

LUCAS & ASSOCIATES

Consultants in Planning and Land Development

24 Debra Crescent,

Barrie, Ontario,

L4N 3T1

(705) 721-9635 Fax (705) 721-7367

SENT BY FACSIMILE (905) 895-3482

March 2, 2004

Regional Municipality of York
Planning and Development
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

Attention: Ms. Barbara Jeffrey

Dear Ms Jeffrey:

Re: **PROPOSED OFFICIAL PLAN AMENMDMENT #41**

We are the planning consultants for Rizmi Holdings Limited and Lucia Milani, owners of lands identified as the West ½ Lot 30 Concession 2, West ¼ Lot 31 Concession 2, North ½ of the East ½ Lot 30 Concession 2, and East ¾ lot 31, Concession 2 in the City of Vaughan. Generally these lands are located between Dufferin Street and Bathurst Street, north of Teston Road.

In total, the four properties cover an area of approximately 141 hectares. All four properties are located within the Oak Ridges Moraine and are subject to the Oak Ridges Moraine Conservation Plan and the Region's proposed Official Plan Amendment #41. The ORMCP plan designates the properties Natural Core Area, Natural Linkage Area and Countryside.

We have reviewed the Region's response to the Minister's Modifications to Amendment 41 and we have the following concerns.

1. Rizmi Holdings and Lucia Milani filed residential applications within the City of Vaughan in 1989 (OP 58.89 and Z 127.89) on lands located at Part of Lots 30 & 31, Concession 2. These application fall under the definition of "transitional" according to the Oak Ridges Moraine Conservation Act/Plan and should be included in your Attachment 3b in the proposed modifications. The applications have not yet been sent to the Region by the City and should fall under the section

of Schedule 3b called "Other Applications in Vaughan on Moraine but not yet forwarded to Region by Area Municipality".

2. It appears that the boundary of the ESA on Map 12 is incorrect as it applies to the West ½ Lot 30 Concession 2 (Rizmi property) and the West ¼ Lot 31 Concession 2 (Milani house property). The disturbed pit area on the Rizmi property and the area around the existing residence on the Milani house property are outside of the ESA boundary. Map 12 incorrectly shows these areas as forming part of the ESA.
3. We wish to reiterate a concern we expressed in our letter dated May 21, 2003. OPA 41 proposes to consider Environmentally Significant Areas (ESA's) identified by the Conservation Authority to be a key natural heritage feature, even though the Oak Ridges Moraine Conservation Plan does not. Paragraph 10 provides for refinements to the boundaries of the key natural heritage features without an amendment to the Official Plan. However, if as a result of a site specific study or updated information the boundary of the ESA is adjusted, an amendment to the Official Plan is required because Paragraph 10 only refers to update information from the Province, not from the Conservation Authority. It is our opinion that Paragraph 10 should include reference to the Conservation Authority in the case of an adjustment to the boundary of an ESA

Yours truly,
Lucas and Associates



Per: Glenn Lucas B.E.S.

c.c. Lucia Milani, Rizmi Holdings