

AIRD & BERLIS LLP

Barristers and Solicitors

Leo F. Longo
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December 12, 2011

VIA EMAIL AND REGULAR MAIL

Ministry of Municipal Affairs and Housing
Municipal Services Office – Central Ontario
777 Bay Street, 2nd Floor
Toronto, Ontario
M5G 2E5

Our File No. 111185
RECEIVED
MUNICIPAL SERVICES OFFICE

DEC 14 2011

CENTRAL REGION
MINISTRY OF MUNICIPAL AFFAIRS
AND HOUSING

Attention: Mr. Andrew Doersam, Senior Planner [andrew.doersam@ontario.ca]

Dear Mr. Doersam:

**Re: Halton ROPA 38
Notice of Appeal
Orlando Corporation**

We are the solicitors for Orlando Corporation (the "Appellant"). On behalf of the Appellant, we hereby appeal Regional Official Plan Amendment No. 38 ("ROPA 38") to the Ontario Municipal Board.

This appeal consists of:

1. this appeal letter;
2. an executed and completed A1 Form; and
3. our firm cheque of \$125.00 to cover the applicable fee.

Our client has participated in the Region's Official Plan Review process, and through their land use planning consultant, Glen Schnarr & Associates Inc., has made a number of written submissions to the Region of Halton, including letters dated July 18, 2007, September 28, 2008, February 17, 2009, May 12, 2009, May 28, 2009 and November 11, 2009. A number of concerns expressed through these letters remain outstanding in ROPA 38.

As noted in the aforementioned correspondence, the Appellant has expressed concerns related to:

- The Region's land budget determination for the future needs of employment lands in that the Region has understated the employment land needs and/or overstated the job targets related to the employment land employment;
- The Region assumed employment land densities that are not reflective of either current or future demand;

December 12, 2011

Page 2

- The Province has failed to recognize the importance of providing for land use certainty through the use of the designation of Future Strategic Employment Areas as same were adopted by Regional Council on Map 1C; and,
- The potential negative impacts of the Region's Natural Heritage System policies to the economic viability of developing employment lands.

For these and the reasons outlined in the aforementioned letters and others as counsel may advise and the Ontario Municipal Board may permit, we hereby appeal ROPA 38 in its entirety.

Please note that additional reasons in support of this appeal have already been advanced by the Appellant in its appeal of Halton ROPA No. 39.

Should you have any questions with respect to the matters discussed herein, kindly contact the undersigned.

Yours truly,

AIRD & BERLIS LLP

Original signed by

Leo F. Longo ✓

LFL/ly

Encls.

- c. Orlando Corporation (via email)
Colin Chung, Glen Schnarr & Associates Inc. (via email)
Ron Glenn, Halton Director of Planning (via email)
Bill Mann, Milton Director of Planning (via email)

11557007.2



Environment and Land Tribunals Ontario
Ontario Municipal Board
 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
 TEL: (416) 212-6349 or Toll Free: 1-866-448-2248
 FAX: (416) 326-5370
 www.elto.gov.on.ca

**APPELLANT FORM (A1)
 PLANNING ACT**

**SUBMIT COMPLETED FORM
 TO MUNICIPALITY/APPROVAL AUTHORITY**

Date Stamp - Appeal Received by Municipality

Receipt Number (OMB Office Use Only)

Part 1: Appeal Type (Please check only one box)

SUBJECT OF APPEAL	TYPE OF APPEAL	PLANNING ACT REFERENCE (SECTION)
Minor Variance	<input type="checkbox"/> Appeal a decision	45(12)
Consent/Severance	<input type="checkbox"/> Appeal a decision	53(19)
	<input type="checkbox"/> Appeal conditions imposed	
	<input type="checkbox"/> Appeal changed conditions	53(27)
	<input type="checkbox"/> Failed to make a decision on the application within 90 days	53(14)
Zoning By-law or Zoning By-law Amendment	<input type="checkbox"/> Appeal the passing of a Zoning By-law	34(19)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision on the application within 120 days	34(11)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – refused by the municipality	
Interim Control By-law	<input type="checkbox"/> Appeal the passing of an Interim Control By-law	38(4)
Official Plan or Official Plan Amendment	<input checked="" type="checkbox"/> Appeal a decision	17(24) or 17(36)
	<input type="checkbox"/> Failed to make a decision on the plan within 180 days	17(40)
	<input type="checkbox"/> Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days	22(7)
	<input type="checkbox"/> Application for an amendment to the Official Plan – refused by the municipality	
Plan of Subdivision	<input type="checkbox"/> Appeal a decision	51(39)
	<input type="checkbox"/> Appeal conditions imposed	51(43) or 51(48)
	<input type="checkbox"/> Failed to make a decision on the application within 180 days	51(34)

