

Head Office

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Infrastructure
Ontario

May 17, 2022

The Regional Municipality of York
Attention: Regional Clerk
17250 Yonge Street
Newmarket, ON
L3Y 6Z1

Sent via email to: regionalclerk@york.ca; futureyork@york.ca

RE: Infrastructure Ontario Comments on the Draft York Region Official Plan Update & Communication F.1.1.14 – City of Markham Comments on the Draft York Region Official Plan

Infrastructure Ontario (“IO”) is a crown agency responsible for the strategic management of the provincial realty portfolio on behalf of the Ministry of Government and Consumer Services (“MGCS”). Part of IO’s mandate is to protect and optimize the value of the portfolio, while ensuring real estate decisions reflect public policy objectives.

On April 12, 2022, the City of Markham endorsed a set of comments to the Region of York on the Draft York Region Official Plan (“Draft ROP”), which are listed in communication F.1.1.14 on the May 19, 2022 Region of York Special Committee of the Whole Agenda. IO has concerns with the City of Markham’s recommended adjustments to the Regional Employment Areas west of Warden Avenue in the Draft ROP, as it will downgrade the employment permissions on provincially owned properties by redesignating the lands to *Open Space*.

From Attachment #4 of Item F.2.1 on the May 19, 2022 Agenda, IO understands that the Region of York is anticipating revising the Regional Employment Areas to reflect Markham’s request. IO hopes that the Region will reconsider this course of action and instead maintain the current iteration and direction for the lands west of Warden Avenue and south of Yorktech Dr, which are currently shown as *Employment Areas* in the Draft ROP. This letter provides our comments and justification for this request.



Background

IO currently leases lands to IBM that are generally located on the south side of Yorktech Drive. This is a 99-year lease expiring in 2098 that was established through a Purchase Agreement between IO and IBM. Three distinct areas of land were identified as part of a Land Exchange Agreement: Purchase Lands, Lease Lands and Option Lands. A map excerpt illustrating the lease in question is shown for reference in Figure 1 (“Leased Lands”) and a map illustrating provincial lands of concern regarding the City of Markham Comments on the Draft ROP is shown in Figure 2.

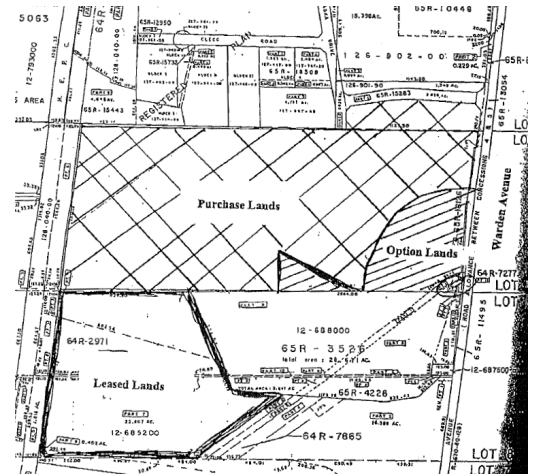


Figure 1: IBM Leased Lands

IO and IBM were monitoring the Yorktech Drive extension EA process until its pause due to the commencement of the Markham Centre Secondary Plan. IO has provided comments on the EA as part of the external Technical Advisory Committee (TAC) and has provided comments on the Secondary Plan process through another TAC. IO has been part of the external TAC for the Secondary Plan process since November 2019 and has participated in the external TAC for the Yorktech Drive Extension EA since 2015. At the initial TAC meeting, IO provided comments reflective of its desire to maintain the long-term developability/saleability of the lands, a position that has not changed. IO did not express interest in these lands becoming a park at any of the TAC meetings.

In addition, IO has provided written comments on the proposed development concept for the revised Markham Centre Secondary Plan at the March 22nd, 2022 Markham Development Services Committee meeting, on April 11th, 2022 to the City of Markham Clerk, as well as verbal comments through a meeting with City of Markham Staff that was held virtually on April 6th, 2022.

