

## **Appendix 'C'**

### **Stakeholder Submissions to the Draft Regional Official Plan**

March 3, 2022

*Our file: NE.MA*

**VIA EMAIL**

Paul Freeman  
Chief Planner  
Region of York  
17250 Yonge St  
Newmarket, ON L3Y 6Z1

**Re: Draft Regional Official Plan**

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We represent a group of landowners within the City of Markham known as the Upper Markham Village Landowners Group Inc. (the “Landowners’ Group”). Collectively, the Landowners’ Group owns lands in North Markham, generally bounded by Major Mackenzie Drive, McCowan Road, Elgin Mills Road, and Highway 48, as well as lands located on the east side of Highway 48, between Major Mackenzie Drive and the Greenbelt.

In November 2021, we provided comments to York Region Council on the November draft of the Official Plan (Attachment A). Specifically, these comments were with respect to the phasing policies within Section 4.0 of the Draft Region Official Plan.

In our letter, we noted that Policy 4.2.2.4 sets out requirements that the approval of secondary plans for new community areas shall be contingent on several matters, including, among other matters:

- “b) the Region achieving a minimum average of 50% intensification over the last 5 years”;
- “c) the Region achieving a minimum population of 1.5 million people”; and
- h) A requirement that any phase of development shall only be approved once the preceding phase “is 75% registered”, among other matters.

Based on our review of the land needs assessment, the 1.5 million population is not forecast to be met until 2031. This population generally coincides with the anticipated population to be accommodated within the existing urban areas, including the ROPA 3 lands in North Markham (the “Future Urban Area”), which were added to the urban area in the previous review of the Regional Official Plan.

We have prepared an analysis of lands within the Markham “Future Urban Area” to identify lands that are not likely to develop prior to 2031, based on landowners who are not participating within the Secondary Plan process and will unlikely develop their lands by 2031, as well as other lands that are not likely to develop prior to 2031 (including the majority of the Angus Glen Golf Course).

According to the Region and the City of Markham, the anticipated population growth in Markham between 2021-2031 is 64,300 people. Splitting this population growth equally between the Built-up Area and the Designated Greenfield Area (DGA) and applying the Region’s PPU assumptions results in approximately 11,500 units needing to be accommodated within Markham’s DGA by 2031. This estimate is in line with the estimate of units to be provided within the Future Urban Area, according to the City’s Secondary Plans (12,000 units).

Assuming the Secondary Plans in North Markham are planned to accommodate 12,000 units (at full build-out), we have conducted an analysis to understand how many units might actually be built by 2031, knowing that there are some lands that will not develop until after 2031. The Robinson Glen Secondary Plan is not included in the table below, as there are minimal lands that are not anticipated to develop by 2031 mostly small rural residential lots.

|   | Net<br>Developable<br>Area - Low<br>Density (ha) | Net<br>Developable<br>Area - Mid-rise<br>(ha) | Net<br>Developable<br>Area - Mixed<br>Use Mid-rise<br>(ha) |              |
|---|--|---|--|--------------|
| <b><u>Berczy Glen Secondary Plan:</u></b> |  |   |  |              |
| Wagama                                    | 13.55  | 2.93  | 0.00   |              |
| Elma Schickedanz                          | 0.88   | 2.30  | 0.00   |              |
| Brock                                     | 0.41   | 6.76  | 1.76   |              |
| <b><u>Angus Glen Secondary Plan:</u></b>  |  |   |  |              |
| Romandale Farms                           | 12.99  | 0.67  | 0.00   |              |
| Golf Course                               | 29.30  | 6.22  | 17.51  |              |
| Sub-total                                 | 57.13  | 18.89   | 19.27  |              |
| Assumptions (density range):              | 25-45 uph  | 40-80 uph                                     | 40-70 uph  |              |
| Min. Units:                               | 1,428  | 755   | 771  | <b>2,955</b> |
| Max. Units:                               | 2,571  | 1,511   | 1,349  | <b>5,431</b> |

The table above demonstrates that the Secondary Plans will accommodate somewhere between 2,955 to 5,431 fewer units by 2031 than anticipated. As well, the Angus Glen Secondary Plan is currently at the OLT which may further delay development within that block.

Since the Region is relying on the full development of the Secondary Plan areas to accommodate population growth to 2031 and knowing that the full amount of this population will likely not be accommodated during that time period, we request that the Region revise its draft phasing policies for expansion lands to permit Secondary Planning to begin now so that enough lands are available to be developed to meet required housing needs before 2031. As we noted in our November 2021 letter, the process of Secondary Plan approval through to construction can generally takes in excess of 10 years. For development to happen in 2031, secondary planning studies must begin now.

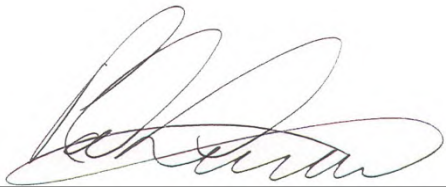
Similarly, the infrastructure related the required growth areas can take a significant amount of time to plan, complete Class EA's, design and construct. Specifically, the North Markham Collector Sewer on McCowan Road between Major Mackenzie Drive East and the YDSS on 16<sup>th</sup> Avenue is currently identified as a 2031 to 2041 project. If this project isn't advanced well ahead of this timeline, it will not be ready in time to service the required growth areas.

As we noted in our November 2021 letter, we encourage staff to reconsider the phasing policies and focus on phasing development in tandem with infrastructure and community facility provision. We urge you to look at other municipalities that have implemented infrastructure staging policies that phase development according to infrastructure and community facility provision rather than arbitrary percentage and population targets that could exacerbate the housing crises.

Thank you for the opportunity to provide comments.

Sincerely,

**SGL PLANNING & DESIGN INC.**



**Paul Lowes, MES, RPP, MCIP**  
Principal

c.c. Sandra Malcic, York Region  
Arvin Prasad, City of Markham  
Steve Schaefer, SCS Consulting Group Ltd.  
Upper Markham Village Landowners Group Inc.



## **Attachment A**

November 24, 2021

*Our file: NE.MA*

**VIA EMAIL**

York Regional Council  
17250 Yonge St  
Newmarket, ON L3Y 6Z1

Dear Members of York Regional Council,

**Re: Updated Draft Regional Official Plan (Item F.2)**

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We represent a group of landowners within the City of Markham known as the Upper Markham Village Landowners Group Inc. (the “Landowners’ Group”). Collectively, the Landowners’ Group owns lands in North Markham, generally bounded by Major Mackenzie Drive, McCowan Road, Elgin Mills Road, and Highway 48, as well as lands located on the east side of Highway 48, between Major Mackenzie Drive and the Greenbelt.

On behalf of the Landowners’ Group, we have reviewed the Updated Draft Regional Official Plan (Draft ROP), dated November 25, 2021. We want to start off by commending the Region on the Draft ROP and all of the work that has gone into its preparation. Overall, the Draft ROP is well written, easily understood and interpreted, and we support the majority of the policies within the document.

We continue to review the Draft ROP and may provide additional comments for the Region’s consideration. However, we wish to take this initial opportunity to provide some preliminary comments with respect to the phasing policies within Section 4.0 of the Draft ROP.

**Preliminary Comments on Phasing Policies**

We recognize the importance of comprehensively planning for the development of new community areas to ensure appropriate development with respect to infrastructure services and roads. We also agree that the development of new community areas should generally be phased, beginning with the concession blocks that are adjacent to the existing urban area and in tandem with the provision of infrastructure and community facilities. However, we are concerned that some of the phasing policies in Section 4.2.2 may place unnecessary and unintended restrictions on the timing of development within the new community areas.

Policy 4.2.2.2 requires local municipal official plans to identify phasing of development within new community areas, to the satisfaction of the Region, in accordance with, among other matters, *“d) a maximum number of concession blocks being permitted to development at any one time”*. We are concerned that the requirement for local municipalities to implement a policy to limit development to a maximum number of concession blocks will unnecessarily restrict development that may otherwise be able to proceed in accordance with the intent of the other phasing policies to ensure the logical and orderly development of new community areas. As well, restricting land supply at this time, with a serious affordability crisis, is not in our opinion prudent planning. **In our opinion, policy 4.2.2.2 d) should be deleted,**

Policy 4.2.2.4 sets out requirements that the approval of secondary plans for new community areas shall be contingent on several matters, including, among other matters:

- *“b) the Region achieving a minimum average of 50% intensification over the last 5 years”;*
- *“c) the Region achieving a minimum population of 1.5 million people”;* and
- h) A requirement that any phase of development shall only be approved once the preceding phase *“is 75% registered”*, among other matters.

Similar to our previous comment, we are concerned that these above noted requirements of policy 4.2.2.4 may limit the ability of development to occur, or impede the progression of development within the new community areas if any of the noted metrics are not being met. The Region’s Land Needs Assessment has identified a need to expand the urban boundaries in the Region, based on population and employment forecasts as well as minimum intensification and density targets, in conformity to the Growth Plan. This expansion ensures that over the planning horizon of the Plan, the minimum targets will be met.

With respect to sub-policy b), we heard from Region staff that the intensification target fluctuates considerably year to year. To require meeting an average could mean that family housing, which is desperately needed to address the affordable housing crises, will be delayed.

With respect to c), the Region is not forecast to achieve a population of 1.5 million until 2031, which means the approval of the secondary plan cannot happen until at least 2031. However, it takes a considerable long time to proceed through Secondary Planning studies, MESP, draft plans of subdivision, rezoning and installing infrastructure. This process can generally takes in excess of 10 years. For development to happen in 2031, secondary planning studies must begin now.

Restricting development based on these metrics is not appropriate, nor is it practical for local municipalities to base the approval of local secondary plans on metrics that apply on a Regional basis. **In our opinion, policies 4.2.2.4 b) and c) should be deleted.**

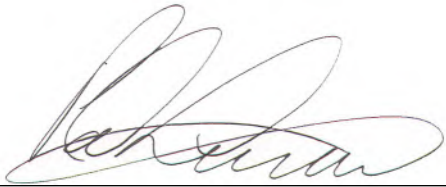
As noted above, policy 4.2.2.4 h) requires that the previous phase of development be 75% registered. In our opinion, this policy will also further restrict land supply when it is desperately needed to address the affordability crisis. As well, without a phasing plan, it is very difficult to understand how such a policy will be implemented. If the phases are small, a small group of landowners can restrict development and land supply further pushing up housing prices. In our opinion, phasing policies should focus solely on infrastructure provision – ensuring development is delivered in tandem with infrastructure and community facilities and not create policies that will restrict land supply. **In our opinion, policy 4.2.2.4 h) i. should be deleted.**

### **Conclusion**

We understand that the Region will continue to receive comments on the Updated Draft Regional Official Plan through the early part of 2022. We will continue to review the Plan in greater detail, and provide any further comments that we have, but we encourage staff to reconsider the phasing policies and focus on phasing development in tandem with infrastructure and community facility provision.

Thank you for the opportunity to provide comments.

Sincerely,  
**SGL PLANNING & DESIGN INC.**



**Paul Lowes**, MES, RPP, MCIP  
Principal

c.c. Paul Freeman, Chief Planner, York Region  
Upper Markham Village Landowners Group Inc.

March 22, 2022

Region of York  
17250 Yonge St  
Newmarket, ON L3Y 6Z1

Attention: Mr. Paul Freeman, Chief Planner  
Sent only by email: [Paul.Freeman@york.ca](mailto:Paul.Freeman@york.ca)

**Re: 2021 Updated Draft York Region Official Plan, November 25, 2021**

We are the planning consultants for lands in Lots 23 and 24, Concession 6, City of Markham (Subject Lands) located in the concession block bounded by Elgin Mills Road, McCowan Road, Major Mackenzie Drive and Kennedy Road (see attached maps) owned by:

- Hal-Van 5.5 Investments Ltd.;
- Minotar Holdings Inc.; and,
- Beechgrove Estates Inc.

We have reviewed the 2021 Updated Draft York Region Official Plan, November 25, 2021 (draft 2021 YROP) on behalf of the owners as it pertains to the Subject Lands and the Regional Greenlands System and have the following initial comments related to the Regional Greenlands System features mapping and related policies:

**1. Map 2 Regional Greenlands System**

This proposed map replaces the current Map 2, Regional Greenlands System. The current map identifies the Greenbelt Plan area, Regional Greenlands System, and water features on the Subject Lands. The proposed new Map 2 no longer depicts water features and shows an additional portion of the Greenlands System outside of the Greenbelt Plan Area within the northeast corner of the Subject Lands. The additional area is inconsistent with natural heritage features on site, and inconsistent with mapping provided through the Robinson Glen Master Environmental Servicing Plan (MESP).

**Requested Modification: Change the configuration of the additional Regional Greenlands System in the northeast portion of the Subject Lands, to make it consistent with that provided in the Robinson Glen MESP as illustrated on Attachment A to this submission.**

**2. Map 3 Areas of Natural and Scientific Interest**

This proposed map replaces the current Map 3, Environmentally Significant Areas and Areas of Natural and Scientific Interest. The current map identifies the Greenbelt Plan area on the Subject Lands, but does not identify any Environmentally Significant Areas or Areas of Natural and Scientific Interest (ANSI). The proposed new Map 3, however,

designates a significant portion of the Subject Lands in the Greenbelt Plan as an ANSI – Life Science (see Attachment B).

We have been advised by Natural Resource Solutions Inc. (NRSI), who are the environmental consultants for the owners, that ***the Subject Lands do not contain an ANSI. As a result, the current proposed designation is incorrect and the designation should be removed.***

A portion of the lands in the Greenbelt Plan has long been identified by the Province, even prior to the preparation of the current YROP, as a Candidate ANSI – Life Science. However, at no time have the Landowners been advised that the lands have been formally recognized as an ANSI. Such an advisory is required by the *Identification and Confirmation Procedure for Areas of Natural and Scientific Interest* (OMNR 2011) which speaks to “timely and appropriate contact with affected landowners” and “important to engage [landowners] during the early stages of the project” which includes sending out “landowner information kits”.

Of further concern, the proposed ANSI mapping is inaccurate and does not reflect the most current information about the boundaries of the Candidate ANSI. That accurate information is illustrated on Attachment C to this submission. It reflects the work done by NRSI through the identification of the Rouge Watershed Protection Area (RWPA) as part of the Robinson Glen MESP (Stoneybrook et al., August 2020). It was also mapped as part of the Robinson Glen Collector Road Environmental Assessment Environmental Characterization Report (NRSI, April 2021). In addition, it was mapped initially in the 2013 Environmental Characterization Report (NRSI) completed for the landowners, as well as the Kennedy Meadows Environmental Impact Study (NRSI, September 2021) submitted as part of the application for plan of subdivision on the Subject Lands.

**Requested Modification: Removal of any ANSI designation from the Subject Lands on Map 3 to the YROP.**

### 3. Map 4 Key Hydrologic Features

This proposed map replaces the current Map 4, Key Hydrologic Features. The current map identifies Provincially Significant and Provincial Plan Area Wetlands, Permanent or Intermittent Stream, and the Greenbelt Plan area and its Natural Heritage System within the Subject Lands, but does not identify Seepage Areas and Springs.

The proposed new Map 4 (See Attachment D) shows a large portion of the Subject Lands in a light blue shading that is identified in the legend as “Seepage Areas and Springs”. This designation is inconsistent with Maps 12A and 12B that show these areas as significant groundwater recharge areas. It is also inconsistent with the results of seepage assessments conducted for the Subwatershed Study (SWS) and MESP.

NRSI conducted a groundwater seepage assessment on February 15, 2015, together with the SWS consultants, and found two smaller areas of seepage within the Subject Lands along Robinson Creek. See Attachment E for the results of the seepage area survey, which was provided in the Robinson Glen MESP (Stoneybrook et al., 2020).

The proposed new map has an accurate layer of the Provincial Significant Wetlands within the Subject Lands. However, the permanent and intermittent stream layer of the proposed

map is inconsistent with the MESP mapping (Stoneybrook et al. 2020) or current provincial mapping (MNRF 2019). There are two areas where the new map's stream layer goes beyond the Provincially Significant Wetland and is incorrect (see Attachment F).

**Requested Modification: Replace the Seepage and Springs designation on Map 4 on the Subject Lands with accurate mapping provided in the Robinson Glen MESP (Stoneybrook et. al. 2020); and, Correct the Permanent or Intermittent Stream layer, consistent with mapping provided in the Robinson Glen MESP (Stoneybrook et al., 2020).**

#### **4. Map 5 Woodlands**

This proposed map replaces the current Map 5, Woodlands. The proposed new Map 5 (See Attachment G) shows woodlands within the Subject Lands, however these are not accurate. **The woodland boundaries (i.e. dripline) have been staked and surveyed with the City of Markham and the Toronto Region Conservation Authority (TRCA).** The woodland layer should be consistent with the MESP (Stoneybrook et al. 2020), as shown in Attachment H

**Requested Modification: Revision to update the woodland layer consistent with MESP (Stoneybrook et al. 2020) mapping.**

#### **5. Map 12A Significant Groundwater Recharge Areas (SGRA) and Recharge Management Areas**

The SGRA shown on Map 12A for the Subject Lands is modified from the SGRA mapping presented in the Source Protection Information Atlas. What was the source of the information used to modify the mapping and the basis for these modifications for the Subject Lands?

**Requested Modification: Revise SGRA mapping to reflect Source Protection Information Atlas mapping unless modifications can be justified based on additional more detailed investigation which can be made publicly available.**

#### **6. Map 12B Significant Surface Water Contribution Areas & Ecologically Significant Groundwater Recharge Areas (ESGRA)**

The ESGRA shown on proposed Map 12B are significantly different from the ESGRA mapping previously made available for the Subject Lands by the TRCA. What was the source of the information used to modify the mapping and the basis for these modifications for the Subject Lands?

**Requested Modification: Revise ESGRA mapping to reflect previously available TRCA mapping unless modifications can be justified based on additional more detailed investigation which can be made publicly available.**

Should you have any questions regarding this submission, please contact the undersigned. In addition, please consider this letter as a request for notification of the adoption of the York Region Official Plan. Notification should be sent to Hal-Van 5.5 Investments Ltd.; Minotar Holdings Inc.; and, Beechgrove Estates Inc. c/o Mr. Clay Leibel, 200 Cachet Woods Court,

Suite 218, Markham, Ontario, L6C 0Z8 by mail and by email to [clayl@bellnet.ca](mailto:clayl@bellnet.ca), as well as to the undersigned at [howson@mshplan.ca](mailto:howson@mshplan.ca).

Yours truly,

**Macaulay Shiomi Howson Ltd.**



Per: Elizabeth Howson, MCIP, RPP

c.c. Sandra Malcic, Region of York, [Sandra.Malcic@york.ca](mailto:Sandra.Malcic@york.ca)

Clay Leibel, [clayl@bellnet.ca](mailto:clayl@bellnet.ca)

Katharina Richter, NRSI, [krichter@nrsi.on.ca](mailto:krichter@nrsi.on.ca)

C. Lyons, Goodmans, [clyons@goodmans.ca](mailto:clyons@goodmans.ca)

T. Mikel, R.J. Burnside & Associates Limited, [Travis.Mikel@rjburnside.com](mailto:Travis.Mikel@rjburnside.com)

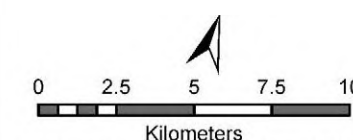


## MAP 2

### REGIONAL GREENLANDS SYSTEM

- 
- Legend:**
- Regional Greenlands System
  - Urban Area
  - Towns and Villages
  - Future Urban Area
  - Hamlets
  - Area within ORMCP conditional upon amendments to Ontario Regulation 140/02\*
- Greenbelt Plan**
- Greenbelt Plan Boundary
  - Protected Countryside
  - Urban River Valley
- Oak Ridges Moraine Conservation Plan**
- Oak Ridges Moraine Conservation Plan Boundary
  - Countryside
- Provincial Highways**
- Existing
  - Under Construction
- Municipal Boundaries**
- Regional Municipal Boundary
  - Local Municipal Boundary

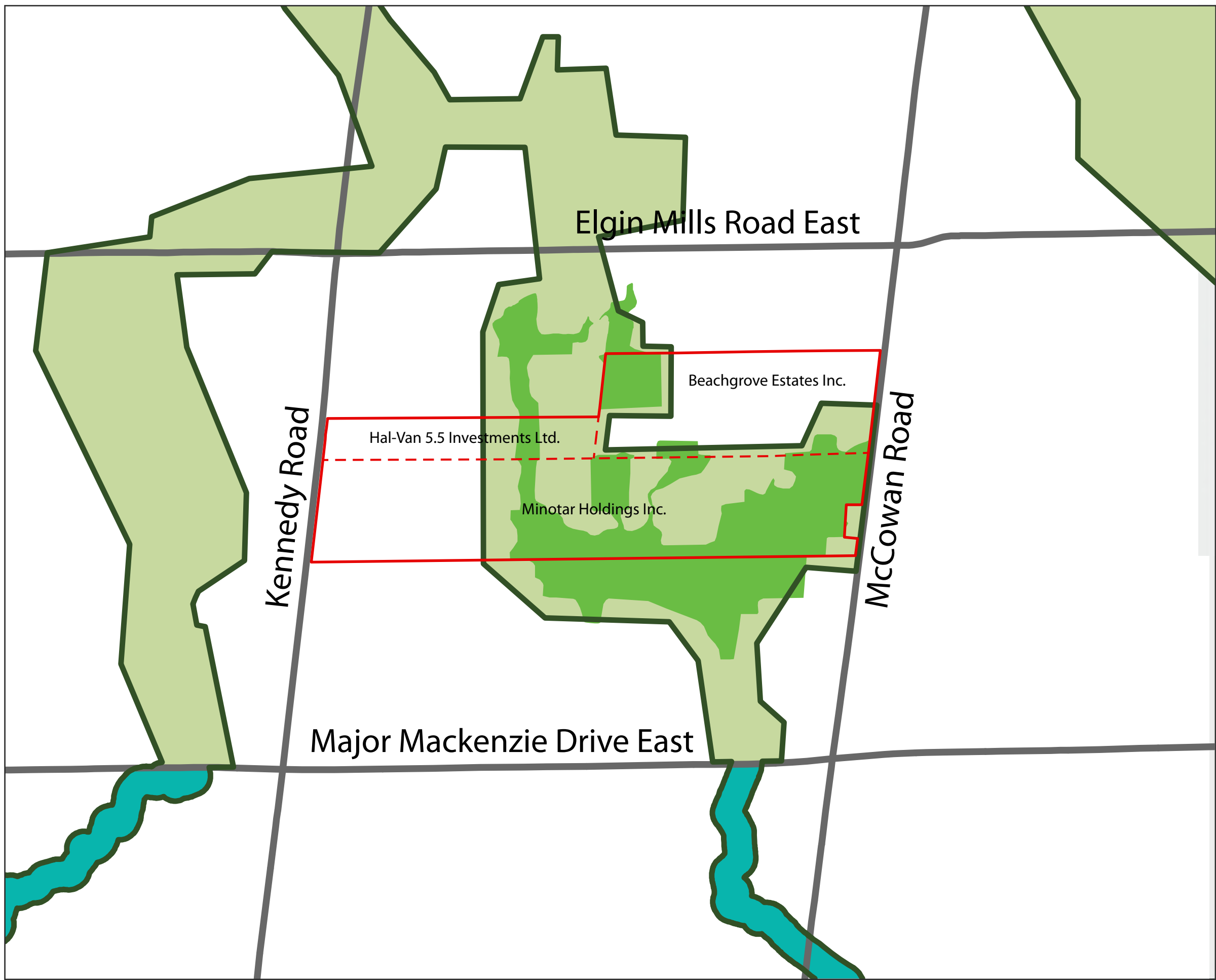
\*Urban designations are conditional upon amendments to the ORM designations prior to adoption of the ROP.



