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**DELIVERED and BY FAX**

November 17, 2010

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

Attn: Sybelle von Kursell, Team Lead

**Appeal re Region of Durham Decision - ROPA 128**

RECEIVED  
MUNICIPAL SERVICES OFFICE  
NOV 17 2010  
CENTRAL REGION  
MINISTRY OF MUNICIPAL AFFAIRS  
AND HOUSING

We are filing these appeals on behalf of Canelli Heights Development Inc. (Canelli), Chenille Pottery Holdings Inc. (Chenille) and Gladesbrook Pines Estates Corp. (Gladesbrook) [herein collectively referred to as "Trinison"]. The Trinison lands encompass a total of 92 ha (228 acres) in North East Pickering and lie north of the proposed Highway 407 road alignment, south of the 8th Concession, east of Salem Road and west of Lakeridge Road, as shown on attached Figure 1, Property Ownership. The Canelli and Chenille lands were proposed to be designated as Living Area in ROPA 128 as adopted by Region of Durham Council as shown on attached Figure 2. The Gladesbrook lands which total 30.54 acres are located on the west side of Lake Ridge Road and were identified as Future Employments Area (Special Policy Area D Potential Future Growth Areas) as shown on attached Figure 3.

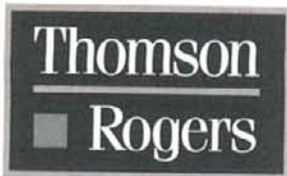
ROPA 128, as approved by the Minister purports to bring the Region of Durham Official Plan into conformity with the Growth Plan for the Greater Golden Horseshoe (the Growth Plan). However, in refusing the amendment as it applies to North East Pickering, the approval fails to do so. Therefore, on behalf of the three companies and for reasons including those summarized below, we are appealing ROPA 128 in its entirety.

1. Trinison has been actively involved in the broader planning process associated with the official plan review, as well as in the statutory process leading up to the Ministry approval of ROPA 128. Trinison has made formal submissions through its planning consultants, Bousfields Inc., in advance of the adoption of

ROPA 128. Specifically, concern with the proposed deletion of North East Pickering from the urban boundary was clearly documented well in advance of the approval date. On July 21, 2009 Bousfields Inc., wrote to Mr. Victor Doyle at the Ministry of Municipal Affairs and Housing, expressing concerns with the proposed provincial changes to ROPA 128, and requesting a meeting. In that letter, Bousfields Inc. directly addressed the planning merits of including the North East Pickering lands within the urban envelope. No response to that letter was received.

2. North East Pickering has been planned as a complete community, which reflects the overall goals of the Growth Plan in terms of land use, densities and optimizing the use of infrastructure. The proposed North East Pickering Community, in the Council adopted ROPA 128, is to be focused around a Regional Centre and is intended to include a range of higher order employment opportunities which will be clustered along Highway 407 - a key element in the provincial infrastructure plan for Durham Region. The 407 has a reported in-service date of 2013 and is planned to include space for a future transit way.
3. The North East Pickering Community will be serviced through the logical extension of existing and planned sewer and water services in accordance with the comprehensive regional infrastructure plan.
4. The identification of the lands west of Lake Ridge Road (Gladesbrook) as a Future Employment Area, while not strictly a land use designation, will provide an appropriate context for long term growth and infrastructure planning.
5. The Regional Plan provides for a balanced approach to the designation of land uses, by placing the northerly half of the community within a Living Area designation and the southerly half in an Employment Area designation. The Growth Management planning exercise clearly demonstrated a need for the type and mix of uses proposed.

Given the provincial infrastructure commitment, the demonstrated need for additional residential units in the Region within the 2031 timeframe, the outstanding opportunities provided for employment lands along the highway corridor and the need to provide sufficient lands to build a complete community, the proposed North East Pickering Community should be included within the 2031 urban boundary.



-3-

Please find enclosed three firm cheques in the amount of \$125.00 each payable to the Minister of Finance for the appeal by each of the companies and an executed copy of the Board's Appellant Form (A1).

Should you require any further information or documentation for these appeals to the Ontario Municipal Board, please advise us forthwith.

Thank you for your attention to this matter.

Yours very truly,

A handwritten signature in cursive script that reads "R. T. Beaman".

