

## HUMPHRIES PLANNING GROUP INC.

---

June 11, 2014  
HPGI File: 12311

**Clerks Department**  
Regional Municipality of York  
17250 Yonge Street  
Newmarket, ON L3Y 6Z1

**Attn: Mr. Denis Kelly, Regional Clerk**

**Re: June 12, 2014 Regional Committee of the Whole Meeting  
Response to 2013 City of Markham Official Plan  
on behalf of Terra Gold (McCowan) at 9329 McCowan**

---

On behalf of Terra Gold (McCowan) Properties Inc., owners of 9329 McCowan Road, Humphries Planning Group Inc. (HPGI) is corresponding to reiterate our previous request as contained in correspondence sent to the City of Markham, dated March 18, 2013, April 23, 2013 and December 2, 2013 and forwarded to the Region January 28, 2014 by Terra Gold's solicitors. The subject site is legally known as Part of Lot 17, Concession 7 in the Town of Markham. The request specifically seeks a Residential Mid Rise land use designation on the subject site.

HPGI does not agree with the proposed Residential Low Rise Designation for the subject site in the 2013 City of Markham Official Plan.

Terra Gold (McCowan) has completed a formal Pre Application Consultation Submission meeting with the City of Markham and is in the process of finalizing land use planning applications with the intent of making a formal submission for consideration by the City. Further to such, HPGI is of the opinion that a Mid-Rise land use designation is appropriate per policy framework as contained and the new Official Plan and briefly outlined below:

Section 8.1 - General Land Use, indicates that densities can be expected to be higher on large sites well serviced by public transit, as concentrated growth is desired in these locations. This condition applies to the subject site which is less than 56 metres from major transit stops at McCowan Road and 16th Avenue. Also the site has an adequate provision of transportation and water and waste water infrastructure, and community infrastructure to support higher density permissions. The subject site is also well served by existing surrounding community infrastructure including the Bridge Community

June 12, 2014 Regional Committee of the Whole Meeting  
City of Markham Official Plan  
June 11, 2014  
Page 2 of 2

Church, Stonebridge Public School, St. Edward Separate School, Ramer Wood Public School, Markville Secondary School, Wismer Public School, Wismer Park, Cobblehill Parkette, Chelsea Park, Fredrick Bagg Park, Berczy Park, Belgrave Park, Central Park and Manhattan Woods. As such, the above noted policy supports our request for Mid Rise Residential permissions to occur on the subject site.

Section 8.2.4 - Residential Mid Rise, states that:

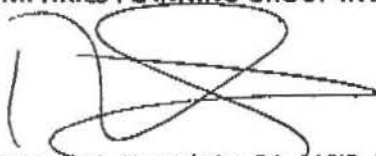
*"Lands designated "Residential Mid-Rise" are generally located along arterial or major collector roads and are characterized primarily by mid-rise residential buildings that provide for a diversity of housing mix and building types and respect the existing character of the adjacent and surrounding areas. For the most part these areas are located near mixed-use developments and shopping centres."*

In this regard, the subject site has frontage along two major Arterial Roads, 43.33 metres of frontage along 16<sup>th</sup> Avenue and 223.29 metres frontage along McCowan Road. The site is also within 400 metres of a major shopping centre plaza located at the south-west corner of McCowan Road and Bur Oak Avenue. The subject site is found to be consistent with the above policy which describes general locations for Residential Mid Rise designated lands. As such, the above noted policy supports our request for both Mid Rise Residential permissions to occur on the subject site.

Given that Terra Gold (McCowan) has completed its formal pre-application review process with the City and will be filing formal land use planning applications in the near term we request that the Region defer its decision of the Markham Official plan as it relates to the subject site and direct the City to re-consider the planning merits of our request for a Mid Rise Residential land use designation based on the new Official Plan policies, rather than relying on an old secondary plan and land use designation.

Should you have any questions, please contact the undersigned at ext. 244.

