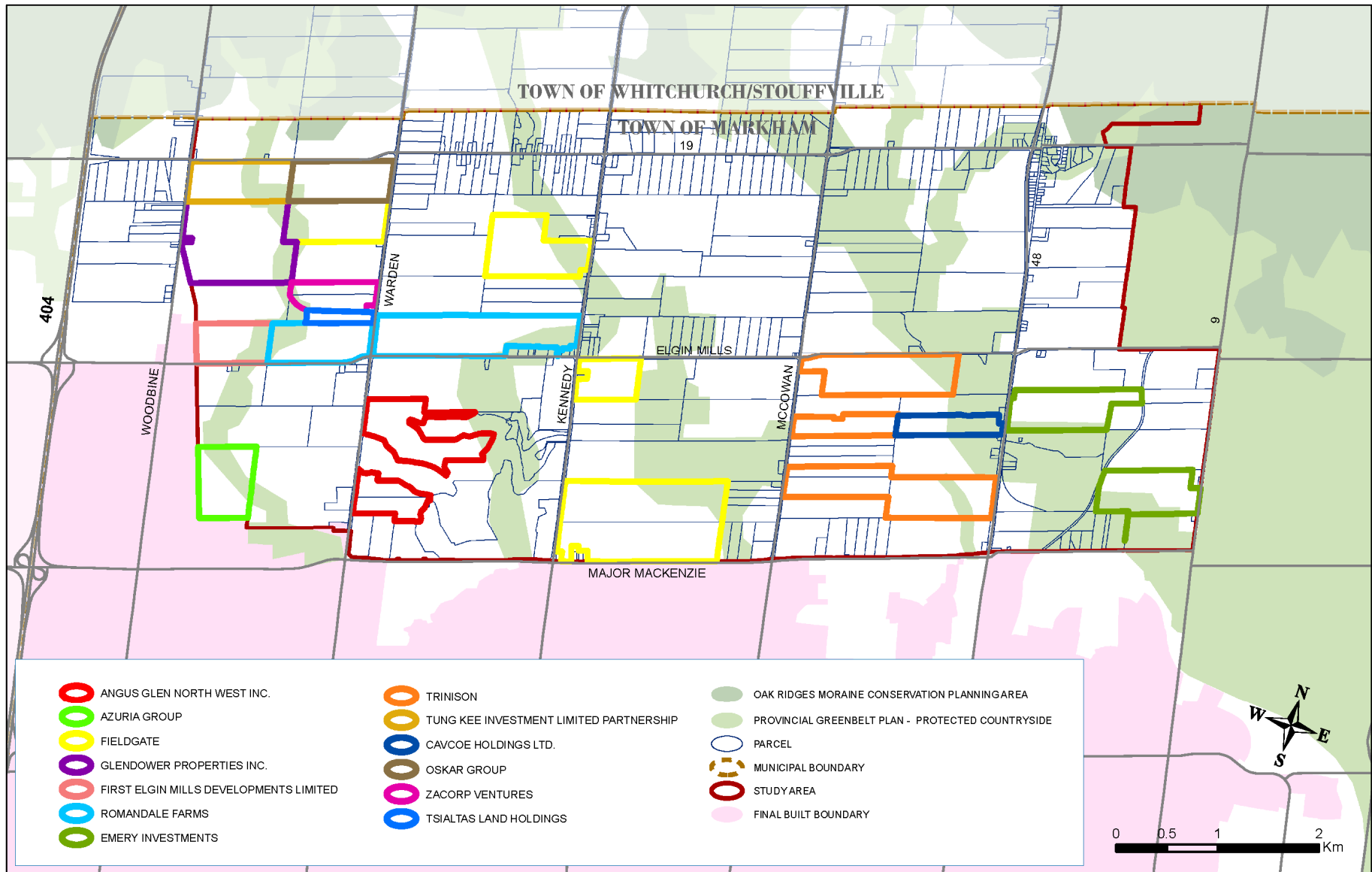
The report concludes with two core products:

- Identification of the requirements for designation of new greenfields lands to support urban expansion beyond current settlement boundaries in north Markham; and,
- Definition of a recommended land use structure for north Markham that shows how these requirements can be met making best use of existing piped service capacities and future transit and other infrastructure needs.

The Planning Context

- Places to Grow – The Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement together establish several key planning considerations:
 - The upper tier municipality's responsibility and authority to determine and allocate growth requirements to its local municipalities, their respective obligations to conform to those allocations, and the need to plan for complete communities;
 - The analytical process which must be followed before a need to expand urban boundaries can be justified, generally and with specific reference to expansion onto prime agricultural lands, and the need to undertake those expansions where necessary to accommodate the required supply of housing.

Figure A: North Markham Landowners Group Land Holdings



Source: OAK RIDGES MORAINES CONSERVATION PLAN: Oak Ridges Moraine Plan boundary is under licence with the Ontario Ministry of Natural Resources © Queens Printer Ontario, 2000. GREENBELT PLAN: Greenbelt Boundary was obtained from the Ministry of Municipal Affairs and Housing, 2005. BUILT-UP AREAS: Built Boundary for the Greater Golden Horseshoe, Ministry of Energy and Infrastructure, 2008. PARCEL FABRIC: was obtained from Teranet Inc. Prepared by: Malone Given Parsons Ltd

- Planning for complete communities requires consideration of a long term vision of community structure in order to optimize planning decisions for intermediate term planning horizons such as 2031;
- York Region's residential and employment allocations and the urban boundary expansion required to accommodate them are shown in Tables A, B and C respectively. The residential allocation is predicated on the town reaching a 52% intensification target by 2015.
- The region's analyses have determined that the whole of the north Markham whitebelt will be required to accommodate population and employment growth to the 2051 planning horizon, heightening the need for planning to consider optimal urban structure at that horizon;
- Markham's growth history shows three dominant themes:
 - A residential growth progression outward from its historic centres in Markham Village, Unionville and Thornhill, with employment expansion largely centred on the Woodbine and Hwy 404 axis (see Figure B);
 - A housing stock dominated by family-oriented housing in low density ground related house forms;
 - A labour force and an employment profile concentrated in knowledge sector jobs commensurate with the community's billing as "Canada's High Tech Capital";
- The availability of attractive family housing coupled with Markham's accessibility is considered fundamental to the town's success in living up to that billing.

