

TO:	CHAIR AND MEMBERS BUILT AND NATURAL ENVIRONMENT COMMITTEE MEETING ON SEPTEMBER 12, 2011
FROM:	JAMES P. BARBER CITY SOLICITOR
SUBJECT	AYERSWOOD DEVELOPMENT CORP. SITE PLAN APPLICATION 940 SPRINGBANK DRIVE

RECOMMENDATION

That, on the recommendation of the City Solicitor, this report in respect of a letter from Patton Cormier & Associates dated August 25, 2011 and a letter from the Legal Counsel of the Ontario Municipal Board dated August 24, 2011, in connection with an application by Ayerswood Development Corp. for site plan approval, **BE RECEIVED.**

PREVIOUS REPORTS PERTINENT TO THIS MATTER

- March 13, 2000 – Report of the Commissioner of Planning and Development to the Planning Committee – Official Plan and zoning by-law amendments public meeting
- November 8, 2004 – Report of the General Manager of Planning and Development to the Planning Committee – Site Plan Public Meeting
- February 13, 2006 – Report of the General Manager of Planning and Development to the Planning Committee – 2006 Decision of the Ontario Municipal Board
- June 1, 2009 – Report of the General Manager of Planning and Development to the Planning Committee - Site Plan Public Meeting
- April 26, 2010 – Report of the General Manager of Planning and Development to the Planning Committee – 2010 Decision of the Ontario Municipal Board
- June 13, 2011 – Report of the Director of Development Planning to the Built and Natural Environment Committee – Site Plan Public Meeting
- June 20, 2011 – Report of the City Solicitor to the Built and Natural Environment Committee
- June 20, 2011 – Confidential Report of the City Solicitor to the Built and Natural Environment Committee

BACKGROUND

On June 20, 2011, Municipal Council passed the following resolution:

That **NO ACTION BE TAKEN** by the Approval Authority for the City in response to the application of Ayerswood Development Corp. relating to the application for site plan approval for lands located at 940 Springbank Drive, and that:

- (a) the Ontario Municipal Board **BE ADVISED** that the Municipal Council recommends that the site plan, landscape plan, building elevations and development agreement clauses be approved by the Ontario Municipal Board; and
- (b) the City Solicitor **BE DIRECTED** to provide legal representation at the Ontario Municipal Board hearing to support the recommendation of the Municipal Council and further, if necessary, to retain the services of a land use planner or to provide experts, as required, to provide evidence at the Ontario Municipal Board hearing in relation to the recommendation of Municipal Council with respect to the site plan application.

On August 25, 2011, the City Solicitor's Office received a letter from Patton Cormier & Associates together with an opinion from the Legal Counsel for the Ontario Municipal Board dated August 24, 2011, advising that the Ontario Municipal Board does not have an active appeal of the site plan on this property, that the Board can only take jurisdiction from an appeal of a Planning Act application that meets all statutory requirements. Attached at Appendix "A" is a copy of a letter from Patton Cormier & Associates dated August 25, 2011 together with a letter from the Ontario Municipal Board dated August 24, 2011.

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On August 31, 2011, the Ontario Municipal Board provided to the City Solicitor's Office copies of letters dated July 13, 2011 and July 27, 2011 from Patton Cormier & Associates on behalf of Ayerswood Development Corporation requesting the Ontario Municipal Board to issue an Order approving the proposed Site Plan, copies of which are attached at Appendix "B". The City Solicitor's Office has been further advised that Ayerswood Development Corporation has not filed an appeal to the Ontario Municipal Board for inaction or delay by the Approval Authority pursuant to section 41(12) of the *Planning Act*.

On September 1, 2011, the City Solicitor's Office received a letter from Patton Cormier & Associates a copy of which is attached at Appendix "C".

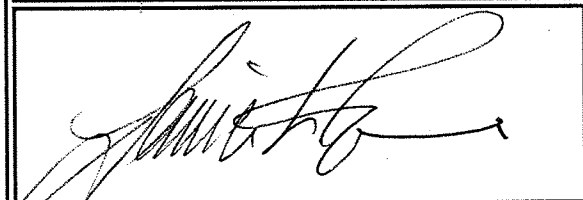
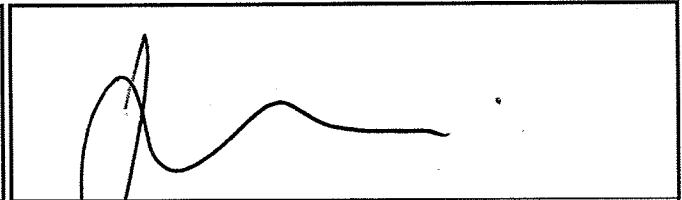
The relevant paragraph of the Court of Appeal decision in *London (City) v. Ayerswood Development Corp.*, [2002] O.J. No. 4859 is:

18 Finally, we note that the City and the adjoining neighbours will have an opportunity to comment on the revised site plan showing one apartment building. Instead of issuing a final order, the Board directed that the respondents prepare a new site plan and present it to the City for approval. In doing so, the Board specifically directed that the neighbours be involved in the site plan approval process. This process should provide the City and the neighbours with an opportunity to be heard on specific issues emerging from the new site plan, subject, of course, to the Board's decision that the construction of one twelve-storey building on the site has been approved.

It appears that the advice from the O.M.B.'s solicitor to Ayerswood's solicitor is that a final decision by the City Council to approve the site plan is consistent with Board Member Rosenberg's initial decision and in the opinion of the Ontario Municipal Board's solicitor, there is no the need for any further hearing by the Ontario Municipal Board.

In the words of the Court of Appeal's decision, the City has conducted a public site plan meeting in which the neighbours were involved and had an opportunity to be heard on specific issues emerging from the new site plan. If the site plan is approved by the municipality, the neighbours cannot appeal the site plan to the Ontario Municipal Board pursuant to section 41 of the *Planning Act*.

Based upon the advice from the Ontario Municipal Board's solicitor to the solicitor for Ayerswood, it is recommended that, if the site plan is otherwise satisfactory to the City having regard to the representations of the residents, City Council may wish to give serious consideration to reconsidering the resolution set out above on the basis that the City is the final approval authority with respect to this site plan in the view of the solicitor for the Ontario Municipal Board and it appears open, based on that advice, to City Council to make a final decision to approve the site plan.

PREPARED BY:	RECOMMENDED BY:
	
JANICE L. PAGE SOLICITOR II	JAMES P. BARBER CITY SOLICITOR

August 31, 2011

GG

PATTON CORMIER & ASSOCIATES

LAWYERS

Alan R. Patton, B.A., LL.B.

Elizabeth K. Cormier, B.A., LL.B.

Analee J.M. Fernandez, B.A., LL.B.

R. Arti Sanichara, Hons. B.E.S., LL.B.

August 25, 2011

file no.: 30342

hand email jbarber@london.ca

Corporation of the City of London
City Hall
300 Dufferin Avenue
London, ON

Attention: **James P. Barber**

Dear Sir:

Re: **Ayerswood Development Corporation**
940 Springbank Drive, London

I write further to City Council's Resolution of June 20, 2011 by which Council resolved:

That **NO ACTION BE TAKEN** by the Approval Authority for the City in response to the application of Ayerswood Development Corp. relating to the application for site plan approval for lands located at 940 Springbank Drive, and that:

- (a) the Ontario Municipal Board **BE ADVISED** that the Municipal Council recommends that the site plan, landscape plan, building elevations and development agreement clauses be approved by the Ontario Municipal Board, and
- (b) the City Solicitor **BE DIRECTED** to provide legal representation at the Ontario Municipal Board hearing to support the recommendation of the Municipal Council and further, if necessary, to retain the services of a land use planner or to provide experts, as required, to provide evidence at the Ontario Municipal Board hearing in relation to the recommendation of the Municipal Council with respect to the site plan application.

I enclose herewith a copy of a letter dated August 24, 2011 received from the Ontario Municipal Board's Counsel. The letter is self-explanatory given the clear statement of Council's Resolution of June 20, 2011 "that the site plan, landscape plan, building elevations and development agreement clauses be approved by the Ontario Municipal Board." The Statement by the Municipal Board's Counsel is clearly correct that "there is no appeal before the Board, and as such, it is the City that is the final approval authority of the site plan."

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Patton Cormier & Associates

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It is abundantly clear that it is a decided matter of City Council that it approved the site plan, including the landscape plan, building elevations and development agreement clauses.

The present Council complied with a prior Resolution of Council, specifically, the January 20, 2003 Resolution that the site plan be the subject of a public participation meeting. The public participation meeting for this site plan took place on June 13, 2011.

