

June 15, 2022

MGP File: 21-3037

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

via email: regional.clerk@york.ca & futureyork@york.ca

Dear Chairman and Members of Regional Council:

**RE: York Region Committee of the Whole Meeting – June 16, 2022
Item H.2.1 - 2022 York Region Official Plan Adoption
On behalf of Various Properties in the City of Markham Whitebelt Lands**

Malone Given Parsons Ltd. (“MGP”) is submitting this letter on behalf of the several owners listed in Appendix A who own lands in the City of Markham’s Whitebelt lands totalling approximately 282 hectares located north of Elgin Mills Road, east of Warden Avenue and west of McCowan Road (collectively referred to as the “Subject Lands”).

We respectfully request that Regional Council direct staff to prepare an interpretation and implementation memo clarifying that the mapping is conceptual and features are to be confirmed through detailed environmental studies and local policies. We are also requesting the column header in “Table 3: Minimum Buffer/Vegetation Protection Zones (VPZ)” be revised to “Regional Greenlands System (outside Urban Areas, Towns and Villages, New Community Areas)” to distinguish between the minimum VPZ for Regional Greenlands Systems within and outside of Urban Areas as shown on Map 1.

We provided comments on the December 2021 York Region Draft Official Plan presented for public consultation through two submissions made on March 31, 2022 and May 18, 2022 on behalf of the Subject Lands. Regional Staff have provided a response to our May 18th comments, which are included in *Attachment 6 – Comments on the Proposed York Region Official Plan*, and we have met with staff to discuss our concerns in more detail. We have reviewed the June 2022 York Region Draft Official Plan (“Draft YROP”) and wish to provide the following additional comments.

We continue to be supportive of Draft YROP Policy 3.2.2 which permits refinements to the boundaries of the Regional Greenlands System mapped on Map 1, Draft YROP Policy 3.4.2 which states the maps are meant to be provided for information and may be further refined, and Draft YROP Policy 3.4.7 whereby the precise delineation of key natural heritage features (including woodlands) and refinements to boundaries occurs through the approval of *Planning Act* applications supported by technical studies. Demonstrating conformity requires a top-down policy review from provincial, to regional, and then local, and in the case of woodlands

shown on Map 5, the City of Markham relies on Draft YROP Policy 3.4.30 (Current YROP Policy 2.2.45) to determinate significance. On this basis, we are requesting Regional Staff prepare an interpretation and implementation memo clarifying that the mapping is conceptual and features are to be confirmed through detailed environmental studies and local policies, specifically as it relates to policies 3.2.2, 3.4.2, 3.4.7, 3.4.30 and 3.4.31 and the woodlands conceptually shown on Map 5 – Woodlands, and the Regional Greenlands System conceptually shown on Map 1 – Regional Structure and Map 2 – Regional Greenlands System, without an amendment to the Regional Official Plan.

The Draft YROP includes *Table 3: Minimum Buffer/Vegetation Protection Zone (VPZ)* as required by the current and in-force York Region Official Plan (2019 Office Consolidation). Further, the Draft YROP Map 1 – Regional Structure now depicts the Regional Greenlands System as a hatch overlay while Map 2 – Regional Greenlands System continues to depict these areas as a solid green colour. To clarify minimum VPZs listed in Table 3 for features adjacent to the Urban Area, Towns and Villages, New Community Areas outside of the Oak Ridges Moraine Conservation Plan area, we are recommending the title “Regional Greenlands System” be revised to “Regional Greenlands System (outside Urban Areas, Towns and Villages and New Community Areas)”. This will clarify that the minimum VPZs in this column do not apply to the Regional Greenlands System within the Urban Area as shown on Map 1.

We wish to thank your staff for meeting with us to discuss solutions that will address our concerns, and for the opportunity to continue to provide comments during the MCR process. We are requesting Table 3 be revised prior to Regional Council adoption and a corrected version be included in the Draft YROP version forwarded to the Province for approval. Should you have any questions or wish to discuss further, please contact me at any time.

Yours very truly,

Malone Given Parsons Ltd.