Town of Markham Growth Options

- The Town of Markham is considering three growth options:
 - Option 1 – the "Staff Preferred Option" in which a 60% intensification target is recommended, with an overall whitebelt expansion area requirement of 900 ha;
 - Option 2 – the "York Region's Adopted Official Plan Option", with its 52% intensification target and a total urban boundary expansion requirement for 1,010 ha; and
 - Option 3 – the "No Urban Boundary Expansion [100% Intensification] Option" which provides for no urban expansion into the whitebelt and directs all population and employment growth into the existing urban boundary;
- Given that Markham has an estimated 4 - 6 year supply of ground-related housing, and a justified allocation of further growth, Option 3 is considered to be non-compliant with provincial policy;

Table A: Markham's Residential Unit Allocations to Markham, 2006-2031

	Singles & Semis	Row	Apartment	Totals
Whitebelt	7,280	3,640	1,210	12,130
	60%	30%	10%	100%
Designated Greenfields	8,080	3,400	3,190	14,670
	55%	23%	22%	100%
Intensification	3,720	4,850	26,740	35,310
	11%	14%	76%	100%
Unit Growth 2006-2031	19,080	11,890	31,140	62,110
	31%	19%	50%	100%

Source: York Region. 2031 Land Budget. March 2010.

Notes: York Region's "Intensification Target" is for 35,310 units, or 52% of total unit growth, and excludes the 3,710 designated or expected LD units within the Built Boundary.

Table B: York Region's Employment Allocations to Markham

	Employment Land	Major Office	Population Related	Total
Aurora	8,350	1,590	4,010	13,940
East Gwillimbury	18,320	580	9,640	28,540
Georgina	9,110	0	4,100	13,210
King	2,330	0	2,530	4,860
Markham	32,680	37,440	25,620	95,740
Newmarket	3,010	830	3,520	7,360
Richmond Hill	16,320	8,190	13,790	38,300
Vaughan	69,160	5,910	28,830	103,900
Whitchurch-Stouffville	5,410	0	6,700	12,110
York Region	164,680	54,530	98,740	317,950

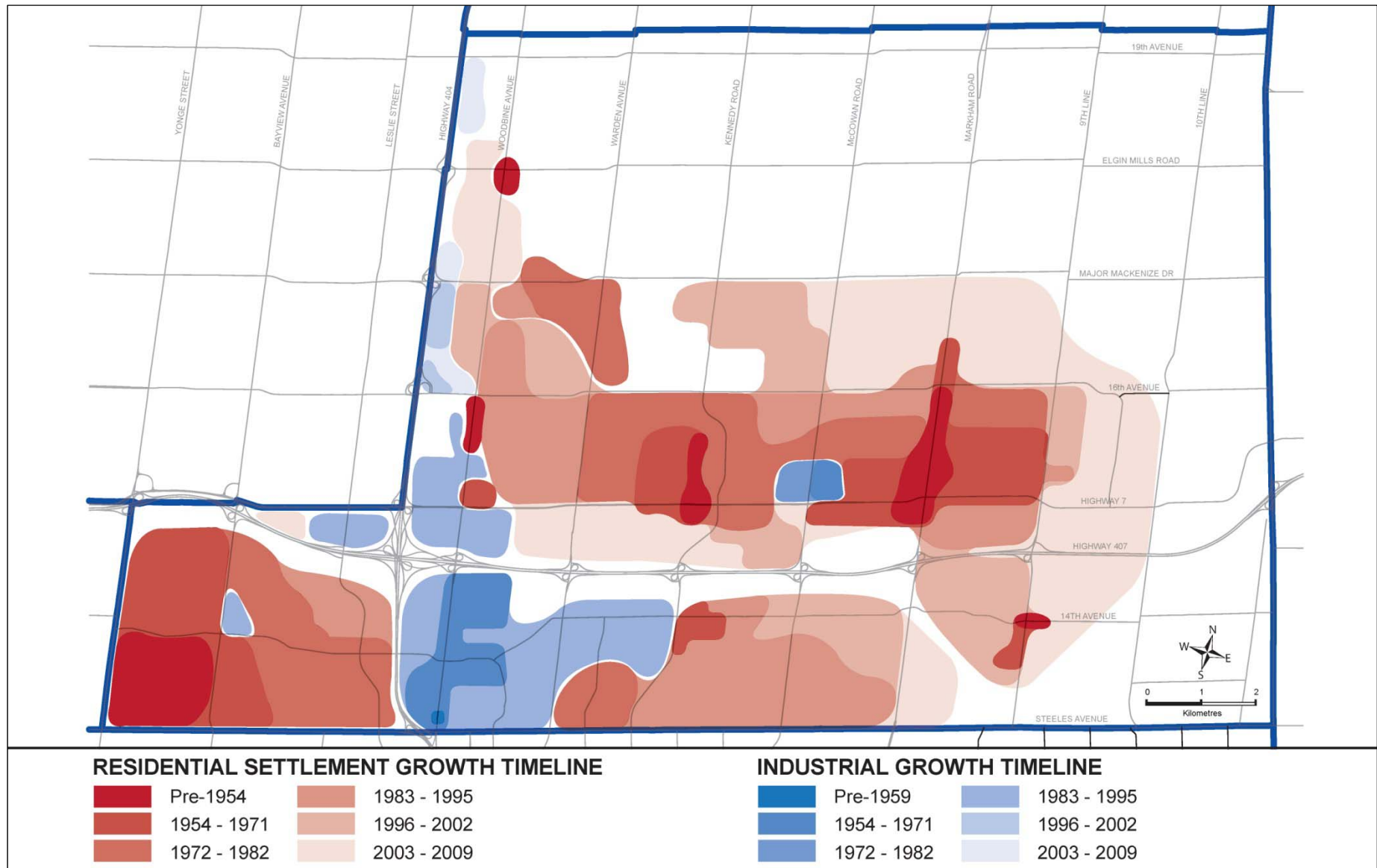
Source: York Region 2031 Land Budget. March 2010. Table 6.

Table C: York Region's Whitebelt Area Land Requirements

	Community Lands (ha)	Employment Lands (ha)	Total (ha)
East Gwillimbury	427	150	580
Markham	682	328	1,010
Vaughan	510	376	889
Total	1,619	854	2,477

Source: York Region. 2031 Land Budget. March 2010.

Figure B: Markham's Historic Growth Patterns



Source: Malone Given Parsons Ltd

- One motivation for considering the No Urban Boundary Expansion Option is driven by a desire to preserve north Markham for agricultural production. As noted above, provincial policy is clear in putting the need to accommodate urban growth dominant over the need to preserve agricultural land. Further, setting aside a “foodbelt” would foreclose options available to future generations – counter to the core precept of sustainable planning.

Demographic & Economic Implications of Over-Intensification

- A commitment by Markham to a 100% intensification target would shut down its future supply of ground-related housing and have the town turn its back on its historic success factors;
- There are a number of cost and other barriers to the town’s ability to achieve the 52% target let alone a 100% target, and a number of risks to the town’s ongoing attractiveness and success. These too only get worse as higher levels of intensification are considered.

