

**Chairman Fisch and Members of Council**  
**Regional Municipality of York**  
17250 Yonge Street  
Newmarket, ON L3Y 6Z1

*MGP File:* 12-2157  
*Your File:*

Attention: Mr. D. Kelly, Regional Clerk  
[Denis.kelly@york.ca](mailto:Denis.kelly@york.ca)

Chair Fisch and Members of Council:

**RE: City of Markham Official Plan**  
**Proposed Modification 94**  
**Policy 9.16.14**  
**Box Grove**

Malone Given Parsons Ltd. is planning consultant for Box Grove Hill Developments Inc., the owners of the lands in the Box Grove area that are proposed to be converted from a Business Park Employment designation to a designation that will permit residential, seniors housing and live/work units. York staff have recommended that a policy be added to the Markham Official Plan that would defer a decision on this site and other conversions until the Region is sufficiently advanced in their “municipal comprehensive review” (MCR) to allow a comprehensive evaluation of all conversion proposals.

I am very familiar with the requirements of the Provincial Policy Statement, the Provincial Growth Plan and the York 2010 ROP and the mandated requirements of these documents for a comprehensive review. It has been my understanding that Markham’s Official Plan review now before your Council constituted a Municipal Comprehensive Review as per the definition in the Provincial Growth Plan which reads as follows:

*“An Official Plan review, or an Official Plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of this Plan.”*

While Markham’s purpose in preparing their new Official Plan was in part to conform with the Provincial Growth Plan staff did not publish any current quantitative or qualitative analysis of the City’s land supply which has caused the Region’s staff to request deferrals on the conversion proposals until York can update the Region’s MCR. I have discussed York’s position with Mr. D. Kostopoulos to clarify the timetable and process for York “municipal comprehensive review” and believe that I have a full understanding of York’s staff position.

Through this letter I would like to advise Council that my client is not pleased that his application for Official Plan amendment which is scheduled for a public meeting on June 17, 2014 and is expected to be followed by a staff report to Council for a decision before the end of June 2014 will not be dealt with by the Region. The Region is the approval authority for this Official Plan amendment; however, if the recommended modification to Policy 9.16.14 of Markham's Official Plan is approved my client's site specific Official Plan amendment will be deferred until the completion of the Region's MCR. My client has expended considerable effort and money to try to secure employment type uses for his property; however, after approximately 10 years no users have emerged. This can be directly attributable to the difficult access for users, the relatively remote location of the site and the small size of the block. In an effort to find viable users my client has proposed to develop the lands for townhouses, live/work units, seniors housing and a banquet hall. To date the community has been very supportive of this proposal and appear to view it as a better use than potential employment uses.

However, I am aware that in the absence of an MCR by Markham, the Region's proposed process and logic is compelling and my client is prepared to work with York staff to achieve a framework for decisions that is responsive to Provincial and Regional policy. I would ask that the Region's MCR be undertaken expeditiously to provide Council with the ability to decide on these deferrals as early as practicable in 2015.

I also understand that Council may consider an approach whereby approval authority could be delegated to Markham if the MCR determines that there is scope for the requested conversions. I would urge that Council give this serious consideration for its ability to shorten an otherwise duplicative and very lengthy approval process.

Yours very truly,  
**MALONE GIVEN PARSONS LTD.**



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