

ISSUE DATE:

December 17, 2012



Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

PL101128

PL101233

PL101238

IN THE MATTER OF 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

IN THE MATTER OF subsection 17(24) of the *Planning Act*, R.S.O. 1990 c. P. 13, as amended

Appellant: 1596630 Ontario Limited
Appellant: Dalton & Alan Faris
Appellant: Eden Mills Estates Inc.
Appellant: Martin Pick, Thomas Pick & 132463 Ontario Inc.
Appellant: Rice Commercial Group of Companies
Subject: Proposed Regional Official Plan Amendment No. 1 (ROPA 1)
Municipality: Regional Municipality of York (Town of East Gwillimbury)
OMB Case No.: PL101233
OMB File No.: PL101233

IN THE MATTER OF subsection 17(24) of the *Planning Act*, R.S.O. 1990 c. P. 13, as amended

Appellant: 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 Regional Official Plan Amendment No. 3 (ROPA 3)
Municipality: Regional Municipality of York (Town of Markham)
OMB Case No.: PL101238
OMB File No.: PL101238

B E F O R E:

S. W. LEE
ASSOCIATE CHAIR

K.J. HUSSEY
VICE-CHAIR

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Monday, the 17th day of

December, 2012

THIS MATTER having come on for a public hearing on September 21, 2012;

AND the Board having heard the submissions of counsel for The Regional Municipality of York ("York Region") relating to the proposed approval of certain transit/transportation policies and maps (identified below) for inclusion in the York Region Official Plan – 2010 as modified ("ROP – 2010");

AND the Board having heard the submissions of counsel for certain other parties related to the proposed approval of those policies;

AND the Board having received the affidavit evidence of Loy Cheah, P. Eng. (sworn September 19, 2012), contained at Tab 3 of Exhibit #83, and of Barbara Jeffrey, MCIP, RPP (sworn September 19, 2012), contained at Tab 2 of Exhibit #83 pertaining to the proposed approval of the transit/transportation policies and maps (identified below), filed on behalf of York Region;

AND WHEREAS the Board previously having approved Orders for Partial Approval with respect to the ROP-2010 on November 8, 2011, July 11, 2012 (Order issued on August 23, 2012, "August 23, 2012 Order for Partial Approval") and on September 19, 2012;

AND WHEREAS policies 5.3.4, 5.6.12 (h) and section 7.2 (save and except policy 7.2.88) and Maps 11 (Transit Network) and 12 (Street Network) remained under Region-wide appeal pursuant to Appendix 1 of the August 23, 2012 Order for Partial Approval;

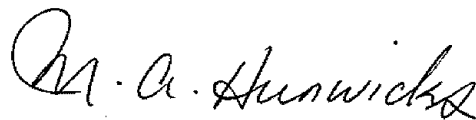
AND WHEREAS as a result of negotiation and mediation, the Region and the parties now consent to the following Order:

THE BOARD ORDERS that:

1. In accordance with section 17(50) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, those Chapter 7 policies attached hereto as Appendix "A" to this Order and associated Section 7.2 text, including sidebars and preambles attached as Exhibit "B" to the Affidavit of Barbara Jeffrey, sworn May 3, 2012 and filed as Exhibit #41 in these proceedings, as well as Maps 11 and 12, attached hereto as Appendices "B" and "C", respectively, to this Order, are hereby approved save and except with respect to policy 7.2.50, which shall remain under Region-wide appeal ("Approved Transit/Transportation Policies") and as otherwise contained herein.

2. In accordance with paragraph 13 of the August 23, 2012 Order for Partial Approval, the following modifications are hereby ordered:
 - a. Modification to the definition of "Planned Corridors", as contained in Appendix "A" herein;
 - b. Modification to the legend on the already approved Map 1 (approved pursuant to the August 23, 2012 Partial Approval Order), as contained in Appendix "D" herein; and
 - c. Renumbering approved policy 7.2.88 to 7.2.89.
3. Concurrent with the approval of the Approved Transit/Transportation Policies as set out herein, the concordant provisions of the 1994 Regional Official Plan, approved by the Minister of Municipal Affairs and Housing on October 17, 1994 and as Modified from time to time up to the date of this Order, as set out in the March 1, 2009 Office Consolidation (the "1994 Plan"), marked as Exhibit 66 in these proceedings, are hereby repealed and are no longer in force, as set out in Appendix "E", save and except as provided for in Minutes of Settlement entered into by the Region with various Appellants and/or Parties for the applicable time periods set out therein.
4. Subject to the matters set out in (a) – (d) below, the appeals of the Approved Transit/Transportation Policies are hereby completely resolved through this Order, save and except the following, which remain under appeal:
 - a. Policy 7.2.50 remains under Region-wide appeal;
 - b. 775377 Ontario Ltd. maintains its appeal with respect to the following, which will be dealt with during the site specific phase of the hearing (currently Phase 5):
 - i. Policies 7.2.60 and 7.2.74(b) (formerly identified in these proceedings as policies 7.2.59 and 7.2.73(b)) and Map 12 as it relates to the proposed highway 404 Mid Block Crossing between Elgin Mills Road and 19th Avenue in the Town of Richmond Hill (as contained in paragraph 4 (c)(i) of the Board's Order of September 19, 2012);
 - c. Yonge Green Lane maintains its appeal of Maps 11 and 12, as they relate to Green Lane East);

- d. Rice Commercial Group of Companies maintains a site specific appeal with respect to Policy 7.2.73 (formerly identified in these proceedings as policy 7.2.72), in accordance with Paragraph 14 of Exhibit 79.
5. As a result of this Order, Appendices 1, 2A and 2B from the August 23, 2012 Order for Partial Approval are hereby amended in the forms attached hereto as Appendices "F", "G" and "I" respectively.
6. On consent of the parties, policies 5.3.4 and 5.6.12(h) identified in Appendix "A" and the modified ROPA 3 policies listed in Appendix "H" are hereby approved, save and except policy 9 (a) which remains under appeal; however, a Board Order bringing these policies into force will be withheld pending final resolution of the within proceeding, or at such earlier date as may be determined by the Board. An Order bringing these policies into force at an earlier date can be sought on motion made by any party to these proceedings or on consent at any time.
7. The Region will not call evidence, or make submissions to the Board, that the partial resolution of any appeal of the ROP-2010 and ROPA 3 and the transportation matters set out herein, upon the consent of the affected Parties is, or should be found by the Board to be, an admission or acceptance in itself by the Parties of the planning merits of the maps, policies, figures, definitions, graphics and associated preambles and sidebar text approved by the Board pursuant to this Order or any previous Order.
8. Notwithstanding the approval herein, and in accordance with paragraph 13 of the August 23, 2012 Order for Partial Approval, the Board retains jurisdiction to consider and approve additions to approved maps, policies, figures, definitions, graphics and associated preambles and sidebar text, as they may relate to the issues then before the Board.
9. The appendices which are attached to this Order shall form part of this Order.
10. The Board may be spoken to should any matters arise respecting the implementation of this Order.



