

Barristers & Solicitors

DocuSigned by:  
*Kelly Yersa*  
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Certified as a true copy.

**WeirFoulds**LLP

December 18, 2020

**Denise Baker**  
Partner  
T: 416-947-5090  
dbaker@weirfoulds.com

File 16132.00004

**VIA E-MAIL & COURIER**

Office of the Regional Clerk  
Regional Municipality of Halton  
1151 Bronte Road  
Oakville, Ontario  
L6M 3L1

**RECEIVED**

**DEC 18 2020**

Attention: Graham Milne, Regional Clerk

**CLERK'S OFFICE  
REGION OF HALTON**

Dear Mr. Milne:

**RE: Notice of Appeal of City of Burlington New Official Plan  
Adi Developments (Masonry) Inc.**

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We act for Adi Developments (Masonry) Inc., owners of property municipally known as 101 Masonry Court and 1120 Cooke Boulevard (the "Property"), which is located within the Aldershot Major Transit Station Area ("MTSA") Special Planning Area.

**Background**

In April 2018, the City of Burlington adopted their new Official Plan which was referred to as "Grow Bold" (the "**Grow Bold Plan**"). Following the adoption of the Grow Bold Plan, the Region of Halton made a determination that certain elements of the Grow Bold Plan did not conform to the 2017 Growth Plan. As such, the Region refused to approve the Grow Bold Plan and under the *Planning Act*, the amount of time that the Region had to approve it before an appeal for non-decision could be filed was suspended. As such, the approval of the Grow Bold Plan was effectively put on hold.

While the Grow Bold Plan was on hold, the City reconsidered a number of policies including policies that impact the MTSA's despite the fact that this had not been one of the elements identified by the Region as non-conforming with the Growth Plan.

On November 30, 2020, the Region of Halton issued its Notice of Decision (the "**Decision**") approving the Grow Bold Plan subject to modifications (the "**Modifications**"). The Modifications

are comprised of 1807 new policies, or policy modifications developed by the staff or consultants of the City of Burlington, staff of the Region of Halton, or by the Mayor and Members of Council for the City of Burlington. Among the many Modifications are brand new policies that have been incorporated from Official Plan Amendment 119, being an amendment to the current in force Official Plan, that are under appeal, policies that were developed in early 2020 through the 'Taking a Closer Look at the Downtown' project, as well as Council driven modifications.

### **Reasons for Appeal**

It is our position that a number of the policies that have been incorporated into the Decision are inappropriate and will preclude the development of the Property in accordance with the policies of the Provincial Policy Statement, 2020 ("**PPS**"), the Growth Plan 2019 (the "**Growth Plan**") and the Region of Halton Official Plan ("**ROP**"). More specifically, this includes:

1. All text and Schedules in the Decision that incorporate the references to the policies approved as part of OPA 119 as they affect the Property which are under appeal before the Tribunal. For your convenience, a copy of the appeal letter for OPA 119 is attached hereto and we rely upon that for the purpose of this appeal as well.
2. The following schedules Schedule A1 (City System – Provincial Land Use Plans and Designations), Schedule B (Urban Structure), Schedule B1 (Growth Framework), Schedule B2 (Growth Framework and Long Term Transit Corridors), Schedule C (Land Use Area), in the Decision in so far as they affect the Properties.
3. Section 8.1.3(7) – Urban Corridor Designation. It is our position that this section generally, and in particular, policies 7.2 f) and g) which prescribe a maximum floor area ratio of 2.0:1.0 and a maximum building height of six (6) storeys for the Properties, is not consistent with Section 1.1.3 of the PPS which calls for land use patterns within settlement areas that are based on densities that efficiently use land, resources and infrastructure, while supporting transit and active transit.

