

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: November 5, 2015

CASE NOS.: PL101128
PL101233
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

Appellant: 1596630 Ontario Limited
Appellant: Dalton & Alan Faris
Appellant: Eden Mills Estates Inc.
Appellant: Martin Pick, Thomas Pick & 1324534 Ontario Inc.
Appellant: Rice Commercial Group of Companies
Subject: Proposed Official Plan Amendment No. 1 ("ROPA 1")
Municipality: Regional Municipality of York (Town of East Gwillimbury)
OMB Case No.: PL101233
OMB File No.: PL101233
OMB Case Name: Eden Mills Estates 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 (City 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 5th day of
)
J.E. SNIEZEK) November, 2015
MEMBER)

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

AND WHEREAS Phase 1 of the hearings came on for public hearing commencing January 14, 2013;

AND WHEREAS the Board having heard the submissions of counsel for The Regional Municipality of York (“York Region”) in this proceeding relating to growth management and the approval of the quantum of urban expansion lands proposed by York Region for the City of Markham to accommodate its share of the population and growth forecasted in Tables 1 and 2 of the York Region Official Plan – 2010 as modified and further described herein (“ROP – 2010”) and in accordance with the requirements of the Grown Plan for the Greater Golden Horseshoe;

AND WHEREAS the Board having heard the submissions of counsel for the other parties to the Phase 1 hearing, being the City of Markham, the Ministry of Municipal Affairs and Housing (“MMAH”), the North Markham Land Owners Group (“NMLG”), Colebay Investments Inc., Highcove investments Inc., Firwood Holdings Inc., Major McCowan Developments Limited and Summerlane Reality Corp. (collectively “CHFMS”)

and Minotar Holdings Inc., Cor-lots Developments, Cherokee Holdings and Halvan 5.5 Investments Limited (collectively “Minotar”);

AND WHEREAS the Board having heard the evidence of 20 witnesses called at the hearing, and the Board having read the exhibits filed and the written submissions of counsel for the parties;

AND WHEREAS the Board having previously 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”), September 19, 2012, a Decision made on October 25, 2012, and Orders made on December 13th, 17th and 19th, 2012, January 17, 2013 and March 5, 2013;

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

AND WHEREAS the Phase 1 hearing addressed Policies 5.1.6, 5.1.7, 5.1.13, 5.6.3, Section 5.6 sidebar (the two paragraphs commencing with “Places to Grow ...”) and the definition of *developable area* in the ROP – 2010;

AND WHEREAS paragraph 121 of the Phase 1 Decision states that the Phase 1 appeals to ROPA 3 are dismissed and the appeals to the ROP – 2010 are allowed in part to amend the definition of *developable area* but in other respects the appeals to the ROP – 2010 are dismissed;

AND WHEREAS the Board having issued a Decision on February 7, 2013 denying a motion brought by the Canada Mortgage and Housing Corporation and its agent Quaestus Corporation seeking party status in the appeals to the ROP – 2010 (the “CMHC Decision”);

AND WHEREAS a motion by York Region having come on for a public hearing on June 6, 2014 with respect to the form of Order resulting from the Phase 1 Decision;

AND WHEREAS the Board having heard the submissions of counsel for the parties in this proceeding with respecting the form of Order resulting from the Phase 1 Decision;

AND WHEREAS the Board having received the affidavit evidence of Sandra Malcic, MCIP, RPP (sworn May 26, 2014) contained in Exhibit 260, on behalf of York Region;

AND WHEREAS the Board having received the affidavit evidence of Al Burton (sworn June 4, 2014) contained in Exhibit 261, on behalf of CHFMS;

AND WHEREAS the Board having received the Notice of Response to Motion from NMLG, marked as Exhibit 262;

AND WHEREAS the Board having issued a decision on February 4, 2015 with respect to the form of Order resulting from the Phase 1 Decision;

AND WHEREAS as a result of the Phase 1 Decision, the CMHC Decision, and the Board's Decisions of February 13, 2013 and February 4, 2015, 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 policies and text attached hereto as **Schedule "A"** to this Order and associated text, including sidebars and preambles, as well as the definition of *developable area* as modified by the Phase 1 Decision, are hereby approved as of April 1, 2014 (the "Approved Policies").

