

May 14, 2014

Regional Council
The Regional Municipality of York
Administrative Centre
17250 Yonge Street, 4th Floor
Town of Newmarket
L3Y 6Z1

11-2073

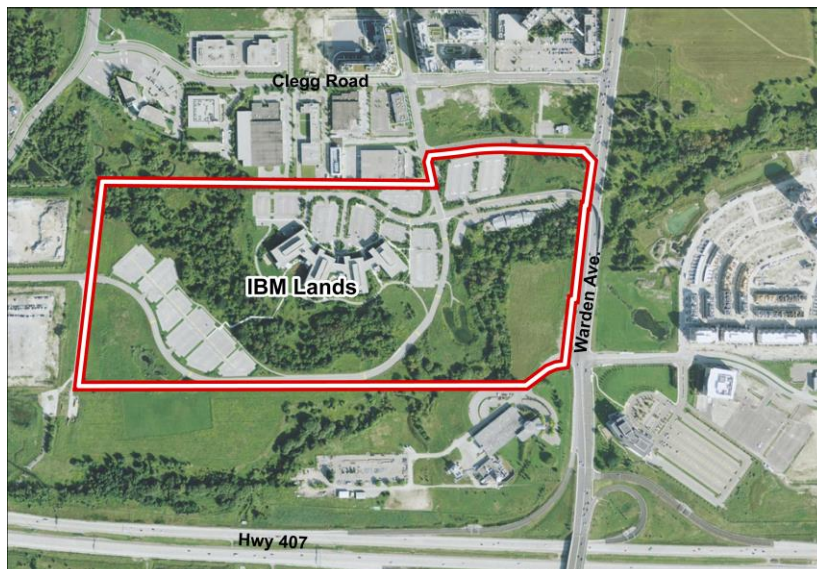
Attention: Dennis Kelly, Regional Clerk

Dear Mr. Kelly,

**RE: Comments on City of Markham Revised Draft Official Plan
IBM Canada Limited – 8200 Warden Avenue**

Malone Given Parsons Ltd., on behalf of the IBM Canada Limited (IBM), is pleased to submit comments on the Council adopted Markham Official Plan. IBM owns lands in Markham Centre, on the west side of Warden Avenue, south of Cedarland Drive at 8200 Warden Ave. The property is 95 acres and is home to IBM's Software Development Lab.

Figure 1: Location of Subject Lands

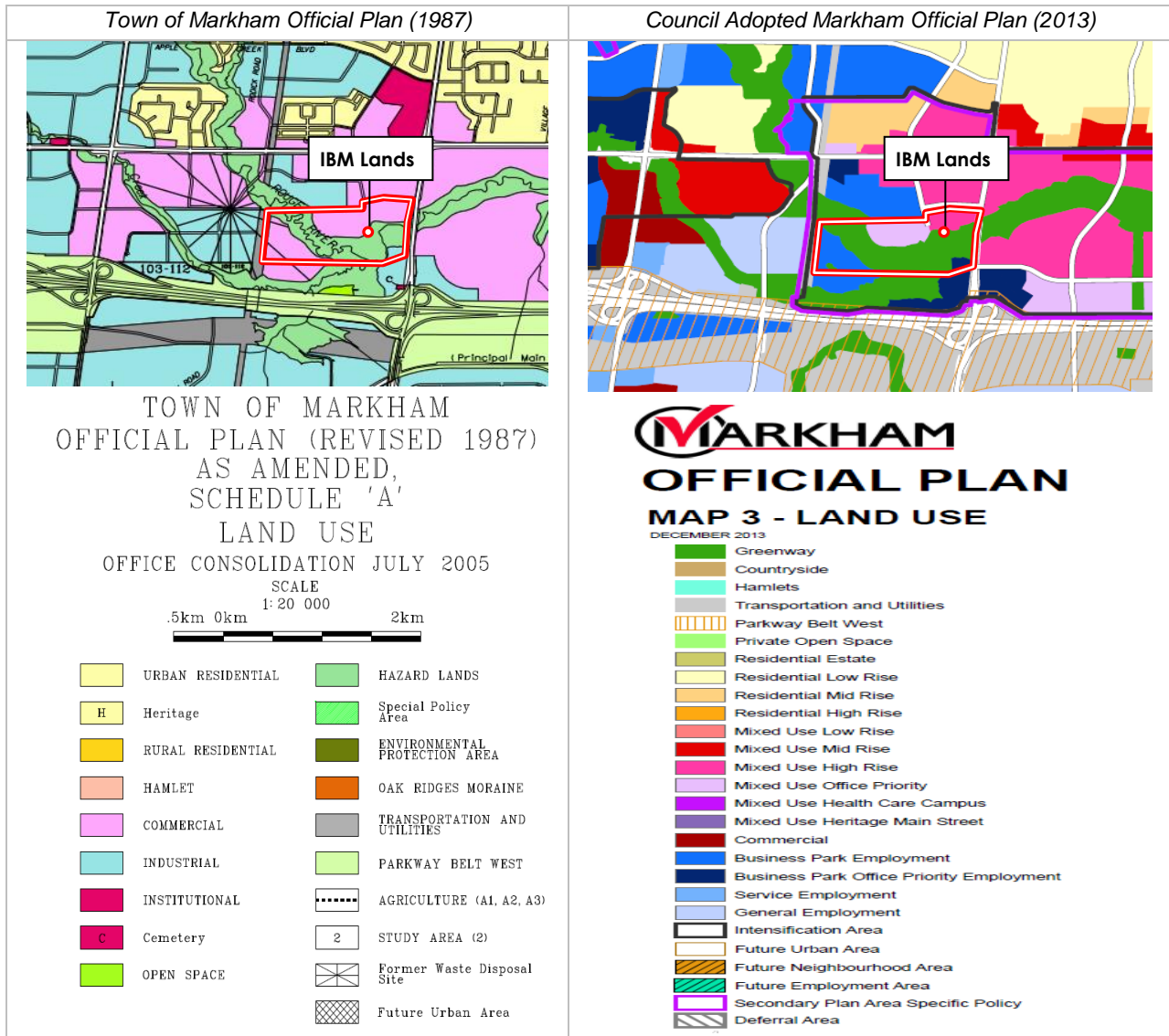


Source: Google Earth

In a letter to the Town of Markham on December 2, we had asked that our concerns with the proposed designation of the IBM lands in the newly adopted Official Plan be forwarded to the Region of York for consideration. That letter, in addition to previous correspondence (dated April 2013) with the Town, is included as Appendix A. The Council Report dated April 1, 2014 providing the Town’s response to our correspondence (Item 28) is included in Appendix B.

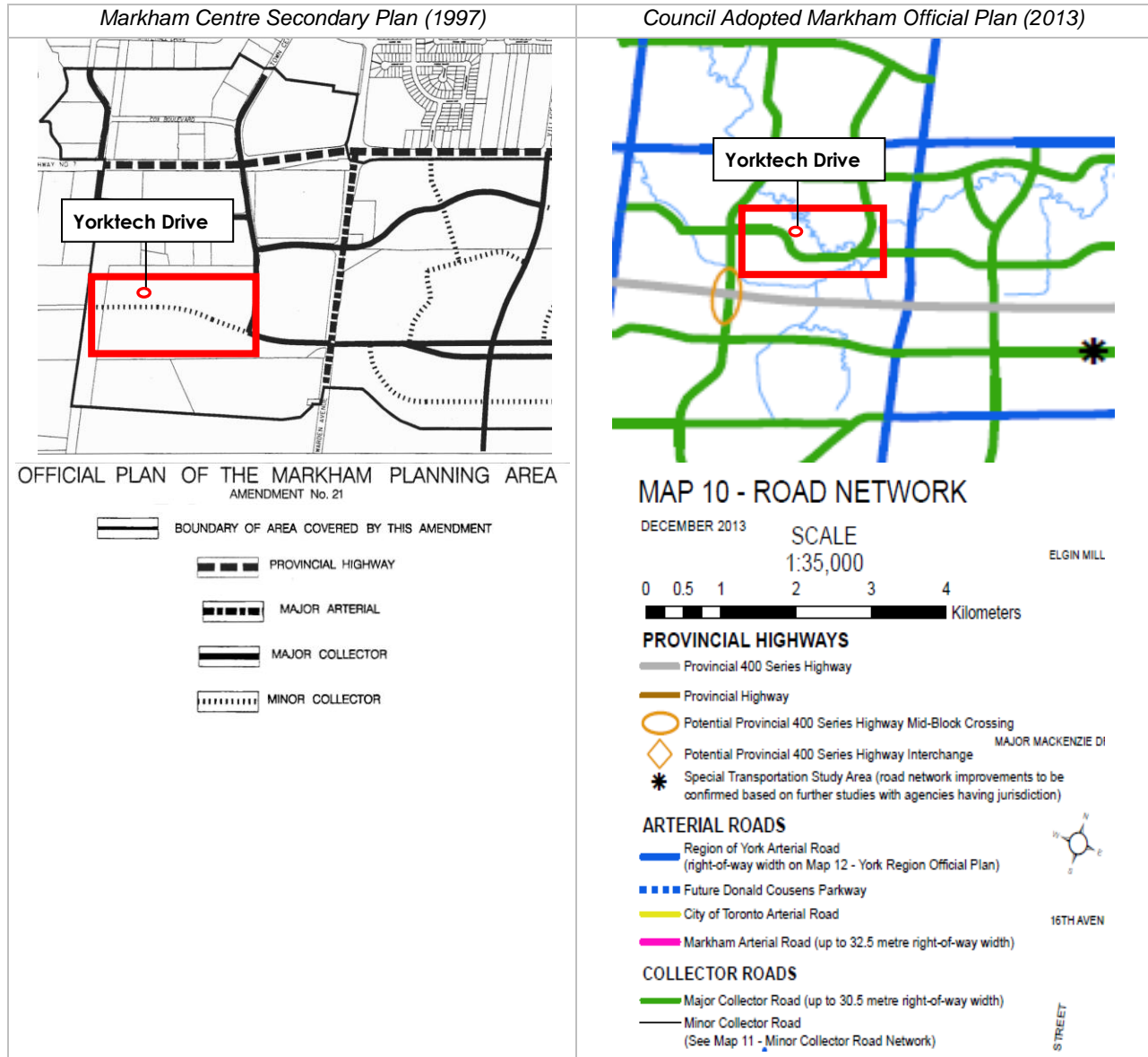
To summarize, IBM remains concerned with the proposed designation of the IBM lands (consisting of a mix of Mixed-Use High Rise, Mixed-Use Office Priority, and Business Park Employment designations) and requests that the designation be amended to reflect the current ‘as-of-right’ permissions (Community Amenity Area within the Markham Centre Secondary Plan), as illustrated in Figure 2 below. IBM views the proposed re-designation to an Employment land use as an inappropriate downgrading of the permissions on the property.

Figure 2: Comparison of Land Use Designations for IBM Lands



Additionally, the new Markham Official Plan identifies Yorktech Drive, east of Roddick Road, as a Major Collector Road in *Map 10 – Road Network*; whereas the Markham Centre Secondary Plan designates the road as a Minor Collector Road (Figure 3). Yorktech Drive is an assumed road between Roddick and the Hydro One corridor; access to the IBM lands is provided via a private driveway. IBM is opposed to any re-classification or any change in the policies relating to Yorktech Drive

Figure 3: Comparison of Road Network for IBM Lands



IBM is seeking modifications to the new Official Plan to retain the same permissions and flexibility afforded to their lands in the current OP (1987) and is requesting that the balance of their lands be designated Mixed-Use High Rise, similar to lands on the east side of Warden and north of Cedarland within Markham Centre. This designation would ensure that the IBM lands receive similar treatment as other lands within Markham Centre. Additionally, IBM is requesting that any change in classification and/or policies relating to Yorktech Drive that differ from its as-of-right conditions be removed from the new Official Plan.

Thank you for the opportunity to input to the new Markham Official Plan process. I look forward to discussing our requests with Regional Staff. Please contact me at your convenience at 905.513.0170 x107 to arrange a meeting.

Yours very truly,
MALONE GIVEN PARSONS LTD.