Don Given, MCIP, RPP

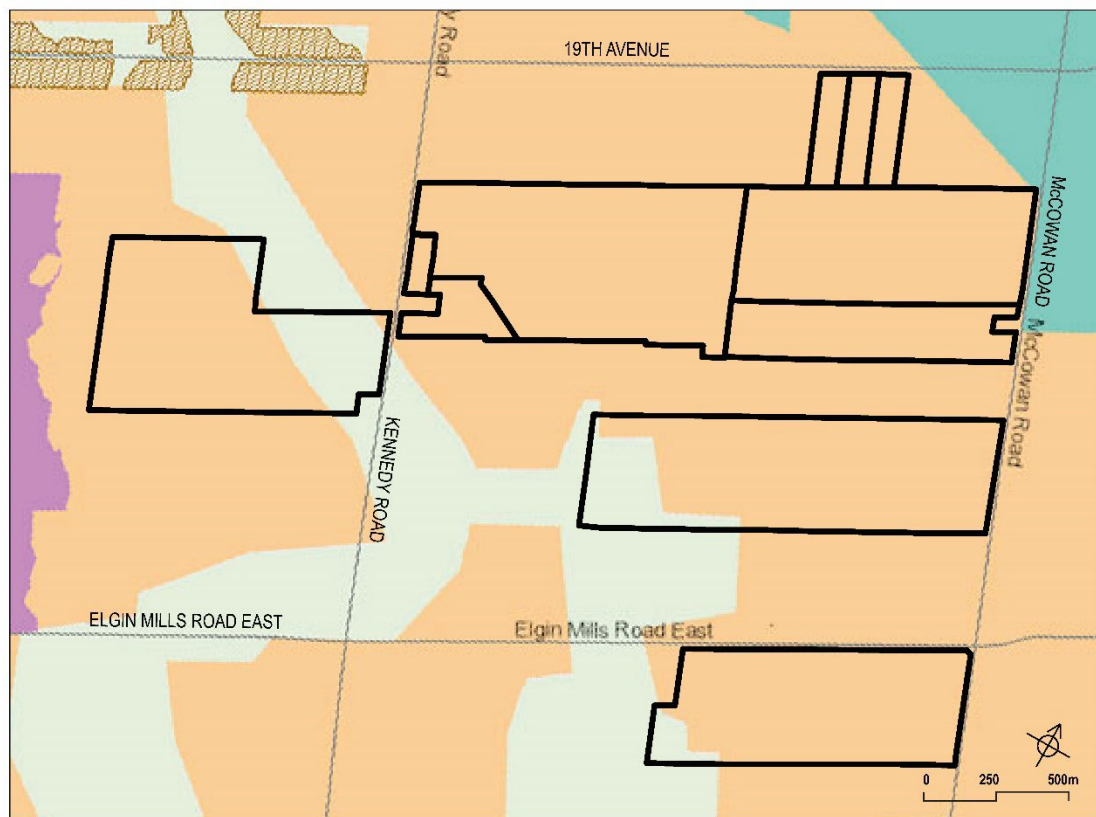
- att Attachment A – Location of the Subject Lands*
Attachment B – Proposed Title Revision to “Table 3: Minimum Buffer/Vegetation Protection Zone (VPZ)” (Draft YROP page 51)
- cc Paul Freeman, York Region*
Sandra Malcic, York Region
Augustine Ko, York Region
Arvin Prasad, City of Markham
Biju Karumanchery, City of Markham
Clients

APPENDIX A – LOCATION OF THE SUBJECT LANDS

Eleven properties located in the City of Markham’s Whitebelt lands, north of Elgin Mills Road, east of Warden Avenue and west of McCowan Road are collectively referred to as the “Subject Lands” as shown on Figure A below:

- McCowan Elgin Developments Inc. – 10690 McCowan Road
- Kennedy Elgin Developments Limited – 11162 Kennedy Road
- Nine Iron South East Developments Limited – 10982 McCowan Road
- WFS Developments Limited - 11142 McCowan Road
- Nine Iron East Developments Limited – 11270 McCowan Road
- Nine Iron Developments Limited – 11207 Kennedy Road
- Four Putt Developments Limited - 11181 Kennedy Road
- Snowman Developments Limited – 11155 Kennedy Road
- 5101 19th Developments Limited – 5101 19th Avenue
- 5079 19th Developments Limited – 5079 19th Avenue
- 5057 19th Developments Limited – 5057 19th Avenue

Figure A: Location of Subject Lands in the City of Markham



NEW COMMUNITY AREA LANDS North Markham Lands, City of Markham

Urban System	Agricultural System
Community Area	Agricultural Area
Employment Area	Rural Area
	Hamlet

3.4 NATURAL FEATURES

Recommend changing the title to read: "Regional Greenlands System (Outside Urban Areas, Towns and Villages, New Community Areas, and Villages, New Community Areas)"

3.4.13 That the *vegetation protection zone* and *adjacent land* to *key natural heritage features* and *key hydrologic features* shall be determined through *environmental impact study* and meet the minimum identified in Table 3 below:

Table 3: Minimum Buffer/Vegetation Protection Zone (VPZ)

Feature	Minimum Buffer/Vegetation Protection Zone (VPZ)					Minimum Area of Influence/ Adjacent Lands
	Protected Countryside of the Greenbelt Plan (outside the Regional Greenlands System)	Oak Ridges Moraine Conservation Plan (applies to Natural Core, Natural Linkage, Countryside and Settlement Areas)	Lake Simcoe Protection Plan	Regional Greenlands System	Urban Areas, Towns and Villages, Hamlets, New Community Areas (outside Oak Ridges Moraine Conservation Plan area)	
Habitat of endangered and threatened species	Determined in accordance with Provincial and Federal requirements	Determined in accordance with Provincial and Federal requirements	Determined in accordance with Provincial and Federal requirements	Determined by an <i>Environmental Impact Study</i> **	Determined in accordance with Provincial and Federal requirements	120m
Fish habitat	Determined by an <i>Environmental Impact Study</i>	30m	Determined by an <i>Environmental Impact Study</i>	30m	Determined by an <i>Environmental Impact Study</i>	120m
Areas of natural and scientific interest (ANSI)	Determined by an <i>Environmental Impact Study</i>	Determined by an <i>Environmental Impact Study</i> (earth science heritage evaluation for Earth Science ANSI)	Determined by an <i>Environmental Impact Study</i>	Determined by an <i>Environmental Impact Study</i>	Determined by an <i>Environmental Impact Study</i>	120m (50m for Earth Science ANSI in the ORMCP)
Significant valleylands	Determined by an <i>Environmental Impact Study</i>	30m	30m	Determined by an <i>Environmental Impact Study</i>	Determined by an <i>Environmental Impact Study</i>	120m
Significant woodlands	10m	30m	30m	30m	10m	120m