Community Implications of Over-Intensification

- The impacts of intensification on the level of community service to be enjoyed by existing and future residents has not been assessed in the growth analyses prepared by the town and region;
- This report’s analyses show that maintaining existing service levels will pose very significant challenges under a 52% intensification scenario, which challenges only become exacerbated under a 100% scenario;
- Given these challenges, we recommend that the town adopt the York Region’s 52% intensification target.

Land Needs for Employment Land Employment

- York Region’s conclusions regarding need for 328 ha of land for employment lands employment are corroborated by the town’s conclusions that Markham will need in the order of 395 to 520 developable ha at 2031, and 850 to 980 ha at 2051. Work for the town identifies a need to have 50 – 125 gross developable ha of new supply available by 2016 to respond to forecasted supply shortfalls;
- The region’s assumption that all population-serving employment growth driven by residential growth within the current urban boundary will find site opportunities there may not be borne out;
- Planning for employment uses will need to consider ways to enable functional relationships between traditional employment uses and retail and mixed uses in and abutting employment lands areas;
- There is no reasonable prospect for employment intensification to obviate a need for employment lands expansions to accommodate future employment growth.

Retail Demand and Land Requirements

- The region has revised its estimate of land needs to support major retail uses from 120 ha to 75 ha at 2031, predicated on the assumption that there will be site opportunity within the current settlement area to accommodate 44% of related employment;
- Detailed analysis of land supply and site opportunities in Markham show very limited opportunity to locate the quantum of major retail uses required to support future population growth within the current urban boundary;
- Coupled with the lack of whitebelt opportunity for major retail uses in Richmond Hill and other York municipalities, the lack of site opportunity in Markham suggests that the 75 ha of land for major retail use is a minimum, and could in fact be much closer to the originally defined need for 120 ha.

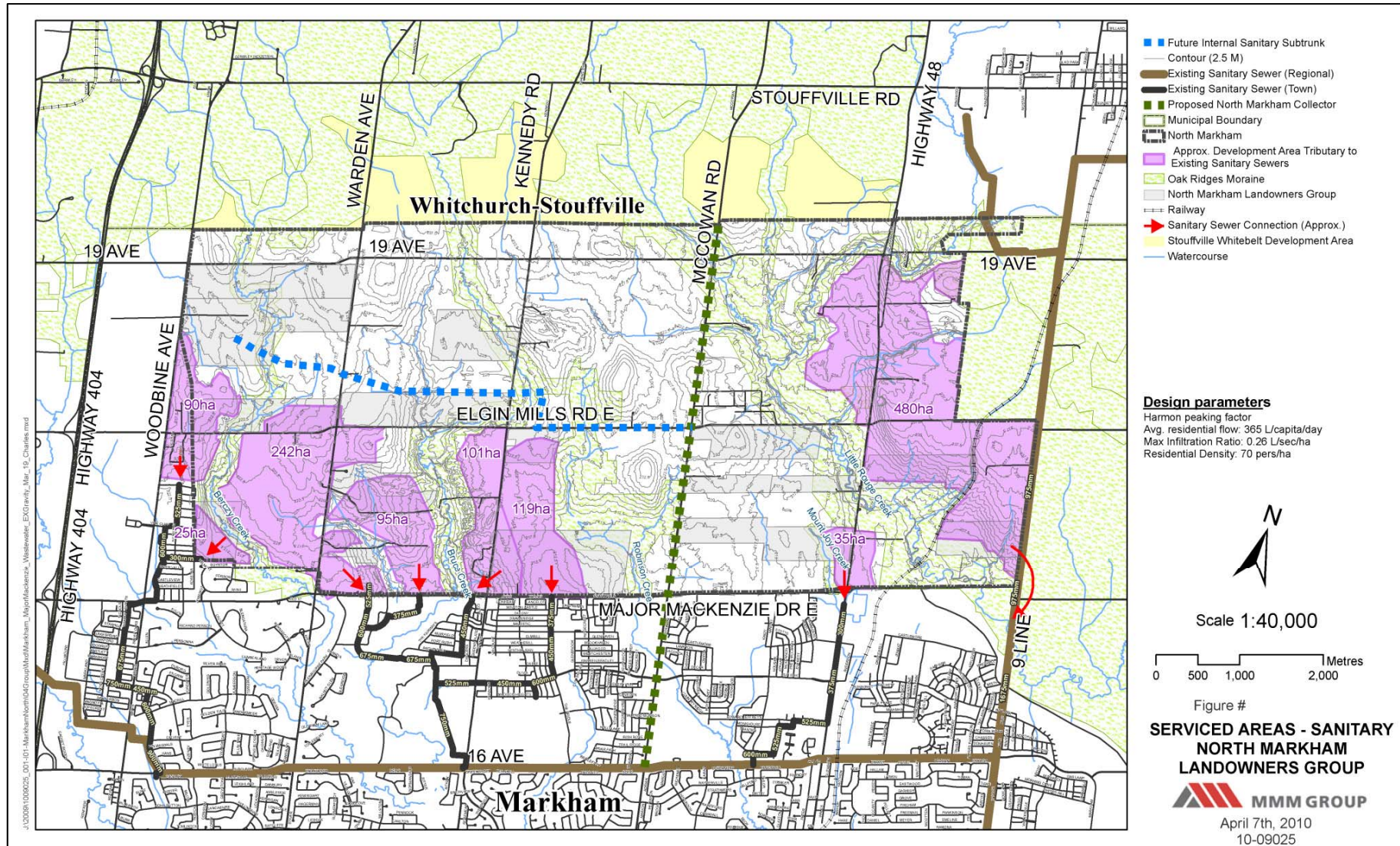
The Developable Land Base

- Detailed analysis of the features and functions present within the north Markham landscape identifies that approximately 750 ha of the land base in the concession blocks south of Elgin Mills or bounded by Elgin Mills, 19th Avenue and Warden are constrained from potential development by the Greenbelt or other features. These areas are excluded from the developable land base.

Piped Services Capacity & Trunk Extensions

- Detailed review of existing piped services capacities and future needs to accommodate growth in north Markham shows that :
 - There is existing capacity at Major Mackenzie Drive and the Ninth Line to service all whitebelt lands to the north of Major Mackenzie and east of the Little Rouge Creek (see Figure C);
 - There is existing capacity available to serve the blocks west of Warden Avenue and largely south of Elgin Mills, or the potential employment lands west of Warden Avenue north of Elgin Mills, but not both; and,
 - Servicing the potential employment area will ultimately require extension of the North Markham Collector north up McCowan Road, plus an east-west sub-trunk across 2+ concession blocks to the north of Elgin Mills. The area will also require an earlier commitment to construction of watermains and a pumping station if it is to be available to the market before 2021.

