

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: November 5, 2015

CASE NOS.:

PL101128
PL101238

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990,
c. P. 13, as amended

Appellants:	See Attachment "1"
Subject:	Proposed Official Plan for the Regional Municipality of York
Municipality	Regional Municipality of York
OMB Case No.:	PL101128
OMB File No.:	PL101128
OMB Case Name:	Angus Glen North West Inc. and Angus Glen Holdings Inc. v. York (Regional Municipality)

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, R.S.O. 1990,
c. P. 13, as amended

Appellants:	Minotar Holdings Inc., Cor-lots Developments, Cherokee Holdings & Halvan 5.5 Investments Limited (collectively referred to as ("Minotar"))
Appellant:	Grace Chinese Gospel Church of North York
Appellant	North Markham Landowners Group
Subject:	Proposed Official Plan Amendment No. 3 ("ROPA 3")
Municipality	Regional Municipality of York (Town of Markham)
OMB Case No.:	PL101238
OMB File No.:	PL101238
OMB Case Name:	Grace Chinese Gospel Church of North York v. York (Regional Municipality)

BEFORE:

K.J. HUSSEY)	
VICE-CHAIR)	Thursday, the 5 th day of
)	
SARAH JACOBS)	November, 2015
MEMBER)	

THIS MOTION made by the Regional Municipality of York ("York Region") for an Order approving of certain policies in the York Region Official Plan 2010 ("ROP-2010") and the York Region Official Plan Amendment No. 3 ("ROPA 3") as further described herein;

WHEREAS the public hearing of the appeals in these matters has been divided into separate phases;

AND WHEREAS the Board having issued a Decision and Order on April 1, 2014 with respect to the Phase 1 hearing;

AND WHEREAS the parties having settled Phase 2 prior to the public hearing of Phase 1;

AND WHEREAS the Board having been advised that the parties to Phase 3 have settled and receiving Minutes of Settlement between York Region and Colebay Investments Inc., Highcove Investments Inc., Firwood Holdings Inc., Major McCowan Developments Limited and Summerlane Realty Corp., filed in these proceedings as Exhibit 270;

AND WHEREAS the Board having received a withdrawal letter from the Grace Chinese Gospel Church of North York;

AND WHEREAS the Board having received the affidavit evidence of Sandra Malcic (sworn September 21, 2015) filed on behalf of York Region pertaining to the approval of certain policies in the ROP – 2010 and ROPA 3 (the "Malcic Affidavit");

AND WHEREAS the Board previously having approved Orders for Partial Approval with respect to the ROP – 2010, including on November 8, 2011, July 11, 2012 (Order issued on August 23, 2012, "August 23, 2012 Order for Partial Approval"), September 19, 2012, October 25, 2012, May 13, 2015 and a decision made on May 29, 2015 (collectively referred to as "Approval Orders");

AND WHEREAS as a result of the settlement of Phase 3, the parties consent to the following Order:

THE BOARD ORDERS that:

1. In accordance with Section 17(50) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, York Region Official Plan Policy 3.1.8, attached hereto as **Schedule "A"** to this Order, is hereby approved and brought into force and effect (the "Approved Policy").
2. All ROP-2010 designations or identifications on Maps 1 to 6, 8 and 10, and Figure 3 previously identified as being subject to site specific appeal on the 'ROPA 3 Appeal Lands' (as previously identified on Appendix 2B) are hereby approved and brought into force and effect.
3. For purposes of clarity, to the extent not already approved and brought into force and effect, ROPA 3, in the form attached hereto as **Schedule "B"**, is hereby approved and brought into force and effect.
4. In accordance with paragraph 13 of the August 23, 2012 Order for Partial Approval, the following modifications and additions to the ROP – 2010 are hereby approved and brought into force and effect:
 - (a) New Policy 4.3.24;
 - (b) New Policy 4.5.18;
 - (c) Modified Policy 5.1.12(e);
 - (d) Modified Policy 5.6.18; and
 - (e) Modified the preamble to Section 6.3in the form set out in the attached **Schedule "C"**.
5. As a further result of this Order, Appendices 1, 2A and 2B from the August 23, 2012 Order for Partial Approval (and as amended subsequently through various Board Orders) are hereby amended in the form attached hereto as Appendices 1, 2A and 2B, respectively.

6. The schedules and appendices which are attached to this Order shall form part of this Order.
7. The Board may be spoken to should any matters arise respecting the implementation of this Order.

A handwritten signature in black ink, appearing to read "Joanne Hogg".

SECRETARY

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario

Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

Attachment 1 – List of Appellants

York region Official Plan – PL101128 (ROP) Appellants	Counsel
Angus Glen North West Inc. and Angus Glen Holdings Inc. (Appellant 1)	Patricia A. Foran/N. Jane Pepino jpepino@airdberlis.com Andrea Skinner askinner@airdberlis.com
E. Manson Investments (Appellant 2)	Patricia A. Foran/N. Jane Pepino pforan@airdberlis.com / jpepino@airdberlis.com Andrea Skinner askinner@airdberlis.com
North Leslie Residential Landowners Group Inc. (Appellant 3)	Patricia A. Foran/N. Jane Pepino pforan@airdberlis.com / jpepino@airdberlis.com Andrea Skinner askinner@airdberlis.com
North Markham Landowners Group (Appellant 4): <ul style="list-style-type: none"> • 1212763 Ontario Limited • 1463069 Ontario Limited • 1512406 Ontario Limited • 1612286 Ontario Inc. • 4551 Elgin Mills Developments Limited • CAVCOE Holdings Ltd. • EL-EN Packaging Company Limited • EL-EN Realty Limited • First Elgin Mills Developments Inc. • Glendower Properties Inc. • Haremar Plastic Manufacturing Limited • Haremar Realty Limited • Mackenzie 48 Investments Limited • Major Kennedy Developments Limited • Major Kennedy South Developments Limited • Frambordeaux Developments Inc. and Kennedy Elgin Developments Limited • Tsialtas, Peter and Cathy • Tung Kee Investment Limited Partnership • Warden Mills Development Limited • ZACORP Ventures Inc. 	Patricia A. Foran/N. Jane Pepino pforan@airdberlis.com / jpepino@airdberlis.com Andrea Skinner askinner@airdberlis.com
Romandale Farms Ltd. (<i>initially part of Appellant 4 but now separately represented</i>)	Susan Rosenthal susanr@davieshowe.com Meaghan McDermid meaghanm@davieshowe.com Michael Melling michaelm@davieshowe.com Assistant: Jules Calzavara julesc@davieshowe.com
Loblaw Properties Limited (Appellant 5)	Steven A. Zakem szakem@airdberlis.com
Rice Commercial Group of Companies (Non-East Gwillimbury Lands) (Appellant 6)	Ira T. Kagan ikagan@ksllp.ca
Yonge Green Lane Developments Limited (Appellant 7)	Steven A. Zakem szakem@airdberlis.com
Mr. Allen Eng (Appellant 8)	
Mr. John Hayes (Appellant 9)	
Mr. Paul Jadilevski (Appellant 10)	
Mr. Peter Antonopoulos (Appellant 11)	
Mr. Philip Comartin (Appellant 12)	
Mr. Shai Perlmutter (Appellant 13)	
Mr. Steven DeFreitas (Appellant 14)	
Peat Farmers of Ontario represented by Mr. Phil Comartin (Appellant 15)	

York region Official Plan – PL101128 (ROP) Appellants	Counsel
Property Owners with Rights Association represented by Paul Jadilebovski (Appellant 16)	
Kau & Associates L.P. (Appellant 17)	
Block 27 Landowners Group (Appellant 18)	
Dorzil Developments (Bayview) Ltd. (Appellant 19)	John M. Alati johna@davieshowe.com
Westlin Farms (Appellant 20)	Michael Melling michaelm@davieshowe.com
Lucia Milani and Rizmi Holdings Limited (Appellant 21)	Michael Melling michaelm@davieshowe.com Assistant: Jules Calzavara julesc@davieshowe.com
Daraban Holdings Limited (Appellant 22)	Mark Flowers Email : markf@davieshowe.com
SmartCentres and Calloway Real Estate Investment Trust (Appellant 23)	Mark Flowers markf@davieshowe.com
Yonge Bayview Holdings Inc. (Appellant 24)	Mark Flowers markf@davieshowe.com
583753 Ontario Ltd. (Appellant 25 and 40)	Susan Rosenthal susanr@davieshowe.com
775377 Ontario Ltd. (Appellant 26)	Susan Rosenthal susanr@davieshowe.com
Helmhorst Investments Ltd. (Appellant 27)	Susan Rosenthal susanr@davieshowe.com
Aurora 2C Landowners Group Inc. (Appellant 28)	Chris Barnett / Laura Bisset cbarnett@davis.ca / lbisset@davis.ca Assistant: Simone Oliveira soliveira@davis.ca
W. J. Smith Gardens Limited (Appellant 29)	Neil G. Davis neil.davis@daviswebb.com
Metrus Development Inc. (Appellant 30)	David Bronskill dbronskill@goodmans.ca
Upper City Corporation and Clear Point Developments (Appellant 31)	Roslyn Houser rhouser@goodmans.ca
Minotar Holdings Inc, Cor-lots Development, Cherokee Holdings and Halvan 5.5 Investments Limited (Appellant 32)	Catherine A. Lyons clyons@goodmans.ca
Dalton and Alan Faris and Eden Mills Estates Inc. (Appellant 33)	Susan Rosenthal susanr@davieshowe.com
Eden Mills Estates Inc. (initially part of Appellant 33)	Bobby Bhoola bobby@ballantryhomes.com
John Carlisle Robert G. Sikura (Appellant 34)	Patricia Foran / Jane Pepino pforan@airdberlis.com / jpepino@airdberlis.com Andrea Skinner askinner@airdberlis.com
Aurora-Leslie Developments Inc. (Appellant 35)	Ira T. Kagan ikagan@ksllp.ca
Fieldgate Developments and TACC Developments (Appellant 36)	Ira T. Kagan ikagan@ksllp.ca
Times Group Corporation (Appellant 37)	Ira T. Kagan ikagan@ksllp.ca
Memorial Gardens Canada Limited (Appellant 38)	W. Thomas Barlow tbarlow@fasken.com
Amir Hessam Limited and 668152 Ontario Ltd. (Appellant 41)	Susan Rosenthal susanr@davieshowe.com
Arten Developments Inc. (Appellant 42)	
Sanmike Construction Ltd. (Appellant 43)	John A.R. Dawson jdawson@mccarthy.ca
Canadian Mortgage and Housing Corporation (Appellant 44)	
Mahamevna Bhavana Asapuwa Toronto (Appellant 46)	
The Mandarin Golf and Country Club Inc. and AV Investments II Inc. (Appellant 47)	Richard R. Arblaster rick@arblasterlaw.com
Cornerstone Christian Community Church (Appellant 48)	
Tesmar Holdings Inc. (Appellant 49)	Michael Melling

