



*Jeri Band
A-Tari*

*Regional Clerk's Office
Corporate Services Department*

October 20, 2006

The Honourable John Gerretsen
Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, Ontario
M5G 2E5

Dear Minister Gerretsen:

**Re: Resolution – Ministry of Municipal Affairs and Housing
Request for Support for Town of Markham OPA 140
On Appeals to the Ontario Municipal Board**

Regional Council, at its meeting held on October 19, 2006, adopted the following resolution of the Planning and Economic Development Committee regarding a “Request for Support for Town of Markham OPA 140 on Appeals to the Ontario Municipal Board”:

WHEREAS the Province of Ontario, together with The Regional Municipality of York (the “Region”) and others, are partners on the Rouge Park Alliance with a mandate to plan and implement the Rouge Park;

AND WHEREAS the Province of Ontario provided both land acquisition funds and land donations and funded the preparation of the Rouge North Management Plan;

AND WHEREAS Council of the Town of Markham adopted Official Plan Amendment No. 116 (OPA No. 116) (Rouge North Management Area), on September 30, 2003;

AND WHEREAS OPA No. 116 incorporated the vision, goal and objectives for the Rouge Park in the Town of Markham; incorporated the boundary delineation criteria to establish the Rouge Park boundary over time; and incorporated supporting policies to secure Rouge valley lands and associated tablelands in public ownership consistent with the Provincial Policy Statement;

AND WHEREAS the Region approved OPA No. 116 in 2004 and filed a Notice of Decision on April 6, 2004, which was appealed to the Ontario Municipal Board (OMB);

AND WHEREAS after the appeal of OPA No. 116, the Province of Ontario enacted the Greenbelt Act, 2005 and released the Greenbelt Plan which has intrinsically linked the Rouge North Management Plan to the Greenbelt Plan through the Greenbelt boundaries and policies within the Greenbelt Plan;

AND WHEREAS because of the overlap of the Greenbelt Plan boundary and proposed Rouge Park boundary, the Town of Markham Council directed staff to prepare a new Official Plan Amendment for the Rouge North Management Plan area, incorporating the Greenbelt Plan boundary and appropriate policy references;

AND WHEREAS OPA No. 116 was repealed and replaced by Official Plan Amendment No. 140 (OPA No. 140) which contained the same policies adopted in OPA No. 116 with additional Greenbelt references and Greenbelt Plan area boundaries as identified in the Greenbelt Plan and Ontario Regulation 59/05;

AND WHEREAS the Ministry of Municipal Affairs and Housing (MMAH), in response to the Region's circulation, in consultation with the Ministry of Natural Resources (MNR), supported the approval of OPA No. 140;

AND WHEREAS OPA No. 140 is consistent with the Growth Plan for the Greater Golden Horseshoe Area, prepared by the Ministry of Public Infrastructure Renewal and approved under the *Places to Grow Act*, which requires that municipalities identify its natural heritage system and develop policies for their protection;

AND WHEREAS OPA No. 140, which was adopted by Town of Markham Council on October 11, 2005 and modified and approved by the Region on May 31, 2006, was appealed to the OMB by the original OPA No. 116 appellants plus two additional appellants;

AND WHEREAS the Town of Markham and the Toronto and Region Conservation Authority (TRCA) are preparing a joint defence of OPA No. 140 with the support of the Rouge Park Alliance and the Region;

AND WHEREAS the OMB has scheduled a Pre-Hearing Conference for Wednesday, October 25, 2006 at the Town of Markham on the appeals of OPA No. 140;

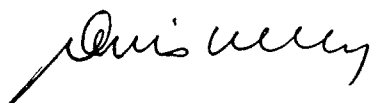
AND WHEREAS OPA No. 140 supports and implements the Greenbelt Plan, the Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement;

NOW THEREFORE BE IT RESOLVED THAT the Council of The Regional Municipality of York requests the Minister of Municipal Affairs and Housing to instruct his staff to attend the Pre-Hearing Conference on October 25, 2006 and that his staff request full party status at the hearing and that his staff support the Town, the Region, the TRCA and the Rouge Park Alliance in seeking OMB approval of OPA No. 140.

A copy of Clause No. 9 of Report No. 8 of the Planning and Economic Development Committee is enclosed for your information.