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Boundaries and Water Features

# MAP 3

## AREAS OF NATURAL AND SCIENTIFIC INTEREST

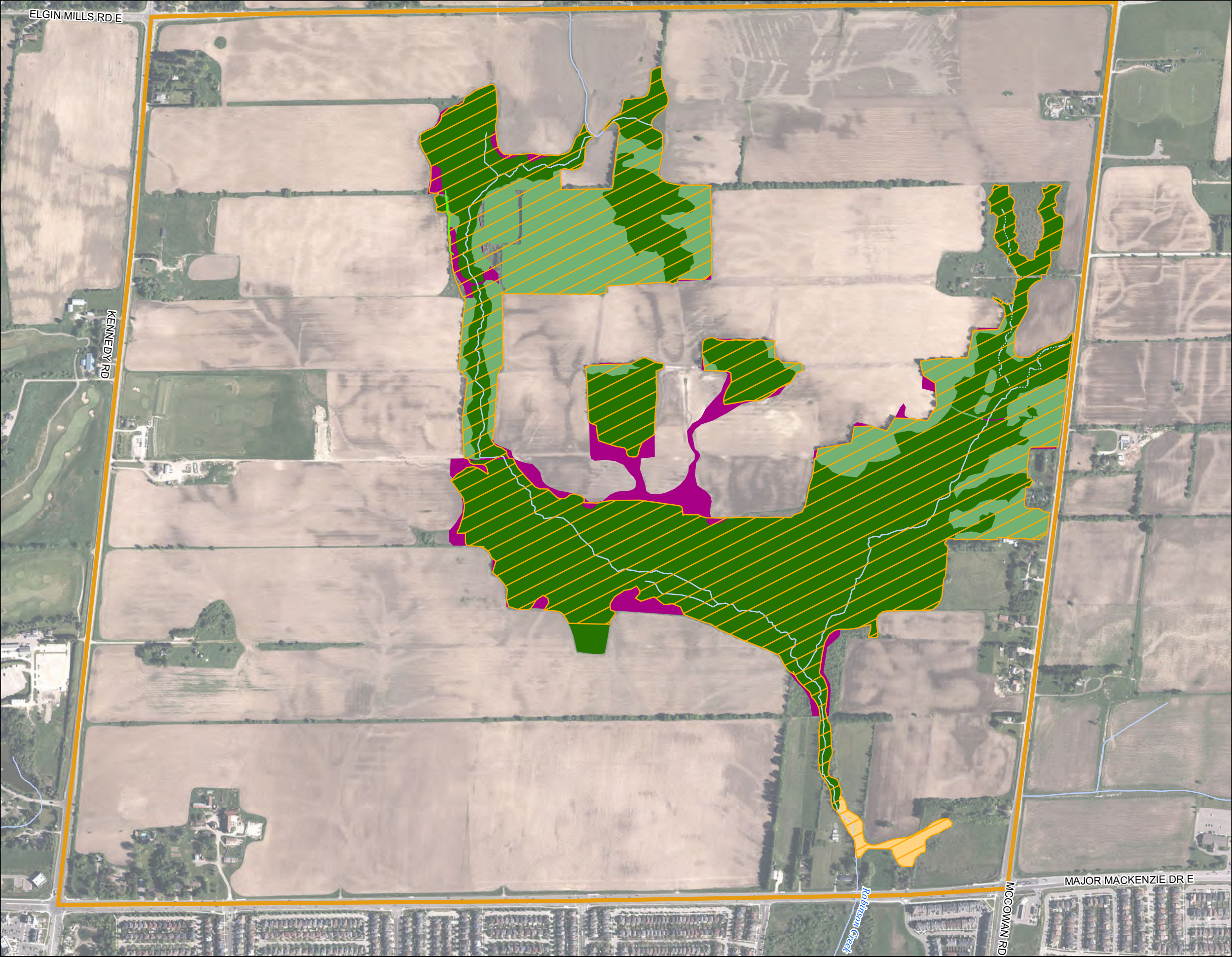


- Areas of Natural and Scientific Interest - Earth Science
- Areas of Natural and Scientific Interest - Life Science
- Greenbelt Plan**
  - Greenbelt Plan Boundary
  - Protected Countryside
  - Urban River Valley
- Oak Ridges Moraine Conservation Plan**
  - Oak Ridges Moraine Conservation Plan Boundary
- Provincial Highways**
  - Existing
  - Under Construction
- Municipal Boundaries**
  - Regional Municipal Boundary
  - Local Municipal Boundary

0 2.5 5 7.5 10  
Kilometers

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**Robinson Glen Block**  
**ANSI Components**

- Legend**
- Robinson Glen Block
  - Candidate Area of Natural and Scientific Interest (OMNR 2006)
  - Candidate Area of Natural and Scientific Interest (NRSI Refined)
  - Provincially Significant Wetland (MNRF 2018)
  - Other Wetland (Unevaluated)
  - Woodland
  - Staked Dripline (Savanta)
  - Permanent Watercourse
  - Intermittent Watercourse

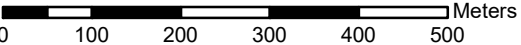
*Note: The areas east of the Robinson Creek Main Branch are mapped for informational purposes only.*



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**NAD83 - UTM Zone 17**  
**Scale:1:8,500 (11x17")**  
**Airphoto: 2017**

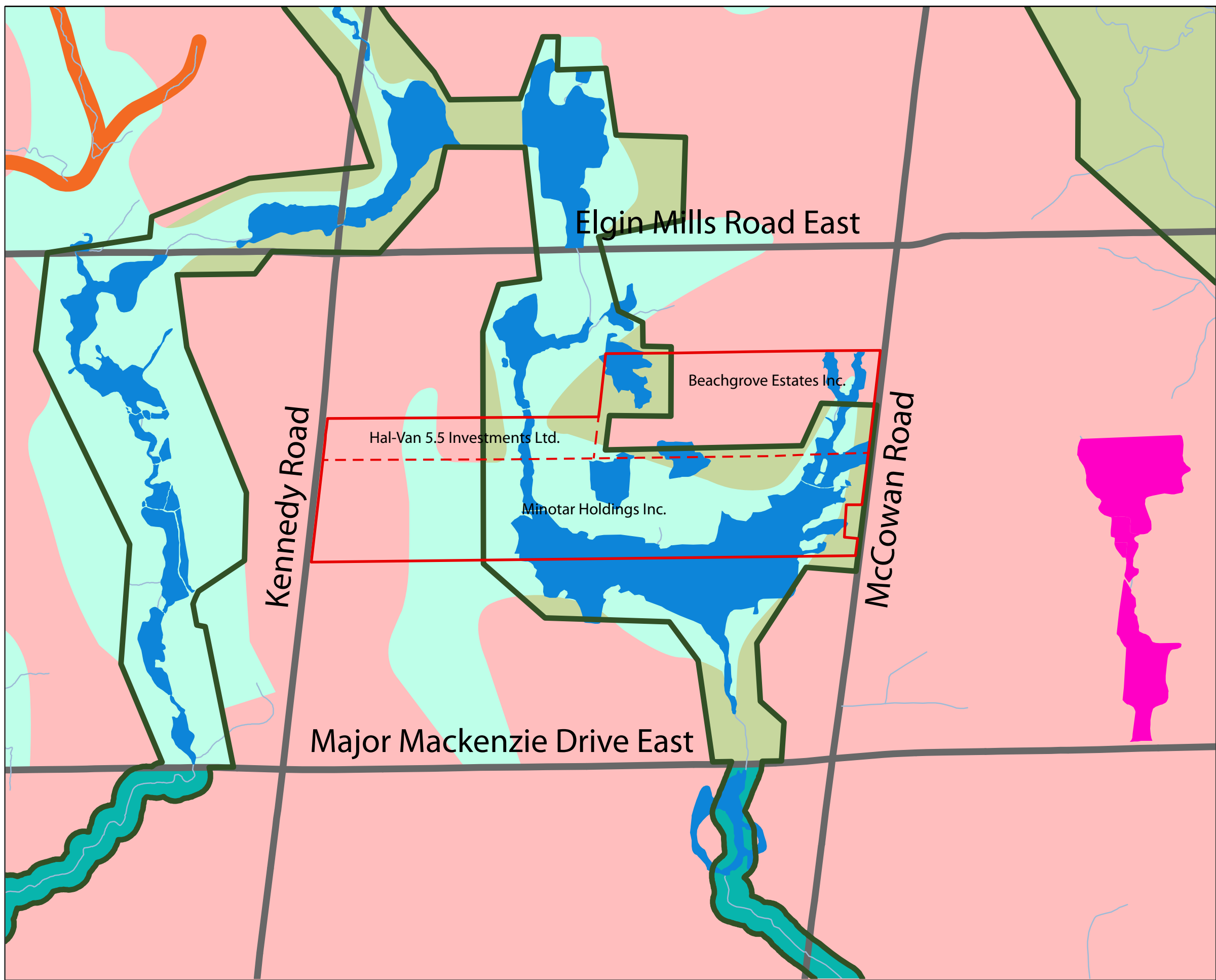
**Project: NRSI-0905**  
**Date: March 8, 2019**





# MAP 4

## KEY HYDROLOGIC FEATURES



- Urban Area
  - Towns and Villages
  - Future Urban Area
  - Area Subject to the Lake Simcoe Protection Plan
  - Area within ORMCP conditional upon amendments to Ontario Regulation 140/02\*
- Key Hydrologic Features**
- Provincially Significant and Provincial Plan Area Wetlands
  - Other Evaluated Wetlands
  - Wetlands not evaluted per Ontario Wetland Evaluation System
  - Lakes
  - Permanent or Intermittent Stream
  - Seepage Areas and Springs (Toronto and Region Conservation Authority)
  - Kettle Lakes
- Greenbelt Plan**
- Greenbelt Plan Boundary
  - Protected Countryside
  - Urban River Valley
- Oak Ridges Moraine Conservation Plan**
- Oak Ridges Moraine Conservation Plan Boundary
- Provincial Highways**
- Existing
  - Under Construction
- Municipal Boundaries**
- Regional Municipal Boundary
  - Local Municipal Boundary

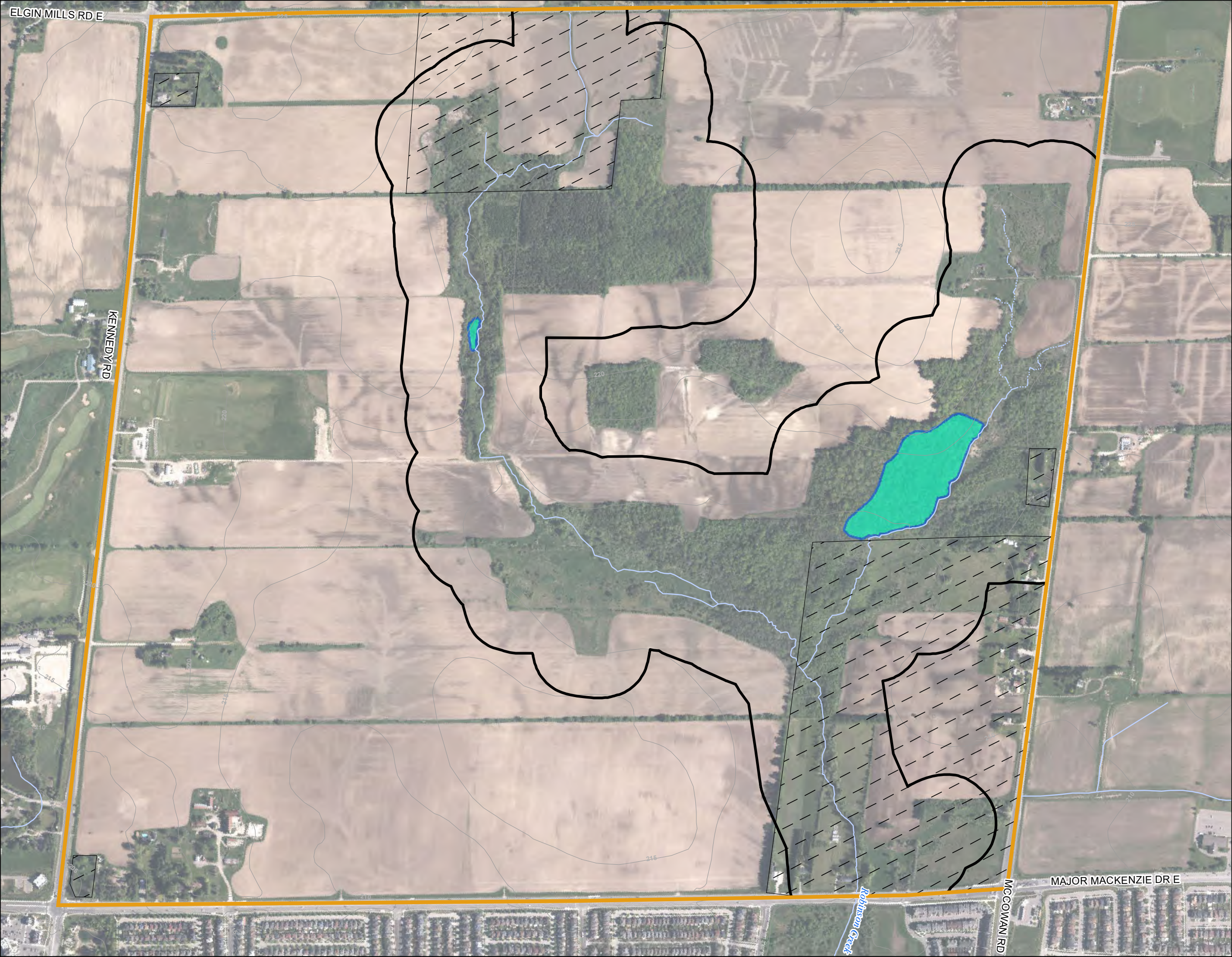
\*Urban designations are conditional upon amendments to the ORM designations prior to adoption of the ROP.

0 2.5 5 7.5 10  
Kilometers

**York Region**

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**Robinson Glen Block  
Rouge Watershed Protection  
Area Delineation  
Criterion 8**

Map 11

**Seepage Areas and Areas Exhibiting  
Groundwater Discharge**

- Robinson Glen Block
- Rouge North Park Study Area
- Non Participating Landowners
- Groundwater Discharge Areas
- Permanent Watercourse
- Intermittent Watercourse
- Contour (5m Interval)

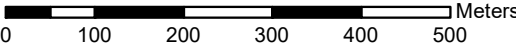
*Note: The areas east of the Robinson Creek Main Branch are mapped for informational purposes only.*



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**NAD83 - UTM Zone 17  
Scale:1:8,500 (11x17")  
Airphoto: 2017**

**Project: NRSI-0905  
Date: November 26, 2019**





Robinson Glen Block  
Rouge Watershed Protection  
Area Delineation  
Criterion 1

Map 4

Rouge North Watercourses  
and Existing Regulatory Floodplain

- Robinson Glen Block
- Rouge North Park Study Area
- Non Participating Landowners
- Floodplain
- Permanent Watercourse
- Intermittent Watercourse
- Contour (5m Interval)

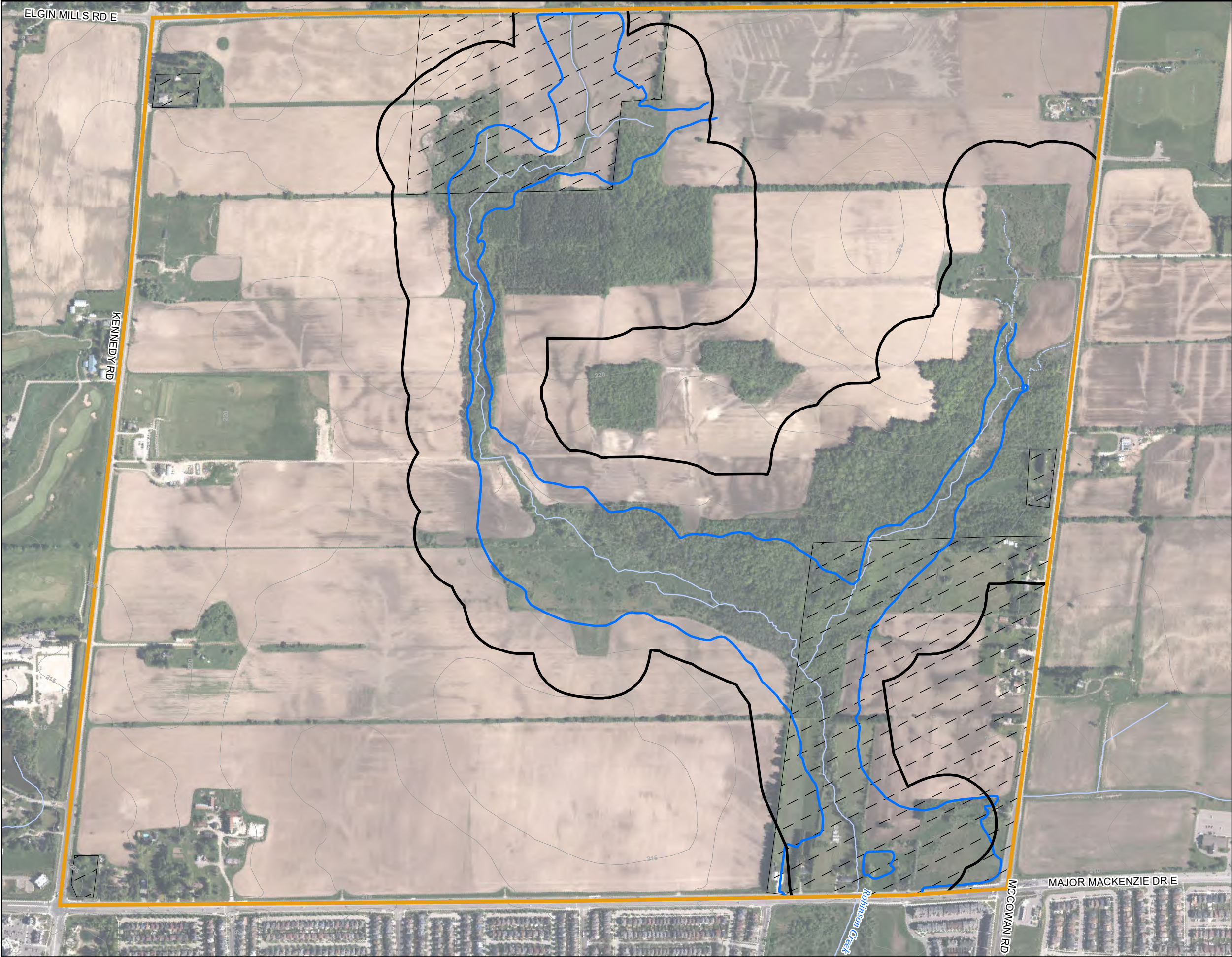
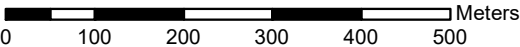
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NAD83 - UTM Zone 17  
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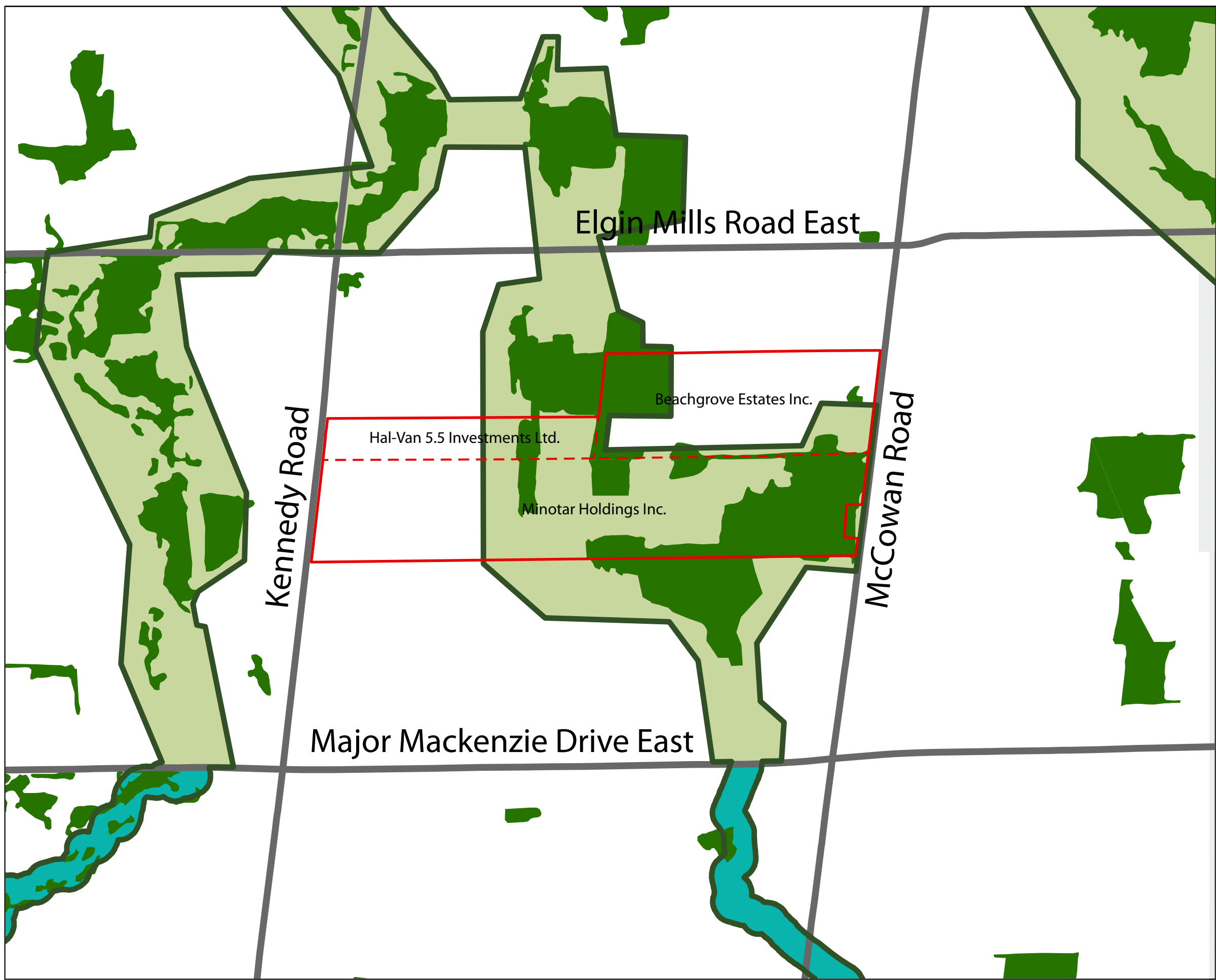
Project: NRSI-0905  
Date: December 5, 2019





# MAP 5

## WOODLANDS



- Woodlands
- Provincial Park
- Rouge National Urban Park
- Greenbelt Plan**
  - Greenbelt Plan Boundary
  - Protected Countryside
  - Urban River Valley
- Oak Ridges Moraine Conservation Plan**
  - Oak Ridges Moraine Conservation Plan Boundary
- Provincial Highways**
  - Existing
  - Under Construction
- Municipal Boundaries**
  - Regional Municipal Boundary
  - Local Municipal Boundary



Greenway System  
Mapping

Natural Heritage Network:  
Species at Risk and Woodlands

Map 3

Legend

- Robinson Glen Block
- Permanent Watercourse
- Intermittent Watercourse
- Woodland
- Woodland VPZ (30m)
- Contributing Redside Dace Habitat
- Occupied Redside Dace Habitat
- Retainable Butternut Habitat (25m)

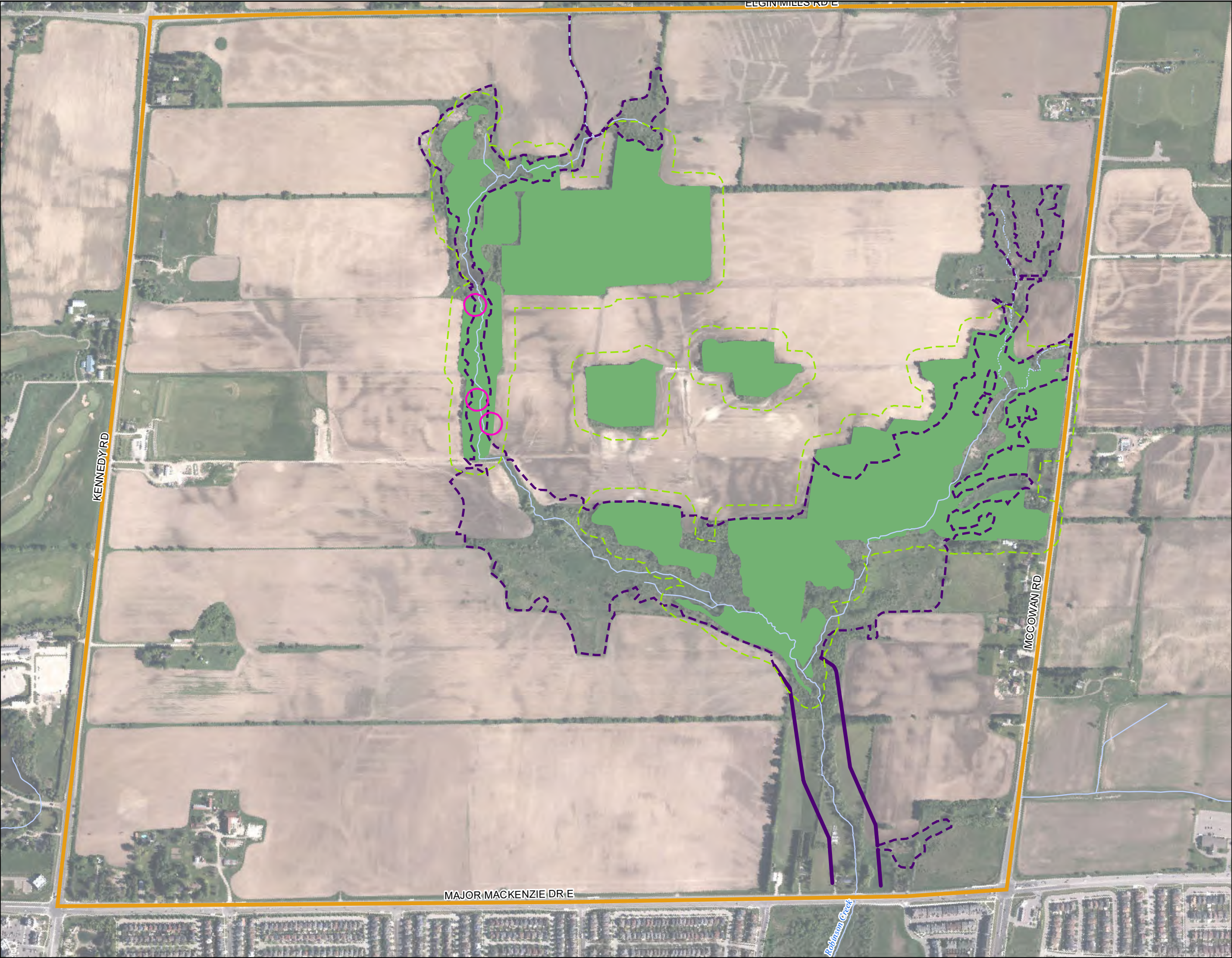
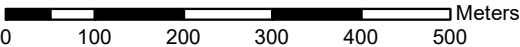
Note: The areas east of the Robinson Creek Main Branch are mapped for informational purposes only.