York region Official Plan – PL101128 (ROP) Appellants	Counsel
	michaelm@davieshowe.com Assistant: Jules Calzavara julesc@davieshowe.com
Sustainable Vaughan (Appellant 50)	Satinder Rai sustainablevaughan@gmail.com
Markham Gateway Inc. (Appellant 51)	
CHFMS aka Trinison (Appellant 52): <ul style="list-style-type: none"> • Colebay Investments Inc. • Firwood Holdings Inc. • Highcove Investment Inc. • Major McCowan Developments Limited • Summerlane Realty Corp <i>(initially part of Appellant 4 but now separately represented)</i>	Roger T. Beaman rbeaman@thomsonrogers.com Stephen J. D'Agostino sdagostino@thomsonrogers.com

Amendment 1 – Urban Expansion in the Town of East Gwillimbury – OMB Case No. PL101233 (ROPA 1)	
Appellant	Counsel
Dalton and Alan Faris	Susan Rosenthal susanr@davieshowe.com
Eden Mills Estates Inc.	Bobby Bhoola bobby@ballantryhomes.com
Martin Pick, Thomas Pick and 132463 Ontario Inc.	Mark Flowers markf@davieshowe.com
Rice Commercial Group of Companies	Susan Rosenthal susanr@davieshowe.com

Amendment 2 – Urban Expansion in the City of Vaughan – OMB Case No. PL101237 (ROPA 2)	
Appellant	Counsel
Sustainable Vaughan	Satinder Rai sustainablevaughan@gmail.com

Amendment 3 - Urban Expansion in the City of Markham – OMB Case No. PL101238 (ROPA 3)	
Appellant	Counsel
Minotar Holdings Inc., Cor-lots Developments, Cherokee Holdings and Halvan 5.5 Investments Ltd	Catherine A. Lyons clyons@goodmans.ca
Grace Chinese Gospel Church of North York	Richard R. Arblaster, rick@arblasterlaw.com
North Markham Landowners Group: <ul style="list-style-type: none"> ▪ 1212763 Ontario Limited ▪ 1463069 Ontario Limited ▪ 1512406 Ontario Limited ▪ 1612286 Ontario Inc. ▪ 4551 Elgin Mills Developments Limited ▪ CAVCOE Holding Ltd. ▪ First Elgin Mills Developments Inc. ▪ Glendower Properties Inc. ▪ Kennedy Elgin Developments Limited ▪ Mackenzie 48 Investments Limited ▪ Major Kennedy Developments Limited ▪ Major Kennedy South Developments Limited ▪ Frambordeaux Developments Inc. ▪ Tsialtas, Peter and Cathy ▪ Tung Kee Investment Limited Partnership 	Patricia A. Foran/N. Jane Pepino pforan@airdberlis.com / jepino@airdberlis.com Andrea Skinner askinner@airdberlis.com AND Ira T. Kagan ikagan@ksllp.ca is co-counsel with respect to the following: 4551 Elgin Mills Developments Limited Kennedy Elgin Developments Limited Mackenzie 48 Investments Limited Major Kennedy Developments Limited Major Kennedy South Developments Limited Warden Mills Development Limited

Amendment 3 - Urban Expansion in the City of Markham – OMB Case No. PL101238 (ROPA 3)	
Appellant	Counsel
<ul style="list-style-type: none"> ▪ Warden Mills Developments Limited ▪ ZACORP Ventures Inc. 	
Romandale Farms Limited	Susan Rosenthal susanr@davieshowe.com Meaghan McDermid meaghanm@davieshowe.com Michael Melling / / Tanya Nayler michaelm@davieshowe.com tanyan@davieshowe.com
CHFMS aka Trinison: <ul style="list-style-type: none"> • Colebay Investments Inc. • Firwood Holdings Inc. • Highcove Investment Inc. • Major McCowan Developments Limited • Summerlane Realty Corp 	Roger T. Beaman rbeaman@thomsonrogers.com Stephen J. D'Agostino: sdagostino@thomsonrogers.com

Parties and Participants

Public Sector Party Status		
Municipality or other public agency / <u>Party</u>	Counsel	OMB proceeding in which <u>Party</u> status is granted
Township of King	Josephine A. Matera jmatera@airdberlis.com	PL101128
City of Markham	Chris Barnett cbarnett@davis.ca Laura Bisset lbisset@davis.ca Andrea Wilson-Peebles AWilson-Peebles@markham.ca Catherine Conrad cconrad@markham.ca Margaret Wouters mwouters@markham.ca Tim Lambe tlambe@markham.ca	PL101128 PL101233 PL101237 PL101238
City of Vaughan	Claudia A. Storto Claudia.Storto@vaughan.ca	PL101128 PL101233 PL101237 PL101238
MMAH	Ken Hare, Counsel, Ministry of AG ken.hare@ontario.ca 416-585-6404 Claire Young Claire.Young@ontario.ca Jonathan Sydor (Crown Law Office–Civil, MAG) Jonathan.Sydor@ontario.ca Mark Christie, Manager MMAH, Mark.christie@ontario.ca	
Town of East Gwillimbury	Bruce Ketcheson bketcheson@ritchieketcheson.com Andrew Biggart abiggart@ritchieketcheson.com Effie Lidakis elidakis@ritchieketcheson.com Don Sinclair dsinclair@eastgwillimbury.ca Hajnalka Hartwick hhartwick@eastgwillimbury.ca	PL101128 PL101233 PL101237 PL101238
Town of Richmond Hill	Antonio Dimilta adimilta@richmondhill.ca	PL101128 PL101233 PL101237 PL101238

Public Sector Participant Status		
Municipality or other public agency / <u>Participant</u>	Counsel	OMB proceeding in which <u>Participant</u> status is granted
Town of Newmarket	Esther Armchuk-Ball earmchuk-ball@newmarket.ca	PL101128
Town of Georgina	Signe Leisk / Raivo Uukkivi sleisk@casselsbrock.com ruukkiv@casselsbrock.com	PL101233

Public Sector Participant Status		
Municipality or other public agency / <u>Participant</u>	Counsel	OMB proceeding in which <u>Participant</u> status is granted
TRCA	Quentin Hanchard qhanchard@trca.on.ca	PL101128 PL101233 PL101237 PL101238

Landowner Party Status				
Landowner / <u>Party</u>	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	Policies to Which <u>Party</u> Status Relates
Angus Glen Developments Ltd. Angus Glen Golf Club Ltd.	Signe Leisk sleisk@casselsbrock.com Raivo Uukkivi ruukkivi@casselsbrock.com	PL101238 (ROPA 3)	ROPA 3 – North Markham Landowners Group	ROPA 3 - Policies and mapping raised by North Markham Landowners Group appeal respecting the urban boundary expansion as delineated by ROPA 3 and the alternative urban boundary line
Haulover Investments Ltd.	Jeffrey E. Streisfield jeffrey@landplanlaw.com	PL101128 (ROP)	PL101128 – 1, 2, 18, 19, 23, 28, 36, 37	5.2.20 and 5.2.21, 3.5.7, 7.2.31, 7.2.32, 7.2.52, 7.5.3, 7.5.4
William H. Worden and Yvonne W. Worden, Montanaro Estates Limited	Jeffrey E. Streisfield jeffrey@landplanlaw.com	PL101128 (ROP)	N/A	Amendments to Maps 1, 2 and 8 of ROP - 2010 for the Worden/Montanaro lands to carry forward the approved ROPA 41 land use designations for those lands.
Vaughan 400 Landowners Group Inc.	Michael Melling michaelm@davieshowe.com	PL101128 (ROP)	N/A	Lifting of deferral area 2 in ROPA 52
Harry John Lewis and Murray Allin Lewis, Donald Millar	Donald Hindson donald@cattanach.ca	PL101128 (ROP) PL101238 (ROPA 3)	PL101128 – 47 ROPA 3	Chapter 2 policies and related maps, figures and definitions, as set out in Mr. Hindson's letter of May 4, 2011 ROPA 3 – Map 2

Landowner Party Status				
Landowner / Party	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	Policies to Which Party Status Relates
Berczy Glen Landowners Group Inc. Ruth-Elizabeth Brock Lois Marguerite Frisby Charlotte Marie Frisby Marguerite Alice Gallone Gerhard Schickendanz Elma Schickendanz Wagema Holdings Limited Lorna Mary Passafiume Walmark Holdings Inc.	Lyn Townsend ltownsend@weirfoulds.com Jennifer Meader jmeader@weirfoulds.com	PL101238 (ROPA 3)	ROPA 3 – North Markham Landowners Group	ROPA 3 - Policies and mapping raised by North Markham Landowners Group appeal respecting the urban boundary expansion as delineated by ROPA 3 and the alternative urban boundary line
MI Developments Inc.	Steven A. Zakem szakem@airdberlis.com	PL101128 (ROP)	PL101128 – 49	Policies which may be raised by Tesmar appeal
Delisle Properties Limited	Cathy Facciolo cfacciolo@bratty.com	PL101128 (ROP)	PL101128 – 49	Policies which may be raised by Tesmar appeal
Block 34 East Landowners Group Inc.	Roslyn Houser rhouser@goodmans.ca	PL101128 (ROP)	N/A	Lifting of deferral area 1 in ROPA 52
Dorzil Developments (Bayview) Ltd.	John M. Alati johna@davieshowe.com	PL101233 (ROPA 1)	PL101233 (ROPA 1)	ROPA 1
Canada Mortgage and Housing Corporation ("CMHC") and Quaestus Corporation	Patrick Devine/Mark Piel Patrick.devine@fmc-law.com mark.piel@fmc-law.com	PL101128 (ROP)	PL101128 – 23 and 37	Policy identified as "old 4.3.8" on Exhibit 4
Halvan 5.5 Investments Limited	Catherine A. Lyons clyons@goodmans.ca	PL101128 (ROP)	PL101128 - 32	Policies at issue in Minotaur et. al appeals
Kau and Associates	Cathy Facciolo cfacciolo@bratty.com	PL101128 (ROP)	PL101128 – 5, 6, 23, and 37	4.3.3; 4.3.4; 4.3.7; 4.3.9; 4.3.12; 4.4.6; definition of "Major Retail"
Mahamevna Bhavana Asapuwa Toronto	Mark Flowers markf@davieshowe.com	PL101128 (ROP)	PL101128 - 47	6.3.2, 6.3.3, 6.3.10 and Map 8
Block 27 Landowners Group Inc.	Michael Melling michaelm@davieshowe.com	PL101128 (ROP) PL101237 (ROPA 2)	PL101128 – 4, 19, 30 PL101237 (ROPA 2)	Appeals and policies as set out in correspondence between D. Klacko and M. Melling on June 13 and 14, 2011 and July 8 and 18, 2011 (filed as Exhibit 23)