Lincoln Lo MCIP, RPP, PLE
Associate
llo@mgp.ca

cc: Susan Lawton, IBM Canada
Leo Longo, Aird & Berlis
Duncan MacAskill, Regional Municipality of York
Margaret Wouters, City of Markham

Appendix A

MGP Letter to City of Markham
Re. Comments on Draft Official Plan
December 2, 2013

December 2, 2013

Development Services Committee
City of Markham
Markham Civic Centre
101 Town Centre Boulevard
L3R 9W3

MGP File: 11-2073

Dear Members of Committee;

**RE: Comments on City of Markham Revised Draft Official Plan
IBM Canada Limited – 8200 Warden Avenue**

Malone Given Parsons Ltd., on behalf of the IBM Canada Limited (IBM), is pleased to submit comments on the revised Draft Markham Official Plan. IBM owns lands in Markham Centre, on the west side of Warden Avenue, south of Cedarland Drive at 8200 Warden Ave. The property is 95 acres and is home to IBM's Software Development Lab.

In April 2013, we stated our concerns with the proposed designation of the IBM lands and requested that the designation be amended to reflect the current 'as-of-right' permissions (see letter attached). Since the submission of the letter, we recognize that the designation on the parcel at the southwest corner of Warden Avenue and Cedarland Drive has been changed to Mixed-Use High Rise and the central parcel west of Town Centre Boulevard has been changed to Mixed-Use Office Priority. However, the proposed designation for the residual lands to the west continues to be Business Park Employment.

IBM remains concerned with this proposed designation and continues to review their options as the lands were previously within the Markham Centre secondary plan (current designation of Community Amenity Area) and views the proposed redesignation to an Employment designation as a downgrading of the permissions on the property.

We ask that Council receive this letter for the public record and forward these concerns to the Region for their consideration.

Thank you for the opportunity to input to the draft Markham Official Plan process. I look forward to discussing our requests with City and Regional Staff.

Yours very truly,
MALONE GIVEN PARSONS LTD.



Nick Pileggi MCIP, RPP
Principal
npileggi@mgp.ca

cc: Clerks Department, City of Markham
Susan Lawton, IBM Canada
Leo Longo, Aird & Berlis
Margaret Wouters, City of Markham Planning

Attachment 1

MGP Letter to City of Markham
Re. Comments on Draft Official Plan
April 21, 2013

April 21, 2013

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
L3R 9W3

MGP File: 11-2073

Attention: Mayor Scarpitti and Members of Council

Dear Mayor and Members of Council;

**RE: Comments on City of Markham Draft Official Plan
IBM Canada Limited**

Malone Given Parsons Ltd., on behalf of the IBM Canada Limited (IBM), is pleased to submit comments on the Draft Markham Official Plan. IBM owns lands in Markham Centre, on the west side of Warden Avenue, south of Cedarland Drive at 8200 Warden Ave. The property is 95 acres and is home to IBM's Software Development Lab.

In November 2012, we provided the following comments to The City on the draft Official Plan:

IBM is very concerned with the proposed redesignation of the subject lands from an open and flexible Community Amenity designation (mixed use) to an Employment designation.

We believe that the conversion in designations amounts to a downgrading of the permissions on the property and IBM is opposed to any designation which serves to remove the flexibility for future development on the site.

Further, we are concerned with the depiction of the Regional Rapid Transit Corridor through the IBM lands. *(this has been corrected and is no longer an issue)*

We have since met with staff to discuss the IBM property in the context of the new Official Plan and in early April 2013, provided additional information to the City (a Highest and Best Land Use Study for a portion of the lands) to provide context regarding the development potential of the site.

We continue to be concerned with the proposed designation on the IBM lands and request that the designation be amended to reflect the current 'as of right' permissions. It is our opinion that these lands should be treated similarly to other lands in Markham Centre (current designation of Community Amenity Area) and be designated Mixed Use – High Rise in the new Official Plan.

Thank you for the opportunity to input to the draft Markham Official Plan process. I look forward to discussing our requests with City Staff.

Yours very truly,
MALONE GIVEN PARSONS LTD.



Nick Pileggi MCIP, RPP
Principal
npileggi@mgp.ca

cc: Clerks Department, City of Markham
Susan Lawton, IBM Canada
Leo Longo, Aird & Berlis
Margaret Wouters, City of Markham Planning

Appendix B

City of Markham Staff Report Official Plan 2013 – Proposed Modifications April 1, 2014



Report to: Development Services Committee

Report Date: April 1, 2014

SUBJECT: City of Markham Official Plan 2013 – Proposed Modifications

PREPARED BY: Policy and Research Division, Planning & Urban Design Department

REVIEWD BY: Marg Wouters, Senior Manager, Policy and Research (x. 2909)

RECOMMENDATION:

- 1) That the report entitled “City of Markham Official Plan 2013 – Proposed Modifications” dated April 1, 2014, be received;
- 2) That the proposed modifications to the Council adopted Official Plan 2013, as outlined in Appendix ‘A’ of the report entitled “City of Markham Official Plan 2013 – Proposed Modifications” dated April 1, 2014, be adopted;
- 3) That the proposed modifications to the Council adopted Official Plan 2013, as recommended in the report entitled “City of Markham Official Plan 2013 – Proposed Modifications” dated April 1, 2014, be forwarded to the Region of York for consideration in the approval of Markham’s new Official Plan;
- 4) That the correspondence identified in Appendix ‘B’ of the report entitled “City of Markham Official Plan 2013 – Proposed Modifications” dated April 1, 2014, be received; and
- 5) And that staff be authorized and directed to do all things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

The purpose of this report is to recommend a number of modifications to Markham’s new Official Plan prior to Regional approval of the Plan, and for Council to receive additional correspondence as part of the Official Plan Review record. The proposed modifications arise from matters that were not yet resolved at the time of adoption of the new Official Plan.

BACKGROUND:

Markham’s new Official Plan was adopted by Council on December 10, 2013 and is currently being considered by York Region for approval. At the time of adoption, a number of issues (as documented in the November 19, 2013 and December 3, 2013 staff reports) were identified as requiring further consideration by Council or staff, with the possibility of being addressed in a subsequent report on modifications. As well, a number of submissions were received at the time of adoption that have not been documented in staff reports. Modifications to the Official Plan can be considered by the Region prior to Regional approval of the Plan, which is anticipated within the next few months.

This report identifies a number of proposed modifications to the new Official Plan, identifies correspondence related to the new Official Plan that has not yet been received by Council, and documents the staff response to correspondence that had not yet been responded to prior to Council adoption of the new Official Plan.

OPTIONS/ DISCUSSION:

Recommended modifications to the new Official Plan are provided in Appendix 'A'. Correspondence regarding the new Official Plan not yet received by Council is attached in Appendix 'B'. A table summarizing comments and the staff response for submissions received up to the date of adoption of the new Official Plan (December 10, 2013), but not previously documented in staff reports, is provided in Appendix 'C'. The table also identifies policy changes resulting from recent Council decisions that should be reflected in the new Official Plan.

Modifications 1 through 11 in Appendix 'A' address some outstanding matters and additional comments received regarding requested changes in policies and designations, including policies regarding the Markham Airport, the 'Future Employment Area' lands in Cornell Centre, the application of the vegetation protection zone policies, site specific permissions and mapping refinements.

Modifications 12 through 18 reflect recently adopted Official Plan Amendments, or recent Council direction on Official Plan policy. These include the amendment to the Unionville Core Secondary Plan arising from the Unionville Main Street BIA study, and a number of site specific amendments to the in-force Official Plan (Revised 1987, as amended), as well as recent Council direction on the use of TRCA's small streams protocol, and changes to phasing policies for the Future Urban Area.

It is recommended that the proposed modifications identified in Appendix 'A' be adopted and forwarded to the Region for consideration in the approval of Markham's new Official Plan, and that the correspondence in Appendix 'B' be received as part of the record of submissions for the new Official Plan. Any correspondence received after December 10, 2013 is being forwarded to the Region for consideration prior to Regional approval of the Plan.

FINANCIAL CONSIDERATIONS:

Not applicable.

HUMAN RESOURCES CONSIDERATIONS:

Not applicable.


ALIGNMENT WITH STRATEGIC PRIORITIES:


The new Official Plan, and the proposed modifications identified in this report, relates to all strategic priorities of Building Markham's Future Together, and specifically addresses the Growth Management priority.

BUSINESS UNITS CONSULTED AND AFFECTED:

The recommendations of this report have been discussed with the Planning and Engineering Departments, and their comments have been incorporated.

RECOMMENDED BY:


Rino Mostacci M.C.I.P., R.P.P.
Director of Planning and Urban Design


Jim Baird M.C.I.P., R.P.P.
Commissioner of Development Services

ATTACHMENTS:

Appendix 'A' Proposed Modifications to the new Markham Official Plan 2013

Appendix 'B' Official Plan correspondence to be received

Appendix 'C' Response to Written Submissions, Agency Comments and Council Direction

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APPENDIX 'A'
PROPOSED MODIFICATIONS TO THE COUNCIL ADOPTED OFFICIAL PLAN - DECEMBER 10, 2013
(deletions are shown as strikethrough; new text is underlined)

MODIFICATION 1: Markham Airport (10953 Highway 48)

- a) That the preamble in Section 7.1.8 be modified as follows:

"7.1.8 Airports

~~There are two privately owned airports operating in Markham: the Toronto Buttonville Municipal Airport and the Markham Airport shown in Appendix E – Transportation, Services and Utilities. Aviation has long been a component of Markham's transportation infrastructure and Markham has worked cooperatively with the Federal and Provincial aviation authorities in the planning, development and operation of these two airports.~~

~~The Toronto Buttonville Municipal Airport site comprises approximately 70 hectares adjoining Highway 404 south of 16th Avenue. Buttonville Airport serves a range of aviation activities, including commercial cargo operations, air ambulance and police services, corporate flights, charters, and flight training schools. In 2010, the airport lands were sold with the expectation that the site will eventually be redeveloped for other urban uses to accommodate primarily employment-generating activities.~~

~~Markham Airport is sited on a 16-hectare property east of Highway 48 and north of Elgin Mills Road. Operations at Markham Airport are limited by its 2,000-foot runway and the fact it is surrounded by protected agricultural lands that restrict further expansion of the airport. The airport is partially located on lands owned by the federal government for the development of the proposed Pickering Airport. The establishment of the Pickering Airport would likely lead to the closure of Markham Airport. Until this happens, Markham Airport is expected to continue functioning much as it does today.~~

Aviation has long been a component of Markham's transportation infrastructure and the Toronto Buttonville Municipal Airport and the Pickering Airport Site lands have both influenced development in Markham.

The Toronto Buttonville Municipal Airport site, shown in Appendix E – Transportation, Services and Utilities, comprises approximately 70 hectares adjoining Highway 404 south of 16th Avenue. Development adjacent to the Buttonville Airport is subject to federal Airport Zoning Regulations. In 2010, the airport lands were sold with the expectation that the site will eventually be redeveloped for other urban uses to accommodate primarily employment-generating activities.

The Toronto Markham Airport, also shown in Appendix E – Transportation, Services and Utilities, is located on the east side of Highway 48 and north of Elgin Mills Road. Operations at the airport are currently limited by its 614 metre runway, part of which is located on federally owned lands. The Toronto Markham Airport is expected to continue to function into the foreseeable future.

The Pickering Airport Site was formally established on lands owned by the federal government in August 2001. The portion of the site within Markham includes approximately 1,800 hectares, generally located east of Highway 48 and north of 16th Avenue as shown on Appendix E – Transportation, Service and Utilities. The portion of the Pickering Airport Site in Markham is identified as Greenbelt within the

Provincial Greenbelt Plan. A portion of these lands is also subject to the Oak Ridges Moraine Conservation Plan. The federal government has announced that most of these lands in Markham will be transferred to the proposed Rouge National Urban Park.

Airport Zoning Regulations applying to the lands in the vicinity of the site were approved by the federal government in 2004. These regulations apply to a substantial area of land within Markham and Noise Exposure Forecasts have also been established for the site. In addition, an area of land in northern Markham, remains subject to a Provincial Minister's Zoning Order dating from 1972, that controls the use of land within the Order area. Policies respecting the Airport Zoning Regulations and the Minister's Zoning Order are contained in Sections ~~9.10~~ 3.4.2.8 and 10.10 of this Plan.