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NAD83 - UTM Zone 17  
Scale:1:8,500 (11x17")  
Airphoto: 2017




Project: NRSI-0905  
Date: November 27, 2019










# MAP 12A

## SIGNIFICANT GROUNDWATER RECHARGE AREAS AND RECHARGE MANAGEMENT AREAS

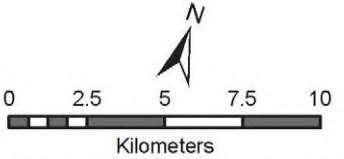
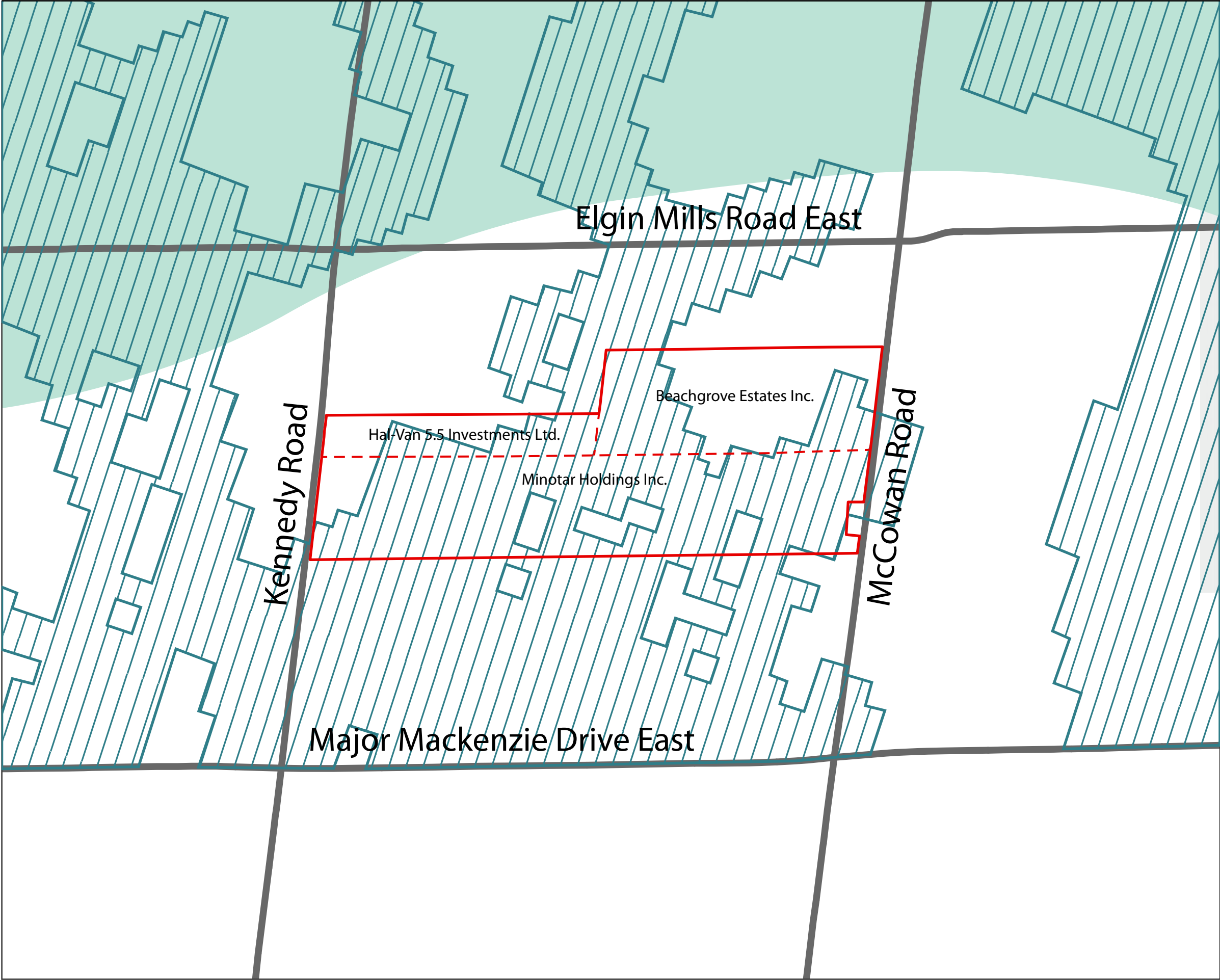
-  Significant Groundwater Recharge Area
-  Recharge Management Area (WHPA Q1/Q2)
-  Source Protection Plan Boundary\*

- Oak Ridges Moraine Conservation Plan**
-  Oak Ridges Moraine Conservation Plan Boundary

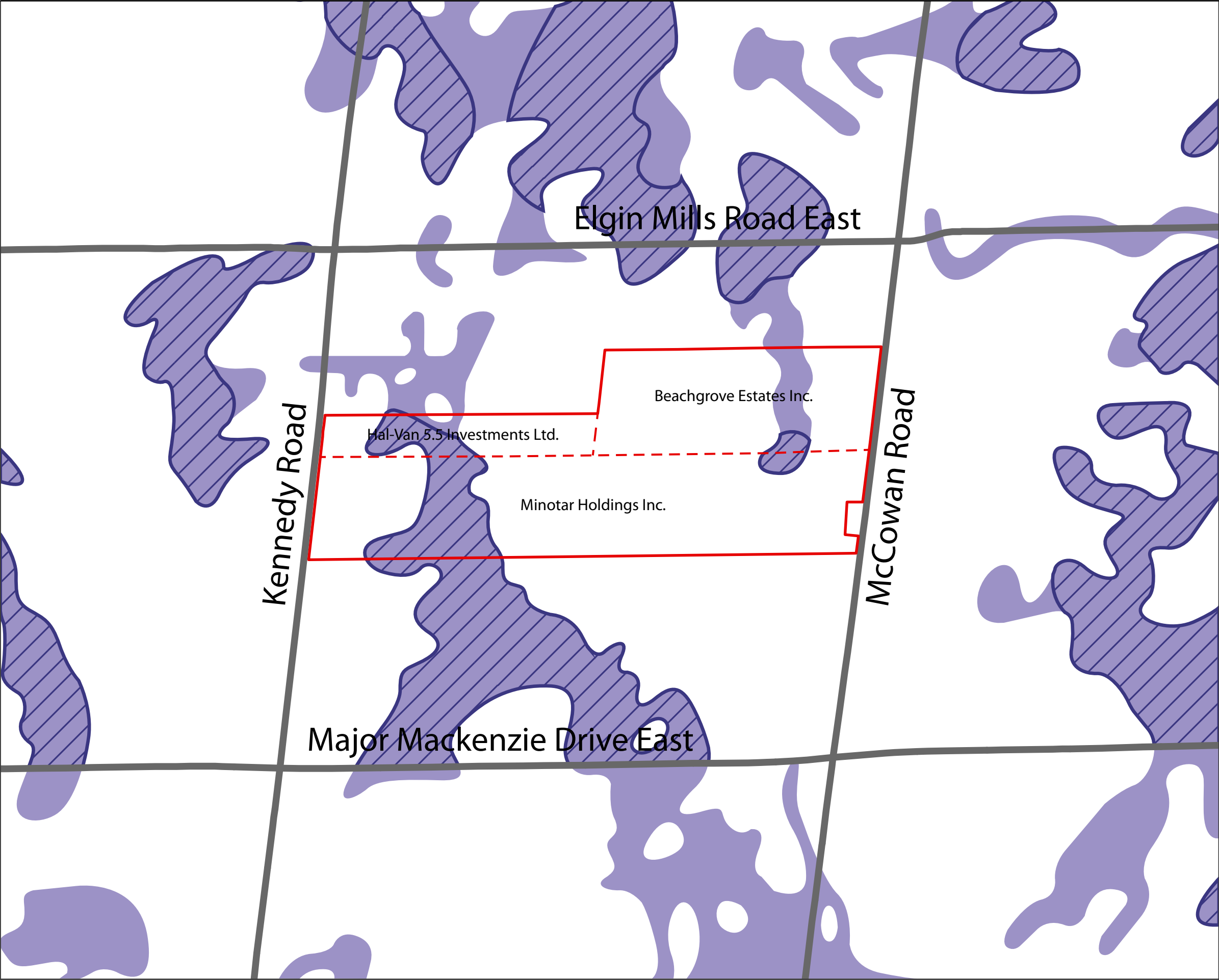
- Provincial Highways**
-  Existing
  -  Under Construction

- Municipal Boundaries**
-  Regional Municipal Boundary
  -  Local Municipal Boundary

\*Area north of Source Protection Plan boundary is subject to the South Georgian Bay Lake Simcoe Source Protection Plan and area to south is subject to the Credit Valley, Toronto and Region & Central Lake Ontario Source Protection Plan

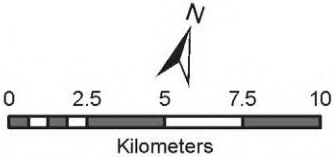


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**MAP 12B**  
SIGNIFICANT SURFACE  
WATER CONTRIBUTION  
AREAS & ECOLOGICALLY  
SIGNIFICANT GROUNDWATER  
RECHARGE AREAS

- Significant Surface Water Contribution Area
- Ecologically Significant Groundwater Recharge Area
- Oak Ridges Moraine Conservation Plan**
  - Oak Ridges Moraine Conservation Plan Boundary
- Provincial Highways**
  - Existing
  - Under Construction
- Municipal Boundaries**
  - Regional Municipal Boundary
  - Local Municipal Boundary



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March 28, 2022

The Regional Municipality of York  
17250 Yonge Street  
Newmarket, Ontario  
L3Y 6Z1

Attn: Ms. Sandra Malcic, Director, Long Range Planning

Dear Ms. Malcic,

**Re: Response to Draft Regional Official Plan  
28 Main Street Unionville, City of Markham  
OnePiece Ideal (MS) Developments Inc.**

---

Evans Planning acts on behalf of OnePiece Ideal (MS) Developments Inc., the Owner of the property legally described as 'Part of Lot 9, Concession 5, Original Township of Markham, now in City of Markham', and municipally known as 28 Main Street Unionville (the 'subject property').

The subject property is located north of Enterprise Boulevard, west of Main Street Unionville, and is bisected by Bill Crothers Drive forming two distinct parcels of land – The West Parcel, being lands west of Bill Crothers Drive, and the East Parcel being the lands east of Bill Crothers Drive and west of Main Street Unionville.

The subject property is located within the City of Markham *Urban Growth Centre* and *Regional Centre* and also within the delineated boundaries of Enterprise BRT Station Major Transit Station Area (MTSA 12).

The Owner has previously obtained permission from the City of Markham to construct a multi-phase, high-density, mixed-use development on the subject property through the approval of Official Plan Amendment No. 219 and Zoning By-law Amendment 2018-134. These amendments permitted the redevelopment of the subject property with a total of 673 residential dwelling units and up to 1,700 square metres of non-residential uses contained in two buildings with heights of 29- and 33-storeys.

In December 2019 the Owner provided further applications for Official Plan and Zoning By-law Amendment to the City of Markham for the Phase 1 lands. These applications contemplated a revised built form with a maximum height of 47-storeys (including the mechanical penthouse), and were deemed complete in January 2020 as City File PLAN 19 142690. The revised applications were considered by City of Markham Council

at its meeting on July 14 and 16, 2020, and were ultimately refused despite the recommendations of City Staff recommending approval of the proposed Amendments and endorsement in principle of the revised Site Plan Control application, subject to conditions. An appeal of the Council decision is presently pending before the Ontario Land Tribunal (OLT). In a preliminary order issued on January 19, 2022, and on the consent of all parties to the pending appeal, the Tribunal allowed the expansion of the scope of the appeal to include consideration of the policy framework for both the east and west parcels.

As part of a settlement with the City, a revised development concept is being prepared which includes an overall reduction in building heights, an increased number of dwelling units, and the provision of 20 dedicated affordable housing units.

As the applications were filed in December 2019, and have been appealed to the OLT, it is our position that any new policies with respect to affordable housing are not applicable in the consideration of the proposed development on the subject property. We would request the Region's confirmation of same.

I trust the enclosed materials are satisfactory. We request to be notified in advance of all reports, Council/Committee meetings, and decisions in respect of this matter. Should you require any additional information, please contact the writer at your earliest convenience.

Yours truly,



Adam Layton, RPP, MCIP

cc. OnePiece Ideal (MS) Developments Inc.





March 28, 2022

The Regional Municipality of York  
17250 Yonge Street  
Newmarket, Ontario  
L3Y 6Z1

Attn: Ms. Sandra Malcic, Director, Long Range Planning

Dear Ms. Malcic,

**Re: Response to Draft Regional Official Plan  
9999 Markham Road, City of Markham  
2585231 Ontario Inc.**

Evans Planning acts on behalf of 2585231 Ontario Inc., the Owner of the property legally described as 'Part of Lot 20, Concession 8, City of Markham', and municipally known as 9999 Markham Road (the subject property). The subject property is located on the east side of Markham Road, south of Major Mackenzie Drive East. The property is currently vacant, and has a total lot area of approximately 12.84 hectares (31.7 acres).

The Owner has previously submitted an application to Amend the City of Markham Zoning By-law and for Draft Plan of Subdivision approval in order to permit the multi-phase redevelopment of the subject property (City File: ZA/SU 18 180621). These applications were approved by the City in December 2019. The approved draft plan of subdivision contemplates the creation of several new roads and development blocks as follows:

- A development block (Block 1) accommodating 118 townhouse and stacked townhouse dwellings;
- A future development block (Block 2) to accommodate future high-density residential development (a potential 1,053 dwelling units)
- A 0.41 hectare (1.0 acre) public park (Block 7);
- A 0.9 hectare (2.27 acre) open space block;
- A new north-south public right-of-way (the extension of Anderson Avenue);
- A new east-west public right-of-way (Lica Avenue) connecting Markham Road to the extension of Anderson Avenue;

A second phase of the redevelopment of the subject property is proposed to consist of:

- The further extension of Anderson Avenue to the southern property boundary;
- A potential second public park located on the west side of the Anderson Avenue extension;
- A further 0.35 hectare (0.88 acre) open space block; and
- Two further development blocks (Blocks 3 and 4) contemplated for higher-density, mixed-use development containing a potential 2,359 dwelling units, in addition to non-residential floor area

It is noted that a further application to amend the City Zoning By-law for a portion of Block 2 was submitted to the City of Markham in December 2021 seeking to permit a 12-storey residential building. This application is currently under review as City File: PLAN 21 147900.

We have reviewed the draft of the York Region Official Plan (YROP) released on November 25, 2021, and wish to provide the following comments on behalf of our Client:

### **Major Transit Station Area**

We previously provided comments in June 2019 with respect to the draft delineation of the Mount Joy GO Station Major Transit Station Area (MTSA). We note that the delineated limits in the draft YROP do not extend north of Castlemore Avenue. We continue to suggest that there is merit in including the subject property within the limits of this MTSA given that the pedestrian/road connections that will be established within Phase 1 of the redevelopment of the subject property would eventually provide a direct thoroughfare to the station.

Additionally, we respectfully suggest that the provisions of Section 4.4.2.7 which state that a new MTSA area will only be approved as part of a Regional Municipal Comprehensive Review (MCR) should be revised. Specific to the subject property, the potential for a new GO Station north of Major Mackenzie Drive has been discussed on numerous occasions, and has been a consideration in both the prior approvals for our Client's development applications, and as part of the ongoing Mount Joy Markham Road Corridor Secondary Plan Update. Delaying the establishment and delineation of new MTSA's until an MCR will delay the development process for these areas, which could have long term impacts on affordability, the provision of services, and traffic, and would appear contrary to the goal of aligning growth with infrastructure investment. We suggest that an alternative protocol be established to ensure that new MTSA's, particularly those related to higher order transit in the form of GO Stations or Subways which have a defined location and services area, are identified and delineated immediately upon being established. This could potentially occur through a Municipal or proponent initiated Regional Official Plan Amendment.

### **Affordable Housing**

We note that various policies of the YROP provide a minimum requirement that 35% of all new units within Centres and MTSA's and 25% of all new units elsewhere be 'affordable', as defined. We wish to advise of the following concerns with respect to these policies.

Even at the lower end of the spectrum, requiring that 25% of all new units be affordable is an unrealistic target, exceeding even the ultimate requirements of the Inclusionary Zoning policies for the strongest market

area recently adopted by Council for the City of Toronto (ultimate being at the conclusion of a phasing in process). Given the uncertainty inherent in the development process, the time it takes to bring a project to conclusion, and the general market uncertainty, requiring such an onerous target may lead to the cancellation of existing or planned projects, or developers seeking other opportunities for development outside of the Region.

Further, there does not appear to be any consideration given to phasing or transitioning towards this target to accommodate projects already in the development process, such as our Client.

While attempting to increase the rate at which affordable housing is created, the realities of construction must be considered – specifically that the cost to build an affordable unit is no different than the cost to build a market unit, however these units may need to be sold at a loss to meet the definition of ‘affordable’ for a specific area. Consideration should be given to requiring that incentives be provided to offset the costs of these units, such as the reduction/elimination of planning and permit application fees, development charges, parkland contributions, or community benefits, as well as the elimination of the need to provide parking for said units.

We are also concerned with the removal of the notion of ‘intrinsically affordable’ units from the draft of the YROP. It is our Client’s position that increasing the diversity and supply of a variety of housing options through the provision of apartment, townhouse, stacked townhouse, and other innovative design options is a crucial element in creating not only a complete and diverse community, but also contributes to the inherent affordability of said community by providing options for all income levels. Alternative forms of housing can be considered affordable when compared to the relatively limited supply of traditional forms of ground related housing, although may not meet the strict definition of ‘affordable’ as provided in the draft YROP.

Our Client remains committed to working with public housing suppliers through the development process, however we respectfully suggest that the YROP must include a wide variety of options for meeting the stated affordable unit targets, including through ‘intrinsically affordable’ units, and through an increased supply. Further, incentives should be provided to offset the costs of building ‘affordable’ units to ensure that projects remain viable. Lastly, transition protocols should be well defined for any active development proposals which are currently under review.

I trust the enclosed materials are satisfactory. We request to be notified in advance of all reports, Council/Committee meetings, and decisions in respect of this matter. Should you require any additional information, please contact the writer at your earliest convenience.

Yours truly,



Adam Layton, RPP, MCIP

cc. 2585231 Ontario Inc.

March 30, 2022

MGP File: 21-3071

Members of York Region Council  
The Regional Municipality of York  
17250 Yonge Street  
Newmarket, ON L3Y 6Z1

via email: [futureyork@york.ca](mailto:futureyork@york.ca)

Dear Chairman and Members of Regional Council:

**RE: Buttonville Airport, City of Markham  
CF/OT Buttonville Properties LP Comments on the Draft York Region Official Plan**

Malone Given Parsons Ltd (“MGP”) are the land use planners for CF/OT Buttonville Properties LP (“CF Buttonville”), the owner of the lands currently occupied by the Buttonville Municipal Airport at 2833 16<sup>th</sup> Avenue in the City of Markham (the “City”).

On behalf of CF Buttonville, we have reviewed the Draft York Region Official Plan (the “Draft YROP”) and provide this letter with our comments as it relates to the site-specific policy governing the future redevelopment of Buttonville Airport. We kindly request a meeting with Regional staff to confirm that the Buttonville site-specific policy in the Draft YROP is intended to maintain the intent of the existing policy, namely that a secondary plan process will determine the future uses on the Buttonville lands and that an employment conversion request will not be required.

## **Background**

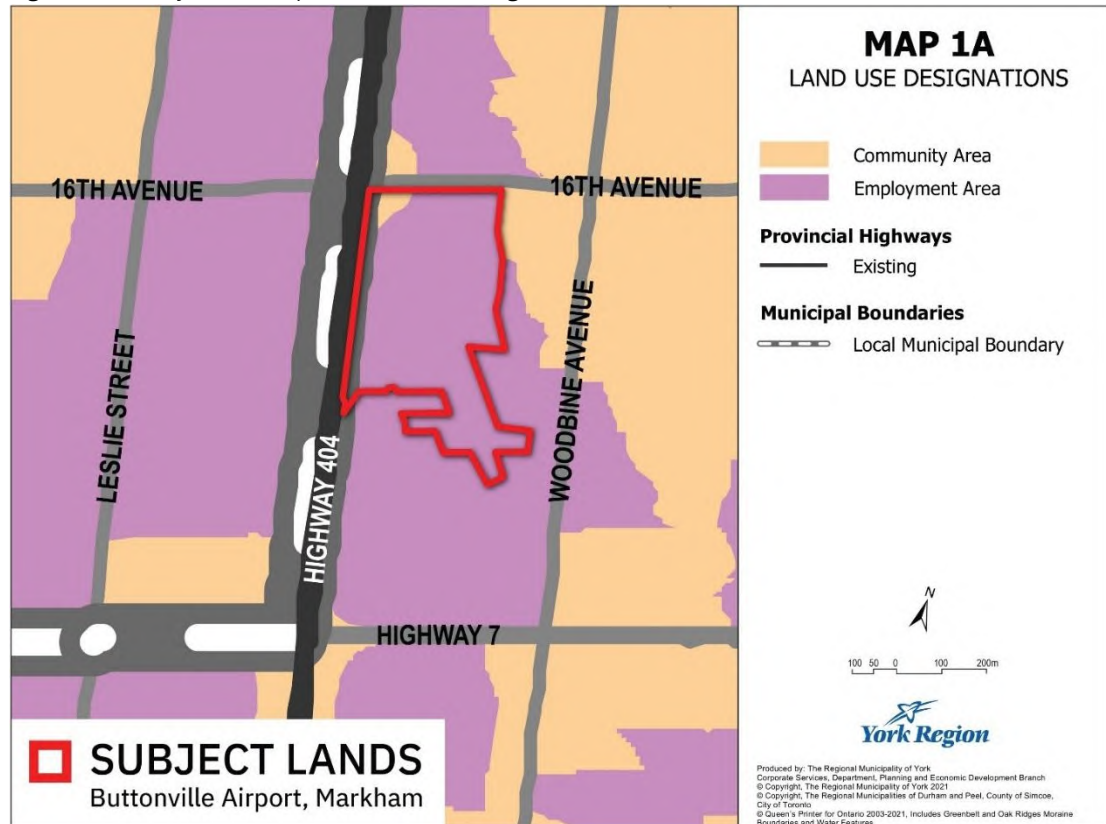
CF Buttonville remains committed to the redevelopment of the Buttonville Airport lands to support intensification and a mix of uses on these lands, including business park uses, and anticipates initiating a new secondary plan application process in the near future. CF Buttonville wants to ensure that the intent of the existing Buttonville site-specific policy is preserved in the new YROP in the face of the new provincial policy framework regarding the designation of employment areas within upper-tier official plans and employment area conversion requests.

As shown in Figure 1.1 below, the Draft YROP designates the Buttonville Airport lands as Employment Area on Map 1A, Land Use Designations, where previously no employment areas were designated under the YROP.



We request that a symbol identifying the site-specific policy for the Buttonville Airport lands be added to Map 1A to clarify the applicability of Policy 6.3.5.7 to these lands in relation to the overall employment area policies.

Figure 1.1 – Draft YROP Map 1A, Land Use Designations



Source: York Region (2021), MGP (2021)

## Site-Specific Policy and Modifications

Our understanding of the existing Policy 7.2.92 is that the future uses on the Buttonville Airport lands will be determined through an implementing secondary plan process and that an employment land conversion request is not required. This is supported by the secondary plan process undertaken in 2012, reviewed by both the City and the Region, which did not include an employment land conversion request.

The Draft YROP proposes minor amendments to the site-specific policy, however we believe the intent of the policy remains the same; to require a secondary plan process to determine future land uses, recognizing that this secondary plan process, through the required technical supporting studies and vision for the lands and the area, may identify non-employment lands and uses over a portion of the lands.

We kindly request that the Region clarify its intent in proposing the amended site-specific policy in the Draft YROP and confirm our understanding that both the existing and the

proposed site-specific policy in the Draft YROP do not require an employment land conversion request as part of the planning process for the Buttonville Airport lands.

## **Employment Area Zones and Densities**

Appendix 1 of the Draft YROP identifies Employment Area Zones and Densities. The Buttonville Airport lands are located within the Highway 404 and Highway 407 Employment Area Zone with an overall density target of 100 jobs per hectare.

As the Growth Plan for the Greater Golden Horseshoe does not specify a minimum density target for employment lands, there is no overarching Provincial density target that must be met. Unnecessarily setting minimum densities for employment areas will limit the possibilities for lower density employment uses that are critical to the Region's successful growth, which would undermine the direction in Policy 4.3.7 to protect certain employment areas for manufacturing, warehousing, and logistics, particularly as specific areas for these uses have not been identified. As such, the new YROP should consider removing density targets from the Highway 404 and Highway 407 Employment Area Zone (and from employment areas all together) to ensure that these areas remain flexible to accommodating the fast-evolving needs of businesses.

Alternatively, the Region can choose to impose minimum density targets, applicable across the entirety of the designated employment areas. Using a minimum density will keep employment areas flexible to providing a range of employment uses. As described in the 2019 Planning for Employment Background Report, there has been an increase in demand for warehouse and distribution facilities, both of which are low density uses.

## **Conclusion and Request**

In general, there are many supportable goals and objectives outlined in the Draft YROP, reflecting contemporary directions in good planning. CF Buttonville recognizes the effort that Regional staff have put into the preparation of the Draft YROP and thank staff for the opportunity to provide comments. CF Buttonville is dedicated to working collaboratively with the Region in community-building and looks forward to working with staff to address our comments in the coming months.

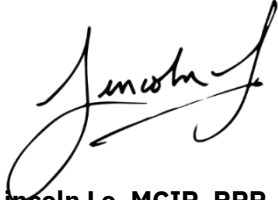
We believe that a meeting with City and Region staff would be the most productive and beneficial method of understanding the Region's approach in drafting the site-specific policy and addressing our comments.

We thank you for the opportunity to provide input on the Region's municipal comprehensive review and look forward to continuing to engage with staff through the process.

Should you have any questions or wish to discuss our comments, please do not hesitate to contact me at 905.513.0170.

Yours very truly,

Malone Given Parsons Ltd.

A handwritten signature in black ink, appearing to read "Lincoln Lo", with a stylized flourish extending from the bottom.

**Lincoln Lo, MCIP, RPP**  
**Principal**

cc        *Client*  
           *Darryl Lyons, City of Markham*

March 31, 2022

MGP File: 22-3104

Members of York Region Council  
The Regional Municipality of York  
17250 Yonge Street  
Newmarket, ON L3Y 6Z1

via email: [futureyork@york.ca](mailto:futureyork@york.ca)

Dear Chairman and Members of Regional Council:

**RE: CF Markville Mall, City of Markham  
Comments on the Draft York Region Official Plan**

Malone Given Parsons Ltd (“MGP”) are the land use planners for The Cadillac Fairview Corporation Limited, as agent of Ontrea Inc. the owner of the lands currently occupied by CF Markville Mall at 5000 Highway 7 East (the “Subject Lands”) in the City of Markham (the “City”).

On behalf of Cadillac Fairview, we have reviewed the Draft York Region Official Plan (the “Draft YROP”) and provide this letter with our comments as it relates to the existing mall, as well as future redevelopment of these lands. Cadillac Fairview generally supports the policy direction that the Region is taking in the Draft YROP, however we would like to raise a few items for the Region’s consideration. Specifically, we respectfully request that York Region:

- Expand Major Transit Station Area (“MTSA”) #16 to incorporate lands within an 800 m radius, including general employment areas;
- Consider increasing the density target of MTSA #16 from 200 to 250 people and jobs per hectare;
- Remove maximum height and density policy requirements for MTSA’s; and
- Provide clarity as to the “Active Commuter Lot” symbol on the Subject Lands.

**Background**

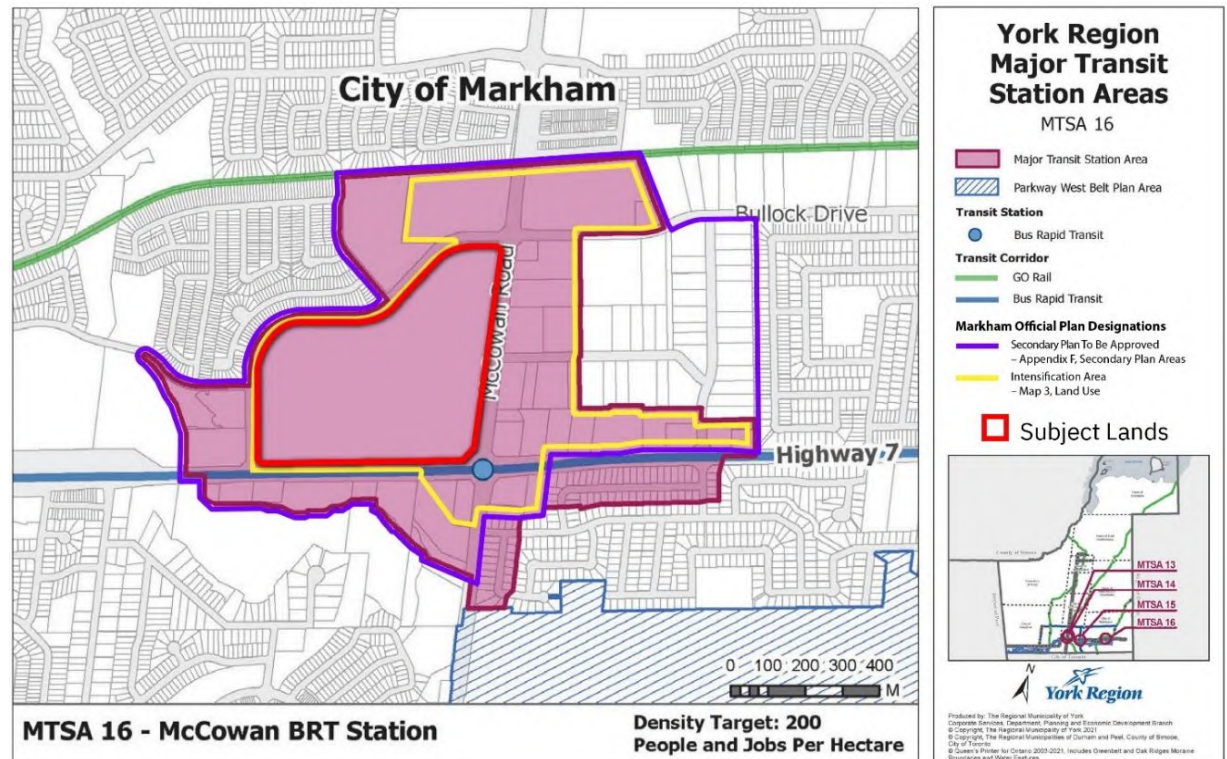
The Subject Lands and its surrounding area are identified as an Intensification Area (also known as a Key Development Area) within the City’s 2014 Official Plan. The City has recently initiated a study to establish a new secondary plan for the Markville Key Development Area in accordance with the policies of Section 9.14 of the City’s 2014 Official Plan. Cadillac Fairview, as the owner with the largest landholding in the Markville Key Development Area, is actively involved in the City’s process, which it will be helping to inform through the preparation of its own studies to guide future redevelopment of the Subject Lands.