Landowner Party Status				
Landowner / <u>Party</u>	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	Policies to Which <u>Party Status</u> Relates
Huron-Wendat Nation	Simon Picard simon.picard@cnhw.qc.ca	PL101128 (ROP)	PL101128 – 4, 27	3.4.11 and 3.4.14
Block 40/47 Developers Group Inc.	Michael Melling michaelm@davieshowe.com	PL101128 (ROP)	PL101128 (ROP)	Chapter 2; section 3.5; policies 5.6.23 - 5.6.32; policies 8.4.15 to 8.4.20; Maps 1 – 5, 6 and 8 Figure 3
1539253 Ontario Inc.	Michael Melling michaelm@davieshowe.com	PL101128 (ROP)	PL101128 (ROP)	2.1.10 (re: recreation uses); 6.1.6.3 and 6.4 (re: recreation uses); 8.4.16 – 8.4.20: Maps 1,2, 8 and Figure 3
445158 Ontario Inc. (Meldan), Mr. Tracy Ellis and Ms. Kelly Ellis	Michael Melling michaelm@davieshowe.com	PL101128 (ROP)	PL101128 (ROP)	Site Specific: 8.4.15 to 8.4.20
Karma Tekchen Zabsal Ling		PL101128 (ROP)	PL101128 (ROP)	Site Specific: 8.4.15 to 8.4.20
878211 Ontario Ltd.		PL101128 (ROP)	PL101128 (ROP)	Site Specific: 8.4.15 to 8.4.20
Mr. Borden Kent		PL101128 (ROP)	PL101128 (ROP)	Site Specific: 8.4.15 to 8.4.20
Wholesale Forest Products Ltd.		PL101128 (ROP)	PL101128 (ROP)	Site Specific: 8.4.15 to 8.4.20
Ms. Sheryl Kotzer, Mr. Howie Kotzer, Mr. Michael Kotzer	Chad B. John-Baptiste, MCIP, RPP Senior Planner, MMM Group Limited John-BaptisteC@mmm.ca	PL101128 (ROP)	PL101128 (ROP)	<i>Site specific: 8.4.15 and 8.4.20</i>
Mr. Gary Foch	Gary Foch garyfoch@rogers.com	PL101128 (ROP)	PL101128 (ROP)	Site specific: 8.4.15 and 8.4.20
South Sharon Developments Inc.	Jason Park jason.park@devinepark.com jason.park@dentons.com	PL101233 (ROPA 1)	PL101233 (ROPA 1)	ROPA 1
Acorn Development Corporation Ladyfield Construction Ltd., Farm Cove Holdings Inc., Fetlar Holdings Ltd.	Roslyn Houser rhouser@goodmans.ca	PL101233 (ROPA 1)	PL101233 (ROPA 1)	ROPA 1

Landowner Participant Status				
Landowner / Participant	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	Policies to Which Participant Status Relates
Trevor Rose	Howard Friedman hbrplanning@bellnet.ca	PL101128 (ROP)	PL101128	Participant status sought to monitor 2.2.19, 2.2.31, 2.2.34, 2.2.35, Map 8,6.3.7(d), 8.3.3. and definition of "Agricultural Uses"
Angelo Antonangeli, Leslie Gardens				
1450968 Ontario Inc. c/o Peter Gorin				
Intracorp Projects Acquisitions Ltd.	Michael Melling michaelm@davieshowe.com	PL101128 (ROP)	PL101128	Participant status sought to monitor and protect interests respecting designation, mapping and policies applicable to subject lands in Richmond Hill as identified in May 9, 2011 email from Mr. Melling.
South Sharon Developments Inc.	Jason Park jason.park@devinepark.com jason.park@dentons.com	PL101128 (ROP) PL101233 (ROPA 1)	PL101128 ROPA 1	Participant status sought to monitor proceedings to ensure no amendments that would impact subject lands set out in May 9, 2011 letter.
William H. Worden and Yvonne W. Worden Montanaro Estates Limited	Jeffrey E. Streisfield jeffrey@landplanlaw.com	PL101128 (ROP)	PL101128	Participant status re Chapter 2 of ROP.
Markham Gateway Inc.	Roger T. Beaman rbeaman@thomsonrogers.com	PL101128 (ROP)	PL101128	
165 Pine Grove Investments Inc.	Adam Brown adam@shermanbrown.com	PL101128 (ROP) PL101237 (ROPA 2)	PL101128 PL101237	Participant status to monitor policies 5.1, 5.2 and 5.3 and ROPA 2.
Devon Lane Construction Ltd.	Lyn Townsend Weir Foulds ltownsend@weirfoulds.com	PL101128 (ROP)	PL101128 (ROP)	Provisions specified and agreed upon as between the Region and Devon Lane Construction Ltd.
Haulover Investments Ltd.	Jeffrey E. Streisfield jeffrey@landplanlaw.com	PL101128 (ROP)	PL101128	Site Specific: 8.4.15 to 8.4.20

Landowner Party Status – Phase 3 of Hearing Only added by Board Order during the Phase 1 Hearing

Landowner / <u>Party</u>	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	Policies to Which <u>Party</u> Status Relates
Remington Steeles 9 Inc. Barry Glenn Little Robert Brownlee Little	Brattys LLP 7501 Keele Street, Suite 200 Vaughan, ON L4K 1Y2 Caterina Facciolo cfacciolo@bratty.com 905-760-2600 x 293	PL101238 (ROPA 3)	PL101238 (ROPA 3)	Boundary of urban area expansion
Infrastructure Ontario ("IO"), as agent for the Ministry of Infrastructure	John Dawson jdawson@mccarthy.ca	PL101238 (ROPA 3)	PL101238 (ROPA 3)	Boundary of urban area expansion
Linvest Properties (Cornell East) Limited	Aird & Berlis LLP Brookfield Place, 181 Bay Street, Suite 1800, Box 754 Toronto, ON M5J 2T9 Patricia A. Foran / Andrea Skinner Pforan@airdberlis.com 416-865-7727 askinner@airdberlis.com	PL101238 (ROPA 3)	PL101238 (ROPA 3)	Boundary of urban area expansion
Varlese Brothers Ltd.	Cassels Brock and Blackwell LLP, 2100 Scotia Plaza, 40 King St W Toronto, ON M5H 3C2 Signe B. Leisk sleisk@casselsbrockc.com Tel: 416-869-5411 Raivo Uukkivi ruukkivi@casselsbrock.com Tel: 416-860-6613	PL101238 (ROPA 3)	PL101238 (ROPA 3)	Boundary of urban area expansion
Cornell Rouge Development Corporation	Niomie Massey (Project Manager) Cornell Rouge 369 Rimrock Rd., Toronto, ON M3J 3G2 Tel: 414-661-4000 Fax: 416-661-4229 niomie@madisongroup.ca	PL101238 (ROPA 3)	PL101238 (ROPA 3)	Boundary of urban area expansion
Norfinch Construction (Toronto) Limited	Cassels Brock and Blackwell LLP, 2100 Scotia Plaza, 40 King St W Toronto, ON M5H 3C2 Signe B. Leisk sleisk@casselsbrockc.com	PL101238 (ROPA 3)	PL101238 (ROPA 3)	Boundary of urban area expansion

<u>Landowner Party Status – Phase 3 of Hearing Only added by Board Order during the Phase 1 Hearing</u>				
Landowner / <u>Party</u>	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	Policies to Which <u>Party</u> Status Relates
	Tel: 416-869-5411 Raivo Uukkivi ruukkivi@casselsbrock.com Tel: 416-860-6613 Julius De Ruyter Planning and development service Tel (416) 694-9011 Email: julius@deruyter.ca			
1269028 Ontario Limited	Gerald T. Miller gerry.miller@gmalaw.ca Gerald T. Miller Gardiner Miller Arnold LLP Barristers and Solicitors 1202 - 390 Bay Street Toronto, Ontario M5H 2Y2 Tel. (416) 363-2614 x228 Fax (416) 363-8451 H. Gerson hdgerson@gersonlawyers.com	PL101238 (ROPA 3)	PL101238 (ROPA 3)	Boundary of urban area expansion
4716 Elgin Mills Markham Ltd. Kennedy MM Markham Ltd., Markham MMM North Development Corp. Markham MMM South Development Corp. (collectively "4716 Elgin Mills")	Jason Park jason.park@devinepark.com jason.park@dentons.com Mark Piel mark.piel@dentons.com	PL101128 PL101238 (ROPA 3) Re Phase 3 of the hearing only		Party status is subject to the terms set out in the Sign Back letter executed May 26, 2014 by counsel for 4716 Elgin Mills (Exhibit #257)

<u>Landowner Participant Status – Phase 3 of Hearing Only Added by Board Order during the Phase 1 hearing</u>				
<u>Landowner / Participant</u>	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	Policies to Which <u>Participant</u> Status Relates
Mark Cleveland McGean and Dianne McGean	Dianne & Mark McGean 7469 Hwy 7 Markham ON L6B 1A8 905-472-4231 diannemc@sympatico.ca	PL101238 (ROPA 3)	PL101238 (ROPA 3)	Boundary of urban area expansion

Schedule “A”

Policy 3.1.8 To support locally grown and produced agricultural products

Schedule “B”

Council Attachment 3

**Amendment 3
to the
Official Plan
for the
Regional
Municipality of York**

File 19OP-2009-003

As modified
September 2010

AMENDMENT 3
TO THE OFFICIAL PLAN
FOR
THE REGIONAL MUNICIPALITY OF YORK

PART A - THE PREAMBLE

1. **Purpose of the Amendment:**

This Amendment expands the Urban Area of the Town of Markham to provide opportunities for urban growth to the year 2031.

