

June 15, 2022

MGP File: 21-2983

The Regional Municipality of York
17250 Yonge Street,
Newmarket, ON L3Y 6Z1

Attention: Ms. Sandra Malcic, Director, Long Range Planning

Dear Ms. Malcic:

**RE: Comment on the 2022 York Region Official Plan for Adoption
Fox Den Farms and 2044232 Ontario Limited (c/o Armadale Company Limited)
Part of Lots 6 to 10, Concession 3, City of Richmond Hill**

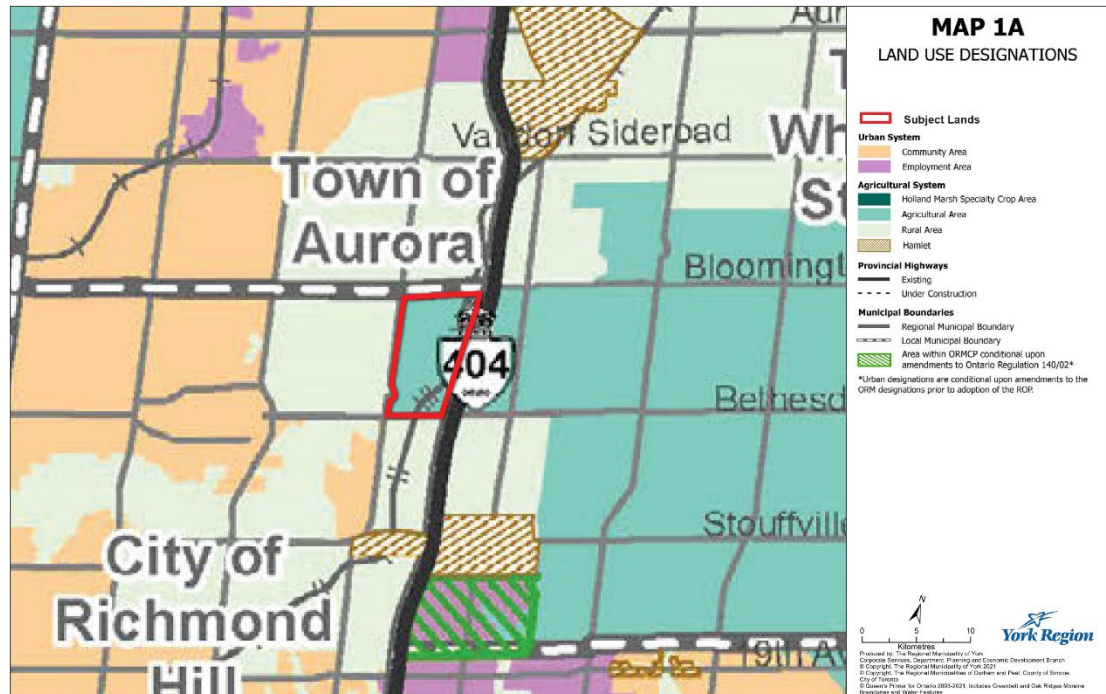
Malone Given Parsons Ltd (“MGP”) is the land use planner for Fox Den Farms and 2044232 Ontario Limited (c/o Armadale Company Limited), owners of a portion of part of Lots 6 to 10, Concession 3 in the City of Richmond Hill (“Subject Lands”). MGP previously submitted correspondences on behalf of the owners to request that Council not support the redesignation of the Subject Lands from Rural to Agricultural. We note this request is also supported by two property owners in the southern portion of this concession block, who similarly seek to maintain the existing Rural designation.

On behalf of the owners, we have reviewed the revised draft York Region Official Plans as part of the May 19, 2022 Committee of the Whole Report and June 16, 2022 Committee of the Whole Report, which we understand is being brought for adoption. **We are disappointed to note that our request for the Subject Lands to remain designated as Rural in the Regional Official Plan has not been recognized. Further, we respectfully disagree with Staff’s response that the request “would conflict with Provincial conformity”.**

We are concerned that no correction has been proposed for the Subject Lands based on Staff’s comment that the Region must ensure “no net loss of agricultural lands”. In our opinion, if the redesignation of the Subject Lands from Rural in the 2010 York Region Official Plan to Agricultural in the 2022 York Region Official Plan is required to meet this principle, the burden to satisfy this region-wide goal is unfairly placed upon the property owners in this concession block.

