

ISSUE DATE:

September 19, 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

**BEFORE:**

S. W. LEE  
ASSOCIATE CHAIR

K.J. HUSSEY  
VICE-CHAIR

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Wednesday, the 19<sup>th</sup> day of

September, 2012

**THE BOARD** having heard the submissions of counsel for the Regional Municipality of York ("York Region") and on behalf of the North Leslie Residential Landowners Group Inc., E. Manson Investments, 583753 Ontario Limited, Amir Hessam Limited and 668152 Ontario Limited, 775377 Ontario Ltd., Clearpoint Developments Limited, Upper City Corporation, Leslie Elgin Developments Inc. (the "North Leslie appellants") and Devon Lane Construction Limited with respect to the partial approval of the York Region Official Plan-2010 as modified ("ROP-2010");

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

**AND WHEREAS** the August 23, 2012 Order for Partial Approval was withheld as it pertains to the North Leslie Secondary Plan area, as identified in paragraph 8 of that Order and identified in Appendices 2A and 2B to the August 23, 2012 Order for Partial Approval;

**AND WHEREAS** the Regional Municipality of York ("York Region"), the North Leslie appellants and Devon Lane Construction Limited have executed Minutes of Settlement filed in these proceedings as Exhibit #72 ("Minutes of Settlement"), as well as other related settlement documentation;

**AND WHEREAS** York Region and the North Leslie appellants, in accordance with the above mentioned Minutes of Settlement, have consented to the following Order:

**THE BOARD ORDERS** that:

1. The August 23, 2012 Order for Partial Approval is hereby modified in accordance with paragraphs 2 and 3 below and as further modified, is approved as it relates to the North Leslie Secondary Plan area.

2. Appendix 2B to the August 23, 2012 Order for Partial Approval is further modified in accordance with the attached revised Appendix 2B and as further modified, is approved.
3. In accordance with paragraph 15 of the August 23, 2012 Order for Partial Approval, Policy 8.4.19 of the ROP-2010 is hereby modified to add "North Leslie Secondary Plan Area (OPA 257)" as 8.4.19 (d) and as so modified, is approved.
4. Subject to the matters set out in (a) – (c) below, the appeals of the North Leslie appellants are hereby completely resolved through the partial approval of the ROP-2010 as further modified through this Order (and through the execution of Minutes of Settlement) and these appeals are allowed in part with respect to the policies as modified and approved and are otherwise scoped to the following portions of the ROP-2010 which remain under appeal:
  - a) North Leslie appellants remaining area-specific appeal of Figure 2 as it relates to the North Leslie Secondary Plan area; and
  - b) 583753 Ontario Limited, Amir Hessam Limited and 668152 Ontario Limited maintain their appeal with respect to the following policies:
    - (i) Policies 4.3.1, 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.3.7, 4.3.8, 4.3.9, 4.3.10, 4.3.11, 4.3.12, 4.3.15 and the definition of *Regional Municipal Comprehensive Review*;
  - c) 775377 Ontario Ltd. maintains its appeal with respect to the following:
    - (i) Policy 7.2.59, 7.2.73(b) and Map 12 relating to the Proposed Highway 404 Mid Block Crossing between Elgin Mills road and 19<sup>th</sup> Avenue in the Town of Richmond Hill.
5. The appendix which is attached to this Order shall form part of this Order.
6. The Board may be spoken to should any matters arise respecting the implementation of this Order.

*Jeanne Hegg*

SECRETARY

## ATTACHMENT "1"

### List of Appellants

1. Angus Glen North West Inc. and Angus Glen Holdings Inc.
2. E. Manson Investments
3. North Leslie Residential Landowners Group Inc.
4. North Markham Landowners Group
  - 1212763 Ontario Limited
  - 1463069 Ontario Limited
  - 1512406 Ontario Limited
  - 1612286 Ontario Inc.
  - 4551 Elgin Mills Developments Limited
  - CAVCOE Holding Ltd.
  - Colebay Investments Inc.
  - First Elgin Mills Developments Inc.
  - Firwood Holdings Inc.
  - Glendower Properties Inc.
  - Highcove Investments Inc.
  - Mackenzie 48 Investments Limited
  - Kennedy Elgin Developments Limited
  - Major Kennedy Developments Limited
  - Major Kennedy South Developments Limited
  - Major McCowan Developments Limited
  - Romandale Farms Limited; Frambordeaux Developments Inc.
  - Summerlane Realty Corp.
  - Tsialtas, Peter and Cathy
  - Tung Kee Investment Limited Partnership
  - Warden Mills Developments Limited
  - ZACORP Ventures Inc.
5. Loblaw Properties Limited
6. Rice Commercial Group of Companies
7. Yonge Green Lane Developments Limited
8. Mr. Allen Eng
9. Mr. John Hayes
10. Mr. Paul Jadilebovski
11. Mr. Peter Antonopoulos
12. Mr. Philip Comartin
13. Mr. Shai Perlmutter
14. Mr. Steven DeFreitas
15. Peat Farmers of Ontario represented by Mr. Phil Comartin
16. Property Owners with Rights Association represented by Paul Jadilebovski
17. Kau & Associates L.P.
18. Block 27 Landowners Group
19. Dorzil Developments (Bayview) Ltd.
20. Westlin Farms
21. Lucia Milani and Rizmi Holdings Limited
22. Daraban Holdings Limited
23. Smart Centres and Calloway Real Estate Investment Trust

24. Yonge Bayview Holdings Inc.
25. 583753 Ontario Ltd.
26. 775377 Ontario Ltd.
27. Helmhorst Investments Ltd.
28. Aurora 2C Landowners Group Inc.
29. W. J. Smith Gardens Limited
30. Metrus Development Inc.
31. Upper City Corporation and Clear Point Developments
32. Minotar Holdings Inc, Cor-lots Development, Cherokee Holdings and Halvan 5.5 Investments Limited
33. Dalton and Alan Faris and Eden Mills Estates Inc.
34. Robert G. Sikura
35. Aurora-Leslie Developments Inc.
36. Fieldgate Developments and TACC Developments
37. Times Group Corporation
38. Memorial Gardens Canada Limited
40. 583753 Ontario Ltd.
41. Amir Hessam Limited and 668152 Ontario Ltd.
42. Arten Developments Inc.
43. Sanmike Construction Ltd.
44. Canadian Mortgage and Housing Corporation
46. Mahamevna Bhavana Asapuwa Toronto
47. The Mandarin Golf and Country Club Inc. and AV Investments II Inc.
48. Cornerstone Christian Community Church
49. Tesmar Holdings Inc.
50. Sustainable Vaughan
51. Markham Gateway Inc.