2. **Location:**

This urban expansion is within the Town of Markham as shown on attached Figures 1 to 8, being excerpts from Maps 1 to 6, Maps 8 and 11 of the York Region Official Plan – December 2009.

3. **Basis:**

Places to Grow, The Growth Plan for the Greater Golden Horseshoe requires that Regional population and employment forecasts prescribed through Schedule 3 to the Growth Plan be allocated to local municipalities. Further the Growth Plan requires that comprehensive municipal reviews undertake land budget analysis to justify urban expansions.

Regional population and employment forecasts and land budget was received and endorsed by Regional Council in January 2009 and population and employment forecasts were confirmed when the Draft York Region Official Plan was released for public review and comment in June 2009.

The updated York Region Official Plan was adopted in December 2009 with Table 1 to the Plan identifying the population and employment forecasts to 2031 allocated to local municipalities.

A refined Regional land budget analysis, endorsed by Regional Council in March 2010, has resulted from ongoing discussions with local municipalities regarding land supply, the reduction in the total employment numbers to 780,000 and refinement of land take-outs for environmental features and non-developable lands within white belt areas. Further, urban expansion is not permitted into either the Protected Countryside of the Greenbelt Plan Area or into the Oak Ridges Moraine Conservation Plan Area.

The land budget analysis has indicated that additional urban land designations are required in each white belt community to meet the 2031 growth forecasts.

The Ministry of Municipal Affairs and Housing has advised that that designation of proposed urban expansions in the white belt communities requires a public review and amendment process separate from the Official Plan.

This Proposed Amendment provides for identification of an urban expansion area in the Town of Markham consistent with the growth management work undertaken by the Region and the Town of Markham and a policy that identifies the requirement to remove or amend Minister's Zoning Order 104/72 before development is approved in the portion of the urban expansion lands subject to the Ministers Zoning Order.

PART B - THE AMENDMENT

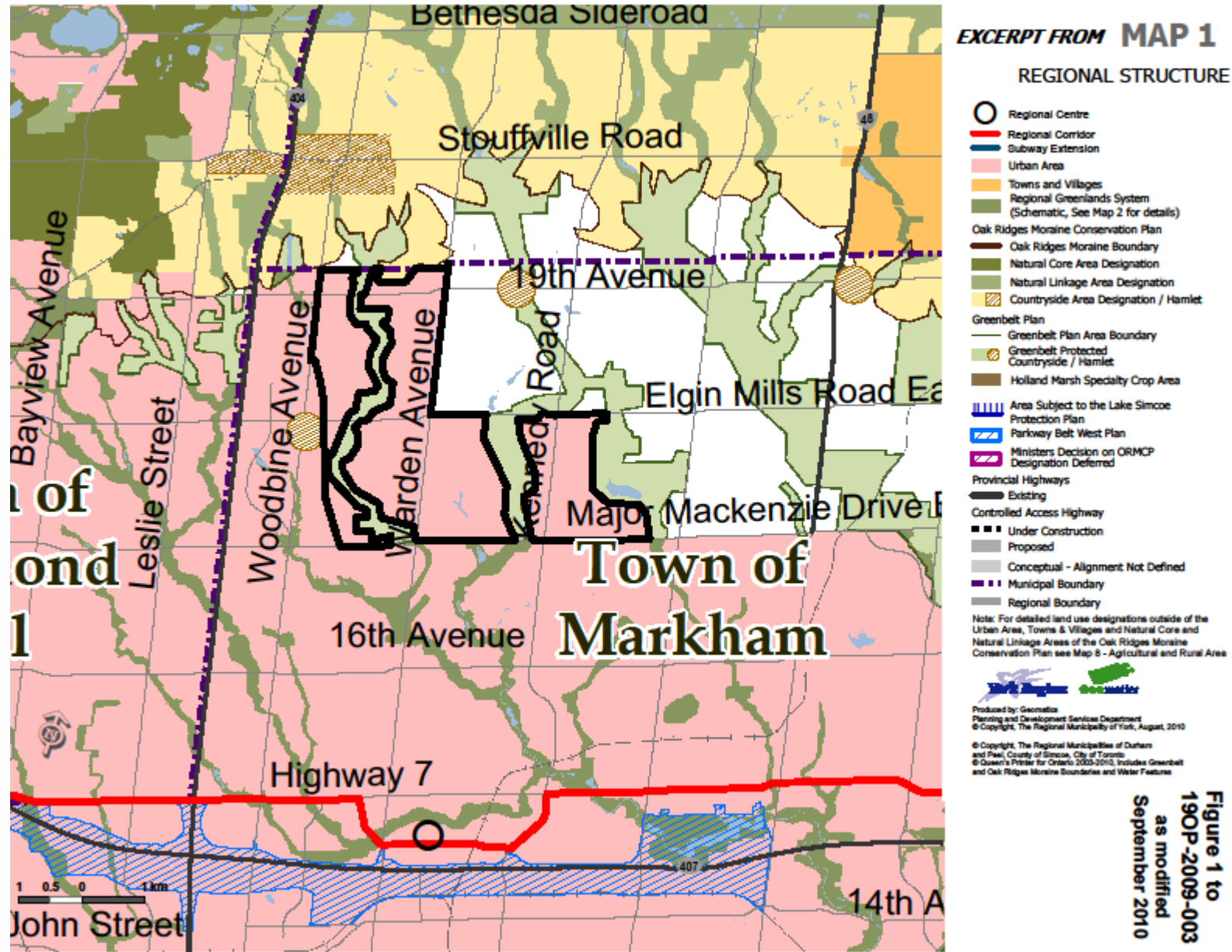
All of the Amendment entitled PART B - THE AMENDMENT, consisting of the attached Figures 1 to 9 being excerpts from Maps 1 to 6, Map 8, and Maps 11 and 12 of the York Region Official Plan – December 2009, constitutes Amendment 3 to the Official Plan for the Region of York.

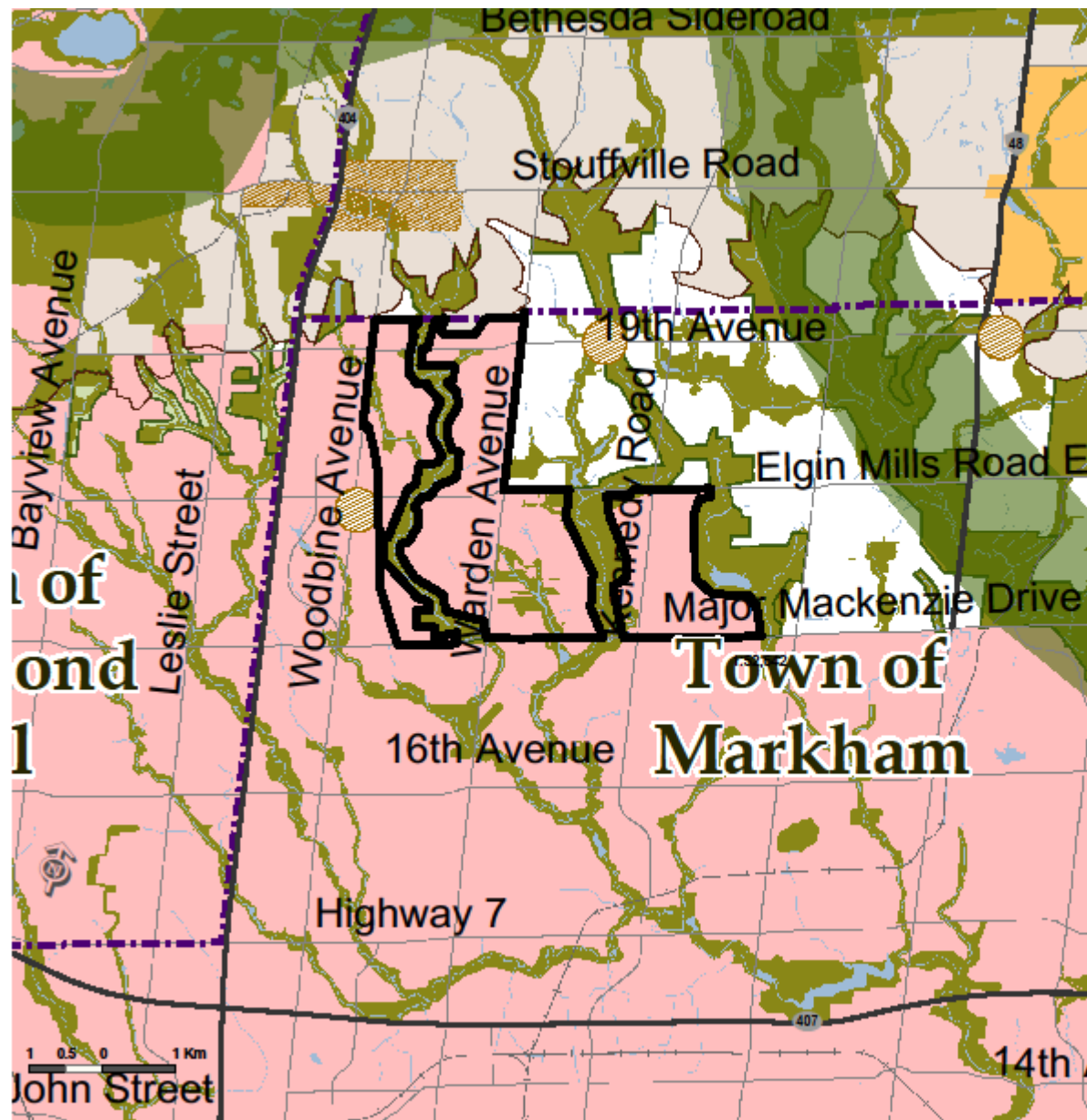
The Official Plan for the Region of York is hereby amended by the following:

1. The addition of a new Policy 7.2.8g as follows, with renumbering of subsequent policies:
 "7.2.8g That within the portion of the urban expansion area in the Town of Markham subject to Minister's Zoning Order 104/72, development shall not be approved until the Minister's Zoning Order has been removed from the lands or amended to permit the proposed development."
2. That Map 1 – Regional Structure as shown on Figure 1 following is amended by designating the lands outlined in black and coloured pink within the Town of Markham as Urban Area.
3. That Map 2 - Regional Greenlands System as shown on Figure 2 following is amended by designating the lands outlined in black and coloured pink within the Town of Markham as Urban Area and continuing to identify lands in the area as part of the Regional Greenlands System within the subject lands.
4. That Map 3 - Environmentally Significant Areas and Life Science Areas of Natural and Scientific Interest as shown on Figure 3 following is amended by designating the lands outlined in black and coloured pink within the Town of Markham as Urban Area.

