MARKHAM

TO:	Development Services Committee
FROM:	Jim Baird, Commissioner, Development Services
PREPARED BY:	Policy and Research Division, Planning & Urban Design Dept
REVIEWED BY:	Marg Wouters, Senior Manager, Policy and Research
DATE:	December 3, 2013
Re:	**Adoption of Revised Draft Official Plan – Additional Comments and Staff Response**

This memo provides supplemental information to the staff report dated November 19, 2013 regarding adoption of the new Official Plan. Specifically, the memo provides staff commentary and recommended changes to the Revised Draft Official Plan resulting from the deputations and written submissions received at the November 19th DSC meeting, as well as those received subsequent to the meeting, up to November 25, 2013. The memo also provides an Addendum to Appendix 'C' of the November 19, 2013 Staff Report (Addendum), which catalogues the additional comments and staff responses.

Staff's additional recommended revisions should be considered by the Development Services Committee when the Revised Draft Official Plan is considered for adoption on December 3, 2013. The staff recommendations in the November 19, 2013 report to adopt the Official Plan continue to apply. The final Official Plan to be presented to Council for adoption will reflect the additional recommended revisions in this memo as well as direction provided by DSC.

Deputations Received at November 19, 2013 DSC Meeting

Cornell Rouge Developments (N. Massey) – as directed by DSC, upon receipt of an Official Plan Amendment (OPA) application for employment land conversion, the Cornell Rouge Developments lands north of Highway 7, west of Donald Cousens Parkway in Cornell, will be shown as 'deferred' on Map 3-Land Use, and a site specific policy will be added in Chapter 9, similar to the site specific policy for other employment lands conversion requests (see the proposed policy under No. 76 in the attached Addendum).

Box Grove Hill Developments (Malone Given Parsons) – the request is to revise the site specific policy (9.16.17) for the lands in Box Grove east of the Donald Cousens Parkway to allow development to proceed in advance of development of a Regional Gateway facility. Staff confirm that the intent of the policy was not to be more restrictive than the current policy in the Box Grove Secondary Plan regarding these lands, and propose additional language in policy 9.16.17 for clarification (refer to proposed policy change under No. 135 in the attached Addendum).

Kennedy McCowan Landowners Group (Goodmans) – as discussed at DSC, the subject lands are within the Provincial Greenbelt Plan Area and designated Protected Countryside with a Natural Heritage System overlay in that Plan. City staff have already refined the Official Plan schedules to accurately reflect the existing natural heritage features on the lands, based on updated mapping, and there is no issue regarding the accuracy of the features as reflected in the Official Plan. Staff are mandated under the Greenbelt Plan to reflect the Province's Greenbelt Plan boundary and designations. The property owner is asking that Map 7 - Provincial and Federal Policy Areas in the Official Plan be further revised to remove the Province's Natural Heritage System overlay on non-natural heritage lands, while still maintaining the outer Greenbelt boundary and Protected Countryside designation.

Given that the requested change pertains to the Province's Natural Heritage System boundary, staff require written confirmation from the Ministry of Natural Resources and TRCA agreeing to the removal of the Greenbelt Plan Natural Heritage System designation from a portion of their lands. No changes to the Revised Draft Official Plan policies or mapping to reflect this request are recommended at this time. Once the City is in receipt of the required authorization to change the Province's Natural Heritage System overlay, modifications to the Official Plan can be further reviewed. Staff do agree to remove a small stream feature under question from the mapping (refer to No. 9 in the attached Addendum, under Minotar Holdings et al).

Dorsay (Residential) Developments Inc – staff maintain that the 'Mixed Use Office Priority' designation in the Revised Draft Official Plan is appropriate given the land use permissions agreed to during previous development approvals, and that any refinements to the land use designation be determined through the secondary plan process. No changes to the Revised Draft Official Plan policies or mapping are recommended at this time. No changes to Appendix 'C' are required.

