

**Ministry of
Municipal Affairs
and Housing**

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Ontario

11-4042

April 20, 2011

Delivered

Ontario Municipal Board
15th Floor - 655 Bay Street
Toronto ON M5G 1E5

Attention: Patrick Hennessy, Board Secretary

Dear Mr. Hennessy:

**RE: Declaration of Provincial Interest
Minister's Zoning Order - O. Reg. 138/10
Ontario Municipal Board File No. MM100037**

Pursuant to s. 47(13.1) of the *Planning Act*, I am writing to advise the Board that I am of the opinion that a matter of provincial interest is, or is likely to be, adversely affected by the request to amend or revoke the Minister's Zoning Order filed as O. Reg. 138/10 (the "MZO"). The entire MZO is subject to this declaration of provincial interest.

The general basis for my opinion is that, under s. 2 of the *Planning Act*, the following matters of provincial interest are, or are likely to be, adversely affected:

- (a) the protection of ecological systems, including natural areas, features and functions;
- (e) the supply, efficient use and conservation of water;
- (n) the resolution of planning conflicts involving public and private interests;
- (o) the protection of public health and safety; and,
- (p) the appropriate location of growth and development.

Pursuant to s. 47(13.4) of the *Planning Act* a decision of the Board regarding the amendment or revocation of the MZO is not final or binding. Subsection 47(13.5) provides that the Lieutenant Governor in Council may confirm, vary or rescind the decision of the Board, and may direct the Minister to amend or revoke the MZO, in whole or in part.

If you have any questions in relation to this matter, please contact Ken Hare, Counsel for the Ministry of Municipal Affairs and Housing at (416) 585-6404.

Sincerely,

Rick Bartolucci
Rick Bartolucci, MPP, Sudbury
Minister

- c: Ms. R. Caterini, Clerk and Mr. P. Pickfield, Counsel, City of Hamilton
Mr. C. Tzekas and Mr. J. Buhlman, Counsel, St. Marys Cement Inc.
Mr. D. Germain, Counsel, Region of Halton
Mr. B. Hurley, Counsel, City of Burlington
Mr. H. Watson, Counsel, Town of Milton
Mr. R. Guthrie, Conservation Halton
Mr. C. Barnett and Ms. L. Bisset, Counsel, Friends of Rural Communities and the Environment

OFFICE OF THE CITY CLERK	
REC'D BY <i>RC</i>	DATE APR 26 2011
REF'D TO	DATE
REF'D TO <i>Alex</i>	DATE <i>Lydia</i>
REF'D TO	DATE
ACTION: <i>T. McCabe</i>	
<i>P. Mallard</i>	

P. Bantwell
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