In our opinion, maintaining the Subject Lands within the Rural designation of the Regional Official Plan does not conflict with Provincial Conformity. The Subject Lands should remain designated as Rural in the 2022 Regional Official Plan and provincial mapping to reflect existing rural uses and recognize their location adjacent to other Rural lands. We continue to request that Council not support the redesignation of the Subject Lands (as shown in Figure 1) from Rural to Agriculture.

Figure 1 Excerpt of Draft Map 1A – Land Use Designations



Source: York Region (2022), Malone Given Parsons Ltd (2022)

As noted, we have heard from Staff at our February 18, 2022 meeting that the Region must ensure “no net loss of agricultural lands”. However, we emphasize that the Subject Lands are currently designated as Rural in the 2010 York Region Official Plan, and we are asking to maintain this designation in the 2022 York Region Official Plan. The burden to ensure no net loss of agricultural lands should not be placed upon the owners in this concession block, particularly as there are existing rural operations within the Subject Lands. This includes Fox Den Farms, an equestrian centre with polo fields, an indoor arena, an exercise track, and horseback riding trails. The operations also include horse boarding facilities.

Further, we believe the request would not conflict with Provincial conformity as we understand that the York Regional mapping is intended to refine the Provincial mapping. As noted in our March 28, 2022 letter to York Region, we do not agree with the initial Provincial refinement circumstance factor applied. Further, we believe there are additional applicable Regional refinement circumstance factors that support the maintenance of a Rural Area designation on the Subject Lands. We have attached our March 28, 2022 letter for further details (see **Attachment A**)

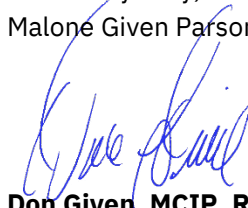
This concession block is bound by Bloomington Road to the north, Highway 404 to the east, Bethesda Road to the south, and Leslie Street to the west, in the City of Richmond Hill. The adjacent blocks to the north, south, and west continue to be identified as Rural. Although, to the east, lands within the Town of Whitchurch-Stouffville are part of the Agricultural area, the concession block is divided by Highway 404, which results in a clear separation between the east and west portions of the block. Therefore, this refinement would not result in a continuous agricultural land base as the Subject Lands are isolated from other Agricultural areas based on the surrounding context and location of the highway.

The isolation of the Subject Lands from other Agricultural Areas will continue to perpetuate existing agricultural operation issues along the Leslie Street, as farmers have noted difficulties in moving equipment and materials between agricultural operations located on major corridors.

Therefore, we continue to request that Council support the Subject Lands to remain part of the Rural designation due to their existing operations and surrounding context.

Should you have any questions or wish to discuss our comments in greater detail, please contact me at (905) 513-0170.

Yours very truly,
Malone Given Parsons Ltd.



Don Given, MCIP, RPP

Att: Letter to York Region RE: Comments on the 2021 York Region Draft Official Plan, dated March 28, 2022

Cc: Cliff Sifton, Armadale Company Limited
Chairman and Members of York Regional Council
Richmond Hill Mayor and Members of Council
Paul Freeman, Region of York
Kelvin Kwan, City of Richmond Hill