Yours truly,  
**HUMPHRIES PLANNING GROUP INC.**



Rosemarie L. Humphries BA, MCIP, RPP  
President

Encl. Correspondence dated January 28, 2014

Cc: Terra Gold (McCowan) Properties Inc.  
Neil M. Smiley, Fasken Martineau  
Clerk, City of Markham

Fasken Martineau DuMoulin LLP  
Barristers and Solicitors  
Patent and Trade-mark Agents

www.fasken.com

333 Bay Street, Suite 2400  
Bay Adelaide Centre, Box 20  
Toronto, Ontario, Canada M5H 2T6

**FASKEN  
MARTINEAU** 

416 366 8381 Telephone  
416 364 7813 Facsimile  
1 800 268 8424 Toll free

Neil M. Smiley  
Direct 418 865 5122  
nsmiley@fasken.com

January 28, 2014

**VIA FACSIMILE**

Regional Municipality of York  
17250 Yonge Street  
P.O. Box 147  
Newmarket, Ontario  
L3Y 6Z1

Attention: Karen Whitney, Director, Community Planning

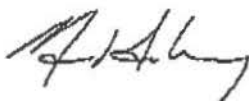
**Re: City of Markham By-law no. 2013-221 – City of Markham Official Plan – Part I  
(the “Plan”)**

We act as solicitors for Terra Gold (McCowan) Properties Inc. (“Terra Gold”), owners of 9329 McCowan Road in the City of Markham.

Terra Gold objects to the City of Markham’s adoption of the Plan and has by letters of its consultants, Humphries Planning Group Inc., dated March 18, 2013, April 23, 2013 and December 2, 2013 (copies of which are attached) confirmed its objections.

In order to preserve our client’s rights of appeal, please notify the undersigned of the Region’s decision regarding the Plan and of any other public proceedings that it may undertake in connection with its review of the Plan.

Yours truly,



Neil M. Smiley

NMS/kh

cc. Rosemarie Humphries, Humphries Planning Group  
Terra Gold (McCowan) Properties Inc.

DM\_TOR/214460.00801/7047956.1

**HUMPHRIES PLANNING GROUP INC.**

March 18, 2013  
HPGJ File: 12311

Clerk's Department  
City of Markham  
101 Town Centre Blvd.  
Markham, ON L3R 9W3

Attn: Ms. Kitty Bavington  
City Clerk

Re: 9329 McCowan Road (former Salvation Army Site)  
City of Markham Official Plan 2012  
'Development Services Committee Meeting March 19 2013  
Request for Re-Designation by Terra Gold (McCowan) Properties Inc.

Humphries Planning Group Inc. is submitting the following letter on behalf of Terra Gold (McCowan) Properties Inc., which are new owners of 9329 McCowan Road legally known as Part of Lot 17, Concession 7 in the Town of Markham.

The subject site is located at the north east corner of McCowan Road and 16<sup>th</sup> Avenue and currently occupied by a cellular telecommunications tower, a single family dwelling and the Salvation Army Church. The property has frontage along 16<sup>th</sup> Avenue of 43.33 metres and frontage along McCowan Road of 223.29 metres and an area of 2.9 ha. A survey representing the subject site is attached for information purposes.

The subject site is currently designated under the Town of Markham Official Plan as Low Rise Residential and subject to the policies of the Wismer Commons Secondary Plan which designates the site as Institutional. The subject site is zoned RR4 - Rural Residential under By-law 304.87.

Surrounding land uses include, York Region Pumping station to the immediate south, rear yards of semi detached units fronting onto Maria Road to the east, McCowan Road, commercial uses (Gas Station) and flankage yards of single family and townhouse development to the west, existing residential lot with application proposing 3 storey office building (9365 McCowan Road) to the immediate north.

216 Christie Road  
Suite 103  
Vaughan, ON  
L4L 8S5

T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)  
-- Do Something Good Everyday! --


9329 McCowan Road  
Development Services Committee Meeting March 19, 2013  
March 18, 2013

Page 2 of 2

We are formally requesting that the City of Markham New Official Plan be amended to incorporate specific provisions for the subject site allowing for both Residential Low/Mid Rise land use designation permissions. In support of such a request we advise the municipality that given the location of the site and its relatively large parcel size in addition to the surrounding land use context as briefly described above, a variety of building forms and densities could reasonably be supported on the subject site. It is therefore appropriate for the City to allow the flexibility in its Official Plan for both Low and Mid Rise Residential lands to occur on the subject site.

We would be pleased to meet with staff to discuss this request in greater detail should the need arise.

Yours truly,  
HUMPHRIES PLANNING GROUP INC.



