

Delivered by E-Mail Only to regionalclerk@york.ca

June 15, 2022

Mr. Chris Raynor, Regional Clerk
Regional Municipality of York
York Region Administrative Centre
17250 Yonge Street
Newmarket, ON
L3Y 6Z1

Dear Mr. Raynor:

**Re: 2022 York Region Official Plan
Item H.2.1, Committee of the Whole, June 16, 2022**

I am counsel to Rizmi Holdings Limited and Lucia Milani (collectively, "Rizmi"), the owners of lands located between Dufferin Street and Bathurst Street, north of Teston Road, in the City of Vaughan, in the Region of York, municipally known as:

- 11333 Dufferin Street (100 acres);
- 11641 Dufferin Street (110 acres); and
- 11490 Bathurst Street (50 acres) (collectively, the "Lands").

Request for Region's MCR

Firstly, I am writing in furtherance to and in support of the correspondence from Mr. Haiqing Xu (Deputy City Manager, Planning & Growth Management) to the Region, dated April 8, 2022 (attached at **Tab 1**). Therein, the City requested that the Region include the Lands in the settlement area boundary, as part of the Region's current MCR and Official Plan. We fully support this request, as it represents good land use planning in the public interest.

As such, we respectfully request that Regional Council amend section 5.3.5 of its Official Plan through the current MCR, in **red** as follows:

*Special Provisions for the lands municipally known as 11333 Dufferin St, **11641 Dufferin St and 11490 Bathurst St**. Notwithstanding the policies of this **section Plan**, the lands described as PIN 03342-0266, Pt Lot 29 Con 2 Vaughan; PT LT 30 Con 2 Vaughan PTS 1-8, 64R6003 Except PT 3 Expropriation PL R602558; S/T VA41581 Partially Released by R283556; S/T VA82915, Vaughan, **11641 Dufferin St, 11490 Bathurst St and Part 2 Plan 65R-31874**, the lands are intended to be developed for urban uses. The lands shall only be developed on the basis of full municipal services, an approved and registered draft plan of subdivision, and an approved implementing zoning by-law.*



In our respectful submission, it is not only within the Region's jurisdiction to do so, but is its obligation under the *Planning Act*, *Oak Ridges Moraine Conservation Act* (the "ORM Act"), *Growth Plan*, and *Provincial Policy Statement*.

Transition Rights on the Lands

Secondly, I am writing to clarify both the facts and law as it relates to the specific area of the Lands that are subject to transition rights under the ORM Act. We understand that there may be a misunderstanding and misapprehension regarding same.

In short, the entire Lands have transitioned status pursuant to section 15 of the ORM Act, as recognized by Vice Chair Eger of the Ontario Municipal Board in its decision and Order issued May 6, 2003 (attached at **Tab 2**) (the "OMB Decision"). The OMB Decision was upheld by the Divisional Court.

The OMB Decision regarding Rizmi's referral of the Region Official Plan 1994 (the "ROP 1994") to the OMB relates to the entire Lands, and not merely 100 acres, for the following reasons:

- At para. 8 of the OMB Decision (attached at **Tab 2**), the Vice Chair clearly notes that "[Rizmi] owns approximately 350 acres of land located between Dufferin and Bathurst Street, north of Teston Road in the City of Vaughan";
- Further, my client's appeal letter for the ROP 1994 (attached at **Tab 3**) clearly states that the referral relates to "approximately 348 acres of land...comprising Lot 31 and part of Lot 30, Concession 2";
- Moreover, a key map produced by the Region and dated April 2003 (attached at **Tab 4**), was filed with the OMB in the ROP 1994 appeal and marked as Exhibit X7, which clearly delineates the land areas subject to my client's ROP 1994 appeal, which includes the entire Lands;
- Importantly, at para. 17 of the OMB Decision, Vice Chair Eger went on to conclude that "[t]he Board finds that on a plain reading of the [ORM Act], Rizmi falls within the transition provisions and is entitled to a full and fair hearing of its appeals and referral". The noted "referral" relates to the ROP 1994 on the entire Lands; and
- In the Region's own staff report from the Commissioner of Planning, dated February 19, 2003 (attached at **Tab 5**), the Region previously acknowledged that the entire Lands are transitioned under the ORM Act and "exempt from the ORMCP provisions" (see chart at page 12 of **Tab 5**).



We trust that this is satisfactory. Please forward this correspondence to both the Committee of the Whole and Council. Please feel free to contact the undersigned if you require anything further.

Yours truly,

DI VONA LAW PROFESSIONAL CORPORATION



Matthew A. Di Vona

Copy: Client

Encls. As above.



TAB 1
Letter from City to Region



April 8, 2022

Paul Freeman
Chief Planner, Regional Municipality of York
17250 Yonge Street,
Newmarket
ON L3Y 6Z1

Subject: OMB/LPAT/OLT Appeals PL001029, O960161, PL010732

Dear Paul,

I am writing to inform you that City of Vaughan and Rizmi Holdings Limited have entered into an agreement to settle on the above-referenced appeals that involve both the City and the Region's Official Plans. Details of the settlement will be provided to you via our respective Legal Counsels.

As a part of the settlement, the City of Vaughan requests that the Region of York consider including the subject lands, as delineated in the map attached, in the settlement area boundary for urban development in the Regional Official Plan through the current Municipal Comprehensive Review process.

It is noted that the subject lands were deemed eligible by Ontario Municipal Board for the transition policy of Oak Ridges Moraine Conservation Plan (2001) (ORMCP) and a decision to permit urban development for 100 acres of land abutting the subject lands was made by the Minister of Municipal Affairs and Housing through a Ministerial Order under section 18 of the ORMCP on February 3, 2015.

Thank you for your consideration.

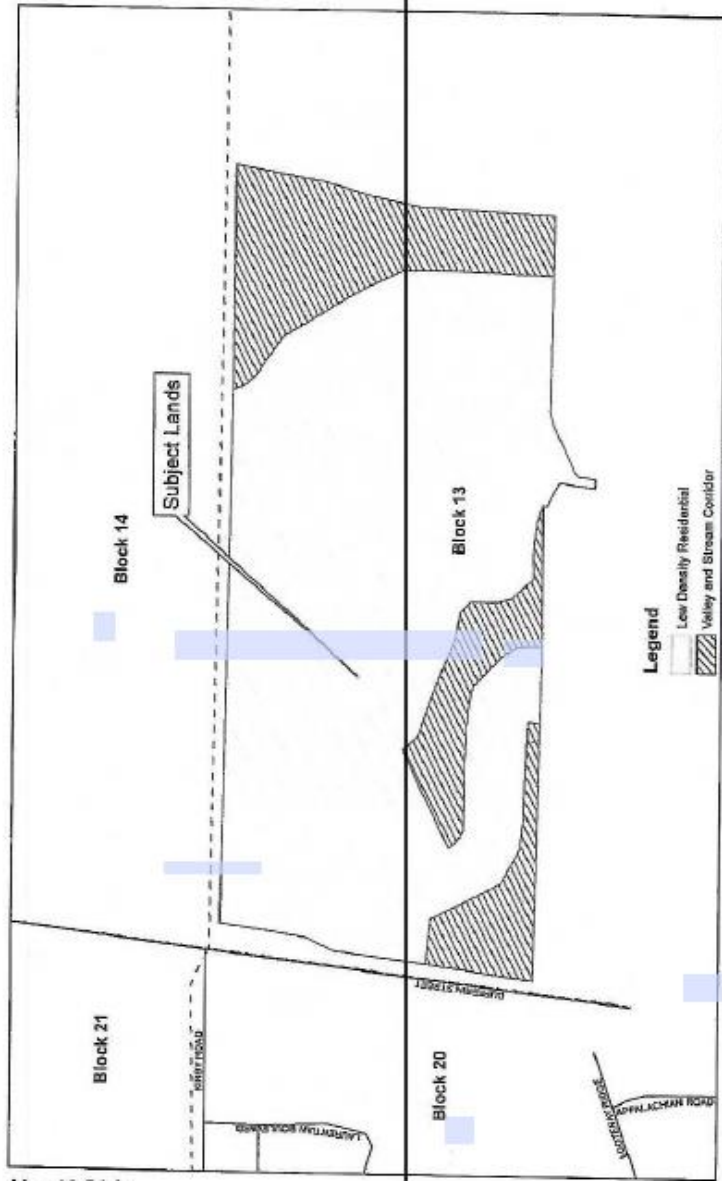
Sincerely,

A handwritten signature in blue ink that reads 'Haiqing Xu'.