The Property is within 800 metres of the Aldershot GO Station, which is a MTSA intended to achieve a minimum density of 150 people and jobs per hectare, as outlined in Section 2.2.4 of the Growth Plan, pertaining to transit corridors and station areas. The Aldershot

GO MTSA is also one of the key strategic growth areas intended to achieve significant intensification in Burlington. It is also near a Primary Mobility Hub Connector and Transit Priority Corridor along Waterdown Road and Plains Road East, which further support the intensification of the subject site.

Further, the Region of Halton Official Plan (ROP) Policy 78 stipulates that within MTSA areas, increased residential densities are needed to ensure the viability of existing and planned transit infrastructure. Section 81 of the ROP also directs that residential densities in Intensification Areas, including the Aldershot GO MTSA, will support active transportation, local transit and inter-regional higher-order transit.

The prescribed maximum density and height for the subject site at 2 FSI and six storeys, additionally defies the ROP housing policy 85 (13) to promote residential intensification in brownfield and greyfield sites. It is our opinion that maximum prescribed height and density does not optimize the subject site based on its proximity to the above-mentioned transit services, and location within an MTSA, and should be revised to be more general in advance of the preparation of area studies as outlined in Section 8.1.2. In our opinion these “placeholder policies” should not contain specific and arbitrary quantitative standards.

4. Section 3.1.1 – Housing Supply, in particular with respect to (2) h) which calls for submission of a housing impact statement for buildings with more than 100 units. This threshold is very low and has the potential to inappropriately discourage new development, and prescribe a unit mix that is potentially not market based and, therefore, inconsistent with the policies of the PPS 2020 in that regard. In addition, this requirement unnecessarily drives up the costs of development applications, which adds to the cost of housing, which is likewise not consistent with the PPS.

It is additionally our opinion that the potential impact this policy would have on new residential development is contrary to the ROP housing objectives in Section 85 which intend to expedite the development approval process to reduce the overall cost of housing. Housing policies that create additional barriers to new development of housing will potentially impact the achievability or viability of any new housing on the subject site, thereby affecting the overall delivery of new housing.

5. 7.3.2 – Primary and Secondary Growth Areas. It is our position that the list of development criteria, in particular the policies with respect to massing buildings to frame streets in a way that respect the existing and planned street width, could be interpreted so as to inappropriately limit the scale of new development within these growth areas, which is inconsistent with the PPS 2020 and Growth Plan 2019 with respect to achieving significant intensification within these areas.

These policies also create potential conformity issues with ROP Policy 78 regarding Intensification Areas which promotes cost-effective and innovative urban design while achieving high densities. Given the context of the site and surrounding land uses, it is appropriate to consider more flexible policy standards to facilitate significant residential development in the Aldershot GO MTSA.

6. 8.1.2 – Major Transit Station Areas. It is our opinion that the policies relating to development applications preceding an area specific plan are inappropriate given that they refer to “other applicable policies of this plan” as applying in considering such application. This would tie these approvals to the policies of 8.1.3(7), which contains specific height and density policies which are inappropriate as outlined above.

Moreover, Section 77 (5) of the ROP requires that local municipalities prepare Area-Specific Plans for major growth areas, including the Aldershot GO MTSA. The intent of these plans is to demonstrate land use patterns that provide for compact and transit-supportive development with an appropriate mix and densities of housing. In the absence of an Area-Specific Plan, it is inappropriate to apply arbitrary quantitative height and density prescriptions across the entirety of the Urban Corridor Designation, and in particular the Property.

7. Section 12.1 Implementation and Interpretation, and more specifically policies 12.1.1, 12.1.2 and 12.1.3. It is our opinion that these policies will result in a development approval system that will be inefficient and unnecessarily costly for development applications. The requirements proposed in the City's Official Plan for Official Plan Amendments will restrict the ability of applicants to achieve 'complete applications' and for the City to determine the completeness of an application within 30 days in receipt of application fees. The City's

proposed implementation policies serve to make the land use planning process unnecessarily cumbersome and expensive, which is inconsistent with the policies of the PPS as set out in the attached table.