Roger T. Beaman

RTB/aph

Enclosures

Attachment 1

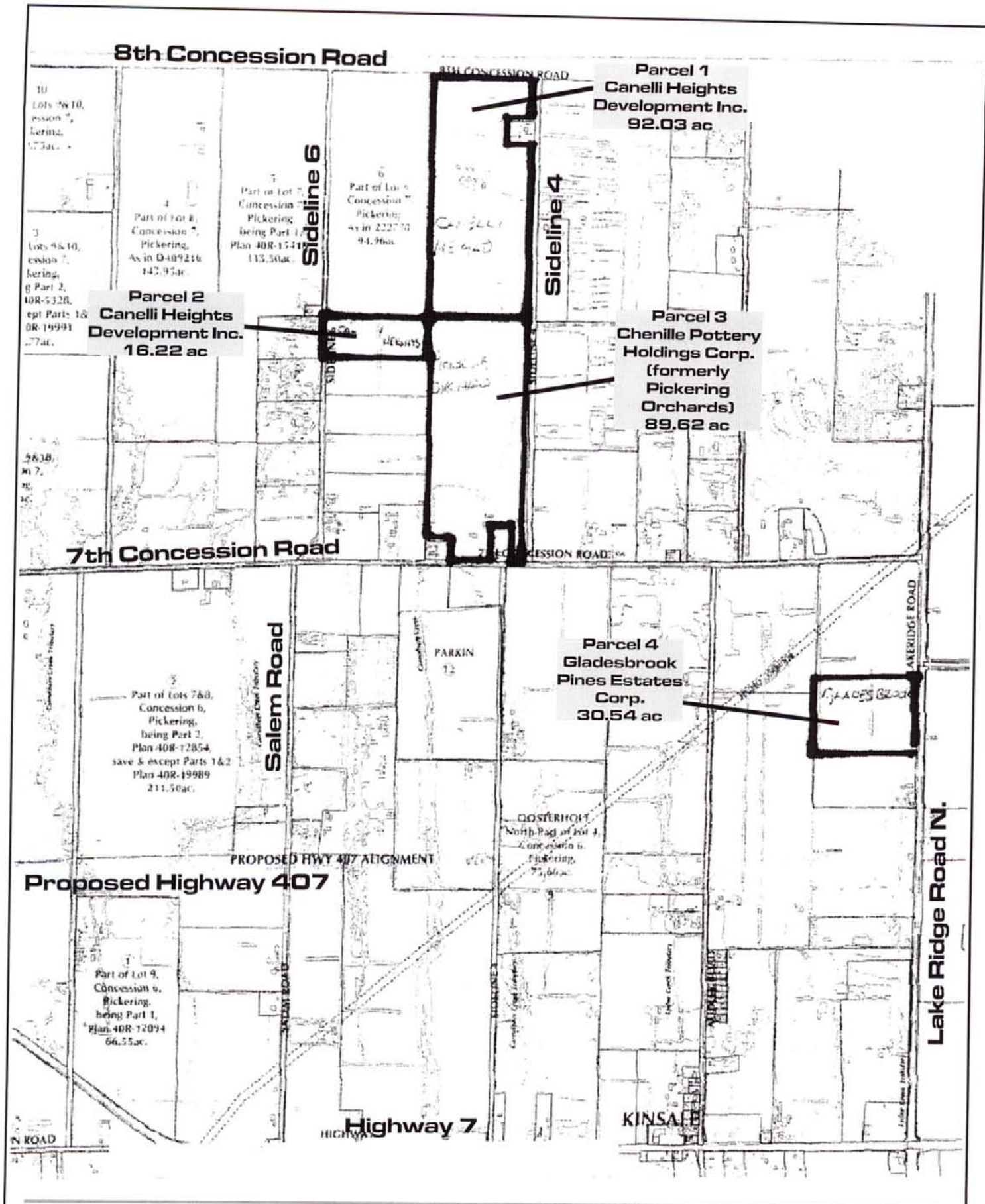
Attachment 2

Attachment 3

3 cheques

Appellant Form A1

Cc: Clients



**TRINISON, PICKERING  
BOUSFIELDS INC.**

0895-18SK JULY 28-09

**PROPERTY OWNERSHIP  
FIGURE 1**

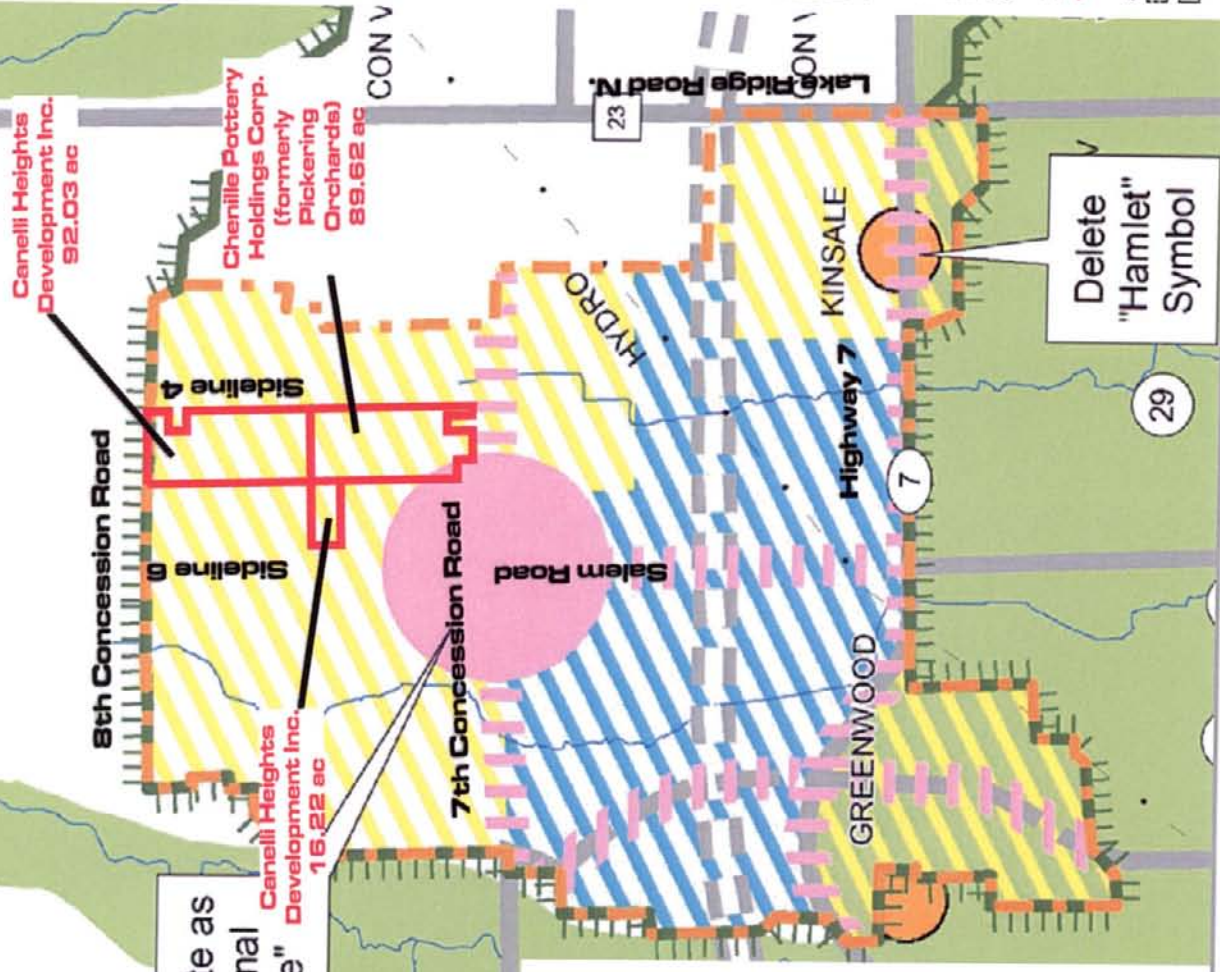
EXHIBIT 4 TO REGIONAL  
OFFICIAL PLAN AMENDMENT  
NO. 128

OFFICIAL PLAN OF THE  
REGIONAL MUNICIPALITY  
OF DURHAM

SCHEDULE 'A' - MAP 'A4'  
REGIONAL STRUCTURE



- LEGEND**
- URBAN SYSTEM
    - URBAN AREA BOUNDARY
    - REGIONAL CENTRE
    - LIVING AREAS
    - AREAS DEVELOPABLE ON FULL/ARTERIAL MUNICIPAL SERVICES
    - AREAS DEVELOPABLE ON LIMITED MUNICIPAL SERVICES
    - MUNICIPAL SERVICE
  - RURAL SYSTEM
    - PRIME AGRICULTURAL AREAS
    - RURAL SETTLEMENTS
    - HAMLET
    - RURAL EMPLOYMENT AREA (SEE TABLE E1 FOR DESCRIPTION)
    - COUNTRY RESIDENTIAL SUBDIVISION (SEE TABLE F2 FOR DESCRIPTION)