Haiqing Xu, PhD MCIP RPP
Deputy City Manager, Planning & Growth Management

encl.

cc: Christine Bruce, Director, Policy Planning & Special Programs
Nancy Tuckett, Director, Development Planning
Caterina Facciolo, Deputy City Solicitor, Planning and Real Estate



Map 13.56.A:
11333 Dufferin Street





TAB 2
OMB Decision

Update Week 2003-19

Planning

Case Name:

Rizmi Holdings Ltd. v. York (Regional Municipality)

Rizmi Holdings Limited and Lucia Milani have appealed to the Ontario Municipal Board under subsection 17 (36) of the Planning Act, R.S.O. 1990, c. P.13, as amended, from a decision of the Regional Municipality of York to further approve those portions of proposed Amendment No. 600 to the Official Plan for the City of Vaughan located on the Oak Ridges Moraine O.M.B. File No. O020094 and

Rizmi Holdings Limited has appealed to the Ontario Municipal Board under subsection 34(19) of the Planning Act, R.S.O. 1990, c. P.13, against Zoning By-Law 327-2000 of the City of Vaughan O.M.B. File No. R000232 and

The Minister of Natural Resources has referred to the Ontario Municipal Board under subsection 11 (5) of the Aggregate Resources Act, R.S.O. 1990, c. A.8, as amended, an application for a Class A Licence for the removal of aggregate from lands being composed of Part of Lot 30, Concession 2, in the City of Vaughan O.M.B. File No. M020096 and

At the request of Lucia Milani, Lucia Milani In Trust, and Rizmi Holdings, the Honourable Minister of Municipal Affairs has referred to the Ontario Municipal Board under subsection 17(11) of the Planning Act, R.S.O. 1990, c.

P.13, a portion of the York Region Official Plan, specifically those lands identified as Referral "C" on Maps 2 and 4 and the same portion of Maps 3 and 7 and Sections 2.1, 2.2 and 5.0, insofar as the relate to these lands Ministry's File No. 19-OP-1994 O.M.B. File No. O 960161

[2003] O.M.B.D. No. 421

File Nos. PL010732, PL001029, PL957073, O020094,

R000232, M020096, O960161

Ontario Municipal Board

M.F.V. Eger

May 6, 2003

(23 paras.)

COUNSEL:

N.J. Pepino, T. Halinski, for City of Vaughan.
C. Grant, for Regional Municipality of York.
J. Matera, for Toronto Region Conservation Authority.
P. Van Loan, A. Jeanrie, C. Butler, for Rizmi Holdings Limited and Lucia Milani.
B. Horosko, for Maple Downs Golf and Country Club Limited.
D. Abrahams, for Woodland Acres Ratepayer Association Group.
L. Grimaldi, for Maplewood Ravines Community Association.

DECISION DELIVERED BY M.F.V. EGER AND ORDER OF THE BOARD:--

Prehearing Matters

1 The Board has held two prehearing conferences on this matter and a hearing is scheduled to commence on August 5, 2003 for four (4) weeks. April 28 and 29th were scheduled to consider motions on any preliminary matters and to finalize the issue and witness lists of the parties, as well as the final procedural order.

2 At this prehearing the Woodland Acres Ratepayers Association Group requested a change from participant to party status. This request was granted. Mr. Grimaldi represents the Maplewood Ravines Community Association and requested party status. The Association is currently unincorporated but intends to become incorporated. The Board granted the Association party status subject to proof of incorporation being filed with the Board and other parties.

3 Representatives for the two participants were also in attendance - D. Izzard for Storm Coalition Inc. and M. Iafate for Vaughan C.A.R.E.S.

4 As the Board's decision on the motion brought by the City, the Region and the Conservation Authority would affect the issues to be dealt with in the prehearing, the remainder of the prehearing was adjourned.

5 However, based on the Board's decision on the motion -

THE NEXT PREHEARING IS SCHEDULED TO COMMENCE AT 10:30 A.M. ON TUESDAY, JUNE 10, 2003 IN THE COUNCIL CHAMBERS, MUNICIPAL BUILDING 2141 MAJOR MACKENZIE DRIVE, VAUGHAN. NO FURTHER NOTICE WILL ISSUE EXCEPT AS NOTED WITH RESPECT TO REFERRAL 'C' OF THE YORK REGIONAL OFFICIAL PLAN.

COUNSEL FOR THE REGION OF YORK IS TO ENSURE THAT NOTICE IS GIVEN THAT THE BOARD WILL BE CONSIDERING THE REFERRAL C' MATTER AT THE NEXT PREHEARING. NOTICE IS TO BE GIVEN IN ACCORDANCE WITH THE BOARD'S DIRECTIONS TO THE REGION DATED APRIL 4, 2003.

Motion

6 The City of Vaughan, The Regional Municipality of York and the Toronto and Region Conservation Authority have brought a motion for:

1. an Order of the Board determining that the Oak Ridges Moraine Conservation Act, S.O. 2001, c.31 and the Oak Ridges Conservation Plan, enacted by O.Reg. 140/02 apply to the matters before the Board; and
2. an Order dismissing the appeal of Zoning By-law No. 327-2000 of the City of Vaughan or, in the alternative, adjourning the matter sine die.

7 The motion is not granted and the matter is to proceed to a further prehearing where the issues list, witness lists and procedural details will be finalized. However in light of issues raised during the hearing and in the interests of fair and efficient process, the Board requests the parties to consider and make submissions at the next prehearing on a hearing process phased as follows. The first phase would determine the appropriate official plan designations and policies at the local and regional level and the zoning for the subject lands. If the Board allows all or part of Rizmi Holdings Limited appeal against Zoning By-law 327-2000 of the City of Vaughan, and the effect of that decision would permit aggregate extraction on the Rizmi lands, the hearing would then proceed to a further phase to determine details of the license application.

8 Rizmi Holdings Limited and Lucia Milani (Rizmi) own approximately 350 acres of land located between Dufferin and Bathurst Streets, north of Teston Road in the City of Vaughan. The lands are situated on the Oak Ridges Moraine.

9 The matters before the Board relate to a portion of these lands, about 100 acres, specifically the west half of Lot 30, Concession 2. At one time a portion of these lands were used for the extraction of aggregate, but this activity ended prior to Rizmi's ownership

of the lands in 1979. Since 1991, Rizmi has used the lands for recycling concrete/asphalt to produce granular products for the construction industry. In September 1998, Rizmi made an application for a Class A License under the Aggregate Resources Act. The Ministry of Natural Resources referred the Aggregate Application to the Board in September 2002 for a determination of all issues raised by objectors. This matter was consolidated with other matters before the Board, including a referral request by Rizmi of a portion of the York Region Official Plan and appeals by Rizmi of proposed Amendment No. 600 to the Official Plan for the City of Vaughan and Zoning By-law 327-2000 of the City of Vaughan.

10 There is a considerable planning, land use and legal history to these lands, fully detailed in the motion records, which the Board does not intend to repeat here. However, it is clear that since 1975, the approved Official Plan designations on the Rizmi lands have not permitted aggregate extraction uses, but the existing zoning permits aggregate uses. The City is seeking, through By-law 327-2000 to bring the "anomalous" zoning into conformity with the designation in their Official Plan. That history also documents Rizmi's reliance on the existing M4- Pit and Quarry Industrial zone, which has been in place since the 1960's, to undertake the concrete/asphalt recycling operation activities and in the future, an aggregate operation. Subsection 12.1(1) of the Aggregate Resources Act stipulates that:

No license shall be issued for a pit or quarry if a zoning by-law prohibits the site from being used for the making, establishment or operation of pits and quarries.

