

Davies
Howe
Partners

Lawyers

The Fifth Floor
99 Spadina Ave
Toronto, Ontario
M5V 3P8

T 416.977.7088
F 416.977.8931
davieshowe.com

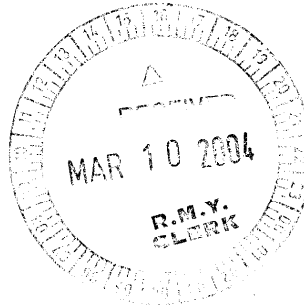
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TO: Chairman and Members of Council **FIRM:** Region of York
FAX#: 1-905-895-3031 **DATE:** March 10, 2004 4:13 pm
FROM: Jeffrey L. Davies **E-Mail:** jeffd@davieshowe.com
REF: Bayview East
MATTER# 700793 **PAGES:** 3 (incl. this page)

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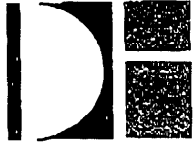


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Please refer to: **Jeffrey L. Davies**
e-mail: jeffd@davieshowe.com

March 10, 2004

VIA FACSIMILE AND ORDINARY MAIL

Chairman and Members of Council
Region of York
P.O. Box 147
17250 Yonge Street
Newmarket, ON
L3Y 6Z1

Dear Chairman and Members of Council:

Re: Regional Official Plan - Amendment No. 41

We are Counsel to several landowners in the Region whose properties are affected by the Oak Ridges Moraine Conservation Plan and the Region Conformity Amendment No.41 [ROPA 41].

Initially, we expressed concern that, as adopted by Council in May 2003, the Transitional Provisions of ROPA 41 [Section 31], did not conform to the provisions of Section 17 of the *Oak Ridges Moraine Conservation Act*, 2001 ["the Act"].

Recent, proposed modifications by the Ministry to ROPA 41, with respect to the "Transitional Provisions and Further Approvals", as recommended in the Report of the Commissioner of Planning and Development Services to the Planning and Economic Development Committee, dated March 3rd 2004, exacerbate this issue as they reflect changes to the *Oak Ridges Moraine Act* proposed in Bill 27, which is not law.

In our opinion it is inappropriate that ROPA 41 contain any Transitional Provisions that do not comply with the provisions of "the Act".

The recommendations of the Planning and Development Committee of March 3, 2004 are before you for adoption. We respectfully request that Council amend the



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Transitional Provisions of ROPA 41, as originally adopted and subsequently proposed to be modified, to comply with "the Act".

Yours sincerely,
DAVIES HOWE PARTNERS

Jeffrey L. Davies

JLD:dw