Markham Airport (Aird & Berlis) – staff have received clarification regarding the status of the Markham Airport and will continue to work with the Markham Airport on revised wording which removes reference to land use permissions for the existing aerodrome (refer to No. 127 in the attached Addendum).

AAA Safe Storage (Weston Consulting) – staff do not agree with the request for self-storage facilities as a permitted use within all employment lands designations that currently permit a warehouse use. These facilities are most appropriately located in the Service Employment designation. No changes to the Revised Draft Official Plan policies or mapping are recommended (refer to No. 137 in the attached Addendum).

Correspondence Received following November 19, 2013 DSC Meeting

The following submissions/comments were received following the November 19th DSC meeting, and are documented in the attached Addendum.

Comment from Leitchcroft resident regarding name of the Commerce Valley/Galleria Key Development Area (KDA) – at the suggestion of the resident, and in consultation with the ward councillor, staff agree to change the name of the Commerce Valley/Galleria KDA to Commerce Valley/Leitchcroft KDA in policy and mapping to acknowledge the more commonly used name for the residential portion of the KDA (refer to attached correspondence and staff response in No. 138 in the attached Addendum).

No changes to the Revised Draft Official Plan policies or mapping are recommended for the following additional correspondence:

MBPD (M. Behar) re: 4038 Hwy 7 – request to increase height and density provisions consistent with the 'Mixed Use Mid Rise' designation and to permit townhouses on the 'Residential Low Rise' lands (refer to attached correspondence and staff response in No. 136 in the Addendum). This request is related to No.59 (Scardred 7) in Appendix 'C'.

R & M Emer (J Barnett) re: 7810 McCowan Road, and Weycliffe International Development Inc re: 7846, 7834 and 7822 McCowan Road (A. Rust) – requests for redesignation of lands from 'Residential Low Rise' to 'Residential Mid Rise' west of McCowan Road north of 14th Avenue (refer to attached correspondence and staff response in No. 139 and No. 140 in the attached Addendum). These requests are related to No.38 (Valleymede) in Appendix 'C'.

Shouldice Hospital (Johnson Litavski) – requests that the proposed 'Residential Mid Rise' designation be changed to permit 10 to 15 storeys on the site to reflect current permissions and existing conditions on adjacent lands. The submission also questioned required vegetation protection zones (refer to attached correspondence and staff response in No. 141 in the attached Addendum).

Council decisions regarding any matters still outstanding at the time of Council adoption can be dealt with through modification of the Official Plan by the Region prior to Regional approval of the Plan.

Attachment: Addendum to Appendix 'C' of the November 19, 2013 Staff Report

ADDENDUM TO APPENDIX 'C' OF THE NOVEMBER 19, 2013 STAFF REPORT

APPENDIX 'C': RESPONSE TO WRITTEN SUBMISSIONS			
NO	**OWNER/ADDRESS**	**SUMMARY OF KEY POINTS**	**GENERAL RESPONSE TO KEY POINTS**
9	Minotar Holdings Inc., Cor-Lots Developments, Cherokee Holdings and Halvan 5.5 Investments Limited (REVISION TO NOV 19/13 APPENDIX 'C')	• Request for refinements to Greenway System boundary based on proposed revisions to the Natural Heritage System designation in the Greenbelt Plan • Request to remove a small stream feature	• Refinements to the Natural Heritage System designation in the Greenbelt Plan should occur through the provincial Greenbelt Plan review process in 2015, rather than on a site specific basis. Alternatively, written confirmation from the Ministry of Natural Resources and TRCA agreeing to the removal or revision of the GP Natural Heritage System designation on the identified lands would allow staff to make the requested mapping changes. • The small stream feature under question has been reviewed and will be removed from mapping.
76	Cornell Rouge Development Corporation Block 792 Draft Plan 19TM-08002 North side of Hwy 7 west of Donald Cousens Parkway (REVISION TO NOV 19/13 APPENDIX 'C')	• Request for conversion of 'Employment Lands'	• Site specific policy below to be added to new Official Plan upon receipt of OPA application • Site specific policy 9.7.8.7 based on Development Services Committee direction. A land use designation other than an 'Employment Lands' designation may be considered by amendment to the Plan. Consideration of a designation other than an 'Employment Lands' designation must conform to the policies of the Growth Plan and all other policies of the Plan and will have regard for, among other things, the following criteria prescribed by Council, as applicable: - Compatibility to adjacent land use; - Achieving an increase in the number of jobs that would otherwise be provided under the 'Employment Lands' designation on the site, or at a minimum, no net reduction in jobs on site; - Proximity to transit; - Provision of lands for a VIVA terminal; - Achieving better public amenities, including but