2. In accordance with paragraph 7 of the August 23, 2012 Order for Partial Approval, Policy 3.5.3 as listed in Appendix 3 of the March 5, 2013 Order is hereby brought into force.
3. Concurrent with the approval of the Approved Policies as set out herein, the concordant provisions of the 1994 Regional Official Plan, approved by the MMAH 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, marked as Exhibit 66 in these proceedings, are hereby repealed and are no longer in force. Specifically, the entirety of the 1994 Regional Official Plan is repealed save and except those sections and policies, as set out in **Schedule “B”**, and as provided for in Minutes of Settlement entered into by York Region with various appellants and/or parties for the applicable time periods set out therein.
4. As a result of this Order, Appendices 1 and 3 are hereby amended in the forms attached hereto as Appendices 1 and 3, respectively, and Appendices 2A and 2B remain in the form attached hereto as Appendices 2A and 2B, respectively.
5. The approval of the Approved Policies as set out herein is without prejudice to, and shall not have the effect of limiting:
 - a) the rights of a party to seek to modify, delete or add to the unapproved maps, policies, figures, definitions, graphics and associated preambles and sidebar text and schedules in the ROP – 2010; or
 - b) the jurisdiction of the Board to consider and approve modifications, deletions or additions to the unapproved maps, policies, figures, definitions, graphics and associated preambles and sidebar text in the ROP – 2010 on a general, area-specific or site-specific basis, as the case may be.

6. To the extent possible, and recognizing that certain issues for the hearing are not tied to specific policy wording, the parties shall limit their remaining issues to only those portions of the ROP – 2010 set out in Appendices 1 and 2 on either a Region wide or site/area specific basis as set out in those respective Appendices.
7. 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 in subsequent phases, including but not limited to Phase 3, if considered appropriate by the Board.
8. The appendices which are attached to this Order shall form part of this Order.
9. The Board may be spoken to should any matters arise respecting the implementation of this Order.



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 jepino@airdberlis.com Andrea Skinner askinner@airdberlis.com
E. Manson Investments (Appellant 2)	Patricia A. Foran/N. Jane Pepino pforan@airdberlis.com / jepino@airdberlis.com Andrea Skinner askinner@airdberlis.com
North Leslie Residential Landowners Group Inc. (Appellant 3)	Patricia A. Foran/N. Jane Pepino pforan@airdberlis.com / jepino@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 / jepino@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 Jadilobovski (Appellant 10)	
Mr. Peter Antonopoulos (Appellant 11)	
Mr. Philip Comartin (Appellant 12)	
Mr. Shai Perlmutter (Appellant 13)	

York region Official Plan – PL101128 (ROP) Appellants	Counsel
Mr. Steven DeFreitas (Appellant 14)	
Peat Farmers of Ontario represented by Mr. Phil Comartin (Appellant 15)	
Property Owners with Rights Association represented by Paul Jadilobovski (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)	

York region Official Plan – PL101128 (ROP) Appellants	Counsel
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 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. 	Patricia A. Foran/N. Jane Pepino pforan@airdberlis.com / jpepino@airdberlis.com Andrea Skinner askinner@airdberlis.com AND

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

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 jmater@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

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 Georgina	Signe Leisk / Raivo Uukkivi sleisk@casselsbrock.com ruukkiv@casselsbrock.com	PL101233
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

Landowner Party Status				
Landowner / Party	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	Policies to Which Party Status Relates
				ROPA 3 –Map 2
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

Landowner Party Status				
Landowner / Party	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	Policies to Which Party Status Relates
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)
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

Landowner Party Status				
Landowner / <u>Party</u>	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	<u>Policies to Which Party Status Relates</u>
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 / <u>Participant</u>	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	<u>Policies to Which Participant Status Relates</u>
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	

Landowner Participant Status				
<u>Landowner / Participant</u>	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	<u>Policies to Which Participant Status Relates</u>
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

<u>Landowner Party Status – Phase 3 of Hearing Only added by Board Order during the Phase 1 Hearing</u>				
<u>Landowner / Party</u>	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	<u>Policies to Which Party Status Relates</u>
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	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 / Party	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	Policies to Which Party Status Relates
	askinner@airdberlis.com			
Varlese Brothers Ltd.	Cassels Brock and Blackwell LLP, 2100 Scotia Plaza, 40 King St W Toronto, ON M5H 3C2 Signe B. Leisk sleisk@casselsbrockc.om 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.om 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	PL101238 (ROPA 3)	PL101238 (ROPA 3)	Boundary of urban area expansion
1269028 Ontario Limited	Gerald T. Miller gerry.miller@gmalaw.ca Gerald T. Miller Gardiner Miller Arnold LLP Barristers and Solicitors 1202 - 390 Bay Street	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>				
<u>Landowner / Party</u>	Counsel	OMB proceeding in which status is granted	Appeal to Which Status Granted	Policies to Which <u>Party Status</u> Relates
	Toronto, Ontario M5H 2Y2 Tel. (416) 363-2614 x228 Fax (416) 363-8451 H. Gerson hdgerson@gersonlawyers.com			
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 Status</u> 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”