    - SHORELINE RESIDENTIAL
  - GREENLANDS SYSTEM
    - REGIONAL NODE (SEE SECTION N1 FOR DESCRIPTION)
    - AGGREGATE RESOURCE EXTRACTION AREA (SEE TABLE E1 FOR DESCRIPTION)
    - MAJOR OPEN SPACE AREA
    - WATERFRONT AREAS
    - DMA RIDGES (NOISY/NOISY AREA)
    - RECREATIONAL TOURIST ACTIVITY NODE
    - OPEN SPACE LINKAGE
    - TRANSPORTATION SYSTEM (SEE SCHEDULE C FOR DESCRIPTIONS)
  - TRANSFORMATION SYSTEM
    - URBAN AREA BOUNDARY (DIFFERENT)
    - REGIONAL CORRIDOR
    - EMPLOYMENT AREAS
    - AREAS DEVELOPABLE ON MUNICIPAL WATER SYSTEMS
    - AREAS DEVELOPABLE ON PRIVATE WELLS & PRIVATE WASTE DISPOSAL SYSTEMS
    - URBAN AREA BOUNDARY (DIFFERENT)
    - REGIONAL CORRIDOR
    - EMPLOYMENT AREAS
    - AREAS DEVELOPABLE ON MUNICIPAL WATER SYSTEMS
    - AREAS DEVELOPABLE ON PRIVATE WELLS & PRIVATE WASTE DISPOSAL SYSTEMS
  - EXISTING
    - ARTERIAL ROAD
    - FREIGHTWAY
    - GO RAIL
    - GO STATION