11 The motion was argued on the basis that as a result of the coming into force of the Oak Ridges Moraine Conservation Act (the "Act"), and the enactment of the Oak Ridges Moraine Conservation Plan (the "Plan") aggregate extraction operations on a substantial portion of the Rizmi lands are prohibited and cannot be granted a license. The Plan indicates that the area which is subject to the application under the Aggregate Resources Act is designated as Natural Core, in part, and Countryside Area, in part. Subsection 11(3) of the Plan indicates that aggregate operations are not permitted in Natural Core Areas. Further, subsection 6(3) restricts an existing mineral aggregate operation or wayside pit within a Natural Core Area from expanding beyond the boundary of the area currently under license or permit and although aggregate extraction is permitted in the Countryside Areas, it is to strict regulation under the Plan. It was argued that these provisions in the Plan would prevent an aggregate use on the Rizmi lands.

12 The Oak Ridges Moraine Conservation Plan was established, by regulation, pursuant to subsection 3 (1) of the Oak Ridges Moraine Conservation Act. Subsection 7 (1) of this Act requires that decisions made under the Planning Act or the Condominium Act, 1998 conform to the Plan. An application under the Aggregates Resources Act is not a decision under either the Planning Act or the Condominium Act, 1998, and the Plan does not directly apply to such applications. However, the parties agree that because the Aggregates Resources Act prohibits the issuance of a license where the zoning does not allow the aggregate resources use, the Oak Ridges Moraine Conservation Act and Plan do have an indirect impact on the subject license request.

13 Under Subsection 15(3) of the Act, outstanding applications, matters or proceedings commenced before November 17, 2001, if a decision has been made in respect of the application, matter or proceeding before that date, are not subject to Subsection 7(1). All the Planning Act matters before the Board meet the requirements of Subsection 15(3). Rizmi's position in response to the motion is that the discussion should end there and the Board process should continue. Counsel for the City and other moving parties disagree.

14 Section 8 of the Act states that, despite any other Act, the Oak Ridges Moraine Conservation Plan prevails in the event of a conflict with the Plan and an official plan amendment, a zoning by-law, or a policy statement issued under Section 3 of the Planning Act. The moving parties rely on the fact that there is no provision in the Act or Plan which grants transitional status or an exemption from Section 8 of the Act in concluding that Section 8 "guarantees the paramountcy of the Plan over all inconsistent zoning, official plan policies and Provincial Policy Statement policies" and "by providing transitional rules with respect to the application of s. 7 but not s. 8, the Legislature's intent to have s. 8 apply immediately upon the ORM Act coming into force is clear". The Board does not agree.

15 The Act is organized into two parts. Sections 3 to 14 fall under the heading the Oak Ridges Moraine Conservation Plan. These sections include directions related to the Plan's establishment, objectives, contents, effect of the Plan, the process for bringing municipal official plans and zoning by-laws into conformity with the Plan and amendments to the Plan. Sections 15 to 25 are under the heading, Transitional Provisions, Regulations and Miscellaneous. Under the subheading Transition, application of s. 7, Section 15 provides guidance as to the applicability of Section 7 based on the status of applications in the planning process. The plain reading of the Act is that applications well into the planning process, before November 17, 2001, would be permitted to continue to completion and not strictly conform to the Plan. The Board agrees with counsel for Rizmi when he says "the interpretation of section 8 of the Act provided by the Moving Party would have the effect of rendering section 15 of the Act without meaning. There is no need to have transition provisions exempting the need for conformity with the Plan for an application, matter or proceeding commenced before November 17, 2001 if the zoning of a property has already been amended and frozen by the implementation of the Plan through section 8 of the Act".

16 The Act also provides for a "conformity process". It sets out a tight timeline and process for municipalities to amend their official plans and zoning by-laws to implement the Plan. City of Vaughan Council has endorsed a timeline for this amendment process and anticipates adoption of the required Official Plan Amendment and enactment of the Zoning By-law Amendment in June 2003. Notice has already issued for a May 5, 2003 public hearing regarding the proposed amendments to bring the City's Official Plan and Zoning By-law into conformity with the Oak Ridges Moraine Conservation Plan. The Region of York has already adopted an amendment to its Official Plan to bring it into conformity with the Plan. Notice of adoption of Amendment 41 to the Official Plan for the Region of York issued on March 31, 2003. It is the position of the moving parties that these amendments, because they must be in conformity with the Plan which designates the subject lands Natural Core Area and Countryside Area will preclude aggregate extraction operations on at least the Natural Core Area designated portion of the subject lands.

17 By-law No. 327-2000 proposes to rezone the subject lands from M4-Pit and Quarry Industrial Zone to OS1 Open Space Conservation Zone and A Agricultural Zone. The OS1 Zone would permit conservation projects and forestry projects. The A Zone would permit agricultural, residential, home occupation, recreational, commercial, cottage industries, wayside pit and quarry uses. The moving parties submit that this zoning would conform to the Plan and because of the "imminent" enactment of the City's conformity instruments, Rizmi's appeal of By-law 327-2000 is moot and ought to be dismissed or adjourned sine die. The Board agrees that the timeframe in which the Rizmi matters have taken to come to hearing before the Board against the Act's directives with respect to conformity with the Plan are a frustration for the moving parties. But the Oak Ridges Moraine process itself caused the situation as all applications before the Board were required to be held until the Act and Plan were finalized. The Board finds that on a plain reading of the Act, Rizmi falls within the transition provisions and is entitled to a full and fair hearing of its appeals and referral.

18 While the Minister of Municipal Affairs and Housing is the approval authority for conformity instruments, the Act provides a process to resolve conflicts and includes the ability for the Minister to confer with persons or a public body who the Minister considers may have an interest in the proposed official plan and zoning by-law amendments. This would include the Minister considering a Board decision on a matter that falls squarely within the transition provisions of the Act.

19 The hearing should proceed as scheduled. The Ministry of Natural Resources' referral letter with respect to the application for license under the Aggregate Resources Act, states that-

Should the rezoning of the subject property be upheld by the Board, the implications of such on the Aggregate Resources Act application in general and the proposed rehabilitation end use of the proposed pit, would have to be examined.

20 The Board agrees. For this reason, consideration should be given to the hearing proceeding in phases. Phase 1 could determine whether mineral extraction uses are appropriate on any portion of the subject lands. If the Board finds that they are not then as noted above, the Aggregate Resources Act would prohibit the issuance of a license. If the Board finds that there is a basis upon which to permit the mineral extractive uses, Phase 2 would determine detailed issues related to the license.

21 The motion is not granted. This matter is to proceed to pre-hearing to finalize the procedural order.

22 I will continue to case manage this matter but am not seized of the hearing.

23 So orders the Board.

M.F.V. EGER, Vice-Chair

qp/e/qcct



TAB 3

Appeal Letter re ROP 1994

Reble, Ritchie, Green & Ketcheson

BARRISTERS, SOLICITORS, NOTARIES

Rizmi
R of Y OBJECTIONS
#115A

John H. Reble, B.A., LL.B.
John C.L. Ritchie, B.Sc.Eng., P.Eng., LL.B.
Paul J. Green, LL.B.
Bruce C. Ketcheson, B.A., LL.B.
John R. Hart, B.Comm., LL.B.
Brenda E. Burns, B.Sc., B.A., LL.B.

1 Eva Road, Suite 100
Etobicoke, Ontario M9C 4Z5

Telephone: (416) 622-6601
Facsimile No.: (416) 622-4713

September 30, 1994.

DELIVERED BY FAX AND MAIL

Ministry of Municipal Affairs,
Plans Administration Branch,
777 Bay Street, 14th Floor,
TORONTO, Ontario.
M5G 2E5.

Attention: Mr. Victor Doyle

Dear Sirs:

Re: Lucia Milani, Rizmi Holdings Limited
and Lucia Milani in trust re York Region
Official Plan - Lot 31 and Part of Lot 30,
Concession 2, City of Vaughan - Ministry
File No.: 19-OP-1994.



