



Barristers & Solicitors
Bay Adelaide Centre
333 Bay Street, Suite 3400
Toronto, Ontario M5H 2S7
Telephone: 416.979.2211
Facsimile: 416.979.1234
goodmans.ca

Direct Line: 416.597.4299
dbronskill@goodmans.ca

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Our File No.: 173167

Via Email: clerks@burlington.ca

City of Burlington Council
326 Brant Street
PO Box 5013
Burlington, ON L7R 3Z6

Attention: City Clerk

Dear Sirs/Mesdames:

**Re: Environment, Infrastructure & Community Services Committee
July 7, 2022 Meeting
Report Number: ES-06-22 - Parkland Dedication By-law Amendment**

We are solicitors for Reserve Properties Ltd. in respect of the lands known municipally in the City of Burlington as 401-413 Brant Street, 444-450 John Street and 2002-2012 James Street (the "**Property**").

We are writing on behalf of our client to request that the Property be exempted from the City's Parkland Dedication By-law (the "**Draft By-law**"). In the alternative, the City should consider decreasing the per unit cash-in-lieu of parkland contribution, especially as proposed for highrise development.

As background, on July 19, 2018, City of Burlington Council amended the City's Zoning By-law 2020 to permit the redevelopment of the Property for an 18-storey residential apartment building. Zoning By-law No. 2020.399 implements this decision of City Council, meaning the Property is now subject to existing zoning that permits the intensification of the Property.

Our client has significantly advanced the planning process for the Property in reliance on the decision of City Council and the current regime for parkland. Passage of the Draft By-law without an exemption, or meaningful transition, would result in an inappropriate and significant increase in the cash-in-lieu of parkland payment of the Property. An exemption, or meaningful transition, for the Property would be fair and reasonable.

In the alternative, the City's proposed per unit cash-in-lieu amounts are unreasonable and without basis. In the short time available to review the materials recently released by the City, it appears that the significant increase in the per unit rate for midrise and highrise development is

unwarranted and without justification, especially when the City has not completed the required parks plan.

Given that the proposed per unit cash-in-lieu increase is both a significant and unwarranted increase, our client would have to appeal the Draft By-law if an exemption is not provided in respect of the Property. We note that other municipalities have provided some form of transition.

Please also accept this letter as our request to receive notice of any decision of City Council regarding the Draft By-law.

Yours truly,

Goodmans LLP



David Bronskill
DJB/

cc: Client

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