    - STADIUM
    - ESTUARY
  - SPECIAL AREAS
    - SPECIAL STUDY AREA
    - REFERRED BY WATER OR MUNICIPAL APPEAL
    - APPEALED TO OMB



- LANDS TO BE RE-DESIGNATED FROM "PRIME AGRICULTURAL AREAS" TO "LIVING AREAS"
- LANDS TO BE RE-DESIGNATED FROM "PRIME AGRICULTURAL AREAS" TO "EMPLOYMENT AREAS"
- LANDS TO BE RE-DESIGNATED FROM "EMPLOYMENT AREAS" TO "PRIME AGRICULTURAL AREAS"
- LANDS TO BE RE-DESIGNATED FROM "EMPLOYMENT AREAS" TO "LIVING AREAS"
- LANDS TO BE RE-DESIGNATED FROM "MAJOR OPEN SPACE AREAS" TO "EMPLOYMENT AREAS"
- LANDS TO BE RE-DESIGNATED FROM "MAJOR OPEN SPACE AREAS" TO "LIVING AREAS"
- LANDS TO BE DESIGNATED "EMPLOYMENT AREAS"
- LANDS TO BE DESIGNATED "LIVING AREAS"
- LANDS TO BE DESIGNATED "MAJOR OPEN SPACE AREAS"
- LANDS TO BE DESIGNATED "PRIME AGRICULTURAL AREAS"
- ADD "URBAN GROWTH CENTRE"
- ADD "REGIONAL CORRIDOR" DESIGNATION
- ADD "URBAN AREA BOUNDARY"
- ADD "BUILT BOUNDARY"