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			not limited to public art, Section 37 community benefits and publicly accessible private amenity spaces; and - Where the location is appropriate, provide for affordable and seniors housing Until a decision is made on the application for amendment to the Plan, the lands are deferred and the provisions of the Official Plan (Revised 1987), as amended, and Secondary Plan PD 29-1 shall apply to the lands.
127	Markham Airport Allan Rubin (REVISION TO NOV 19/13 APPENDIX 'C')	• Request for revisions to the policies and figures related to Markham Airport	• Staff will work with the Markham Airport on revised wording which removes reference to land use permissions for the existing aerodrome.
135	Box Grove Hill Developments Part of Lots 6 to 8, Concession 9 (ADDITION TO NOV 19/13 APPENDIX 'C')	• Request rewording of Site Specific Policy 9.16.17 to enable appropriate development to proceed on private lands without precluding the development of a Regional Gateway facility.	• Section 9.16.7 revised to add reference that the "comprehensive block plan will demonstrate conceptually how development on the lands may occur in phases and how the intended transportation gateway use would not be constrained or precluded by development proceeding on the privately owned portion of the lands in advance of development on the Regional Gateway facility."
136	Moiz Behar 4038 Hwy 7 East (Related to No. 59 from Scardred 7 also submitted for the lands at 4038 Hwy 7 East) (ADDITION TO NOV 19/13 APPENDIX 'C')	• Request that the area specific policy applying to these lands include a maximum height of 8 storeys for the 'Mixed Use Mid Rise' lands and to permit townhouses on the Residential Low Rise lands	• 'Mixed Use Mid Rise' and 'Residential Low Rise' designations were applied to the lands 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 on the 'Mixed Use Mid Rise' lands and to permit townhouses fronting on a public street on the 'Residential Low Rise' lands.
137	AAA Safe Private Storage Inc.	• Request that a commercial storage facility be permitted in all 'Employment Lands'	• Section 8.5.4.3 l) provides for a commercial storage facility as a discretionary use in the 'Service