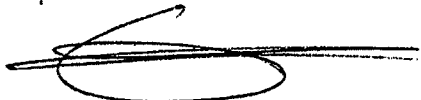
By the June 20, 2011 Resolution City Council approved the plans, elevations and clauses of the Development Agreement. Accordingly, Ayerswood Development Corporation requires that the City immediately prepare the Development Agreement containing those standard and special clauses set forth on pages 351, 352 and 353 of the June 13, 2011 Agenda of the Built and Natural Environment Committee meeting. As per the usual practice, please have City staff contact our office regarding the preparation of the Development Agreement.

Ayerswood Development Corporation is entitled by the actions of City Staff and City Council to the prompt preparation of the Development Agreement so that it can, without any further delay and in accordance with the provisions of the *Planning Act* and the *Building Code Act*, apply for and obtain a Building Permit.

Yours truly

PATTON CORMIER & ASSOCIATES

per:



Alan R. Patton
ARP/dr
Encl.

cc: Ayerswood Development Corporation - via email (with encl.)

apatton@pattoncormier.ca



Aug 24 2011 6:48PM HP LASERJET FAX

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Ministry of the
Attorney General

Legal Services
Ontario Municipal
Board

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Ontario

VIA FACSIMILE

August 24, 2011

Alan R. Patton
Patton Cormier & Associates
Lawyers
1512-140 Fullarton Street
London, ON N6A 5P2

Dear Mr. Patton:

**RE: Ayerswood Development Corporation
940 Springbank Drive, London**

I have been forwarded your correspondence to the Board that was directed to the attention of S. Wilson Lee, Associate Chair, dated July 27, 2011 and July 13, 2011, in respect of the site plan and accompanying drawings for the property at 940 Springbank Drive in the City of London. I have also reviewed the Decision of Member Sniezek issued on March 12, 2010 in Board case number PL000128. In that Decision the Board approved a zoning by-law on these lands to "permit one apartment building containing a maximum of 165 dwelling units" and an Open Space (OS5) zone for the remaining lands which do not form part of the apartment development.

Your correspondence dated July 27, 2011, requests the Board issue a Board Order approving the enclosed site plan and development agreement. This letter also enclosed a copy of the resolution of the City of London municipal council dated June 20, 2011, which recommends that "the site plan, landscape plan, building elevations and development agreement clauses be approved by the Ontario Municipal Board".

Please be advised that the Board is not able to approve the site plan and accompanying documents that are referenced in the City resolution. The Board does not have an active appeal of the site plan on this property. The Board can only take jurisdiction from an appeal of a *Planning Act* application that meets all statutory requirements. Subsection 41 (12) of the *Planning Act* provides a right of appeal of a site plan application only when the municipality fails to approve the plans or drawings, or the owner of the land is not satisfied with any requirement made by the municipality in respect of the application. Neither statutory requirement set out in subsection 41 (12) is satisfied. There is no appeal of a site plan application for delay, and the owner has not appealed any requirement imposed by municipal council in relation to 940 Springbank Drive. Further, the last sentence of the Board Decision dismisses the site plan

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Alan R. Patton
August 24, 2011
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application which was before the Board in 2010. As such the Board did not retain jurisdiction over the site plan appeal on this property.

The resolution of City Council requests the City to appear before the Board in support of the approval of the referenced site plan. As noted, there is no appeal before the Board, and as such, it is the City that is the final approval authority of the site plan. Please contact the undersigned if you have any questions.

Yours truly,


Stan Floras
Board Counsel

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Aug 31 2011 4:10PM

HP LASERJET FAX

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Ministry of the
Attorney General

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Ontario Municipal
Board

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Ontario

VIA FACSIMILE

August 31, 2011

Janice L. Page
Solicitor
The Corporation of the City of London
City Solicitor's Office, Room 1014
300 Dufferin Avenue, PO Box 5035
London, ON N6A 4L9

Dear Ms. Page:

**RE: Ayerswood Development Corporation
940 Springbank Drive, London**

Further to our telephone conversation of August 31, 2011, please find enclosed letters dated July 27, 2011, and July 13, 2011, which are both directed to the Associate Chair, S. Wilson Lee from Alan Patton, Counsel for Ayerswood Development Corporation.

Please note, Mr. Patton's letter dated July 27, 2011 encloses a number of drawings and these are not attached.

Yours truly,


Stan Floras
Board Counsel

Att.

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Aug 31 2011 4:10PM

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**PATTON CORMIER & ASSOCIATES
LAWYERS**

Alan R. Patton, B.A., LL.B. Elizabeth K. Cormier, B.A., LL.B.
Analee J.M. Fernandez, B.A., LL.B. R. Arti Sanichara, Hons. B.E.S., LL.B.