SECRETARY

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 pforan@airdberlis.com / jpepino@airdberlis.com
E. Manson Investments (Appellant 2)	Patricia A. Foran/N. Jane Pepino pforan@airdberlis.com / jpepino@airdberlis.com
North Leslie Residential Landowners Group Inc. (Appellant 3)	Patricia A. Foran/N. Jane Pepino pforan@airdberlis.com / jpepino@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
Romandale Farms Ltd. (<i>initially part of Appellant 4 but now separately represented</i>)	Michael Melling/Raj Kehar michaelm@davieshowe.com / rajk@davieshowe.com Assistant: Jules Calzavara julesc@davieshowe.com
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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)	

York region Official Plan – PL101128 (ROP) Appellants	Counsel
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)	
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/Raj Kehar michaelm@davieshowe.com / rajk@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/Jennifer Drake dbronskill@goodmans.ca / jdrake@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
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

York region Official Plan – PL101128 (ROP) Appellants	Counsel
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/Raj Kehar michaelm@davieshowe.com / rajk@davieshowe.com Assistant: Jules Calzavara julesc@davieshowe.com
Sustainable Vaughan -(Appellant 50)	
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>	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	

Amendment 3 - Urban Expansion in the Town of Markham – OMB Case No. PL101238 (ROPA 3)	
Appellant	Counsel
Minotar Holdings Inc., Corlots 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 ▪ Warden Mills Developments Limited ▪ ZACORP Ventures Inc. 	Patricia A. Foran/N. Jane Pepino pforan@airdberlis.com / jpepino@airdberlis.com
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Appendix “A” to Order for Approval – October 12, 2012

CHAPTER 7

Servicing Our Population

York Region is committed to providing state-of-the-art services for both residents and businesses, which are vital to maintaining and improving quality of life and economic competitiveness. Services include transit, streets, water, wastewater, waste management, energy, rail, airports, utilities, and communications operated by a variety of public and private sector agencies. The effective provision of services involves reducing demand while expanding and updating existing infrastructure. This approach requires a strong policy framework, dynamic partnerships and sustainable infrastructure investment from all levels of government.

The policies of this section co-ordinate the provision of services with the city and community building policies of this Plan, in keeping with the goals of the York Region Sustainability Strategy: Towards a Sustainable Region. The policies support the long term vision of the York Region Pedestrian and Cycling, Transportation, and Water and Wastewater Master Plans.

Servicing Our Population Goal

To provide the services required to support the Region’s residents and businesses to 2031 and beyond, in a sustainable manner.

7.2 Moving People and Goods

Active Transportation

York Region is committed to implementing a comprehensive, active transportation network. The Region’s approach to transportation planning is focused on trip reduction, providing transportation choices and a shift to more sustainable modes of transportation such as walking, cycling and transit. Active transportation provides significant environmental, health and economic benefits, including reduced traffic congestion, improved air quality, reduced infrastructure and user costs, and increased street safety.

Improving opportunities for active transportation such as walking and cycling and reducing automobile traffic can help make communities more liveable by creating an environment that is pleasant and safe with less noise and pollution. This can help to encourage more social interaction within a neighbourhood and create a stronger sense of community.

Objective

To create an active transportation system and programs that encourage walking, cycling and the use of public transit.

It is the policy of Council:

1. To implement the Regional Cycling Network shown on Map 10.
2. To update the York Region Pedestrian and Cycling Master Plan at least every 5 years, concurrent with the 5-year review of this Plan.
3. To apply the York Region Pedestrian and Cycling Master Plan’s Planning and Design Guidelines in the implementation of the Regional pedestrian and cycling network.
4. To develop an integrated Regional cycling network connecting people to places of recreation, services and employment and transit.
5. To provide safe, comfortable and accessible pedestrian and cycling facilities that meet the needs of York Region’s residents and workers, including children, youth, seniors and people with disabilities.
6. To partner with local municipalities and other stakeholders to implement pedestrian and cycling programs.
7. To work with local municipalities to co-ordinate infrastructure within Regional rights-of-way for operating and capital components, including street lighting, sidewalks and cycling facilities.

8. To work with local municipalities to provide sidewalks and streetlighting on all streets within the Urban Area, and Towns and Villages.
9. To ensure the safe year-round operation of Regional pedestrian, cycling and transit facilities through design, signage, enforcement and effective maintenance.
10. That the construction of proposed pedestrian and cycling paths will protect and enhance the Regional Greenlands System.
11. To integrate pedestrian, cycling and transit activities through improvements such as bicycle racks and storage at transit stops, bicycle racks on buses, and improved access for pedestrians and bicycles at transit stops, stations and terminals.
12. To encourage property owners to provide facilities such as benches, shelters and secure bicycle storage at major destinations, including employment, educational, institutional and shopping locations.
13. To co-ordinate Regional and local pedestrian and cycling networks with trail connections to the Regional Greenlands System trails network, where appropriate.
14. To develop and promote a continuous pedestrian and cycling path from Lake Simcoe to Lake Ontario in partnership with local municipalities and the City of Toronto.
15. To encourage the development and implementation of local municipal pedestrian and cycling master plans.
16. To partner with the York Region District and Catholic School Boards to implement the Active and Safe Routes to School program, and to design and locate school campuses to promote walking, cycling and transit as a primary means of transportation.
17. To work with the Province, Metrolinx and other partners to develop innovative programs that support active transportation, such as cycling safety training, education and information, bicycle sharing programs and bicycle libraries.
18. To encourage the Province and Federal government to provide funding and tools to support the development and promotion of active transportation as part of a healthy, active lifestyle.

