



MEMORANDUM

TO: Planning and Economic Development Committee

FROM: John B. Waller, M.C.I.P., R.P.P., Acting Commissioner of Planning and Development Services

DATE: November 1, 2011

RE: **Status Update Report 3 on Appeals of the 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 ongoing Ontario Municipal Board (OMB) hearing dealing with the York Region Official Plan and Regional Amendments 1, 2 and 3, the urban expansion amendments in the communities of East Gwillimbury, Vaughan, and Markham respectively.

Regional Council at its meeting of September 22, 2011 received the previous ROP update report which summarized OMB activities to the end of September, 2011. Since that time:

- The OMB released an oral decision on October 6, 2011, ruling that 10 individuals and groups who had filed letters of appeal in 2010 had failed to meet the test of section 17(36), which requires an appellant to have made oral or written submissions to Council prior to the adoption of the Plan. Those individuals/groups were found to be neither proper appellants, nor parties and thus do not have status to participate in the OMB process.
- 5 additional individuals and groups who were also identified by the Region as failing to meet the tests of Section 17(36) have accepted the Region's offer of party status and have been granted such status by the OMB.
- The appeal by Cornerstone Christian Community Church has been resolved and the appeal withdrawn and 1 additional appellant, Loblaw's Properties has provided a partial withdrawal of their appeal.

- This reduces the original 51 appellants to the ROP hearing to 35 appellants at this point in time.
- Staff is also in Without Prejudice discussions with some 4 additional groups of appellants representing 12 appellants in total, to attempt resolution of site specific appeals.
- Ontario Municipal Board mediation was held October 24th through 26th dealing with environmental policies in Chapter 2 and transition issues. Additional mediation is scheduled for four days in December (Dec 5th through 8th) and five days in January (Jan 9th through 13th, 2012). The topics for the December mediation session will again be transition issues and environmental policies in Chapter 2. Should there be resolution of some appeals through this process, then they may be capable of being reported during the next update report to Committee.

A further update will be brought forward for Committee and Council at the February 1, 2012 Planning and Economic Development Committee meeting. In addition, at a private session at the same meeting, the Region's solicitor Stephen Waqué of Borden, Ladner, Geravis will provide a further update and respond to questions.



John B. Waller, M.C.I.P., R.P.P.
Acting Commissioner of Planning and Development Services

Bj/bk