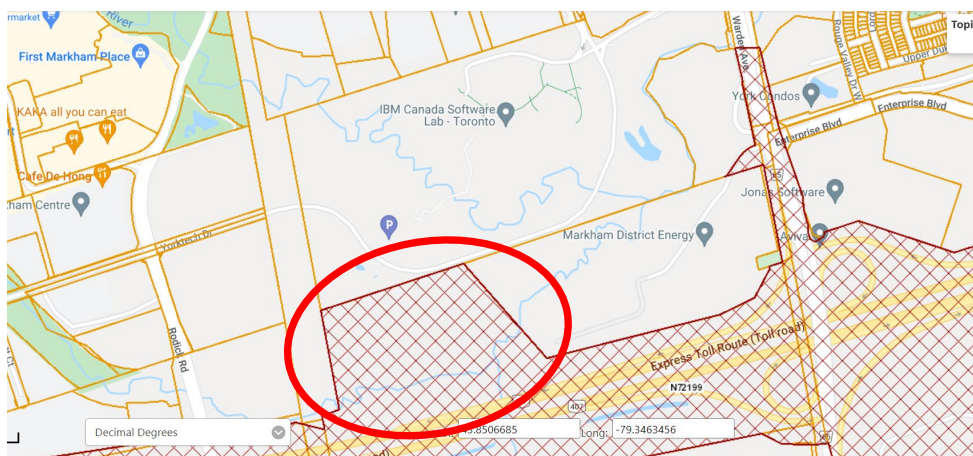


Figure 2: Provincial Lands (currently leased by IBM) within the Markham Centre Secondary Plan Area - Provincial Lands of Concern Circled in Red



IO Comments on Markham's Proposed Revisions to the Draft Regional Official Plan

The IBM leased lands are currently located within a Provincially Significant Employment Zone (PSEZ). PSEZ's are areas of high economic output that are critical to the local and provincial economy. The leased lands are also proposed to be designated as *Employment Areas* on Map 1A of the Draft ROP. This designation is reflective of the *Business Park Employment* in the 2014 City of Markham Official Plan and the *Commercial – Community Amenity Area* in the in-force 1987 Official Plan.



Figure 3: Provincially Significant Employment Zones (PSEZ) - with Area of Concern Circled in Red

The City of Markham endorsed a set of comments at their April 12th Council meeting which requested that the Region of York amend the Markham Centre employment area mapping west of Warden Avenue in the draft ROP to reflect the in-effect employment designations of Official Plan Amendment (OPA) 21 to the 1987 Markham Official Plan, as shown in Figure 4 below. IO does not agree with this request as it results in a downgrading of permissions on the provincially owned/IBM properties south of the Rouge River by redesignating these lands as entirely Open Space. IO is concerned that the proposed revisions will negatively impact IBM and IO's future intentions for the lands as it removes any opportunity to redevelop the lands for new or expanded employment uses. Since IBM's lease expires in 2098, the reality of a park at this location is highly questionable.

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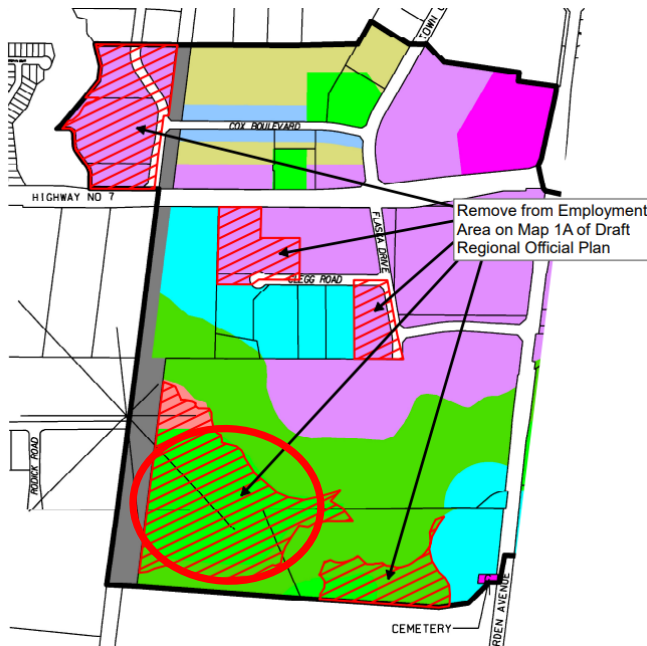