- b) That Section 7.1.8.4 be modified as follows:

~~"7.1.8.4 To permit the continued operation of the Markham Airport until such time as the Federal Government is able to confirm the function of the airport relative to the operation of the proposed Pickering Airport, and to prohibit the expansion of Markham Airport onto adjacent agricultural lands. To recognize the continued operation of the Toronto Markham Airport."~~

- c) That Section 9.8.3 d) be deleted from Section 9.8.3 and from Figure 9.8.3 as follows and that the subsequent subsections e) through j) be renumbered accordingly:

"9.8.3 The following site specific provisions apply to the existing land uses on the 'Countryside' lands as shown in Figure 9.8.3:

~~d) the existing Markham Airport shall also be permitted at 10953 Highway 48 provided there is no further expansion of the existing aerodrome facility;"~~

- d) That Appendix E – Transportation Services and Utilities be modified to replace the reference to 'Markham Airport' with 'Toronto Markham Airport'.

MODIFICATION 2: Future Employment Area lands in Cornell Centre

- a) That Section 9.7.8.3 be modified as follows:

"9.7.8.3 The land use designations for the Cornell Centre *key development area* lands, shown outlined in purple on Map 3 – Land Use, and the related policies in this Plan, shall be used to inform the update of the Cornell Secondary Plan. The lands designated 'Future Employment Area' east of Donald Cousens Parkway are intended to be assigned employment designations and site specific policies consistent with the Cornell Secondary Plan, as amended, and Council's further direction of May 31, 2011. Until an updated secondary plan is approved for the Cornell Centre *key development area*, the provisions of the Official Plan (Revised 1987), as amended, and Secondary Plan PD 29-1, as amended, and as further modified by York Region in accordance with Council's direction of May 31, 2011, shall apply to the lands shown in Figure 9.7.8."

- b) That Section 3.3.1.4 be modified as follows:

"3.3.1.4 To require the preparation of *subwatershed plans* prior to development in the 'Future Urban Area' lands north of Major Mackenzie Drive as shown on Map 3 – Land Use to guide land use options and identify mitigation and restoration strategies required to protect and enhance

natural heritage and hydrologic features and their *ecological functions* and hydrologic functions.”

MODIFICATION 3: Vegetation Protection Zones

- a) That Section 3.1.2 be modified as it relates to the preamble for Vegetation Protections Zones (p. 3-15) to replace the current wording of the first paragraph with the following:

“Vegetation Protection Zone

A vegetation protection zone is a buffer area adjacent to a natural heritage feature or a hydrologic feature that is intended to protect the feature and its ecological function from adjacent land use impacts in order to maximize the long-term viability of the feature. Vegetation protection zones are established as lands are urbanized or land uses change. They are not intended to alter existing buffers and edge conditions in urban areas of Markham outside of large scale development or redevelopment applications, or prevent agricultural uses contiguous with farm operations on lands which could become a future vegetation protection zone within the ‘Countryside’ and ‘Greenway’ designations.

Vegetation protection zone requirements vary depending on the feature and the relevant policy application (local, regional or provincial). Where development, redevelopment or site alteration is proposed on lands adjacent to a feature, the extent of a vegetation protection zone is determined by an environment impact study, natural heritage evaluation and/or hydrological evaluation, or equivalent as identified in Table 3.1.2.23.”

- b) That Section 3.1.2.26 be modified as follows:

“ 3.1.2.26 To consider a reduced *vegetation protection zone* with the Urban Area, as shown on Map 12 – Urban Area and Built-Up Area², only where:

- supported by an environmental impact study satisfactory to the City and the Toronto and Region Conservation Authority; or
- site constraints such as existing lot size or physical site characteristics clearly limit the ability to achieve a minimum 10-metre *vegetation protection zone*; and or
- the *vegetation protection zone* was delineated through a previous *development approval* or secondary plan or area and site specific policy.”

- c) That Section 9.3 be modified to add a new Section 9.3.12 as follows:

“9.3.12 The minimum *vegetation protection zone* for the *woodland* features within the Berczy Village/Wismer Commons/Greensborough/Swan Lake district as shown in Figure 9.3.1 shall be determined through an environmental impact study.”

MODIFICATION 4: Permitted Uses in Countryside

That Section 8.6.1.2 a) be modified as follows:

- “8.6.1.2 To provide for the following uses on lands designated ‘Greenway’:
- ~~agricultural use~~ countryside uses, identified in Section 8.8.12 provided they are outside of natural heritage and hydrologic features and their *vegetation protection zones*;”

MODIFICATION 5: Site Specific Policy

That Section 9.17.5 be modified as follows:

"9.17.5 The following uses shall also be permitted on the 'General Employment' lands at 100 Steelcase Road East as shown in Figure 9.17.5:

- a) office;
- b) financial institution;
- c) commercial school;
- d) commercial fitness centre;
- e) private club; and
- f) retail and/or service use accessory to office, provided the area subject to the accessory use does not exceed 100 square metres of gross floor area, or a maximum of 5 percent of the gross floor area devoted to the office use, whichever is less."

MODIFICATION 6: Site Specific Policy

That Section 9.4.12 be modified as follows:

"9.4.12 A *day care centre* and *private school* shall also be permitted on the 'Business Park Employment' lands at 245 Renfrew Drive shown in Figure 9.4.12. ~~provided they are located within the existing building and the maximum number of all classrooms is 12.~~

MODIFICATION 7: Site Specific Policy

That Section 9.14.4 be modified to add a new Section 9.14.4.5 as follows:

"9.14.4.5 The new secondary plan shall incorporate a provision for the existing single storey retail warehouse building with outdoor storage and display of merchandise on the 'Mixed Use Mid Rise' lands at 8651 McCowan Road as shown in Figure 9.14.4.S."

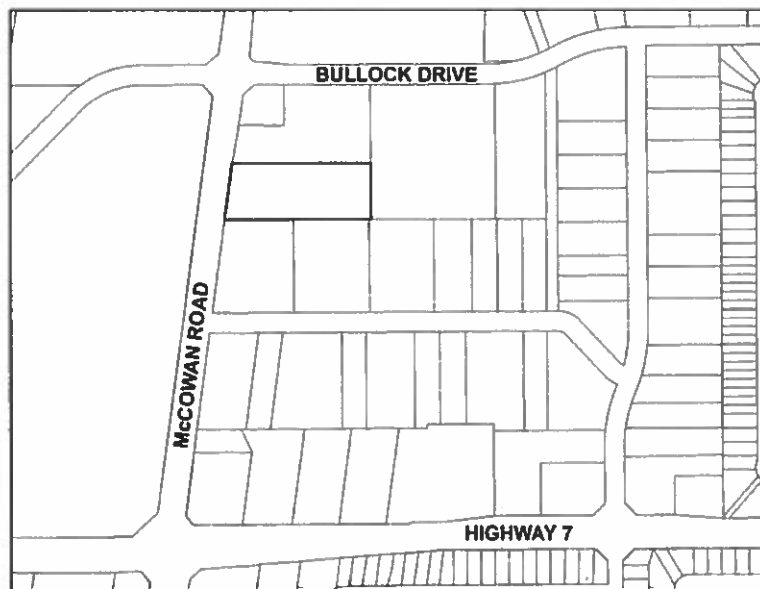


Figure 9.14.4.5

MODIFICATION 8: Land Use

That Map 3 – Land Use be modified to replace the ‘General Employment’ designation with a ‘Service Employment’ designation for the lands at 2801 John Street as shown below.



MODIFICATION 9: Leitchcroft

That Section 9.6.3 be modified as follows:

“9.6.3 A maximum number of ~~2,920~~ 3,050 dwelling units shall be permitted on the lands shown in Figure 9.6.1 ~~9.6.3.~~”

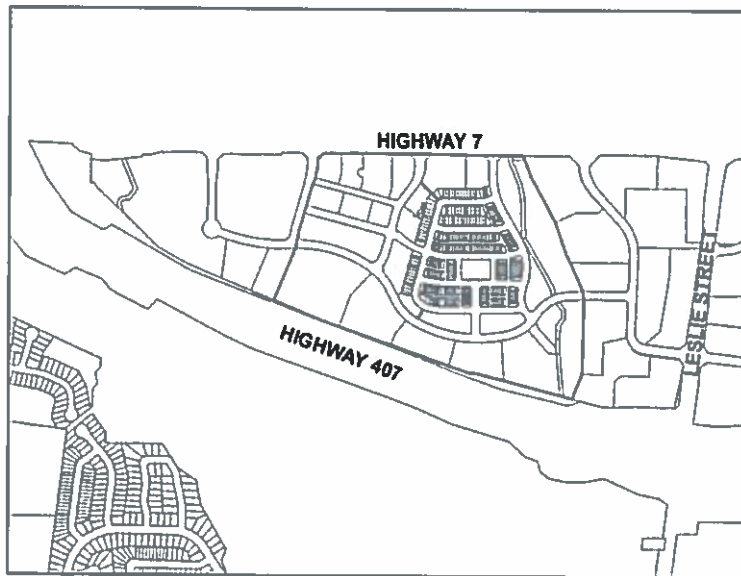


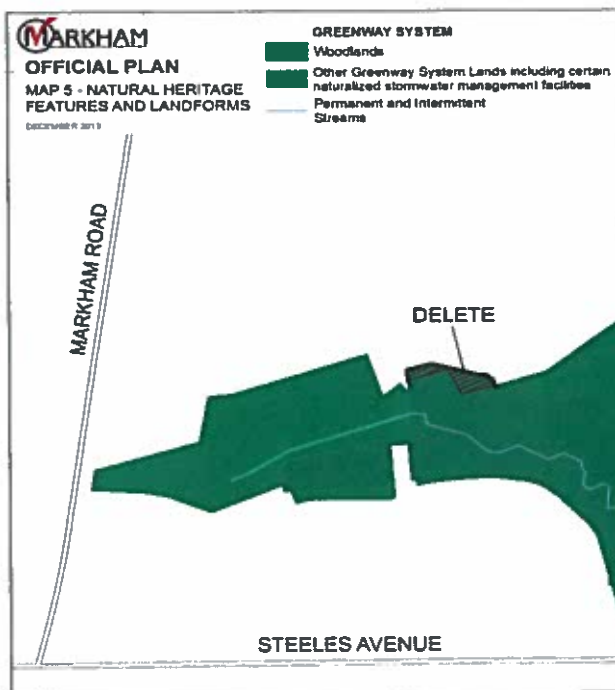
Figure 9.6.3

MODIFICATION 10: Greenway System and Greenway boundary refinements

- a) That Map 1 – Markham Structure, Map 3 – Land Use, Map 4 – Greenway System, Map 5 – Natural Heritage Features and Landforms, Map 6 – Hydrologic Features, Map 9 – Countryside Agriculture Area and Appendix B – Small Streams and Drainage Features be modified to remove the Greenway System and ‘Greenway’ designation as it applies to lands at 11207 Kennedy Road as shown below:



- b) That Maps 1, 3, 4, 5 and 6 and Appendices B and C be modified to remove the Greenway System and ‘Greenway’ designation as it applies to lands at 359 Elson Street as shown below:



MODIFICATION 11: Road Network

That Map 10 – Road Network be modified as follows:

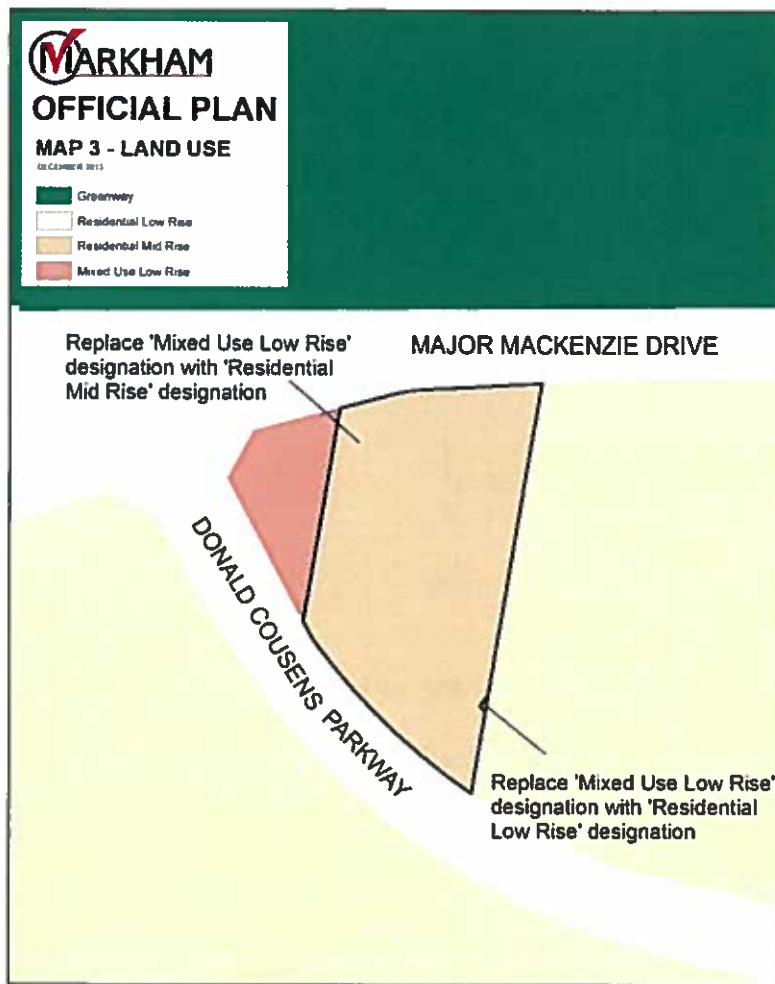
To replace * Special Transportation Study Area in the legend with the following:

- “ * Special Transportation Study Area (road network improvements to be ~~confirmed~~ determined based on further studies with agencies having jurisdiction)”

Modifications related to recent Council decisions

MODIFICATION 12: Digram Developments (Approval of Draft Plan of Subdivision)

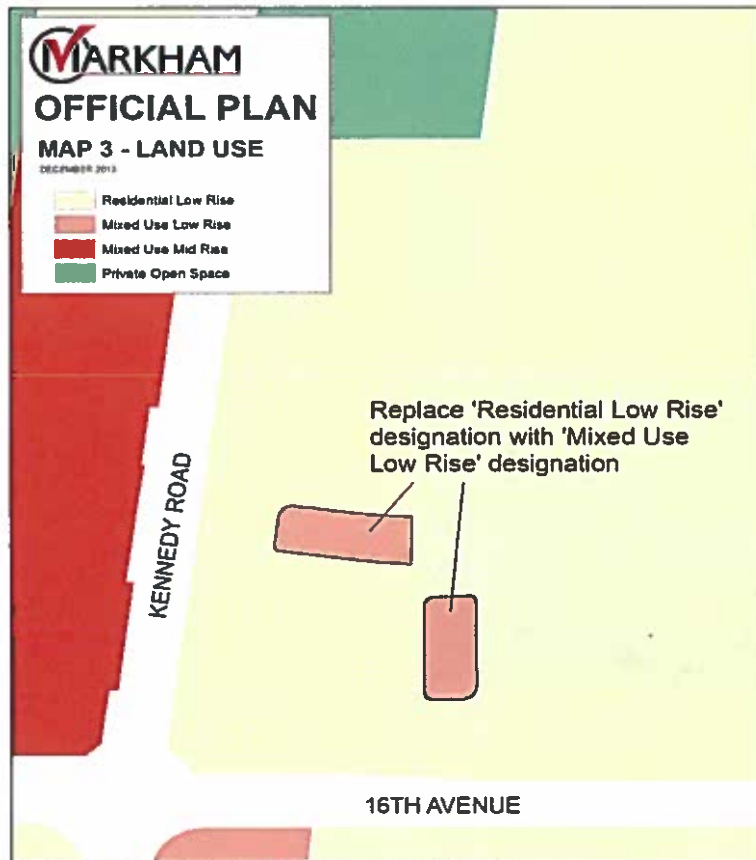
That Map 3 – Land Use be modified to replace the ‘Mixed Use Low Rise’ designation with ‘Residential Mid Rise’ and ‘Residential Low Rise’ designations for the lands on the south side of Major Mackenzie Drive East just east of Donald Cousens Parkway as shown below:



Path: D:\Geometry\Department\Planning\Policy\MS27\New OP\QR\Markham\Map 3 Digram Mod March 2014.mxd

MODIFICATION 13: (Upper Unionville – OPA No. 213)

That Map 3 – Land Use be modified to replace the ‘Residential Low Rise’ designation with a ‘Mixed Use Low Rise’ designation for the lands north of 16th Avenue and east of Kennedy Road as shown below:



MODIFICATION 14: (Unionville Core Area Secondary Plan amendment)

a) That Section 9.19.6.1 b) be modified as follows:

“9.19.6.1 b) encourage the continued commercial viability of the ‘Mixed Use Heritage Main Street’ area, while:

- i. providing a pedestrian oriented, shopping/dining/cultural experience serving both the local neighbourhood and the wider Markham community in the form of a historic village commercial area;
- ii. preserving and enhancing its distinctive and historic character;
- iii. protecting the traditional shopping experience by not permitting an expansion of the ‘Mixed Use Heritage Main Street’ lands and by:
 - encouraging small, independent commercial establishments to remain or locate in the area; and
 - providing for predominantly retail uses at-grade to maintain animation and pedestrian activity and interest at the street level;
- iv. ensuring adequate on-site parking is provided and pursuing opportunities for additional public parking as identified in Section 9.19.6.10; and
- v. permitting limited expansion and intensification of permitted uses.”

b) That Section 9.19.6.6 be modified as follows:

"9.19.6.6 The following use provisions shall apply to the 'Mixed Use Heritage Main Street' lands shown in hatching in Figure 9.19.6:

- a) ~~more than 50 percent of the combined total ground floor area of all buildings on the lands shall be in retail use;~~
- b) ~~a restaurant or an expansion to an existing restaurant, and a hotel may only be permitted by zoning by law amendment subject to satisfying the requirements of Section 9.19.6.6 a) and the availability of sufficient parking;~~
- a) business and professional offices, commercial schools, and health centres situated on the ground floor of properties fronting onto Main Street shall be required to be located a minimum of 10 metres back of the front wall of the building, and have a clearly defined separation between uses; and
- b) the following uses are not permitted:
 - i. *place of worship;*
 - ii. ~~private and commercial school;~~
 - ii. tavern/bar;
 - iii. *day care centre;*
 - iv. financial institution; and
 - v. fast food restaurant; ~~and~~
 - vi. ~~an office on the ground floor of properties on Main Street Unionville, except for buildings located at 141, 143 and 145 Main Street Unionville.~~

c) That Section 9.19.6.11 be modified as follows:

- "9.19.6.11 ~~A reduction of parking standards for restaurant uses shall only be considered where it can be demonstrated that:~~ In considering a reduction of parking standards for restaurant uses, it is recognized that parking standards for restaurant uses in the Unionville 'Mixed Use Heritage Main Street' lands are reduced when compared to other areas of the City, and that any further reduction shall be given careful consideration only where it is demonstrated that:
- a) it is necessary for the appropriate use and development of the land; and
 - b) there will be additional community benefits such as the integration of adjacent parking areas or additional landscaping; ~~and~~
 - c) ~~in no case shall the reduction be greater than 10 percent of the parking requirement."~~

That Section 9.19.6 be modified to add a new Section 9.19.6.12 as follows and renumber the subsequent sections:

"9.19.6.12 An acceptable balance between parking demand and parking space capacity shall be maintained for the Unionville 'Mixed Use Heritage Main Street' lands."

MODIFICATION 15: (Cornell Rouge Developments – OPA application approved in principle)

That subject to Council adoption of the Official Plan Amendment for the lands as approved in principle on March 25, 2014, Section 9.7.10 be modified as follows:

"9.7.10 ~~A convenience retail and personal service use shall be required~~ may be provided for in a detached dwelling, semi-detached dwelling, townhouse or small multiplex building containing 3 to 6 units, with a maximum building height of 4 storeys, on the 'Residential Low Rise' lands at 474 White's Hill Avenue and 498 Cornell Rouge Boulevard as shown in Figure 9.7.10."

MODIFICATION 16: (Mahamevna Bhavana Asapuwa Toronto – OPA application approved in principle)

That subject to Council adoption of the Official Plan Amendment for the lands as approved in principle on June 18, 2013, Section 9.8.3 be modified to add a new 9.8.3 j) as follows:

"9.8.3 j) a place of worship, with a maximum gross floor area of 860 square metres shall also be permitted at 11175 Kennedy Road."

MODIFICATION 17: (TRCA Headwater Drainage Features - Council Resolution of March 25, 2014)

a) That Section 3.3.2.7 be modified as follows:

"That where development, redevelopment or site alteration is proposed on lands containing small drainage features as identified on Appendix B – Small Streams and Drainage Features, the features shall be evaluated and protected where required using Markham's Small Streams Classification System and Management Protocol. The Protocol shall be updated periodically to address updated standards and Ontario Regulation 166-06 the Toronto and Region Conservation Authority's Evaluation, Classification and Management of Headwater Drainage Features Guidelines."

b) That Section 11.2 Definitions be modified to replace the current definition of *sensitive surface water features* with the following:

"Sensitive surface water features means Within Markham, these features include key hydrologic features defined in the Greenbelt Plan, hydrologically sensitive features defined in the Oak Ridges Moraine Conservation Plan, key hydrologic features defined in the York Region Official Plan and that may lie outside of the Oak Ridges Moraine Conservation Plan Area and Greenbelt Plan Area and Class 1 features defined using Markham's Small Streams Classification System identified for protection using the Toronto and Region Conservation Authority's Evaluation, Classification and Management of Headwater Drainage Features Guidelines."

c) That Appendix B – Small Streams and Drainage Features be modified to replace the title of the appendix as follows:

"Appendix B – Small Streams and Headwater Drainage Features"

MODIFICATION 18: Phasing in the north Markham Future Urban Area

That Section 8.12.1.4 j) be modified as follows:

"8.12.1.4 That the Conceptual Master Plan for the 'Future Urban Area' lands north of Major Mackenzie Drive as shown on Map 3 – Land Use include, but not be limited to, the following:

j) identification of the general phasing of development within these 'Future Urban Area' lands based on the infrastructure and services network, the transportation system and

Markham's priority for the sequencing of new development in these 'Future Urban Area' lands. The Conceptual Master Plan will take into account the principles of *complete communities*, both within these 'Future Urban Area' lands and also within the context of existing adjoining areas to augment service with adjoining lands and will recommend triggers/thresholds that will provide for the secondary plan process to commence and in what sequence. The phasing strategy will allow the first phase of development to include lands within each of the four concession blocks within the 'Future Urban Area', with the program for phasing within each concession block to be confirmed to the satisfaction of Council through secondary plans, phasing plans, and conditions of approval."

APPENDIX 'B' – CORRESPONDENCE TO BE RECEIVED

Recommendation:

That the following correspondence be received:

- a) December 2, 2013 correspondence from Donald Given, Malone Givens Parsons on behalf of Mark Lichtblau;
- b) November 29, 2014 correspondence from Asa Jairam;
- c) December 3, 2013 correspondence from Mark Yarrington of KLM Planning on behalf of Condor Acquisition Inc; and
- d) December 10, 2013 correspondence from Kim Empringham of the York Region Federation of Agriculture.

December 02, 2013

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
L3R 9W3

MGP File: 13-2171

Attention: Mayor Scarpitti and Members of Council, City of Markham

Dear Sirs/Madames,

**RE: North East Corner of Hwy 48 and Major Mackenzie Drive East
Comments on the Policies for Retail in the City of Markham's Revised Draft
Official Plan – November 2013**

I am writing to you on behalf of my client, Mark Lichtblau, owner of 53 acres in the City of Markham, located at the northeast corner of Hwy 48 and Major Mackenzie Drive (legal description: PT LT 21 CON 8 MARKHAM, AS IN R273715, LYING W OF CNR, EXCEPT PTS 9, 10, 11, 12 & 26. PIN: 030620406 and PT LOT 21, CON 8 MKM PT 1, 65R4112; EXCEPT PTS 13 & 14, 65R27900; PIN: 030620402) regarding policies relating to retail development within the November 2013 Revised Draft Markham Official Plan.