March 28, 2022

MGP File: 21-2983

The Regional Municipality of York
17250 Yonge Street,
Newmarket, ON L3Y 6Z1

Attention: Ms. Sandra Malcic, Director, Long Range Planning

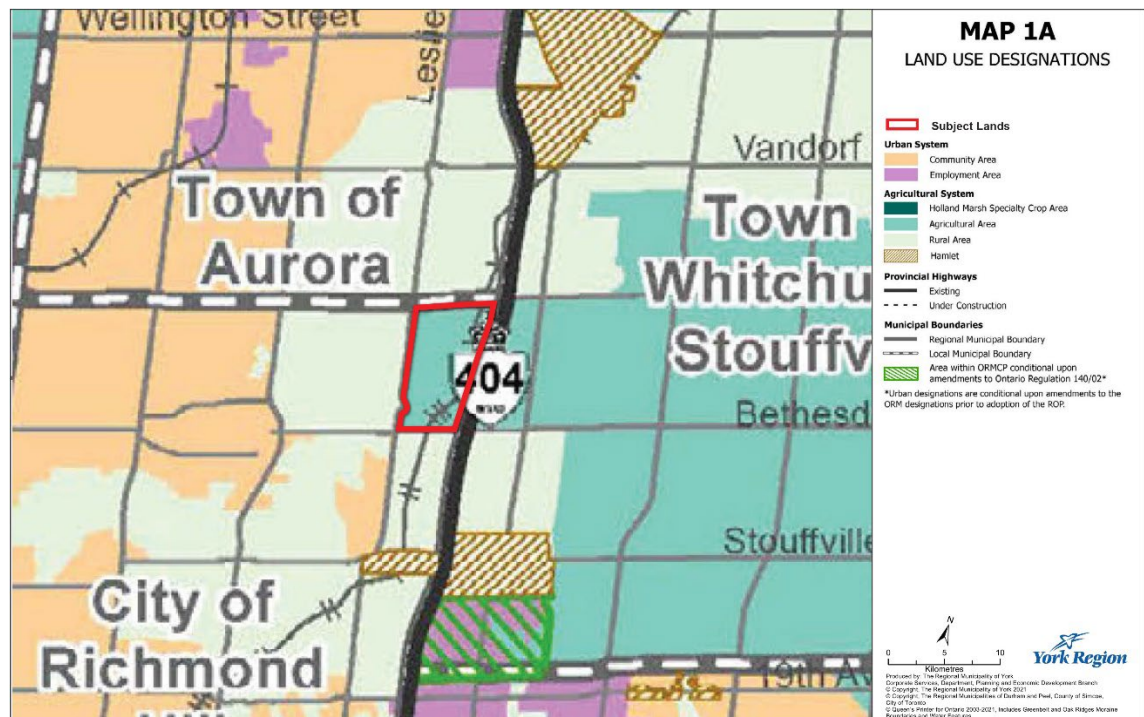
Dear Ms. Malcic:

**RE: Comment on the 2021 York Region Draft Official Plan
Fox Den Farms and 2044232 Ontario Limited (c/o Armadale Company Limited)
Part of Lots 6 to 10, Concession 3, City of Richmond Hill**

Malone Given Parsons Ltd (“MGP”) is the land use planner for Fox Den Farms and 2044232 Ontario Limited (c/o Armadale Company Limited), owners of a portion of part of Lots 6 to 10, Concession 3 in the City of Richmond Hill (“Subject Lands”).

We continue to request that Council not support the redesignation of the Subject Lands (as shown in Figure 1) from Rural to Agriculture. In our opinion, the Subject Lands should remain designated as Rural in the Regional Official Plan and provincial mapping to reflect existing rural uses and recognize its location adjacent to other Rural lands.

Figure 1 Excerpt of Draft Map 1A – Land Use Designations



Source: York Region (2021)

On behalf of the owners, MGP previously submitted correspondences on April 13, 2021 and June 9, 2021 (see Attachment A), to request that Council not support the redesignation of the Subject Lands from Rural to Agricultural. Our letters were intended as input to the preliminary agricultural mapping consultation to support the development of draft mapping as part of the Regional Official Plan Update.

This Concession block is bound by Bloomington Road to the north, Highway 404 to the east, Bethesda Road to the south, and Leslie Street to the west, located in the northeast corner of the City of Richmond Hill. The Subject Lands contain rural and agricultural uses, including Fox Den Farms, home of the Toronto Polo Club, which is an equestrian centre with polo fields, an indoor arena, exercise track, and horseback riding trails. The operations also include horse boarding facilities.

