



December 15, 2009
WCGI File No. 4601

The Regional Municipality of York
Planning and Development Services Department
17250 Yonge Street
Newmarket, ON
L3Y 6Z1

ATTENTION: Mr. John Waller, Director of Long Range and Strategic Planning

Dear Sir:

Re: York Region Official Plan – December 2009
18879 & 18917 Woodbine Avenue
Town of East Gwillimbury

Weston Consulting Group Inc. ("WCGI") is the planning consultant representing 1625489 Ontario Inc., the owner of the above noted lands in the Town of East Gwillimbury.

The following information is provided further to our correspondence dated October 7, 2009 concerning the June 2009 draft Official Plan, wherein, we expressed certain concerns with regard to the proposed Official Plan policies and mapping in relation the subject property.

Following a review of the December Official Plan, which was approved by the Planning and Economic Development Committee on December 2, 2009, we wish to express certain concerns with regard to the December Official Plan.

This letter is not intended to reiterate concerns expressed in our October 7, 2009 correspondence, which remain unresolved, but is an outline of concerns with respect to certain policies in the December 2009 Official Plan.

We have had discussions with Regional Staff in relation to these concerns and acknowledge Regional Staff's cooperation and their willingness to work towards solutions to address these concerns.

Based on the proposed land use designations in the December Official Plan for the subject lands, Map 2 and Map 8 identify the subject property as part of the Regional Greenlands System and the Agricultural Area. The applicable policies under Chapter 2 and Chapter 6, respectively, contain policies that do not recognize the existing approved site specific

permissions for the subject lands. We acknowledge that an improvement has been made to the Official Plan through the addition of policies to Section 8.4 of the Plan concerning Transition and Greenbelt Plan policies. However, we have some concern that these new policies do not fully recognize the approved land use permissions for the subject lands. This concern is based on a review of other policies in Chapter 2, Chapter 6, and Chapter 8 that state the following:

Section 2.1.1 – “To protect and enhance the Regional Greenlands System and its functions shown on Map 2 and to direct new development and site alteration away from the System.”

Section 6.1.8 – “That where there is a conflict between policies of this Plan, local official plans and the Greenbelt Plan, the more restrictive policy shall apply...”

Section 8.4.2 – “That all policies of this Plan must be considered together to determine conformity. Individual policies should not be read or interpreted in isolation.”

The above noted policies would suggest that when such policies are considered in relation to Section 8.4.13 and 8.4.17, that the above noted policies (ie. Regional Greenlands and Agricultural Area policies) would take precedence, thereby limiting the owner's ability to develop the subject lands based on the existing approved land use permissions.

We suggest that stronger policy language be incorporated into the official plan to address this concern, particularly with regard to the applicability of the Regional Greenlands and Agricultural Area policies for the subject lands, where it conflicts with the existing approved land use permissions.

Another matter of concern is that Section 8.4.13 does not provide sufficient clarity as to what constitutes “approved land uses” under the transition policies. We request that this policy be modified to specifically recognize land uses that are approved in local official plans. This approach would be similar to what is outlined in Section 5.2.1 of the Greenbelt Plan.

Another matter of concern is with regard to Section 8.4.14, which states that applications received on/or after the date of the Plan are subject to the policies of the Plan. We do not support this policy as it is presently worded. This policy would require that all planning applications, including Site Plan applications, Draft Plan of Subdivision/Condominium applications, Minor Variance applications, and Consent applications be subject to the policies of the Plan. We suggest that the aforementioned applications should not be subject to the policies of the Plan, where they implement approved land uses. Accordingly, we request that this policy be modified to state that the policies of the Plan shall not apply to the aforementioned applications where they implement approved land uses. This would provide for the appropriate transition of these applications.

In summary, and in an effort to resolve these concerns, we request that the above concerns be addressed through the appropriate modifications to the Regional Official Plan. Although, it is our preference that the mapping be modified in accordance with our October 7, 2009 submission, we trust that the above noted modifications being incorporated into the Regional Official Plan will ensure that the approved land use permissions are maintained for the subject property and that further applications to implement these land use permissions will be permitted.

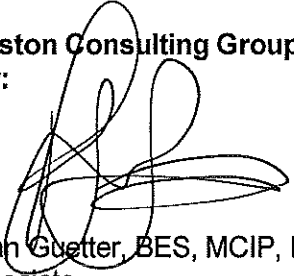
We are committed to working with Regional Staff to identify the appropriate solutions to address these concerns and would be pleased meet with Regional Staff to discuss these matters.

Please contact Mark Jacobs (ext. 286) or the undersigned if you have any questions.

Yours truly,

Weston Consulting Group Inc.

Per:



Ryan Guetter, BES, MCIP, RPP
Associate

cc. B. Jeffrey, York Region
D. Stone, Town of East Gwillimbury
M. Sokolowski, Oskar Group
M. Emery, WCGI