July 13, 2011
file no.: 30342
via email

Ontario Municipal Board
655 Bay Street, Suite 1500
Toronto, ON M5G 1E5

Attention: **S. Wilson Lee, Associate Chair**

Dear Sir:

Re: **Ayerswood Development Corporation**
940 Springbank Drive, London
OMB Case No.: PL000128, Site Plan Approval

We are the solicitors for Ayerswood Development Corporation ("Ayerswood") the owner of the above-noted property.

The planning instruments involved in this development have been before the Ontario Municipal Board on three separate occasions. First, a Decision, but no Order, was issued by Member Rosenberg on February 1, 2001. Second, a Decision and Order was issued by Member Boxma on January 23, 2006 that the Site Plan be adjourned. Third, a Decision and OMB Order was issued by Member Sniezek on March 12, 2010. The second and third hearings before the Municipal Board occurred as a result of City Council's refusal to recommend approval of Ayerswood's Site Plan.

The March 12, 2010 Order of the Board zoned five (5) acres of Ayerswood's property as R9-7(x) H40. This zone permits one apartment building on the land with one special provision limiting to a maximum of 165 the number of dwelling units in the apartment building. No other special provisions were ordered by the Board in the Zoning By-law and no Holding provision was placed on the zoning. Further, the 2010 Order of the Board also zoned approximately 7 acres of the remainder of Ayerswood's land from Open Space OS1 to Open Space OS5 to remove some uses with development potential from Ayerswood's property. This change in the Open Space zoning was also consistent with the 2001 Decision of the Board. Finally, the Board in March 2010 ordered the appeal of Ayerswood's Site Plan dismissed.

Subsequent to the March 12, 2010 Decision and Order, Ayerswood revised its Site Plan and submitted a new Application to the City's Approval Authority. The City has, by By-law No. C.P.-1213-340, delegated all of Council's powers and authority under Section 41 of the *Planning Act* to appointed officers of the Corporation.

1512-140 Fullarton Street, London, ON N6A 5P2 tel: 519.432.8282 fax: 519.432.7285



Aug 31 2011 4:10PM HP LASERJET FAX

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Patton Cormier & Associates
Page 2

Ayerswood's new Site Plan Application was thoroughly reviewed by the City's duly delegated Approval Authority. Further, the apartment building was reviewed by the City's independent Urban Design Review Panel.

Despite the delegation of authority given to the Approval Authority, the Approval Authority reported to a Committee of City Council as follows:

- (a) On behalf of the Approval Authority, the Built and Natural Environment Committee **BE REQUESTED** to conduct a public meeting on the subject site plan application and **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan approval; (emphasis added)
- (b) Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan application and **ADVISE** the Approval Authority whether they support the Site Plan application for a 12 storey apartment building with 165 units and two levels of parking in the location proposed; (emphasis added)
- (c) Council **ADVISE** the Approval Authority any issues they may have with respect to the Development Agreement Clauses proposed in Appendix 1; (emphasis added) and,
- (d) the applicant **BE ADVISED** that the Director of Development Finance has projected the following claims and revenues information.

On June 13, 2011 the delegated Approval Authority provided to Council a Summary of the Site Plan with respect to both the applicable R9-7 H40 Zoning By-law and Site Plan issues. The Approval Authority's Summary is reproduced here:

- "Proposed Site Plan meets the zoning by-law approved by the OMB
- Proposed Site Plan is generally in conformity with the Site Plan By-law
- Proposed building location is contained within the building envelope established by the zoning by-law
- Proposed number of units meets the zoning by-law
- Proposed building foot print while in conformity and meets the zoning by-law is 557 sq. m (5995 sq. ft.) larger than the original proposed building
- Proposed building is 7.0m closer to the east property line than the proposal of 2009
- Proposed number of underground parking spaces meets the zoning by-law
- Proposed building height of 38.7m meets the zoning by-law
- Proposed setback of the building from Springbank Drive should result in fewer trees being impacted between Springbank Drive and the front face of the building
- Removal of the east end parking entrance provides for large area for tree retention and landscape buffering. In addition removes anticipated noise at the east end of the building
- Proposed non-standard public sidewalk location should maximize tree preservation within the road allowance
- Proposed lower grades at the front face aids in reducing impact on boulevard trees
- Extent of trees to be cut and removed has been reduced. Net reduction is 0.12 hectares
- Shade analysis demonstrates no impact on 928 Springbank Drive in summer months and no shadowing impact any time of the year for 929 Springbank Drive (sic 929 Commissioners Road)

1512-140 Fullarton Street, London, ON N6A 5P2 tel: 519.432.8282 fax: 519.432.7285



Aug 31 2011 4:10PM HP LASERJET FAX

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Patton Cormier & Associates
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- Proposed Park parcel of 1.82 hectares acceptable to Parks Planning
- Sanitary and storm services are requested to be extended to the site within existing road allowance and at the cost of the developer

In addition, the Approval Authority set forth the standard clauses to be used in the Development Agreement as well as the use of five site specific special provisions to be included in the Development Agreement.

