

AIRD & BERLIS LLP

Barristers and Solicitors

Robert G. Doumani
Direct: 416.865.3060
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November 12, 2010

DELIVERED

The Honourable Rick Bartolucci
Minister of Municipal Affairs and Housing
Municipal Services Office - Central Ontario
777 Bay Street, 2nd Floor
Toronto, Ontario
M5G 2E5

Attention: Sybelle von Kursell, Team Lead

Dear Minister:

**Re: Notice of Decision dated October 27, 2010
Region of Durham (the "Region") Official Plan Amendment No. 128
("ROPA 128")**

We act for Ridge Pine Park Inc. ("RPPI) in connection with the lands delineated by cross-hatching on the Attachment 1 hereto (the "Subject Lands").

Council of the Region, as part of the Region's Growth Plan Conformity exercise, designated the Subject Lands as "Living Area to 2031" on Exhibit 5 (Schedule A5) to ROPA 128.

Pursuant to subsection 17(40) of the *Planning Act*, RPPI hereby appeals to the Ontario Municipal Board to give a notice of decision in respect of the designation of the Subject Lands in ROPA 128.

Please find enclosed a complete Appellant Form A1 and our firm cheque in the amount of \$125.00 to cover the applicable appeal fee.

Should you require any additional information respecting this, please contact the undersigned.

Our file no. 80638

RECEIVED
MUNICIPAL SERVICES OFFICE
NOV 12 2010
CENTRAL REGION
MINISTRY OF MUNICIPAL AFFAIRS
AND HOUSING

November 12, 2010

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Yours truly,

AIRD & BERLIS LLP

Robert G. Doumani

RGD/eb

cc. Pat Madill, Regional Clerk
David Rice, RPPI
Bryce Jordan, Sernas Associates

7434767.1

ATTACHMENT #1



SERNAS ASSOCIATES
(A member of The Ontario Group Inc.)
 110 Scotia Court T 905-886-0402
 Unit 41 F 905-432-7877
 Whitchy, ON sernas.com
 L1N 8Y7

Municipality of Clarington
WILMOT CREEK

DATE: NOV. 2010	DRAWN BY: A.G.	PROJECT NO:
	DESIGNED BY:	02140
	CHECKED BY: B.J.	DRAWING NO.
	SCALE: N.T.S.	FIG-1

LAKE ONTARIO



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 type="checkbox"/> Appeal a decision	17(24) or 17(36)
	<input checked="" 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

25 Bennett Road (Parts of Lots 1, 2, 3 and 4, Broken Front Concession, former Township of Darlington, now Municipality of Clarington)

Address and/or Legal Description of property subject to the appeal:

Municipality/Upper tier: Municipality of Clarington, Region of Durham

Part 3: Appellant Information

First Name: _____ Last Name: _____

Ridge Pine Park Inc.

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

Professional Title (if applicable): _____

E-mail Address: dave@ricedevlopment.ca

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

Daytime Telephone #: 905.796.3630 ext. 237 Alternate Telephone #: _____

Fax #: 905.796.6360

Mailing Address: <u>17 Dean Street</u>		<u>Brampton</u>
Street Address	Apt/Suite/Unit#	City/Town
<u>Ontario</u>		<u>L6W 1M7</u>
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: Robert Last Name: Doumani

Company Name: Aird & Berlis LLP

Professional Title: Solicitor

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

Daytime Telephone #: 416.865.3060 Alternate Telephone #: _____

Fax #: 416.863.1515

Mailing Address: <u>Brookfield Place, 181 Bay Street</u>	<u>Suite 1800, Box 754</u>	<u>Toronto</u>
Street Address	Apt/Suite/Unit#	City/Town
<u>Ontario</u>		<u>M5J 2T9</u>
Province	Country (if not Canada)	Postal Code

Signature of Appellant: _____ Date: Nov 12/10

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)
Region of Durham Official Plan Amendment No. 128

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)
Please see cover 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)

THIS DOCUMENT CONTAINS SECURITY FEATURES - SEE REVERSE

AIRD & BERLIS LLP
BARRISTERS & SOLICITORS
BROOKFIELD PLACE, 181 BAY ST., SUITE 1800, BOX 754
TORONTO, ONTARIO M5J 2T9
(416) 863-1500

TD CANADA TRUST
TORONTO DOMINION CENTRE BRANCH
55 KING STREET WEST & BAY STREET
TORONTO, ONTARIO M5K 1A2

25685

PAY*THE*SUM*OF*****\$125.00

Date 11 11 2010
DD MM YYYY
AMOUNT
*****\$125.00

Minister of Finance

PAY
TO THE
ORDER
OF



PER *[Signature]*
AIRD & BERLIS LLP
GENERAL ACCOUNT
PER *[Signature]*

⑈025685⑈ ⑆10202⑈004⑆ 0690⑈5221521⑈