**Filing Requirements**

For the forgoing reasons, which may be supplemented through the Local Planning Appeal process, including through the provision of issues to be incorporated into a Procedural Order, we are filing this appeal. In satisfaction of the Tribunal's filing requirements, attached please find the following:

1. Tribunal appeal form entitled "Appellant Form (A1)" duly completed and signed; and
2. Our firm cheque, in the amount of \$1,100.00, payable to the Minister of Finance representing the Tribunal's filing fee for the appeal herein.

In the interim, kindly acknowledge the receipt of this letter and advise that the appeal has been forwarded to the Tribunal in accordance with the provisions of the Planning Act.

Thank you for your attention to this matter. Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly,

**WeirFoulds LLP**



Denise Baker

DB/mw

Encl.

cc Client

15617886.1

Barristers & Solicitors

**WeirFoulds**<sup>LLP</sup>

February 25, 2020

**Denise Baker**  
Partner  
T: 416-947-6090  
dbaker@weirfoulds.com

*via E-mail and Courier*

File 16132.00004

City of Burlington  
City Clerk  
426 Brant Street  
PO Box 5013  
Burlington, Ontario  
L7R 3Z6

Attention: Angela Morgan, City Clerk

Dear Ms. Morgan:

**RE: Notice of Appeal of Official Plan Amendment No. 119  
Adi Developments (Masonry) Inc.  
101 Masonry Court, Burlington**

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We are solicitors for Adi Developments (Masonry) Inc. ("Adi"), owners the property municipally known as at 101 Masonry Court, Burlington (the "Property"). The Property is on the north side of Masonry Court and is bound to the west by Waterdown Road, to the north by the Aldershot GO Station and the rail lines, and to the east by property owned by Metrolinx, used for GO Station parking.

The eastern portion of the Property has been approved for development known as Station West and is currently under construction. The western portion of the Property is to be developed as Phase 2 of the Station West project. Applications have not yet been filed with respect to Phase 2, however, we anticipate moving forward with Phase 2 in the near future. These lands are within what has been identified in the Region of Halton Official Plan and incorporated by reference in Official Plan Amendment 119 ("OPA 119"), as the Aldershot GO Major Transit Station Area ("MTSA").

OPA 119 is intended to implement the finding of the study that was prepared as a result of the City passing Interim Control By-law 10-2019 on March 5, 2019 (the "ICB"). It is of note that the ICB was passed for a limited area, being the Interim Control by-law Study Area ("ICB Study

Area”) and under the ICB, only lands within the ICB Study Area were studied. The Property is not within the ICB Study Area, and, therefore, Adi has not been involved in the ICB process.

Despite OPA 119 having as its purpose the implementation of the findings of the ICB Land Use Study, there are policies contained within OPA 119 that apply city-wide. This is identified and confirmed by the City in Part A of OPA 119 itself. This is very concerning because all communications with respect to the ICB clearly identified which lands were the subject of the ICB. In fact, the City's own dedicated ICB website contains a map that clearly identifies the lands that are subject to the ICB and ICB Study Area. Such mapping doesn't include the Property, nor many other lands that are now subject to OPA 119 which directly flows from the ICB.

As such, the fact that there are now policies in OPA 119 that affect lands beyond the boundaries of the ICB Study Area, calls into question the legal legitimacy of OPA 119 and the notices that were provided as required by the Planning Act to all land owners outside the ICB Study Area limits. It is our position that having policies in OPA 119 that affect lands outside the ICB Study Area is entirely inappropriate, an abuse of the ICB authority under the Planning Act. As such, it is our position that any policy that applies to lands outside the ICB Study Area should be struck or otherwise modified so as to not apply to lands outside the ICB Study Area.