## McCowan BRT MTSA #16 – Boundaries, Density Targets, Maximum Heights and Densities

The Draft YROP delineates the area including and surrounding the Subject Lands as part of the McCowan BRT Major Transit Station Area (“MTSA”) #16 with a density target of 200 people and jobs per hectare. The Subject Lands are located adjacent to two rapid transit stations that serve two different routes, being the Highway 7 BRT stopping at McCowan Station and the Stouffville GO Rail line stopping at Centennial Station just north of the Subject Lands.

As shown in Figure 1 below, the Region’s MTSA boundary is different and smaller than the City’s Markville Secondary Plan boundary and the City’s Intensification Area boundary. Notably, the existing low-density employment uses east of McCowan Road have been excluded from the MTSA boundaries.

Figure 1 – Draft YROP, Appendix 2, MTSA #16 McCowan BRT Station Comparison with City 2014 OP Designations



Source: York Region (2021), MGP (2021)

We have concerns that the boundary for MTSA #16 does not appropriately maximize the size of the area and number of potential transit users within walking distance of the station. In our view, the exclusion of the abutting general employment areas from the MTSA erroneously lowers the density surrounding a major transit station, which is contrary to the Growth Plan and good planning principles for directing growth.

Policy 2.2.4.2 of the Growth Plan notes:

*“For major transit station areas on priority transit corridors or subway lines, upper- and single-tier municipalities, in consultation with lower-tier municipalities, will delineate the boundaries of major transit station areas in a transit-supportive manner that maximizes the size of the area and the number of potential transit users that are within walking distance of the station.” [MGP emphasis].*

We note that MTSA #16 is located on a priority transit corridor (Highway 7), as identified in Schedule 5 of the Growth Plan. We also note that the definition of a Major Transit Station Area includes that MTSA’s “generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk”.

As a result of the current delineation, there are transit users within an 800 m or 10-minute walking distance (namely the abutting general employment areas) excluded from the proposed MTSA boundary and therefore also excluded from the density calculation. Incorporating employment uses in an MTSA represents good planning principles as it diversifies the mix of uses that support existing and planned transit levels.

Logically, the exclusion of the employment area lowers the land area denominator in a density calculation, thereby also lowering the overall achievable people and jobs quantum within the proposed MTSA. Additionally, excluding the general employment areas (which are likely to redevelop at densities lower than the MTSA density target) artificially reduces the densities within the MTSA lands, as it doesn’t allow for the balance of the MSTA area to absorb the resulting density shortfall.

**We request that the Region re-consider the boundaries of the McCowan BRT Station MTSA in recognition of the City’s identified boundaries for its future secondary plan and to better reflect an 800 m (10-minute walking area) around the transit station.**

Furthermore, while we recognize that the Draft YROP identifies density targets as minimums, we submit that a higher target of 250 people and jobs per hectare would be more appropriate for this MTSA given its proximity to two distinct forms of rapid transit. Other MTSAs along these same routes, including the Valleysmede BRT Station (MTSA #24), West Beaver Creek BRT Station (MTSA #25) and Milliken GO Station (MTSA #17) have a density target of 250 people and jobs per hectare. Based on these comparable stations, **we request the Region consider increasing the McCowan BRT Station minimum density to at least 250 people and jobs per hectare.**

Policy 4.4.2.9 of the Draft YROP requires that local municipalities identify maximum height and density policies within MTSAs. Enforcing maximum height and density policies within the MTSA is not only unnecessarily more restrictive than the Growth Plan requirements, which only require a minimum density target, but also results in additional growth pressures being distributed away from strategic growth areas. **We request that Policy 4.4.2.9 be amended to remove any reference to maximum heights and densities.**

## Active Commuter Parking Lot

The Subject Lands are identified as an Active Commuter Parking Lot (as shown on Figure 2 below), whereas no such designation existed in the current YROP. It is unclear what this symbol means and if there are any obligations relating to this symbol. **We request the Region provide more information and clarity as to the purpose and implications of an Active Commuter Parking Lot symbol on the Subject Lands.**

Figure 2 – Draft YROP, Map 10 Rapid Transit Network



Source: York Region (2021), MGP (2021)

## Conclusion

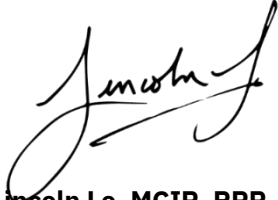
In general, there are many supportable goals and objectives outlined in the Draft YROP, reflecting contemporary directions in good planning. Cadillac Fairview recognizes the effort that Regional staff have put into the preparation of the Draft YROP and thank them for the opportunity to provide comments. Cadillac Fairview is dedicated to working collaboratively with the Region in community-building and looks forward to working with staff to address our comments in the coming months.

We thank you for the opportunity to provide input on the Region's municipal comprehensive review and look forward to continuing to engage with staff through the process.

Should you have any questions or wish to discuss our comments, please do not hesitate to contact me at 905.513.0170.

Yours very truly,

Malone Given Parsons Ltd.

A handwritten signature in black ink, appearing to read 'Lincoln Lo', with a stylized flourish at the end.

**Lincoln Lo, MCIP, RPP**  
**Principal**

cc      *Client*  
          *Darryl Lyons, City of Markham*  
          *Liliana Da Silva, City of Markham*



RJ Forhan and Associates Inc.  
29 Queens Quay East Suite 607  
Toronto, Ontario, M5E 0A4

March 31, 2022

Sandra Malcic, MCIP, RPP  
Director, Long Range Planning, Planning and Economic Development  
Regional Municipality of York  
17250 Yonge Street  
Newmarket, Ontario, L3Y 6Z1

Re: Romandale Farms Limited ("Romandale")  
3975 Elgin Mills Drive East, Markham ("Home Farm") - Woodlands  
York Region Municipal Comprehensive Review ("MCR")  
Draft York Region Official Plan (2021)

Dear Ms. Malcic:

RJ Forhan and Associates (RJFA) are the land use planners for Romandale Farms Limited (Romandale). Romandale is a landowner in the City of Markham. Romandale owns a property located at 3975 Elgin Mills Road East, referred to as the Home Farm (Figure 1).

The Home Farm is 52 hectares (130 acres) and located south of Elgin Mills Road East between Warden Avenue and Kennedy Road within Markham's Future Urban Area (2031). Within the Home Farm property there are 32 hectares (80 acres) designated Protected Countryside-Natural Heritage System of the Greenbelt Plan Area. The York Region Official Plan (2010) recognizes the Greenbelt Plan Area and designates the lands Greenlands System.

York Region is preparing a new Official Plan. We have reviewed the new (draft) Official Plan and offer the following clarifications and requests:

***Map 5 Woodlands, of the new (draft) Region Official Plan shows Woodlands on the Home Farm that is Inaccurate***

In July 2014 Romandale had appealed the approval of the Markham Official Plan, 2014, with respect to the delineation of the proposed Greenway System, outside of the Greenbelt Plan Area, on Romandale's Home Farm. A settlement agreement was reached between the parties and the proposed Greenway System was modified to include a 1.6 ha (4 ac) parcel extending from the Greenbelt Plan Area. Attached (Appendix A) is an excerpt from the "Memorandum of Oral Decision Delivered by Gerald S. Swindin on April 17, 2017 and Order of the Board" specific to that appeal which includes the Greenway System mapping on the Home Farm.

Accordingly, RJFA requests that Region staff modify, Map 5 Woodlands, and any other map showing Woodlands in the new (draft Region Official Plan as per the settlement agreement.

***Map 1A Land Use, of the new (draft) Region Official Plan shows Rural Area on lands that are Greenbelt Plan***

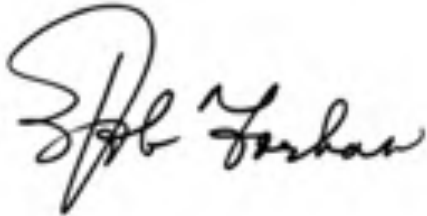
York Region approved Region Official Plan Amendment No.7 (ROPA 7) which would have the effect of redesignating lands within the Greenbelt Plan Area to Rural Area. The Rural Area designation represents a significant departure from the Greenbelt Plan requirements, and specifically for lands within the Protected Countryside-Natural Heritage System. RJFA filed letters on behalf of Romandale to the Region, as well as the Ministry of Municipal Affairs and Housing, objecting to ROPA 7. The two letters are attached (Appendix B) for reference.

The key issue for Romandale remains that ROPA 7 does not conform to the Greenbelt Plan. The Planning Act provides no authority for York Region to propose amendments to the Greenbelt Plan, or any other

provincial plan. Similarly, the Planning Act provides no authority for the Minister to approve amendments to the Greenbelt Plan. The authority to amend the Greenbelt Plan arises under the Greenbelt Act, 2005, not the Planning Act. The Greenbelt Act provides that Cabinet alone is the sole approval authority for any such amendment.

Please contact the undersigned with any questions or concerns.

Sincerely,



Bob Forhan (RPP)

C.c client

Paul Freeman (York Region)

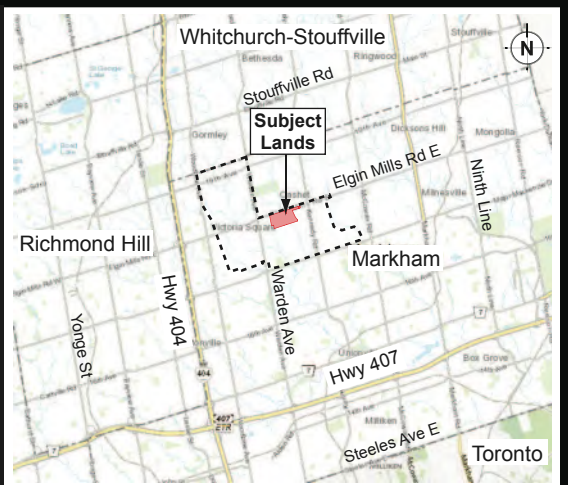
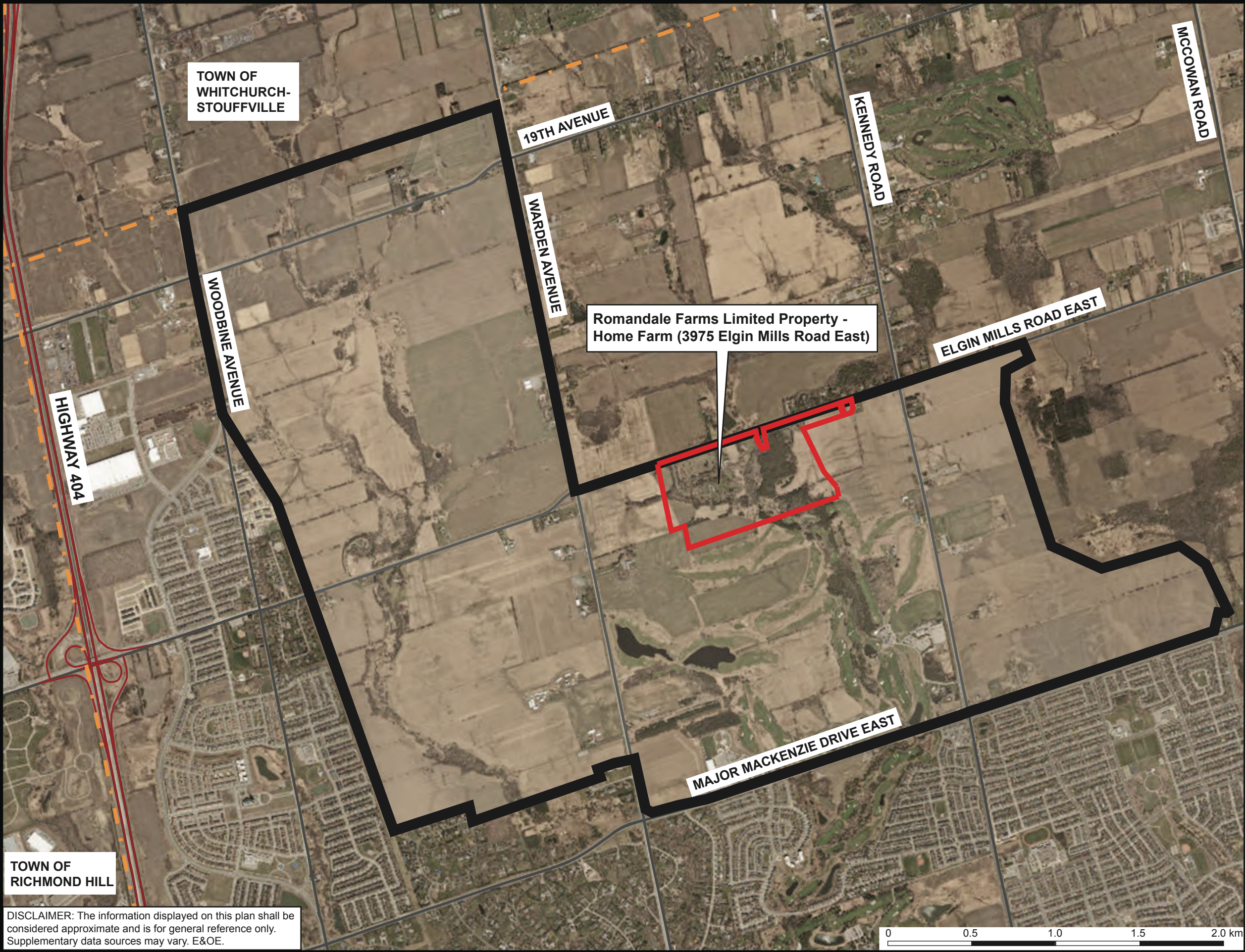
Biju Kuramanchy (Markham)

Marg Wouters (Markham)

Meaghan McDermid (Davies Howe LLP)

Rod Northey (Gowlings)





- LEGEND**
- Romandale Farms Limited Property - Home Farm (3975 Elgin Mills Road East)
  - Future Urban Area Boundary
  - Municipal Boundary
  - Provincial Highway

**Figure 1**

Title: **Romandale Farms Limited Property - Home Farm Location**

Owner: Romandale Farms Limited

Address: 3975 Elgin Mills Road East  
City of Markham, Region of York

Source: York Region Mapping  
2019 Orthophotography

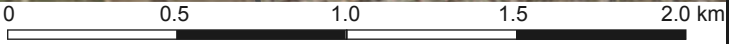
Prepared by: **RJ Forhan**  
and Associates Inc.



Scale: NTS  
October 2020

**TOWN OF RICHMOND HILL**

DISCLAIMER: The information displayed on this plan shall be considered approximate and is for general reference only. Supplementary data sources may vary. E&OE.





**Ontario Municipal Board**  
Commission des affaires municipales  
GHO2WDLR



**ISSUE DATE:** May 25, 2017

**CASE NO(S):** PL140743

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

|                      |  |
|----------------------|--|
| Appellant (jointly): | Angus Glen Holdings Inc., Angus Glen North West Inc. & North Markham Landowners Group  |
| Appellant (jointly): | Beechgrove Estates Inc., Minotar Holdings Inc., Cor-Lots Developments, Cherokee Holdings & Halvan 5.5 Investments Ltd.   |
| Appellant (jointly): | Brentwood Estates Inc., Colebay Investments Inc., Highcove Investments Inc., Firewood Holdings Inc., Major McCowan Developments Ltd. & Summerlane Realty Corp. |
| Appellant:           |  |
| Subject:             | Proposed New Official Plan Part 1 (December 2013) - for the City of Markham  |
| Municipality:        | City of Markham  |
| OMB Case No.:        | PL140743   |
| OMB File No.:        | PL140743   |
| OMB Case Name:       | Angus Glen Holdings Inc. v. Markham (City)   |

**Heard:** April 21, 2017 in Markham, Ontario

**APPEARANCES:**

**Parties**

**Counsel\*/Representative**

See Attachment 2

**MEMORANDUM OF ORAL DECISION DELIVERED BY GERALD S. SWINKIN  
ON APRIL 17, 2017 AND ORDER OF THE BOARD**

---

**INTRODUCTION**

Appellant: Arbor Memorial Inc.  
Appellant: Romandale Farms Ltd.  
Appellant: Maylar Construction Ltd.  
Appellant: 775377 Ontario Ltd. (Belmont)  
Appellant: Dorsay (Residential) Developments Inc.  
Appellant: King David Inc.  
Appellant: Cathedral Town Ltd.  
Subject: Proposed New Official Plan - Part 1 (December 2013) - for the City  
of Markham  
Municipality: City of Markham  
OMB Case No.: PL140743  
OMB File No.: PL140743

## ORDER

### B E F O R E:

)  
) Friday, the 21<sup>st</sup> day of April, 2017  
)

**THESE MATTERS** having come on for a public hearing,

**AND THE BOARD** having heard the submissions of counsel for the City of Markham (the “**City**”) related to the approval of certain policies and schedules in the City of Markham Official Plan Part I (the “**Plan**”);

**AND THE BOARD** having heard the submissions of counsel for certain other parties related to the approval of certain policies and schedules in the Plan;

**AND THE BOARD** having received the evidence of Murray Boyce pertaining to the approval of certain policies and schedules in the Plan;

**THE BOARD ORDERS** that in accordance with section 17(50) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, those policies, maps, and appendices within the Plan, listed in Schedule “B” to this Order, as adopted by the City on December 10, 2013, and as modified and approved by the Regional Municipality of York (the “**Region**”) on June 12, 2014, further modifications having been endorsed by City Council on June 23, 2015, April 19, 2016, June 28, 2016, and April 11, 2017 and further modified by this Board, as shown on Schedule “A” to this Order are approved as of the dates set out in Schedule “A”, except to the extent that those policies and land use schedules remain under appeal on a City-wide or site-specific or area-specific basis, as set out on Schedules “B” and “C”.

**AND THE BOARD ORDERS** that the partial approval of the Plan shall be strictly 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 policies, schedule, maps, figures, definitions, tables and associated text in the Plan; or
- (b) the jurisdiction of the Board to consider and approve modifications, deletions or additions to the unapproved policies, schedules, maps, figures, definitions, tables and associated text in the Plan on a general, area-specific or site-specific basis, as the case may be, provided that the parties shall be bound by the commitments made by them to scope their issues to a site-specific or area-specific basis.

**AND THE BOARD FURTHER ORDERS** that the scoping of appeals to a specific site or area is without prejudice to the positions taken by the parties to those appeals so that if those appeals proceed to a hearing, either on their own or as may be consolidated with other site-specific appeals, the City will not take the position that the Board ought not to approve site-specific or area-specific modifications to the affected policies, schedules, maps, figures, definitions, tables and associated text on the basis that they deviate from or are inconsistent with such policies, schedules, maps, figures, definitions, tables and associated text on a City-wide basis (or as approved in respect of other lands which are subject to the same policies, schedules, maps, figures, definitions, tables and associated text). However, this does not affect the City's right to assert that the approved policies, schedules, maps, figures, definitions, tables and associated text should be applied to the specific sites or areas without modification on the basis that they are consistent with the Provincial Policy Statement (2014), conform with provincial plans and that they constitute good planning.

**AND THE BOARD FURTHER ORDERS** that the appeals filed in respect of the Plan shall be determined through the hearing process or as otherwise consented to by the parties and approved by the Board.

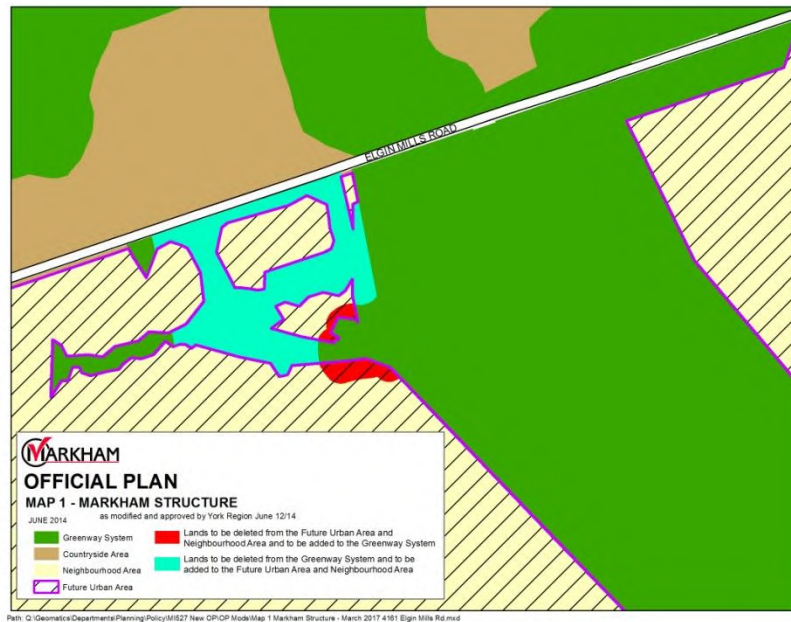
**AND THE BOARD FURTHER ORDERS** that for any *Planning Act* application made after the date of this Order, to the extent that any policy brought into force by this Order conflicts with any policy in the 1987 Markham Official Plan, the policies brought into force by this Order shall prevail.

Notwithstanding the above, the Board hereby retains jurisdiction to consider and approve modifications to any policies, schedules, maps, figures, definitions, tables, associated text, etc., approved herein, as may be appropriate to dispose of any of the outstanding appeals before the Board.

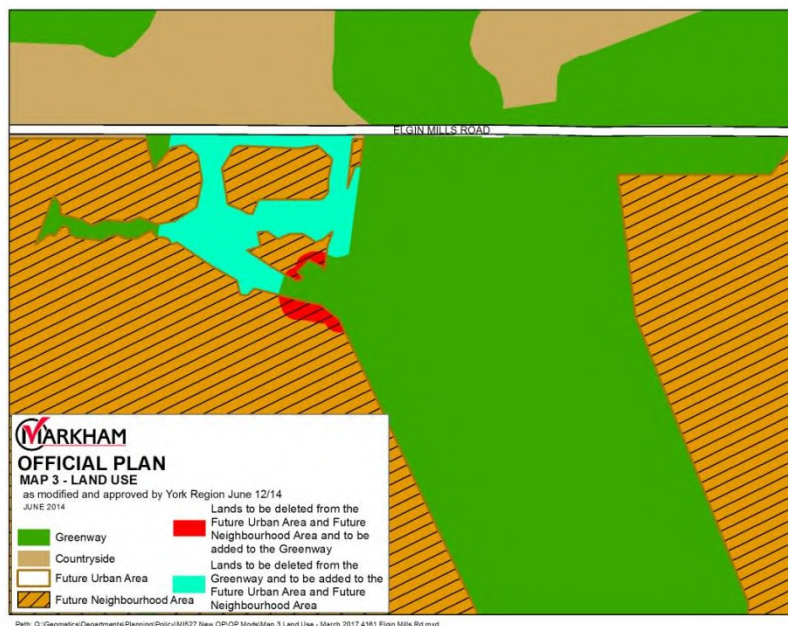
This Order updates and therefore supersedes the Board's Order in this matter dated March 10, 2017.