The Subject Lands are part of a pocket of lands within the “urban shadow”, so to speak, as these lands are outside of the Region’s Urban Area, however the balance of the Leslie Street corridor to the north and south are within the Urban Area. This creates an issue for agricultural operations and thereby their economical feasibility. This Council has heard before from speakers, who are farmers, who note there are difficulties in moving equipment and materials between agricultural operations that are located on major corridors.

Therefore, we continue to believe the Subject Lands should remain part of the Rural Area due to its existing operations and surrounding context.

Agricultural Land Base Refinements Criteria

There also continues to be a lack of sufficient rationale for the proposed redesignation from Rural to Agricultural Area. York Region’s *Land Evaluation and Area Review* was prepared by Planscape in 2009, which we understand was input to the existing 2010 York Regional Official Plan that identifies the Subject Lands as Rural Area. In 2019, Planscape prepared a further *Agricultural Land Base Refinements Report* that included review of lands identified by the Province as part of the Provincial Agricultural System. Planscape noted that there are discrepancies between the Regional and Provincial mapping as the Province took a systems-based approach.

The Subject Lands were one such area identified by the Province as part of the Provincial Agricultural System, but identified by the Region as part of the Rural Area in the 2010 York Regional Official Plan. The Region categorized the Provincial refinement circumstance of the Subject Lands as RC10, which aims to add areas to the prime agricultural area to create a continuous agricultural land base.

In our opinion, this refinement circumstance does not apply to the Subject Lands as the adjacent designations to the north, south, and west continue to be identified as Rural. Although to the east, lands within the Town of Whitchurch-Stouffville are part of the Agricultural Area, the concession block is divided by Highway 404, which results in a clear separation between the east and west portions of the block. This refinement would not result in a continuous agricultural land base.

Regional criteria were also established for recommending appropriate refinements. The northern portion of the Subject Lands was categorized as YRC2, 4, and 8, and the southern portion was identified as YRC2 and 4. YRC2 and 4 are factors that supported the prime

Agricultural Areas designation, specifically YRC2 identified lands over 40-hectares that had a score above the LEAR threshold and YRC4 accounted for active production. YRC8 was a factor that supported maintenance of a Rural designation, specifically it reflected land primarily in the Natural Heritage System where no agricultural production occurred.

In our opinion, YRC10 also applies, as the Subject Lands are isolated from other Agricultural Areas, based on the surrounding context and location of the highway, as noted above. In addition, YRC13 also applies as the Subject Lands provide a land base to accommodate rural uses, such as the existing equestrian facilities. These factors apply to the Subject Lands as a whole and further support the maintenance of a Rural designation on the Subject Lands.

Meeting with Staff – February 18, 2022

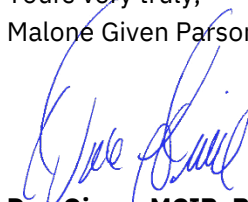
We note that our request is included as Request ID #5 in Attachment 5: Summary of Site-Specific Requests Received for the York Region Municipal Comprehensive Review of the Draft York Region Official Plan staff report to Council, dated November 11, 2021. We thank Regional and Municipal Staff for meeting with us on February 18, 2022 to discuss our request.

From our meeting, we understand that Staff are of the opinion that the existing uses, particularly Fox Den Farms, would continue to be facilitated under the added *on-farm diversified use*. However, in further reviewing the 2021 York Region Draft Official Plan, we note that the Rural designation also includes permission for on-farm diversified uses. We continue to believe the Rural designation most appropriately recognizes the existing rural uses.

We have heard from Staff that the Region must ensure no net loss of agricultural lands. However, in our opinion, the redesignation of the Subject Lands as Agricultural Area is not appropriate in this equation. The initial Provincial refinement circumstance factor was flawed and there are additional applicable Regional refinement circumstance factors that support maintenance of a Rural Area designation. Therefore, we continue to request that Council not support the redesignation of the Subject Lands from Rural to Agriculture.

Should you have any questions or wish to discuss our comments in greater detail, please contact me at (905) 513-0170.