Specifically, it is our position that the policies in section 7.1 which require the preparation of Secondary Plans or other major planning studies (undefined) for the Aldershot GO MTSA be removed from OPA 119 on the basis that the policy structure flowing from the requirement to be subject to the policies in 7.1 is entirely prejudicial to those who have landholdings within the Aldershot MTSA. Specifically, the City has approved section 7.2, which sets out policies for development applications that will be permitted to precede in advance of the completion of the Secondary Plans. However, these policies would only apply to the two MTSA's within the ICB Study Area. This results in a policy absurdity whereby development applications can be considered for those lands which were the subject of study through the ICB, in advance of any Secondary Plan being prepared, however for those lands within a MTSA, but located outside the ICB Study area, applications will not be considered in advance of the completion of a Secondary Plan or other major planning study. To make matters worse, there is no timeframe for the completion of the Secondary Plan by the City, effectively resulting in the freezing of lands that were not even to be considered as part of the ICB process.

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**WeirFoulds**<sup>LLP</sup>

Adi was made aware of the fact that OPA 119 was proposed to impact lands outside of the ICB Study Area immediately in advance of the statutory public meeting with respect to OPA 119 and brought this matter to the attention of Council, including the provision of alternative language to ensure that the policies flowing from the ICB would only apply to the lands that were the subject of the ICB. However, Council did not make any modifications to the relevant policies in OPA 119 and, as such, we are required to file this appeal of OPA 119.

For the foregoing reasons, which may be supplemented through the Local Planning Appeal process, including through the provision of issues to be incorporated into a Procedural Order, we are appealing OPA 119. In satisfaction of the Tribunal's filing requirements, attached please find the following:

1. Tribunal appeal form entitled "Appellant Form (A1)" duly completed and signed; and
2. Our firm cheque, in the amount of \$300.00, payable to the Minister of Finance representing the Tribunal's filing fee for the appeal herein.

In the interim, kindly acknowledge the receipt of this letter and advise that the appeal has been forwarded to the Tribunal in accordance with the timing provisions for doing so as set out in the *Planning Act*.

Thank you for your attention to this matter. Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly,

**WeirFoulds LLP**



Denise Baker

DB/mw

Encls. 2

cc Client





**Ontario Land Tribunals**  
**Local Planning Appeal Tribunal**  
 655 Bay Street, Suite 1500  
 Toronto ON M5G 1E5  
 Telephone: 416-212-6349  
 Toll Free: 1-866-448-2248  
 Website: [www.olt.gov.on.ca](http://www.olt.gov.on.ca)

## Appellant Form (A1)

Receipt Number (LPAT Office Use Only)

Date Stamp Appeal Received by Municipality/Approval Authority

### To file an appeal, select one or more below

- Appeal of *Planning Act* matters for Official Plans and amendments, Zoning By-Laws and amendments and Plans of Subdivision, Interim Control By-laws, Site Plans, Minor Variances, Consents and Severances, proceed to Section 1A
- Second appeal of a *Planning Act* matter for Official Plans and amendments, Zoning By-Laws and amendments, proceed to Section 1B. NOTE: Bill 139, *Building Better Communities and Conserving Watersheds Act, 2017*, allows appeals to the Tribunal of some *Planning Act* matters previously determined by LPAT.
- Appeals of other matters, including Development Charges, *Education Act*, *Aggregate Resources Act*, *Municipal Act* and Ontario Heritage, proceed to Section 1C

### 1 A. Appeal Type (Please check all applicable boxes)

Subject of Appeal	Type of Appeal	Reference (Section)
<b>Planning Act Matters</b>		
<b>Official Plan or Official Plan Amendment</b>	<input type="checkbox"/> Appeal a decision by local council that adopted an OP or OPA (exempt from approval by Minister or Approval Authority)	17(24)
	<input checked="" type="checkbox"/> Appeal a decision of an Approval Authority that approved or did not approve all or part of a plan or amendment	17(36)
	<input type="checkbox"/> Approval Authority failed to make a decision on the plan within 120 days	17(40)
	<input type="checkbox"/> Council failed to adopt the requested amendment within 120 days	22(7)
	<input type="checkbox"/> Council refuses to adopt the requested amendment	
<b>Zoning By-law or Zoning By-law Amendment</b>	<input type="checkbox"/> Appeal the passing of a Zoning By-law	34(19)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision on the application within 90 days	34(11)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – failed to make a decision within 120 days where the application is associated with an Official Plan Amendment	
	<input type="checkbox"/> Application for an amendment to the Zoning By-law – refused by the municipality	
<b>Interim Control Zoning By-law</b>	<input type="checkbox"/> Appeal the passing of an Interim Control By-law within 60 days (Minister only)	38(4)
	<input type="checkbox"/> Appeal the passing of an extension of an Interim Control By-law within 60 days	38(4.1)
<b>Site Plan</b>	<input type="checkbox"/> Application for a site plan – council failed to make a decision within 30 days	41(12)