196. **Modify the boundary of the Greenway System on Map 1 – Markham Structure, Map 4 – Greenway System, Map 5 – Natural Heritage Features and Landforms, Map 6 – Hydrologic Features and Appendix B – Headwater Drainage Features and Appendix C – Community Facilities; the boundary of the ‘Greenway’ designation on Map 3 – Land Use; the boundary of the Rouge Watershed Protection Area on Map 4 – Greenway System and the boundary of the Woodlands shown on Map 5 – Natural Heritage Features and Landforms as it applies to the lands at 3975 Elgin Mills Road as follows:**

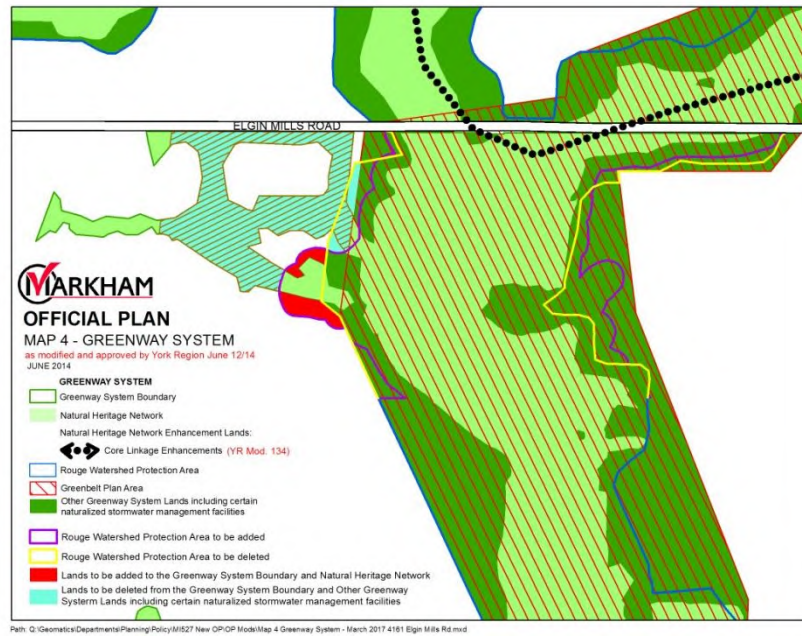
**Map 1 – Markham Structure**



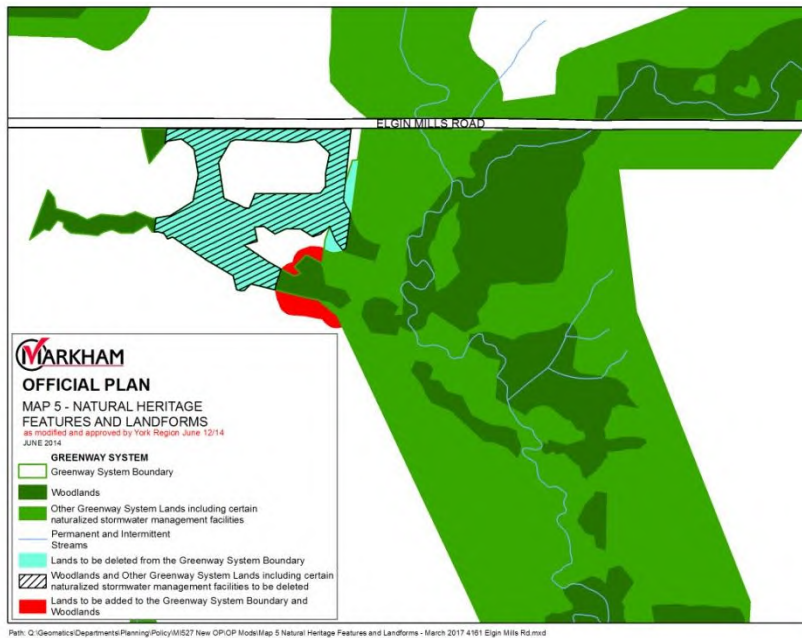
**Map 3 – Land Use**



Map 4 □ Greenway System

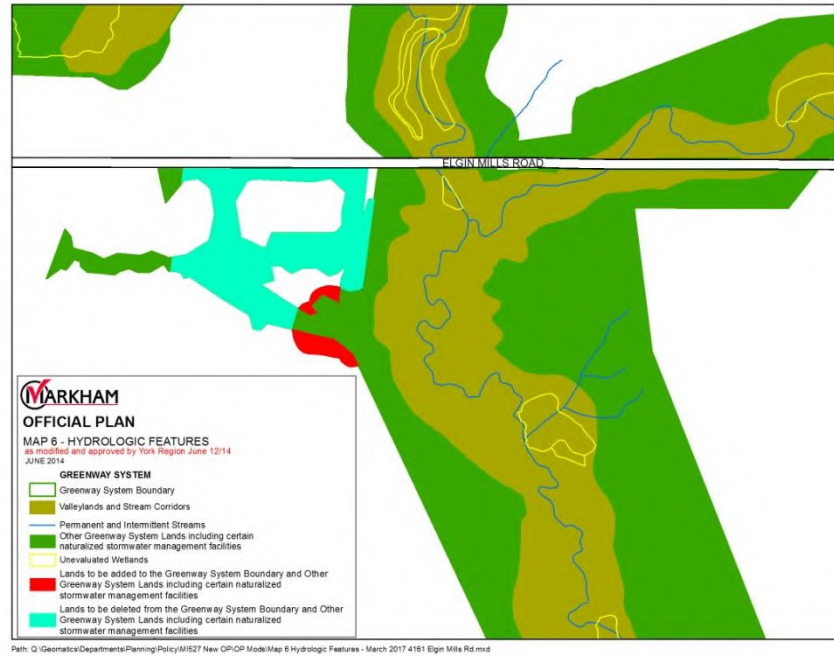


Map 5 □ Natural Heritage Features and Landforms

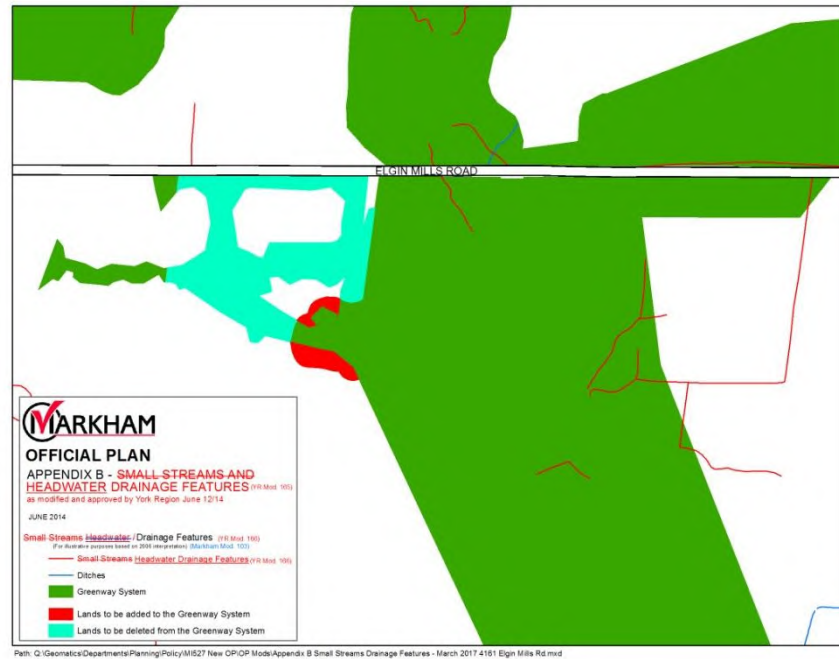




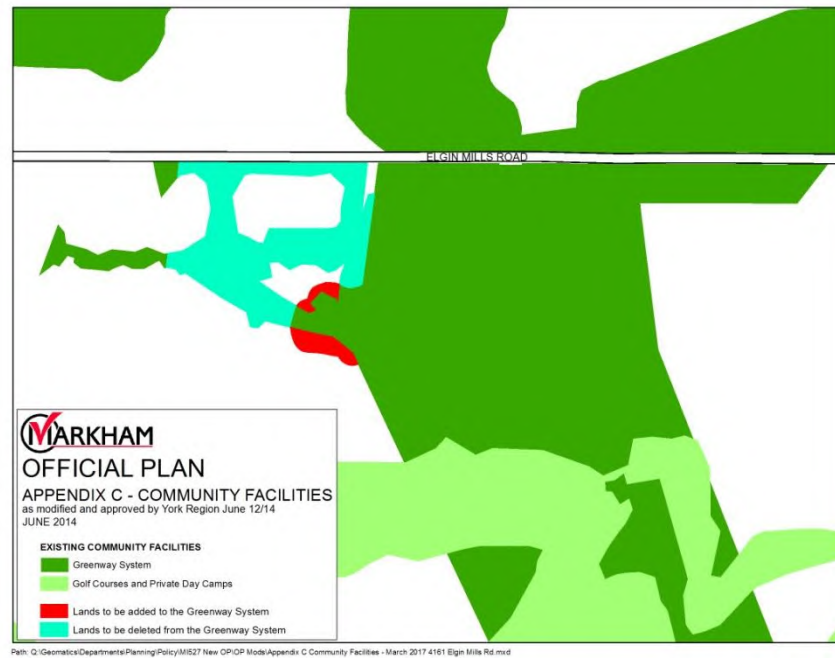
## Map 6 □ Hydrologic Features



## Appendix B □ Headwater Drainage Features



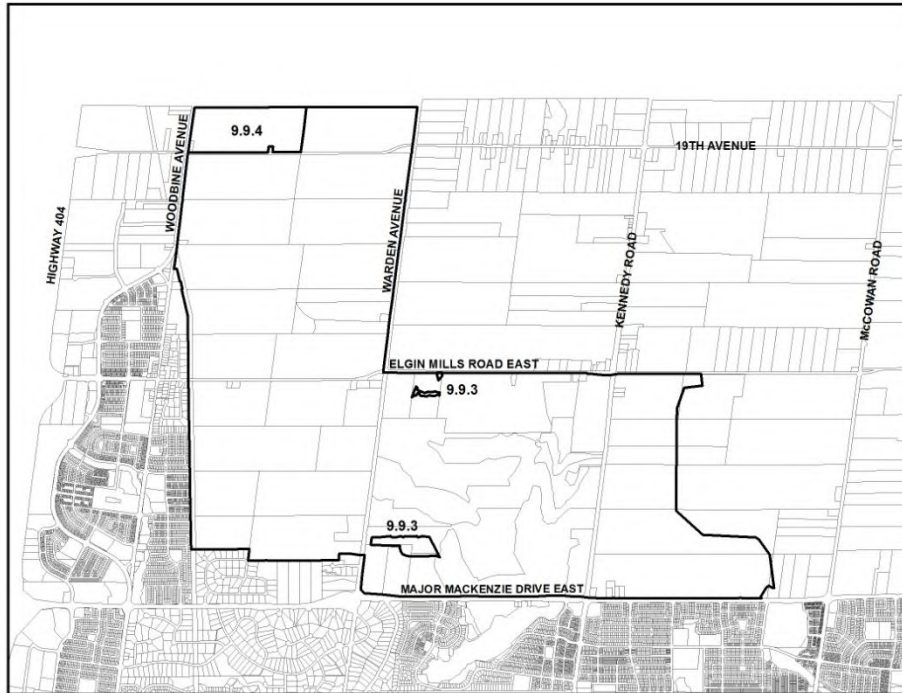
## Appendix C □ Community Facilities



197. **Modify Section 9.9.3 to revise the boundary of the lands shown in Figure 9.9.3 as follows:**



198. Modify Section 9.9.1 to revise the boundary of the lands referencing Figure 9.9.3 as shown in Figure 9.9.1 as follows:





By E-Mail Only to [minister.mah@ontario.ca](mailto:minister.mah@ontario.ca)

RJ Forhan and Associates Inc.  
29 Queens Quay East Suite 607  
Toronto, Ontario, M5E 0A4

November 23, 2021

Mr. Sean Fraser  
Regional Director (Acting)  
Ministry of Municipal Affairs and Housing  
Municipal Services Office, Central Ontario  
13th Floor, 777 Bay St.  
Toronto, Ontario M7A 2J3

Dear Mr. Fraser:

**Re: Proposed Region Official Plan Amendment 7 (“ROPA 7”)  
3975 Elgin Mills Road East (the “Home Farm”)  
City of Markham (“Markham”)  
Romandale Farms Limited (“Romandale”)**

RJ Forhan and Associates Inc. (RJFA) are the land use planning consultants for Romandale Farms Limited (Romandale), which owns properties in the City of Markham (Markham). Romandale's Home Farm is one of the properties Romandale owns in Markham and it is located along the south side of Elgin Mills Road East, between Warden Avenue and Kennedy Road (Figure 1 - Location Map). The Home Farm is 130 acres and is located entirely within the Rouge River Watershed Planning Area and contains 80 acres within the Protected Countryside of the Provincial Greenbelt Plan (Figure 2 - Schedule 1, Greenbelt Plan, 2017).

***Romandale's Home Farm contains 80 acres within the Protected Countryside-Natural Heritage System of the Greenbelt Plan (2017)***

Romandale's Home Farm contains 80 acres within the Protected Countryside-Natural Heritage System of the Greenbelt Plan Area (Figure 3 - Schedule 4, Greenbelt Plan 2017). There are key natural heritage features and key hydrologic features within the Protected Countryside-Natural Heritage System on Romandale's Home Farm including habitat of endangered and threatened species, fish habitat, wetlands (including a provincially significant wetland), significant valleylands, significant woodlands, significant wildlife habitat, and permanent and intermittent streams, including the Bruce Creek.

***Romandale's Home Farm is designated Agricultural Area in York Region's Official Plan (2010)***

The entire Protected Countryside-Natural Heritage System of the Greenbelt Plan Area on Romandale's Home Farm is designated Agricultural Area in the York Region Official Plan (Figure 4 - Map 8, Agricultural and Rural Area, York Region Official Plan, 2010).

***Romandale's Home Farm is located in an area identified by the City of Markham as the Angus Glen Block***

Markham's Future Urban Area is divided into four planning areas, roughly demarcated as concession blocks. Romandale's Home Farm is located within an area identified by the City of Markham as the

Angus Glen Block, which concession block is Elgin Mills Road East to the north, Major Mackenzie Drive to the south, Warden Avenue to the west, and Kennedy Road to the east (Figure 5 - Angus Glen Block). The York Region Official Plan designates the lands outside the Greenbelt Plan Area in the Angus Glen Block as within the Urban Area (Figure 6 - Map 1, Regional Structure, York Region Official Plan, 2010). The Markham Official Plan designates the lands outside the Greenbelt Plan Area in the Angus Glen Block as Future Urban Area (Figure 7 - Map 1, Markham Structure, Markham Official Plan, 2014). In addition, the Markham Official Plan designates the lands outside the Greenbelt Plan Area in the Angus Glen Block as Future Neighbourhood Area and Greenway.

Planning for the lands within the Angus Glen Block started shortly after York Region approved the Markham Official Plan (2014). The planning for Markham's Future Urban Area is subject to the 8.12 policies of the Markham Official Plan, as those policies established what studies would be required for Markham to prepare a Community Structure Plan. Markham retained a consulting team to carry out studies including a subwatershed study, a transportation study/MCEA, and a Community Master Plan. Markham also established a Steering Committee of various landowners within Markham's Future Urban Area, along with a Technical Advisory Committee of various consultants working for the landowners. A landowners' group was formed for the Angus Glen Block, known as the Angus Glen Landowners' Group (AGLG). **Romandale did not join the Angus Glen Landowners' Group.** Romandale's consultants did however, independently, attend meetings and workshops of the Technical Advisory Committee, as well as provide comments to Markham planning staff on the work it was doing on Romandale's Home Farm and the lands surrounding Romandale's Home Farm. The Technical Advisory Committee existed from 2013 to 2018. The MCEA is still incomplete and Romandale continues to provide input into the MCEA process.

Markham Council endorsed in 2017, a Community Structure Plan for the Markham Future Urban Area, including the Angus Glen Block. The Community Structure Plan would serve as the basis for the preparation of secondary plans for each of the 4 planning areas for the Markham Future Urban Area, including the Angus Glen Block. The Angus Glen Landowners' Group filed a draft secondary plan (official plan amendment application) in 2018, for consideration of adoption by Markham Council (York Region has approval authority over the AGLG official plan amendment). The Angus Glen Landowners' Group filed an appeal to the Ontario Land Tribunal, of its secondary plan (official plan amendment application), because Markham Council had not made a decision within the statutory requirements of the Planning Act.

The applicant for ROPA 7 includes the Angus Glen Landowners' Group. And the Angus Glen secondary plan that is before the Ontario Land Tribunal shows lands within the Greenbelt Plan Area to be used for public infrastructure, public facilities, and parkland. As well, there are policies in the draft secondary plan that address the approval process and timing of how to acquire these lands for public uses. Some of the public infrastructure and public facilities have not met the tests required by the Greenbelt Plan, including infrastructure across the Greenbelt Plan Area on Romandale's Home Farm. In addition, the secondary plan policies and schedules that are shown in the Greenbelt Plan Area, are in part subject to approval ROPA 7. The point being, the applicant is anticipating that these public uses will be acquired without demonstrating various legal and planning justification required by the Greenbelt Act and Greenbelt Plan.

### ***York Region Official Plan Amendment No. 7***

The stated purpose of ROPA 7 is to re-designate certain lands in York Region's Official Plan from Agricultural Area to Rural Area. The effect of having a Rural Area designation would (a) permit the expansion to, or the development of, active urban parkland and recreational uses including serviced playing fields and golf courses, within these lands, (b) permit additional non-agricultural uses including rural residential, commercial and/or industrial uses, and (c) allow the local municipality to determine through its official plan and/or approval of site-specific development applications the



location, range and type of parkland uses permitted. Region Official Plan Amendment 7 applies only to certain lands in the City of Markham and the City of Vaughan. Notably, all of these lands are located within the Protected Countryside of the Provincial Greenbelt Plan, though outside of natural heritage features and the associated vegetative protective zones. These lands therefore, are subject to the policies of the Greenbelt Plan. The Greenbelt Plan is a critical test to the approval of ROPA 7, that is, ROPA 7 must conform to the Greenbelt Plan.

### ***York Region Planning Staff do NOT support the adoption of ROPA 7***

York Region Planning Staff, in its report to Committee of the Whole dated October 14, 2021, provided reasons to Council to not support ROPA 7. Some of the reasons not to support ROPA 7 include (a) the types of parkland uses permitted in the Rural lands in the Greenbelt Plan are large land-intensive uses such as campgrounds, golf courses, ski hills, large parks and hiking trails, and (b) the Greenbelt Plan and the Growth Plan policies prohibit expansion of urban settlement areas into the Greenbelt and the inclusion of active urban parks into the Greenbelt could be considered an expansion of the urban settlement area into the Greenbelt, contrary to the intent of protecting these areas of the Greenbelt from development.

### ***York Region Council Adopts ROPA 7***

At its Council meeting on October 28, 2021, York Region Council adopted Region Official Plan Amendment No.7 (ROPA 7) to the York Region Official Plan.

### ***York Region Planning Staff Should have Produced a Report that Provided a More Comprehensive Planning Review and Analysis***

York Region Planning staff rely on the following planning rationale to support its recommendation:

1. That active urban parks are urban uses and permitted within the settlement area and not the Greenbelt Plan Area;
2. An OMB decision issued in November 2006 that states, “the Greenbelt Act should be given a broad and liberal interpretation as a whole and that the intention of this legislation is not to permit active parkland within the Protected Countryside of the Greenbelt.”;
3. The Greenbelt Plan was introduced in 2005 to “identify where urbanization should not occur to provide permanent protection to the agricultural land base and the ecological and hydrological features, areas and functions occurring on this landscape.” (p. 1, Greenbelt Plan, 2017). Permitting active urban parks through ROPA 7 is considered to conflict with the intent of the Greenbelt Plan;
4. Both the Greenbelt Plan and the Growth Plan policies prohibit the expansion of urban settlement areas into the Greenbelt;
5. Parkland associated with urban area development is dedicated to municipalities through development approvals in accordance with the parkland dedication provisions of the Planning Act;
6. Relocating municipal parks and recreational facilities from secondary plan areas into the Protected Countryside is not required to make future neighbourhood areas more complete.

These arguments, although valid, are at best minimal. There are so many more policies that York Region Planning Staff needed to address to provide a robust opinion on this major amendment, including:

1. Section 1.4.1 of the Greenbelt Plan states (the Plan) “...informs **decision-making to permanently protect the agricultural land base and the ecological and hydrological features, areas, and functions occurring on this landscape.**” (p. 7, Greenbelt Plan, 2017). Indeed, it was York Region’s Planning Staff responsibility to emphasize to York Region Council, it’s role and responsibility to permanently protect the agricultural land base and the Natural Heritage System;
2. Section 3.1.1 of the Greenbelt Plan states that, “The Protected Countryside contains an Agricultural System that provides a continuous, productive and permanent agricultural land base...Many of the farms within this system also contain important natural heritage features...The stewardship of these farms facilitates both environmental benefits and agricultural protection. **The agricultural land base is therefore integral to the long-term sustainability of the Natural Heritage System within the Protected Countryside.**” (p. 15, Greenbelt Plan, 2017). The Greenbelt Plan recognizes the shared ecological features and functions that exist within the Protected Countryside that the Agricultural System and the Natural Heritage System mutually benefit and require for their long-term sustainability. This could have been explored in more depth by York Region Planning Staff. Indeed, we do not know if York Region Planning Staff requested an agricultural assessment and or an environmental impact statement that would be reviewed and assessed to support this application;
3. “Prime agricultural areas are those lands designated as such within official plans to permanently protect these areas for agriculture.” (p.16, Greenbelt Plan, 2017);
4. The Greenbelt Plan is primarily implemented through Ontario’s land use planning system, including official plans. The Greenbelt Plan expressly states, “The policies of this Plan represent minimum standards. Within the framework of the provincial policy-led planning system, **decision-makers are encouraged to go beyond these minimum standards to address matters of importance**, unless doing so would conflict with any policy of this Plan.” (p. 9, Greenbelt Plan, 2017). The decision by York Region Council to adopt ROPA 7 is not consistent with this policy. In fact, the decision contravenes this policy by permitting urban land uses in the Protected Countryside. And York Region Planning Staff should again, have emphasized York Region Council’s obligations to this policy;
5. It is also stated that “Within the Greenbelt Area, there may be other provincial, federal or agency plans, regulations or standards that also apply. An application, matter or proceeding related to these plans, regulations, or standards shall conform with the Greenbelt Plan. However, where the plans, regulations or standards are more restrictive than this Plan, the **more restrictive provision shall prevail.**” (p.8, Greenbelt Plan, 2017). The decision by York Region Council is not consistent with this policy. In fact, York Region Council’s decision seeks relief from this policy;
6. Section 3.1.1 of the Greenbelt Plan informs us that **when** official plans are brought into conformity with this plan, the mapping of the Agricultural System may only be refined and augmented in a manner that is consistent with the policies of section 5.3;
7. Section 5.3, of the Greenbelt Plan, Municipal Implementation of the Protected Countryside Policies, provides two main avenues for implementation of the Greenbelt Plan. The first is



section 7 of the Greenbelt Act, which requires municipal and other decisions under the Planning Act to conform with the policies in the Greenbelt Plan. The second is section 9 of the Greenbelt Act, which requires municipalities to amend their official plans to conform with the Greenbelt Plan. With respect to section 7 and section 9 of the Greenbelt Act, it is clear the decision by York Region Council to adopt ROPA 7 does not conform to the Greenbelt Act. And York Region Planning Staff had a duty to inform its' Council of this policy and the legal requirements of the Greenbelt Act, and neglected to do so;

8. Within the Protected Countryside, municipalities shall refine and augment official plan mapping to bring prime agricultural areas into conformity with provincial mapping and implementation procedures. Until the province has completed mapping and the Agricultural System implementation procedures, municipalities shall continue to retain existing designations for prime agricultural areas within the Protected Countryside. (p. 53, Greenbelt Plan, 2017). York Region Planning Staff failed to inform and/or address in its staff report to York Region Council on ROPA 7 the work that Planscape Inc. did with respect to refining and augmenting York Region's Official Plan mapping under the policies of Section 5.3 of the Greenbelt Plan. Our understanding is that York Region hired Planscape Inc. who prepared a report titled, Region of York- Agricultural Land Base Refinements, 2019. In that report, the ROPA 7 lands are shown as agricultural area within the Protected Countryside;
9. The Province of Ontario released Publication 856, Implementation Procedures for the Agricultural System in Ontario's Greater Golden Horseshoe, in March 2020. The document was prepared as a supplementary document to the Growth Plan and when it was issued it took effect immediately. The implementation procedures apply to an official plan or official plan amendment which refines the boundaries of the agricultural system and rural areas in the Greenbelt Plan Area. Again, York Region Planning staff failed to inform and/or address in its staff report to York Region Council on ROPA 7, Publication 856;
10. Section 42 of the Planning Act requires that where there is the development or the redevelopment of lands, other than for commercial or industrial uses, the applicant set aside 5% of the lands, or 1 ha for every 300 units, to be conveyed, or payment in-lieu of, to the municipality for park or other public recreational uses. Parkland dedication and/or payment in-lieu of the conveyance of lands for parkland is addressed through the (re)development application process. Development and or redevelopment is not permitted in the Protected Countryside of the Greenbelt Plan. York Region Planning Staff had an obligation to raise this as an issue and inform York Region Council of its obligations in this regard;
11. York Region Planning staff could have undertaken a financial impact analysis on the impacts of ROPA 7 on parkland dedication. Instead, York Region Planning Staff stated there are "no direct financial implications associated with this report." York Region Planning Staff had an obligation to York Region Council to inform what the financial impact would be to municipalities resulting from York Region's approval of secondary plans that show active urban parks being located in the Protected Countryside;
12. Section 4.6 of the Greenbelt Plan states, "Lot creation is discouraged and may only be permitted for lands outside the prime agricultural areas." The decision by York Region Council to adopt ROPA 7 to redesignate the subject lands to Rural Area invites developers to pursue the creation of lots for parkland uses within the Protected Countryside. York Region Planning Staff clearly stated in its staff report that urban land uses are not appropriate for the Protected Countryside;
13. York Region Planning Staff, suggest that the ROPA 7 lands should be designated as Rural/ Major Open Space in the new Region Official Plan. York Region Planning Staff have stated

that an agricultural land use is no longer appropriate for the lands subject to ROPA 7. It is stated in the staff report that, "Previous Council reports on the policy direction of the new Regional Official Plan have indicated that an agricultural designation would no longer be appropriate..." Notwithstanding these remarks made by York Region Planning Staff, there is no evidence in the staff report that would indicate why an agricultural designation would no longer be appropriate, or where one could find these reports. This recommendation contravenes section 7 and section 9 of the Greenbelt Act;

14. The proposed Rural Area designation for the ROPA 7 lands invites *major recreation uses*. Everything associated with uses permitted in the Rural Area compromises the integrity of the Protected Countryside, insofar as the policies of the Greenbelt Plan permanently protect the Agricultural System and the Natural Heritage System. The reason why the Protected Countryside exists is to protect the Agricultural System and the Natural Heritage System from the potential *negative impacts* from uses including the uses that exist in the Rural Area;
15. York Region Planning Staff failed to inform and address the fact that the ROPA 7 lands in the City of Markham are located within the Rouge River Watershed Planning Area; and
16. York Region Planning Staff failed to inform and address Section 5.6 of the Greenbelt Plan, wherein, "Amendments to those areas of the plan designated Protected Countryside...can only be proposed by the Ministry of Municipal Affairs. Amendments are subject to the approval of the Lieutenant Governor in Council." Further, "Amendments shall not have the effect of reducing the total land area of the Greenbelt Plan." It is our view that the decision by York Region Council is unlawful.

It is my planning opinion that York Region Planning Staff did not properly inform York Region Council of the planning issues relating to ROPA 7 and particularly, York Region's obligations under the Greenbelt Act and Greenbelt Plan. Region Official Plan Amendment 7 is an amendment to the Greenbelt Plan in disguise. That is, the effect of ROPA 7 is a land use change within the Protected Countryside which contravenes section 5.6 of the Greenbelt Plan. Region Official Plan Amendment 7 would undermine the integrity of (a) the Protected Countryside of the Greenbelt Plan which identifies and permanently protects prime agricultural lands and key natural heritage features and key hydrologic features within the natural heritage system from development, and (b) the approval process for a change to permissions within the Protected Countryside which requires an approval from the Lieutenant Governor in Council.

### ***Notice of the Adoption of ROPA 7***

Notice of the Adoption of ROPA 7 was issued on November 11, 2021. The Minister of Municipal Affairs and Housing is the approval authority for ROPA 7. Romandale does not believe that the Minister of Municipal Affairs and Housing is the approval authority for ROPA 7. Section 5.6 of the Greenbelt Plan informs us that the Lieutenant Governor in Council is responsible for approving amendments to the Protected Countryside.

### ***York Region wrongly included Romandale's Home Farm in ROPA 7***

In letters dated October 13, 2021, and October 26, 2021, Romandale informed York Region Council that its lands were wrongly included in ROPA 7. As already stated in this letter, the applicant for ROPA 7 includes the Angus Glen Landowners' Group, some who own land in the Greenbelt Plan area south of Romandale's Home Farm. Romandale had requested on three separate occasions, the two letters to York Region Council, and in a letter to York Region Planning Staff dated June 2, 2021, to have its lands be removed from the subject area of the application. York Region Planning Staff did not address Romandale's requests and they did not provide any planning analysis that

would support Romandale's lands to be included in ROPA 7 in any of their submissions or planning reports to York Region Council.

