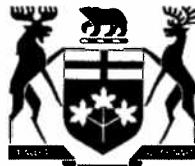


ISSUE DATE:

November 17, 2006

DECISION/ORDER NO:

3234



Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

DC000004

3170497 Canada Inc. has appealed to the Ontario Municipal Board under subsection 17(10) of Ontario Regulation 82/98 pursuant to the *Development Charges Act*, S.O. 1997, c. 27 against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands municipally known as 11, 15 & 19 Allstate Parkway and registered as Plan 65M-2029 in the Regional Municipality of York

OMB File No: D000004

3170497 Canada Inc. has appealed to the Ontario Municipal Board under subsection 17(10) of Ontario Regulation 82/98 pursuant to the *Development Charges Act*, S.O. 1997, c. 27 against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands municipally known as 140 Allstate Parkway and registered as Plan 65M-2029 in the Regional Municipality of York

OMB File No: D000005

3170497 Canada Inc. has appealed to the Ontario Municipal Board under subsection 17(10) of Ontario Regulation 82/98 pursuant to the *Development Charges Act*, S.O. 1997, c. 27 against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands located on Cochrane Drive (Site 1) and registered as Plan 65M-2326 in the Regional Municipality of York

OMB File No: D000006

3170497 Canada Inc. has appealed to the Ontario Municipal Board under subsection 17(10) of Ontario Regulation 82/98 pursuant to the *Development Charges Act*, S.O. 1997, c. 27 against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands located on Cochrane Drive (Site 2) and registered as Plan 65M-2326 in the Regional Municipality of York

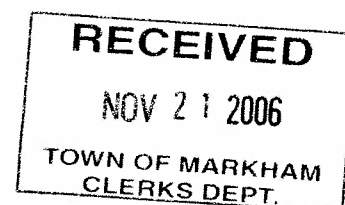
OMB File No: D000007

3170497 Canada Inc. has appealed to the Ontario Municipal Board under subsection 17(10) of Ontario Regulation 82/98 pursuant to the *Development Charges Act*, S.O. 1997, c. 27 against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands located on Cochrane Drive (Site 3) and registered as Plan 65M-2326 in the Regional Municipality of York

OMB File No: D000008

3170497 Canada Inc. has appealed to the Ontario Municipal Board under subsection 17(10) of Ontario Regulation 82/98 pursuant to the *Development Charges Act*, S.O. 1997, c. 27 against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands municipally known as 675 Cochrane Drive and registered as Plan 65M-2326 in the Regional Municipality of York

OMB File No: D000009



Great-West Life Assurance Company has appealed to the Ontario Municipal Board under subsection 17(10) of Ontario Regulation 82/98 pursuant to the *Development Charges Act*, S.O. 1997, c. 27 against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands municipally known as 60 Columbia Way and registered as Plan 65M-2029 in the Regional Municipality of York
OMB File No: D000010

The Ontario Municipal Board, on its own motion, and pursuant to subsection 37.1 of the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28, proposes to dismiss the appeal filed by 3170497 Canada Inc. against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands municipally known as 11, 15 & 19 Allstate Parkway, without further notice or hearing
OMB File No. D000004

The Ontario Municipal Board, on its own motion, and pursuant to subsection 37.1 of the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28, proposes to dismiss the appeal filed by 3170497 Canada Inc. against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands municipally known as 140 Allstate Parkway, without further notice or hearing
OMB File No. D000005

The Ontario Municipal Board, on its own motion, and pursuant to subsection 37.1 of the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28, proposes to dismiss the appeal filed by 3170497 Canada Inc. against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands located on Cochrane Drive (Site 1), without further notice or hearing
OMB File No. D000006

The Ontario Municipal Board, on its own motion, and pursuant to subsection 37.1 of the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28, proposes to dismiss the appeal filed by 3170497 Canada Inc. against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands located on Cochrane Drive (Site 2), without further notice or hearing
OMB File No. D000007

The Ontario Municipal Board, on its own motion, and pursuant to subsection 37.1 of the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28, proposes to dismiss the appeal filed by 3170497 Canada Inc. against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands located on Cochrane Drive (Site 3), without further notice or hearing
OMB File No. D000008

The Ontario Municipal Board, on its own motion, and pursuant to subsection 37.1 of the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28, proposes to dismiss the appeal filed by 3170497 Canada Inc. against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands municipally known as 675 Cochrane Drive, without further notice or hearing
OMB File No. D000009

The Ontario Municipal Board, on its own motion, and pursuant to subsection 37.1 of the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28, proposes to dismiss the appeal filed by Great-West Life Assurance Company against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands municipally known as 60 Columbia Way
OMB File No. D000010

B E F O R E:

D.R. GRANGER
VICE-CHAIR

) Friday, the 17th day of
)
) November, 2006

UPON APPEALS to this Board by 3170497 Canada Inc. and Great-West Life Assurance Company under subsection 17(10) of Ontario Regulation 82/98 pursuant to the Development Charges Act, S.O. 1997, c. 27, against the Town of Markham's refusal to recognize a credit claim for a development charge imposed on lands located at 11, 15 & 19 Allstate Parkway (appeal by 3170497 Canada Inc. under OMB File No. D000004), 140 Allstate Parkway (appeal by 3170497 Canada Inc. under OMB File No. D000005), Cochrane Drive – Site 1 (appeal by 3170497 Canada Inc. under OMB File No. D000006), Cochrane Drive – Site 2 (appeal by 3170497 Canada Inc. under OMB File No. D000007), Cochrane Drive – Site 3 (appeal by 3170497 Canada Inc. under OMB File No. D000008), 675 Cochrane Drive (appeal by 3170497 Canada Inc. under OMB File No. D000009) and 60 Columbia Way (appeal by Great-West Life Assurance Company under OMB File No. D000010);

AND UPON the motion of the Ontario Municipal Board for an Order dismissing the appeals without holding a public hearing under subsection 37.1(1)(b) of the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28, (the "OMB Act") and the Board having provided the appellants with the opportunity to make representations in accordance with subsection 37.1(2) of the *OMB Act*, and the appellants not having responded within the time frame specified by the Board;

THE BOARD ORDERS that the appeals by 3170497 Canada Inc. and Great-West Life Assurance Company are dismissed.

A handwritten signature in black ink, appearing to read 'Pelham', is written in a cursive style.

SECRETARY