Subject of Appeal	Type of Appeal	Reference (Section)
	<input type="checkbox"/> Appeal requirements imposed by the municipality or upper tier municipality	41(12.01)
<b>Minor Variance</b>	<input type="checkbox"/> Appeal a decision of the Committee of Adjustment that approved or refused the application	45(12)
<b>Consent/Severance</b>	<input type="checkbox"/> Appeal a decision that approved or refused the application	53(19)
	<input type="checkbox"/> Appeal conditions imposed	
	<input type="checkbox"/> Appeal changed conditions	53(27)
	<input type="checkbox"/> Application for consent – Approval Authority failed to make a decision on the application within 90 days	53(14)
<b>Plan of Subdivision</b>	<input type="checkbox"/> Application for a plan of subdivision – Approval Authority failed to make a decision on the plan within 120 days	51(34)
	<input type="checkbox"/> Appeal a decision of an Approval Authority that approved a plan of subdivision	
	<input type="checkbox"/> Appeal a decision of an Approval Authority that did not approve a plan of subdivision	
	<input type="checkbox"/> Appeal a lapsing provision imposed by an Approval Authority	51(39)
	<input type="checkbox"/> Appeal conditions imposed by an Approval Authority	
	<input type="checkbox"/> Appeal conditions - after expiry of 20 day appeal period but before final approval (only applicant or public body may appeal)	51(43)
	<input type="checkbox"/> Appeal changed conditions	51(48)

**1 B. Appeal Type (Please check all applicable boxes) Only for appeal(s) of a new decision or non-decision by municipality or Approval Authority following a previous LPAT Decision (i.e., second appeal).**

**For matters subject to Bill 139 and the associated transition regulation (the second appeal).**

Subject of Appeal	Type of Appeal	Reference (Section)
<b>Planning Act Matters</b>		
<b>Official Plan or Official Plan Amendment</b> Official Plan or Official Plan Amendment	<input type="checkbox"/> Appeal of a <b>decision</b> by Approval Authority on an OP or OPA (exempt from approval by Minister or Approval Authority) following a LPAT decision	17(24) and 17(49.6)
	<input type="checkbox"/> Appeal of a <b>decision</b> by Council or Approval Authority on an OP or OPA following a LPAT decision	17(36) and 17(49.6)
	<input type="checkbox"/> Appeal of a <b>refusal</b> within 90 days by Council following a LPAT decision	22(7) and 22(11.0.12)
<b>Zoning By-law or Zoning By-law Amendment</b>	<input type="checkbox"/> Appeal of a <b>non-decision</b> within 90 days by Council following a LPAT decision	
	<input type="checkbox"/> Appeal of a <b>refusal</b> within 90 days by Council following a LPAT decision	34(11) and 34(26.5)
	<input type="checkbox"/> Appeal of a <b>non-decision</b> within 90 days by Council following a LPAT decision	
	<input type="checkbox"/> Appeal of a <b>decision</b> by Council following a LPAT decision	34(19) and 34(26.5)