Please contact Heather Konefat, Director, Community Planning, at 905-830-4444, ext. 1502, if you have any questions with respect to this matter.

Sincerely,



Denis Kelly
Regional Clerk

K.Price
Attachment

Copy to: Clerk, Town of Markham
B. Denney, C.A.O., Toronto Region Conservation Authority
L. Yeager, General Manager, Rouge Park Alliance
H. Konefat, Director, Community Planning

Clause No. 9 in Report No. 8 of the Planning and Economic Development Committee was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting on October 19, 2006.

9

**RESOLUTION
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING
REQUEST FOR SUPPORT FOR TOWN OF MARKHAM OPA 140
ON APPEALS TO THE ONTARIO MUNICIPAL BOARD**

The Planning and Economic Development Committee recommends the adoption of the following Resolution:

WHEREAS the Province of Ontario, together with The Regional Municipality of York (the "Region") and others, are partners on the Rouge Park Alliance with a mandate to plan and implement the Rouge Park;

AND WHEREAS the Province of Ontario provided both land acquisition funds and land donations and funded the preparation of the Rouge North Management Plan;

AND WHEREAS Council of the Town of Markham adopted Official Plan Amendment No. 116 (OPA No. 116) (Rouge North Management Area), on September 30, 2003;

AND WHEREAS OPA No. 116 incorporated the vision, goal and objectives for the Rouge Park in the Town of Markham; incorporated the boundary delineation criteria to establish the Rouge Park boundary over time; and incorporated supporting policies to secure Rouge valley lands and associated tablelands in public ownership consistent with the Provincial Policy Statement;

AND WHEREAS the Region approved OPA No. 116 in 2004 and filed a Notice of Decision on April 6, 2004, which was appealed to the Ontario Municipal Board (OMB);

AND WHEREAS after the appeal of OPA No. 116, the Province of Ontario enacted the Greenbelt Act, 2005 and released the Greenbelt Plan which has intrinsically linked the Rouge North Management Plan to the Greenbelt Plan through the Greenbelt boundaries and policies within the Greenbelt Plan;

AND WHEREAS because of the overlap of the Greenbelt Plan boundary and proposed Rouge Park boundary, the Town of Markham Council directed staff to prepare a new Official Plan Amendment for the Rouge North Management Plan area, incorporating the Greenbelt Plan boundary and appropriate policy references;

AND WHEREAS OPA No. 116 was repealed and replaced by Official Plan Amendment No. 140 (OPA No. 140) which contained the same policies adopted in OPA No. 116 with additional Greenbelt references and Greenbelt Plan area boundaries as identified in the Greenbelt Plan and Ontario Regulation 59/05;

AND WHEREAS the Ministry of Municipal Affairs and Housing (MMAH), in response to the Region's circulation, in consultation with the Ministry of Natural Resources (MNR), supported the approval of OPA No. 140;

AND WHEREAS OPA No. 140 is consistent with the Growth Plan for the Greater Golden Horseshoe Area, prepared by the Ministry of Public Infrastructure Renewal and approved under the *Places to Grow Act*, which requires that municipalities identify its natural heritage system and develop policies for their protection;

AND WHEREAS OPA No. 140, which was adopted by Town of Markham Council on October 11, 2005 and modified and approved by the Region on May 31, 2006, was appealed to the OMB by the original OPA No. 116 appellants plus two additional appellants;

AND WHEREAS the Town of Markham and the Toronto and Region Conservation Authority (TRCA) are preparing a joint defence of OPA No. 140 with the support of the Rouge Park Alliance and the Region;

AND WHEREAS the OMB has scheduled a Pre-Hearing Conference for Wednesday, October 25, 2006 at the Town of Markham on the appeals of OPA No. 140;

AND WHEREAS OPA No. 140 supports and implements the Greenbelt Plan, the Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement;

NOW THEREFORE BE IT RESOLVED THAT the Council of The Regional Municipality of York requests the Minister of Municipal Affairs and Housing to instruct his staff to attend the Pre-Hearing Conference on October 25, 2006 and that his staff request full party status at the hearing and that his staff support the Town, the Region, the TRCA and the Rouge Park Alliance in seeking OMB approval of OPA No. 140.