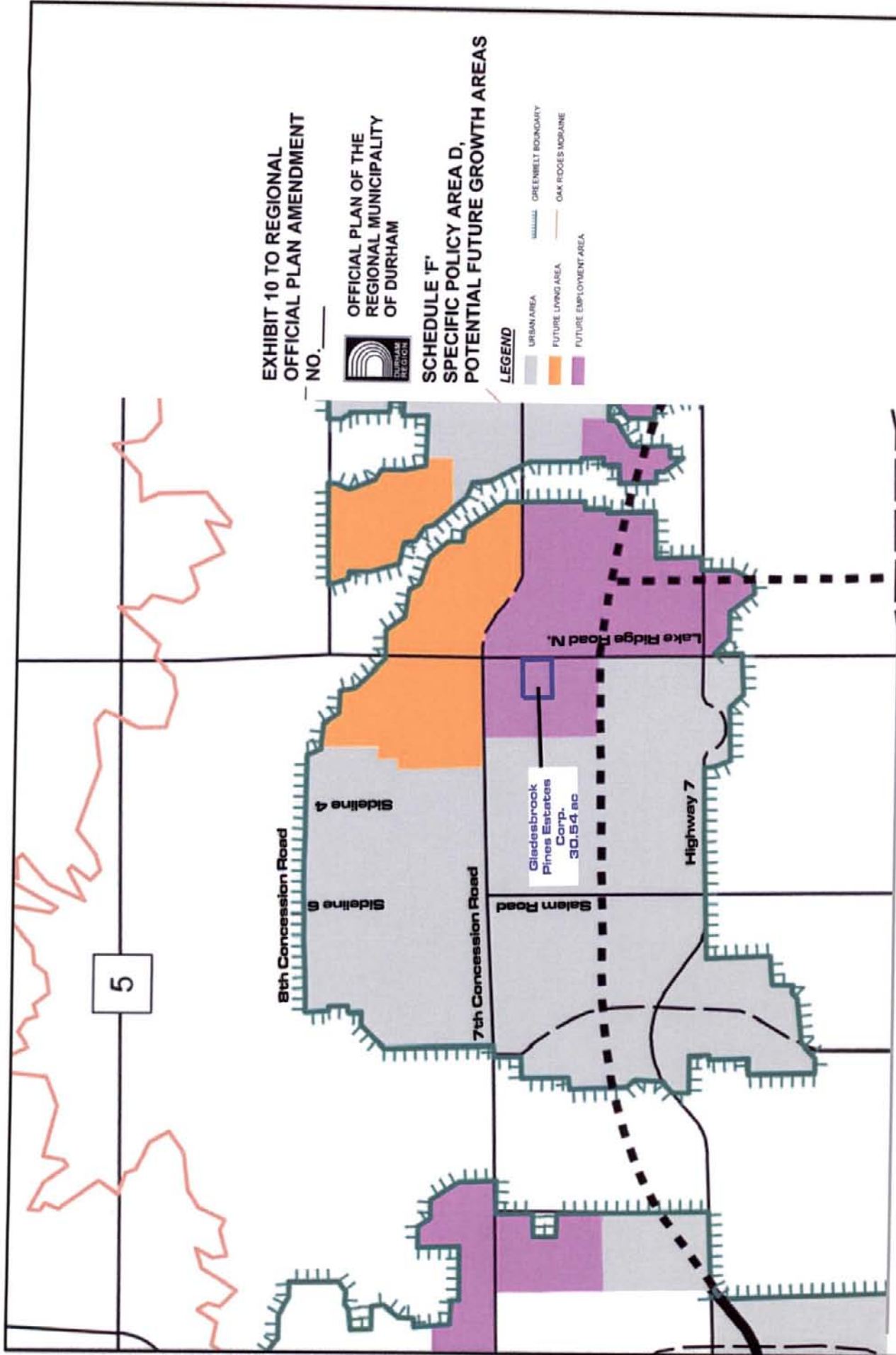


EXHIBIT 10 TO REGIONAL  
OFFICIAL PLAN AMENDMENT  
NO. \_\_\_\_\_



OFFICIAL PLAN OF THE  
REGIONAL MUNICIPALITY  
OF DURHAM

SCHEDULE 'F'  
SPECIFIC POLICY AREA D,  
POTENTIAL FUTURE GROWTH AREAS

**LEGEND**

- URBAN AREA
- FUTURE LIVING AREA
- FUTURE EMPLOYMENT AREA
- GREENBELT BOUNDARY
- OAK RIDGES MORANE

**Environment and Land Tribunals  
Ontario**

Ontario Municipal Board

655 Bay Street, Suite 1500  
Toronto ON M5G 1E5  
Telephone: (416) 212-6349  
Toll Free: 1-866-448-2248  
Fax: (416) 326-5370  
Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca)