**1 C. Other Appeal Types (Please check all applicable boxes)**

<b>Subject of Appeal</b>	<b>Type of Appeal</b>	<b>Reference (Section)</b>
<b><i>Development Charges Act Matters</i></b>		
<b>Development Charge By-law</b>	<input type="checkbox"/> Appeal a Development Charge By-law	14
	<input type="checkbox"/> Appeal an amendment to a Development Charge By-law	19(1)
<b>Development Charge Complaint</b>	<input type="checkbox"/> Appeal municipality's decision regarding a complaint	22(1)
	<input type="checkbox"/> Failed to make a decision on the complaint within 60 days	22(2)
<b>Front-ending Agreement</b>	<input type="checkbox"/> Objection to a front-ending agreement	47
	<input type="checkbox"/> Objection to an amendment to a front-ending agreement	50
<b><i>Education Act Matters</i></b>		
<b>Education Development Charge By-law</b>	<input type="checkbox"/> Appeal an Education Development Charge By-law	257.65
	<input type="checkbox"/> Appeal an amendment to an Education Development Charge By-law	257.74(1)
<b>Education Development Charge Complaint</b>	<input type="checkbox"/> Appeal approval authority's decision regarding a complaint	257.87(1)
	<input type="checkbox"/> Failed to make a decision on the complaint within 60 days	257.87(2)
<b><i>Aggregate Resources Act Matters</i></b>		
<b>Aggregate Removal Licence</b>	<input type="checkbox"/> One or more objections against an application for a 'Class A' aggregate removal licence	11(5)
	<input type="checkbox"/> One or more objections against an application for a 'Class B' aggregate removal licence	
	<input type="checkbox"/> Application for a 'Class A' licence – refused by Minister	11(11)
	<input type="checkbox"/> Application for a 'Class B' licence – refused by Minister	
	<input type="checkbox"/> Changes to conditions to a licence	13(6)
	<input type="checkbox"/> Amendment of site plans	16(8)
	<input type="checkbox"/> Minister proposes to transfer the licence – applicant does not have licensee's consent	18(5)
	<input type="checkbox"/> Minister proposes to refuse transfer of licence – applicant is licensee or has licensee's consent to transfer	
	<input type="checkbox"/> Minister proposes to refuse transfer of licence – applicant does not have licensee's consent to transfer	
<input type="checkbox"/> Revocation of licence	20(4)	
<b><i>Municipal Act Matters</i></b>		
<b>Ward Boundary By-law</b>	<input type="checkbox"/> Appeal the passing of a by-law to divide the municipality into wards	222(4)
	<input type="checkbox"/> Appeal the passing of a by-law to redivide the municipality into wards	
	<input type="checkbox"/> Appeal the passing of a by-law to dissolve the existing wards	
<b><i>Ontario Heritage Act Matters</i></b>		

Subject of Appeal	Type of Appeal	Reference (Section)
Designation of Property	<input type="checkbox"/> Appeal a Notice of intention to designate property	29(11)
	<input type="checkbox"/> Appeal of an amendment to a by-law designating property	30.1(10)
	<input type="checkbox"/> Appeal a Notice of Intention to repeal a designating by-law or part of a designating by-law	31(9)
	<input type="checkbox"/> Appeal a council's decision to approve or refuse the repealing of a designating by-law or part of a designating by-law	32(7)/32(8)
	<input type="checkbox"/> Appeal council's decision to alter a heritage designated property	33(9)
Heritage Conservation District	<input type="checkbox"/> Appeal the passing of a by-law designating a heritage conservation study area	40.1(4)
	<input type="checkbox"/> Appeal the passing of a by-law designating a heritage conservation district	41(4)

#### Other Act Matters

Subject of Appeal	Act/Legislation Name	Section Number

## 2. Location Information

Address and/or Legal Description of property subject to the appeal  
101 Masonry Court and 1120 Cooke Blvd., Burlington

Municipality  
Regional Municipality of Halton

Upper Tier (Example: county, district, region)

## 3. Appellant/Objector Information

**Note:** You must notify the LPAT of any change of address or telephone number in writing. Please quote your LPAT Case/File Number(s) after they have been assigned.