5. That Map 4 – Key Hydrologic Features as shown on Figure 4 following is amended by designating the lands outlined in black and coloured pink within the Town of Markham as Urban Area and continuing to identify Wetlands and Permanent or Intermittent Streams in the area within the subject lands.
6. That Map 5 – Woodlands as shown on Figure 5 following is amended by designating the lands outlined in black and coloured pink within the Town of Markham as Urban Area and continuing to identify Woodlands within the subject lands.
7. That Map 6 – Wellhead Protection Areas as shown on Figure 6 following is amended by designating the lands outlined in black and coloured pink within the Town of Markham as Urban Area and as lands within the Greenbelt Plan.
8. That Map 8 – Agricultural and Rural Areas as shown on Figure 7 following is amended by deleting the lands hatched in black from the Agricultural Area in the Town of Markham.
9. That Map 11 Transit Network as shown on Figure 8 following is amended by:
 - (a) designating the lands outlined in black and coloured pink within the Town of Markham as Urban Area;
 - (b) designating the Woodbine Avenue bypass between Major Mackenzie Drive East and 19th Avenue, as “Regional Transit Priority Network”
 - (c) designating Warden Avenue between Major Mackenzie Drive East and the proposed Donald Cousens Parkway right-of-way as “Regional Transit Priority Network”, and
 - (d) designating Kennedy Road between Major Mackenzie Drive and the proposed Donald Cousens Parkway right-of-way as “Regional Transit Priority Network”.
10. That Map 12 – Street Network as shown on Figure 9 following is amended by:
 - (a) redesignating the Woodbine Avenue from Major Mackenzie Drive East following the Markham Bypass to its intersection with the existing travelled roadway from “Proposed Up to 36 metres” Regional Planned Basic Street Width to “Proposed Up to 43 metres” Regional Planned Basic Street Width and from the intersection of the Bypass with the existing travelled roadway to 19th Avenue from “Up to 36 metres” Regional Planned Basic Street Width to “Up to 43 metres” Regional Planned Basic Street Width.;
 - (b) redesignating Warden Avenue between Major Mackenzie Drive East and the proposed Donald Cousens Parkway right-of-way from “Up to 36 metres” Regional Planned Basic Street Width to “Up to 43 metres” Regional Planned Basic Street Width; and

- (c) redesignating Kennedy Road between Major Mackenzie Drive and the proposed Donald Cousens Parkway right-of-way from "Up to 36 metres" Regional Planned Basic Street Width to "Up to 43 metres" Regional Planned Basic Street Width.



**EXCERPT FROM MAP 2****REGIONAL GREENLANDS
SYSTEM**

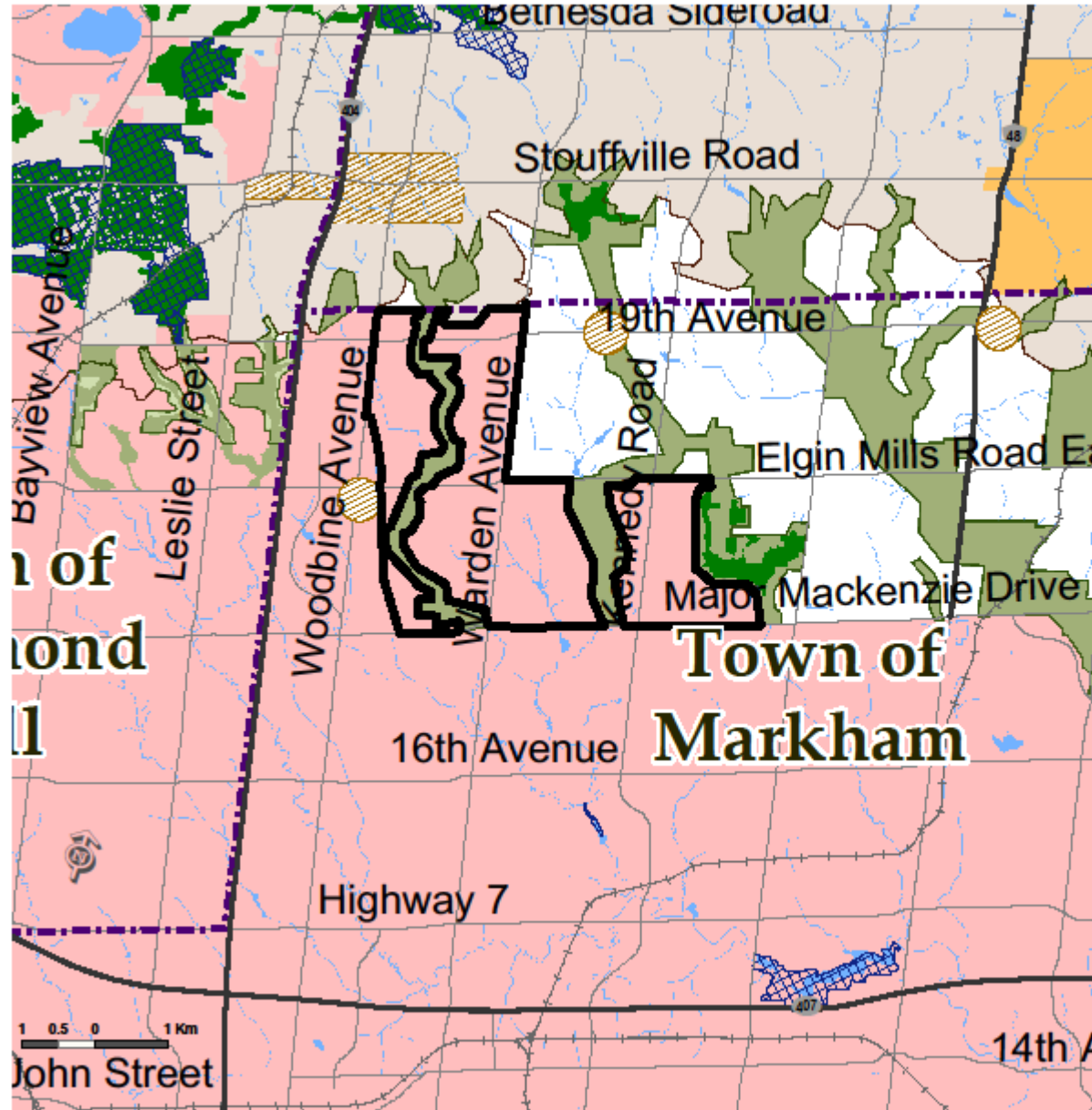
- Regional Greenlands System (includes Greenbelt Natural Heritage System and ORMCP Natural Core and Natural Linkage Designations)
- Greenlands System Vision
- Urban Area
- Towns and Villages
- Hamlet
- Oak Ridges Moraine Conservation Plan
- Oak Ridges Moraine Boundary
- Oak Ridges Moraine Plan Area
- Greenbelt Plan
- Greenbelt Plan Area Boundary
- Greenbelt Protected Countryside / Hamlet
- Provincial Highways
- Existing
- Controlled Access Highway
- Under Construction
- Municipal Boundary
- Regional Boundary

York Region Geomatics

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and Oak Ridges Moraine Boundaries and Water Features