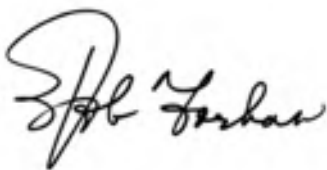
***York Region Council's Decision-Making is NOT in the Public Interest***

Romandale has informed York Region Planning Staff and York Region Council that ROPA 7 seriously undermines the integrity of the Greenbelt Plan. The proposed amendment goes against the policies currently in place in the Growth Plan, the Region of York Official Plan, and the Markham Official Plan for planning lands within and immediately adjacent to the Protected Countryside. The Protected Countryside contains lands that form part of the region's Agricultural System and Natural Heritage System of the Greenbelt Plan Area. The Greenbelt Plan was established as a matter of Provincial Interest, under the Planning Act, to provide for the permanent protection of the Agricultural System and Natural Heritage System across the Greater Golden Horseshoe Area (GGHA). Specifically, the Greenbelt Plan was established as the foundation for the urban structure of the GGHA which means where urban development cannot occur. Upper-tier and Lower-tier Official Plans are required to enforce the policies of the Greenbelt Plan, and where appropriate, apply more restrictive policies.

The applicant to Region Official Plan Amendment 7 is not proposing more restrictive policies than the Greenbelt Plan, rather the applicant is seeking relief from the policies of the Provincial Plans and Official Plans in place, to permit the encroachment of urban uses, public facilities, and public infrastructure that would otherwise be required in the developable area of a development plan. The encroachment of these uses erodes the vegetative protective zones established within and adjacent to the Protected Countryside of the Greenbelt Plan Area. To suggest that these details can be addressed during the development approvals process should be a strong indicator to the Province that there are strategies that the development community continues actions that diminish the value of the policies established to protect the vulnerable elements of the Greenbelt Plan Area across the GGHA landscape.

Romandale requests that the Province reject the approval of ROPA 7 for its failure to conform to the Greenbelt Plan. ROPA 7 diminishes the integrity of the Greenbelt Area, ignores Provincial Policy, and looks to use Greenbelt lands as tools for developers and municipalities to leverage the Greenbelt Area for urban land uses and financial gain. The approval of ROPA 7 is clearly not in the Public Interest and is not Good Planning.

Yours truly,

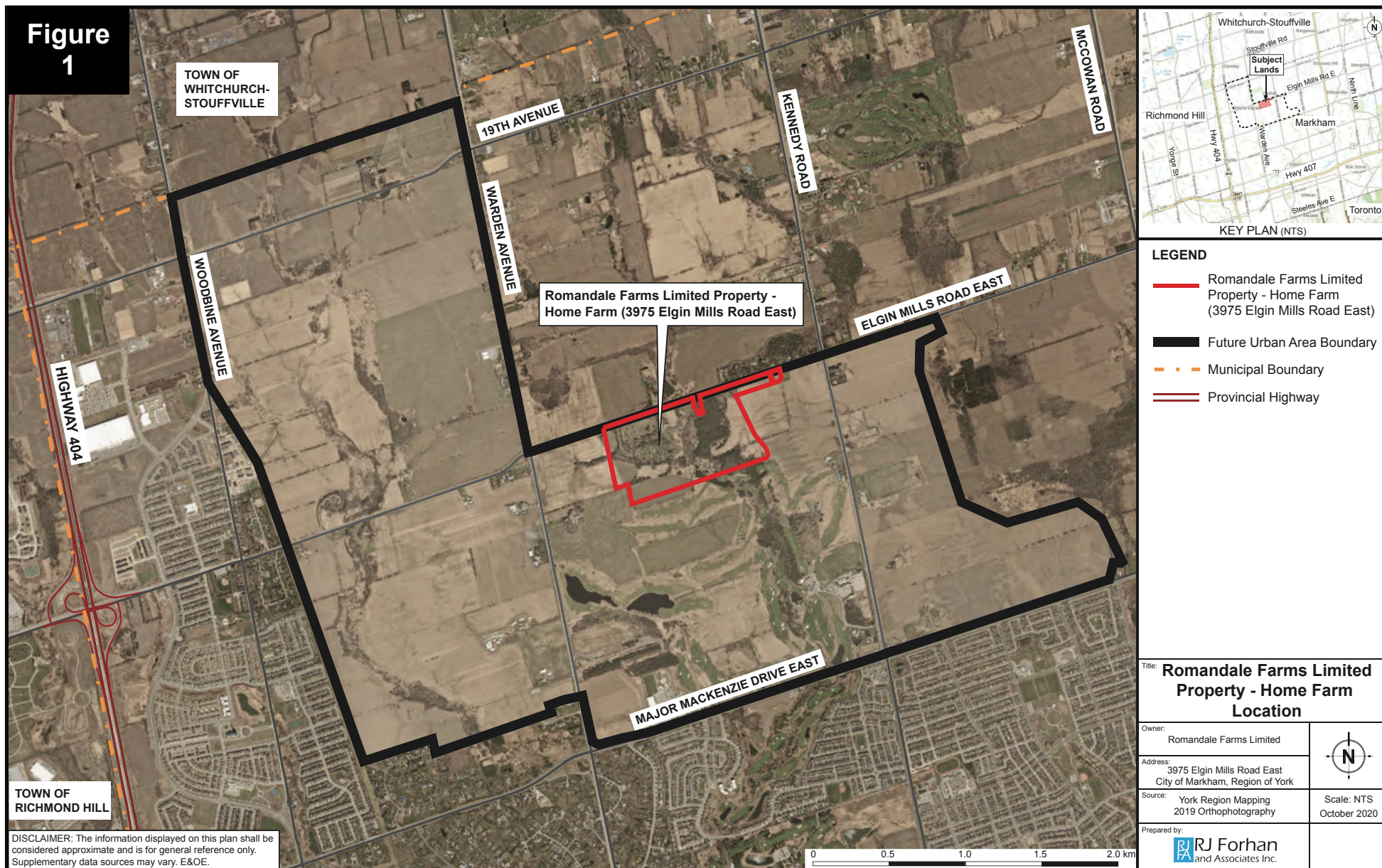


Bob Forhan, RPP

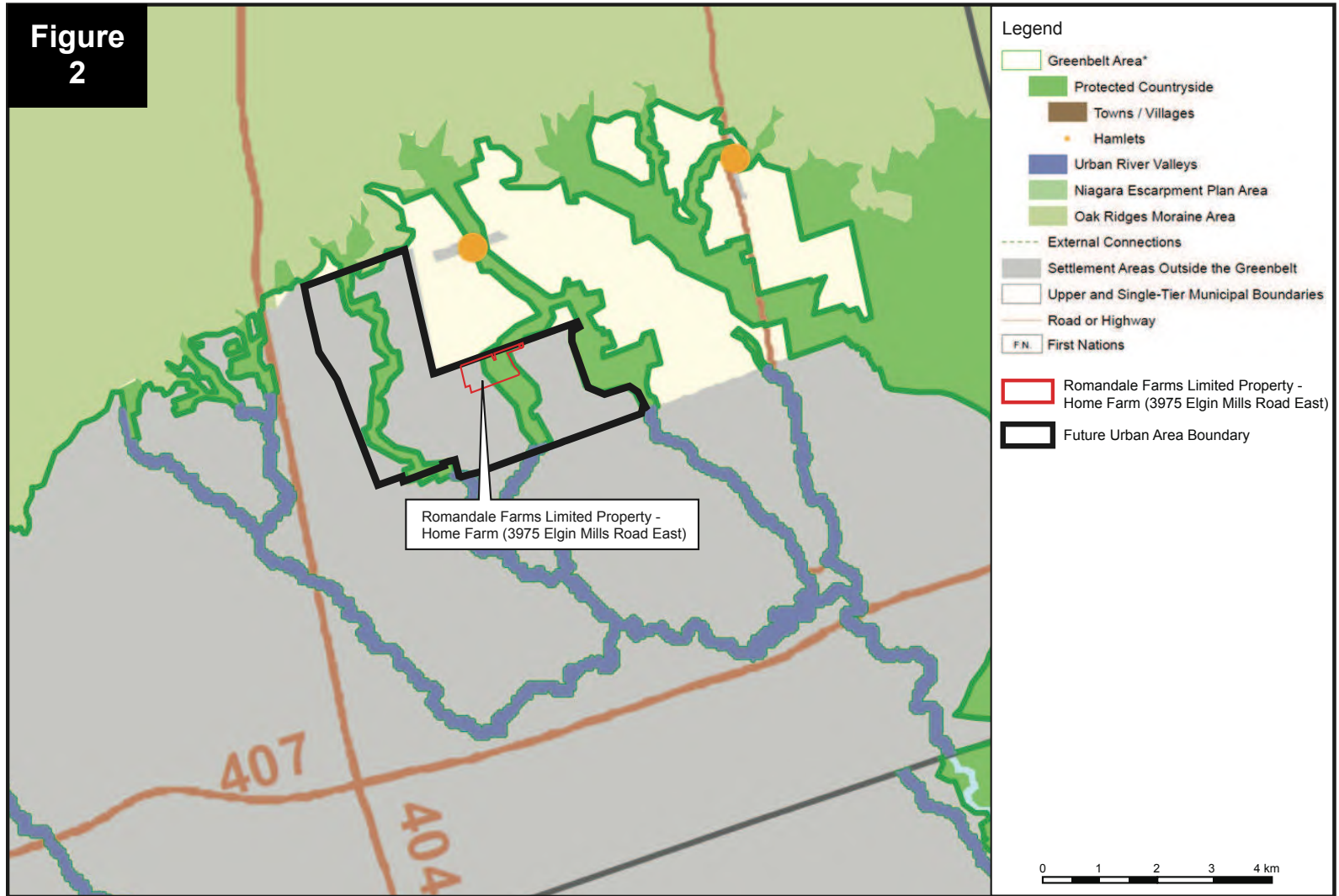
c.c. York Region Council  
Markham Council  
Planning Commissioner, York Region  
Planning Commissioner, Markham  
Augustine Ko, York Region  
Marg Wouters, Markham  
Rodney Northey, Gowling LLP  
Meaghan McDermid, Davies Howe LLP



**Figure  
1**



**Figure  
2**



**Disclaimer:** The information displayed on this plan shall be considered approximate and is for general reference only. Original source data has been acquired from Greenbelt Plan (2017), Schedule 1 - Greenbelt Area (2017). Supplementary data source may vary.

**Part of Schedule 1 - Greenbelt Area  
Greenbelt Plan (2017)**  
Romandale Farms Limited, City of Markham

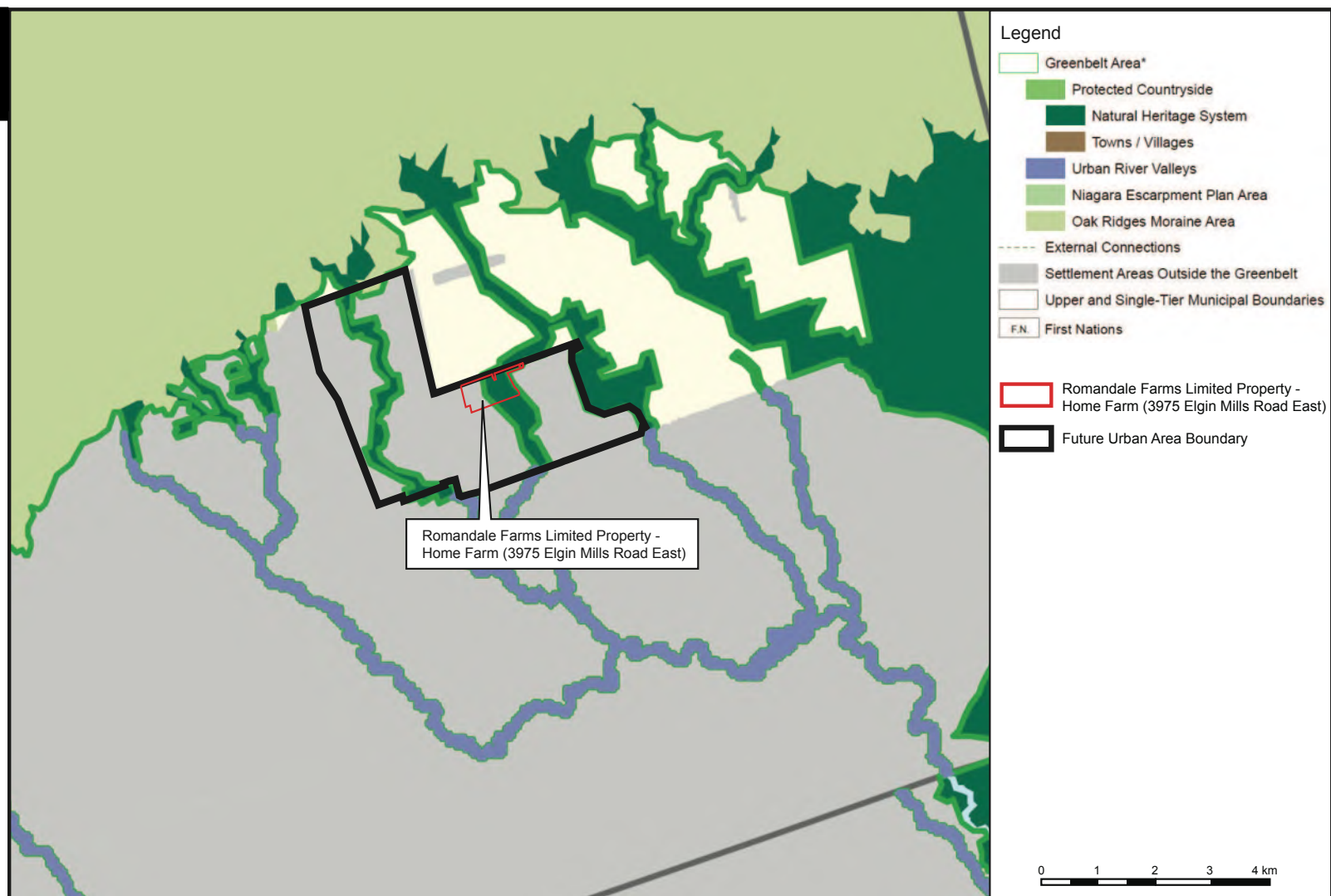


Image Date: 2017  
Scale: NTS  
Prepared by: SY  
Date: Oct. 8, 2020

**RJ Forhan**  
and Associates Inc.



**Figure  
3**



**Disclaimer:** The information displayed on this plan shall be considered approximate and is for general reference only. Original source data has been acquired from Greenbelt Plan (2017), Schedule 4 - Natural Heritage System (2017). Supplementary data source may vary.

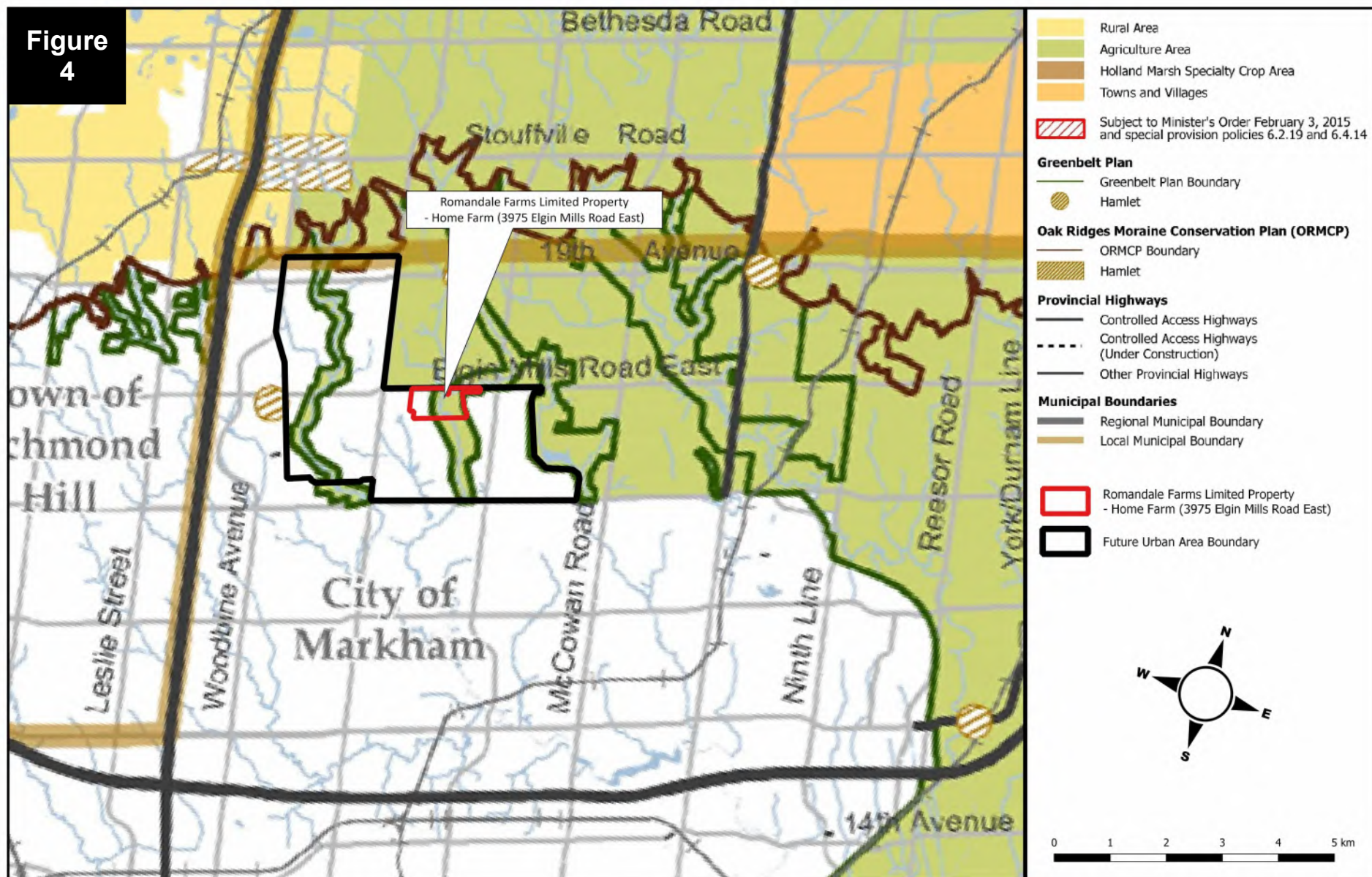
**Part of Schedule 4 - Natural Heritage System  
Greenbelt Plan (2017)**  
Romandale Farms Limited, City of Markham



Image Date: 2017  
Scale: NTS  
Prepared by: SY  
Date: Oct. 8, 2020

**RJ Forhan**  
and Associates Inc.

**Figure  
4**



Disclaimer: The information displayed on this plan shall be considered approximate and is for general reference only. Original source data has been acquired from Regional Municipality of York, Map 8 - Agricultural and Rural Area. Supplementary data source may vary.

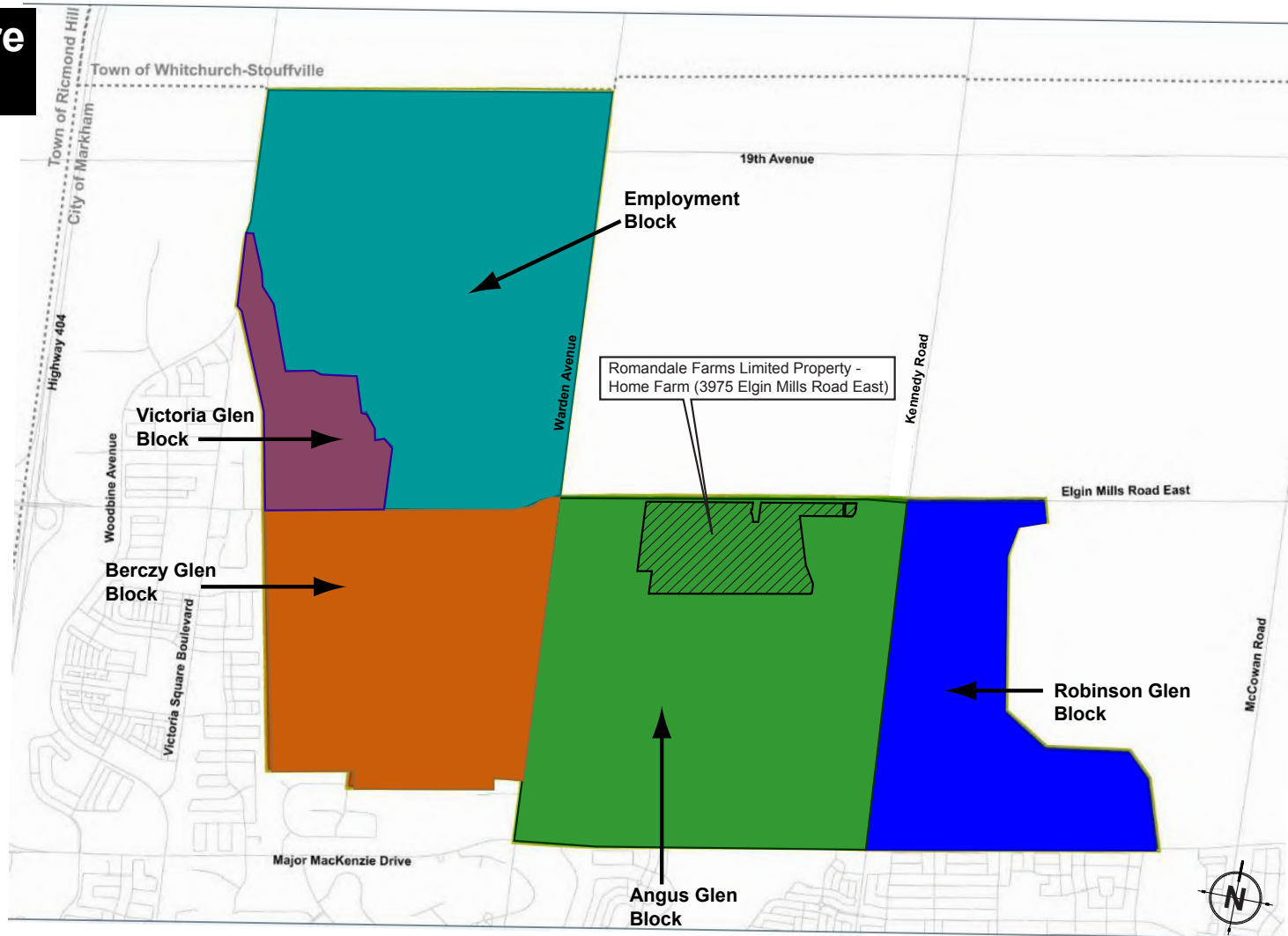
Part of Map 8 - York Region  
Agricultural and Rural Area  
Home Farm (3975 Elgin Mills Road East)  
Romandale Farms Limited, City of Markham


Prepared by: RJ Forhan and Associates Inc.,  
on behalf of Romandale Farms Limited

Date: Nov. 23, 2021

Scale: NTS

**Figure  
5**



 Romandale Farms Limited Property - Home Farm (3975 Elgin Mills Road East)

**Disclaimer:** The information displayed on this plan shall be considered approximate and is for general reference only. Original source data has been acquired from North Markham Future Urban Area Collector Road Network Class Environmental Assessments, Public Open House, March 21, 2019 by GHD. Supplementary data source may vary.

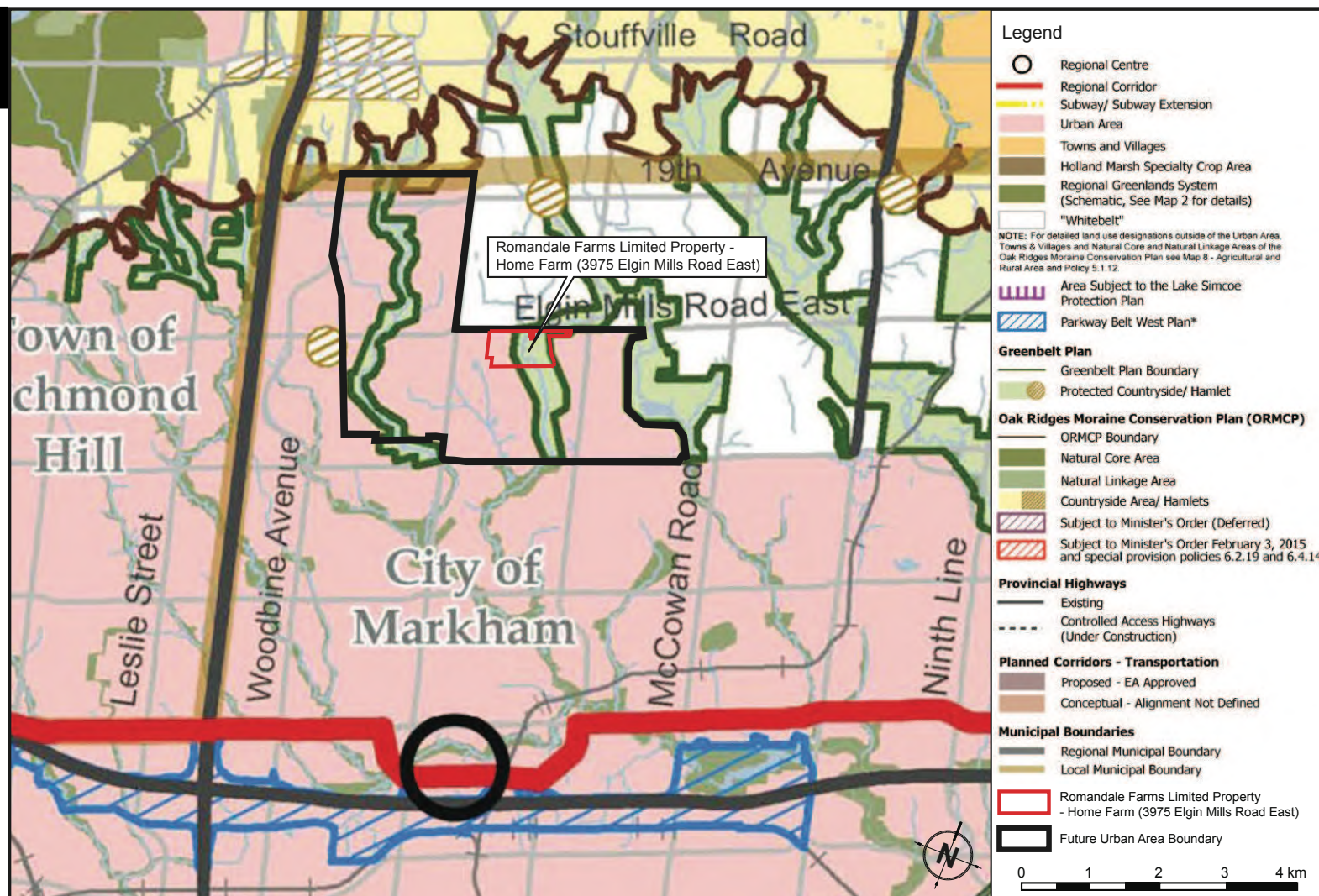
## Future Urban Area Community Structure Plan Residential and Employment Blocks Romandale Farms Limited, City of Markham

Image Date: Mar. 2019      Scale: NTS  
Prepared by: RJ Forhan and Associates Inc.,  
on behalf of Romandale Farms Limited  
Date: Oct. 8, 2020

 **RJ Forhan**  
and Associates Inc.



**Figure 6**



**Disclaimer:** The information displayed on this plan shall be considered approximate and is for general reference only. Original source data has been acquired from Regional Municipality of York Official Plan (April 2019 Office Consolidation), Map 1 - Regional Structure (February 2019). Supplementary data source may vary.