**Tribunaux de l'environnement et de  
l'aménagement du territoire Ontario**

Commission des affaires municipales  
de l'Ontario

655 rue Bay, suite 1500  
Toronto ON M5G 1E5  
Téléphone: (416) 212-6349  
Sans Frais: 1-866-448-2248  
Télécopieur: (416) 326-5370  
Site Web: [www.elto.gov.on.ca](http://www.elto.gov.on.ca)



**Instructions for preparing and submitting the Appellant Form (A1)**

- **Complete one form for each type of appeal you are filing.**
- **Please print clearly.**
- **A filing fee of \$125 is required for each type of appeal you are filing. To view the Fee Schedule, visit the Board's website.**
- **The filing fee must be paid by certified cheque or money order, in Canadian funds, payable to the Minister of Finance.**
- **If you are represented by a solicitor the filing fee may be paid by a solicitor's general or trust account cheque.**
- **Do not send cash.**
- **Professional representation is not required but please advise the Board if you retain a representative after the submission of this form.**
- **Submit your completed appeal form(s) and filing fee(s) by the filing deadline to either the Municipality or the Approval Authority as applicable.**
- **The Municipality/Approval Authority will forward your appeal(s) and fee(s) to the Ontario Municipal Board.**
- **The *Planning Act* and the *Ontario Municipal Board Act* are available on the Board's website.**



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**

4380 Eighth Concession, 4205 Sideline 6 and 3060 Seventh Concession and Part Lot 1, Concession 6, City of Pickering

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

Municipality/Upper tier: \_\_\_\_\_

**Part 3: Appellant Information**

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
Canelli Heights Development Inc., Chenille Pottery Holdings Inc., Gladesbrook Pines Estates Corp.

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 #: \_\_\_\_\_  
c/o Mr. D. Farrow, Trinison Management Corp., 8600 Dufferin Street, Vaughan

Mailing Address: \_\_\_\_\_  
Street Address Apt/Suite/Unit# City/Town  
Ontario L4K 5P5  
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: Roger Last Name: Beaman  
Thomson, Rogers, Barristers and Solicitors

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

Professional Title: \_\_\_\_\_  
rbeaman@thomsonrogers.com

E-mail Address: \_\_\_\_\_  
By providing an e-mail address you agree to receive communications from the OMB by e-mail.  
416-868-3157

Daytime Telephone #: 416-868-3134 Alternate Telephone #: \_\_\_\_\_

Fax #: \_\_\_\_\_  
390 Bay Street Suite 3100 Toronto

Mailing Address: \_\_\_\_\_  
Street Address Apt/Suite/Unit# City/Town  
Ontario M5H 1W2  
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)

Region of Durham, ROPA 128  
MMAH File 18-OP-0012-128

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)

ROPA 128 in its entirety for reasons given in covering 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)  
[Empty box for OMB Reference Number(s) and/or Municipal File Number(s)]



**Thomson**  
**Rogers**

GENERAL ACCOUNT

BARRISTERS AND SOLICITORS

ONE HUNDRED TWENTY-FIVE AND 00/100 Dollars

PAY  
TO THE  
ORDER OF

Minister of Finance

ah


BANK OF MONTREAL 112 SPADINA AVE  
TORONTO, ONTARIO M5V 2K5

CHEQUE NO. 144482

17 11 2010  
DD/MM/YYYY

\$\*\*\*\*\*125.00



 This cheque contains security features which include a MICRO-print line and pantograph background. Absence of these features may indicate tampering.

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**Thomson**  
**Rogers**

GENERAL ACCOUNT

BARRISTERS AND SOLICITORS

ONE HUNDRED TWENTY-FIVE AND 00/100 Dollars

PAY  
TO THE  
ORDER OF

Minister of Finance


BANK OF MONTREAL 112 SPADINA AVE

CHEQUE NO. 144483

17 11 2010  
DD/MM/YYYY

\$\*\*\*\*\*125.00



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**Thomson**  
**Rogers**

GENERAL ACCOUNT

BARRISTERS AND SOLICITORS

ONE HUNDRED TWENTY-FIVE AND 00/100 Dollars

Minister of Finance

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TO THE  
ORDER OF

ah

CHEQUE NO. **144484**

17 11 2010  
DD/MM/YYYY

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TORONTO, ONTARIO M5V 2K5

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