Transit

An expanded, comprehensive and interconnected public transit system is required, both to reduce vehicular traffic and to provide access to jobs and services. A well-integrated public transit system in York Region is essential to enhancing the quality of life for residents and workers. A more compact, mixed-use urban form will encourage and support a higher level of transit service, while helping to reduce the overall average trip length required for work, shopping, school, recreation and other purposes. The York Region Transportation Master Plan sets immediate and long term public transit goals that form the basis for the transit network.

The establishment of two subway routes and a series of rapid transit and transit priority corridors are the cornerstones of York Region's transit network. This system complements a comprehensive pedestrian and cycling network, expanded Metrolinx rail and bus service, an aggressive Transportation Demand Management program and the development of transit-supportive complete communities. All major communities within the Region should be linked by public transit. An integrated and co-ordinated public transit system will serve most of the travel needs of potential riders at a reasonable cost.

York Region's continued commitment to improving transit services in partnership with local municipalities, Metrolinx, the Toronto Transit Commission, the Province, Federal government and other stakeholders is consistent with the Places to Grow: Growth Plan for the Greater Golden Horseshoe and with the Metrolinx Regional Transportation Plan: The Big Move.

Objective

To provide transit service that is convenient and accessible to all residents and workers of York Region.

It is the policy of Council:

19. To recognize transit as a Regional strategic investment priority and a key element of York Region's urban structure.
20. To develop effective transit services to connect rural communities.
21. To develop transit corridors and related infrastructure necessary to establish the York Region Transit and Viva network as illustrated on Map 11.
22. To work with partners to complete the transit network, as illustrated on Map 11, including subway line extensions, Metrolinx enhancements, the 407 Transitway and other rapid transit corridors.
23. To ensure communities are planned with the early integration of transit.
24. To provide preferential treatment for transit vehicles on Regional streets designated as Regional Transit Priority Network on Map 11, including the construction of *high-occupancy vehicle lanes*, dedicated transit lanes, transit signal priority and other transit priority measures within the right-of-way.
25. To achieve higher transit usage by supporting improvements in service, convenient access and good urban design, including the following:
 - a. minimizing walking distance to planned and existing transit stops through measures such as the provision of walkways, sidewalks and more direct street patterns. The Region will plan to provide transit service so that the distance to a transit stop in the Urban Area is within 500 metres of 90% of residents, and within 200 metres of 50% of residents;
 - b. connecting transit stops directly to sidewalks and adjacent buildings in the Urban Area;
 - c. providing bus bays, transit shelters and bus loops with sufficient lighting and accessibility features;
 - d. directing medium- and high-density urban development to rapid transit corridors;
 - e. creating a system of parking and drop-off facilities for commuters;
 - f. providing intermodal terminals or hubs;
 - g. providing transit service on mid-block collectors;
 - h. giving priority to pedestrian and cycling access to transit through the planning and development approval process;
 - i. utilizing the York Region Transit-Oriented Development Guidelines and related tools in the review and evaluation of development applications and related studies; and,
 - j. requiring all new *development* applications to prepare a mobility plan and demonstrate the proposal's approach to transit.
26. To achieve an overall transit modal split of 30% during peak periods in the Urban Area and 50% in the Regional Centres and Corridors by 2031.
27. To work with local municipalities to provide multi-use paths, sidewalks and street lighting along Regional streets serviced by transit.
28. To work with local municipalities to ensure that sidewalks and street lighting are provided on both sides of all streets within the Urban Area, and Towns and Villages that are serviced by transit.
29. To support and implement an equitable transit fare strategy that is integrated with transit services in adjacent regions and with Metrolinx.
30. That for the purpose of implementing the Transit Network shown on Map 11, and as a condition of approval of a *development* application and in accordance with the *Planning Act*, the Region may require the necessary lands for public transit rights-of-way and related facilities through dedication at no expense to the Region. Other methods of acquisition that may be used by the Region include purchase and/or expropriation.

31. To support the Transit Network shown on Map 11 by securing lands in accordance with policy 7.2.30 of this Plan, for facilities such as:
 - a. transit stations including intermodal terminals, mobility hubs, subway, bus and light rail stations and related passenger drop-off and commuter parking lots;
 - b. related infrastructure, including vent shafts, *transit operation and maintenance facilities*, passenger standing pads and passenger pick-up and drop-off areas, electrical and electronic infrastructure and passenger safety facilities;
 - c. pedestrian and cycling facilities;
32. That the Transit Network shown on Map 11 is further described in one or more of the following documents:
 - a. approved environmental assessments or approved transit project assessments;
 - b. the York Region Transit 5-Year and annual Service Plans;
 - c. the York Region Transportation Master Plan;
 - d. Regional Rapid Transit Standards;
 - e. the Regional Rapid Transit Network Plan; and,
 - f. the Pedestrian and Cycling Master Plan.
33. To manage the movement of traffic in the Regional Rapid Transit Corridors shown on Map 11 to improve the safety and efficiency of all movements including that of pedestrians, cyclists and transit vehicles.
34. To provide accessible and integrated public transit to people with disabilities.
35. To require local municipalities to include policies in local official plans to implement the Transit Network shown on Map 11, consistent with the policies of this Plan.
36. To co-ordinate the planning, integration and operation of existing and new transit services with local municipalities, the Toronto Transit Commission, the Province, Metrolinx and adjacent municipalities.
37. To work with local municipalities, the Toronto Transit Commission, Metrolinx and adjacent municipalities to encourage the Province and the Federal government to provide sustainable capital and operational funding and tools to support transit.

Streets

The street network in York Region is composed of a system of urban and rural streets, and highways owned and operated by local municipalities, the Region and the Province. The street network is an essential component of the Region's overall transportation network. Regional streets accommodate a wide variety of uses including pedestrian, cycling, transit, automobile and goods movement.

There is also a strong relationship between transportation and urban form. Where streets travel through urban communities, streetscapes need to be designed to encourage walking, cycling and transit use. Effective urban form is also essential in creating vibrant streetscapes that will attract commerce and enhance recreational use.

Objectives

To ensure streets support all modes of transportation including walking, cycling, transit, automobile use, and the efficient movement of goods.

To plan and protect future urban and rural streets to accommodate transportation demands.

It is the policy of Council:

38. That the hierarchy of streets on Map 12 supports the Region's urban structure. These corridors are to accommodate all modes of transportation including walking, cycling, transit, automobile use and the movement of goods, as well as public and private utilities.