My firm has been retained by the above parties in connection with the above-captioned matter.

I have been asked to respond to your letter of September 1, 1994, pertaining to a referral request involving the proposed York Region Official Plan.

My clients are owners of approximately 348 acres of land located in the City of Vaughan and comprising Lot 31 and part of Lot 30, Concession 2. The property is shown on the maps enclosed with this letter (the property is marked by an "X" on the Official Plan Maps).

Pursuant to the York Region Official Plan that was adopted on April 14, 1994, the subject lands were designated as "Mineral Aggregate Resources Area". The Regional Council subsequently approved a modification to the Plan to delete this designation from the lands. This action apparently was taken in response to comments received on behalf of the City of Vaughan.

My clients are opposed to the deletion of this designation from their lands. The basis for their position was set forth in their letter of August 3, 1994, addressed to the Minister; a copy of that letter is also enclosed.

I would reiterate my clients' earlier requests for referral of the following portions of the Plan to the Ontario Municipal Board pursuant to subsection 17(11) of the Planning Act, as they relate to the subject lands:

1. Referral of that portion of Map 2 (Significant Natural Features) as it relates to the subject lands. Map 2 identifies the lands as being "Environmental Policy Areas". My clients are opposed to that designation. In conjunction with this request, my clients also request referral of the related policies dealing with Environmental Policy Areas set forth under section 2.2 of the Plan as they relate to the subject lands.
2. Referral of that portion of Map 3 (Forest Resources) as it pertains to the subject property. My clients do not support the designation of their property as "Significant Forested Lands" as shown on the Map. In conjunction with this request, they are also requesting referral of those portions of section 2.2 of the Plan dealing with "Forest Resource Areas" as applied to their holdings.
3. Referral is requested of that portion of Map 4 (Regional Greenlands Concept) which designates the subject property as a "Regional Greenlands System". My clients oppose the application of this designation to their lands. In conjunction with this request, my clients also request referral of section 2.1 of the Plan (the Regional Greenlands System) as it pertains to their property.
4. Referral is requested of that portion of Map 7 (Mineral Aggregate Resources) as it relates to the subject property. As indicated above, my clients seek the re-establishment of the Mineral Aggregate Resource designation on their holdings. They also request referral of Section 5.0 of the Plan as it relates to their site.

I trust that you are now in the position to proceed with the processing of my clients referral requests. If you require additional information concerning any of these matters, please

Reble, Ritchie, Green & Ketcheson


BARRISTERS & SOLICITORS

- 3 -

contact me directly. I would also appreciate receiving from you in due course notification when the referral of these matters to the Ontario Municipal Board has been carried out.

Yours truly,

REBLE, RITCHIE,
GREEN & KETCHESON,



BRUCE C. KETCHESON.

BCK/fm

Encl.

C.C.

Mrs. Lucia Milani ✓
Clerk, Regional Municipality of York
Clerk, City of Vaughan.

Mr. John Livey, Region of York Planning Department

Mr. J. Stevens, City of Vaughan Planning Department

Mr. Gary Templeton

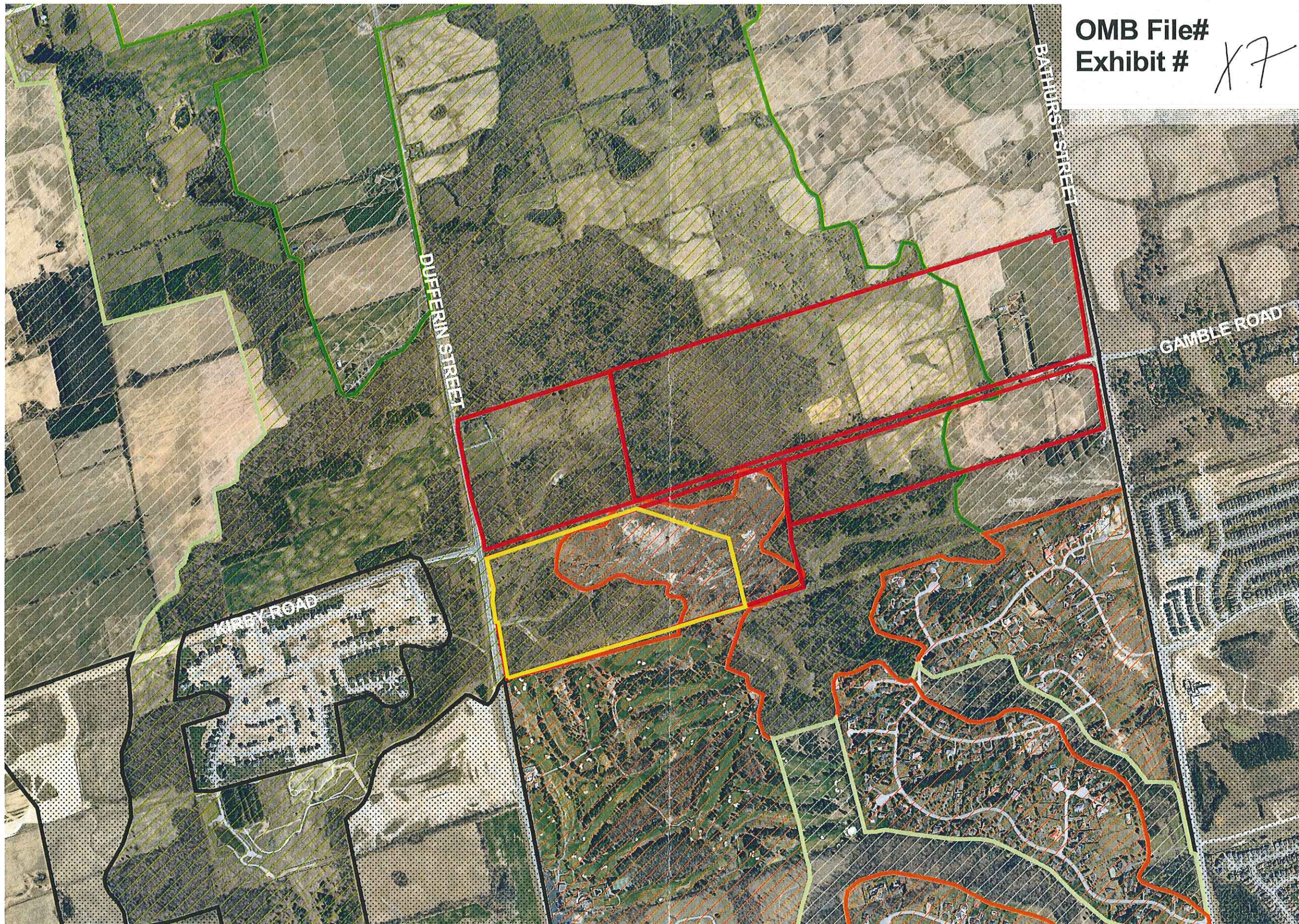


TAB 4

Key Map of Lands (OMB Exhibit X7)

OMB File#
Exhibit #

X7
P001029



OAK RIDGES MORaine LAND USE DESIGNATIONS

- | | |
|--|---|
|  Countryside Area |  Settlement Area |
|  Natural Core Area |  SUBJECT LANDS - MILANI / RIZMI HOLDINGS |
|  Natural Linkage Area |  SUBJECT LANDS - AREA TO BE LICENCED |

Scale 1:12000
200 0 200 400 Metres

Date of Photography: April 1999



Produced by:
Geomatics Division, Planning and Development Services Department
© Copyright, The Regional Municipality of York, April 2003



TAB 5

Region Staff Report re ORM Transition

7. CONCLUSION

The Rouge Alliance resolution dealing with infrastructure improvements in the Rouge Park Lands north and South of Steeles Avenue is inconsistent with the Policies contained in both the Rouge North Management Plan and the Rouge Park Plan.

Regional infrastructure projects are subject to rigorous review and the applications of the highest environmental standards through the *Environmental Assessment Act* and process.