I would like to express concern with the requirement that all new retail be built in a Mixed-Use format and with the lack of flexibility in the policies for the Low Rise Mixed Use designation. Moreover, I would like to highlight a lack of clarity regarding the planning for the location of new Major Retail and the Revised Draft Official Plan's stated intent to not designate any additional land as Commercial.

Background

While my client's lands are designated as Countryside within the Revised Draft Markham Official Plan and not part of the ROPA 3 lands that were recently brought into the Settlement Area Boundary, I anticipate that these lands will be brought into the Settlement Area Boundary at some point in the future. It is within this context that I am commenting on policies relating to retail within the Revised Draft Official Plan.

Lack of Flexibility in the Low Rise Mixed Use Designation.

I would like to highlight policies relating to the Mixed Use Low Rise designation in the Draft Markham Official Plan that I believe to be too restrictive for the growth of retail on my client's lands. I note and support the intent of the policies relating to Mixed Use Low Rise in Future Neighbourhood Areas to foster small-scale retail and service development that is well integrated with community and residential uses in a manner that is transit-supportive and pedestrian-oriented.

However, I would like to highlight two concerns that I have with the policies. Firstly, the requirement for all buildings to be mixed-used mandates that all retail buildings absolutely must have residential or other uses mixed above ground floor retail. This requirement for a mix of uses is not absolute in the Mixed Use Mid Rise and Mixed Use High Rise designations. These two designations ask for a mix of uses on-site, but not necessarily within the same building. It is our opinion that the policies for Mixed Use Low Rise should also permit some degree of flexibility to allow for retail growth. Secondly, it is also our opinion that to mandate a minimum height of two storeys for buildings on lands designated as Mixed Use Low Rise places a very high cost burden on retail.

These two concerns that I have raised are discussed in further detail below.

Requirement for Mixed-Use Buildings

The building of complete communities is a goal of both Provincial policy and of this draft Official Plan. It is our opinion that mixed-use neighbourhoods are an excellent means of promoting complete communities. However, I would like to express concern regarding policies that direct every building within the Mixed Use Low Rise designation be mixed-use.

Policy 8.3.2.1 b) states that lands designated Mixed Use Low Rise are to "require mixed-use buildings with street-related retail and service uses combined with residential and/or small-scale office uses". Moreover, Policy 8.3.2.3 states that Mixed Use Low Rise lands are "to only provide for multi-storey mixed-use buildings on lands designated 'Mixed Use Low Rise'".

While the intent of such policies is to foster small-scale retail and service development that is well integrated with community and residential uses, it is our opinion that such a lack of flexibility in policy, where retail uses must always have residential or other uses above, and where even residential units may not be constructed without some non-residential use included, could hamper the growth of retail uses on our client's lands and in Future Neighbourhood Areas

in North Markham in general. Different sites experience different market realities, and a certain degree of flexibility is necessary to permit retail and other uses to adapt to local site conditions.

In fact, such flexibility is already contemplated in the Mixed Use Mid Rise and Mixed Use High Rise designations. Policy 8.3.3.1 d) states that lands designated Mixed Use Mid Rise are to “ensure a mix of uses and on large sites by not allowing a site to be developed or redeveloped exclusively with residential or non-residential development”. As such, this policy contemplates a mix of uses across an entire site without mandating absolutely every single building to provide a mix of uses. Policy 8.3.3.3 which speaks to Building Types for the Mixed Use Mid Rise designation permits a “multi-storey non-residential or mixed-use building”, thereby allowing for the option of a single building comprising a single use within this designation. Similar policies such as these have also been proposed for the Mixed Use High Rise designation.

I would therefore request that this very same flexibility afforded to lands designated as Mixed Use Mid Rise and Mixed Use High Rise also be afforded to lands designated as Mixed Use Low Rise by permitting buildings to develop as single use buildings so as to respond to, and evolve with, local market conditions. The growth of local retail will be an important part of the development of communities in North Markham. While some locations will be conducive to the development of mixed-use retail buildings, not every site will be. I therefore request for some degree of flexibility to be permitted within the Mixed Use Low Rise so as to encourage the growth of retail.

Requirement for Multi-Storey Buildings

I would also like to raise our concerns regarding the requirement that all buildings on lands designated Mixed Use Low Rise be multi-storey. Policy 8.3.2.4 states that lands designated Mixed Use Low Rise must “provide for a minimum building height of 2 storeys and a maximum building height of 3 storeys”.

As mentioned previously, the intent of the policies relating to Mixed Use Low Rise is to encourage the integration of community and residential uses with small scale retail, restaurant, and personal service uses in a mixed-use setting. However, as I have already mentioned, policies require some degree of flexibility in order to allow buildings and uses to adapt to local market conditions. It is our opinion that the inflexibility in the policies for Mixed Use Low Rise requiring a minimum of 2 storeys may hamper the development of retail on our client’s lands, at least in the short run. Such policies do not often take into account some of the market realities that developers and businesses consider, including:

1. Retail and residential have fundamentally different space planning and layout needs. Ideally sized residential units may not match the depth of the retail units, thereby requiring transfer structures, setbacks or a “wrap around” style schemes focused on a podium or courtyard.
2. Mixing uses in a single multi-storey building with retail at the bottom and other uses above significantly increases the cost of construction. Different uses have different requirements under the Ontario Building Code and a mixed-use multi-storey building would require separate HVAC systems, fire protection measures, and so on for each use. While the increase in costs may be justifiable in a mid-rise or high-rise building, a low-rise building of 2 or 3 storeys may not be economically viable under such constraints.
3. The Development Charges regime currently in effect in Markham is intended to encourage Mixed-use Development. However, the application of the current DC by-laws may not benefit such development as contemplated by the Mixed Use Low Rise designation. Taking the example of a 2 storey mixed-use building with retail below and residential above, the DC By-law for City Wide Soft Services would typically apply the low Mixed-Use Development rate to the non-residential portion of the development (the Mixed-Use Development rate is lower than both the Retail DC rate and the Industrial/Office/Institutional DC rate). However, the definition for Mixed-Use Development limits the non-residential portion of a building to 50% or less of the gross floor area. As mentioned above, residential units are typically not as deep as a retail floorplate would be required to be. As such, in this case, the retail portion would be greater than the residential portion, and this development would not qualify for the lower Mixed-Use Development DC rate and the developer would have to bear the significantly higher Retail DC rate (\$12.09/m² for Retail compared to \$7.55/m² for Mixed-Use Development). When we consider the fact that the City of Markham has the third highest Retail Development Charge in the Greater Toronto and Hamilton Area, this represents a significant cost burden that makes retail development in Markham much less attractive when compared to other locations.¹
4. In addition to the increased costs and development charges resulting from a mix of uses, developers must also contend with additional cash-in-lieu payments for parkland dedication for mixed-use developments. The implications of cash-in-lieu for parkland dedication for mixed-use development is not completely understood by the policies of the

¹ Appendix E of the Town of Ajax’s 2013 Development Charge Background Study by Watson & Associates. Richmond Hill has the highest Retail DC rate, followed by Whitchurch-Stouffville.

Revised Draft Official Plan and would add considerably to the cost burden borne by developers.

5. While an increase in costs relating to a multi-storey mixed-use building may be justified by the increase in rents that multiple uses may bring, the market realities of the retail market in North Markham do not justify these additional costs and make investment in retail a difficult choice for developers. Rents for retail development are typically lower in new development as retailers do not have the advantage of an established and regular customer base. A customer base is only developed as a community matures and establishes a rapport with the local retailer. Moreover, residential above retail in a low-rise setting does not perform as well as in a mid- or high-rise setting.

Lack of Clarity Regarding Major Retail

The second issue that I would like to raise is that the Revised Draft Official Plan does not properly address Major Retail as a distinct type of land use with specific land requirements. My letters to the City of Markham dated Nov 9, 2012 and April 19, 2013 have already outlined my concerns. Major Retail is expected to be an important aspect of development in North Markham. York Region's 2031 Land Budget analysis anticipates 75 hectares of Major Retail in Markham's Whitebelt area. However, the integration of retail into the Mixed-Use designation in the Revised Draft Official Plan fails to provide clarity as to the anticipated location of this Major Retail, nor does it take into account that Major Retail has fundamentally different needs than other retail formats and may not always be integrated into a Mixed-Use format. The new Official Plan must acknowledge and support this need with policies that comprehensively plan for true Major Retail.

I thank you for taking the time to consider my concerns and would welcome the opportunity to further discuss these concerns with staff. I can be reached at 905.513.0170.

Yours very truly,
MALONE GIVEN PARSONS LTD.



Donald F. Given *MCIP, RPP*
President
dgiven@mgp.ca

TO: Mayor Scarpitti and Members of Council, City of Markham
RE: Hwy 48 and Major Mac – Comments on the Policies for Retail

December 2, 2013

cc: Jim Baird, Rino Mostacci, Marg Wouters, *City of Markham*
North Markham Landowners Group
Steven A. Zakem, *Aird & Berlis*
Mark Lichtblau
Jack Eisenberger

Boyce, Murray

From: Shore, Howard
Sent: December 7, 2013 8:08 PM
To: Boyce, Murray; Blake, Ronald
Subject: FW: Draft official plan

Hi Murray/Ron,

What info can I provide Asa?

Thx,

Howard

-----Original Message-----

From: Asa [REDACTED]
Sent: Friday, November 29, 2013 3:52 PM
To: Shore, Howard
Subject: Draft official plan

I just realized that 9.6.3 states max 2920 dwellings permitted commerce valley/Leitchcroft - I am assuming more than that currently and more planned?
I spoke to Murray B ext2094 who said he would discuss with Ron Blake x2600 whom referred me to Murray. ..Any chance you would be able to assist so that the official plan lists current dwellings and allow for total planned to be included too? now it looks like very small compared to other residential areas -and in the end affects future planning. Thanks, Asa [REDACTED]

Sent from my iPhone



64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

P-2321

December 3, 2013

City of Markham
Markham Civic Centre,
101 Town Centre Boulevard,
Markham, Ontario, L3R 9W3

Attention: Mayor and Members of Council

**Re: Revised Draft Official Plan Dated November 2013-Development Services Committee
December 3, 2013
Former Canac Kitchen Site- 360 John Street
Our Client: Condor Acquisition Inc.**

Mayor and Members of Council:

We act on behalf of Condor Acquisition Inc. In regard to the above noted matter. This letter is to provide our concerns with respect to the proposed Revised Draft Official Plan for the lands known as the former Canac site which is being considered by Development Services Committee of the City of Markham on Tuesday, December 3, 2013 at 9:00 a.m..

We previously provided comments to the Town Planning Staff in a letter dated August 9, 2013 with respect to the proposed new Official Plan. In addition, our client has participated as part of the Thornhill Revitalization Area and the City-Initiated Area and Site Specific Official Plan Policies and Zoning By-law Amendment.

As you are aware, the City of Markham Council March 19, 2013 Meeting No. 8 Minutes outline the following under Item 4, Section 5) and 6) which has led to the proposed City-Initiated Site Specific Policy for the former Canac site on 360 John Street:

5) That the Development Services Committee and Council provide the following direction to staff:

- a) In the Thornlea Revitalization Area, excluding the former Canac site, prohibit manufacturing, assembly and warehousing, other than where no Certificate of Approval is required from the Ministry of Environment, and prohibiting auto-body repair shops in the new Official Plan;*
- b) On the former Canac Kitchens property provide for mixed use residential redevelopment (e.g. ground oriented residential with at grade commercial, retail and office uses along John Street and Green Lane.*

6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

The City of Markham Development Services Committee on May 21, 2013 Meeting No. 9 Minutes dealing with various employment conversions re- confirms the direction provided to staff.

KLM Planning Partners Inc. submitted an application on behalf of Condor Acquisition Inc. to amend the Official Plan for the City of Markham for 360 John Street, formally the Canac Kitchens site. The purpose of the Official Plan Amendment was to amend the land use designations contained in the Official Plan (Revised 1987), as amended from Industrial to Commercial, from Business Corridor to Community Amenity Area and to amend the Thornhill Secondary Plan (PD 3-1) for the Thornhill Planning District to re-designate the lands from Business Corridor Area – John Street/Green Lane to Community Amenity Area – John Street/Green Lane.