39. To improve the street network identified on Map 12, based on the following:
- a. the York Region Transportation Master Plan and the 10-Year Capital Plans;
 - b. the completion of the necessary planning and environmental assessment studies for each project;
 - c. street improvement projects that take into account the needs and requirements of all forms of transportation including walking, cycling, transit, automobiles, and goods movement; and,
 - d. priority accorded to the needs of pedestrians, cyclists and transit uses and the integration of adjacent land uses in Regional Centres and Corridors, to promote these forms of transportation.
40. To implement transit improvements on urban streets as identified on Map 12, which may include transit lanes, *high-occupancy vehicle lanes*, queue jump lanes, bicycle lanes and other transit signal priority needs.
41. To require transit or *high-occupancy vehicle lanes* and bicycle lanes within the right-of-way of 6-lane Regional streets.
42. To encourage the planning and implementation of *high-occupancy vehicle lanes* on all 400-series highways within and/or adjacent to York Region.
43. To investigate establishing a continuous alternative east-west corridor(s) in the central part of the Region.
44. That street widenings and proposed Regional streets shall be in accordance with the policies of Chapter 2 and shall protect and enhance the Regional Greenlands System.
45. That within the Oak Ridges Moraine, all improvements to the Regional Transit and Street Networks shall conform with the policies of the Oak Ridges Moraine Conservation Plan.
46. That priority be given to protecting existing heritage streetscapes using techniques such as variable rights-of-way widths, as identified on Map 12, and innovative street cross-section standards.
47. That the planned street widths shown in Map 12 represent the maximum street widths required under this Plan and include the Region's transportation and transit requirements for vehicle lanes, turning lanes, intersections, sidewalks, bicycle lanes, HOV lanes, public transit lanes and transit facilities (including shelters but not necessarily including those facilities referenced in policy 7.2.31), boulevards, landscaping and public streetscape enhancements. Notwithstanding the above, additional widths may be required for elements such as sight triangles, cuts, fills and extra turn lanes.
48. That, as a condition of the approval of a *development* applications, landowners may be required to provide land at no expense to the Region for street widenings based on the following principles, and in accordance with the *Planning Act*:
- a. that land will be conveyed to the Region for street widenings, sight triangles, cuts, fills, and extra turn lanes required as a result of new growth and development, changes in use that generate significant traffic volumes, or additions that substantially increase the size or usability of buildings or structures;
 - b. that in general street widenings shall be taken equally from the centre line of the street.; however unequal or reduced widenings may be required where constraints or unique conditions such as topographic features, historic buildings or other cultural heritage resources such as archaeological features, significant environmental concerns or other unique conditions necessitate taking a greater widening or the total widening on one side of the existing street right-of-way; and,
 - c. that additional land may also be required to construct future grade separations where there is an existing at-grade crossing of a Regional street and a railway line.

49. That notwithstanding policy 7.2.48(b) of this Plan, where a street widening results in a greater requirement for land on one side of the centreline of the right-of-way, which extends beyond the road allowance width identified on Map 12 (assuming an equal distribution of that planned width from the existing right-of-way centreline), and if the constraint is the result of existing or approved development, man-made physical obstructions which can not reasonably be relocated, or other development related constraint the Region will, unless otherwise agreed to, compensate the landowner for those lands in excess of the planned road allowance limit.
50. That land required for new or realigned Regional streets to accommodate land development be conveyed, at no expense to the Region, up to and including the first 36 metres of the required right-of-way.
51. To restrict vehicle access from developments adjacent to Regional streets to maximize the efficiency of the Regional street system through techniques such as suitable local street access, shared driveways and interconnected properties. Exceptions may be made to this policy in Regional Centres and Corridors, and mainstreets.
52. To plan for and protect Provincial corridors and rights-of-way for transportation and transit facilities as determined through an Environmental Assessment process, or identified in Provincial Plans to meet current and projected needs and not permit *development* in such *planned corridors* – *Transportation* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified or is actively being planned. Transportation and land use considerations shall be integrated and coordinated at all stages of the planning and Environmental Assessment process.
53. That as an Environmental Assessment Act process progresses, any related Official Plan or Secondary Plan may, in consultation with the proponent, include provisions for the phased release of lands that are appropriate to the environmental assessment process.
54. To work with the Province and local municipalities to plan for and protect for the following corridors and facilities:
 - a. Highway 427 north to the GTA West Corridor;
 - b. Highway 404 north beyond Ravenshoe Road to the Highway 48/Highway 12 junction;
 - c. the Bradford Bypass;
 - d. the GTA West Corridor; and,
 - e. interchanges on 400-series highways at Regional and other arterial street crossings as identified in the York Region Transportation Master Plan.

Local municipalities, in consultation with and to the satisfaction of the Province, shall develop official plan policies that provide corridor protection to ensure that development applications will not predetermine or preclude the planning and/or implementation of the above noted transportation facilities.

Some of the above facilities (clauses (b) and (c)) are not recognized as priorities for the Province within the Growth Plan horizon to 2031.

55. To require local municipalities to design street systems to accommodate pedestrian, cycling and transit facilities.
56. To work with local municipalities to complete missing sidewalk links on Regional streets in the Urban Area.
57. That arterial streets identified on Map 12 that are currently not part of the Regional street network may be considered for a transfer in jurisdiction to York Region, and such a transfer shall not require an amendment to this Plan.
58. To require local municipalities to protect arterial streets under local jurisdiction, as illustrated on Map 12, as major transportation corridors.

59. To require local municipalities to plan and implement, including land takings necessary for, continuous collector streets in both east-west and north-south directions in each concession block, in all new urban developments, including *new community areas*.
60. To require local municipalities to plan and implement, including land takings necessary for, mid-block crossings of 400-series highways, as shown on Map 12. The location of the mid-block crossing on Highway 400 between Kirby Road and the King-Vaughan boundary is conditional upon the alignment of the GTA West Corridor, and will be determined through an Environmental Assessment process.
61. To encourage all appropriate agencies to expedite the construction of street/railway grade separations where warranted.
62. To plan and co-ordinate cross-boundary transportation needs with adjacent municipalities and appropriate agencies.
63. To update the York Region Transportation Master Plan at least every 5 years concurrent with the 5-year review of this Plan.
64. To update and implement York Region's Towards Great Regional Streets study.
65. That an Individual Environmental Assessment will be undertaken for the unopened road allowance of Teston Road between Dufferin Street and Keele Street which will include a comprehensive network analysis and environmental impact assessment to determine a preferred transportation strategy in the corridor.