Figure 4: City of Markham Proposed Revisions to the Draft ROP with Area of Concern Circled in Red

The lands in question are also identified on Appendix 1 of the Draft ROP as being within the Highway 404 and Highway 407 Employment Area Zone, which is identified for a density target of 100 jobs per hectare. The proposed revisions circled in Figure 4 above would essentially remove ~28 acres (~11.5 hectare) from the *Employment Area* designation on lands to the east of the Hydro Corridor, surrounding Yorktech Road. This is a potential loss of approximately 1,150 jobs from this area and does not take into consideration other *Employment Area* lands proposed to be redesignated on the west side of the Hydro Corridor through the latest development concept presented as part of the Markham Centre Secondary Plan Update, as shown in Figure 5 below.

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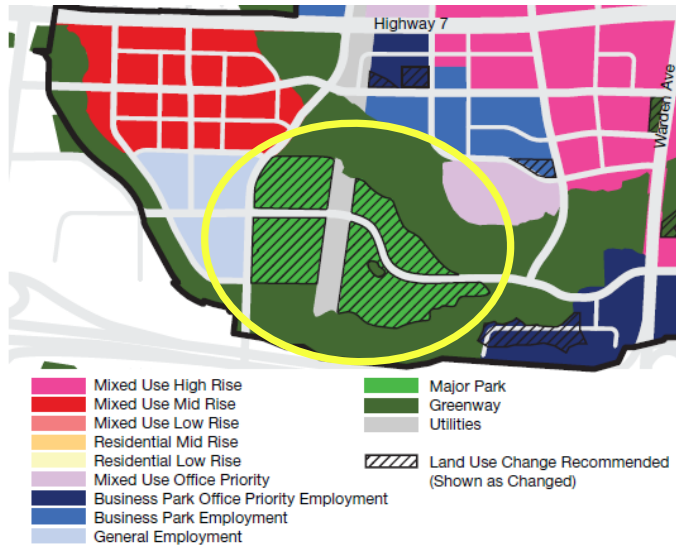


Figure 5: Draft Development Concept presented at the April 5, 2022 Special Development Services Committee with Area of Concern Circled in Yellow.

Markham's proposed revision to the Draft ROP also contradicts the intent of the identified PSEZ on the property. While IO is supportive of parks and open spaces being located within PSEZs, removal of 28 acres (~11.5 hectares) of land from a PSEZ will have a significant impact on the viability of this PSEZ. IO believes that a more equitable distribution of Open Space and Parkland throughout the City and within PSEZs is more appropriate as it would increase the accessibility of these spaces. Furthermore, an equitable distribution of Open Space and Parkland would help to alleviate the disproportionate burden that the City of Markham's proposed revisions places on select landowners, which essentially removes all the potentially developable area from certain landowners.

IO is aware that the current development concept for the Markham Centre Secondary Plan update identifies a Major Park on the IBM leased lands. IO has also provided both written and verbal comments to City of Markham Staff noting our concerns with this proposed designation and requested that the revised Secondary Plan reflect the 2014 City of Markham Official Plan's designation of *Business Park Employment* shown on the lands. IO will continue to be involved in this Secondary Plan process to ensure that employment development potential remains on the lands.

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We hope that the Region of York maintains the current iteration and direction for the property as illustrated in the current draft of the Draft ROP, which shows the lands as *Employment Area*. We thank members of Committee for considering our comments and recommendations. We would also like to request a meeting with Regional Staff to discuss our comments as soon as possible. Please contact us if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy Emm', with a long, sweeping tail.

Amy Emm MCIP RPP
Director, Land Use Planning
amy.emm@infrastructureontario.ca

cc: David Macey, IO
Michael Coakley, IO
Alison Quigg, IO