Yours very truly,
Malone Given Parsons Ltd.



Don Given, MCIP, RPP

Att: Letter to York Region RE: Regional Official Plan Update – Policy Directions Report (June 10, 2021), dated June 9, 2021

Cc: Cliff Sifton, Armadale Company Limited
Chairman and Members of York Regional Council

Richmond Hill Mayor and Members of Council
Paul Freeman, Region of York
Kelvin Kwan, City of Richmond Hill

June 9, 2021

MGP File: 21-2983

York Region Chairman Wayne Emmerson
and Members of York Regional Council
17250 Yonge Street,
Newmarket, ON L3Y 6Z1

Via: regional.clerk@york.ca

Dear Chairman and Members of York Regional Council:

**RE: Item H.2.4 Regional Official Plan Update – Policy Directions Report, June 10, 2021
Agricultural to Rural Redesignation
Part of Lots 6 to 10, Concession 3, City of Richmond Hill**

Malone Given Parsons Ltd (“MGP”) is the land use planner for Fox Den Farms and 2044232 Ontario Limited (c/o Armadale Company Limited), owners of a portion of part of Lots 6 to 10, Concession 3 in the City of Richmond Hill (“Subject Lands”).

On March 18, 2021, Council considered the Regional Official Plan Update – Policy Directions Report, which included preliminary agricultural mapping that proposed to redesignate Study Area 27 from Rural Policy Area to Agriculture Policy Area. Study Area 27 included the Subject Lands and was bounded by Bloomington Road to the north, Highway 404 to the east, Bethesda Sideroad to the south, and Leslie Street to the west.

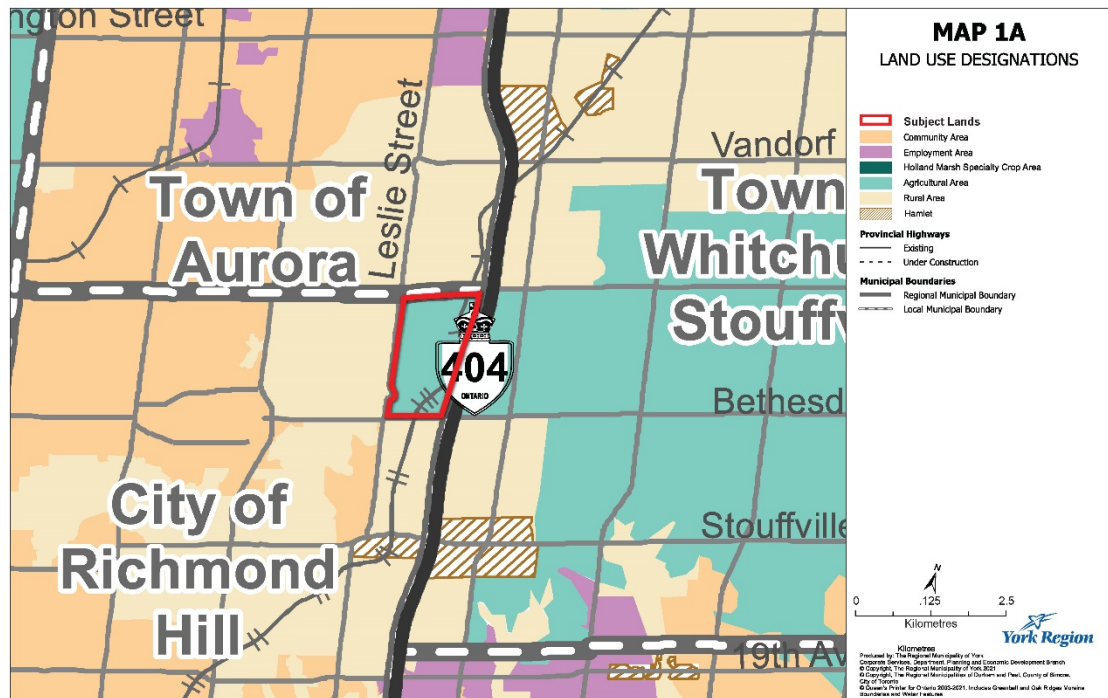
On behalf of the owners, MGP submitted a letter to Council on April 13, 2021, to request that Council not support the redesignation of Study Area 27 from Rural to Agriculture. In our opinion, Study Area 27 should remain designated as Rural in the Regional Official Plan and provincial mapping to reflect existing rural uses, recognize its location adjacent to other Rural lands, and allow for future potential expansion of rural uses. Our letter was intended as input to the preliminary agricultural mapping consultation to support the development of draft mapping presented to Council as part of the Regional Official Plan Update. A copy of our April 13, 2021 letter is attached for your reference.

