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May 18, 2022

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York Region Council
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Dear Chair and Members of Council:

Re: Regional Official Plan 2021 – Statutory Public Meeting

We write on behalf of Kennedy Road GK Holdings Limited and Kennedy Road GK II Holdings Limited (Humbold Properties), Meadowbrook Golf and Country Club and as agent for Davies Howe LLP, for Warden North GP Inc. (the “Landowners”). Collectively, they own approximately 510 acres (the “Subject Properties”) located generally east of Warden Avenue and on either side of Kennedy Road, north of the southern boundary of the Town of Whitchurch-Stouffville (the “Town”). We previously made a written submission to Council dated November 24, 2021, and made a deputation to Council at its meeting of November 25, 2021.

We also made a written submission dated March 29, 2022, which is referred to as submission 52 in Attachment 2 to the staff report. The staff response to our submission is “*No change. Would conflict with provincial conformity*”. We disagree with this response to our submission. In fact, our clients’ request to have their Whitebelt lands brought into the urban area is consistent with the prior staff recommendation. It is the Council endorsed plan to bring protected Greenbelt and Oak Ridges Moraine lands into the urban area that “would conflict with provincial conformity”.

We also note that Attachment 5 to the staff report includes the resolution of the Town of Whitchurch-Stouffville regarding the expansion into the Greenbelt and Oak Ridges Moraine. We do note that that at its meeting of November 25, 2021, Regional Council passed the following resolution:

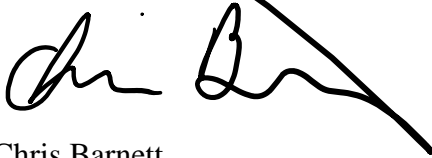
That should the Minister of Municipal Affairs and Housing refuse the request for an amendment to O. Reg. 140/02: Oak Ridges Moraine Conservation Plan under the Oak Ridges Moraine Conservation Act to permit the proposed changes to the settlement area boundary, the whitebelt lands identified in the September 16, 2021 report from the Commissioner of Corporate Services and Chief Planner be incorporated into the Regional Official Plan.

We continue to be of the opinion that the mapping adopted by Regional Council which shows an expansion of the Urban Area into lands that are designated in both the Greenbelt Plan and Oak Ridges Moraine Conservation Plan (**ORMCP**) is not permitted by either the *Greenbelt Act, 2005*, or the *Oak Ridges Moraine Conservation Act, 2001*. Both of these Acts require that decisions made under the *Planning Act* conform to the Greenbelt Plan and ORMCP.

Urban uses are not permitted in the protected areas under those plans. The adopted Regional Official Plan would therefore require amendments to both the Greenbelt Plan and ORMCP. The stated position of the Ministry and Province is that amendments to the Greenbelt Plan will not be considered outside of the statutory plan review process which is not due to begin until 2025.

We therefore continue to support and request the designation of lands outside of the Greenbelt and within the “Whitebelt” as proposed and supported by Regional staff in the September 16, 2021 staff report.

Yours very truly,



Chris Barnett
Partner

Encl.
CB:s

Cc: Kennedy Road GK Holdings Limited and Kennedy Road GK II Holdings Limited
Meadowbrook Golf and Country Club
Warden North GP Inc.
Susan Rosenthal, Davies Howe LLP