

June 16, 2022

By E-Mail Only to *regional.clerk@york.ca*

Chair Wayne Emmerson and Members of Regional Council
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

Attention: Mr. Chris Raynor, Regional Clerk

Chair and Members of Regional Council

**Re: 2022 York Region Official Plan
Comments of Capital Power Corporation (“CPC”)
& York Energy Centre (“YEC”)**

We are counsel to CPC, the operator of the YEC and its five (5) parcels of land (the “Lands”) municipally known as 18705, 18735, 18765, 18781 and 18815 Dufferin Street, located in Township of King, near the Hamlet of Ansnorveldt.

We noticed an error in our submission letter, dated June 15, 2022. On page one of that letter, at paragraph three, we referenced s. 2.3.1.11 (a) of the draft Regional Official Plan (the “DROP”) as the provision for which we were seeking a revision. The correct reference to the section for which we are requesting a revision is to s. 5.1.2 (a) of the DROP. We are attaching a revised submission letter with the corrected reference and would ask that this version be provided to the Committee of the Whole and included in the record of that meeting.

Yours truly,
DAVIES HOWE LLP



Robert G. Miller

RGM:mi
encl.:as noted

copy: Mr. Bruce Macgregor, Chief Administrative Officer
Mr. Paul Freeman, Chief Planner, Planning and Economic Development
Mr. Dino Basso, Commissioner, Corporate Services

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The YEC is a natural gas-fired power generation facility that is a critical component of the energy infrastructure of York Region. CPC’s interest is in maintaining and potentially expanding the operations of the YEC.

In reviewing the 2022 York Region Official Plan, our client has found it to be largely satisfactory. However, one minor modification is requested, which will ensure minimal interruption to our client’s operation. That is to replace currently proposed s. 5.1.2 (a) which reads:

That consents will only be permitted in accordance with Provincial Plans, local official plans and zoning by-laws in the following instances:

a. Acquisition of land by a public body for infrastructure projects; ...

With a version removing the limitation to public bodies, as in:

That consents will only be permitted in accordance with Provincial Plans, local official plans and zoning by-laws in the following instances:

a. Acquisition of land for infrastructure projects; ...

The distinction between public and private infrastructure operators is more restrictive than the infrastructure policies of the Greenbelt Plan. The lack of distinction in the Greenbelt Plan ensures that the provincial interest in the supply, efficient use, and conservation of energy is maintained in the Greenbelt and surrounding area by allowing non-public operators to meet the needs of the public.

Furthermore, eliminating the distinction will allow non-public infrastructure operators, who operate lawfully, and who may need to enter into a consent for financing or consolidation reasons, to continue to operate without interrupting services to the public.

Lastly, the eliminating the distinction will reduce confusion regarding what is considered a public body, for example, in instances where there is a public-private partnership with a mandate to provide necessary infrastructure.

We wish to thank Council for taking these comments into consideration, and request that we be added to the circulation list for any further notice regarding the 2022 York Region Official Plan.

Should you require further information, please do not hesitate to contact me.

Yours truly,
DAVIES HOWE LLP



Robert G. Miller

RGM:AL

copy: Mr. Bruce Macgregor, Chief Administrative Officer
Mr. Paul Freeman, Chief Planner, Planning and Economic Development
Mr. Dino Basso, Commissioner, Corporate Services