Goods Movement

The movement of goods by truck and rail is integral to York Region's economic vitality. The Region's manufacturing and logistics sectors serve both American and Canadian markets and require a transportation network that links all modes of goods movement. York Region's transportation system should allow for efficient goods movement that has regard for the sensitivities of residents and different land uses. As the Region continues to grow, it is increasingly important that lands surrounding major goods movement corridors be reserved for employment activities that require heavy truck and rail traffic.

Objective

To promote a linked and efficient network for goods movement that supports economic vitality and minimizes conflicts with *sensitive land uses*.

It is the policy of Council:

66. To promote an interconnected goods movement network that links local municipalities and surrounding areas, utilizing Provincial highways, Regional streets and rail corridors.
67. To work with Metrolinx, the Province, local municipalities, and surrounding jurisdictions to plan for an effective and integrated goods movement system throughout the Greater Toronto and Hamilton Area.
68. To support the optimization of the existing transportation network for goods movement, through methods such as access management and intelligent transportation systems.
69. To support the protection of existing rail lines and promote rail as an efficient goods movement method.
70. To encourage the protection of abandoned railway rights-of-way for public uses such as trails, cycling paths, and transit.
71. To discourage the location of land uses sensitive to noise and vibration and safety issues, in proximity to rail facilities, rail corridors and intermodal yards, to avoid issues of compatibility.
72. To encourage freight and logistics uses to locate in clusters that create synergies within the goods movement industry.
73. To encourage employment uses and activities that require heavy truck traffic to locate in areas near and adjacent to Provincial highway interchanges.

74. To support an interconnected and efficient system for goods movement through:
 - a. the completion of the 400-series highway network, including the GTA West Corridor, the Highway 427 Extension, and the Highway 404 Extension; and,
 - b. the addition of 400-series highway interchanges and overpasses.
75. To recognize that Provincial highways and Regional streets are generally corridors for goods movement, subject to existing truck and load restrictions.
76. To promote an urban structure and street network in Regional Centres and Corridors that allows for the efficient movement of goods.
77. To work with other levels of government, agencies and the private sector to minimize risks and ensure the safe and efficient movement of goods by either rail or streets in the Region.
78. To direct the movement of hazardous goods to rail and roadways outside of the Urban Area, where possible.
79. To consider restrictions on the haulage of chemicals and volatile materials in *Wellhead Protection Areas*, shown on Map 6, and Areas of High Aquifer Vulnerability, shown on Map 7.
80. To encourage grade separation of railways and major streets, where warranted.
81. To encourage businesses to move towards more energy efficient and effective freight modes and technologies.
82. To encourage rail and truck operators to investigate new technologies and increase the efficiency of the design and operations of their facilities.

Airports

Convenient access to modern air travel facilities provides an important economic advantage to businesses and can contribute to the quality of life of residents. The policies of this section reflect York Region's role in supporting airport infrastructure within the Greater Toronto and Hamilton Area and in maintaining efficient transportation connections, including transit, to nearby airport facilities. Uncertainty about the long term future of the Toronto Buttonville Municipal Airport is also considered within the policies of this section. It is important to ensure that new development does not conflict with the operations of the proposed Pickering Airport.

Objective

To support strong airport infrastructure within the Greater Toronto and Hamilton Area, while minimizing conflicts between airport operations and surrounding lands.

It is the policy of Council:

83. To encourage and support the Province and Federal government, local municipalities, the Greater Toronto Airports Authority, airline companies and airport operators to provide airline and airport services to the Greater Toronto and Hamilton Area that meet the needs of York Region's residents and businesses.
84. To encourage the continued operation of the Toronto Buttonville Municipal Airport, until such time that services can be met by another nearby facility, such as the proposed Pickering Airport.
85. To support efficient transportation connections, including transit, streets and rail, from York Region to both Toronto Pearson International Airport and the proposed Pickering Airport.
86. To comply with the Federal Aeronautics Act and Regulations, which provide that buildings and structures in the vicinity of airports shall not interfere with airport operations and the movement of air traffic.

87. To encourage the Province to revise the Minister's Provincial Zoning Order for the Pickering Airport site, in light of the current planning context and the Greater Toronto Airport Authority's Pickering Airport Draft Plan Report, 2004.
88. To prohibit the development of residential and other *sensitive land uses* within the Interim Airport Protection Area, as defined by the Greater Toronto Airport Authority's Pickering Airport Draft Plan Report, 2004, until such time that an Airport Operating Area is clearly defined.

5.3.4 That the distance to a transit stop in the Urban Area is within be generally no more than 500 metres (a 5-to-10-minute walk) for 90% of the residents and no more than 200 metres for 50% of residents.