Part 2: Location Information

SEVERAL PARCELS OF LAND IN MILTON (SEE ATTACHED SKETCH)
 Address and/or Legal Description of property subject to the appeal:

Municipality/Upper tier: TOWN OF MILTON / REGION OF HALTON

Part 3: Appellant Information

First Name: _____ Last Name: _____

ORLANDO CORPORATION
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Professional Title (if applicable): _____

E-mail Address: _____
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: _____ Alternate Telephone #: _____

Fax #: _____

Mailing Address: 6205 AIRPORT ROAD MISSISSAUGA
Street Address Apt/Suite/Unit# City/Town
ONTARIO LFV 1E1
Province Country (if not Canada) Postal Code

Signature of Appellant: _____ Date: _____
(Signature not required if the appeal is submitted by a law office.)

Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.

Personal information requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal may become available to the public.

Part 4: Representative Information (if applicable)

I hereby authorize the named company and/or individual(s) to represent me:

First Name: LEO Last Name: LONGO

Company Name: AIRD & BERLIS LLP

Professional Title: PARTNER

E-mail Address: llongo@airdberlis.com
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 416-865-7778 Alternate Telephone #: _____

Fax #: 416-863-1515

Mailing Address: 181 BAY STREET SUITE 1800 TORONTO
Street Address Apt/Suite/Unit# City/Town
ONTARIO M5J 2T9
Province Country (if not Canada) Postal Code

Original signed by

Signature of Appellant: _____ Date: Dec 12/11

Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

Part 5: Language and Accessibility

Please choose preferred language: English French

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

Part 6: Appeal Specific Information

1. Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

(Please print)
ROPA No. 38 [24-OP-0027-038]

2. Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). **If more space is required, please continue in Part 9 or attach a separate page.

(Please print)
SEE ATTACHED LETTER

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: _____
(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)

b) Provide a brief explanatory note regarding the proposal, which includes the existing zoning category, desired zoning category, the purpose of the desired zoning by-law change, and a description of the lands under appeal:
**If more space is required, please continue in Part 9 or attach a separate page.

Part 7: Related Matters (if known)

Are there other appeals not yet filed with the Municipality? YES NO

Are there other planning matters related to this appeal? YES NO
(For example: A consent application connected to a variance application)

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

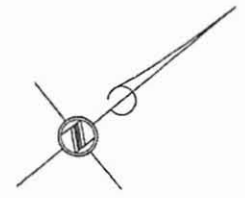
(Please print)
ROPA 39 (PL110857) [24-OP-0027-039]

SKETCH ILLUSTRATING
 ORLANDO CORPORATION LAND HOLDINGS
 TOWN OF MILTON
 REGIONAL MUNICIPALITY OF HALTON

SCALE



David B. Searles Surveying Ltd.
 ONTARIO LAND SURVEYORS



NOTE

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.
 BOUNDARY INFORMATION ILLUSTRATED HEREON HAS BEEN COMPILED FROM REGISTRY OFFICE INFORMATION AND HAS NOT BEEN VERIFIED BY FIELD MEASUREMENT.
 PREPARED AUGUST 9th, 2011.

THE REPRODUCTION, ALTERATION OR USE OF THIS PLAN, IN WHOLE OR IN PART, WITHOUT THE EXPRESS PERMISSION OF DAVID B. SEARLES SURVEYING LTD. IS STRICTLY PROHIBITED.

David B. Searles Surveying Ltd.		Drawn	Checked
ONTARIO LAND SURVEYORS		I.V.	ADS
4284 VILLAGE CENTRE COURT, MISSISSAUGA, ONTARIO L4Z 1S2		File No.	110-0-11
(905) 273-6640 FAX: (905) 896-4410		Computer Storage File No.	Operator
Email: info@dssearles.ca		I.V.	Desk Plot Storage No.
			110-0-11.DWG
		Plan Index No.	1 15