Figure C: Serviced Areas – Sanitary



Prepared by: MMM Group Ltd

Sustainable Community Form and Support for Transit

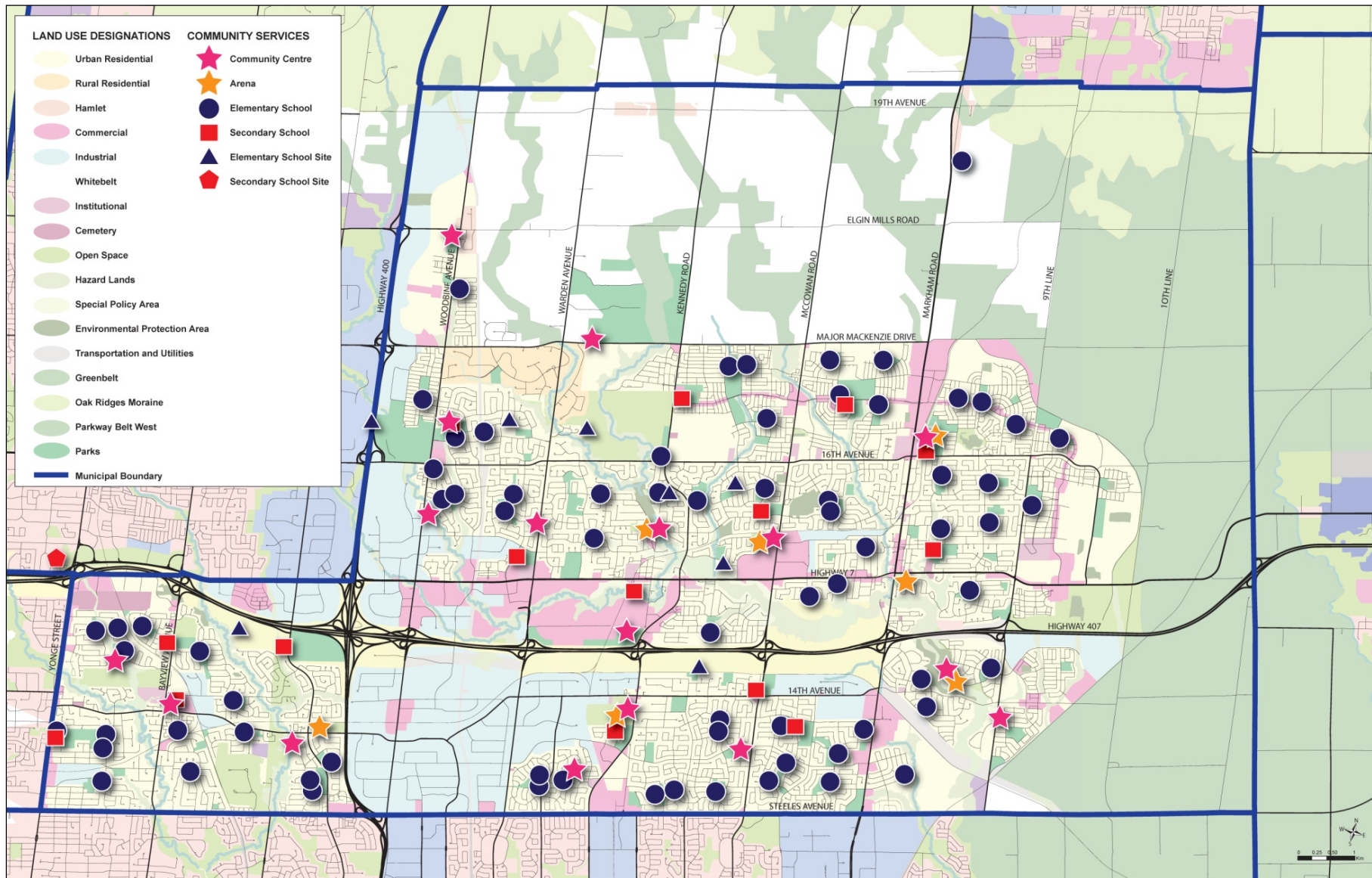
- Evolving planning practise and new policy requirements will ensure that the community form to develop in north Markham will have substantially smaller impacts on environmental features and functions and on such larger matters as water and energy conservation, air quality and other related sustainability concerns than development forms of the past;
- This evolution considers and will implement a significantly more transit-supportive community form.

The Need for and Benefits of Expanding Markham's Urban Boundary

- The report's analyses present a number of reasons in support of responding to two fundamental needs for planning for growth in Markham:
 - The need to expand Markham's urban boundary into the whitebelt lands north of Major Mackenzie Drive, as predicated on adoption of a 52% intensification target; and,
 - The need to preserve the remaining whitebelt lands as a place in which to accommodate growth past the current 2031 planning horizon.
- These needs arise from a broader set of requirements to:
 - Accommodate population, unit and employment allocations and land budgets defined by York Region in accordance with the Places to Grow Act and the Provincial Policy Statement;
 - Plan for a quantum of growth expected to require development of all whitebelt lands in Markham as well as south Whitchurch-Stouffville by 2051;
 - Continue to provide a balanced mix of housing types including those geared to family occupancy of ground-related units;
 - Maintain the factors underlying Markham's economic success in becoming "Canada's High Tech Capital";
 - Avoid over-committing to a degree of intensification that would overburden existing neighbourhoods, community facilities and transportation systems, predicated on unachievable rates of redevelopment; and,
 - Recognize and protect the natural features and functions warranting preservation in a natural heritage system.
- Benefits of responding appropriately to these needs include:
 - Fulfillment of obligations defined by senior governments;
 - Returns to significant investments in built infrastructure;