We have since reviewed the June 10, 2021 Regional Official Plan Update – Policy Directions Report and understand that Map 1A - Land Use Designation of Attachment 2 continues to propose an Agricultural Area designation for Study Area 27.

We continue to request that Council not support the redesignation of Study Area 27 from Rural to Agriculture. For the reasons above and as detailed in our April 13, 2021 letter, in our opinion, Study Area 27 should remain designated as Rural in the Regional Official Plan and provincial mapping.

For your reference, Study Area 27 as shown in Map 1A of the Regional Official Plan Update – Policy Directions Report is outlined in the following figure.

Figure 1 Excerpt of Report Attachment 2



Source: York Region (2021)

Should you have any questions or wish to discuss our comments in greater detail, please contact me at (905) 513-0170.

Yours very truly,
Malone Given Parsons Ltd.

Don Given, MCIP, RPP

Att: Letter to York Region RE: Regional Official Plan Update – Policy Directions Report (March 18, 2021), dated April 13, 2021

Cc: Cliff Sifton, Armadale Company Limited
Richmond Hill Mayor and Members of Council
Sandra Malcic, Region of York
Paul Freeman, Region of York
Kelvin Kwan, City of Richmond Hill

April 13, 2021

MGP File: 21-2983

York Region Chairman Wayne Emmerson
and Members of York Regional Council
17250 Yonge Street,
Newmarket, ON L3Y 6Z1

Dear Chairman and Members of York Regional Council:

**RE: Regional Official Plan Update – Policy Directions Report (March 18, 2021)
Agricultural to Rural Redesignation
Part of Lots 6 to 10, Concession 3, City of Richmond Hill**

Malone Given Parsons Ltd (“MGP”) is the land use planner for Fox Den Farms and 2044232 Ontario Limited (c/o Armadale Company Limited), owners of a portion of part of Lots 6 to 10, Concession 3 in the City of Richmond Hill (“Subject Lands”).

The Subject Lands are identified as part of Study Area 27 in Attachment 2 of the Regional Official Plan Update – Policy Directions Report, dated March 18, 2021. Based on our review of the report, we understand that Staff are proposing to redesignate Study Area 27 from Rural to Agriculture. We note that Council has made a motion to receive the report and mapping for continued consultation as part of the Regional Official Plan Update.

In response, we are writing to request that Council not support the redesignation of Study Area 27 from Rural to Agriculture. In our opinion, Study Area 27 should remain designated as Rural in the Regional Official Plan and provincial mapping.

