

# OP appeals move forward as OMB pre-hearing held

*Lawyers, planners gather to hammer out issues*

By ANGELA BLACKBURN  
Special to The Champion

The GTA and Toronto legal communities were well represented as a two-day, Ontario Municipal Board (OMB) pre-hearing into 26 appeals of Halton Region's updated Official Plan kicked off Thursday.

Approximately 40 lawyers and planners sat at 16 tables in the auditorium of the Halton Regional Administration Centre on Bronte Road prepared to challenge Regional Official Plan Amendment (ROPA) 25.

The Official Plan (OP) is Halton's blueprint for guiding future growth. It's a legal document on which local planning is based and must be reviewed every five years under Ontario's Planning Act.

The Official Plan of local municipalities — Oakville, Burlington, Milton and Halton Hills — must conform to the Region's plan.

Thursday's pre-hearing was about settling details of how and when the appeal of Halton's updated OP — approved by regional council in June 2004 — will be heard.

Until it's settled, ongoing reviews of local Official Plans will

be stalled.

All four Halton municipalities were at Thursday's pre-hearing to say they'll attend as participants, but reserve the right to upgrade to party status depending on the progress of the hearing.

OMB hearing officers Norman Jackson and John Aker attempted to identify who is to be a full party and those to be participants.

They were also there to scope out the issues, but despite evident disagreement on how long and when the hearing should take place, Mr. Jackson announced before the lunch break that he aimed to begin setting dates.

"If there isn't agreement we may set a hearing date because this matter has been around for some time and has been at the board for a while," Mr. Jackson told what amounted to a crowd of lawyers and planners.

Halton Region is being represented by Toronto lawyers Stephen Waqué and Robert Doumani, as well as Regional lawyer Stan Floras.

Thursday morning Mr. Doumani put forward a procedural motion that set out a predicted 15-week hearing that could begin in

February broken into four phases — the planning horizon; population targets and distribution; urban structure and urban expansion.

Mr. Doumani suggested an OMB decision on each phase could be issued. A fifth phase could deal with site-specific appeals — dependent on the outcome of decisions made on the first four phases.

The Toronto lawyer suggested the OMB will be asked to adjust the planning horizon — some are asking that the 2021 date upon which it's premised be moved to 2031 — but noted he would argue the OMB doesn't have the jurisdiction to make such an adjustment.

The issue of OMB jurisdiction gained the significant interest of Mr. Jackson as Mr. Doumani argued the entire plan and all the required public meetings associated with it were based on the 2021 date.

Mr. Jackson reserved additional debate on the subject of such jurisdiction until a later date.

Mr. Doumani suggested the planning horizon phase may take four weeks, Phase 2 could deal with aggregate interests over two weeks, Phase 3 could deal with environmental issues over seven weeks and Phase 4 could deal with rural system, transportation, committees, map changes and more

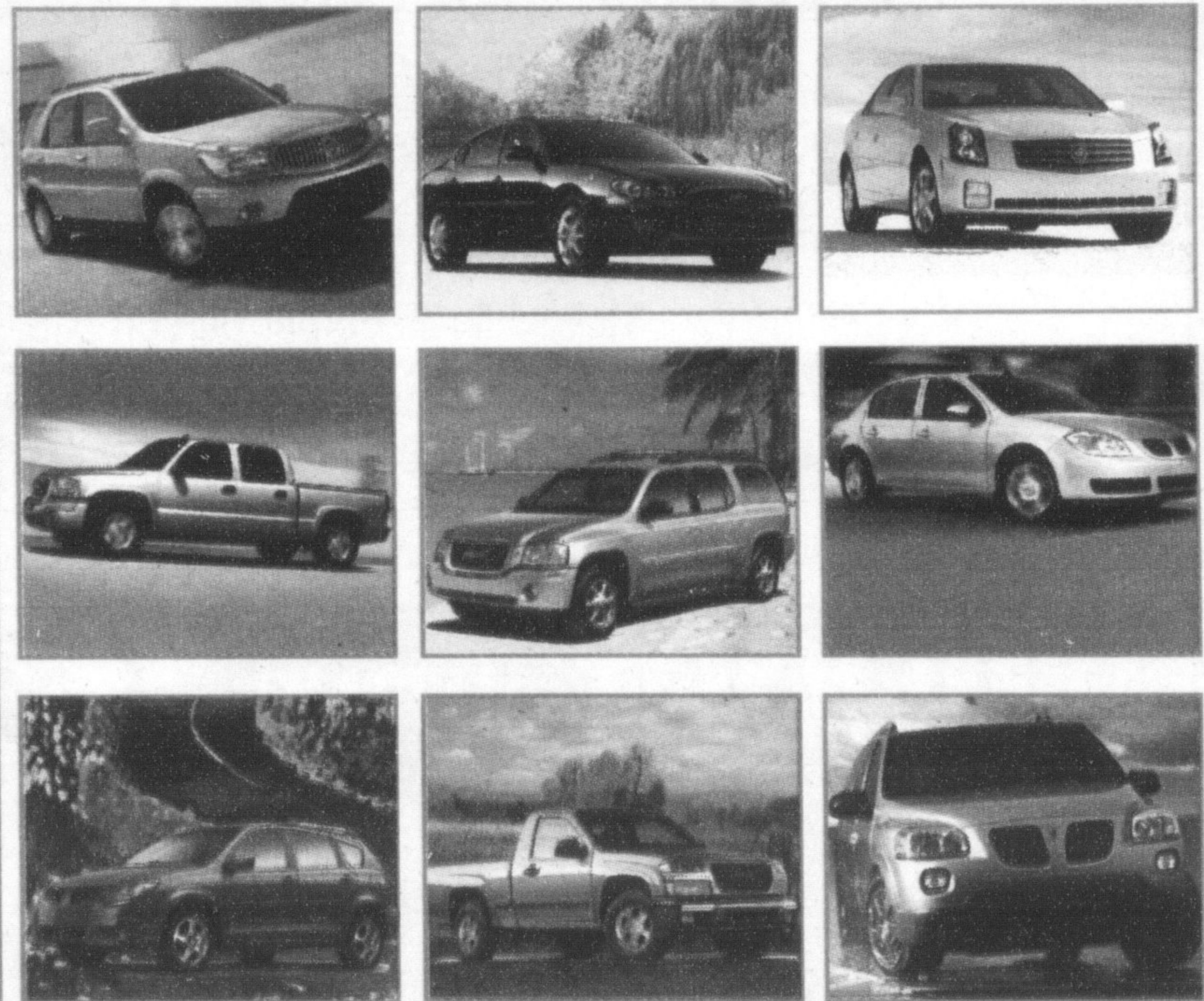
• see HEARING on page A4

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