5.6.12 That mobility plans shall be completed to ensure that:

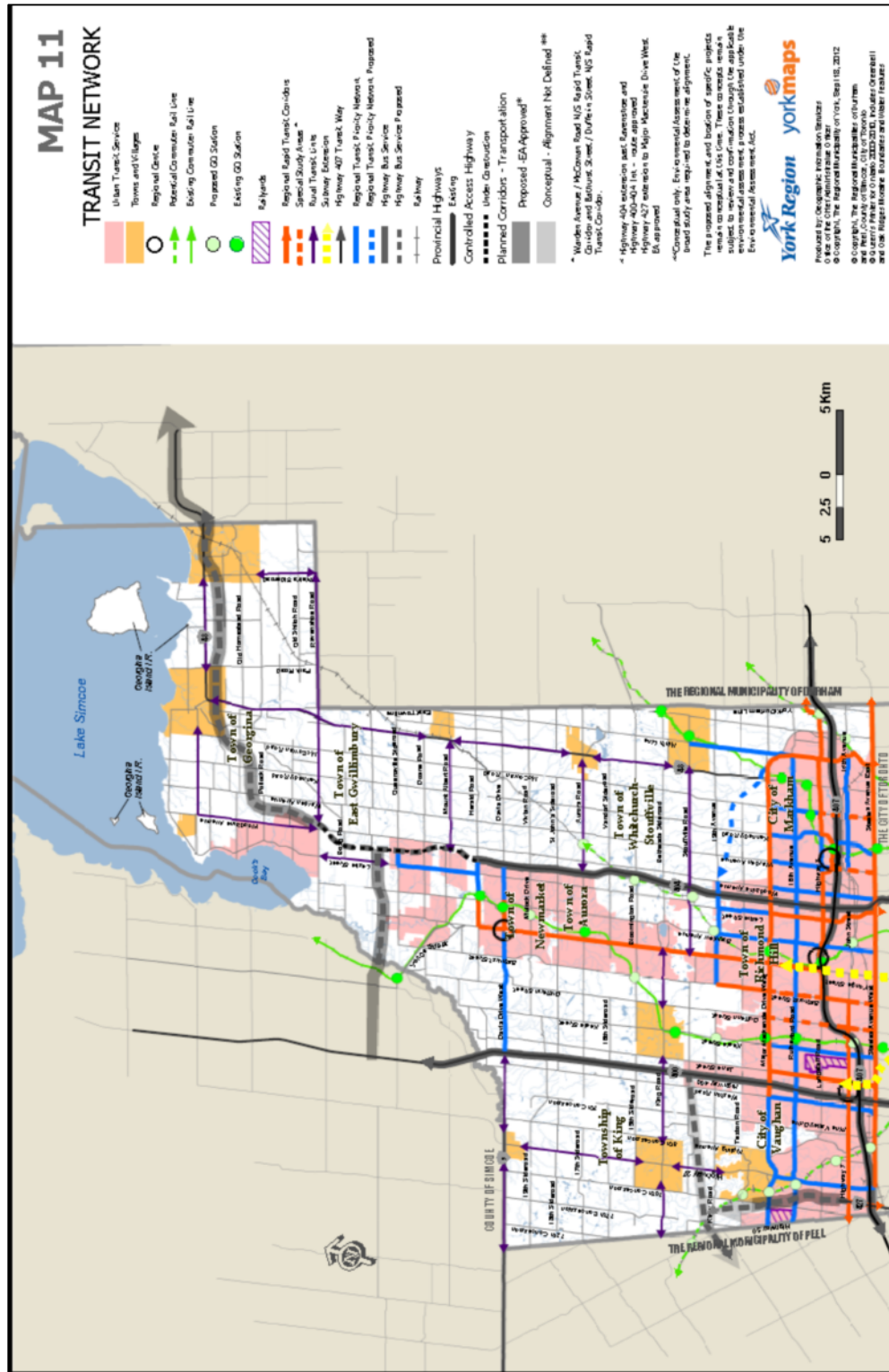
- h. planned rapid transit corridors, and/or transit terminals that connect to a rapid transit corridor, are included in the community;