**Figure 2 to
19OP-2009-003
as modified
September 2010**



EXCERPT FROM MAP 3

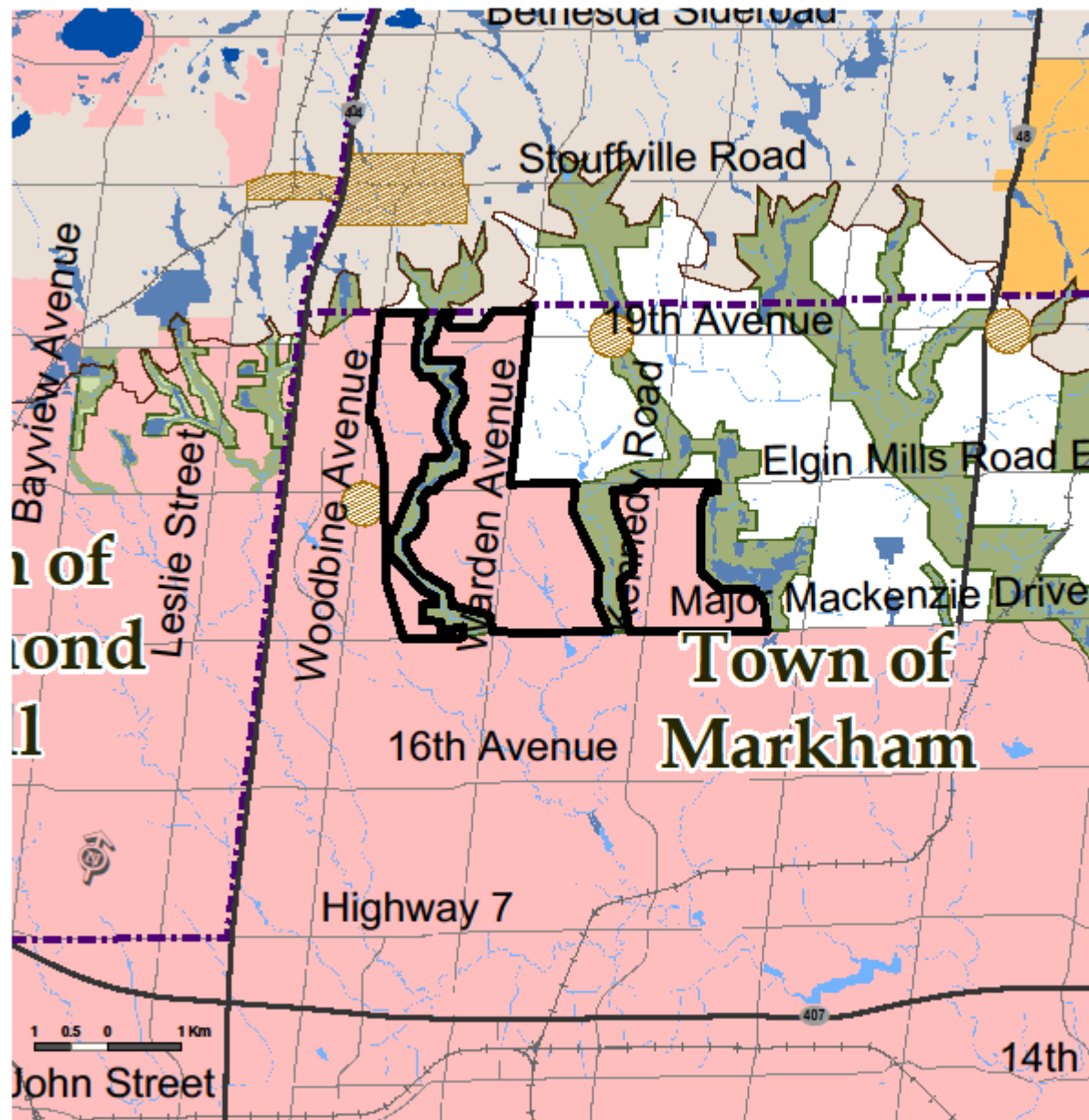
ENVIRONMENTALLY SIGNIFICANT AREAS AND AREAS OF NATURAL AND SCIENTIFIC INTEREST

- Environmentally Significant Area
- Earth Science Areas of Natural and Scientific Interest
- Life Science Areas of Natural and Scientific Interest
- Oak Ridges Moraine Conservation Plan
- Oak Ridges Moraine Boundary
- Oak Ridges Moraine Plan Area
- Greenbelt Plan
- Greenbelt Plan Area Boundary
- Greenbelt Protected Countryside / Hamlet
- Natural Heritage System
- Urban Area
- Towns and Villages
- Hamlet
- Provincial Highways
- Existing
- Controlled Access Highway
- Under Construction
- Municipal Boundary
- Regional Boundary



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Figure 3 to
190P-2009-003
as modified
September 2010

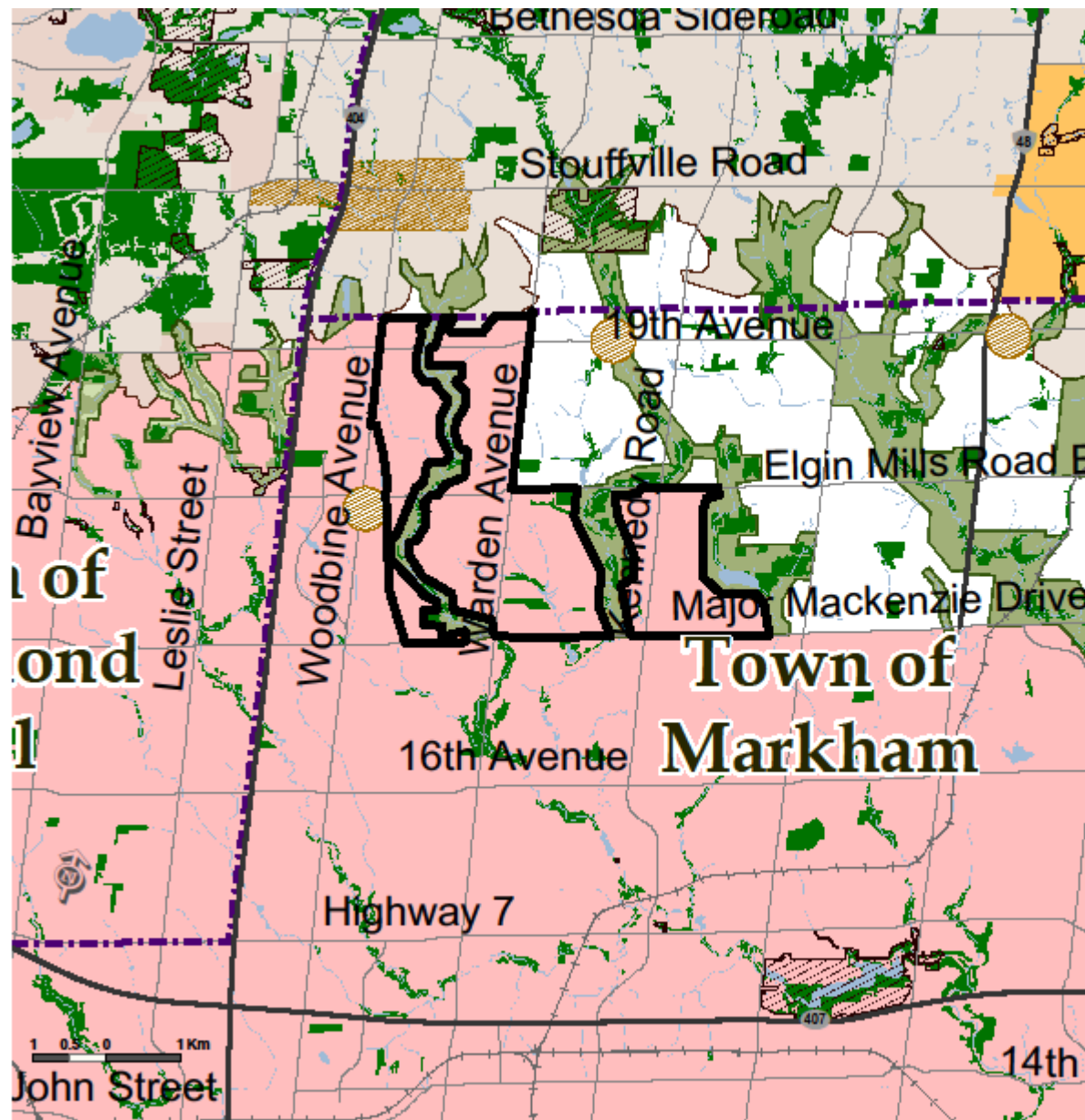
**EXCERPT FROM MAP 4****KEY HYDROLOGIC
FEATURES**

- Wetland
- Kettle Lake
- Permanent or Intermittent Stream
- Oak Ridges Moraine Conservation Plan
- Oak Ridges Moraine Boundary
- Oak Ridges Moraine Plan Area
- Greenbelt Plan
- Greenbelt Plan Area Boundary
- Greenbelt Protected Countryside / Hamlet
- Natural Heritage System
- Urban Area
- Towns and Villages
- Hamlet
- Provincial Highways
- Existing
- Controlled Access Highway
- Under Construction
- Municipal Boundary
- Regional Boundary



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**Figure 4 to
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as modified
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EXCERPT FROM MAP 5
WOODLANDS

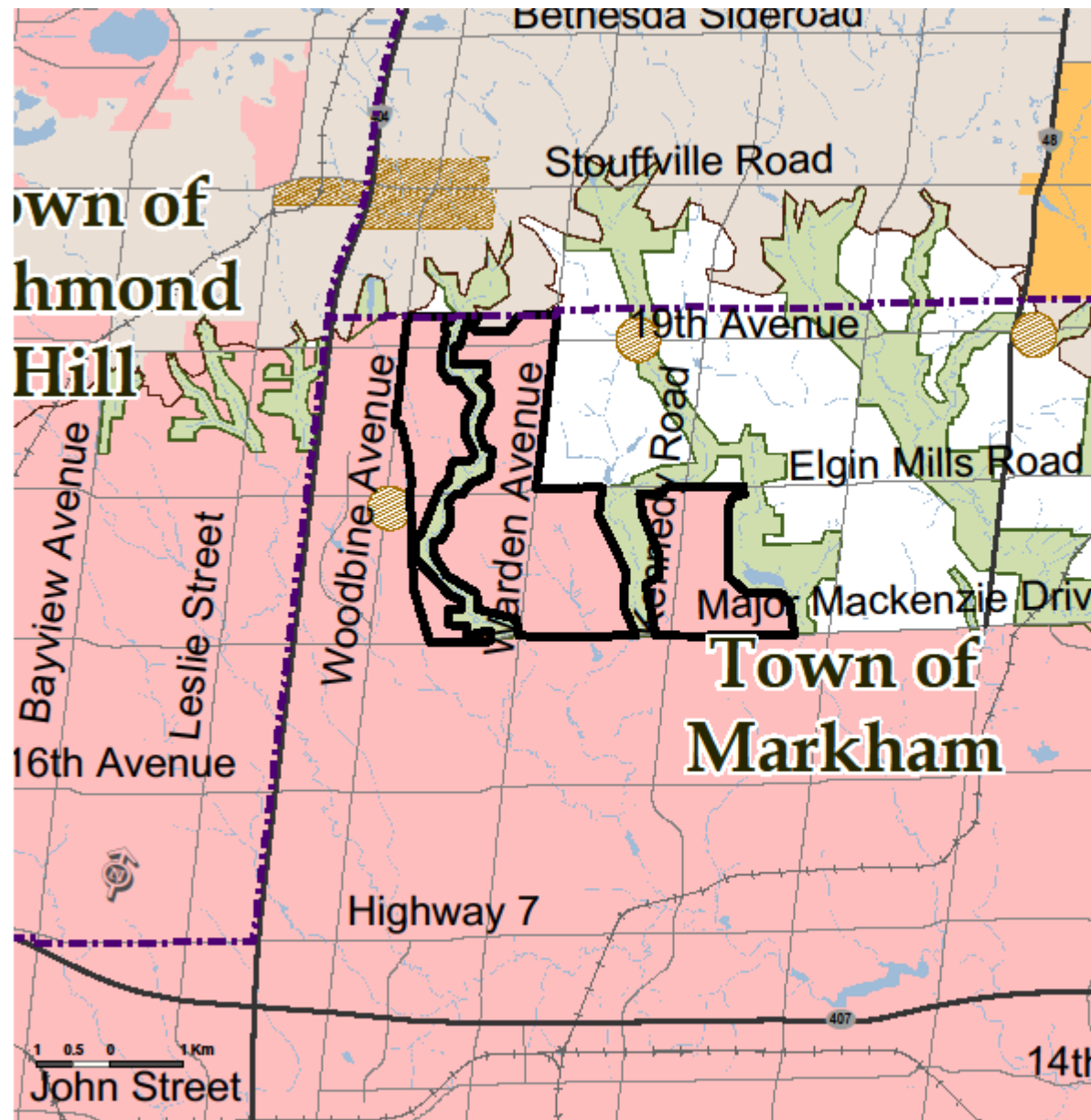
- Woodlands
- Conservation Area / Regional Forest
- Provincial Park / Nature Reserve
- Rouge Park
- Oak Ridges Moraine Conservation Plan
- Oak Ridges Moraine Boundary
- Oak Ridges Moraine Plan Area
- Greenbelt Plan
- Greenbelt Plan Area Boundary
- Greenbelt Protected Countryside / Hamlet
- Natural Heritage System
- Urban Area
- Towns and Villages
- Hamlet
- Provincial Highways
- Existing
- Controlled Access Highway
- Under Construction
- Municipal Boundary
- Regional Boundary