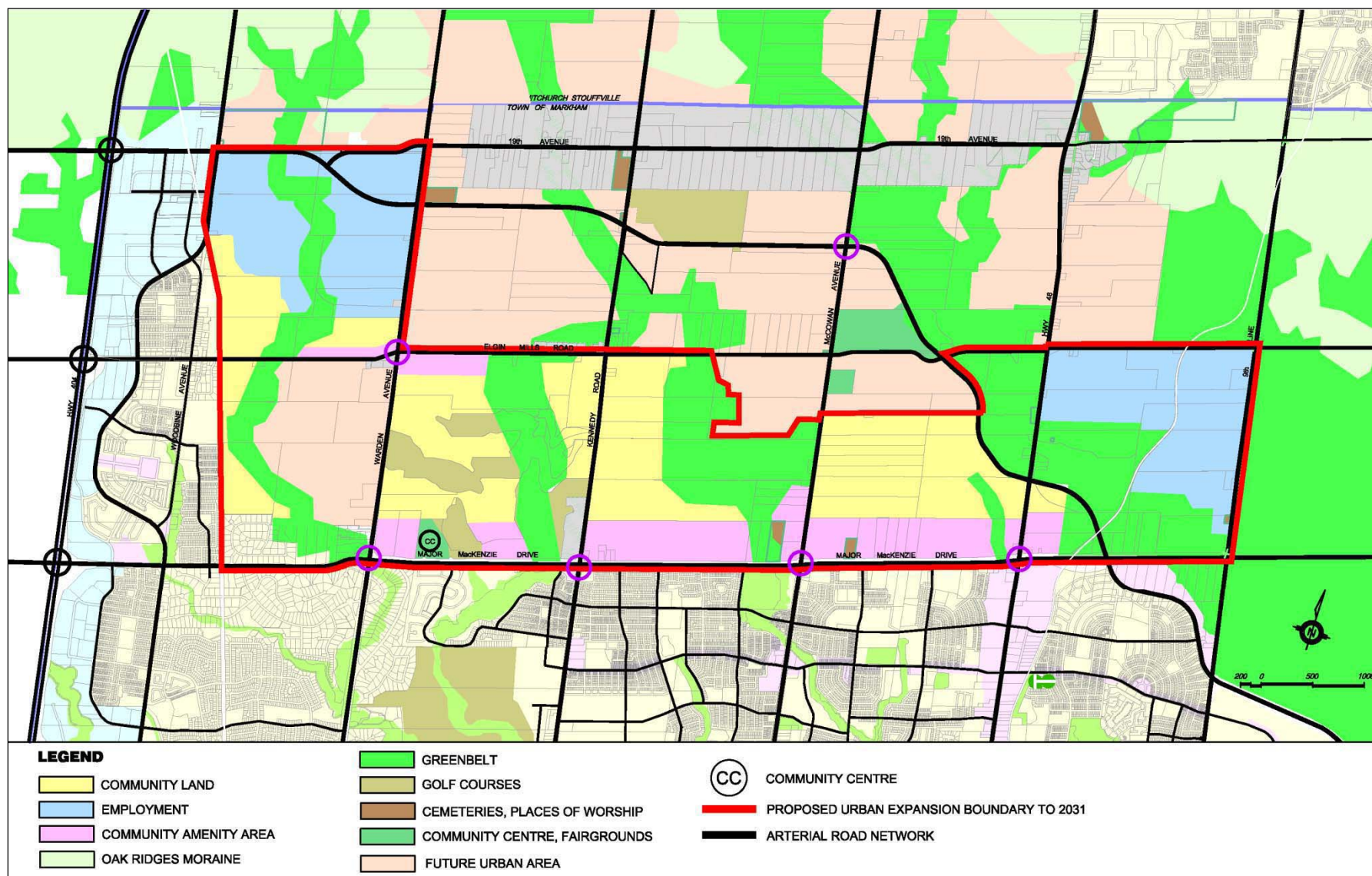
- Reduced impacts on scarcity of supply and upward pressure on prices for ground-related housing;
- Continued attractiveness to the labour talent Markham will depend upon to realize its economic strategy;
- Fairness to residents and businesses who have invested in a community expected to not take overly radical departures from what it has been known for.
- Consideration of risk factors and their implications to land needs leads us to recommend an expansion area land budget of 1,120 to 1,195 ha;
- Consideration of planning criteria including the funding of required services extensions, accessibility to existing community services (see Figure D) and of alternative urban structure configurations leads us to recommend the urban structure and associated boundary expansion area depicted in Figures E and F for north Markham;
- The key elements of the recommended structure include:
 - An urban expansion area of 1,150 ha, comprising 750 ha of community uses and 400 ha of employment lands;
 - Employment lands masses abutting the current 404 Employment Area north of Elgin Mills east of Woodbine, and east of Main Street between Major Mackenzie and Elgin mills;
 - Community use extending into each of the blocks north of Major Mackenzie between Warden and east of Main Street;
 - Community use deferred in the block west of Warden south of Elgin Mills to preserve nearer term sewer capacity for the employment lands to the north;
 - A community use buffer on the east side of Victoria Square;
 - A dominant higher intensity corridor along Major Mackenzie Drive, with nodes at Warden, Kennedy, McCowan and Main Street, and a secondary node at Warden and Elgin Mills;
 - The extension beyond 2031 of urban uses into the remainder of Markham's whitebelt lands and those in south Whitechurch-Stouffville that would be serviced through north Markham, reflecting the region's conclusion that the whitebelt will be built-out by 2051.