It is recommended that Regional Council advise the Rouge Alliance that Regional infrastructure improvement projects are subject to review and approval under the *Environmental Assessment Act*. Further, the Regional Corporation will continue to apply the highest environmental standards available within this Statute and continue to engage agencies and interested parties in the manner appropriate to the project.

The Senior Management Group has reviewed this report.

(A copy of the attachments referred to in the foregoing report are included with this report and are also on file in the Office of the Regional Clerk.)

5

OAK RIDGES MORaine OFFICIAL PLAN AMENDMENT FILES IN TRANSITION

The Planning and Economic Development Committee recommends the following:

1. The communication from Phil Stewart, Pound & Stewart Associates Limited, March 5, 2003, be received;
2. The recommendations contained in the following report, February 19, 2003, from the Commissioner of Planning and Development Services, be adopted:

1. RECOMMENDATIONS

It is recommended that:

1. This report be received for information purposes.
2. The Regional Clerk circulate this report, together with *Attachment 1* to the area municipalities within York Region located on the Oak Ridges Moraine.
3. Staff continue to work with area municipalities, as needed, towards the disposition of transitional Official Plan Amendment applications in keeping with the process defined in Figure 2.

2. PURPOSE

The purpose of this report is to:

- Provide the status of Official Plan amendment applications (OPA's) affected by the Oak Ridges Moraine legislation.
 - Identify transition applications and requirements to be met
- Provide an overview of the framework to deal with transitional OPA's developed by consensus with the area municipalities.
 - Compile an inventory and establish a process to render a decision on transitional applications

3. BACKGROUND

On December 14, 2001, Bill 122 received Royal Assent and the Oak Ridges Moraine legislation came into effect. On April 22, 2002, Ontario Regulation 140/02 came into effect and the Oak Ridges Moraine Conservation Plan was established. Through this legislation and Plan, the Province has set a policy framework for the long-term protection of the Oak Ridges Moraine.

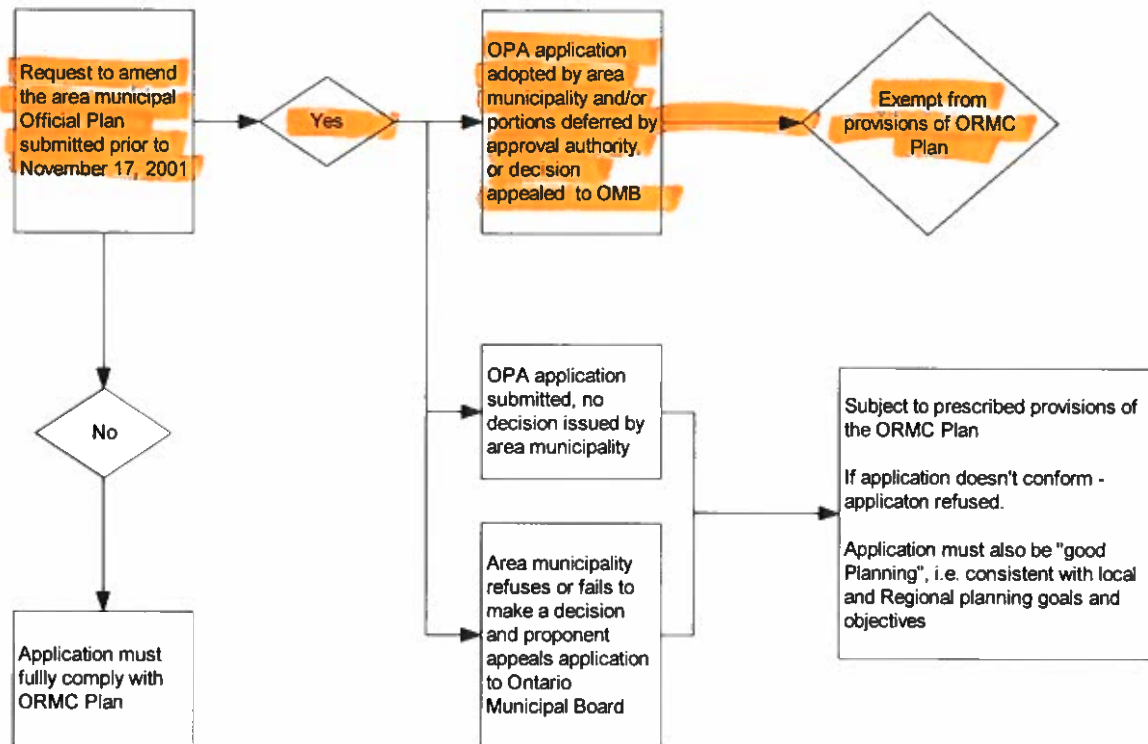
Section 15 of the ORMC Act sets out provisions for transitional applications. Applications, matters or proceedings under the Planning Act or Condominium Act that were "commenced" prior to November 17, 2001 but not "decided upon" (i.e. by local or Regional Council) are transitional applications and shall comply with the prescribed provisions of the ORMC Plan.

Official Plan amendments that have no decision, or have been appealed or referred to the Ontario Municipal Board from Council's neglect, refusal or failure to make a decision, and the Ontario Municipal Board has not yet made a decision, are subject to prescribed provisions of the ORMC Plan.

Figure 1 identifies the different status of official plan amendment applications, ones that are exempt from the provisions of the ORMC Plan and those required to comply with prescribed provisions.

If official plan amendment applications are to be supported, they must be consistent with Regional and local planning goals and objectives, notwithstanding the transitional provisions of the Oak Ridges Moraine legislation and Conservation Plan.

Figure 1
Transitional OPA Applications



3.1 Prescribed Provisions

Section 48 of the ORMC Plan outlines the provisions that apply to transitional matters where the subject lands are within Natural Core Areas, Natural Linkage Areas and Countryside Areas.

Transition applications located in the Natural Core Areas, Natural Linkage Areas and Countryside Areas are subject to the following prescribed provisions in the Plan:

- Supporting Connectivity (*Section 20*)
- Protection of Key Natural Heritage Features (*Sections 22 and 23*)
- Protection of Hydrologically Sensitive Features (*Section 26*)
- Maintaining the quality and quantity of ground and surface water for major development applications (*Section 43(1)(b)*)
- Prohibition on discharge of stormwater to kettle lakes (*Section 45(7)*)
- Prohibition on stormwater management ponds in key natural heritage and hydrologically sensitive features (*Section 45(8)*)
- Prohibition on Rapid Infiltration Basins and Columns (*Section 47*)

If a proposed use is not a permitted use, or the proposal cannot meet the tests set out in the above noted provisions, the application will be refused.

There are no prescribed provisions for transitional Official Plan amendment applications if they are located within a Settlement Area.

3.2 Official Plan Amendment Files in Transition

Regional staff met with area municipal staff to develop a list of transitional applications and discuss approaches to these files. Attachment No. 1 lists, by municipality, Official Plan amendment applications on the Oak Ridges Moraine that have “commenced” but no final decision has been made. As staff from Richmond Hill were unavailable to attend Regional consultation meetings there may be some additional applications filed with the Town of Richmond Hill that do not appear in Attachment No. 1.

Attachment No. 1 identifies the proposed ORMC Plan designations and any known key heritage feature(s) for transitional OPA applications. Upon completing this inventory, staff consulted with area municipal staff to confirm accuracy of the lists and to gain consensus on an approach to address these applications. Details on the next steps are outlined in Section 4.3 of this report.

4. ANALYSIS AND OPTIONS

There are 8 Regional Official Plan amendment applications and approximately 43 local official plan amendment applications in York Region that commenced prior to November 17, 2001, but no final decision has been made.

The Oak Ridges Moraine legislation and Conservation Plan impacts on-going official plan amendment applications as follows:

- Following the flowchart on Figure 1 (based on Section 15 of the ORM Act), seven of the eight Regional Official Plan amendments are exempt from the provisions of the ORMC Plan and twenty-five of the forty-three local Official Plan amendments are exempt.
- Two of the remaining 18 applications are completely within a “Settlement” designation and have no prescribed provisions, which means standard processing of these applications can continue.
- Of the remaining 16 official plan amendment applications 7 of them are completely within a “Natural Core Area”, or “Natural Linkage Area”. Area municipal staff have indicated that reports will be prepared to their Council seeking refusal of these applications. The other applications are located within secondary plan study areas and will be subject to further technical analysis within the context of the secondary plan.

