

ISSUE DATE:

December 13, 2012



PL101128
PL101233
PL101238

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

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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Thursday, the 13th day of
December, 2012

WHEREAS the Board having heard the submissions of counsel for The Regional Municipality of York ("York Region") relating to Minutes of Settlement with SmartCentres and Calloway Real Estate Investment Trust ("SmartCentres"), filed in these proceedings as Exhibit 74 ("SmartCentres Minutes of Settlement"), relating to 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, July 11, 2012 (Order issued on August 23, 2012, "August 23, 2012 Order for Partial Approval"), September 19, 2012 and a Decision made on October 25, 2012;

AND WHEREAS paragraph 15 of the August 23, 2012 Order for Partial Approval permits the addition to Policy 8.4.20 listing additional minutes of settlement, subject to a later Order of the Board terminating the opportunity for such additions;

AND WHEREAS as a result of the SmartCentres Minutes of Settlement, The Region and SmartCentres 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, already approved Policy 8.4.20 is hereby amended to add the following:
 - e. SmartCentres and Calloway Real Estate Investment Trust – Vaughan;
2. In accordance with paragraph 15 of the August 23, 2012 Order for Partial Approval, subject to a later Order of the Board terminating the opportunity for such additions, the Board retains jurisdiction to issue a subsequent Order or Orders listing other additional minutes of settlement defining areas where deemed conformity with the Plan is operative.
3. The Board may be spoken to should any matters arise respecting the implementation of this Order.

Jeanne Hagg

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
Loblaw Properties Limited (Appellant 5)	Steven A. Zakem szakem@airdberlis.com
Rice Commercial Group of Companies (Non-East Gwillimbury Lands) (Appellant 6)	Ira T. Kagan ikagan@ksllp.ca
Yonge Green Lane Developments Limited (Appellant 7)	Steven A. Zakem szakem@airdberlis.com
Mr. Allen Eng (Appellant 8)	
Mr. John Hayes (Appellant 9)	
Mr. Paul Jadilevski (Appellant 10)	

York region Official Plan – PL101128 (ROP) Appellants	Counsel
Mr. Peter Antonopoulos (Appellant 11)	
Mr. Philip Comartin (Appellant 12)	
Mr. Shai Perlmutter (Appellant 13)	
Mr. Steven DeFreitas (Appellant 14)	
Peat Farmers of Ontario represented by Mr. Phil Comartin (Appellant 15)	
Property Owners with Rights Association represented by Paul Jadilebovski (Appellant 16)	
Kau & Associates L.P. (Appellant 17)	
Bleek 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 : 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.	Ira T. Kagan ikagan@ksllp.ca

York region Official Plan – PL101128 (ROP) Appellants	Counsel
(Appellant 35)	
Fieldgate Developments and TACC Developments (Appellant 36)	Ira T. Kagan ikagan@ksllp.ca
Times Group Corporation (Appellant 37)	Ira T. Kagan ikagan@ksllp.ca
Memorial Gardens Canada Limited (Appellant 38)	W. Thomas Barlow tbarlow@fasken.com
Amir Hessam Limited and 668152 Ontario Ltd. (Appellant 41)	Susan Rosenthal susanr@davieshowe.com
Arten Developments Inc. (Appellant 42)	
Sanmike Construction Ltd. (Appellant 43)	John A.R. Dawson jdawson@mccarthy.ca
Canadian Mortgage and Housing Corporation (Appellant 44)	
Mahamevna Bhavana Asapuwa Toronto (Appellant 46)	
The Mandarin Golf and Country Club Inc. and AV Investments II Inc. (Appellant 47)	Richard R. Arblaster rick@arblasterlaw.com
Cornerstone Christian Community Church (Appellant 48)	
Tesmar Holdings Inc. (Appellant 49)	Michael Melling/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
Romandale Farms Limited	Michael Melling/Raj Kehar michaelm@davieshowe.com rajk@davieshowe.com Assistant: Jules Calzavara julesc@davieshowe.com
CHFMS aka Trinison: <ul style="list-style-type: none"> • Colebay Investments Inc. • Firwood Holdings Inc. • Highcove Investment Inc. • Major McCowan Developments Limited • Summerlane Realty Corp 	Stephen J. D'Agostino: sdagostino@thomsonrogers.com