



Memorandum

TO: Committee of the Whole

FROM: Valerie Shuttleworth, MCIP, RPP
Chief Planner, Corporate Services

DATE: June 11, 2015

RE: **Withdrawal of Appeals to the York Region Official Plan 2010 and ROPA 3 by CHFMS (Trinison) & Grace Chinese Gospel Church**

Remaining appeals to ROPA 3, the Region's urban expansion for the City of Markham, have been withdrawn

In late April 2015, Regional staff executed Minutes of Settlement with CHFMS (Colebay Investments Inc., Highcove Investments Inc., Firwood Holdings Inc., Major McCowan Developments limited and Summerlane Realty Corp.), represented by Trinison Management Corp. CHFMS was one of two remaining appellants in Phase 3 of the York Region Official Plan (YROP – 2010) and Regional Official Plan Amendment (ROPA) 3 appeals that are currently before the Ontario Municipal Board ("OMB"). Subsequent to the Minutes being filed with the OMB, the only remaining appellant, Grace Chinese Gospel Church, provided notice to all parties of the withdrawal of their appeal to the same proceedings on June 1, 2015.

Highlights of the Settlement with CHFMS

Some of the highlights of the settlement with CHFMS include the following:

- CHFMS will support an Order approving ROPA 3;
- CHFMS and York Region will jointly request that the Board approve two modified policies and the addition of two new policies as included in Attachment 1;
- York Region will agree to consider a potential future GO station in the vicinity of Major Mackenzie Drive and Donald Cousens Parkway as part of the ongoing Transportation Master Plan update; and
- If a settlement area expansion is deemed appropriate through the current MCR process, the Region agrees to give CHFMS' lands due consideration in respect

of several attributes of those lands, including its proximity to a commuter GO rail line and its proximity to the existing serviced area boundary.

Status of YROP-2010 Phased Hearing

The Phase 1 decision issued in April 2014 confirmed the quantum of land required for Markham urban expansion as 1,010ha (per the 2010 land budget) and the definition of developable area, both of which are essential inputs for delineating the geographic extent of urban lands (gross land area) required. Phase 2, confirming the location of urban expansion lands within the Town of East Gwillimbury was resolved without a hearing. Phase 3 of the OMB hearing was required to confirm the appropriate geographic location of urban expansion lands for the City of Markham. This settlement and withdrawal resolve the final two of four initial appeals to ROPA 3. The Phase 3 hearing is no longer required.

Phase 4 is to address remaining Region-wide appeals, of which there is only one. Memorial Gardens (now Arbor Memorial) maintain their Region-wide appeal to Sections 6.1, 6.2, 6.3 and 6.4 (agriculture and rural area policies) pending resolution of their concerns with respect to cemetery uses. Discussions with Arbor Memorial are ongoing. Phase 5 will address site-specific appeals, a number of which are working through the local municipal planning process.

Next steps

The Region will request that the OMB approve and bring into force and effect ROPA 3 and the YROP-2010 as modified in accordance with the terms of the Minutes of Settlement. The OMB Order approving ROPA 3 is expected to proceed on consent of all parties. Regional staff and legal counsel will prepare and submit the required material to the OMB. The OMB will likely issue an Order sometime in the next few months.

At this time Phase 4 and Phase 5 have not been scheduled by the OMB. Regional staff will report back to Council with updates on the status of the Arbor Memorial appeal, and site-specific appeals as discussions and planning processes progress.

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