- In summary, 7 applications are in natural core or linkage areas and are likely to be recommended for refusal, 34 will be evaluated to determine if they represent “good planning” by the regular review process, and 10 applications are being reviewed in the broader context of a secondary plan.

Table 1
Summary of Transitional OPA Applications

Type of OPA	Total No.	No. Exempt from ORMC Plan Provisions	No. in “Settlement Area” – No Prescribed Provisions	Under Review or Subject to Secondary Plan Study	Within “Natural Core” or “Natural Linkage” Area
Regional	8	7		1	
Local	43	25	2	9	7
Total	51	32	2	10	7

4.1 Consultation with Area Municipal Staff

In January 2003, Regional staff met with area municipal staff from Aurora, King, East Gwillimbury, Whitchurch-Stouffville and Vaughan to discuss the application of the ORMC Plan policies regarding transitional Official Plan amendment files. In accordance with these meetings and previous meetings on transitional plans of subdivisions, the following was agreed to:

- Section 7.2.7 of the Regional Official Plan states that Official Plan amendment applications located on the Oak Ridges Moraine are not eligible for exemption from a decision by the Region. The area municipality cannot request an exemption from the Region for approval of a local Official Plan amendment located on the Moraine. The Region is the approval authority for all Official Plan amendments located on the Moraine.
- The Region as the approval authority is responsible to make a decision that conforms to the Oak Ridges Moraine legislation. The Region and area municipalities, together with other appropriate agencies will work together to ensure policies are interpreted and applied in a consistent manner.

4.2 Next Steps

Regional staff will continue to work with area municipal staff and Conservation Authorities to ensure that a consistent approach is applied in evaluating transitional applications against the prescribed provisions of the ORMCP, together with other applicable land use policies.

4.2.1 Process for Disposition of Transitional Files

Figure 2 provides a flowchart that outlines the process to be taken for the disposition of the nine transitional official plan amendment applications that are not exempt from the provisions of the ORMC Plan and are not within a larger secondary plan study area. The

approach is similar to the approach for transitional subdivision files that was developed by consensus with the affected area municipalities.

Step 1 – Preliminary Evaluation:

The Region and area municipality, in consultation with the Conservation Authorities, will undertake an assessment of each application against the prescribed provisions set out in the ORMC Plan. This assessment will include the review of any background studies previously submitted in support of the application and a determination of further required evaluations. The application will also be reviewed against the goals, objectives, and Official Plan policy of the area municipality and Region. For applications in a “Natural Core Area” or “Natural Linkage Area” additional information may not be necessary as development would not be permitted according to the regulation.

Step 2- Request for Additional Information:

If no further evaluation is necessary, the area municipality and Region as the approval authority will proceed with the decision process. Conversely, if it is determined that further evaluations are required, the approval authority will notify the applicant of this requirement and meet with the applicant, and area municipal staff, if necessary.

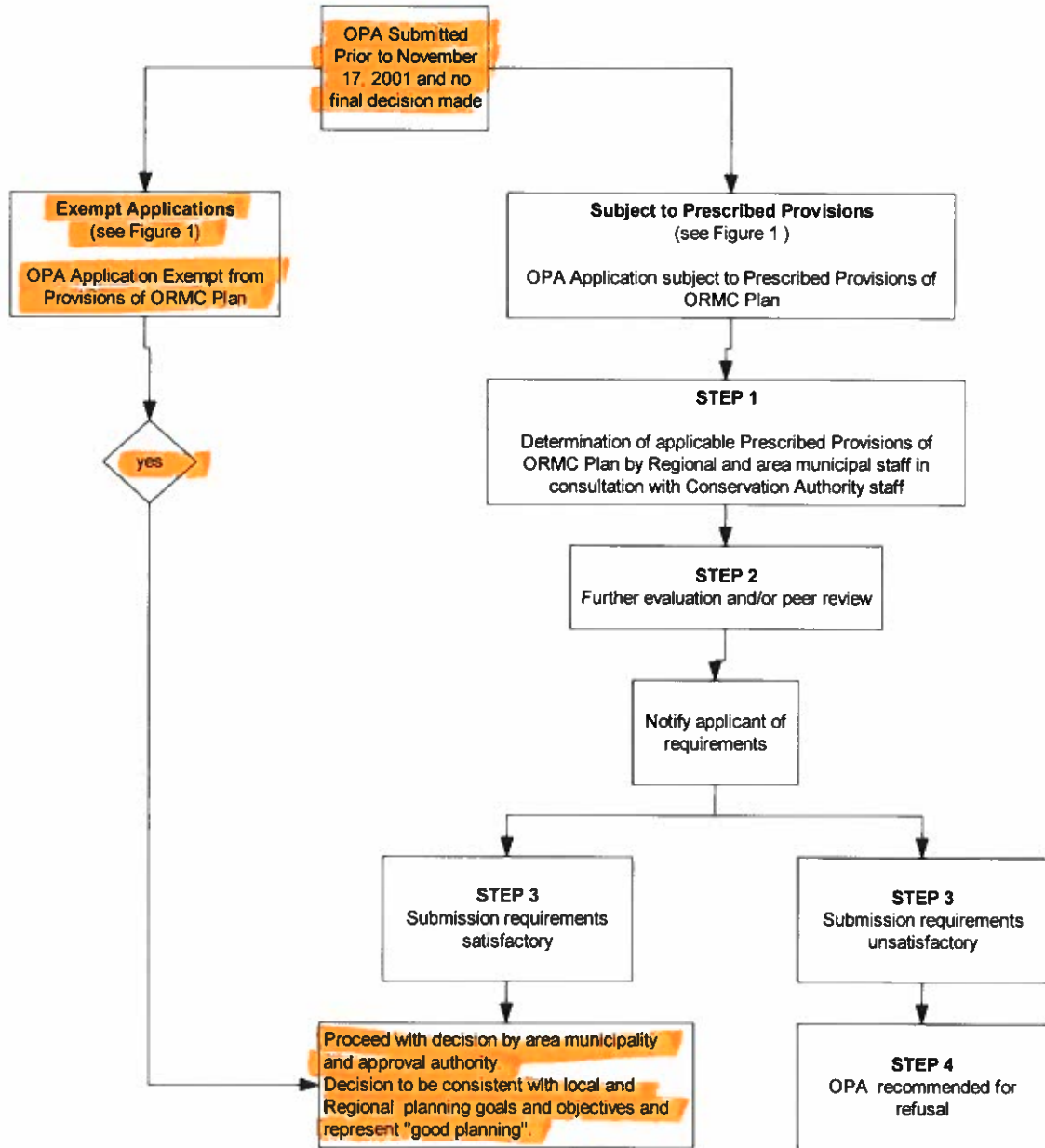
Step 3 – Formal Evaluation and Supporting Documentation:

The applicant’s submission would be considered by staff and its adequacy determined based on ORMC Plan requirements and other applicable policy. If the applicant does not provide a further evaluation, area municipal and Regional staff will recommend refusal of the application.

Step 4 - Decision:

The area municipality with consideration of comments from the Region and Conservation Authorities will either adopt or refuse the application. The decision may still be appealed to the OMB. Notwithstanding the provisions of the ORM legislation and Conservation Plan, official plan amendment applications must be consistent with local and Regional planning goals and objectives if they are to be supported. Applications may be refused if they do not represent “good planning” for reasons set out in local and Regional planning documents that were in effect at the time the application was submitted.

FIGURE 2
Processing OPA Transition Application
(continuation from Figure 1)



4.3 Regional OPA 41

Section 9 of the Oak Ridges Moraine Act requires Regions to bring their Official Plans into conformity with the Oak Ridges Moraine Conservation Plan by April 22, 2003. A

report on Amendment No. 41 to the Regional Municipality of York Official Plan (ROPA 41) regarding conformity to the Oak Ridges Moraine Conservation Plan is proceeding concurrently with this report to committee and Council. ROPA 41 contains a clause granting transitional status to those official plan amendment applications that commenced prior to November 17, 2001 but have not yet been decided upon.

