

**Delivered by E-Mail**

October 7, 2022

Mr. Andrew Doersam  
Municipal Services Office - Central Ontario  
16th Floor, 777 Bay Street Toronto, ON M7A 2J3

Dear Sir:

**Re: ERO Posting No. 019-5865  
York Region Official Plan  
Part Lots 1, 2, 3 and 5, Concession 3, Town of Richmond Hill  
(the "Property")**

I am legal counsel to Ms. Asha R. Batra (the "Owner"), the owner and/or holder of an interest in the above noted Property, excluding the GO Station.

I am writing in connection with the Region of York's current municipal comprehensive review and adoption of its new Official Plan (the "ROP"); and, the Minister's current review and approval process relating to same. In short, my client requests that the ROP be amended prior to the Minister's approval to include the Property within the Urban Area and a MTSA.

**Background**

The Property is approximately 150 acres and is bound by the Canadian National Rail (CNR) to the west, Bethesda Side Road to the north, Highway 404 to the east, and Stouffville Road to the south. The Property is immediately west of the Town of Whitchurch-Stouffville. Please see the Map attached at Appendix I.

The Property comprises primarily rural lands; however, it also includes the Gormley GO Station (Richmond Hill line), GO Richmond Hill Layover facility, a contractor's yard (Griffith Property Services), and the Summit Community Church. The Property is surrounded by other agricultural and industrial uses to the west and north along Bethesda Side Road, and low-density residential uses to the west and south along Leslie Street and south of Stouffville Road. A large industrial area is also located immediately east of Highway 404, between Bethesda Side Road and Stouffville Road in the Town of Whitchurch-Stouffville.

On October 30, 1987, development applications for an Official Plan amendment, Zoning By-law amendment, and Draft Plan of Subdivision (collectively, the "Applications"), were filed with the Town to facilitate the establishment of general industrial uses with outdoor storage and open space on the Property.



On May 13, 2020, Town Council passed a resolution (the “Town Council Resolution”) (attached at Appendix II) stating that “the Town considers that the [Property] and the [Applications] are transitioned pursuant to section 15 of the *Oak Ridges Moraine Conservation Act*”. Furthermore, the Town Council Resolution requests that the Minister issue a Zoning Order to facilitate urban uses on the Property.

On June 30, 2022, York Region adopted its updated Official Plan (the “ROP”), which has been forwarded to the Minister for final approval.

### **Request**

We are writing to request that the ROP be amended prior to the Minister’s approval to include the Property within the Urban Area and a MTSA, including, but not limited to: Map 1; Map 1A; Map 1B; and, Appendix 1 of the ROP.

### **Rationale**

The Town and the Owner agree that the Property is transitioned pursuant to the *Oak Ridges Moraine Conservation Act*. Please see the Town Council Resolution attached at Appendix II.

York Region has adopted its current ROP, wherein they have re-designated lands east of Highway 404 (immediately east of the Property) to be added to the Urban Area for employment uses. The Property is even better suited for urban uses.

The Property is immediately adjacent to the Gormley GO Station (Richmond Hill line), and GO Richmond Hill Layover facility, which increases its appropriateness for urban uses.

We trust that this is satisfactory; however, should the Minister and/or MMAH have any questions, please feel free to contact me at [matthew@divonalaw.com](mailto:matthew@divonalaw.com).

Yours truly,

**DI VONA LAW PROFESSIONAL CORPORATION**

  
Matthew A. Di Vona

Copy: Client  
P. Lowes (SGL Planning)

Encls. As above.



## Appendix I Map





**Appendix II**  
Town Council Resolution

**Extract from Council Meeting  
C#16-20 held May 13, 2020  
Confirmatory By-law 60-20**

**13. Other Business:**

**13.1 Member Motion – Regional and Local Councillor Perrelli –  
Employment Lands Zoning Order**

Moved by: Regional and Local Councillor Perrelli  
Seconded by: Councillor Beros

Whereas, on October 30, 1987, development applications for an Official Plan amendment, Zoning By-law amendment, and Draft Plan of Subdivision (collectively, the “Applications”), were filed with the Town of Richmond Hill (“City”) to facilitate the establishment of general industrial uses with outdoor storage and open space on the lands legally described as Part Lots 1, 2, 3 and 5, Concession 3, Town of Richmond Hill (the “Lands”). As such, the Applications are transitioned pursuant to section 15 of the Oak Ridges Moraine Conservation Act; and

Whereas, the Lands are strategically located, as they abut a 400-series Highway and are contiguous to existing urban development; and

Whereas, the Lands are adjacent to the Gormley GO station. As such, new development should be concentrated in this area to provide a focus on investments in transit, infrastructure, and public service facilities; and

Whereas, the Official Plan’s vision for the City is to create complete communities through orderly growth, maintain a strong economic position within the GTA by preserving employment lands and promoting economic vitality through the provision of a diverse range of employment opportunities, while fostering improved connectivity and mobility through public infrastructure investment and transit-oriented development; and

Whereas, in the post COVID-19 world the City believes that in order to encourage Canadian made products and supplies additional lands are required for manufacturing that are transit oriented and cost effective to service and can be put in production for employment and manufacturing uses as quickly as possible;

Now Therefore Be It Resolved:

- a) That the City considers these Lands and the noted applications are transitioned pursuant to section 15 of the Oak Ridges Moraine Conservation Act; and

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- b) That the Clerk forward this resolution to the Ministry of Municipal Affairs and Housing to seek a formal confirmation from the Minister of the transition status; and
- c) That the City formally requests the Minister of Municipal Affairs and Housing to issue a Minister's Zoning Order for General Industrial uses over the lands; and
- d) That the Zoning Order, if granted, have a Hold symbol affixed to it that can be removed by the City at a future date upon the satisfaction of the following:
  - i) The Applicant completes updated reports and studies, including an Oak Ridges Moraine Conformity Report, Natural Heritage Evaluation, and Functional Servicing Report, as may be deemed reasonably necessary by City Staff.
  - ii) The Plan of Subdivision is updated to reflect boundary adjustments required to reflect the Gormley Go Station land taking by Metrolinx;
  - iii) That the Minister further protect these lands by declaring them a Provincially Significant Employment Zone.
  - iv) That no Building Permits will be issued until the Hold has been lifted.

Carried