Markham Region Geomatics

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**Figure 5 to
19OP-2009-003
as modified
September 2010**

**EXCERPT FROM MAP 6****WELLHEAD
PROTECTION AREAS**

- Urban Area
- Towns and Villages
- Hamlet
- Municipal Boundary

Oak Ridges Moraine Conservation Plan

- Oak Ridges Moraine Boundary
- Oak Ridges Moraine Plan Area

Greenbelt Plan

- Greenbelt Plan Area Boundary
- Greenbelt Protected Countryside / Hamlet

- Area Subject to the Lake Simcoe Protection Plan

Provincial Highways

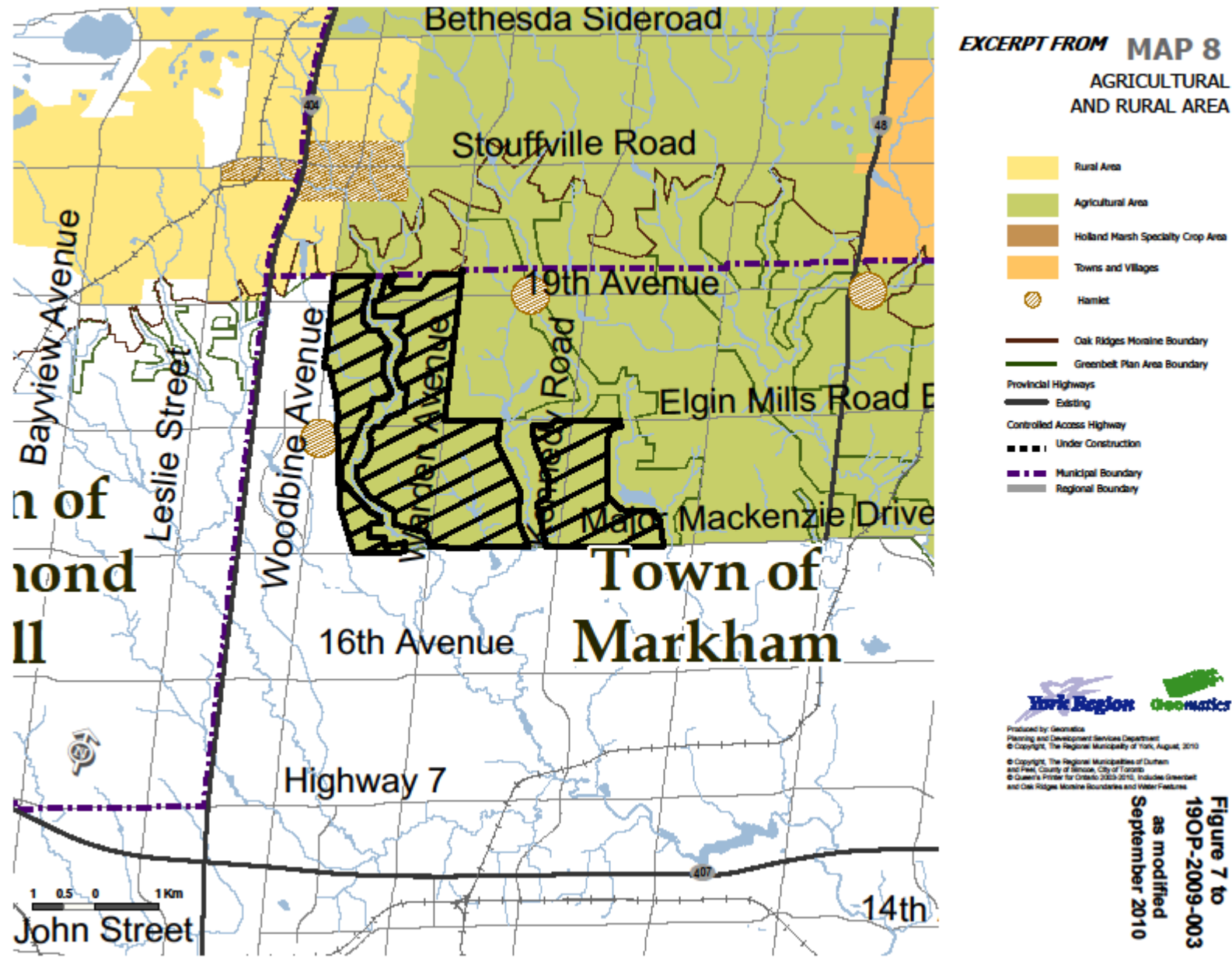
- Existing
- Controlled Access Highway
- Under Construction