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NO	**OWNER/ADDRESS**	**SUMMARY OF KEY POINTS**	**GENERAL RESPONSE TO KEY POINTS**
	(ADDITION TO NOV 19/13 APPENDIX 'C')	designations where a warehouse use permitted	Employment' designation. The planned function of the 'Service Employment' designation is to provide for *ancillary uses* servicing businesses and employee located within all 'Employment Lands' designations. No change
138	Asa Jairam Leitchcroft community resident (ADDITION TO NOV 19/13 APPENDIX 'C')	• Suggested that reference to Commerce Valley/Galleria *key development area* be changed to reference existing Leitchcroft community	• In consultation with the Ward Councillor, Section 9.6, and Maps 1, 2 and 15 have been revised to reference Commerce Valley/Leitchcroft district and *key development area.*
139	Rinaldo and Maria Emer 7180 McCowan Road (ADDITION TO NOV 19/13 APPENDIX 'C')	• Request for redesignation of 'Residential Low Rise' lands to 'Residential Mid Rise'	• Landowner was advised that the 'Residential Low Rise' designation reflects the current Official Plan designations and that and OPA would be required to redesignate the lands to 'Residential Mid Rise'.
140	Weycliffe International Development Inc. 7846, 7834 & 7822 McCowan Road (ADDITION TO NOV 19/13 APPENDIX 'C')	• Request for redesignation of 'Residential Low Rise' lands to 'Residential Mid Rise'	• Landowner was advised that the 'Residential Low Rise' designation reflects the current Official Plan designations and that an OPA would be required to redesignate the lands to 'Residential Mid Rise'.
141	Shouldice Hospital 7750 Bayview Avenue (ADDITION TO NOV 19/13 APPENDIX 'C')	• Request for increase in height and density on 'Mixed Use Mid Rise' lands. • Request that 30 metre buffer be reduced to reflect existing development permissions	• Section 9.18.11.2 provides a site specific policy to recognize current development permissions including a 10 storey height permission on the Bayview Avenue frontage of the lands. Landowner was advised that any increase in height and density above the current development permissions would require an OPA application. • Section 3.1.2.23 would apply a minimum *vegetation protection zone* of 10 metres, or in accordance with Section 3.1.2.26 a reduced *vegetation protection zone* delineated through a previous *development approval* or area and site specific policy.

Sent from my iPad

From: Asa [redacted]
Date: November 15, 2013 at 6:48:38 PM EST
To: "kbavington@markham.ca" <kbavington@markham.ca>
Cc: Howard Shore <HShore@markham.ca>
Subject: Re: NOTICE - Draft Official Plan

Hi
Any reason why Leitchcroft community plan is referenced for commerce valley galleria community plan when in fact Leitchcroft has been name before? Recent ward boundary review reference Leitchcroft not commerce valley galleria?

This community is always marginalized and changing working names is further insult...

Asa Jairam

Leitchcroft community resident

MBPD

October 16, 2013

Murray Boyce
Markham Planning and Urban Design
City of Markham
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Dear Murray,

Re: Highway 7/Village Parkway Corridor – Area Specific Policy

Thank you for providing for our review the Proposed Site Specific Policy for the Highway 7/Village parkway Corridor Lands in your email dated October 7, 2013. It is our understanding that these lands will be included in the draft Markham Official Plan.

3940 Highway No. 7 East

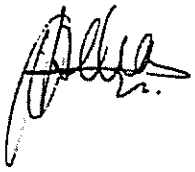
We have reviewed the provisions and can confirm that the height, density, use and holding provision are consistent with the OMB approved Official Plan Amendment. However, it is our preference that a site-specific amendment be provided for these lands rather than the 'area-specific' approach currently proposed for the larger area. This will enable the site to be viewed independently and is more typical for OMB decisions in the GTA.

4038 Highway No. 7 East

We request that these lands be removed from the area-specific amendment as this property was not subject to the Board approval. In this regard, please note that we have been participating in the Markham OP review process and have provided our comments for this property in a letter dated October 22, 2012. I have attached this letter for your reference. We also note that the draft Markham Official Plan currently would allow heights up to 8 storeys on this property. Therefore, if a site specific policy is contemplated for this property we request that a maximum height of 8 storeys be applied to the portion of the property proposes to be designated Mixed Use Mid-Rise, given its location within the intensification area, which is identical to other properties fronting onto Highway No. 7 East to the west of this property. Additionally, we request that the northerly portion of the property be designated to allow for townhouses up to a maximum height of 3 storeys. Similar to the OMB approvals in the area, townhouses were deemed to be an appropriate built form which provides a gradual transition from the higher density areas along Highway No. 7 East to the existing low-rise residential areas to the north and east.

We look forward to hearing from you.