Figure D: Community Services



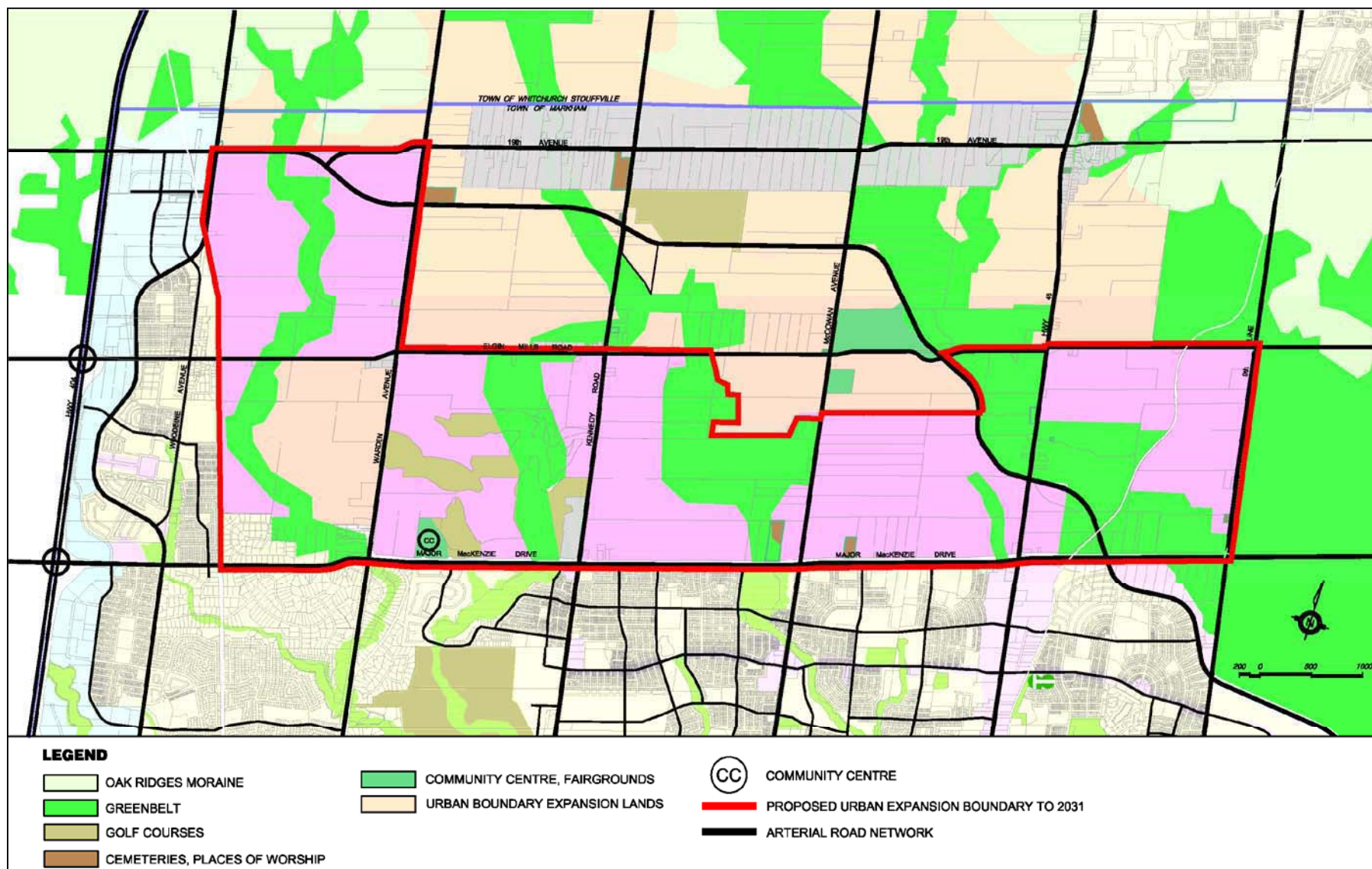
Source: PARCEL FABRIC: Obtained from Markham zoning bylaw COMMUNITY SERVICES: Obtained from 2010 Golden Horseshoe MapArt Publication and YRDSB and YCDSB mapping. Prepared by: Malone Given Parsons Ltd.

Figure E: Recommended Expansion Area and its Land Use Structure



Source: OAK RIDGES MORaine CONSERVATION PLAN: Oak Ridges Moraine Plan boundary is under licence with the Ontario Ministry of Natural Resources © Queens Printer Ontario, 2000. GREENBELT PLAN: Greenbelt Boundary obtained from the Ministry of Municipal Affairs and Housing, 2005. PARCEL FABRIC AND ARTERIAL ROADS: Obtained from Teranet Inc. and zoning bylaw. Prepared by: Malone Given Parsons Ltd

Figure F: Recommended Expansion Area Boundary for North Markham



Source: OAK RIDGES MORaine CONSERVATION PLAN: Oak Ridges Moraine Plan boundary under licence with the Ontario Ministry of Natural Resources © Queens Printer Ontario, 2000. GREENBELT PLAN: Greenbelt Boundary was obtained from the Ministry of Municipal Affairs and Housing, 2005. PARCEL FABRIC AND ARTERIAL ROADS: Obtained from Teranet Inc. and zoning bylaw. Prepared by Malone Given Parsons Ltd.

Submission Number D05.2009. 003.1.003	Date of Submission: June 16, 2010	Submission Author: Gatzios Planning and Development Consultants Inc. on behalf on the Grace Chinese Gospel Church of North York Jeff Greene, Gatzios Planning and Development Consultants Inc
Delegation at Statutory Meeting	June 16, 2010	

Comments or Requested Change to Proposed ROPA 3

Analysis and Recommendation

Property: 5172 Major Mackenzie Drive East, west of McCowan Rd. Immediately east of the proposed expanded 'Urban Area' along Major Mackenzie Drive East, which follows the western edge of the valley corridor associated with Robinson Creek.

It is our opinion that the exact size and location of ROPA 3 should await the Town's Official Plan process.

It is the intention of the Church to obtain the appropriate land use designation/s to permit a new church facility on this property. To this end, our request to the Town and the Region is to include this property in an Urban Area expansion for specifically Institutional Land Uses.

York Region's municipal comprehensive review included the completion of forecasting and land budget work, a Regional Intensification Strategy, a comprehensive public consultation exercise throughout 2006 to 2009, infrastructure master plan updates for transportation, and water and wastewater and an updated Natural Heritage Strategy.

A thorough and detailed land budget report was made available in March, 2010. The Region's land budget is a key component of the regional municipal comprehensive review and Growth Plan conformity exercise. Detailed consultations were held with provincial staff on the land budget methodology and assumptions.

The land budget work included:

- The use of the Growth Plan's forecasts, densities and intensification for York Region.
- The completion of an intensification strategy that identifies a minimum 40% residential intensification target between 2015 to 2031, and plans for 88% of residential growth and 83% of employment growth to occur in existing Urban Areas.
- An assessment of the available residential and employment land supplies and demonstration of the need for a proposed urban expansion, and

- A demonstration of how the minimum designated greenfield area density target of 50 people and jobs per hectare is to be achieved.

A portion of the Whitebelt is required to accommodate the York Region's forecast growth. The Regional Official Plan and the urban area expansion Amendments ROPA's 1,2,3 implement the results of the regional municipal comprehensive review.

The boundaries for the urban area expansion amendments are:

- Clearly defined (i.e. concession streets, major natural features, utility corridors)
- Contiguous expansion to urban area
- Large enough for new generation of planned communities (block plan, secondary plan process)
- Consistent with local priorities

The Region will carefully monitor the pace and nature of intensification and growth.

Delegation at Statutory Meeting

- Represent the Peoples Gospel Church who own lands on the north side of Major Mackenzie west of McCowan
- difficult for churches and other institutional uses to find locations within existing urban area
- Markham Council has adopted the growth strategy that permits the Town to proceed to delineate urban expansion boundaries in the local official Plan
- Process going forward should be flexible to permit Church to move forward
- Request that the expansion amendment permit institutional uses in the area north of Major Mackenzie

Regional staff spoke with Mr. Greene to clarify the process for the ROPA to proceed.



D05.2009.003.1.003

Received June 16, 2010

Gatzios Planning + Development Consultants Inc.