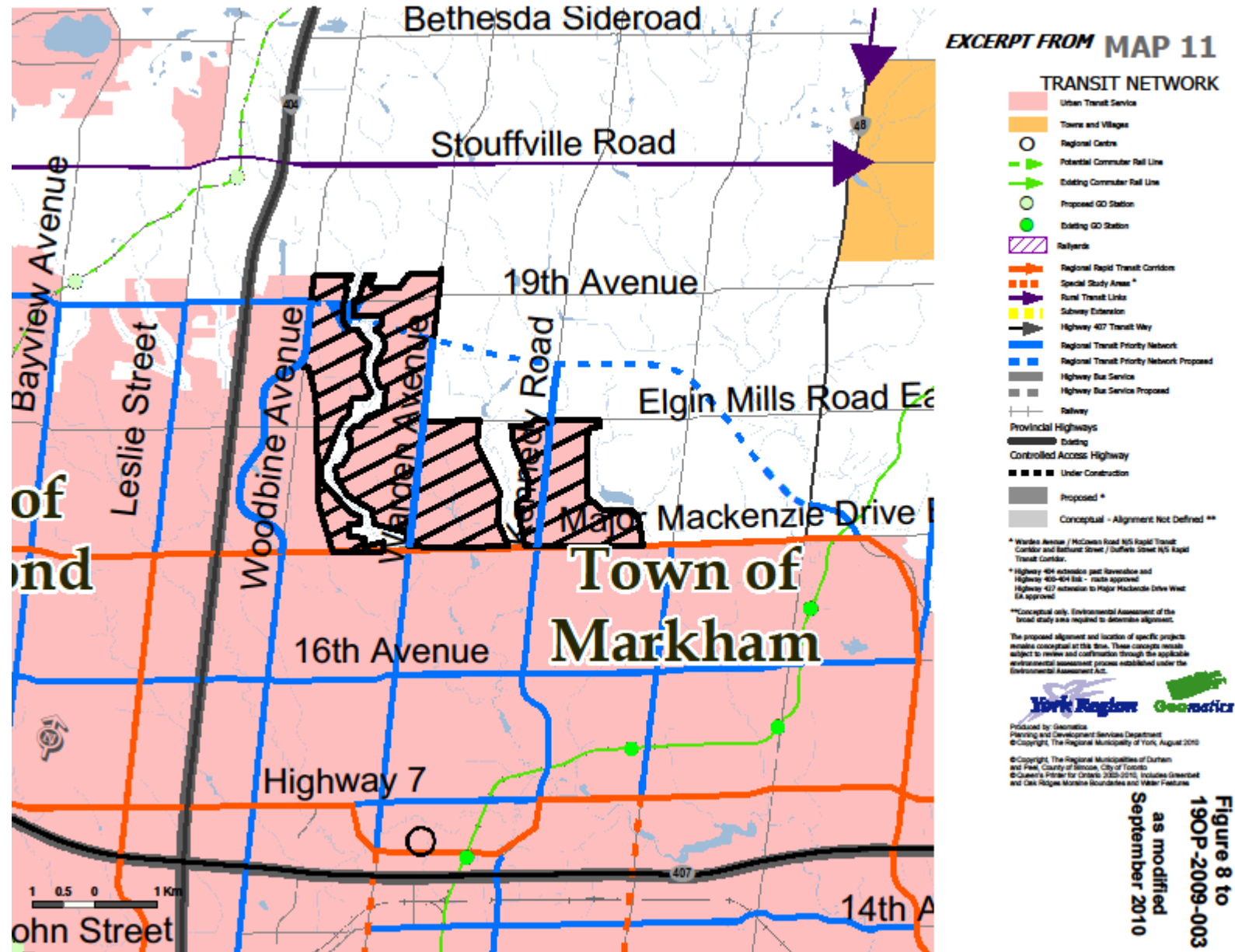


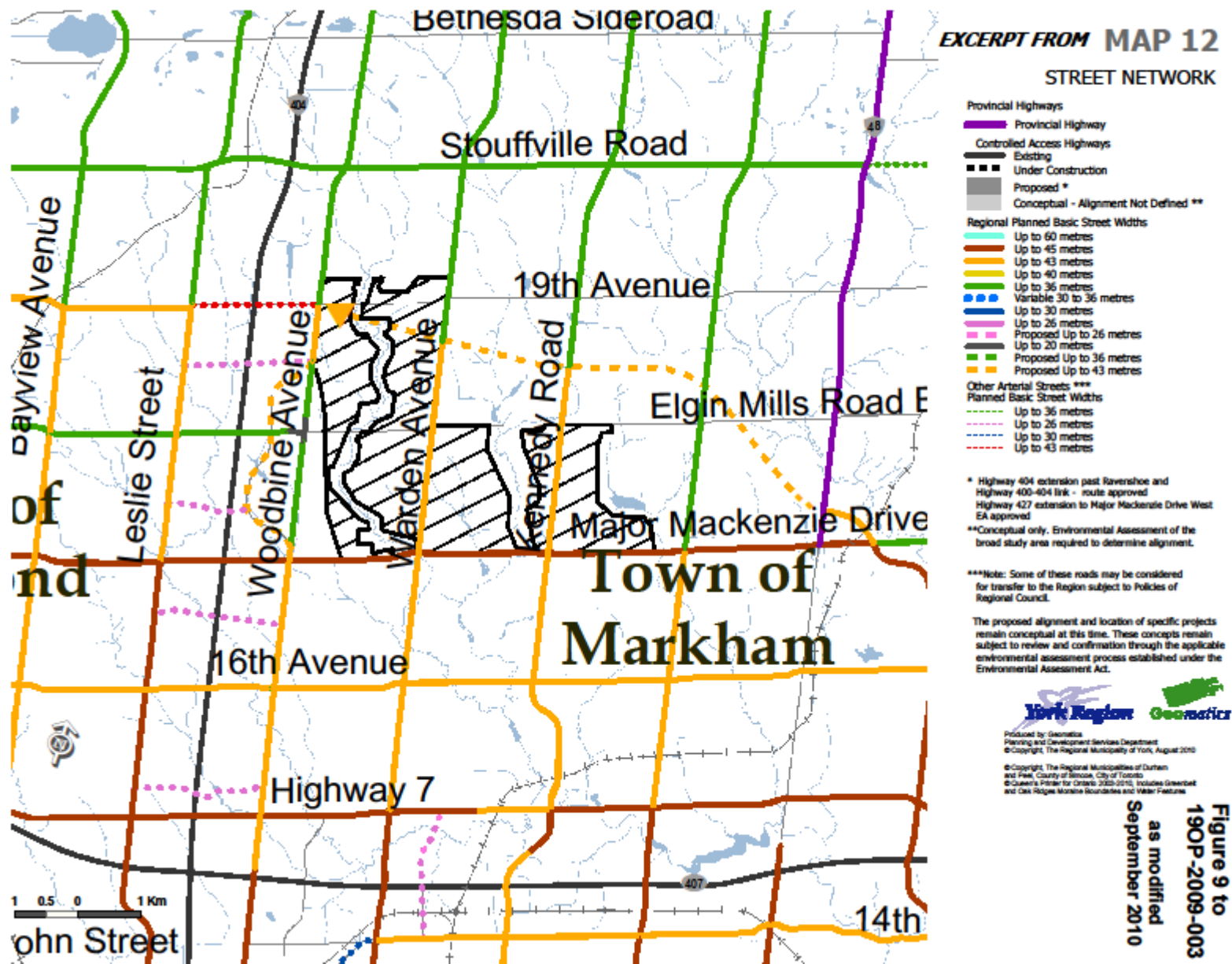
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**Figure 6 to
19OP-2009-003
as modified
September 2010**







Schedule “C”

4.3 Planning for Employment Lands

New policy to be added as follows:

- 4.3.24 “Lands located in the vicinity of Highway 48, Donald Cousens Parkway and the GO commuter rail line may have the potential to support future employment uses.”

New policy to be added as follows:

- 4.5.18 “To promote long term financial viability of infrastructure, through preparation of infrastructure master plans which plan beyond the 20-year planning horizon and to recognize, based on infrastructure planning, that the lands outside the boundary of the Urban Area and outside the Greenbelt Plan area boundary as identified on Map 2, may be required to accommodate future growth, as determined through future Regional *municipal comprehensive reviews*.”

5.1 Forecasting and Phasing Growth

Modify policy 5.1.12 e as follows:

- 5.1.12 e. “the role of the lands proposed for expansion that is supportive of the Region’s urban structure, including centres and corridors, Regional Rapid Transit Corridors, and GO commuter rail line;”

5.6 Building Complete, Vibrant Communities

Modify Policy 5.6.18 as follows:

- 5.6.18 “That, infrastructure in *new community areas* be planned to anticipate growth beyond the current planning horizon.”

6.3 Agricultural and Holland Marsh Speciality Crop Areas

New wording to be added at end of Section 6.3 preamble:

“The municipalities of Markham, Vaughan, East Gwillimbury, King and Whitchurch-Stouffville have agricultural and rural lands that lie outside the Greenbelt Plan and Oak Ridges Moraine Conservation Plan Area. These lands may be required to accommodate growth, subject to the tests and policies of the Provincial Policy Statement and the Growth Plan as applied through a Regional *municipal comprehensive review* of the York Region Official Plan.”

Appendix 1
Portions of the Modified ROP – 2010 Remaining Under Appeal on a Region-Wide Basis
February, 2015

Policy or Other Part of Plan Under Region-wide Appeal
Section 6.1 Section 6.2 Section 6.3 Save and excerpt the preamble and policy 6.3.10 Section 6.4

Note 1: Any sidebars which pertain to the above noted Chapters, Sections or Policies also remain under appeal Region-wide.

Appendix 2A
Portions of the Modified ROP – 2010 Remaining
Under Appeal on a Site Specific or Area Specific Basis
February 11, 2015

See Appendix 2B which identifies each of the below noted sites/areas geographically.

Policy, Amendment, or Other Part of Plan Under Appeal on Site/Area Specific Basis Only	Site or Area to Which Appeal is Restricted (Depicted on Appendix 2B)
ROP 2010 – entirety	Lucia Milani and Rizmi Holdings Lands
Chapter 2	Block 40/47 in the City of Vaughan (the “Block 40/47 Lands”) Smith Farm lands in Town of East Gwillimbury, west of 2 nd Concession Road, south of Ravenshoe Road, north of Holborn Road, east of the Holland River (“Smith Farm Lands”)
Policy 2.1.10	Part of Lots 27 and 28, Concession 7 at 10951 Kipling Avenue, City of Vaughan (the “1539253 Lands”)
Policies 2.2.44, 2.2.45, 2.2.46 and 2.2.48	Romandale Farms located at 3450 and 4044 Elgin Mills Road East in the City of Markham (“Romandale Farms”)
Section 3.5	Block 40/47 Lands Romandale Farms
Section 4.2	4.1 Acre Parcel – Northwest Corner of Jane St. and Riverrock Gate, City of Vaughan (“Tesmar Lands”)
Policies 4.2.1, 4.2.2 and 4.2.4	Yonge Bayview - Richmond Hill Centre Lands (“Yonge Bayview Lands”)
Sections 4.3 and 4.4	Rice Commercial Group of Companies (Major Mackenzie Lands)
Section 5.2	Block 40/47 Lands
Policy 5.2.10(d)	Yonge Bayview Lands
Policies 5.2.19 to 5.2.42	Romandale Farms
Policy 5.2.26	Tesmar Lands
Policy 5.3.3	Tesmar Lands
Section 5.4	Tesmar Lands
Policies 5.4.1, 5.4.2, 5.4.5 and 5.4.6	Yonge Bayview Lands
Policy 5.4.8(c)	Yonge Bayview Lands
Policy 5.4.9	Yonge Bayview Lands
Policies 5.4.12, 5.4.19 and 5.4.20	Yonge Bayview Lands
Policies 5.4.23 and 5.4.24	Yonge Bayview Lands

Policy 5.4.29	Tesmar Lands
Policy 5.5.3	Rice Commercial Group of Companies (Major Mackenzie Lands)
Policies 5.6.9, 5.6.10, 5.6.16 and 5.6.17	Romandale Farms
Policies 5.6.24 to 5.6.33 (formerly 5.6.23 to 5.6.32)	Block 40/47 Lands
Policies 7.2.60 and 7.2.74(b)	Mid Block Crossing between Elgin Mills Road and 19 th Avenue (775377 Ontario Ltd)
Policy 7.2.73	Rice Commercial Group of Companies (Major Mackenzie Lands)
Policies 8.2.3(d) and 8.2.3 (e)	Yonge Bayview Lands
Policies 8.4.15 to 8.4.20	Tesmar Lands
	Block 2, Reference Plan 65M-2287, Town of Richmond Hill (CMHC and Quaestus Corporation)
	1539253 Lands
	Block 40/47 Lands
	Rice Commercial Group of Companies (Major MacKenzie lands)
	Borden Kent Lands
	Wholesale Forest Products Ltd. Lands
Maps 1 to 6, and 8 and Figure 3	Kotzer / Foch Lands
	Block 40/47 Lands
	Tesmar Lands
	Westlin Farms Inc. (Part Lot 2, Concession 6, King Township)
	1539253 Lands
	Smith Farm Lands
	Romandale Farms
Map 12	Mid Block Crossing between Elgin Mills and 19 th Avenue (775377 Ontario Ltd)

Note 1: Where any of the above noted Chapters, Sections or Policies make reference to a defined term, the corresponding definition shall also remain under appeal on a site or area specific basis only to the extent that it is not listed on Appendix 1 as being under appeal on a Region-wide basis. Any sidebars which pertain to the above noted Chapters, Sections or Policies also remain under appeal on a site or area specific basis only.

Site and Area Specific Appeals

Lands Subject to ROP/ROPA Site/Area Specific Appeals

- 3 Borden Kent
- 4 Wholesale Forest Products Ltd.
- 5 Kotzer/Foch Properties
- 7 W.J. Smith Gardens
- 9 Westlin Farms
- 10 1539253 Ontario Inc.
- 11 Block 40/47 Lands
- 12 Lucia Milani and Rizmi Holdings
- 13 Tesmar (4.1 Acre Parcel at Jane and Riverrock Gate)
- 15 Mid Block Crossing between Elgin Mill Road and 19th Avenue
- 16 Rice Commercial Group of Companies
- 17 Yonge Bayview (Richmond Hill Centre Lands)
- 20 Romandale Farms