Yours truly,



Moiz Behar

Copy: Marg Wouters, Senior Manager, Policy & Research, City of Markham
Richard Kendall, Manager, Central District, City of Markham
Scott Heaslip, Senior Project Coordinator, City of Markham
Jeffrey Streisfield, Solicitor
Alex Shaw, Peak Garden Developments
Kimberley Kitteringham, City Clerk, City of Markham

M. BEHAR PLANNING & DESIGN INC.
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www.mbpd.ca

JEFFREY E STREISFIELD
BA LLB MES, Land Lawyer

October 22, 2012

Via Email to judycarrol@markham.ca
officialplan@markham.ca

Mayor and Members of City Council
City of Markham
101 Town Centre Blvd.
Markham, ON
L3Y 9W3

Dear Mayor and Members of City Council:

Re: New Draft City of Markham Official Plan
Public Meeting - November 6, 2012
4038 Hwy 7 East (north side of Hwy 7 just east of Village Parkway),
(the "Subject Lands")

I am counsel to Scardred 7 Company Ltd., owner of the subject lands.

These lands are located on an important Regional Corridor, opposite the newly constructed commercial buildings on the Times Uptown (Markham Centre) lands. Attached is a photograph of the subject lands prepared by Michael Manett Photography, May 2012.

Our client intends to maintain its commercial uses on the subject lands, and otherwise have them evolve (from their site specific OPA 15 commercial permissions), into a mixed-use mid-rise land use designation, consistent with the lands on the south side of Highway 7.

Accordingly, we would ask that Staff be directed to amend the land use designation map 3 so as to denote the future land use designation of the subject lands in RED.

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jeffrey@landplanlaw.com
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Toronto M6B 1N1

JOANNE BARNETT MCIP RPP
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6 DUNKIRK ROAD TORONTO ONTARIO M4C 2L9
(P) 416-990-8367 (F) 416-733-3129 email: jbarnett@kerbel.ca

November 16, 2013

Sabrina Bordone, Planner
Development Services Commission
City of Markham

and

Kimberly Kitteringham
City Clerk
City of Markham

Delivered by hand & email (sbordone@markham.ca; kkitteringham@markham.ca)

Ms Bordone / Ms Kitteringham

RE: Meeting with Landowners (NW Corner of 14th Avenue & McCowan Road)
on Monday, November 11th, 2013
-and-
2.2 acre parcel @ 7810 McCowan Road

Thank you, Sabrina, for facilitating the subject meeting attended by several staff from the City and the Region of York, as well as by representatives of the 3 parcels of land that were the subject.

As you know, there is 1 active application and 2 parcels of land that would have to be accounted for in a comprehensive concept plan for the area as part of any approval of the active application. My client, Rinaldo & Maria Emer, is the owner at 7810 McCowan Avenue, having 200 feet of frontage on Old McCowan Road and an area of 2.2 acres. This is the middle of the 3 parcels comprising the 11 acres that make up this quadrant.

On February 2, 2010, I filed a letter with the Town Clerk referencing the Valleymede Building AMA Corporation application for an Official Plan & Zoning BY-law amendment at 7768 - 7798 McCowan Road and 5112 - 5348 14th Avenue (Files OP 09 124557 & ZA 09 124558) to permit a retail commercial development. I read this letter into the public record at the Statutory Public Meeting of the same date. My submissions were that my client supports the Valleymede applications, had purchased its lands with the intention to redevelop them with higher density residential uses, set out my client's participation in workshops held by Valleymede's planner and the need for comprehensive planning of the remaining unredeveloped lands in the quadrant.

Subsequently, revised applications were filed for higher density residential development by Metropia. My client paid its fair share of a concept plan submitted by Metropia for the quadrant. I attended the Community Information Meeting on behalf of my client where the submissions from the public in attendance seemed to be focused on the 12 storey built form element at the main corner. The other major issue identified was what residential sanitary sewer servicing capacity was available

for the 3 redevelopment parcels .I advised Metropia that my client was prepared to cost share any reports by Cole Engineering Group regarding sanitary servicing capacity and would front end its fair share of any works to be constructed.