File No: 65MA-1011

June 16, 2010

Ms. Barbara Jeffrey, Manager Land Use Policy & Environment
Planning and Development Services Department
Region of York
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

**Regarding: YORK REGION ROPA 3 – MARKHAM URBAN BOUNDARY EXPANSION
GRACE CHINESE GOSPEL CHURCH OF NORTH YORK PROPERTY
PROPOSED NEW 'PEOPLES GOSPEL CHURCH' CHURCH FACILITY
5172 MAJOR MACKENZIE DRIVE EAST, WEST OF McCOWAN ROAD
(NORTH SIDE OF MAJOR MACKENZIE DRIVE EAST)
TOWN OF MARKHAM**

Dear Ms. Jeffrey:

As you may be aware, we are the planning consultant for the Grace Chinese Gospel Church of North York (the "Church"), the owners of the above captioned lands in the Town of Markham.

Further to our letter dated April 11, 2010, we have reviewed the draft amendment to the Regional Official Plan (ROPA 3) re the proposed Town of Markham urban boundary expansion and offer the following comments.

The Region's staff report dated June 16, 2010 states that Markham Council adopted the recommended growth alternative to 2031 on May 11, 2010. However, we understand that the size and location of the Town's proposed urban boundary expansion was only adopted by Markham Council as a strategy direction to staff, and did not establish actually confirm a specific urban expansion location or details.

We understand from Markham staff that the Town's Official Plan Review process is ongoing and it is their intention to identify the urban expansion area after additional public consultation and when their new Official Plan is finalized and adopted. Based on this, it is our opinion that the exact size and location of ROPA 3 should await the Town's Official Plan process.

Request for Inclusion in Urban Area

The subject property is immediately east of the proposed expanded 'Urban Area' along Major Mackenzie Drive East, which follows the western edge of the valley corridor associated with Robinson Creek.

It is the intention of the Church to obtain the appropriate land use designation/s to permit a new church facility on this property. To this end, our request to the Town and the Region is to include this property in an Urban Area expansion for specifically Institutional Land Uses.

As you can appreciate, given the demand for residential development in the current Urban Area in the Town of Markham, and given that new places of worship are not at this time pre-identified or pre-zoned, it is often difficult for Church organizations to actually locate, obtain and indeed afford a parcel otherwise destined for residential development in order to accommodate a new church and related facilities.

Inclusion of this property in an Urban Area expansion would afford the opportunity for a new church and associated facilities to be established on this site, subject of course to the additional reports, applications and planning approvals that would be necessary in order to proceed to development.

We are hopeful that the Region and the Town will consider this request for inclusion for a new Institutional facility, and will facilitate the development by including these lands in any future Urban Area expansion.

We would be pleased to discuss any aspect of this submission with you. Thank you very much for your attention to this matter.

Sincerely,

Gatzios Planning + Development Consultants Inc.

A handwritten signature in black ink, appearing to read 'Jeff Greene', with a stylized, cursive script.

Jeff Greene, MCIP RPP

Copy to: Mr. Ken Lee & Mr. K.K. Choong, GCG Church of North York

Submission Number
D05.2009.003.1.004

Date of Submission:
June 16, 2010

Submission Author:
Cattanach Hindson Sutton VanVeldhuizen LLP

Comments or Requested Change to Proposed ROPA 3

Analysis and Recommendation

I represent a number of land owners in the Whitebelt area of Markham. I wish to confirm that we support the Town's and the Region's present Official Plan Amendment which provides for sixty (60%) percent of new growth to be placed within the present urban boundaries with the remainder to be included within the Whitebelt to be utilized for both residential and employment lands.

Should there be any amendment for that portion of the York Region Official Plan as it relates to Markham, we would appreciate being advised of the same.

No comments required at this time.

D05.2009.003.1.004

Received June 16, 2010

CATTANACH HINDSON SUTTON VANVELDHUIZEN LLP
Barristers and Solicitors

J. Lachlan Cattnach, Q.C.
Lawrence R. S. Sutton, Q.C.
John R. Carmuthers, B.A., LL.B.

Donald C. Hindson, B.A., LL.B., Q.C.
Albert J. VanVeldhuizen, B.A., LL.B.
Terrence A. Pochmurski, B.A., LL.B.

52 Main Street Markham North
Markham, Ontario, Canada
L3P 1X5

Telephone (905) 294-0666 Ext. 230
Facsimile (905) 294-5688

June 16, 2010

Sent via fax: 905-895-3482

COMMISSIONER OF PLANNING AND DEVELOPMENT SERVICES
York Region Administrative Centre
Planning and Development Services Department
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Dear Sir or Madam:

RE: Regional Municipality of York proposed Official Plan Amendment as it relates to the purpose and effect of Amendment 3 to the York Region Official Plan December 2009 (Urban Expansion in the Town of Markham)
Our File No.: 29441

I represent a number of land owners in the Whitebelt area of Markham. I wish to confirm that we support the Town's and the Region's present Official Plan Amendment which provides for sixty (60%) percent of new growth to be placed within the present urban boundaries with the remainder to be included within the Whitebelt to be utilized for both residential and employment lands.

Should there be any amendment for that portion of the York Region Official Plan as it relates to Markham, we would appreciate being advised of the same.

Thank you.

Yours very truly,

CATTANACH HINDSON SUTTON VanVELDHUIZEN LLP



per:

Donald C. Hindson, Q.C.
(dictated but not read)
DCH:lf

Submission Number
D05.2009. 003.1.005

Date of Submission:
June 16, 2010

Submission Author:
Roger T. Beaman, Thomson Rogers on behalf of Trinison Management Corp

Comments or Requested Change to Proposed ROPA 3

Analysis and Recommendation

Trinison Management Corp. are owners of approximately 148 ha of land situated in the quadrant North of Major Mackenzie Drive, East of McCowan Road and South of Elgin Mills Road.

It is our client's position that the lands within the above quadrant should be included in the urban expansion authorized by ROPA 3.

York Region's municipal comprehensive review included the completion of forecasting and land budget work, a Regional Intensification Strategy, a comprehensive public consultation exercise throughout 2006 to 2009, infrastructure master plan updates for transportation, and water and wastewater and an updated Natural Heritage Strategy.

A thorough and detailed land budget report was made available in March, 2010. The Region's land budget is a key component of the regional municipal comprehensive review and Growth Plan conformity exercise. Detailed consultations were held with provincial staff on the land budget methodology and assumptions.

The land budget work included:

- The use of the Growth Plan's forecasts, densities and intensification for York Region.
- The completion of an intensification strategy that identifies a minimum 40% residential intensification target between 2015 to 2031, and plans for 88% of residential growth and 83% of employment growth to occur in existing Urban Areas.
- An assessment of the available residential and employment land supplies and demonstration of the need for a proposed urban expansion, and;
- A demonstration of how the minimum designated greenfield area density target of 50 people and jobs per hectare is to be

achieved.

