

October 19, 2016

Our File No.: 06.3883

Via Email

(regional.chair@york.ca & regionalclerk@york.ca)

Chairman and Members of Council
Region of York
Administrative Centre
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

Attention: Clerk

Dear Sirs/Mesdames:

**Re: Kennedy McCowan Landowner Group
Draft Provincial Plan Amendments Regional Submission**

We are solicitors for Kennedy McCowan Landowner Group, the owner of approximately 400 acres of land north of Major Mackenzie Drive in the City of Markham.

Our client, has participated in the province's Co-ordinated Land Use Planning Review by attending open houses and technical sessions and through written submissions to the province, the Region of York and the City of Markham. Our comments in this letter will focus on the Greenbelt Plan.

The Greenbelt Plan was established over a decade ago. The province commenced an extensive public consultation process at that time which our client participated in by attending an open house and carefully examining the proposed mapping for the land it owned at the time (often referred to as the "Minotar Lands"). Our client spoke to staff at the Ministry of Municipal Affairs and Housing and others and confirmed that the mapping did not include the featureless table land under agricultural cultivation on the Minotar Lands.

During the province's Greenbelt consultation period in 2004 and 2005, Markham was undertaking its "Small Stream Study". Included in that study is a plan demonstrating how the featureless table lands on the Minotar Lands could be developed. Although the Small Streams Study and the Greenbelt were developed independently, the plan of development in the Markham Small Stream Study was consistent with the draft Greenbelt mapping in that it did not show

development in the area proposed for inclusion in the Greenbelt. On the basis of its investigation of the proposed Greenbelt mapping and its understanding that it was widely accepted that the table lands were not inhibited for development by natural heritage features, our client was satisfied with the draft Greenbelt mapping.

When the final Greenbelt mapping was released, the featureless table land on the Minotar Lands (which had been shown as developable in Markham's Small Stream Study demonstration plan) had been included in the Greenbelt as part of the Greenbelt Natural Heritage System.

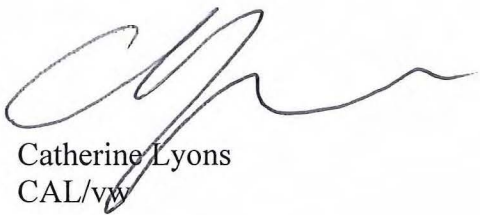
In the intervening years, our client has worked tirelessly to determine how the featureless table lands became included in the Greenbelt and to confirm that the lands do not perform a natural heritage function.

We can confirm that after numerous meetings involving our client, the province has not been able to provide any evidence on which it based a decision to change the boundary to include the table lands. The natural heritage features on the Minotar Lands have been subsequently staked by the Toronto and Region Conservation Authority (TRCA) and the Ministry of Natural Resources and Forestry (MNR). The resultant survey shows approximately 60 acres of featureless table lands. The finally approved Regional Official Plan's natural heritage feature mapping is consistent with the TRCA/MNR mapping. Markham's Official Plan features mapping is also largely consistent with TRCA/MNR mapping.

In the ongoing provincial consultation on the Greenbelt, our client will continue to work with the public agencies to correct the Greenbelt mapping to accurately identify and protect natural heritage on the Minotar Lands.

Yours very truly,

Goodmans LLP



Catherine Lyons
CAL/vxy

c.c. Clay Leibel