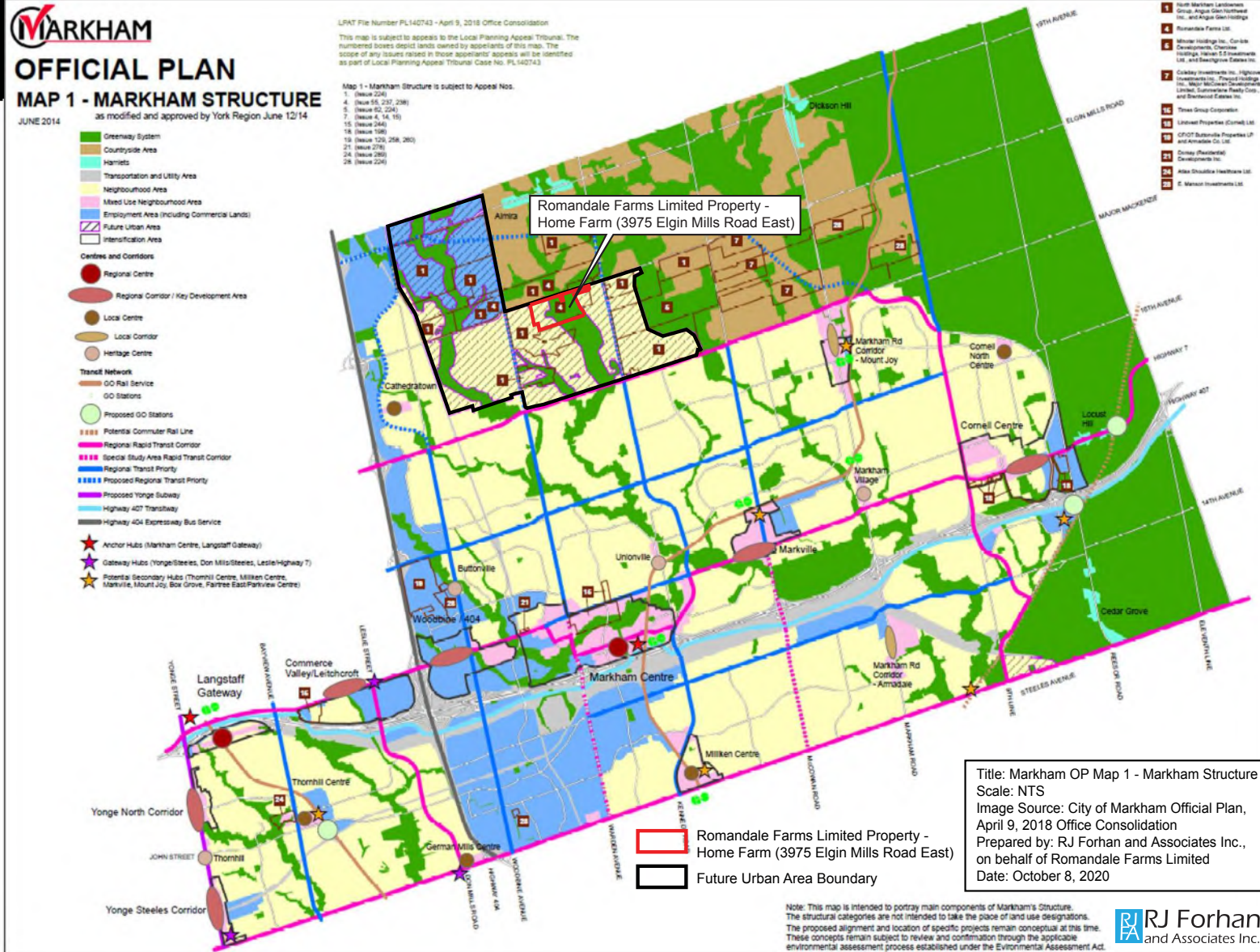
**Part of Map 1 - Regional Structure**  
**York Region Official Plan (2019 Office Consolidation)**  
 Home Farm (3975 Elgin Mills Road East)  
 Romandale Farms Limited, City of Markham

Image Date: 2019 Scale: NTS  
 Prepared by: RJ Forhan and Associates Inc.,  
 on behalf of Romandale Farms Limited  
 Date: Oct. 8, 2020

**RJ Forhan**  
 and Associates Inc.



Figure  
7



January 27, 2022

**Via E-Mail**

Ministry of Municipal Affairs and Housing  
Municipal Services Office  
Central Ontario  
777 Bay Street, 13<sup>th</sup> Floor  
Toronto ON M7A 2J3

**Rodney Northey**  
Direct +1 416 369 6666  
rodney.northey@gowlingwlg.com  
File no T1019805

**Attention: Sean Fraser, Regional Director  
Municipal Services Office – Central Region**

Dear Mr. Fraser:

**Re: York Region Official Plan Amendment 7**

We are legal counsel for Romandale Farms Limited (“Romandale”). Romandale has asked us to follow up on your November 26, 2021 letter to Mr. Bob Forhan of RJ Forhan and Associates Inc. Mr. Forhan wrote to you on November 23, 2021 on behalf of Romandale to set out extensive planning concerns with York Region Official Plan Amendment 7.

Our purpose in writing is to request further review of your letter’s statement to Mr. Forhan that the Minister of Municipal Affairs and Housing is the approval authority “on this matter.”

Normally, this point is uncontroversial since the *Planning Act* identifies the Minister as the approval authority for official plan amendments by upper-tier governments such as York Region.

However, Romandale is very concerned that this official plan amendment goes beyond what is permitted under the *Planning Act*. York Region’s sole authority for adopting any official plan amendment comes from the *Planning Act*. This authority is expressly subject to the overarching duty in section 3(5) to ensure that any York Region official plan amendment decision conforms with provincial plans. In this particular **matter**, the proposed official plan amendment does not conform to the Greenbelt Plan – indeed, it seems to propose amendments to this provincial plan.

The *Planning Act* provides no authority for York Region to propose amendments to this or any other provincial plan. Similarly, this Act does not provide your Minister with authority to approve any such amendments.

The authority to amend the Greenbelt Plan arises under the *Greenbelt Act, 2005*, not the *Planning Act*. The *Greenbelt Act, 2005* does not confer any authority on your Minister to approve amendments to this Plan. This Act provides that Cabinet alone is the sole approval authority for any such amendment.



Thus, York Region's proposed official plan amendment seeks to do indirectly that which it cannot do directly. It is asking the same of your Minister. Neither York Region nor your Minister have the authority under the *Planning Act* to make any planning decision that does not conform to the Greenbelt Plan. Neither York Region nor your Minister have the authority under the *Planning Act* to amend the Greenbelt Plan.

Romandale recommends that your Minister return this proposed amendment to York Region on the basis that it proposes policies that are beyond the scope of official plan amendments under the *Planning Act*.

Romandale would be pleased to discuss the serious jurisdictional issues raised in this letter at your convenience.

Sincerely,

Gowling WLG (Canada) LLP



Rodney Northey

RN:mh

Cc: B. Forhan, President, R.J. Forhan and Associates

Paul Freeman, Chief Planner, York Region

Arvin Prasad, Development Services Commissioner, Markham

Augustine Ko, Senior Planner, York Region

Marg Wouters, Senior Manager, Planning and Urban Design, Markham

Meaghan McDermid, Davies Howe LLP

Maya Harris, Manager Community Planning and Development, Ministry of Municipal Affairs and Housing

**D'Souza, Lily-Ann**

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**Subject:** FW: 7951 Yonge Street, Markham - comments on draft ROP December 2021 (requested by regional staff)  
**Attachments:** 7951 OP Screen Shot 2022-03-03 at 4.37.08 PM.pdf; 2021-5-20\_7951 YONGE\_fnl.jes copy.pdf

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**From:** [jeffrey.streisfield@gmail.com](mailto:jeffrey.streisfield@gmail.com) <[jeffrey.streisfield@gmail.com](mailto:jeffrey.streisfield@gmail.com)>  
**Sent:** Thursday, March 31, 2022 11:54 AM  
**To:** Regional Clerk <[regional.clerk@york.ca](mailto:regional.clerk@york.ca)>; Wayne [regional.chair@york.ca](mailto:regional.chair@york.ca) <[regional.chair@york.ca](mailto:regional.chair@york.ca)>  
**Cc:** Minister (MMAH) <[minister.mah@ontario.ca](mailto:minister.mah@ontario.ca)>; Mayor Scarpitti <[MayorScarpitti@markham.ca](mailto:MayorScarpitti@markham.ca)>; Lyons, Darryl <[DLyons@markham.ca](mailto:DLyons@markham.ca)>; Caroline Mulroneycyco <[caroline.mulroneycyco@pc.ola.org](mailto:caroline.mulroneycyco@pc.ola.org)>; [minister.mto@ontario.ca](mailto:minister.mto@ontario.ca); [yongesubwayext@metrolinx.ca](mailto:yongesubwayext@metrolinx.ca)  
**Subject:** 7951 Yonge Street, Markham - comments on draft ROP December 2021 (requested by regional staff)

**CAUTION: This email originated from a source outside the City of Markham. DO NOT CLICK on any links or attachments, or reply unless you recognize the sender and know the content is safe.**

Att: Chair Emmerson and Members of Council,

I represent the owner of the above property whose **lands are available for development now** based on the attached concept plan.

I have reviewed the draft proposed ROP posted on the Region's website along with comments prepared by others including Michael Manett of MPlan Inc. as it relates to the Yonge Street Corridor, and City of Richmond Hill Staff. By all accounts, **planning failure is rampant in the Region**, most notably along the Yonge Street Corridor. The proposed draft ROP, if approved by the Minister, will do little to alleviate that.

**7951 Yonge** has already provided its concept plan to Metrolinx, City of Markham and others to ensure that the Province, Region and Markham know that this site **can make a positive contribution towards addressing the housing crisis** that currently exists in the Province, Region and City.

The draft ROP calls for prioritizing development. **7951 Yonge should be prioritized and fast tracked.**

Chair Emmerson, your leadership is required on this issue.

Thank you.

**Jeffrey E Streisfield**, BA LLB MES  
416.460.2518

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# 7951 YONGE STREET

Markham (Thornhill), Ontario

MAY 2021

## PROPOSED MIXED-USE DEVELOPMENT

ALONG YONGE NORTH SUBWAY CORRIDOR  
PREPARED FOR HAULOVER INVESTMENTS LTD.  
(DRAFT FOR DISCUSSION & CONFIDENTIAL)

Current use: Commercial Office

Proposed use: 26-storey mixed use (high rise) building

No. of apartment (dwelling) units: approx: 160-180

No. of zero car household apartment (dwelling) units: 50 -60

Total proposed on-site parking supply: 120 spaces including 5 car share

- Surface parking spaces: 24 of which 5 will be car share
- Underground parking spaces: 96 in two levels

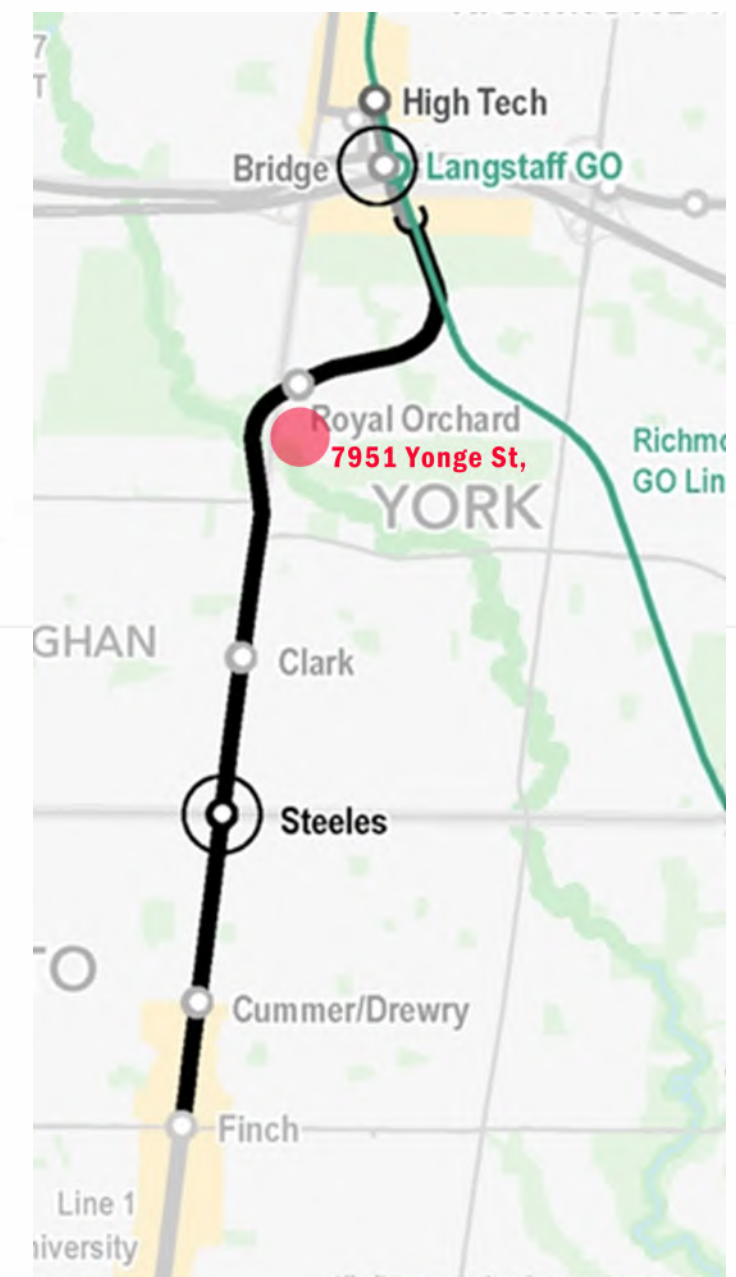
(Existing) Net Site Area: 2528.19 m<sup>2</sup>

Access: via Yonge Street over shared private driveway

Density: 7.5 x site area (or 18,960 m<sup>2</sup>)

FOR FURTHER INFORMATION PLEASE CONTACT:

JEFFREY E STREISFIELD, BA LLB MES 416.460.2518 [jeffrey@landplanlaw.com](mailto:jeffrey@landplanlaw.com) LANDLAW [www.landplanlaw.com](http://www.landplanlaw.com)









## DEVELOPMENT GOALS

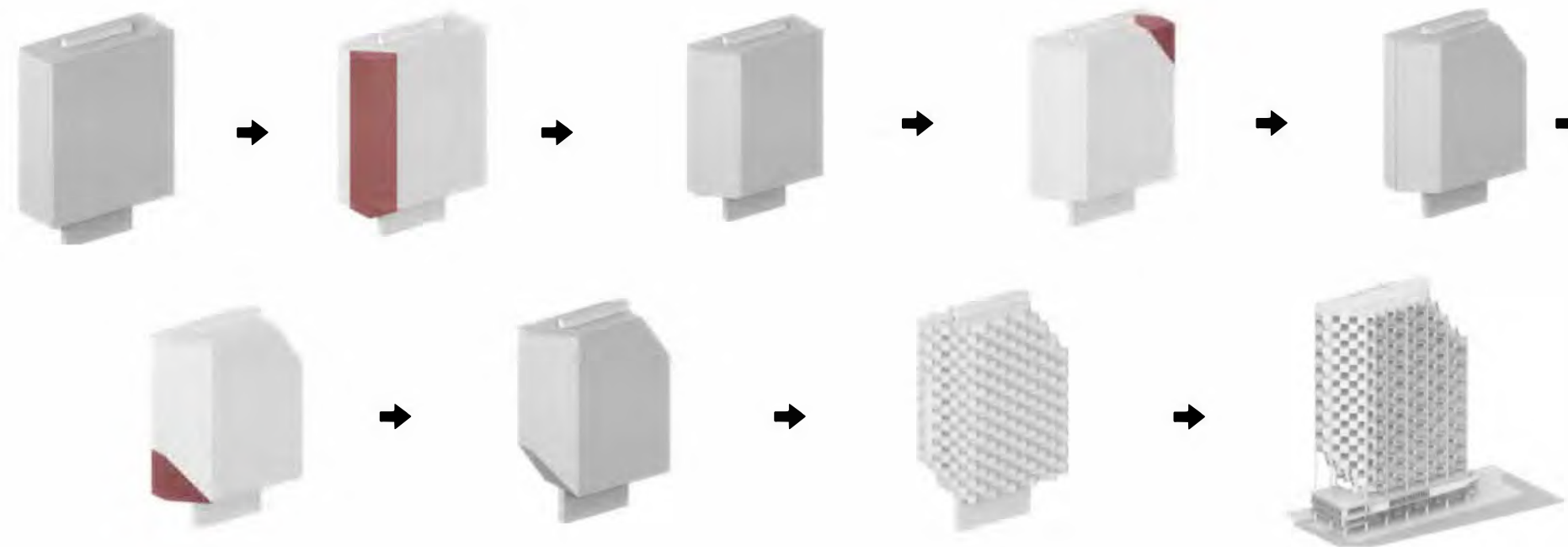
- Provide mixed-use Building, along the future Yonge north subway corridor, that contributes to the creation of complete communities;
- Create attractive multi-storey street related building environments;
- Ensure that new development is compatible with the character and pattern of surrounding development;
- Ensure that adequate on site amenity spaces;
- Promote a high quality of urban design;
- Promote sustainable development practices including a creation of zero car household apartment (dwelling) units;
- Improve the pedestrian experience;
- Improve access to transit services;
- Minimize the cost of housing;
- Provide housing options and choices;

## SITE AND AREA CONTEXT

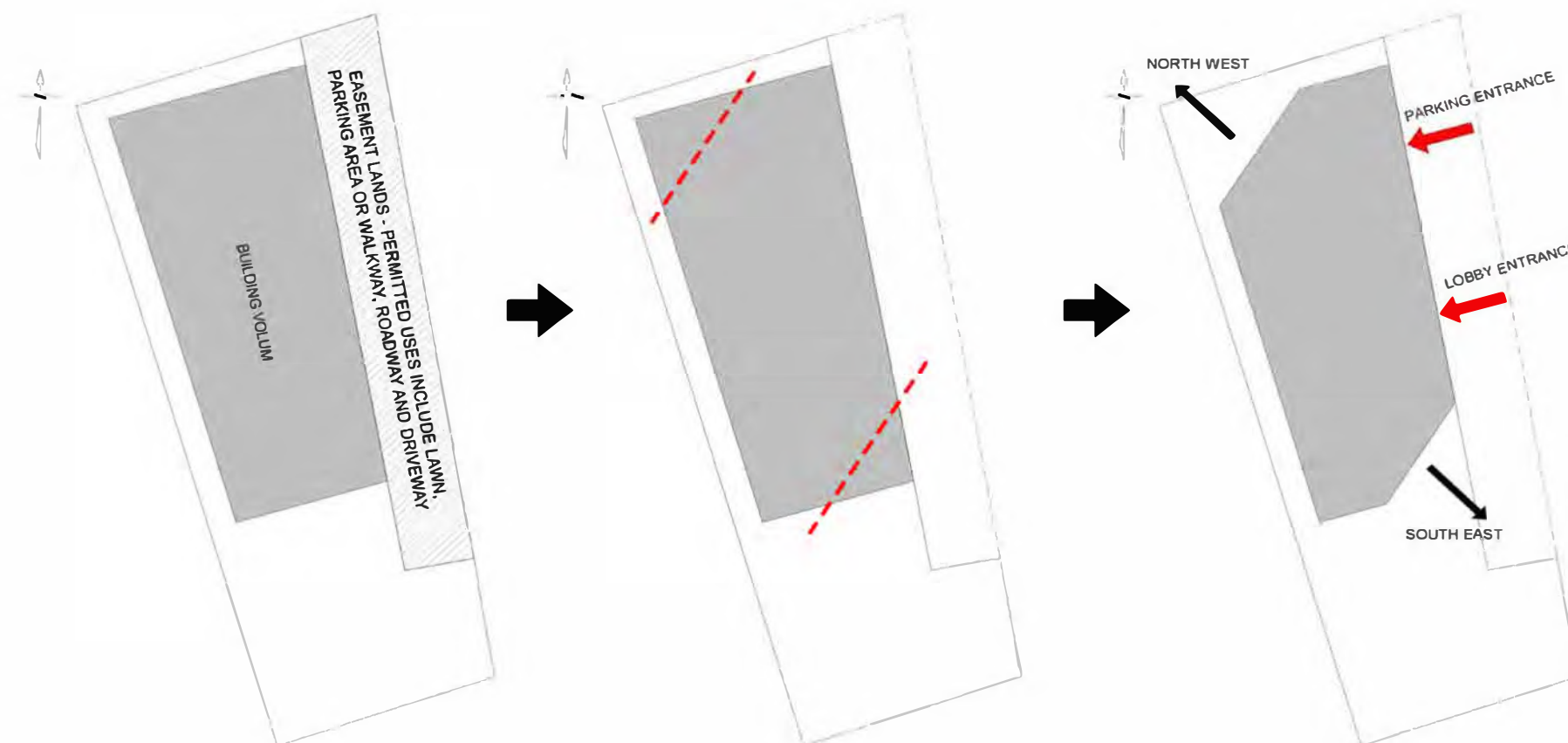




# DESIGN PROCESS-EVOLUTION OF MASSING AND BUILT FORM

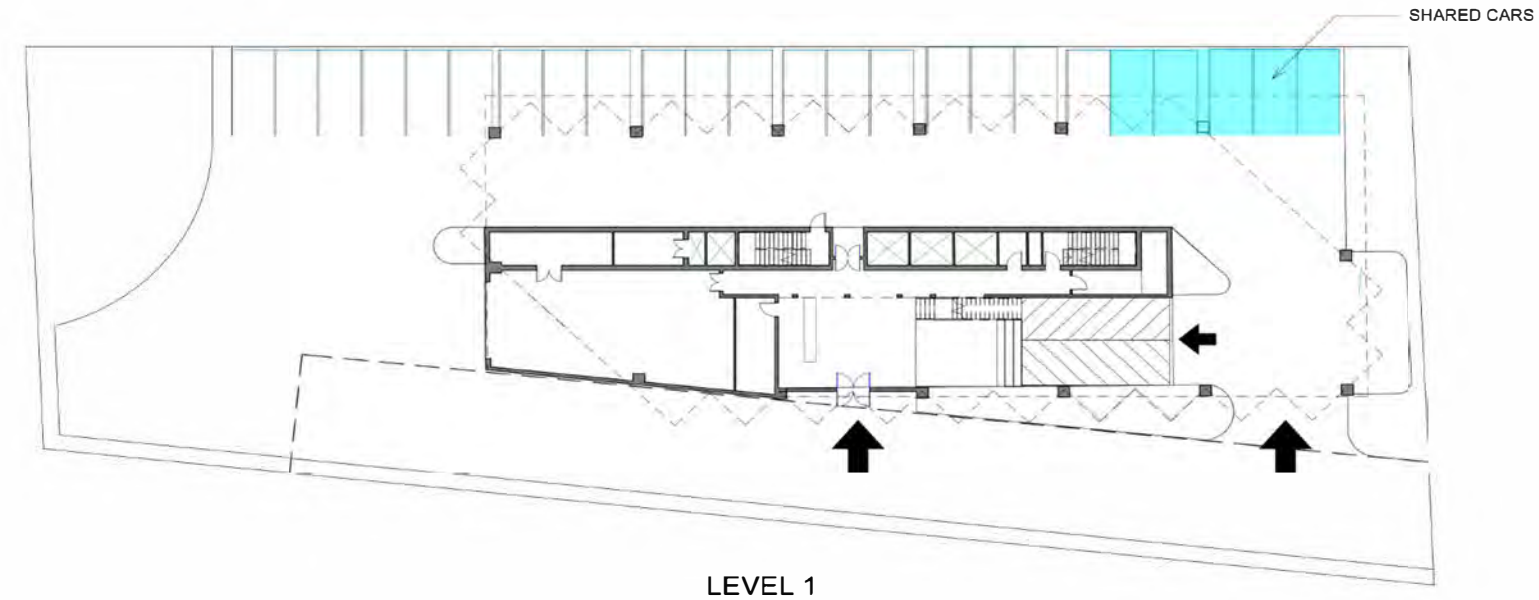


## BUILDING ORIENTATION & ACCESS



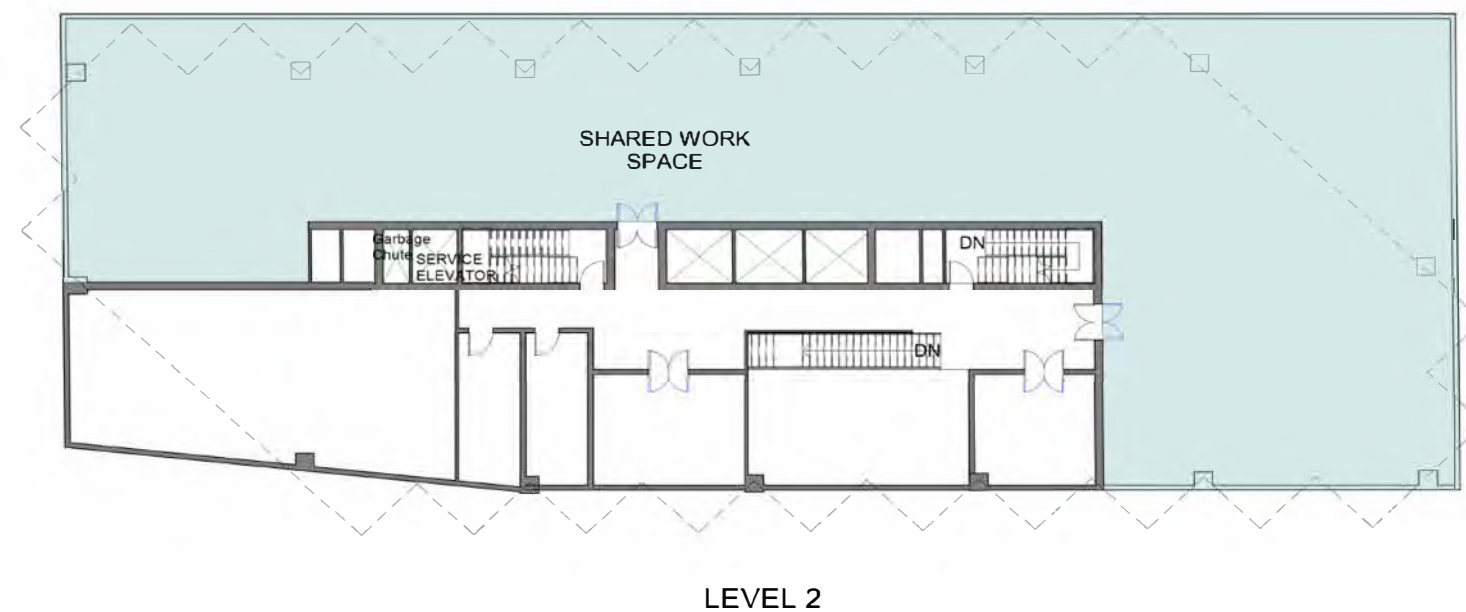
## CAR SHARING PARKING AREA

CAR SHARING IS A SUSTAINABILITY INITIATIVE WHICH BRINGS ADDED VALUE TO THE BUILDING. THE RESIDENTS OF THE BUILDING CAN RENT CARS FOR SHORT PERIODS OF TIME, (PRIVATE-ACCESS SHARE-CARS).