5.1.6. To require local municipalities to develop a phasing plan for *new community areas* that is coordinated with the following Regional plans and policies:

- a. the *new community areas* criteria in Section 5.6 of this Plan;
- b. the fiscal policies in Section 4.5 of this Plan;
- c. the York Region 10-Year Capital Plan;
- d. the York Region Water and Wastewater Master Plan; and,
- e. the York Region Transportation Master Plan.

5.1.7 To require that local official plans, master plans, capital plans and secondary plans be consistent with phasing plans prepared in accordance with policy 5.1.6.b through 5.1.6.e.

5.1.13 That the land area requirements for an urban expansion are identified as part of York Region’s land budget exercise.

5.6.3 That *new community areas* shall be designed to meet or exceed a minimum density of 20 residential units per hectare and a minimum density of 70 residents and jobs per hectare in the *developable area*.

Section 5.6 Sidebar Text:

Places to Grow: Growth Plan for the Greater Golden Horseshoe requires a minimum density target of 50 residents and jobs combined per hectare for designated greenfield areas. Some built and approved greenfield areas in York Region have densities lower than the provincial requirement, and others are achieving densities close to the required density.

The new community areas will be built to a minimum density of 20 units per hectare in the developable area which equates to approximately 70 residents and jobs per hectare. While this requirement is higher than what is in Places to Grow: Growth Plan for the Greater Golden Horseshoe, it is necessary in order to achieve 50 people and jobs per hectare across the entire designated greenfield area in York Region.

DEVELOPABLE AREA

The *developable area* includes all lands available for *development* for both private and public uses, including residential and employment uses, open space and infrastructure (e.g. local and Regional streets and stormwater management ponds).

The *developable area* excludes:

- a. environmental features and areas, where development is prohibited, identified in Places to Grow: Growth Plan for the Greater Golden Horseshoe;
- b. the Regional Greenlands System and approved local municipal natural heritage systems where development is prohibited;
- c. *key natural heritage features* and *key hydrologic features*;
- d. major infrastructure rights-of-way (i.e. existing 400-series highways and finalized route alignments for extensions or future 400-series highways, utility lines, and rail lines); and,
- e. existing uses (e.g. cemeteries, estate subdivisions).

Schedule "B"

Chapter	Section	1994 Policies to remain in force and effect All other policies, text, definitions and maps 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(s) in July 11, 2012 York Region Official Plan Office Consolidation
Chapter 2	Section 2.1	2.1.16, (note: 2.1.17 – already repealed)	
Chapter 2	Section 2.5	2.5.1 to 2.5.4, 2.5.16, 2.5.25, 2.5.29 – 2.5.32, 2.5.34 – 2.5.40	
Chapter 5	Section 5.8	Entirety	
Chapter 5	Section 5.9	Entirety	
Chapter 5	Section 5.12	Entirety	

Appendix 1
Portions of the Modified ROP – 2010 Remaining Under Appeal on a Region-Wide
Basis
February 4, 2015

Policy or Other Part of Plan Under Region-wide Appeal
Policy 3.1.8 Section 6.1 Section 6.2 Section 6.3 Save and except the preamble and policy 6.3.10 Section 6.4 Policy 7.2.50

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

Note 2: The approval of the definition of Municipal Comprehensive Review is without prejudice to the jurisdiction of the Board to consider an alternate definition of Municipal Comprehensive Review for the purposes of urban expansion and implementation of policy 5.1.12.

