

December 14, 2011

**By courier and fax to 416-585-6882**

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

RECEIVED  
MUNICIPAL SERVICES OFFICE

DEC 14 2011

CENTRAL REGION  
MINISTRY OF MUNICIPAL AFFAIRS  
AND HOUSING

**Attention: Lynn Buckham, Assistant Deputy Minister (Acting)**  
**Andrew Doersam, Senior Planner**

Dear Ms. Buckham and Mr. Doersam:

**Subject: Region of Halton Official Plan Amendment No. 38**  
**MMAH File No. 24-OP-0027-038**

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On November 24, 2011, you issued a Decision to approve the Region of Halton's Official Plan Amendment No. 38 (ROPA 38) as part of the Official Plan for the Region of Halton, pursuant to section 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the Act). Please accept this letter, the enclosed form and the accompanying money order for \$125.00 payable to the Minister of Finance as the City of Brampton's Notice of Appeal respecting your decision to approve ROPA 38, pursuant to section 17(36) of the Act.

The City of Brampton, Regions of Halton and Peel, Town of Halton Hills and Town of Caledon were all joint participants in a cross-jurisdictional transportation study known as the Halton Peel Boundary Area Transportation (HPBAT) Study. The HPBAT Study identified a number of transportation needs including the East-West Connection and the Halton-Peel Freeway to service expected future travel demands in the West Brampton and Southeast Halton Region. These transportation improvements, which may connect to a future GTA West Corridor under study by the Province, require the implementation of corridor protection policies in order to safeguard the viable range of potential alignments and minimize the risk of incompatible land use designations or approvals, on both an interim and final basis.

The above-noted municipalities have made significant progress in negotiating a Memorandum of Understanding (MOU) to establish time frames and an agreed process for implementing corridor protection policies in their respective Official Plans. As the MOU is not yet finalized, this Notice of Appeal is being filed as a protective measure to safeguard the City's interests in

corridor protection. The City expects that it will likely be in a position to withdraw this appeal upon execution of the MOU by all parties with appropriate submissions to the Ontario Municipal Board in related proceedings.

In the meantime, the City is appealing the decision to approve ROPA 38 insofar as it fails to contain corridor protection policies or related mapping to identify lands for protection to support the planning and development of the Halton-Peel Freeway, future East-West connections between Peel and Halton and to protect for a connection to a future GTA West corridor. The need for corridor protection is set out in the recommendations of the HPBAT Study, the City's Transportation and Transit Master Plan Sustainable Update (July 2009) and the recently released GTA West Draft Transportation Development Strategy Report. There is a compelling public interest in ensuring that the future implementation of North-South and East-West transportation connections between the Region of Halton, Region of Peel and area municipalities is not unduly prejudiced. Such prejudice is inconsistent with the policy objectives of the Province as articulated in the Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement (2005).

The City is already a Party to ongoing Board proceedings respecting the Town of Halton Hills Official Plan (PL080424 – currently adjourned *sine die*) and Comprehensive Zoning By-law (PL100931). The City's interest in those proceedings likewise stems from a lack of corridor protection policies within the appealed instruments. The City respectfully submits that it would be appropriate and in the interests to all concerned for the Board to consolidate this appeal with Case No. PL100931 for case management purposes.

Please confirm receipt of this appeal and arrange to forward the file to the Board at your earliest opportunity. Thank you for your attention to this matter.

Sincerely,

Original signed by

Matthew Rea  
Legal Counsel  
Corporate Services Department  
Litigation and Administrative Law  
Tel: 905-874-2626  
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Email: [matthew.rea@brampton.ca](mailto:matthew.rea@brampton.ca)

Copy: Joanne Hayes, Registrar/Secretary, Ontario Municipal Board  
Karyn Bennett, Regional Clerk and Director, Council Services, Region of Halton  
Larry Clay, Regional Director, Region of Halton  
John H. Gescher, Senior Legal Counsel, Region of Peel  
Barnet Kussner, WeirFoulds LLP, External Counsel to the City of Brampton  
John Corbett, Commissioner of Planning Design and Development, City of Brampton



Environment and Land Tribunals Ontario  
**Ontario Municipal Board**  
 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5  
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 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)
	<input type="checkbox"/> Appeal a decision	53(19)
Consent/Severance	<input type="checkbox"/> Appeal conditions imposed	53(27)
	<input type="checkbox"/> Appeal changed conditions	53(14)
	<input type="checkbox"/> Failed to make a decision on the application within 90 days	34(19)
	<input type="checkbox"/> Appeal the passing of a Zoning By-law	34(11)
Zoning By-law or Zoning By-law Amendment	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision on the application within 120 days	38(4)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – refused by the municipality	17(24) or 17(36)
Interim Control By-law	<input type="checkbox"/> Appeal the passing of an Interim Control By-law	17(40)
Official Plan or Official Plan Amendment	<input checked="" type="checkbox"/> Appeal a decision	22(7)
	<input type="checkbox"/> Failed to make a decision on the plan within 180 days	51(39)
	<input type="checkbox"/> Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days	51(43) or 51(48)
	<input type="checkbox"/> Application for an amendment to the Official Plan – refused by the municipality	51(34)
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**

OFFICIAL PLAN AMENDMENT NO. 38  
 Address and/or Legal Description of property subject to the appeal:

Municipality/Upper tier: REGION OF HALTON

**Part 3: Appellant Information**

First Name: MATTHEW Last Name: REA

THE CORPORATION OF THE CITY OF BRAMPTON  
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Professional Title (if applicable): LEGAL COUNSEL

E-mail Address: matthew.rea@brampton.ca  
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 905-874-2626 Alternate Telephone #: \_\_\_\_\_

Fax #: 905-874-2699

Mailing Address: 2 WELLINGTON STREET WEST BRAMPTON  
Street Address Apt/Suite/Unit# City/Town  
ONTARIO \_\_\_\_\_ L6Y 4R2  
Province Country (if not Canada) Postal Code

Signature of Appellant: \_\_\_\_\_ Date: 14/12/2011  
(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: \_\_\_\_\_ Last Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Professional Title: \_\_\_\_\_

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: \_\_\_\_\_  
Street Address Apt/Suite/Unit# City/Town  
\_\_\_\_\_  
Province Country (if not Canada) Postal Code

Signature of Appellant: \_\_\_\_\_ Date: \_\_\_\_\_

**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)

OFFICIAL PLAN AMENDMENT NO. 38

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)

Region of Halton Official Plan Amendment No. 38 fails to implement corridor protection policies and related mapping. Please see attached appeal 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.

[Empty box for explanatory note]

**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)

TOWN OF HALTON HILLS OFFICIAL PLAN AND COMPREHENSIVE ZONING BY-LAW