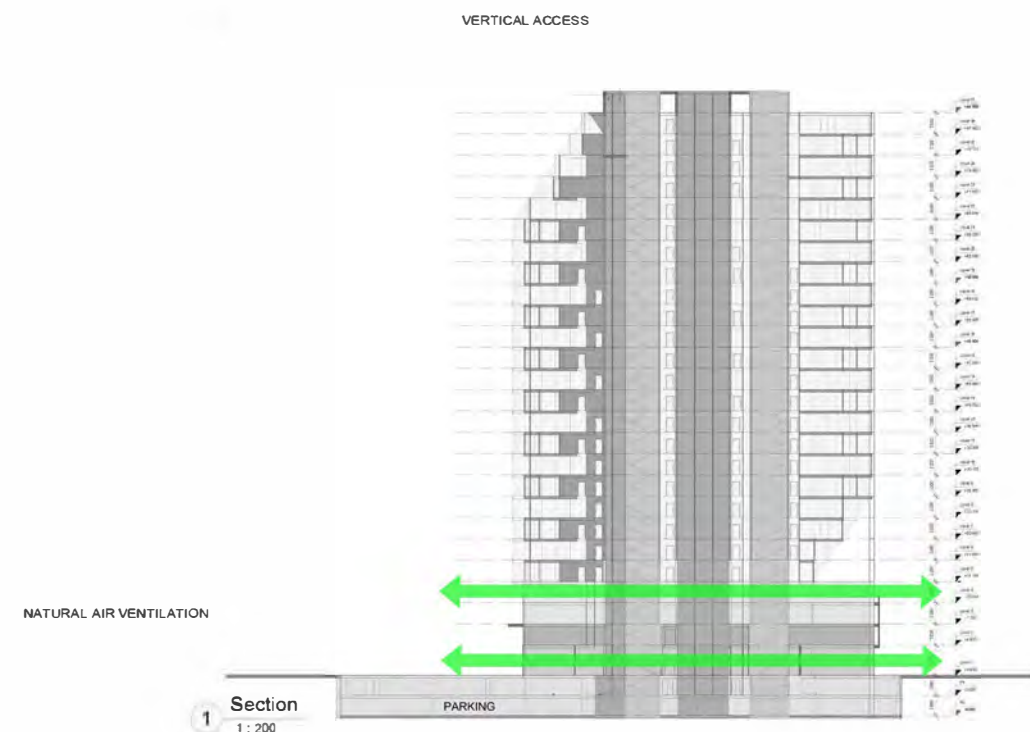


## SHARED WORK SPACE

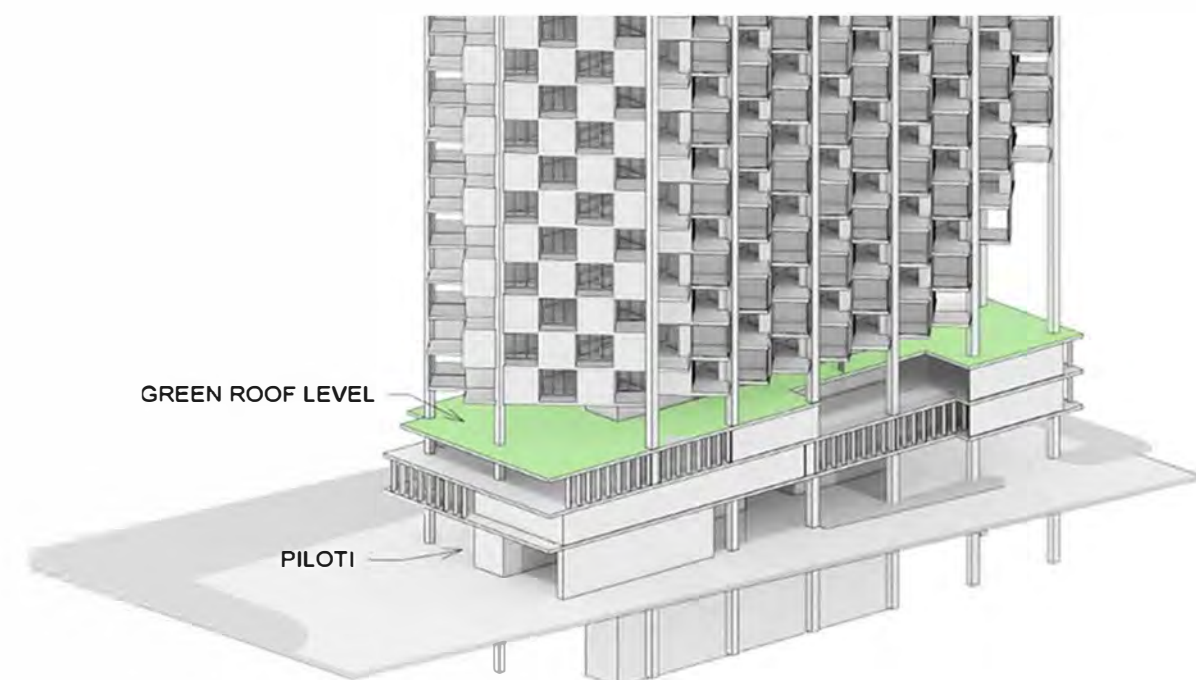
IT IS RECOMMENDED TO ALLOCATE A STORY TO A CO-WORKING SPACE, WHICH IS EQUIPPED WITH NECESSARY FACILITIES AND EQUIPMENT, AND IS RENTED OUT TO INDIVIDUALS OR GROUPS WHO WISH TO USE THESE FACILITIES IN THE FORM OF ONE OR MORE SMALL DESKS OR PRIVATE OFFICES.



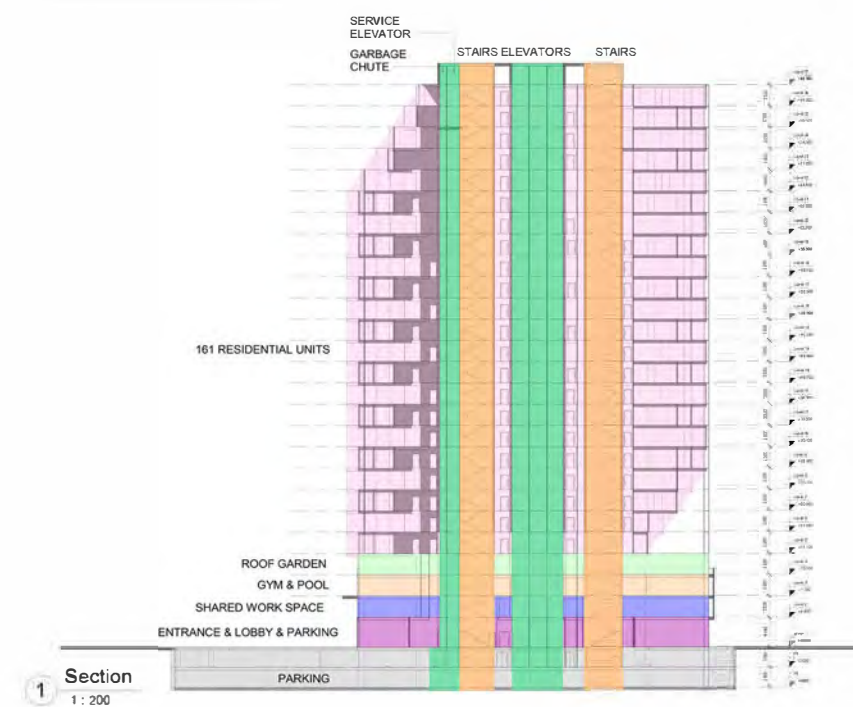
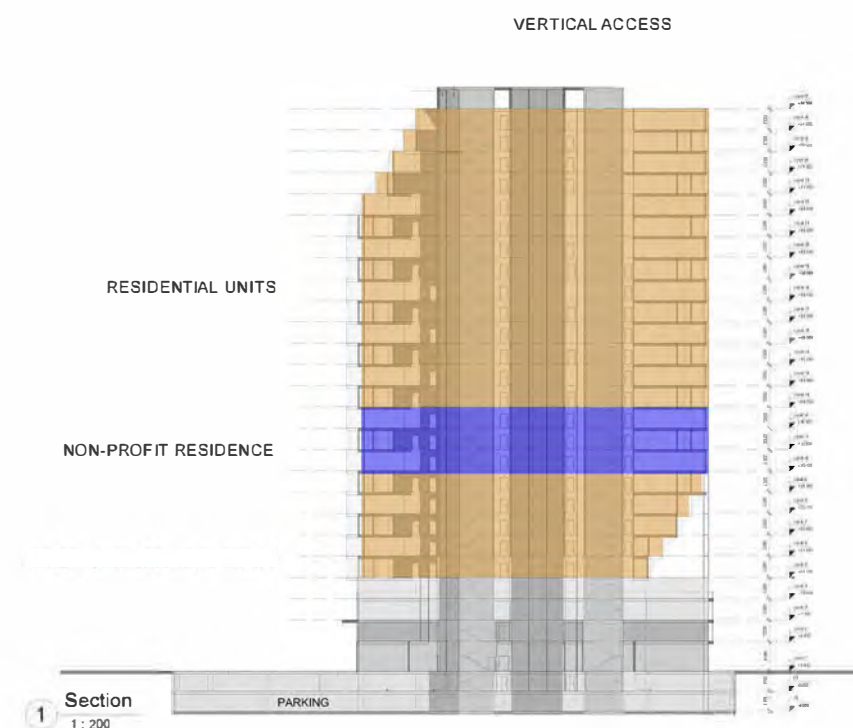
## GREEN ROOF & NATURAL AIR VENTILATION



NATURALLY VENTILATED SPACES HELP TO REDUCE THE RISK OF SPREAD OF INFECTIONS SUCH AS COVID-19.

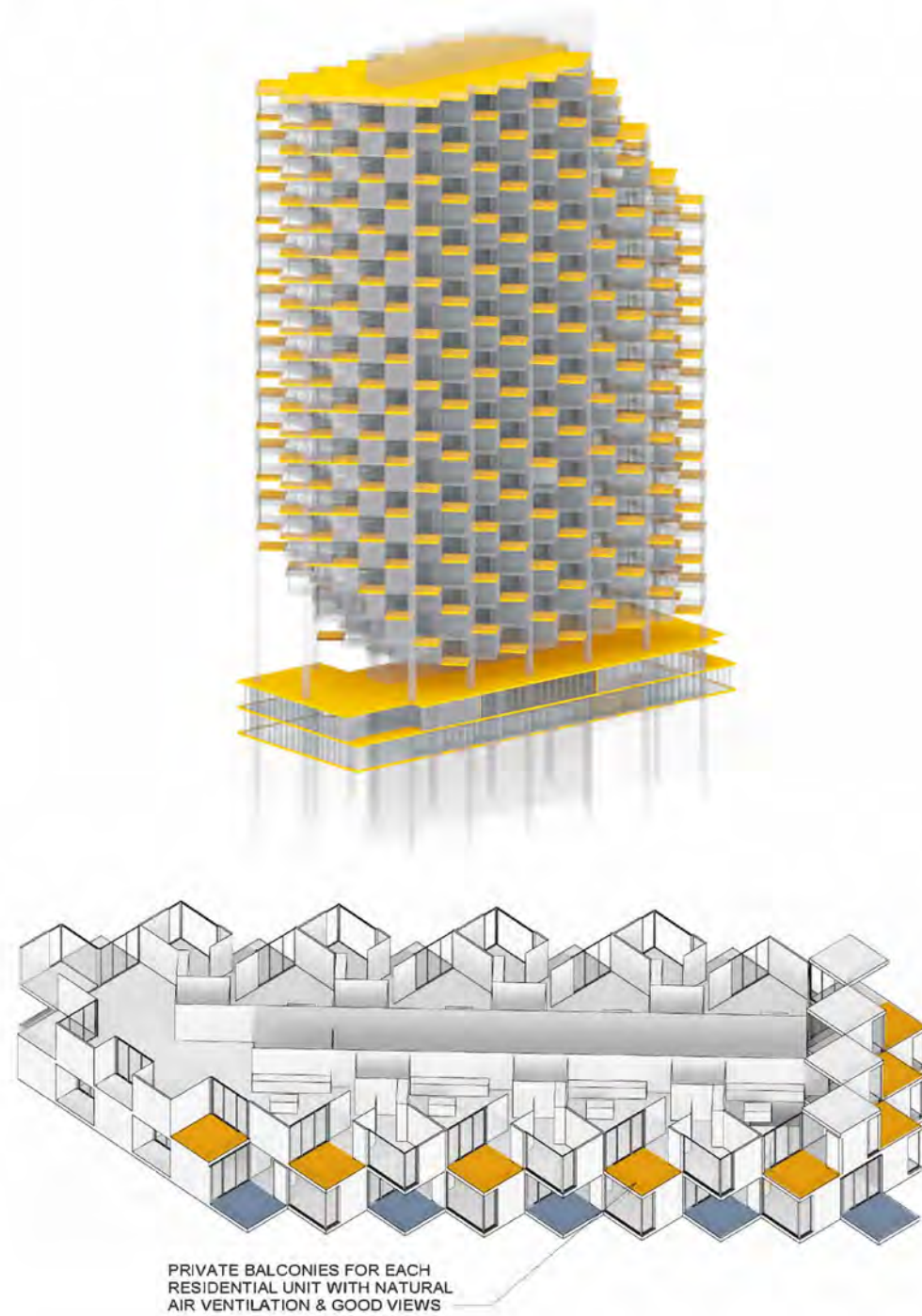


## RESIDENTIAL UNITS- POTENTIAL OUTCOMES

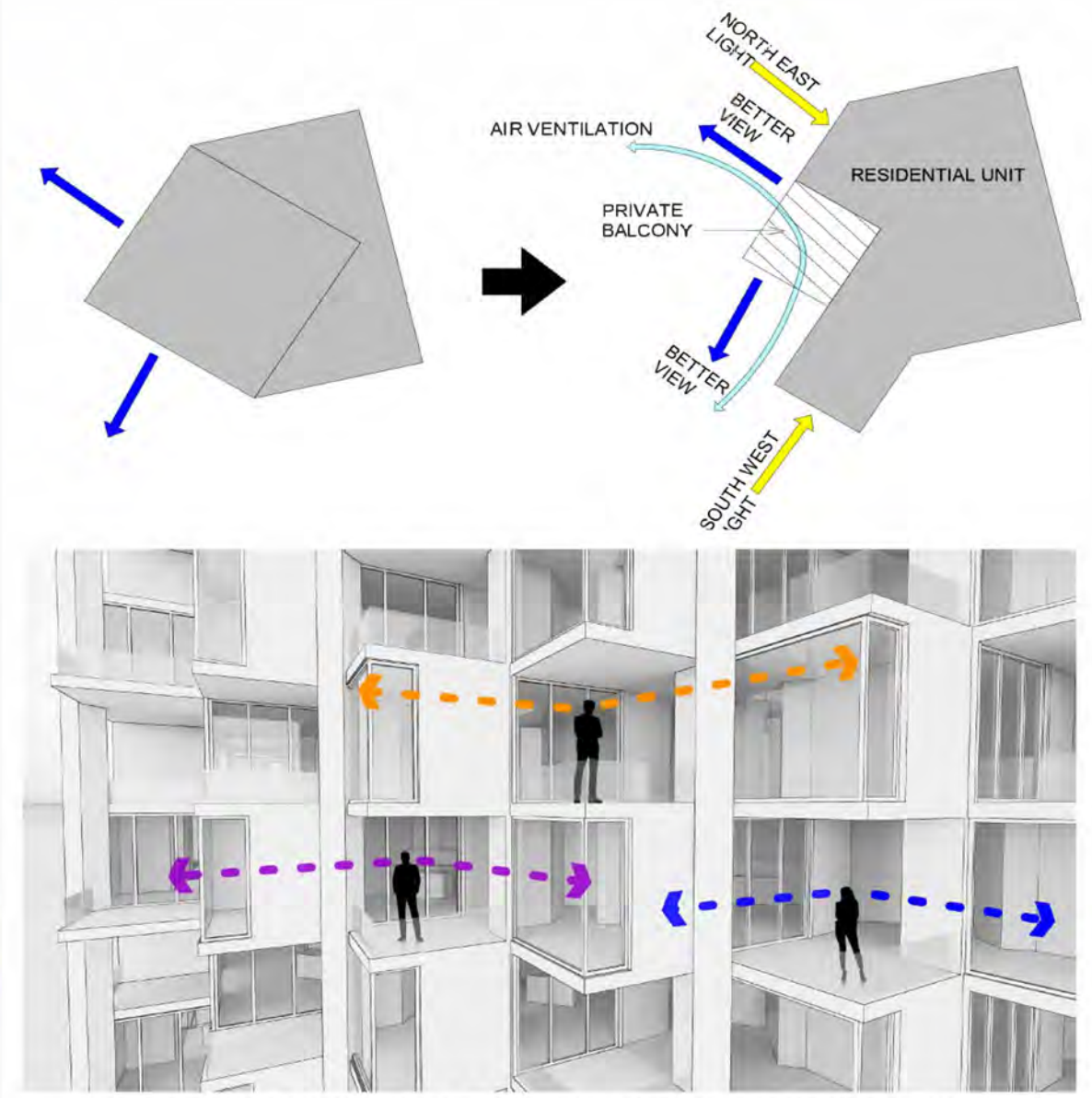
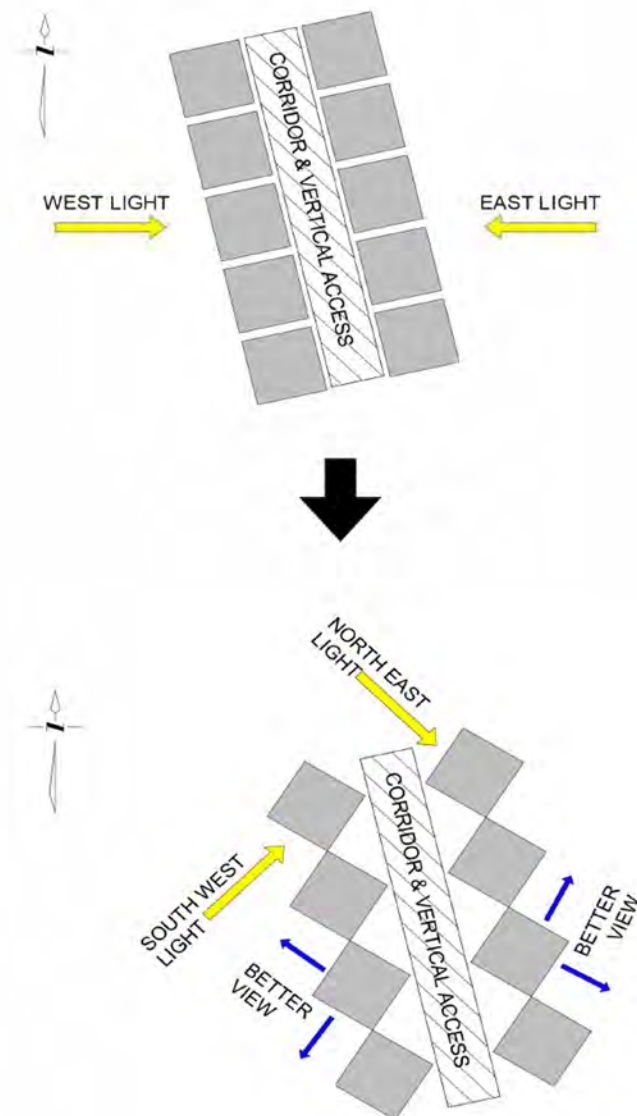




## PRIVATE BALCONIES & GREEN SPACES

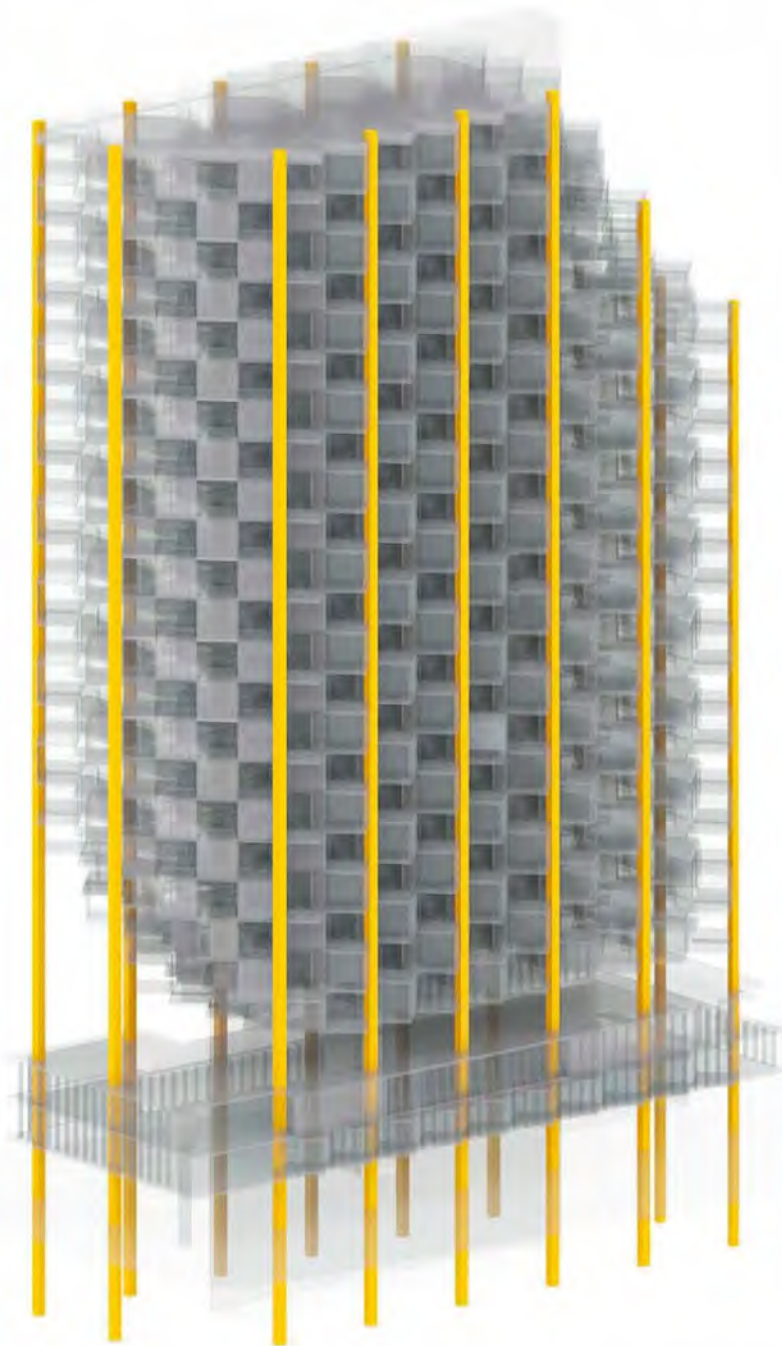


## RESIDENTIAL UNITS ORIENTATION

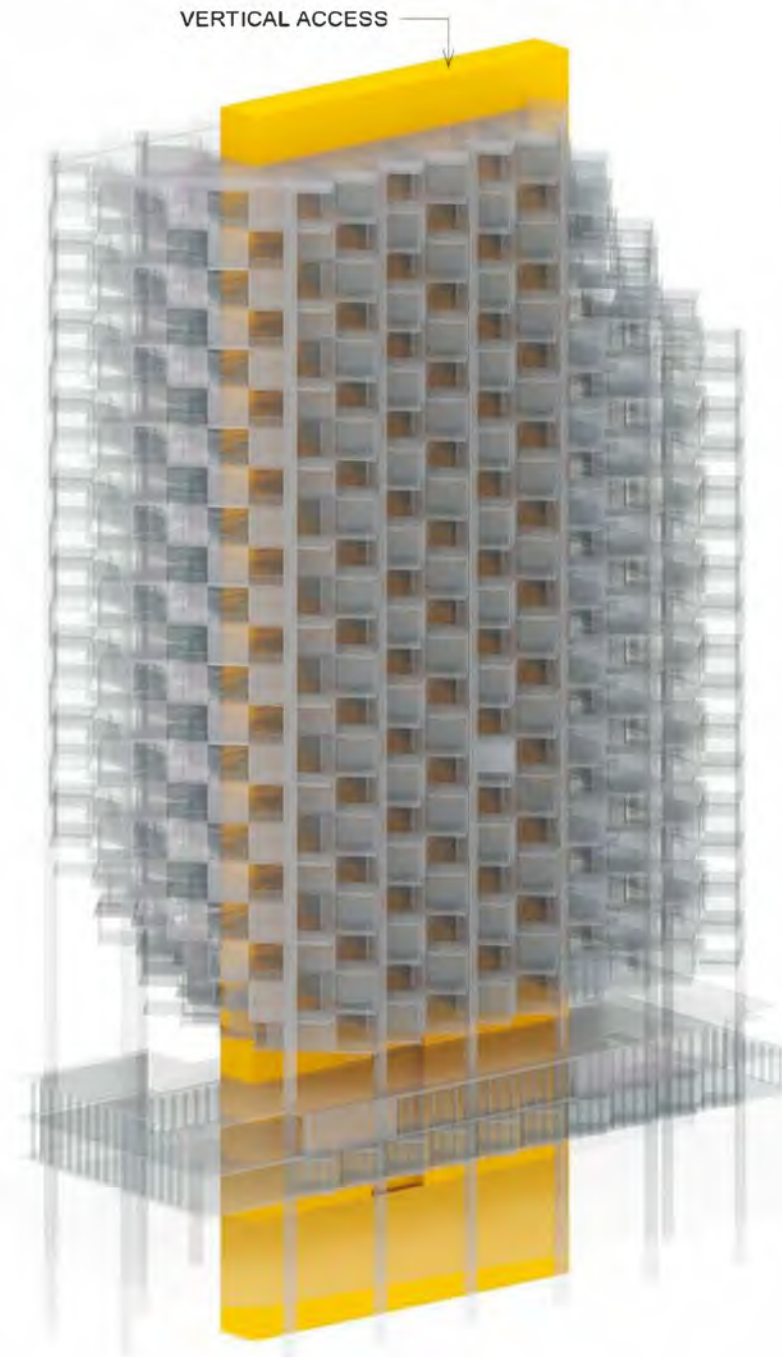




## STRUCTURAL SYSTEM



## VERTICAL ACCESS



## FINAL MASS