4.4 Relationship to Vision 2026

Vision 2026 promotes the protection of the Oak Ridges Moraine. The recommendations of this report are in keeping with the provisions of the Oak Ridges Moraine Conservation Plan and related legislation.

5. FINANCIAL IMPLICATIONS

By working together, this exercise has resulted in the following efficiencies that provide cost and time savings for area municipal and Regional staff:

- A sharing, or pooling, of information regarding file status, environmental features, and impact of the ORM Legislation and ORMC Plan.
- Application of a consistent approach by affected area municipalities and the Region to determine how transitional files are processed.
- A clear understanding on what is required by applicants to permit further processing of their transitional files.

Some applicants will have to submit additional environmental reports or information addressing specific provisions of the ORMC Plan to enable further processing of their proposal. Determination of an applications conformity to the ORMC Plan at an early stage in the process could prevent applicants spending money for technical studies when their application is likely to be denied.

6. LOCAL MUNICIPAL IMPACT

Staff have determined a general level of impact of the ORMC Plan on transitional OPA files in York Region, provided an inventory of transitional OPA applications and established a process to deal with these applications. On the larger more significant applications, an understanding of each other's roles for proceeding with the application was agreed to and a collaborative approach taken.

7. CONCLUSION

The Region, with area municipal staff, has developed a consistent approach for dealing with transitional Official Plan amendment applications on the Oak Ridges Moraine.

Amendment No. 41 to the Regional Official Plan (ROPA 41) is to be brought forward to Planning Committee and Council concurrent with this report in March 2003. ROPA 41 is intended to bring the Regional Official Plan into conformity with the Oak Ridges

Moraine Conservation Plan. A clause dealing with transitional OPA applications is included in ROPA 41.

As required by the ORMC Plan, the Region will continue to work with area municipal staff and Conservation Authorities to ensure that transitional applications are brought into conformity with the ORMC Plan. Staff will continue to work together to ensure that a consistent approach is applied in evaluating transitional applications against the prescribed provisions of the ORMC Plan, together with other applicable land use policies.

Approval of any official plan amendment application must represent “good planning” and be consistent with local and Regional planning goals and objectives, in addition to complying with the Oak Ridges Moraine legislation and Conservation Plan.

The Senior Management Group has reviewed this report.

(A copy of the attachment referred to in the foregoing report is included with this report and is also on file in the Office of the Regional Clerk.)

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INFORMATION REPORT ON INITIATIVES BY THE GREATER TORONTO AIRPORT AUTHORITY FOR A POSSIBLE AIRPORT IN PICKERING

The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report, February 19, 2003, from the Commissioner of Planning and Development Services:

1. RECOMMENDATIONS

It is recommended that:

1. The Regional Municipality of York support the on-going initiatives of the Greater Toronto Airport Authority to plan for a possible airport on the Pickering lands.
2. Regional staff continue to participate in the committee meetings organized by the Greater Toronto Airport Authority to assess the environmental, social, financial, economic, planning and transportation impacts that may result from a potential airport on the Pickering lands.
3. Further reports be presented to Committee and Council as the Greater Toronto Airport Authority provides more detail on the size, scale and design of the anticipated airport.

**OPA Application in the Oak Ridges Moraine
(not yet approved/in transition)**

AURORA

Area Municipality /Application	Description	Location	ORMC Plan Designation	Natural Features	Comment/Status Additional Information
1. Aurora OPA 20 (Deferred Lands)	Various residential designations	North and south sides of Vandorf Road, between Bayview Ave. and Leslie St.	"Settlement", "Countryside", and "Natural Linkage"	Forest	Potentially affects settlement boundary. Exempt from ORMC Plan provisions.
2. Aurora OPA 34	Southwest Secondary Plan	North side of Bloomington Road, west side of Yonge Street	"Settlement"	Forest	Exempt from ORMC Plan provisions.
3. Aurora OPA D09-08-99	Car dealership	Industrial Parkway South	"Settlement Area"		Not supported by area municipality
4. Referral to Regional OP 19T-88105, and local opas D09-04-89, & D09-04-00	In-state residential development	North of Bloomington Road, east side of Leslie Street	"Countryside", "Natural Linkage"	Forest Wetland?	Related subdivision file 19T-88105 – referred to OMB. Exempt from ORMC Plan provisions.

0884

KING TOWNSHIP

Area Municipality /Application	Description	Location	ORMC Plan Designation	Natural Features	Comment/Status Additional Information
1. King OPA 57	Nobleton Community Plan	Nobleton	"Settlement"	Forest Biological ESA Wetland	Exempt from ORMC Plan provisions Portion within ORM will need to be dealt with in Towns conformity exercise
2. King OPA 58	New Official Plan	Municipal wide	All designations	Most features	To be dealt with as part of Town's conformity exercise
3. King Deferral No. 1 to OPA 61 and 2 site specific appeals	Aggregate Resources Review	Deferral 1 – north of Hwy 9, west of Keele St. Appeal 1 – between Keele and Dufferin, north of Hwy 9 Appeal 2 – west side of 7 th Conc. Rd., north of Lloydtown – Aurora Road	Def – "Countryside" Appeal 1 – adjacent to ORM but not on ORM Appeal 2 - "Natural Core Area"	Appeal 2 - forest	
4. King Request to Amend the ROP by Orfus Realty & related local Official Plan amendment	Golf Course, residential (500 to 700 units)	Between Richmond Hill boundary and King City community	"Natural Linkage Area"	Watercourse, forest	Request for consolidation with King City (OPA 54) OMB hearing withdrawn. Not supported by Region and referred to OMB Subject to prescribed provisions

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VAUGHAN

Area Municipality /Application	Description	Location	ORMC Plan Designation	Natural Features	Comment/Status Additional Information
1. Vaughan Appeals to OPA 600 1. Milani 2. Blk. 11	1. Environmental Policy area to Aggregate Extraction 2. Width of Buffer Area	1. East side of Bathurst St. N & S sides of Kirby Road 2. Between Bathurst and Dufferin, north of 16 th Ave.	1. "Countryside", "Core", "Linkage" 2. "Settlement", "Core"	Forest	Exempt from ORMC Plan provisions Refer to Planning Report to Dec. 4, 2002 Committee.
2. Vaughan OP 01,009	D. & R Beatty To facilitate severance to create two new lots	Pt. Lot 1, Conc. 3	"Natural Core" or "Natural Linkage"		No decision by Vaughan Council. Subject to prescribed provisions of ORMC Plan.
3. Vaughan OP .58,89	Lucia Milani in trust Proposed estate residential	Northeast quarter of Lot 30 and west quarter of Lot 31. Con. 2	"Natural Linkage Area" and "Natural Core Area"		No decision by Vaughan Council. Subject to prescribed provisions of ORMC Plan.
4. Vaughan OP 95,016	Nicoletti Construction Proposed gas station and restaurant	Pt. Lot 34, Conc. 4	"Natural Core Area"		No decision by Vaughan Council. Subject to prescribed provisions of ORMC Plan.
5. Referral C to Regional OP Mrs. Milani (see No. 1 above)					

WHITCHURCH-STOUFFVILLE

Area Municipality /Application	Description	Location	ORMC Plan Designation	Natural Features	Comment/Status Additional Information
1. OPA 109 Town of W-S	Comprehensive update to the Official Plan	Town Wide	All designations	Most features	OPA 109 appealed to OMB Regional and area municipal staff seeking scoping of appeals by Nugget Construction and Longview Farms
2. Referral E to Regional OP Nugget Construction Ltd. W-S OPA 91.011	Seeking approval for estate residential development by plan of subdivision 19T-94009	East side of McCowan Rd., south of Stouffville Rd.	Partially in Moraine (about 35 – 40 %). Portion above 245 contour is "Countryside"	watercourse	Matters to be consolidated before OMB and stayed for 3 years. Proposed OPA Exempt from ORMC Plan provisions. Related plan of subdivision subject to prescribed provisions.
3. OPA001/001 Longview Farms	500 to 700 residential units golf course & ancillary uses	Lots 8 to 10, Conc. 8	"Natural Linkage Area"; "Rural Settlement Area"	waterbody	Designated "Hamlet" and "Agricultural Area" by OPA 109 Applicant appealed OPA 109 but has verbally indicated he will withdraw appeal