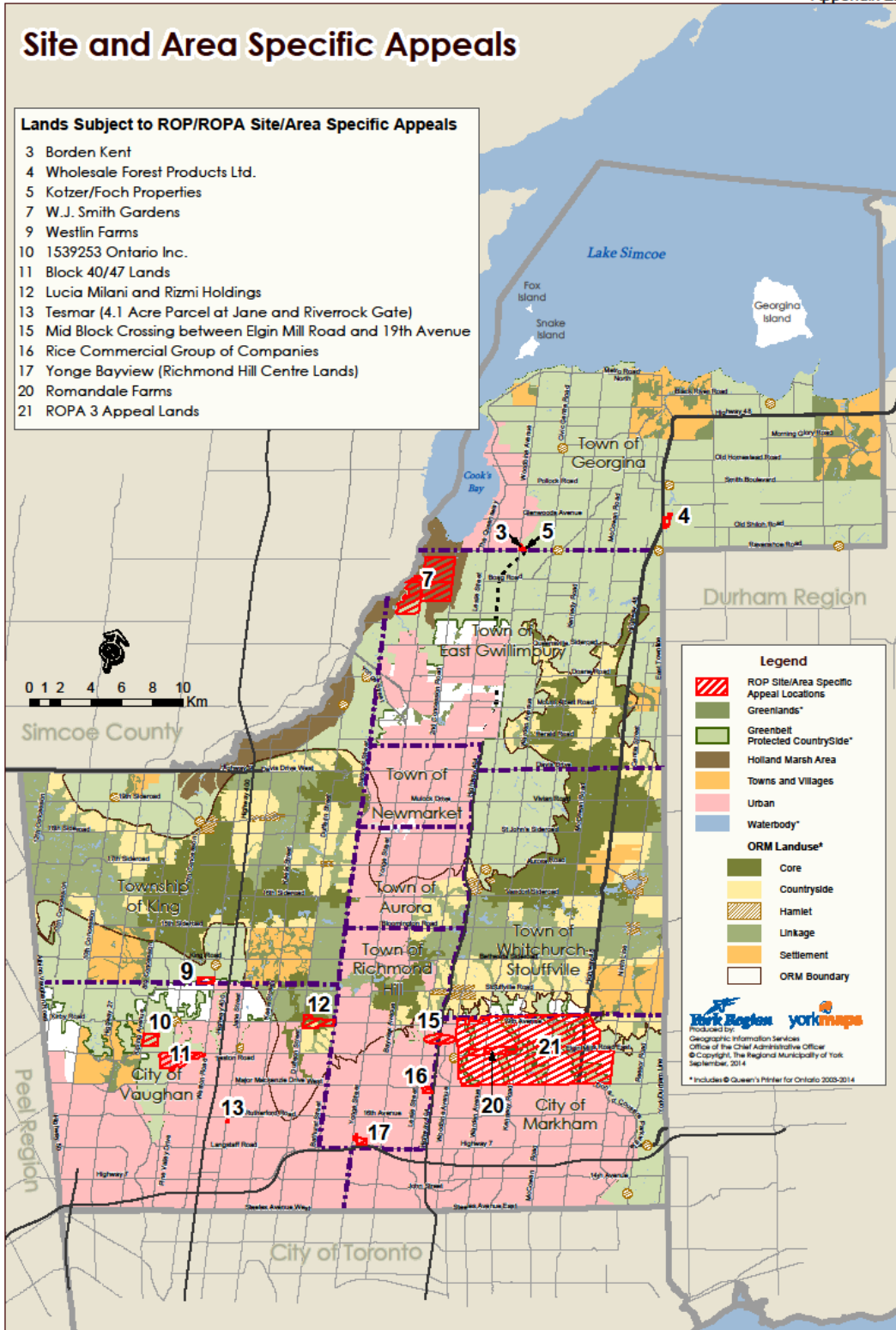
Appendix 2A
Portions of the Modified ROP – 2010 Remaining
Under Appeal on a Site Specific or Area Specific Basis
February 4, 2015

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
	Kotzer / Foch Lands
All Designations or Identifications on Maps 1 to 6, 8 and 10 and Figure 3	ROPA 3 Appeal Lands being all Markham whitebelt lands as shown on Appendix 2B ("ROPA 3 Appeal Lands")
Maps 1 to 6, and 8 and Figure 3	Block 40/47 Lands
Map 1	Tesmar Lands
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 12	Mid Block Crossing between Elgin Mills and 19 th Avenue (775377 Ontario Ltd)
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 3
Portions of the Modified ROP – 2010
Approved but Order Withheld

Policy or Other Part of Plan to be Approved – Order Withheld
Policy or Section
None

TOR01: 5558433: v19