I recently became aware that an amended application has been filed by Valleymede that proposes apartment and stacked townhouse built form in a condominium tenure. Further, I was made aware that Cole Engineering Group has completed a study of the sanitary servicing capacity in the area sewers that suggests that upwards of 900 units can be accommodated in the quadrant. My client has again indicated its intention to participate in cost sharing both the studies and the construction. This study is currently being evaluated by the City's Engineers. Once its conclusions are accepted, the intention of my client is to prepare and file an application for the redevelopment of its lands.

At the meeting you facilitated, a presentation was made by staff. You have since forwarded it to the 3 landowners Without Prejudice and we are grateful to have it for further consideration. The premise for the study was a maximum serviced population of 440 additional persons, a relocation of the existing intersection of Old McCowan Road/McCowan Road approximately 40 m to the north, an incorporation of surplus Old McCowan Road r.o.w. lands as part of a redevelopment, transition to the existing development to the west and a centrally located public park accessible by a public road. The presentation identified that the Valleymede application currently comprises 442 units. Options were presented and discussed for consideration, all of which would require the 3 landowners to work together.

I have advised my client that the planning principles advanced by staff are worthy of our consideration, but that **should the servicing capacity be proven to be supportive of higher density residential uses**, the options put forward do not represent good planning and are not the best use of the 3 parcels of land which together comprise about 11 acres at the intersection of 2 major Regional arterial roads. I trust that should the residential sanitary servicing capacity supportive of a more appropriate higher density residential built form be proven through the engineering studies and peer reviews currently in progress, a Design Brief being commissioned by the 3 landowners will be received and considered.

Further complicating matters for my client is the proposed change in designation in the City Official Plan for the 3 parcels. I concur with the submissions made by Valleymede through its planner on October 31, 2013 that the new designation of "Residential Low Rise" which permits a maximum of 3 storeys would not permit the Valleymede proposal as currently under consideration. I support that **these 3 parcels of land (11 acres more or less) should be designated "Residential Mid Rise"**. The 3, 4 and possibly 6 storey wood frame built form contemplated within these 3 ownerships is fully supportable from a land use planning perspective and is consistent with the policies of the existing "Urban Residential" designation applicable to these lands by the of force and effect Official Plan. **I note that the City Official Plan considered by Development Services Commission and recommended for approval by Council retains the Residential Low Rise designation despite the submissions by Valleymede through its planner.**

It is my planning opinion and the position of my client, that the 11 acres must be planned comprehensively. It is not clear to me how staff intend to deal with the disconnect between the City

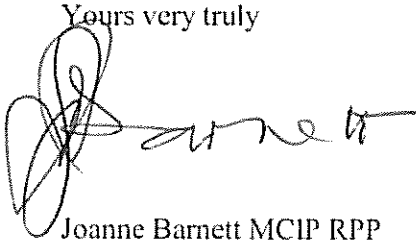
Official Plan Residential Low Rise designation and the Valleymede application should it succeed, but **the outcome must be applicable to the entire 11 acres.**

Please accept this letter as my client's position that its lands should be designated Residential Mid Rise in the City's proposed Official Plan.

It is the intention of all 3 landowners to proceed co-operatively with staff and with each other to promote and implement good planning principles and practice for the comprehensive redevelopment of this 11 acre quadrant at the N/W corner of McCowan Road and 14th Avenue. The attendance at the meeting we had suggests to me that this 11 acres is very important to City staff also.

I look forward to working through these issues with you and sincerely hope you will share your strategy as to how you intend to address these matters should the servicing capacity be available for a more supportable designation of Residential Mid Rise for these 11 acres.