A public participation meeting was held by a Committee of City Council on June 13, 2011.

Mr. and Mrs. Hopkins, 928 Springbank Drive and Mr. Howell, 929 Commissioners Road, were involved in this site plan process with Ayerswood, Ayerswood consultants, as well as the Approval Authority. Mr. and Mrs. Hopkins and Mr. Howell also made written and oral representations to both the Committee and City Council.

Despite the fact that Council had not revoked its delegated authority to the Approval Authority for the approval of Site Plans the Council on June 20, 2011 passed a Resolution, a true copy is enclosed herewith.

It is the position of Ayerswood that the Ontario Municipal Board should not conduct a hearing regarding the Site Plan. As indicated in the penultimate paragraph of the Decision of Member Rosenberg, February 1, 2001, the Zoning By-law is approved by the Board, and is now in force and effect, the Approval Authority approves the Site Plan, the Site Plan has been approved by the City, there is no appeal to the Ontario Municipal Board by Ayerswood pursuant to section 41(12) *Planning Act*. Mr. and Mrs. Hopkins and Mr. Howell were fully involved in the Site Plan process with the Applicant and with the City of London, including as set forth above, making representations both oral and written to the Approval Authority and to City of London Council

Accordingly, we request that the Board issue an Order approving the Site Plan.

Yours truly
PATTON CORMIER & ASSOCIATES
per:

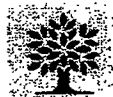
Alan R. Patton
ARP/dr
Encl.

apatton@pattoncormier.ca

GG

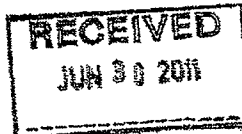
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300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA



June 21, 2011

Ontario Municipal Board
655 Bay Street, Suite 1500
Toronto, ON M5G 1E5

Ayerswood Development Corp.
c/o A. Patton, Patton Cormier & Associates
1515-140 Fullarton Street
London, ON N6A 5P2

I hereby certify that the Municipal Council, at its session held on June 20, 2011 resolved:

That **NO ACTION BE TAKEN** by the Approval Authority for the City in response to the application of Ayerswood Development Corp. relating to the application for site plan approval for lands located at 940 Springbank Drive, and that:

- (a) the Ontario Municipal Board **BE ADVISED** that the Municipal Council recommends that the site plan, landscape plan, building elevations and development agreement clauses be approved by the Ontario Municipal Board; and
- (b) the City Solicitor **BE DIRECTED** to provide legal representation at the Ontario Municipal Board hearing to support the recommendation of the Municipal Council and further, if necessary, to retain the services of a land use planner or to provide experts, as required, to provide evidence at the Ontario Municipal Board hearing in relation to the recommendation of the Municipal Council with respect to the site plan application. (2A/16/BNEC)

C. Saunders
City Clerk
/jb

- cc: Mr. & Mr. Hopkins, 928 Springbank Drive, London, ON N6K 1A5
 Mr. Howell, 929 Commissioners Road West, London, ON N6K 1C1
 Mr. Proudfoot, 550 Westmount Drive, London, ON N6K 1X8
 J. Barber, City Solicitor
 J. Page, Solicitor
 P. McNally, Executive Director, Planning and Environmental and Engineering Services
 D. Ajles, Managing Director, Development Approvals Business Unit
 D. Stanlake, Director, Development Planning
 B. Henry, Manager, Development Planning



Aug 31 2011 4:10PM HP LASERJET FAX

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PATTON CORMIER & ASSOCIATES LAWYERS

Alan R. Patton, B.A., LL.B. Elizabeth K. Cormier, B.A., LL.B.
Analee J.M. Fernandez, B.A., LL.B. R. Arti Sanichara, Hons. B.E.S., LL.B.