While we intend to pursue the approval of our private initiated applications, we are concerned that the staff proposed Deferral designation and site specific policy does not designate the lands on the relevant maps, Maps 1 and 3, to allow Mixed Use Low Rise and Residential Low Rise as proposed. We are concerned that unless the new Official Plan designates the lands, a subsequent Official Plan Amendment as contemplated by staff under the new Official Plan may trigger a further need for a Comprehensive Review under both the Regional Official Plan and Provincial Policy, particularly if our site specific applications are not approved in advance of the new Official Plan.

Therefore, to ensure clarity that the proposed new Official Plan converts the lands, we would request that Development Services Committee recommend the following revisions to the site specific policy and new Draft Official Plan in order to do all things necessary to give effect to the council direction provided through earlier council decisions related to these lands:

- On Map 1 – Markham Structure, identify the former Canac site as Neighbourhood Area rather than Employment Area;
- On Map 3 – Land Use, to amend the former Canac site from Service Employment to Mixed Use Low Rise and Residential Low Rise as shown on the attached Schedules.

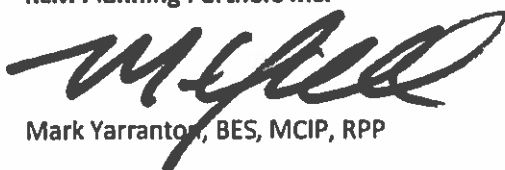
In addition, we would request the following be utilized as the site specific policy:

9.18.20 360 John Street

Notwithstanding anything to the contrary, the specific use, building types, height and density provisions that shall apply to the 'Mixed Use Low Rise' and 'Residential Low Rise' lands at 360 John Street as shown in Figure 9.18.20 shall be determined through a site specific application for *development approval*.

Should you have any questions, please do not hesitate to contact me.

Best Regards,
KLM Planning Partners Inc.



Mark Yarranton, BES, MCIP, RPP

Encl.

cc. Town of Markham Clerks Department- Kitty Bavington
Town of Markham Marg Wooters, Ron Blake
Condor Acquisitions Inc.: Sam Balsamo
Bazil Developments Inc.: Paul Bailey



OFFICIAL PLAN

MAP 1 - MARKHAM STRUCTURE

SEPTEMBER 2012

- Greenway System
- Countryside Area
- Hamlets
- Transportation and Utility Area
- Neighbourhood Area
- Mixed Use Neighbourhood Area
- Employment Area (including Commercial Lands)
- Future Urban Area
- Recreation Area
- Centres and Corridors
 - Regional Centre
 - Regional Corridor / Key Development Area
 - Local Centre
 - Local Corridor
 - Heritage Centre
- Transit Network
 - GO Rail Service
 - GO Stations
 - Proposed GO Stations
 - Potential Commuter Rail Line
 - Regional Rapid Transit Corridor
 - Special Study Area Rapid Transit Corridor
 - Regional Transit Priority
 - Proposed Regional Transit Priority
 - Proposed Yonge Subway
 - Highway 407 Transitway
 - Highway 404 Expressway Bus Service
- Anchor Hubs (Markham Centre, Langstaff Gateway)
- Gateway Hubs (Yonge/Steeles, Don Mills/Steeles, Leslie/Avenue 7)
- Potential Secondary Hubs (Thornhill Centre, Milliken Centre, Markville, Mount Joy, Box Grove, Fairless, East Parkview Centre)





OFFICIAL PLAN

MAP 3 - LAND USE

SEPTEMBER 2012

- Greenway
- Countryside
- Hamlets
- Transportation and Utility
- Parkway Bell West
- Private Open Space
- Residential Estate
- Residential Low Rise
- Residential Mid Rise
- Residential High Rise
- Mixed Use Low Rise
- Mixed Use Mid Rise
- Mixed Use High Rise
- Mixed Use Office Priority
- Mixed Use Health Care Campus
- Mixed Use Heritage Main Street
- Commercial
- Business Park
- Business Park Office Priority
- Service Employment
- General Employment
- Intensification Area
- Future Urban Area
- Future Neighbourhood Area
- Future Employment Area
- See Section 8.5.1.5





YORK REGION
FEDERATION OF AGRICULTURE
SERVING THE FARM COMMUNITY SINCE 1940

December 10, 2013

City of Markham
Markham Civic Centre
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Attention: Margaret Wouters
Sr. Manager, Policy & Research

Dear Ms. Wouters:

The York Region Federation of Agriculture, representing its' 750 farmer members across York Region including the City of Markham request clarification on a couple of items in the new Official Plan.

The first item that we would like clarification on is 8.6.1.2a. During Draft Official Plan review and discussion with Planning staff at a City of Markham Agricultural Advisory Committee Meeting earlier in 2013 and in further discussions with staff it was clear that the intent was for the Vegetation Protection Zone to be established through development approvals and changes in land use. While we realise that all of the policies in the plan are to be read together, we believe that 8.6.1.2a should be clarified to ensure that agricultural uses, including cropping, are not to be restricted by policies in the Official Plan as indicated in the Provincial Policy Statement, Greenbelt Plan and Oak Ridges Moraine Conservation Plan.

We would also like clarification of the permitted uses in 8.6.1.2. We believe that as indicated in the Provincial Policy Statement, agriculture-related uses and secondary agricultural uses should be included in 8.6.1.2 as permitted uses and not just in 8.6.1.8 in the context of development and redevelopment within the Greenway – Greenbelt Plan Area.

Sincerely

Kim Empringham
Secretary/Treasurer/Director
York Region Federation of Agriculture
12900 Kennedy Road
Stouffville, ON
L4A 7X5

BUY THE FOOD ONTARIO GROWS

APPENDIX 'C': RESPONSE TO WRITTEN SUBMISSIONS, AGENCY COMMENTS AND COUNCIL DIRECTION

NO	OWNER/ADDRESS OR AGENCY	SUMMARY OF KEY POINTS	GENERAL RESPONSE TO KEY POINTS
1	<p>Markham Airport Allan Rubin</p> <p>(IN ADDITION TO #127 IN NOV 19/13 APPENDIX 'C', AS AMENDED DEC 3/13)</p>	<ul style="list-style-type: none"> Request for revisions to the policies and figures related to the Toronto Markham Airport. 	<ul style="list-style-type: none"> Staff agree with removing the site specific policy restricting the airport use, and recognizing the continued operation and correct name of the Toronto Markham Airport. It is recommended that: <ul style="list-style-type: none"> - Section 7.1.8 be revised to recognize the continued operation of the Toronto Markham Airport; - Section 9.8.3 be modified to delete the site specific policy d) relating to the Toronto Markham Airport; - that the airport be referenced as Toronto Markham Airport in Section 7.1.8 and in Appendix E – Transportation, Services and Utilities. See Modification 1 a), b), c) and d) in Appendix 'A'.
2	<p>Infrastructure Ontario 8359 Reesor Road</p>	<ul style="list-style-type: none"> Request to amend the new Official Plan to remove the 'Future Urban Area'/'Future Employment Area' designation and designate the lands 'Business Park Employment' to reflect Markham Council's request to York Region in May 2011 to modify the Cornell Secondary Plan. Request to remove the subwatershed study requirement for their 'Future Urban Area' lands in Cornell Centre. 	<ul style="list-style-type: none"> Staff agree that the employment designations underlying the Deferral #1 area in the approved Cornell Secondary Plan for these lands, and other lands east of Donald Cousens Parkway, should be recognized in the new OP, although the designation on Map 3 should not be changed at this time. A site specific policy should be included to reflect the Secondary Plan designations and Council's May 31, 2011 request that York Region modify the Cornell Secondary Plan to: <ul style="list-style-type: none"> remove the Deferral Area #1 over the lands east of Donald Cousens Parkway; and replace the 'Study Area' designation with a 'Business Park' designation for the lands at 8359 Reesor Road Staff have confirmed that subwatershed studies are not required for these lands or any other 'Future Urban Area' lands south of Major Mackenzie Drive. A policy regarding the need for a comprehensive water management and ecological study for the lands at

APPENDIX 'C': RESPONSE TO WRITTEN SUBMISSIONS, AGENCY COMMENTS AND COUNCIL DIRECTION

NO	OWNER/ADDRESS OR AGENCY	SUMMARY OF KEY POINTS	GENERAL RESPONSE TO KEY POINTS
3	Norfinch Construction Limited Southwest corner of Reesor Rd and Hwy 7	<ul style="list-style-type: none"> Request to amend the new Official Plan to remove the 'Future Urban Area'/'Future Employment Area' designation and designate the lands 'Business Park Employment' to reflect Markham Council's request to York Region in May 2011 to modify the Cornell Secondary Plan. 	<p>8359 Reesor Rd, to be integrated with the Cornell MESP, is included in Council's May 31, 2011 modification to the Cornell Secondary Plan.</p> <ul style="list-style-type: none"> It is recommended that Section 9.7.8.3 be modified to reference Council's May 31, 2011 direction to York Region to modify the Cornell Secondary Plan. See Modification 2 a) in Appendix 'A'. It is further recommended that Section 3.3.1.4 be modified to exclude the 'Future Urban Area' lands south of Major Mackenzie Drive from the requirement to prepare <i>subwatershed plans</i> prior to development in the 'Future Urban Area'. See Modification 2 b) in Appendix 'A'. Council received the December 6, 2013 correspondence at its meeting of December 10, 2013.
		<ul style="list-style-type: none"> Request to amend the new Official Plan to remove the 'Future Urban Area'/'Future Employment Area' designation and designate the lands 'Business Park Employment' to reflect Markham Council's request to York Region in May 2011 to modify the Cornell Secondary Plan. 	<ul style="list-style-type: none"> Staff agree that the employment designations underlying the Deferral #1 area in the approved Cornell Secondary Plan for these lands, and other lands east of Donald Cousens Parkway, should be recognized in the new OP, although the designation on Map 3 should not be changed at this time. A site specific policy should be included to reflect the Secondary Plan designations and Council's May 31, 2011 request that York Region modify the Cornell Secondary Plan to remove the Deferral Area #1 over the lands east of Donald Cousens Parkway. It is recommended that Section 9.7.8.3 be modified to reference Council's May 31, 2011 direction to York Region to modify the Cornell Secondary Plan. See Modification 2 a) in Appendix 'A'. Council received the December 9, 2013 correspondence at its meeting of December 10, 2013.

APPENDIX 'C': RESPONSE TO WRITTEN SUBMISSIONS, AGENCY COMMENTS AND COUNCIL DIRECTION

NO	OWNER/ADDRESS OR AGENCY	SUMMARY OF KEY POINTS	GENERAL RESPONSE TO KEY POINTS
4	<p>Sandra Wiles (IN ADDITION TO #118 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Request clarification regarding applicable vegetation protection zones within the urban area. 	<ul style="list-style-type: none"> Staff agree with providing further clarification on how and where Vegetation Protection Zones are applied, particularly in the urban area. It is recommended that the preamble in Section 3.1.2 as it relates to Vegetation Protection Zones be modified to clarify where vegetation protection zones are to be applied within and outside of the urban area. It is also recommended that a new site specific policy be added to bring forward buffer policies from repealed secondary plans for the Berczy/Wismer/Greensborough/Swan Lake district. See Modification 3 a), b) and c) in Appendix 'A'.
5	<p>York Region Federation of Agriculture</p>	<ul style="list-style-type: none"> Request clarification of the permitted uses in the 'Greenway' designation and in particular whether agriculture-related uses and secondary agricultural uses will be permitted. Request clarification that vegetation protection zones will not prevent agricultural operations. 	<ul style="list-style-type: none"> Staff agree with providing for countryside uses outside of natural heritage and hydrologic features in the 'Greenway' designation, and clarifying that vegetation protection zones will not prevent agricultural operations. It is recommended that the preamble in Section 3.1.2 as it relates to Vegetation Protection Zones be modified to clarify that vegetation protection zones will not prevent agricultural uses. See Modification 3 a) in Appendix 'A'. It is recommended that Section 8.6.1.2 be modified to provide for countryside uses identified in Section 8.8.12 provided they are outside of natural heritage and hydrologic features. See Modification 4 in Appendix 'A'. It is further recommended that the correspondence dated December 10, 2013 from Kim Empringham of the York Region Federation of Agriculture be received (see Appendix 'B').