Yours very truly



Joanne Barnett MCIP RPP

ALEX RUST
124 CABIN TRAIL CRES STOUFFVILLE ONTARIO L4AOS7
(P) 647-888-8778 (F) 647-727-0772 email: rust_alex@hotmail.com

November 16, 2013

Sabrina Bordone, Planner
Development Services Commission
City of Markham

and **Kimberly Kitteringham**
City Clerk
City of Markham

Delivered by hand & email (sbordone@markham.ca; kkitteringham@markham.ca)

Ms Bordone / Ms Kitteringham

RE: Meeting with Landowners (NW Corner of 14th Avenue & McCowan Road) on Monday, November 11th, 2013
-and-
Approx 3.5 acre parcel @7846, 7834 & 7822 McCowan Road (treated as one parcel)

Thank you, Sabrina, for facilitating the subject meeting attended by several staff from the City and the Region of York, as well as by representatives of the 3 parcels of land that were the subject.

As you know, there is 1 active application and 2 parcels of land that would have to be accounted for in a comprehensive concept plan for the area as part of any approval of the active application. My client, Jin Zhi Hu (Weycliffe International Development Inc.), is the owner at 7846,7834 & 7822 McCowan Avenue, having 350 feet of frontage on Old McCowan Road and an area of 3.5 acres. This is the north of the 3 parcels comprising the 11 acres that make up this quadrant.

Revised applications were filed for higher density residential development by Metropia. My client paid its fair share of a concept plan submitted by Metropia for the quadrant. I attended the Community Information Meeting on behalf of my client where the submissions from the public in attendance seemed to be focused on the 12 storey built form element at the main corner. The other major issue identified was what residential sanitary sewer servicing capacity was available for the 3 redevelopment parcels .I advised Metropia that my client was prepared to cost share any reports by Cole Engineering Group regarding sanitary servicing capacity and would front end its fair share of any works to be constructed.

I recently became aware that an amended application has been filed by Valleymede that proposes apartment and stacked townhouse built form in a condominium tenure. Further, I was made aware that Cole Engineering Group has completed a study of the sanitary servicing capacity in the area sewers that suggests that upwards of 900 units can be accommodated in the quadrant. My client has again indicated its intention to participate in cost sharing both the studies and the construction. This study is currently being evaluated by the City's Engineers. Once its

conclusions are accepted, the intention of my client is to prepare and file an application for the redevelopment of its lands.

At the meeting you facilitated, a presentation was made by staff. You have since forwarded it to the 3 landowners Without Prejudice and we are grateful to have it for further consideration. The premise for the study was a maximum serviced population of 440 additional persons, a relocation of the existing intersection of Old McCowan Road/McCowan Road approximately 40 m to the north, an incorporation of surplus Old McCowan Road r.o.w. lands as part of a redevelopment, transition to the existing development to the west and a centrally located public park accessible by a public road. The presentation identified that the Valleymede application currently comprises 442 units. Options were presented and discussed for consideration, all of which would require the 3 landowners to work together.

I have advised my client that the planning principles advanced by staff are worthy of our consideration, but that **should the servicing capacity be proven to be supportive of higher density residential uses**, the options put forward do not represent good planning and are not the best use of the 3 parcels of land which together comprise about 11 acres at the intersection of 2 major Regional arterial roads. I trust that should the residential sanitary servicing capacity supportive of a more appropriate higher density residential built form be proven through the engineering studies and peer reviews currently in progress, a Design Brief being commissioned by the 3 landowners will be received and considered.

Further complicating matters for my client is the proposed change in designation in the City Official Plan for the 3 parcels. I concur with the submissions made by Valleymede through its planner on October 31, 2013 that the new designation of "Residential Low Rise" which permits a maximum of 3 storeys would not permit the Valleymede proposal as currently under consideration. I support that **these 3 parcels of land (11 acres more or less) should be designated "Residential Mid Rise"**. The 3, 4 and possibly 6 storey wood frame built form contemplated within these 3 ownerships is fully supportable from a land use planning perspective and is consistent with the policies of the existing "Urban Residential" designation applicable to these lands by the of force and effect Official Plan. **I note that the City Official Plan considered by Development Services Commission and recommended for approval by Council retains the Residential Low Rise designation despite the submissions by Valleymede through its planner.**

It is my planning opinion and the position of my client, that the 11 acres must be planned comprehensively. It is not clear to me how staff intend to deal with the disconnect between the City Official Plan Residential Low Rise designation and the Valleymede application should it succeed, but **the outcome must be applicable to the entire 11 acres.**

Please accept this letter as my client's position that its lands should be designated Residential Mid Rise in the City's proposed Official Plan.