Rosemarie L. Humphries BA, MCIIP, BPP  
President

Encl. – site survey

cc. Client  
Mr. Jim Baird, Commissioner of Development Services  
Mr. Rino Mostacci, Director of Planning and Urban Design  
Ms. Marg Wouters, Senior Manager, Policy and Research



**HUMPHRIES PLANNING GROUP INC.**

April 23, 2013  
HPGI File: 12311

Clerk's Department  
Town of Markham  
101 Town Centre Blvd.  
Markham, ON L3R 9W3

Attn: Kitty Bavington  
City Clerk

Re: 9329 McCowan Road  
Town of Markham Official Plan Review Process  
Development Services Public Meeting

On behalf of Terra Gold (McCowan) Properties Inc., owners of 9329 McCowan Road, Humphries Planning Group Inc. is corresponding to reiterate previous request as contained in correspondence dated March 18, 2013. The subject site is legally known as Part of Lot 17, Concession 7 in the Town of Markham. The request specifically seeks a land use designation on the subject site for Residential Low/Mid Rise land use designation permissions.

Should you have any questions, please contact the undersigned at ext. 244.

Yours truly,  
**HUMPHRIES PLANNING GROUP INC.**



Rosemarie L. Humphries BA, MCIP, RPP  
President

Cc: Terra Gold (McCowan) Properties Inc.

Encl. Correspondence dated March 18, 2013

216 Christa Road  
Suite 103  
Vaughan, ON  
L4L 6S6

T: 905-264-7676  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)  
~ Do Something Good Everyday! ~

## HUMPHRIES PLANNING GROUP INC.

December 2, 2013  
HPGI File: 12311

Clerk's Department  
Town of Markham  
101 Town Centre Blvd.  
Markham, ON L3R 9W3

Attn: Kitty Bavington  
City Clerk

Re: 9329 McCowan Road  
Town of Markham Official Plan Review Process  
Development Services Committee Meeting - December 3, 2013

---

On behalf of Terra Gold (McCowan) Properties Inc., owners of 9329 McCowan Road, Humphries Planning Group Inc. (HPGI) is corresponding to reiterate our previous request as contained in correspondence dated March 18, 2013 and April 23, 2013. The subject site is legally known as Part of Lot 17, Concession 7 in the Town of Markham. The request specifically seeks a Residential Mid Rise land use designation on the subject.

HPGI does not agree with the proposed Residential Low Rise Designation for the subject site in the City of Markham draft Official Plan, dated November 2013. HPGI is of the opinion that based on review of the draft OP the request for Residential Mid-Rise designation is appropriate as briefly outlined below:

Based on Section 8.1 - General Land Use, densities can be expected to be higher on large sites well serviced by public transit, as concentrated growth is desired in these locations. This applies to the subject site which is less than 56 metres from major transit stops at McCowan Road and 16th Avenue. Also the site has an adequate provision of transportation and water and waste water infrastructure, and community infrastructure to support higher density permissions. Surrounding community infrastructure includes the Bridge Community Church, Stonebridge Public School, St. Edward Separate School, Ramer Wood Public School, Markville Secondary School, Wismer Public School, Wismer Park, Cobblehill Parkette, Chelsea Park, Fredrick Bagg Park, Berczy Park, Belgrave Park,

216 Chrislee Road  
Suite 103  
Vaughan, ON  
L4L 8S5

T: 905-264-7678  
F: 905-264-8073

[www.humphriesplanning.com](http://www.humphriesplanning.com)  
~ Do Something Good Everyday! ~



9329 McCowan Road  
Dec. 2, 2013

Page 2 of 2

Central Park and Manhattan Woods, As such, the above noted policy supports our request for both Low and Mid Rise Residential permissions to occur on the subject site.

Section 8.2.4 - Residential Mid Rise, states that:


*"Lands designated "Residential Mid-Rise" are generally located along arterial or major collector roads and are characterized primarily by mid-rise residential buildings that provide for a diversity of housing mix and building types and respect the existing character of the adjacent and surrounding areas. For the most part these areas are located near mixed-use developments and shopping centres."*

The subject site has frontage along two major Arterial Roads, 43.33 metres of frontage along 16<sup>th</sup> Avenue and 223.29 metres frontage along McCowan Road. The site is also within 400 metres of a major shopping centre plaza located at the south-west corner of McCowan Road and Bur Oak Avenue. The subject site is consistent with the above policy which describes as general locations for Residential Mid Rise designated lands. As such, the above noted policy supports our request for both Mid Rise Residential permissions to occur on the subject site.

We request that the City re-consider the planning merits of our request based on the new draft Official Plan policies, rather than relying on an old secondary plan and land use designation.

Should you have any questions, please contact the undersigned at ext. 244.

Yours truly,  
HUMPHRIES PLANNING GROUP INC.



Rosemarie L. Humphries BA, MCIP, RPP  
President

Cc: Terra Gold (McCowan) Properties Inc.

Encl. Correspondence dated March 18, 2013 and April 23, 2013