APPENDIX 'C': RESPONSE TO WRITTEN SUBMISSIONS, AGENCY COMMENTS AND COUNCIL DIRECTION

NO	OWNER/ADDRESS OR AGENCY	SUMMARY OF KEY POINTS	GENERAL RESPONSE TO KEY POINTS
6	<p>E. Manson Investments 100 Steelcase Road E (IN ADDITION TO #85 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Request restoration of use permissions, or redesignate the site to 'Service Employment' rather than 'General Employment' but with a site specific policy recognizing that the site may be used for private club, trade school and commercial school uses. 	<ul style="list-style-type: none"> Staff agree with adding permissions for commercial fitness centre, commercial school, private club and uses accessory to office to site specific policy 9.17.5. Trade school uses are already provided for in the current designation and do not need to be added. It is recommended that Section 9.17.5 be modified to provide for a commercial school, commercial fitness centre, private club and uses accessory to office. See Modification 5 in Appendix 'A'. Council received the December 2, 2013 correspondence at its meeting of December 10, 2013.
7	<p>E. Manson Investments Limited 245 Renfrew Drive (IN ADDITION TO #91 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Request to remove the current restriction on the maximum number of classrooms and restricting the use to the existing building, and to add a place of worship as a permitted use. 	<ul style="list-style-type: none"> Staff agree with removing the restriction on the number of classrooms and reference to the existing building. Staff do not agree with adding a place of worship as a permitted use. It is recommended that Section 9.4.12 be modified to remove the maximum number of classrooms and reference to the existing building. See Modification 6 in Appendix 'A'. Council received the December 2, 2013 correspondence at its meeting of December 10, 2013.
8	<p>LBS Group 8651 McCowan Road (IN ADDITION TO #37 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Request for site specific exception to permit an existing single storey retail building with outdoor storage. 	<ul style="list-style-type: none"> Staff agree with recognizing the existing single storey retail warehouse building with outdoor storage and display of merchandise in a site specific policy. It is recommended that Section 9.14.4 be modified to provide for the incorporation of a provision in the new secondary plan for the existing retail warehouse building. See Modification 7 in Appendix 'A'. Council received the December 2, 2013 correspondence at its meeting of December 10, 2013.

APPENDIX 'C': RESPONSE TO WRITTEN SUBMISSIONS, AGENCY COMMENTS AND COUNCIL DIRECTION

NO	OWNER/ADDRESS OR AGENCY	SUMMARY OF KEY POINTS	GENERAL RESPONSE TO KEY POINTS
9	Weisdorf Group 2801 John Street	<ul style="list-style-type: none"> Request for a 'Service Employment' designation in place of the 'General Employment' designation provided in the new Official Plan. 	<ul style="list-style-type: none"> Staff agree that a 'Service Employment' designation is appropriate given the unique site specific context of the lands and the adjacent 'Service Employment' designations to the immediate north, east and south. It is recommended that Map 3 – Land Use be modified to replace the 'General Employment' designation with a 'Service Employment' designation for the lands. See Modification 8 in Appendix 'A'. Council received the November 26, 2013 correspondence at its meeting on December 10, 2013.
10	Asa Jairam Leitchcroft Community Resident (IN ADDITION TO #138 in DEC 3/13)	<ul style="list-style-type: none"> Request to clarify the maximum number of dwelling units permitted in the Leitchcroft community as there are currently more than 2,090 dwelling units built or planned for. 	<ul style="list-style-type: none"> Staff have confirmed that the maximum number of dwelling units permitted in the Leitchcroft community should be revised to 3,050 dwelling units. It is recommended that Section 9.6.3 be modified to revise the maximum number of dwelling units permitted through previous approvals to 3,050 and that a new figure 9.6.3 be added to identify the applicable lands. See Modification 9 in Appendix 'A'. It is further recommended that the correspondence dated November 29, 2013 from Asa Jairam be received (see Appendix 'B').
11	Mandarin Golf and Country Club 11207 Kennedy Road AV Investments II Inc. 11142 McCowan Road (IN ADDITION TO #95 in NOV 19/13 APPENDIX 'C')	<ul style="list-style-type: none"> Request for refinements to the Greenway System. 	<ul style="list-style-type: none"> Staff agree with the refinement to the Greenway System and 'Greenway' designation as it applies to a small man-made golf course pond on the lands. Owner has been advised that an environmental impact study or natural heritage or hydrologic evaluation must be submitted to consider any further Greenway System refinements. It is recommended that Maps 1, 2, 3, 4, 5, 9 and Appendices B and C be modified to remove the Greenway System and the 'Greenway' designation as it applies to the man made pond at 11207 Kennedy Road. See Modification 10 a) in Appendix 'A'. Council received the November 25, 2013 correspondence at its meeting of December 10, 2013.

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NO	OWNER/ADDRESS OR AGENCY	SUMMARY OF KEY POINTS	GENERAL RESPONSE TO KEY POINTS
12	Forest Bay Homes 359 Elson Street Fairtree West community	<ul style="list-style-type: none"> Request for refinements to the Greenway System as it relates to a registered surplus school block located at 359 Elson Street. 	<ul style="list-style-type: none"> Staff agree with the refinement to the Greenway System and 'Greenway' designation as it applies to the registered surplus school block. It is recommended that Maps 1, 2, 3, 4, 5, and 6 and Appendices B and C be modified to remove the Greenway System and the 'Greenway' designation as it applies to the lands at 359 Elson Street. See Modification 10 b) in Appendix 'A'. Council received the December 9, 2013 correspondence at its meeting of December 10, 2013.
13	Forest Bay Homes Ltd, Rocco Dimilta, Antonio Dimilta and Dimilta Bros. Investment Group Limited 103, 113 and 123 Old Kennedy Road (IN ADDITION TO #29 in NOV 19/13 APPENDIX 'C')	<ul style="list-style-type: none"> Request that the 'Special Transportation Study Area' notation be revised on Map 10. 	<ul style="list-style-type: none"> Staff agree with revising the 'Special Transportation Area' notation in the legend by replacing the word "confirmed" with "determined" before "...based on further studies with agencies having jurisdiction". It is recommended that Map 10 – Road Network be modified to revise the Special Transportation Study Area notation. See Modification 11 in Appendix 'A'. Council received the November 27, 2013 correspondence at its meeting of December 10, 2013.
14	Town of Richmond Hill (IN ADDITION TO NOV 19/13 APPENDIX 'D')	<ul style="list-style-type: none"> Request to remove the Valleywood Drive/Apple Creek Blvd crossing of Hwy 404 notwithstanding the notation on Map 10 that this crossing is to be confirmed based on further study. 	<ul style="list-style-type: none"> The potential mid-block crossing is still subject to further study with York Region, the Province and other agencies having jurisdiction. Staff agree with revising the 'Special Transportation Area' notation in the legend by replacing the word "confirmed" with "determined" before "...based on further studies with agencies having jurisdiction". It is recommended that Map 10 – Road Network be modified to revise the Special Transportation Study Area notation. See Modification 11 in Appendix 'A'. Council received the November 29, 2013 correspondence at its meeting of December 10, 2013.

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15	<p>Digram Developments Inc. South side of Major Mackenzie Drive and east of Donald Cousens Parkway (IN ADDITION TO #54 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Request that an Urban Residential designation be applied to the property to reflect the current planning approvals being sought. 	<ul style="list-style-type: none"> Staff agree that the new OP should reflect Council's December 10, 2013 draft approval of the plan of subdivision for residential development on the Digram lands in accordance with the provisions of the Greensborough Secondary Plan. It is recommended that Map 3 – Land Use be modified to replace the 'Mixed Use Low Rise' designation with 'Residential Mid Rise' and 'Residential Low Rise' designations on the lands to reflect Council's direction. See Modification 12 in Appendix 'A'.
16	<p>Upper Unionville Inc. Berczy Village District North East Corner of 16th Avenue and Kennedy Road</p>	<ul style="list-style-type: none"> Modification to reflect recent Council adoption of OPA 213 to accommodate a mixed commercial residential development within the Upper Unionville community. 	<ul style="list-style-type: none"> Official Plan Amendment No. 213 was adopted by Council on November 12, 2013 without appeal and is exempt from approval by York Region. It is recommended that Map 3 – Land Use be modified to replace the 'Residential Low Rise' designation with a 'Mixed Use Low Rise' designation for the lands. See Modification 13 in Appendix 'A'.
17	<p>Unionville Heritage Centre Unionville Core Area Secondary Plan</p>	<ul style="list-style-type: none"> Modification to reflect recent Council adoption of an amendment to the Unionville Core Area Secondary Plan, resulting from the recent BIA study. 	<ul style="list-style-type: none"> Official Plan Amendment No. 215 to the Unionville Core Secondary Plan was adopted by Council on March 4, 2014. Among other things, the amendment: <ul style="list-style-type: none"> removes policies related to restrictions on certain restaurant types; removes the requirement for 50 percent ground floor retail prior to allowing additional restaurants; includes a provision for a new planned function for the commercial area; includes a requirement for a specific setback for certain ground floor uses on properties that front on to Main St; modifies the list of permitted uses; removes the policies related to the addition of

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			<ul style="list-style-type: none"> - restaurants and hotels; - modifies the list of prohibited uses; and - provides for parking relief for restaurants. • It is recommended that Section 9.19.6 be modified to reflect Council's approval of an amendment to the Unionville Core Secondary Plan as outlined above. See Modification 14 a), b), c) and d) in Appendix 'A'. • A site specific official plan amendment was approved on March 25, 2014 and is pending adoption by Council. • It is recommended that Section 9.7.10 be modified to replace "shall be required" with "may be provided for" subject to Council adoption of the Official Plan Amendment. See Modification 15 in Appendix 'A'. • A site specific official plan amendment was approved on June 18, 2013 and is pending adoption by Council. • It is recommended that Section 9.8.3 be modified to include a site specific policy 9.8.3 j) to permit the place of worship subject to Council adoption of the Official Plan Amendment. See Modification 16 in Appendix 'A'. • It is recommended that Section 3.3.2.7 and Section 11.2 Definitions be modified to refer to the TRCA Headwater Drainage Feature Guidelines, and that Appendix B – Small Streams and Drainage Features be modified accordingly. See Modification 17 a), b) and c) in Appendix 'A'. • It is recommended that Section 8.12.1.4 be modified to allow the first phase of development to occur in more than one concession block. See Modification 18 in Appendix 'A'.
18	Cornell Rouge Development Corp 474 Whites Hill Avenue and 498 Cornell Rouge Blvd	<ul style="list-style-type: none"> • Modification to reflect recent Council approval in principle of an Official Plan amendment to delete the requirement for retail uses on the ground floor of 474 White's Hill Avenue and 498 Cornell Rouge Blvd. 	
19	Mahamevna Bhavana Asapuwa Toronto 11175 Kennedy Road (IN ADDITION TO #47 in NOV 19/13 APPENDIX 'C')	<ul style="list-style-type: none"> • Modification to reflect recent Council approval in principle of an Official Plan amendment to permit a place of worship within the 'Countryside' designation on the lands. 	
20	Council Direction	<ul style="list-style-type: none"> • Modification to reflect Council direction of March 25, 2014 that the City adopt TRCA Guidelines as the new protocol in evaluating headwater drainage features in place of the Markham Small Streams guidelines. 	
21	Council Direction	<ul style="list-style-type: none"> • Modification to reflect Council direction of March 25, 2014 to modify phasing policies for the Future Urban Area to allow the first phase of development to occur in more than one concession block, with the specific phasing program within each concession block to be confirmed to the satisfaction of Council in phasing plans, secondary plans or conditions of approval. 	