It is the intention of all 3 landowners to proceed co-operatively with staff and with each other to promote and implement good planning principles and practice for the comprehensive redevelopment of this 11 acre quadrant at the N/W corner of McCowan Road and 14th Avenue.

The attendance at the meeting we had suggests to me that this 11 acres is very important to City staff also.

I look forward to working through these issues with you and sincerely hope you will share your strategy as to how you intend to address these matters should the servicing capacity be available for a more supportable designation of Residential Mid Rise for these 11 acres.

Yours very truly

Alex Rust

Johnston Litavski
PLANNING CONSULTANTS

By email **kbavington@markham.ca**

25 November 2013
87012

Mayor and Members of Council
City of Markham

c/o Kitty Bavington
Clerk's Department
101 Town Centre Blvd.
Markham, Ontario
L3R 9W3

Dear Sir/Madam,

RE: Shouldice Hospital, 7750 Bayview Avenue
CITY OF MARKHAM OFFICIAL PLAN REVIEW

We are planning consultants to The Shouldice Hospital Ltd ('The Hospital"). The Hospital is located at 7750 Bayview Avenue on approximately 20 acres (8.1 ha.) of land in Thornhill. Founded in 1945, Shouldice Hospital is a private medical facility that is a global leader in hernia repair, and attracts patients from around the world for specialized care.

The undersigned appeared at the statutory public meeting on April 23, 2013 and provided summary comments on the draft Official Plan (February 2013 version). We have now had an opportunity to review the revised Draft Official Plan, released on November 15.

Existing Official Plan and Zoning provisions for the Shouldice Hospital

As Council will be aware, Official Plan, zoning and conceptual site plan approvals were secured in 1996 to permit the development of up to 725 dwelling units consisting of the existing 90 bed hospital, a mix of retirement/nursing bed units, and 50 hotel suites, in 3-10 storey buildings. The lands are zoned **(Holding 1) (Holding 2) - Institutional and Second Density High Density Residential.** Zoning boundaries were delineated within which multiple Dwelling Units, a Hotel, a Nursing Home and a Private Hospital are permitted. In addition, portions of the site were zoned for Landscaped Open Space. A range of Height Limits up to 10 stories are prescribed in the zoning bylaw for the site.

Johnston Litavski Ltd.
185 Carlton Street
Toronto, ON M5A 2K7
P: 416-323-1444
F: 416-323-0388

www.planners.to

We have the following comments:

Chapter 8- Land Use

- The lands would be designated "**Residential Mid Rise**", permitting up to 8 stories, and a density of 2.0 FSI. Given that the existing zoning for the site permits 10 stories, and 15 storey building are located immediately across road from the site, this limitation is inappropriate, and should be revised upward.

- We also note that the previous draft of the Official Plan permitted up to 2.5 FSI on the lands. Inexplicably this has been revised downward.

Chapter 3- Environmental Systems

- The proposed 30m minimum buffer next to valleylands would impinge upon the limit of development agreed to for the property through site specific studies for the property. These limits were prescribed in the zoning for the site. Additional buffers would preclude development of the lands pursuant to the Official Plan, zoning and conceptual site plan approved for the Hospital Lands.

- The Official Plan policies requiring the dedication of lands within the greenway system to a public authority, and that such dedications will not count as a parkland dedication under Section 42 of the *Planning Act*, are in our view unwarranted and not authorized by the Planning Act. We request that this policy be revisited.

Thank you for the opportunity to comment on the Plan. Please keep us informed of further consideration of the Plan.

Yours very truly,

Paul Johnston

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