



MEMORANDUM

TO: Members of Planning and Economic Development Committee

FROM: Bryan Tuckey, Commissioner, Planning and Development Services

DATE: June 7, 2011

RE: Status Update on Appeals of York Region Official Plan 2010, ROPA 1 – Town of East Gwillimbury Urban Expansion, ROPA 2 – City of Vaughan Urban Expansion, and ROPA 3 – Town of Markham Urban Expansion

This memorandum provides an update on the fifty-two (52) appeals received on the York Region Official Plan and the nine (9) appeals of Regional Amendments 1, 2 and 3 (urban expansion areas).

The Planning and Development Services Department is continuing to meet with appellants and explore negotiated resolution of the appeals where appropriate. The chart below provides a summary of the meeting process. The majority of meetings with appellants have and continue to occur on a “without prejudice” basis.

Meetings status	ROP Appeals	ROPA 1 Appeals	ROPA 2 Appeals	ROPA 3 Appeals	Total
Total appeals filed	52	5	1	3	61
Appeals Withdrawn	3	1	0	0	4
Meetings held with appellants	40	5	1	3	49
Presently at OMB and no meetings required	3				3

Key Activities over the past month:

- Three (3) additional appeals have been withdrawn, bringing the total number of appeals withdrawn to four (4). Two (2) other appellants have agreed to withdraw their appeals on the basis that they become parties to other proper appeals.
- As noted above, the Region is continuing its discussions with appellants in an effort to reduce or resolve appeals, where appropriate.

- The OMB commenced proceedings on the ROP and ROPAs 1, 2 and 3 in May with two (2) pre-hearing conferences on the 2nd and 30th. The focus of Pre-Hearing #1 on May 2nd was to begin to establish a road map for moving through the process including setting future hearing and mediation dates. Pre-Hearing #2 on May 30th, while involving additional procedural matters, also involved dealing with those stakeholders seeking party or participant status and the commencement of arguments in relation to a motion by the Region to determine the status of a number of appeals as discussed in the next bullet.
- As noted, the Region has brought a motion at the Ontario Municipal Board to determine the status of sixteen (16) of the appellants on the basis that they did not satisfy the appeal requirements of the Planning Act and therefore the appeals should be dismissed. Consideration of this motion will continue on July 19th and 20th with a decision expected later in the summer.
- Seven local municipalities as well as the Toronto Region Conservation Authority requested and were granted party or participant status on May 30th. The Ministry of Municipal Affairs and Housing was also granted party status to the Regional Official Plan appeals while their status with regard to the three ROPAs is to be considered on June 30th. Several private landowners/entities were also granted party/participant status where they were able to attach themselves to a specific policy appealed by a proper appellant. There are a handful of remaining stakeholders seeking party status that will be considered by the Board on July 19th/20th.
- Staff has developed a web area on the corporate website where all pertinent information regarding the OMB hearing will be posted:
<http://www.york.ca/Departments/Planning+and+Development/Growth+Management/Appeals+to+the+OMB+of+the+YROP.htm>

Schedule of Immediate Upcoming Key Dates:

Date	Event	Issues
June 30	Pre-Hearing #3	• Region to request the OMB to issue an Order to bring into force immediately that portion of Map 1 (Regional Structure) that serves to bring two specific areas into the Urban Area. These two areas are part of the Vaughan Hwy 400 North Employment Lands Secondary Plan and must be brought into the Region's Urban Boundary to align with and facilitate the approval of the Secondary Plan (OPA 637), which is currently in-front of the Board in a separate hearing process. • Region to request the OMB to issue an Order that Table 1 of the Regional Official Plan which incorporates the allocation of the 2031 population and employment projections to the nine local municipalities is 'fixed'. • Continuation of discussions pertaining to a central comprehensive issues list
July 19 & 20	Pre-Hearing #4	• Continuation of motion to determine status of those appellants that the Region submits did not make proper appeals. • Consideration of remaining requests for Party/Participant Status
September	Mediation Assessment	• The OMB plans to fix a date in September to begin to consider the issues and process for future mediation sessions.

The Region has and will continue to work closely with local municipalities throughout the process.

If you require additional information, please contact John Waller, Director of Long Range and Strategic Planning at 905 830-4444, Ext. 1525.

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BT/sn