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February 24, 2011

DELIVERED BY FAX

Regional Clerk
York Region
17250 Yonge Street,
Newmarket, ON L3Y 6Z1

Dear Sir and/or Madam:

Re: York Region Archaeological Management Plan Update

We are counsel to Cathy Campione, and Maria, Joseph, Yolanda and Laurie Pandolfo, the registered owners of 10390 Pine Valley Drive in the City of Vaughan. Our clients' property is designated for urban residential uses in both the Regional Official Plan and OPA 600 to the City of Vaughan Official Plan.

We are writing with respect to the above noted report which we understand was received for information by the Planning and Economic Development Committee at its meeting on January 12, 2011, and by Council at its meeting on January 27, 2011.

Our clients' property contains identified archaeological resources and they therefore have an interest in the development of the Management Plan. We have previously submitted a letter on July 28, 2010, to the City of Vaughan commenting on the City's Draft Official Plan on behalf of Nupan Corporation. Our individual clients have an interest in Nupan Corporation and the comments made in that letter should be taken as those of our individual clients as well.

It is our clients' position that the consideration of the status of any individual properties as part of the Management Plan should take into consideration the current planning status as well as the level of study previously carried out on individual properties. For example, our clients' property has undergone extensive review and study, including Stage 1, 2 and 3 studies and approvals, with the Stage 2 work having been commenced in 2003. A Stage 4 archaeological investigation by a properly licensed archaeologist was commenced with Ministry knowledge and input and the work was well advanced. Work is now on hold as a result of a Ministry order which was issued to allow an opportunity for consultations between the owner and a First Nations group that had expressed an interest. Those consultations are ongoing.

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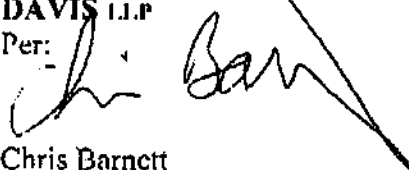
With respect to the proposed consultation program in the Terms of Reference, we note that the listed stakeholders do not include potentially affected landowners. Given the potential effect of the designation of sites, landowners should be consulted generally as part of the process and specifically if their properties are being considered.

We also note that the Association of Professional Archaeologists is not part of the proposed consultation. Consultation with this professional organization, and the consideration of advice from properly licensed archaeological consultants will only serve to enhance the quality of the consultation and the results of the process.

We ask for notice of any further steps taken with respect to this matter and that our clients and their consultants form part of any stakeholder consultation.

Yours truly,

DAVIS LLP

Per: 

Chris Barnett
CMB/s

cc: John Alati
Keith Powers
Joe Pandolfo