

**LOOPSTRA NIXON** LLP  
BARRISTERS AND SOLICITORS



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**BY COURIER**

November 27, 2017

Office of the City Clerk  
71 Main St. W, 1<sup>st</sup> Floor  
Hamilton, Ontario  
L8P 4Y5

Attention: Rose Caterini, City Clerk

Dear Ms. Caterini,

**Re: Zoning By-law Amendment Application  
195 Wellington Street South, City of Hamilton  
Medallion Developments**

<b>OFFICE OF THE CITY CLERK</b>	
NOV 28 2017	
REF'D TO	_____
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ACTION _____	
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We are the lawyers for Medallion Developments ("Applicant"), the owner of the property municipally known as 195 Wellington Street South, City of Hamilton ("Subject Property"). On February 3, 2014 the Applicant submitted a Zoning By-law Amendment Application ("Application") to the City of Hamilton to permit the development of a 20-storey rental residential apartment addition. A notice of complete application was received from the City on February 28, 2014.

More than three years have passed since the Application was deemed complete. Given the passage of time, our client now seeks to appeal the Application to the Ontario Municipal Board for a hearing pursuant to section 34(11) of the *Planning Act*. The reasons for our clients' appeal are as follows:

1. The City has failed to make a decision regarding the Application within 120 days after it was received;
2. The Subject Property provides an important opportunity to expand the availability of high quality rental housing options in the City of Hamilton;
3. The Application is consistent with the Provincial Policy Statement 2014, conforms with the Growth Plan for the Greater Golden Horseshoe, 2017, and conforms with the Official Plan for the City of Hamilton; and,
4. The Application represents good land use planning, is appropriate for the Subject Property, and is in the public interest.

Please find enclosed along with this notice of appeal, one cheque in the amount of \$300 which represents the filing fees associated with the processing of the appeal. Also enclosed is a copy

[L0906304.1]

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of the completed Ontario Municipal Board Appeal Form (A1).

I would appreciate receiving confirmation of receipt of this notice of appeal and would be pleased to forward any additional information which the Board requires.

I trust this is satisfactory however should you require anything further please do not hesitate to contact the undersigned.

Yours truly,  
**LOOPSTRA NIXON LLP**

A handwritten signature in black ink, appearing to read 'Q. Annibale'.

Per: Quinto M. Annibale