December 14, 2011

VIA COURIER & EMAIL (andrew.doersam@ontario.ca)

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

Attn: Andrew Doersam, Senior Planner

Dear Mr. Doersam:

Re: Regional Municipality of Halton
Notice of Decision to approve, with modifications,
Official Plan Amendment No. 38 to the
Regional Municipality of Halton Official Plan
Notice of Appeal pursuant to Section 17(36) of the Planning Act
Paletta International Corporation and P & L Livestock Limited

We represent Paletta International Corporation and P&L Livestock Limited (hereinafter, together, “Paletta”), which are related companies, in this matter.

Paletta made numerous submissions to the Region of Halton in respect of both the Region’s Official Plan review exercise (“Sustainable Halton”) and the resulting Regional Official Plan Amendment 38 (“ROPA 38”). This included correspondence dated June 18, October 26, October 30, November 11 and December 14, 2009 as well as a meeting with Regional Staff which was held on or about November 23, 2009. Paletta has significant landholdings within the Region.

TURKSTRA MAZZA ASSOCIATES, LAWYERS
Pursuant to Section 17(36) of the *Planning Act*, Paletta hereby appeals the Minister’s decision to approve, with modifications, ROPA 38. This appeal relates to ROPA 38 in its entirety, including all modifications made by the Minister pursuant to the Notice of Decision dated November 24, 2011.

The reasons for Paletta’s appeal include, but are not limited to, the following:

1. The proposed “Natural Heritage System” designation as it relates to lands owned by Paletta, including:
   - 1041 Dundas Street, Burlington;
   - 1155 Dundas Street, Burlington;
   - 3151 Dundas Street, Burlington;
   - 4257 Guelph Line, Burlington;
   - 3415 Cedar Springs Road, Burlington;
   - 4300 Cedar Springs Road, Burlington;
   - 2161 No. 1 Side Road, Burlington;
   - 2260 No. 1 Side Road, Burlington;
   - 4335 No. 1 Side Road, Burlington;
   - 4267 Walkers Line, Burlington;
   - 4353 Walkers Line, Burlington; and
   - 5762 Fourth Line, Milton.

2. The “Employment Area” designation (and woodlot designation) as they relate to:
   - 5164 Upper Middle Road, Burlington;
   - 5366 Upper Middle Road, Burlington;
   - 5470 Upper Middle Road, Burlington;
   - 5900 Upper Middle Road, Burlington;
   - 5201 Mainway, Burlington;
   - 3251 Appleby Line, Burlington;
   - 1200 King Road, Burlington;

3. The designations proposed for lands known as “Eagle Heights”, including:
   - 1640 Flatt Road Extension, Burlington;
   - 1751 Flatt Road Extension, Burlington;
   - 1664 Waterdown Road, Burlington; and
   - 66 Horning Road.
4. In general, the relationship of the proposed Natural Heritage System with lands in agriculture use in the Region. The proposed policies will frustrate normal farm practices and the business of farming.

5. The failure of ROPA 38 to properly recognize the severance of surplus farm dwellings to farming operations as a result of farm consolidations.

6. The lack of balance in policies requiring the development industry to absorb the costs of the provision of infrastructure.

7. Policies related to mineral extraction areas.

8. A lack of balance in policies that would require environmental impact assessments for all "development" regardless of the scale of that development, as well as the scope of these assessments.

9. The lack of balance in policies related to the preservation of existing trees.

10. The failure of the Region to appropriately recognize the costs of heritage protection for private landowners.

11. The lack of balance in policies purporting to authorize the taking of land through development applications.

12. In general, the failure of the policies to adequately recognize the needs of larger corporate farming operations such as that conducted by Paletta.

We are enclosing the prescribed fee as well as a completed Appellant Form A1.

If there is anything else you require, please do not hesitate to contact us.

Yours truly,

[Signature]

Original signed by

[Signature]

Turkstra Mazza Associates, Lawyers
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.
### Part 1: Appeal Type (Please check only one box)

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

### Part 2: Location Information

**Region of Halton**

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

Municipality/Upper tier: **Region of Halton**
Part 3: Appellant Information

First Name: Angelo
Last Name: Paletta

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

Professional Title (if applicable): President

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

Daytime Telephone #: 905-632-603 Alternate Telephone #:

Fax #:

Mailing Address: 4480 Paletta Court Burlington
Street Address Apt/Suite/Unit# City/Town
Ontario L7L 5R2
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: Scott Last Name: Snider

Company Name: Turkstra Mazza Associates

Professional Title: Lawyer

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

Daytime Telephone #: 905-529-3476 Alternate Telephone #: 905-512-7833

Fax #: 905-529-3663

Mailing Address: 15 Bold Street Hamilton
Street Address Apt/Suite/Unit# City/Town
Ontario L8P 1T3 Province Country (if not Canada) Postal Code

Signature of Appellant: Date: December 14, 2011

Original signed by

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 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)
MMAH File No. 24-OP-0027-038
ROPAL 38 - Halton

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 the attached letter.

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

a) DATE APPLICATION SUBMITTED TO MUNICIPALITY:

(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)

b) Provide a brief explanatory note regarding the proposal, which includes the existing zoning category, desired zoning category, the purpose of the desired zoning by-law change, and a description of the lands under appeal:

**If more space is required, please continue in Part 9 or attach a separate page.

Part 7: Related Matters (if known)

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

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

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

(Please print)
Part 8: Scheduling Information

How many days do you estimate are needed for hearing this appeal?  
☐ half day  ☐ 1 day  ☐ 2 days  ☐ 3 days  
☐ 4 days  ☐ 1 week  ☑ More than 1 week – please specify number of days: ________________

How many expert witnesses and other witnesses do you expect to have at the hearing providing evidence/testimony?  
Four

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.):  
Planning, Agricultural, ecological and engineering

Do you believe this matter would benefit from mediation?  
☑ YES  ☐ NO

(Mediation is generally scheduled only when all parties agree to participate)

Do you believe this matter would benefit from a prehearing conference?  
☑ YES  ☐ NO

(Prehearing conferences are generally not scheduled for variances or consents)

If yes, why? Numerous parties and issues

Part 9: Other Applicable Information **Attach a separate page if more space is required.

Part 10: Required Fee

Total Fee Submitted: $ 125.00

Payment Method:  
☐ Certified cheque  ☐ Money Order  ☑ Solicitor's general or trust account cheque

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.