

April 23, 2018

**By E-Mail Only to [cityclerks@burlington.ca](mailto:cityclerks@burlington.ca)**

Council for the City of Burlington  
City of Burlington  
426 Brant Street, PO Box 5013,  
Burlington, ON L7R 3Z6

Attention: Angela Morgan, City Clerk

Dear Madame:

**Re: Application for Official Plan Amendment by Aldershot Properties Inc.  
Transition to New Official Plan for the City of Burlington  
Property: 35 Plains Road East  
City of Burlington File No.: 505-03/16**

We are counsel to Aldershot Properties Inc. with respect to the above-noted Application for an amendment to the City of Burlington Official Plan.

As Council is aware, on October 10, 2017, Council for the City of Burlington adopted a report from the Planning and Building department regarding our client's applications for an Official Plan Amendment and Zoning By-law Amendment. Our client and the City were to finalize a section 37 contribution and residential development agreement prior to Council passing the final by-laws approving these amendments.

Out of an abundance of caution relating to certain legislative changes and the lack of transparency on transitional matters, our client appealed its application to the Ontario Municipal Board (continued as the Local Planning Appeals Tribunal or L.P.A.T.).

As counsel is also aware, my client's application will proceed to a hearing before the L.P.A.T. on April 25, 2018. The hearing will not be contested as between the City and our client as *all* previously outstanding matters have been resolved.

We write to confirm that we have reviewed staff's report in respect of the City's new Official Plan and support the transition protocol referenced under the heading "Transition Practices for Development Applications".

Provided the L.P.A.T. finds in favour of the resolution between my client and the City, we will be asking that our client's site-specific official plan amendment be "brought

forward" into the City's new official plan. Based on staff's report, we understand such process will be undertaken by the City submitting such amendment to the Region for approval as a modification to the new Official Plan *prior* to the Region's final approval.

Should you have any questions regarding this request, please do not hesitate to contact me directly.

Yours truly,  
**DAVIES HOWE LLP**



Aaron I. Platt

AIP:AIP

copy: Blake Hurley, Assistant City Solicitor, *City of Burlington*  
Ruth Victor, *Ruth Victor & Associates*