July 27, 2011
file no.: 30342
via courier

Ontario Municipal Board
655 Bay Street, Suite 1500
Toronto, ON M5G 1E5

Attention: **S. Wilson Lee, Associate Chair**

Dear Sir:

Re: **Ayerswood Development Corporation**
940 Springbank Drive, London
OMB Case No.: PL000128, Site Plan Approval

RECEIVED
THE ONTARIO
MUNICIPAL BOARD
JUL 28 2011
AM 7:58 PM

Further to my letter of July 13, 2011, please find enclosed the Site Plan and all accompanying drawings which were approved by the City's Approval Authority and upon which London Council on June 20, 2011 recommended the Plans "be approved by the Ontario Municipal Board".

We also enclose the Approval Authority's Development Agreement clauses to be used in the Development Agreement citing the standard clauses to be used, as well as the modified clauses and special provisions to be contained in the Development Agreement. The Municipal Council also recommended that the "Development Agreement clauses be approved by the Ontario Municipal Board".

We invite any questions that you may have regarding the issuance of the Board Order approving the Site Plan and the Development Agreement.

Yours truly
PATTON CORMIER & ASSOCIATES
per:

Alan R. Patton
ARP/dr
Encl.

RECEIVED
THE ONTARIO
MUNICIPAL BOARD

JUL 28 2011

AM 7:58 PM

apatton@pattoncormier.ca



PATTON CORMIER & ASSOCIATES LAWYERS

Alan R. Patton, B.A., LL.B.

Elizabeth K. Cormier, B.A., LL.B.

Analee J.M. Fernandez, B.A., LL.B.

R. Arti Sanichara, Hons. B.E.S., LL.B.

September 1, 2011

file no.: 30342

email jbarber@london.ca

Corporation of the City of London
City Hall
300 Dufferin Avenue
London, ON

Attention: **James P. Barber**

Dear Sir:

Re: **Ayerswood Development Corporation**
940 Springbank Drive, London

I write further to our telephone conversation of yesterday morning. During our conversation you made reference to the Decision of the Ontario Court of Appeal in 2002 as the reason for your position that the recommendation by City Council on June 20, 2011 that the site plan "be approved" be the subject of a hearing before the Ontario Municipal Board. From the comments made in our conversation I can only assume that you are referring to the penultimate paragraph of the Court of Appeal's Decision, being paragraph 18 thereof. If this is so, then I strongly disagree with your position.

Reading that paragraph of the Court's Decision it is clear that:

- (i) the "adjoining neighbours" were involved in Site Plans before City Council in 2004 and 2010. These Site Plans were appealed to the Ontario Municipal Board by Ayerswood under section 41(12), *Planning Act*;
- (ii) The "neighbours" were *involved* in the 2010/2011 Site Plan Approval process through meetings with Ayerswood Development Corporation and all of its consultants, as well as in meetings with City Staff, to which Ayerswood Development Corporation and its consultants were not invited to attend;
- (iii) The neighbours were involved in the 2010/2011 Site Plan Approval process by speaking at the public meeting;
- (iv) The process conducted in the 2010/2011 Site Plan provided the neighbours with, "the opportunity to be heard on specific issues emerging from the new site plan, subject, of course, to the Board's Decision that the construction of one 12 storey building on the site *has been approved.*" (Court of Appeal Decision)



Patton Cormier & Associates

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There is nothing contained in the Court of Appeal comments about the Site Plan Approval process as established in section 41 of the *Planning Act*. In any event, the Court's comment in paragraph 18 is clearly obiter having regard to the fact that the two grounds of appeal by the City to both the Divisional Court and the Court of Appeal were first, the standard of review and second, the denial of natural justice argument.

The Ontario Municipal Board in its letter of August 24, 2011 is a clearly correct statement of the law. As discussed with you during our telephone conversation of August 31, 2011, if the Municipal Board were to accept jurisdiction in the circumstances as put forth by Council's Resolution of June 20, 2011, the Municipal Board would be acceding to an interpretation of the *Planning Act* which would allow a Municipal Council to pass a Resolution "that the Site Plan and Development Agreement clauses be approved by the Municipal Board" thus creating a new means by which to have the Ontario Municipal Board conduct a hearing, something clearly not permitted by section 41(12) of the *Planning Act*.

The June 20, 2011 Resolution of Council that it supports approval of the site plan, landscape plan, building elevations and development agreement clauses is a decided matter of Council.

Yours truly

PATTON CORMIER & ASSOCIATES

per:

A handwritten signature in black ink, appearing to read 'Alan R. Patton', written over a horizontal line.

Alan R. Patton

apatton@pattoncormier.ca

ARP/dr

cc: *Ayerswood Development Corporation - via email*
Ontario Municipal Board - Att: Stan Floras - via email