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22	Mark Lichtblau North east corner of Major Mackenzie Drive East and Markham Road	<ul style="list-style-type: none"> Request flexibility in 'Mixed Use Low Rise' designation to allow single use buildings and single storey retail buildings. 	<ul style="list-style-type: none"> No change. It is intended that new 'Mixed Use Low Rise' areas in the 'Future Urban Area' will be developed with multi-use, multiple storey buildings to serve as centres/corridors integrating residential uses with small-scale retail, service, professional office and community infrastructure serving nearby residents. Variations to the minimum height or mixed use requirements for the 'Future Urban Area' may be considered through a new Secondary Plan or site specific application with appropriate development phasing to ensure multi-use, multiple storey development over time. It is recommended that Council receive the correspondence dated December 2, 2013 from Malone Given Parsons on behalf of Mark Lichtblau (see Appendix 'B').
23	Condor Acquisition Inc. 360 John Street (IN ADDITION TO #77 in NOV 19/13 APPENDIX 'C')	<ul style="list-style-type: none"> Follow up on request for conversion/redesignation of 'Employment Lands'. 	<ul style="list-style-type: none"> No change. Site specific policy 9.18.20 is based on Development Services Committee direction to consider an appropriate 'Mixed Use Low Rise' and 'Residential Low Rise' designation. It is recommended that the December 3, 2013 correspondence from KLM Planning on behalf of Condor Acquisition Inc. be received (see Appendix 'B').
24	North Markham 404 GP Ltd. 11160 Woodbine Avenue Ltd. Rice Commercial Group (IN ADDITION TO #86 in NOV 19/13 APPENDIX 'C')	<ul style="list-style-type: none"> Request revisions to Map 10 – Road Network and Appendix D – Proposed Bicycle Facilities to remove and relocate certain road alignments and cycling facilities to reflect existing development. 	<ul style="list-style-type: none"> Staff agree that refinements to the alignment of the east-west collector road and the proposed cycling facilities are required and will work with the landowners and the Region to finalize the corrections to Map 10 – Road Network and Appendix D – Proposed Bicycle Facilities prior to Regional approval of the Plan. Council received the December 8, 2013 correspondence at its meeting of December 10, 2013.

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25	<p>North Markham Landowners Group (representing certain landowners north of Major Mackenzie Drive) and Angus Glen North West Inc.</p> <p>(IN ADDITION TO #5 and #6 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Follow-up correspondence noting previous submissions and acknowledging that outstanding specific policy issues can be addressed through York Region's review of the Official Plan. 	<ul style="list-style-type: none"> No change. Council received the December 2, 2013 correspondence at its meeting of December 10, 2013.
26	<p>Berczy Glen Landowners Group West of Warden Avenue and south of Elgin Mills Road East</p> <p>(IN ADDITION TO #10 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Follow-up correspondence noting previous submissions and acknowledging that outstanding specific policy issues can be addressed through York Region's review of the Official Plan. 	<ul style="list-style-type: none"> No change. Council received the December 9, 2013 correspondence at its meeting of December 10, 2013.
27	<p>First Elgin Mills Development Ltd.</p> <p>(IN ADDITION TO #13 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Request to include Victoria Square as a Hamlet and designate the Hamlet boundaries to be consistent with ROP. 	<ul style="list-style-type: none"> No change. Staff are working with Region to amend ROP to be consistent with urban designation in Markham Official Plan. Council received the December 2, 2013 correspondence at its meeting of December 10, 2013.
28	<p>IBM Canada</p> <p>(IN ADDITION TO #15 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Request that Council receive correspondence for the public record and forward these concerns to the Region for their consideration. 	<ul style="list-style-type: none"> No change. Council received the December 2, 2013 correspondence at its meeting of December 10, 2013.
29	<p>CF/OT Buttonville Properties LP Buttonville Airport Lands</p> <p>(IN ADDITION TO #36 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Advising of their intention to continue to work with staff at both the City and the Region on a mutually acceptable secondary plan for the Buttonville lands and that they will continue to review the Official Plan document and provide additional comments to the City and Region if necessary. 	<ul style="list-style-type: none"> No change. Council received the December 2, 2013 correspondence at its meeting of December 10, 2013.

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30	<p>Terra Gold (McCowan) Properties Inc. 9329 McCowan Road (former Salvation Army Site) (IN ADDITION TO #40 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Request a land designation for Residential Low/Mid Rise land use designation permissions. 	<ul style="list-style-type: none"> No change. Staff have advised the landowner that an OPA would be required for a 'Residential Mid Rise' designation. Council received the December 2, 2013 correspondence at its meeting of December 10, 2013.
31	<p>Unionville Montessori School 4488 16th Avenue & 9286 Kennedy Road (IN ADDITION TO #48 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Request for a site specific policy to continue to permit a private school and in particular, a future expansion to the existing school to permit high school grades. 	<ul style="list-style-type: none"> No change. A site specific policy in Section 9.1.3 provides for a <i>private elementary school</i> and associated <i>accessory uses</i> on the lands which is consistent with the current Official Plan permission. Staff have advised that a future expansion of the existing school to permit high school grades would require an OPA. Council received the November 29, 2013 correspondence at its meeting of December 10, 2013.
32	<p>Home Depot Holdings Inc. 1201 Castlemore Avenue (IN ADDITION TO #49 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Request that the entire site be designated as 'Mixed Use High Rise'. 	<ul style="list-style-type: none"> No change. Section 9.3.7.2 requires the preparation of a new secondary plan. Until a new secondary plan is approved, the provisions of the existing secondary plan continue to apply. Section 9.3.7.5 provides for the incorporation of a provision in the new secondary plan for the existing retail warehouse building. Any further land use change should be considered within the context of the new secondary plan study. Council received the November 27, 2013 correspondence at its meeting of December 10, 2013.
33	<p>Loblaws Properties Limited Vacant lands at Hwy 404/Major Mackenzie 200 Bullock Drive 9255 Woodbine Avenue 7075 Markham Road 8601 Warden Avenue 5762 Highway 7 East</p>	<ul style="list-style-type: none"> Request to revise Section 6.1.8.7 to provide more flexibility in the organization and location of on-site parking facilities, service and loading areas. Request to modify the road conveyance policy. 	<ul style="list-style-type: none"> No change. The wording provided for in the development criteria that would apply to all Mixed Use Designations in Section 8.3.1.4 g) provides more flexibility for large scale retail developments. Section 7.1.3.4 is standard wording for conveyance of right-of-way widths through the development approval process and is consistent with the current

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	9301 Hwy 48 7200 Markham Road (IN ADDITION TO #51 in NOV 19/13 APPENDIX 'C')		Plan policy. <ul style="list-style-type: none"> • Council received the November 27, 2013 correspondence at its meeting of December 10, 2013.
34	Tribute Unionville Ltd. 20 Fred Varley Drive (IN ADDITION TO #52 in NOV 19/13 APPENDIX 'C')	<ul style="list-style-type: none"> • Request for a site specific exception to recognize OMB settlement for 20 Fred Varley Drive 	<ul style="list-style-type: none"> • No change. Site specific policy 9.19.8 recognizes the OMB settlement and carries forward general policies from the current Plan that would continue to apply in the event that the site specific development proposal is not built. Council received the December 9, 2013 correspondence at its meeting of December 10, 2013.
35	Times Group Corporation Markham Uptown Village Parkway and Highway 7 (IN ADDITION TO #57 in NOV 19/13 APPENDIX 'C')	<ul style="list-style-type: none"> • Request that Council receive correspondence for the public record and forward these concerns to the Region for their consideration. 	<ul style="list-style-type: none"> • No change. Council received the December 2, 2013 correspondence at its meeting of December 10, 2013.
36	Scarred 7 Company Ltd. 4038 Hwy 7 East (IN ADDITION TO #59 in NOV 19/13 APPENDIX 'C' AS AMENDED ON DEC 3/13)	<ul style="list-style-type: none"> • Request that a 'Mixed Use Mid Rise' designation be applied to the property and the height limit be increased to 8 storeys. 	<ul style="list-style-type: none"> • No change. 'Mixed Use Mid Rise' and 'Residential Low Rise' designations applied to the lands are based on the local area study completed for the area. The height, building type and density restrictions are consistent with the current Official Plan permissions. Landowner was advised that an OPA would be required to increase the height and density provisions. • Council received the December 8, 2013 correspondence at its meeting of December 10, 2013.
37	Bayview Glen Residents' Association Toinette Bezant (IN ADDITION TO #60 in NOV 19/13 APPENDIX 'C')	<ul style="list-style-type: none"> • Request further consultation on policies relating to secondary suites. 	<ul style="list-style-type: none"> • No change. Staff maintain that sufficient consultation was provided as the new OP does not introduce new permissions for secondary suites but rather carries forward the current Official Plan provisions. A full public consultation process respecting secondary suites, in accordance with the Strong Communities Act, will be undertaken as part of the comprehensive

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38	<p>Lindvest Properties (Cornell) Block east of Bur Oak Avenue, south of Highway 7, west of Donald Cousens Parkway, and adjacent to Highway 407 on the south (IN ADDITION TO #66 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Request that OPA filed by landowner proposing a redesignation of certain residential, mixed residential and business park employment lands be given full consideration and to be reflected in the New Official Plan once considered. 	<p>zoning by-law process that will specifically address permissions and development standards for secondary suites in the zoning by-law.</p> <ul style="list-style-type: none"> Council received the correspondence dated December 10, 2013 from the Bayview Glen Residents' Association at its meeting of December 10, 2013. No change. Council received the December 2, 2013 correspondence at its meeting of December 10, 2013.
39	<p>8 Steelcase Holdings 8 Steelcase Road West (IN ADDITION TO #83 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Request to change the 'General Employment' designation to 'Service Employment' or 'Business Park Employment'. 	<ul style="list-style-type: none"> No change. Owner has been advised that a site specific Official Plan amendment would be required to redesignate the lands to 'Service Employment' or 'Business Park Employment'. Council received the December 8, 2013 correspondence at its meeting of December 10, 2013.
40	<p>Anna Dimilta Part of Lot 31, 6th Concession Dominic, Rocco and Antonio Dimilta 4584 19th Avenue (IN ADDITION TO #101 in NOV 19/13 APPENDIX 'C')</p>	<ul style="list-style-type: none"> Request that the Greenway System identified on their properties be removed. 	<ul style="list-style-type: none"> No change. A refinement was made prior to adoption of the new Official Plan. An environmental impact study is required to justify further refinements to the Greenway System on the lands. Council received the December 8th correspondence from both parties at its meeting of December 10, 2013.
41	<p>4716 Elgin Mills Markham Ltd., Kennedy MM Markham Ltd., Markham MMM North Development Corp. and Markham MMM South Development Corp. Between Kennedy Rd and McCowan Rd, north of Major Mackenzie Dr and south of Elgin Mills Rd</p>	<ul style="list-style-type: none"> Request that their lands or at least some of their lands be considered for inclusion within the urban boundary if it is determined through the resolution of ROPA 3 that additional lands are required in the 'Future Urban Area'. 	<ul style="list-style-type: none"> No change. Council received the December 9, 2013 correspondence at its meeting of December 10, 2013.

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42	Christopher Zadel 10321 Highway 48	<ul style="list-style-type: none"> Request to include property within the Future Urban Area. 	<ul style="list-style-type: none"> No change. Property designated 'Greenway' consistent with Council endorsed Growth Alternative to 2031. Council received the December 3, 2013 correspondence at its meeting of December 10, 2013.
43	Enbridge Gas Distribution Inc.	<ul style="list-style-type: none"> Object to proposed mid-block crossing of Hwy 404 between 19th Avenue and Elgin Mills Rd and request written notice of any decisions regarding this crossing. 	<ul style="list-style-type: none"> No change. Council received the December 2, 2013 correspondence at its meeting of December 10, 2013.
44	Norfinch Group Inc 8051-8055 Yonge Street	<ul style="list-style-type: none"> Request to increase the density and use provisions of the 'Mixed Use High Rise' designation, among other policies, as they apply to their lands. 	<ul style="list-style-type: none"> No change. Owner has been advised that the density and use provisions requested would require a site specific official plan amendment and development proposal. Council received the December 8, 2013 correspondence at its meeting of December 10, 2013.
45	Dundee Realty Corporation 60 Columbia Way	<ul style="list-style-type: none"> Request clarification of the Woodbine/404 key development area policies and the major collector road connection to the potential mid-block crossing of the 400 series. 	<ul style="list-style-type: none"> No change. The entire Woodbine/404 district qualifies as a key development area, however, the residential land uses are provided for only in Mixed Use areas and designations and not within the Employment areas or 'Business Park Office Priority' and 'Business Park Employment' designations. A transportation study will establish the need and justification for the mid-block crossing. While no transportation study has been finalized and confirmed this need, the preliminary work being prepared as part of the Buttonville Airport redevelopment has indicated that a second crossing will likely be required to address increasing background traffic growth and site development generated traffic. Council received the December 9, 2013 correspondence at its meeting of December 10, 2013.

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