Last Name | First Name

Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)  
Adi Developments (Masonry) Inc.

Email Address  
tariq@adidevelopments.com

Daytime Telephone Number | Alternate Telephone Number  
905-399-5545 | ext.

### Mailing Address

Unit Number	Street Number	Street Name	PO Box
700	1100	Burloak Drive	
City/Town	Province	Country	Postal Code
Burlington	ON	Canada	L7L 6B2

## 4. Representative Information

I hereby authorize the named company and/or individual(s) to represent me

Last Name  
Baker

First Name  
Denise

Company Name  
WeirFoulds LLP

Professional Title  
Barrister and Solicitor

Email Address  
dbaker@weirfoulds.com

Daytime Telephone Number  
416-947-5090

ext.

Alternate Telephone Number  
905-829-8600

**Mailing Address**

Unit Number  
10

Street Number  
1525

Street Name  
Cornwall Road

PO Box

City/Town  
Oakville

Province  
ON

Country  
Canada

Postal Code  
L6J 0B2

**Note:** If you are representing the appellant and are not licensed under the *Law Society Act*, please confirm that you have written authorization, as required by the LPAT's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

- I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

**5. Appeal Reasons**

Municipal Reference Number(s)  
City of Burlington New Official Plan

For all appeal types, please outline the nature of the appeal and the reasons for your appeal.

see attached correspondence

For appeals of Official Plans, Official Plan Amendments, Zoning By-laws and Zoning By-law Amendments, please indicate if you intend on arguing one or more of the following:

A: A decision of a Council or Approval Authority is:

- Inconsistent with the Provincial Policy Statement, issued under subsection 3(1) of the *Planning Act*  
 Fails to conform with or conflicts with a provincial plan  
 Fails to conform with an applicable Official Plan

**And**

B: For a non-decision or decision to refuse by council:

- Consistency with the provincial policy statement, issued under subsection 3(1) of the *Planning Act*  
 Conformity with a provincial plan  
 Conformity with the upper-tier municipality's Official Plan or an applicable Official Plan

If you intend on arguing on one or more of the above throughout a proceeding, please explain:

**Oral/written submissions to council**

If applicable, did you make your opinions regarding this matter known to council?

- Oral submissions at a public meeting of council
- Written submissions to council

**6. Related Matters**

Are there other appeals not yet filed with the Municipality?

- Yes
- No

Are there other matters related to this appeal? (For example: A consent application connected to a variance application)

- Yes
- No ▼

If yes, please provide LPAT Case Number(s) and/or Municipal File Number(s)

PL200150 OPA 119

**7. Mediation**

Mediation is a confidential process in which the parties to an appeal talk about their differences and, with the facilitative assistance of an impartial individual, a mediator, negotiate a consensual resolution of the appeal. Unless the Tribunal determines that there is a good reason for not addressing the appeal with mediation, all parties shall presume that their differences will first be addressed through a mediation directed by the Tribunal. As such, parties shall act and prepare accordingly, meaning good faith negotiation and collaboration are a priority and are expected by the Tribunal.

- I have read and understand the above statement.

**8. Witness Information**

Detail the nature and/or expertise of witnesses you will have available.

Land Use Planner, Urban Design, Transportation, Land Economist

**For all other appeal types :**

Describe expert witness(es)' area of expertise (For example: land use planner, architect, engineer, etc.).


**9. Required Fee**

Total Fee Submitted \$ 1,100

- Payment Method ▶  Certified cheque     Money Order     Lawyer's general or trust account cheque

## 10. Declaration

I solemnly declare that all of the statements and the information provided, as well as any supporting documents are true, correct and complete.

Name of Appellant/Representative	Signature of Appellant/Representative	Date (yyyy/mm/dd)
Denise Baker		2020/12/18

Personal information or documentation requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990 c. P. 13 and the *Local Planning Appeal Tribunal Act*. After an appeal is filed, all information relating to this appeal may become available to the public.