Definitions

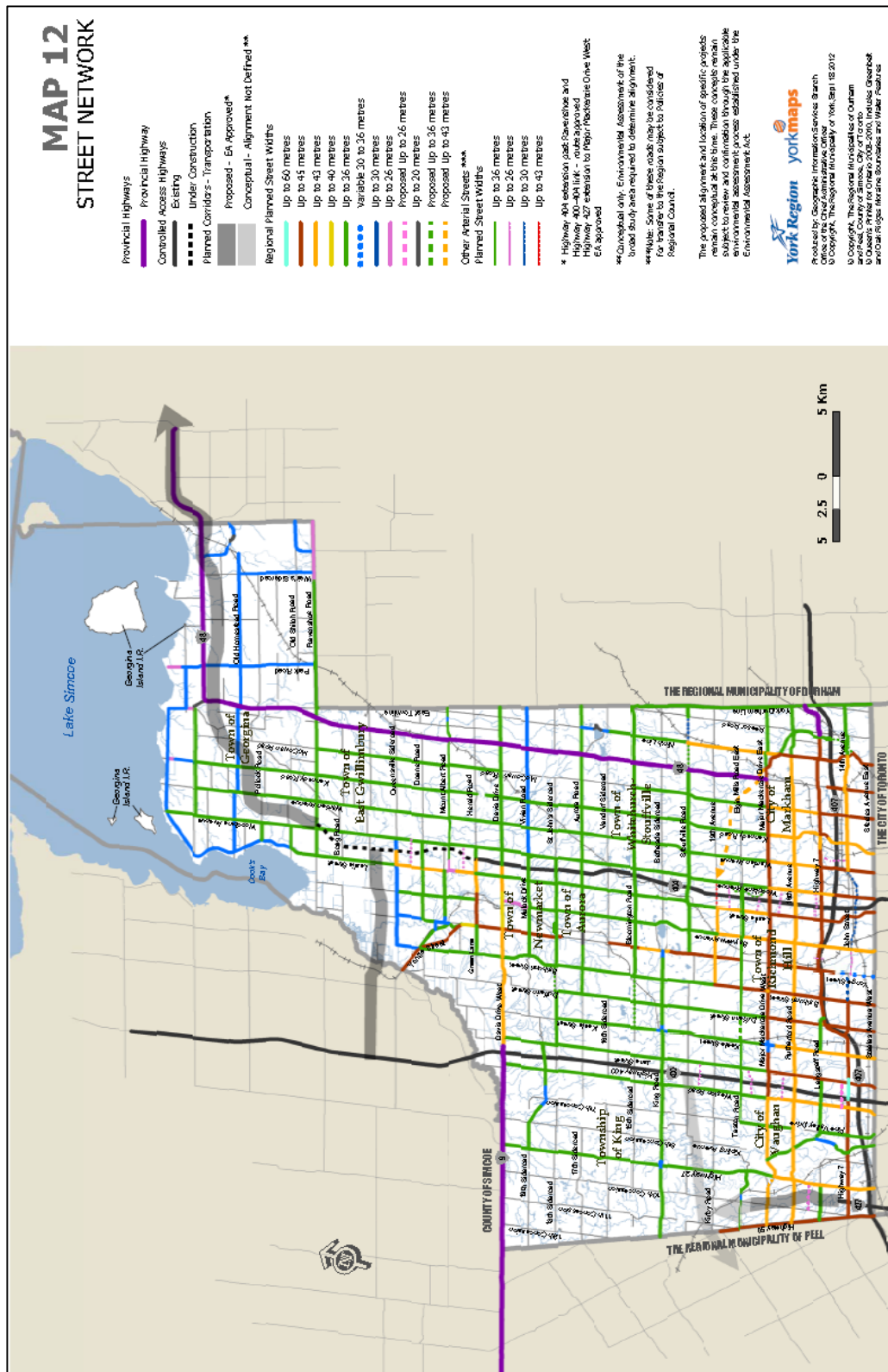
PLANNED CORRIDORS - TRANSPORTATION

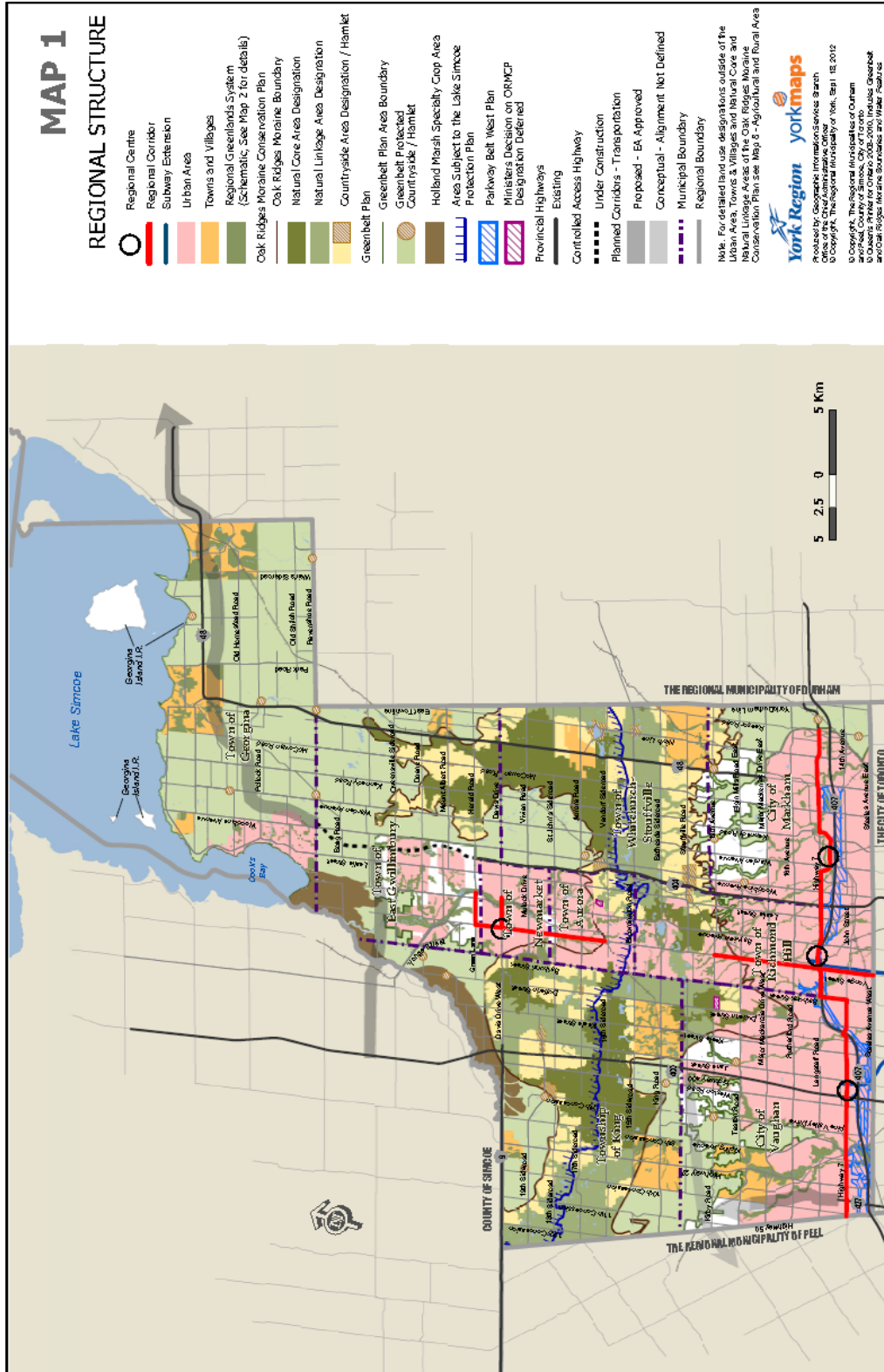
Corridors identified through Provincial Plans or preferred alignment(s) determined through the Environmental Assessment Act process which are required to meet projected needs. For the purpose of Provincial transportation corridors as of 2012, they are identified on Maps 1, 11 and 12 as 'Planned Corridors – Transportation'.

Appendix "B" to Order for Approval – October 12, 2012



Appendix "C" to Order for Approval – October 12, 2012





Appendix “E” to Order for Approval – October 12, 2012

Chapter	Section	Policies to be repealed, save and except for those parties identified as having site specific appeals on Appendix 2A to the August 23, 2012 Order for Partial Approval	Page in July 11, 2012 York Region Official Plan Office Consolidation
Chapter 6 Regional Infrastructure		Preamble	81
	6.1 The Road Network	In it's entirety	81 to 86
	6.2 Transit Network	In it's entirety	86 to 91
	6.3 Cycling, Walking and Trails	In it's entirety	91 to 92
	6.4 Airports	In it's entirety	92 to 93
	6.5 Communications Corridors and transmission Facilities	In it's entirety	93 to 95
	6.6 Goods Movement	In it's entirety	95
Maps		Maps 8, 9, and 10 in their entirety	

Appendix “F” to Order for Approval – October 12, 2012

Appendix 1 Portions of the Modified ROP – 2010 Remaining Under Appeal on a Region-Wide Basis As of October 12, 2012

Policy or Other Part of Plan Under Region-wide Appeal
Chapter 1 Policy 3.1.8 Policy 3.3.13 Policy 3.5.7 Section 4.1 Policy 4.2.5 Policy 4.2.6 Section 4.3 Section 4.4 Policy 4.5.2 Policy 4.5.11 Chapter 5 preamble Land Base Continuum Chart Policy 5.1.6 Policy 5.1.7 Policy 5.1.11 Policy 5.1.12 Policy 5.1.13 Policy 5.2.9 Policy 5.2.10 Policy 5.2.14 Policy 5.3.10 Policy 5.4.8(c) Policy 5.4.9 Policy 5.4.20(b) Section 5.5 Section 5.6 sidebar - two paragraphs commencing with “Places to Grow...” Policy 5.6.3 Policy 5.6.5 Policy 5.6.11(c) Chapter 6 Save and except policy 6.3.10 Policy 7.2.60 Policy 7.5.12 Policy 7.5.15 Policy 8.2.3(b) Policy 8.3.3 Policy 8.4.3(b) Policy 8.4.7(b) Policy 8.4.9 Figure 2 Definitions of: Ancillary uses, Developable area, Major development, Major office, Major retail, Regional municipal comprehensive review Employment area (not currently defined - definition may be requested by appellants)