0897

Area Municipality /Application	Description	Location	ORMC Plan Designation	Natural Features	Comment/Status Additional Information
5. OP A90,006 Bigmont - Trole	10 residential lots	Lot 15, Conc. 6	"Natural Core Area"		Designated "Significant Environmental Area" by OPA 109
6. OP A97,004 Ciudo & Rutfole	3 residential lots	Lot 5, Conc. 8	"Countryside Area"		Designated "Agricultural Area" by OPA 109
7. OP A88,010 Dufferin Aggregates	Aggregate extraction	Lot 9, Conc. 5	"Natural Linkage Area"		Designated "Agricultural Area" by Town's new OP - OPA 109
8. Whitechurch-Stouffville Appeal A22 (and referral V to Regional OP)	"Rural" to "Community Residential" and "General Commercial"	South side of Aurora Rd., west side of Woodbine Ave., in community of Vandorf	"Countryside"		Subject to Vandorf Secondary Plan exercise.

Area Municipality /Application	Description	Location	ORMC Plan Designation	Natural Features	Comment/Status Additional Information
9. OPA95.001 814821 Ontario Ltd.	38 residential lots	Lot 19, Conc. 3	Straddles ORM boundary "Countryside Area"		Within Vandorf - Preston Lake Secondary Plan Study Area
10. OPA87.013 663040 Ontario Inc.	32 residential lots 1 commercial block	Lot 20, Conc. 3	Straddles ORM boundary "Countryside Area"		Within Vandorf - Preston Lake Secondary Plan Study Area
11. OPA87.013 Bruce-Dell Developments	46 residential lots	Lot 20, Conc. 3	Straddles ORM boundary "Countryside Area"		Within Vandorf - Preston Lake Secondary Plan Study Area

Area Municipality /Application	Description	Location	ORMC Plan Designation	Natural Features	Comment/Status Additional Information
12. OP V89,014 Vandorf East	Industrial / commercial	Lots 18 to 20, Conc. 4	Straddles ORMI boundary "Rural Settlement Area", "Natural Core Area"		Within Vandorf – Preston Lake Secondary Plan Study Area
13. OP V89,013 Vandorf West	Industrial/Commercial	Lots 17 – 20, Conc. 4	Straddles ORMI boundary "Rural Settlement Area"		Within Vandorf – Preston Lake Secondary Plan Study Area
14. OP V97,002 Ierullo (Mulberry Hill Estates)	20 residential lots	Lot 17, Conc. 5	"Natural Core Area"		Designated "Rural" by Town's new OP – OPA 109
15. OP V89,026 Van Rose Estates (Minchella / Zappacosta)	16 residential lots	Lot 12, Conc. 3	"Natural Linkage Area"		Within Vandorf – Preston Lake Secondary Plan Study Area
16. Van Nostrand / Greer Realty	19 residential lots	Lots 13 to 16, Conc. 4	"Natural Linkage Area", "Natural Core Area"	Wetland, forest	Within Vandorf – Preston Lake Secondary Plan Study Area

Area Municipality /Application	Description	Location	ORMC Plan Designation	Natural Features	Comment/Status Additional Information
17. Deferral 2 to OPA 90 H. & C. Hassan	unknown	Lot 22, Concession 8	"Settlement Area"		Designated "Natural Feature Conservation Area" by OPA 90
18. OPA92.002 Deferral 3 to OPA 90 KKI Holdings	6-4 residential lots	Lots 23 & 24, Conc. 9	"Countryside Area"; "Natural Linkage Area"	Forest, watercourse	Straddles OPA 90 - Ballantrae Musselman Lake Secondary Plan boundary. Designated "Special Rural Area" by Ballantrae M.L. Secondary Plan & "Rural" in OPA 109
19. Deferral 5 to OPA 90 Amos	6 residential lots	Lot 16, Conc. 9	"Rural Settlement Area"; "Natural Linkage Area"	forest	Designated "Special Rural Area" & "Natural Feature Conservation Area" by OPA 90

0591

Area Municipality /Application	Description	Location	ORMC Plan Designation	Natural Features	Comment/Status Additional Information
20. OP/A89,003 788911 Ontario Ltd.	63 residential lots	Lot 15, Conc. 8	"Rural Settlement Area"; "Natural Linkage Area"; "Natural Core Area"		Within Ballantrae – Musselman Lake Secondary Plan – designated "Natural Feature Conservation Area"; "Musselman Lake Community Area"; "Special Rural Area"
21. OP/A89,003 726286 Ontario Ltd.	101 residential lots 2 commercial blocks	Lots 17 & 18, Conc. 8	"Natural Core Area"; "Countryside Area"; "Settlement Area"		Within Ballantrae – Musselman Lake Secondary Plan – designated "Natural Feature Conservation Area"; "Special Rural Area"
22. OP/V99,002 728658 Ontario Ltd.	To permit residential units in a commercial development as an additional use (mixed use)	Lot 20, Conc. 8	"Settlement Area"		Within Ballantrae – Musselman Lake Secondary Plan – designated "Ballantrae Community Area"
23. Deferrals 2 & 3 to Stouffville Secondary Plan OP/A 101	Deferral 2- Floodplain Area policies (IRCA) Deferral 3- Residential Area - Policy 127.6.3 in a) to d) inclusive	Community of Stouffville	"Settlement Area"		Comprehensive update to Official Plan

2023

Area Municipality /Application	Description	Location	ORMC Plan Designation	Natural Features	Comment/Status Additional Information
24. Deferral No.(s) 11 and 14 to Regional OP.	Seeking "Industrial" designation. Linked to previous OMB hearing on Gormley Secondary Plan (OPA 88)	North and south of community of Gormley	"Countryside Area"	Wetland Forest	OMB decision requires building permits to be issued for 50% of Gormley industrial area prior to consideration of further industrial development. Decision indicates applications may be reconsidered subject to policies in effect at the time.
25. Whichurch-Stouffville OPA 107	"Rural" to "Suburban Residential" to permit 7 lots	East of Ninth Line, north of Bloomington Rd., in hamlet of Bloomington	"Countryside – Rural Settlement"	Possible Forest ??	Notice to Approve expected Exempt from ORMC Plan provisions

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RICHMOND HILL

Area Municipality/ Application	Description	Location	ORMC Plan Designation	Natural Features	Comment/Status Additional Information
1. Richmond Hill Deferral No. 2 to OPA 138	Bayview Landings Inc.	West side of Bayview Ave. north of Glen Meadow	"Core Area"		Exempt from ORMC Plan provisions
2. Richmond Hill Referral No. 2 to OPA 138	Appealing "Hazard Land" designation in OPA 138	Northwest corner of 19 th Avenue and Bayview Ave.	"Settlement Area"		Hazard Land designation still applicable. Region intends to improve Bayview and 19 th in this area.
3. Richmond Hill - Request to Amend Regional OP (North Leslie Secondary Plan) Related local OPA	Secondary Plan	North side of Elgin Mills Road, between Hwy 404 and Bayview Ave	"Countryside", "Linkage"		Info Report has been adopted by Regional Council. (90 % off the Moraine) conformity through OMB process. Subject to prescribed provisions.

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SUMMARY

Local OPA's

Preliminary (no decision by area municipality):	18
Adopted, not approved	4
Deferrals to local OPA's	8
Appeals/referrals to local OPA's	14
Total	44

Regional OPA's

Referrals/Appeals	8
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10. Report to the Board of Directors, Board of Directors, and the Board of Directors of the Board of Directors.

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