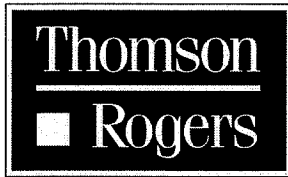
A portion of the Whitebelt is required to accommodate the York Region's forecast growth. The Regional Official Plan and the urban area expansion Amendments ROPA's 1,2,3 implement the results of the regional municipal comprehensive review.

The boundaries for the urban area expansion amendments are:

- Clearly defined (i.e. concession streets, major natural features, utility corridors)
- Contiguous expansion to urban area
- Large enough for new generation of planned communities (block plan, secondary plan process)
- Consistent with local priorities

The Region will carefully monitor the pace and nature of intensification and growth.

Received June 16, 2010



Roger T. Beaman
416-868-3157
rbeaman@thomsonrogers.com

SENT BY E-MAIL

June 16, 2010

Planning and Economic Development Committee
Regional Municipality of York
c/o Denis Kelly, Regional Clerk
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

Dear Sirs/Mesdames:

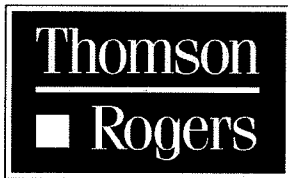
ROPA 3 – Town of Markham Urban Expansion – (19OP-2009-003) - (Item D.5)
Our File No. 050917

We act for Trinison Management Corp., owners of approximately 148 ha of land situated in the quadrant North of Major MacKenzie Drive, East of McCowan Road, and South of Elgin Mills Road. Our client is also a member of the North Markham Landowners' Group.

It is our client's position that lands within the above quadrant should be included in the urban expansion authorized by ROPA 3 for the following reasons:

- It would provide a logical northerly extension of the existing community;
- It would mirror traditional patterns of historical growth in Markham;
- It would provide the closest new neighbourhood to the GO Transit line;
- It would allow for an efficient servicing corridor up McCowan Road;
- It would permit an extension of the Major MacKenzie transit corridor;
- It would allow for the completion of the Don Cousens Parkway to Elgin Mills;
- It would provide part of a balanced growth option.

We therefore ask the Committee to amend ROPA 3 to include the above-noted quadrant.



-2-

Additionally, we note our client's support for the submissions made by Mr. Given on behalf of the North Markham Landowners' Group.

Yours very truly,

A handwritten signature in cursive script, appearing to read "RT Beaman".

Roger T. Beaman

RTB/aph

cc: Barbara Jefferies, Planning
cc: Trinison Management Corp.
cc: Paul Lowes

Submission Number
D05.2009. 003.1.006

Date of Submission:
July 23, 2010

Submission Author:
**Ira Kagan, Kargan Shashtri Barristers and Solicitors on
behalf of Vetmar Development Limited**

Comments or Requested Change to Proposed ROPA 3

Analysis and Recommendation

Request that the portion of the Vetmar lands in the Cathedral Community lying south of the Woodbine By-pass should be removed from the Strategic Employment Lands designation as they are designated and being developed for residential uses.

This modification became part of the Minister's approval of the Region's Official Plan on August 31, 2010, through modification 145 c.



**Kagan
Shastri** ^{LLP}
LAWYERS

Received July 23, 2010

D05.2009.003.1.006

IRA T. KAGAN

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ikagan@ksllp.ca

File: 07135

July 23, 2010

By email

Ms. Barbara Jeffrey
Manager, Land Use Policy and Environment
Long Range and Strategic Planning Branch
Regional Municipality of York
17250 Yonge Street, 4th Floor
Newmarket, Ontario
L3Y 6Z1

Dear Ms. Jeffrey:

**Re: Amendments 1-3, York Region Official Plan
Submission on behalf of Vetmar Ltd.**

This letter is further to our telephone conversation of earlier this week. Attached please find a copy of a letter I sent to Gabe Szobel dated July 16, 2010. As discussed during our telephone conversation it is Vetmar's position that the portion of the Vetmar lands lying south of the Woodbine By-pass should be removed from the Strategic Employment Lands designation. This could occur as part of the first amendment to the Region Official Plan (being part of the urban expansion) or, if the Region agrees, could occur instead as part of the further modifications that might result from appeals to the Regional Official Plan. Thank you for your consideration of this matter.

Yours very truly,

Ira T. Kagan
Enclos.

cc. Vetmar Limited

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**Kagan
Shastri** ^{LLP}
LAWYERS

IRA T. KAGAN
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File: 07135

July 16, 2010

By email

Mr. Gabe Szobel, Solicitor
Regional Municipality of York
17250 Yonge Street, 4th Floor
Newmarket, Ontario
L3Y 6Z1

Dear Mr. Szobel:

Re: Modifications to the York Region Official Plan

As you know we are the solicitors for Vetmar Limited. Attached is a copy of the Region's staff report dated June 24, 2010 respecting proposed modifications to the adopted (not yet approved) Regional Official Plan as a result of the North Leslie OMB hearing. Although not part of the North Leslie OMB hearing, the Vetmar lands appear to be affected by this report. You will see on the schedules of the staff report that the *Strategic Employment Lands* designation includes lands on east of Highway 404 all the way east to Woodbine Avenue (which includes the Vetmar lands). As you also know, however, the portion of the Vetmar lands which lies south of the Woodbine Bypass are designated and zoned Residential and Community Amenity Area (which itself allows residential uses) and have been draft plan approved for those uses. The proposed *Strategic Employment Lands* is inconsistent with these existing (but un-built) approvals. Accordingly, would you kindly speak with Regional staff to determine if they would be willing to seek further modifications to the limits of the designation so as to eliminate those lands? I would think they have simply overlooked this fact and that it can be easily remedied. Thank you.

Yours very truly,

Ira T. Kagan
Encl.

cc. Vetmar Limited

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Submission Number
D05.2009.003.1.007
Delegation at Statutory
Meeting

Date of Submission:
June 16, 2010

Submission Author:
Claudio Brutto (on behalf of Hochglaube Green Acres)

Comments or Requested Change to Proposed ROPA 3

Analysis and Recommendation**Delegation at Statutory Meeting**

- Hochglaube Green Acres operates a recreational facility in the white belt in Markham north of major Mackenzie and has done for many years
- Lands are not agricultural
- Province indicated that the White Belt was for urban expansion but existing owners are under constant threat to have the Province direction removed through Greenbelt expansion and Food belt
- Clients are prepared to wait for future development but suggest Region should take a leadership role in saying that the white belt lands are for future development

Regional Official Plan identifies the areas of the Region where development cannot occur – Greenbelt and Oak Ridges Moraine.

Background documents to the Regional Plan indicate that White belt lands needed for future development to 2031.

No change required to ROPA 3 or ROP.