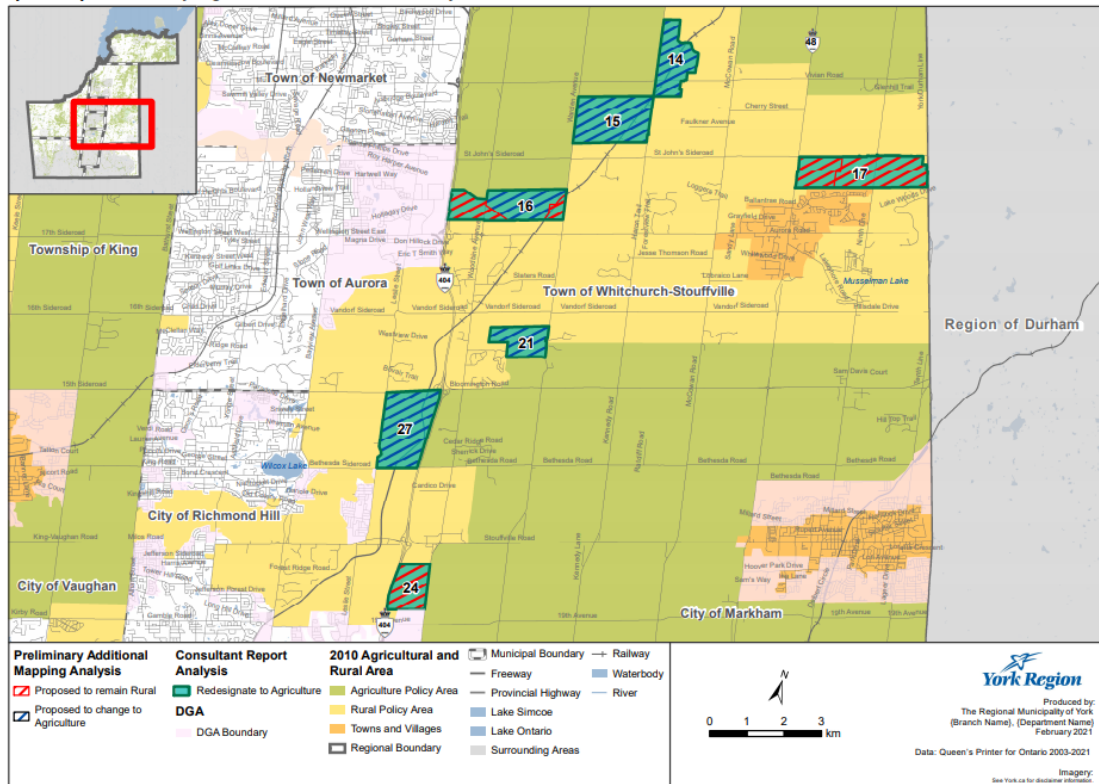
Fox Den Farms, home of the Toronto Polo Club, has been located on the Subject Lands since 1965. Currently, the equestrian centre has polo fields, an indoor arena, exercise track, and horseback riding trails. The operations also include horse boarding facilities. The equestrian use is considered a rural use, rather than a farm operation or agricultural use.

Section 6.4 of the York Region Official Plan notes that “the Rural Area includes viable farms, businesses, and land uses such as equestrian facilities, farm markets, rural settlements, existing rural residential and estate residential development and golf courses” [emphasis ours]. Accordingly, the Subject Lands should remain designated as Rural in the Regional Official Plan, to reflect the existing rural use.

As well, the existing Rural designation is appropriate due to the Subject Lands’ location along a 400 series highway and adjacent to existing Rural lands. The redesignation of Study Area 27 would result in a lone Agricultural Block that is surrounded by Rural areas to the north, south, and west, and a 400-series highway to the east, as shown in the excerpt of Attachment 2 of the report.

Figure 1 Excerpt of Report Attachment 2

| East | Preliminary Agricultural Land Base Analysis



Source: York Region (2021)

Study Area 27, which also contains the Bloomington GO Station that is under construction, should continue to be designated as Rural, to permit the existing non-agricultural uses as well as potential to expand such uses, as currently permitted under the York Region Official Plan, together with the Greenbelt Plan and Oak Ridges Moraine Conservation Plan. In our opinion, the redesignation to Agricultural would unduly restrict potential expansion to, or establishment of, rural uses within Study Area 27.

We ask that this letter be considered as input to the preliminary agricultural mapping illustrated in Attachment 2 of the report for continued consultation to support development of draft mapping that will be presented to Council as part of the Regional Official Plan Update.

Should you have any questions or wish to discuss our comments in greater detail, please contact me at (905) 513-0170.

Yours very truly,
Malone Given Parsons Ltd.

Don Given, MCIP, RPP

Cc: Armadale Company Limited
Richmond Hill Mayor and Members of Council
Sandra Malcic, Region of York
Paul Freeman, Region of York
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