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

Note 2: In accordance with an agreement to scope the appeal by Sanmike Construction Limited:

- a) Policy 5.3.3 - approved in its current form but such approval is without prejudice to the Board's determination of whether certain additional text should be added at the end of that policy and;
- b) Section 8.4 – remaining issue raised by Sanmike of whether a policy should be added with respect to the purpose and intent of guidelines that are referred to in the Plan.
- c) Map 1 – remaining issue of whether it is appropriate to overlay local corridors or Regional transit priority networks on Map 1.

Appendix “G” to Order for Approval – October 12, 2012

Appendix 2A Portions of the Modified ROP – 2010 Remaining Under Appeal on a Site Specific or Area Specific Basis As of October 12, 2012

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 Town 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”)
Policy 5.1.8	Block 27 Lands in the City of Vaughan (the “Block 27 Lands”)
Section 5.2	Block 40/47 Lands
Policy 5.2.16	Lands owned by Times Development Group in Leitchcroft Secondary Plan, Town of Markham (“Times Leitchcroft Lands”)
Policies 5.2.19 to 5.2.42	Romandale Farms
Policy 5.2.26	Tesmar Lands
Policy 5.3.3	Tesmar Lands
Policy 5.3.6	Lands owned by Sanmike Construction Limited, east of Bayview Avenue, south of Elgin Mills Road, Town of Richmond Hill (“Sanmike Lands”)
Section 5.4	Tesmar Lands
Policies 5.4.1, 5.4.2, 5.4.5 and 5.4.6	Yonge Bayview Lands
Policy 5.4.6	39.81 hectare parcel owned by Yonge and Green Lane Developments Corp./Yonge Green Lane South Developments Corp. at northeast corner of Yonge Street and Green Lane Road

	in Town of East Gwillmbury ("YGL Lands")
Policies 5.4.6 and 5.4.7	Times Leitchroft 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 5.4.32	YGL Lands
Policy 5.4.34	Approx. 40 hectares at northwest corner of 2 nd Concession Road and Green Lane, Town of East Gwillmbury (Dorzil)
Policies 5.6.9 and 5.6.14	Block 27 Lands
Policies 5.6.9, 5.6.10, 5.6.16 and 5.6.17	Romandale Farms
Policies 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
	YGL Lands
	Sanmike Lands
	Lands owned by Loblaws Properties Limited at 10537 Yonge Street, Richmond Hill and at northeast quadrant of Major MacKenzie Drive East and Highway 404, Town of Markham
	Block 2, Reference Plan 65M-2287, Town of Richmond Hill (CMHC and Quaestus Corporation)
	Lands owned by SmartCentres (Aurora south of Wellington and Vaughan)
	Lands owned by Kau and Associates L.P. at 71 Cochrane Dr. Markham
	Times Leitchroft Lands
	1539253 Lands
	Block 40/47 Lands
	Rice Commercial Group of Companies (Major MacKenzie lands)
	445158 Ontario Inc. (Meldan) Lands
	Karma Tekchen Zabsal Ling Lands
	878211 Ontario Limited Lands
	Borden Kent Lands
	Wholesale Forest Products Ltd. Lands
	Kotzer / Foch Lands
All Designations or Identifications on Maps 1 to 6, 8 and 10 and Figure 3	ROPA 1 Appeal Lands being all ROPA 1 lands and the lands under appeal by ROPA 1 appellants plus additional lands necessary to complete concession blocks as shown on Appendix 2B ("ROPA 1 Appeal Lands")

	ROPA 3 Appeal Lands being all Markham whitebelt lands as shown on Appendix 2B ("ROPA 3 Appeal Lands")
Urban Area Designation on Maps 1 to 6, and 8	ROPA 2 Lands
	Lands located at the eastern limit of the Cornell Community in the Town of Markham not included within the urban boundary in the 1994 Regional Official Plan
	Lands located north of Steeles Avenue, in the vicinity of the Rouge Park in the Town of Markham not included within the urban boundary in the 1994 Regional Official Plan
	Lands located east of Islington Avenue, north of Rutherford Road, within the City of Vaughan not included within the urban boundary in the 1994 Regional Official Plan
Maps 1 to 6, and 8 and Figure 3	Block 40/47 Lands
Map 1	Tesmar Lands
	Identification of Green Lane as a Regional Corridor
Maps 1 and 8	Westlin Farms Inc. (Part Lot 2, Concession 6, King Township)
Maps 1, 2 and 8 and Figure 3	1539253 Lands
Maps 2 to 5	Smith Farm Lands
Maps 4 to 6	Romandale Farms
Map 11	Identification of Green Lane Regional Corridor
Map 12	Identification of Green Lane Regional Corridor
	Mid Block Crossing between Elgin Mills and 19 th Avenue (775377 Ontario Ltd)
ROPA 1	ROPA 1 Appeal Lands
ROPA 3	ROPA 3 Appeal Lands

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.

Appendix “H” to Order for Approval – October 12, 2012

Excerpt from:

Amendment 3 to the Official Plan for the Regional Municipality of York File 19OP-2009-003

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.
- (d) The road widths set out in 10 a, b and c, above, and shown on Map 12 may be reduced from the maximum planned street widths prior to or concurrent with secondary plan approval subject to a functional design study, an Environmental Assessment, or other study by the Region, without amendment to this Plan.
- (e) It is acknowledged that the street widths shown on Map 12 are maximums and that a lesser street widening may ultimately be required by the Region. For the purpose of policy 7.2.49, as it may apply to lands in the Town of Markham, the reference to “the road allowance identified on Map 12” shall be deemed to be the lesser of the road allowance identified on Map 12 and the extent of the street widening ultimately required by the Region.

Appendix "I" to Order for Approval – October 12, 2012

Appendix 2B

