

RUSSELL D. CHEESEMAN
-Barrister & Solicitor-

REAL ESTATE DEVELOPMENT | MUNICIPAL LAW | ENVIRONMENTAL LAW

May 27, 2021

DELIVERED BY COURIER AND E-MAIL

Ms. Andrea Holland
City Clerk
Corporation of the City of Hamilton
71 Main Street West, 15¹ Floor
Hamilton, Ontario
L8P 4Y5

Dear Ms. Holland:

**Re: Notice of Appeals Pursuant to Section 22(7) and 34(11) of the
Planning Act, R.S.O. 1990, c. P. 13, as amended-Mario Roque -3355
Golf Club Road, Gianbrook, City of Hamilton
City of Hamilton File Nos. RHOPA-19-007 & ZAC-19-028**

We are counsel for Mr. Mario Roque, the owners of the above referenced lands in the City of Hamilton.

Mr. Roque, through his land use planning consultants, Corbett Land Strategies Inc., filed applications to amend both the Official Plan and the Comprehensive Zoning By-law of the City of Hamilton in respect of the above referenced property on April 18, 2019. The applications were deemed complete by the City of Hamilton on October 21, 2019.

To date the City of Hamilton has failed to adopt the Official Plan Amendment and neglected to make a decision on the Zoning By-law Amendment.

This letter will serve as our client's Notice of Appeal of Hamilton Council's failure to adopt the requested Official Plan Amendment Application pursuant to Section 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended. This letter will also serve as our client's Notice of Appeal of Hamilton Council's neglect to make a decision on the Zoning By-law pursuant to Section 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Please find enclosed our firm's cheque in the amount of \$2200.00, payable to the "Minister of Finance - Ontario", which we understand to be the required combined fee for these types of appeals. Please also find enclosed one set of completed Form "A1" of the Local Planning Appeal Tribunal, for inclusion with the documentation you will forward to the Local Planning Appeal Tribunal.

Royal Building
277 Lakeshore Road East, Suite 211
Oakville ON L6J 1H9

MLC
Municipal Law Chambers

Toronto Meeting Rooms
Brookfield Place, 161 Bay Street, Suite 2700
Toronto ON M5J 2S1

TELEPHONE: 416-955-9529 | CELLULAR: 416-520-9854 | EMAIL: rdcheese@aol.com | FACSIMILE: 416-955-9532

www.MunicipalLawChambers.com

Our client is of the opinion that the applications as submitted are consistent with the Provincial Policy Statement 2020, issued under Section 3 of the *Planning Act*. We also are of the opinion that the applications are in conformity with the Growth Plan for the Greater Golden Horseshoe, which is the Provincial Plan in effect and applicable to these lands. We believe the applications that were submitted constitute good land use planning.

We trust that you will now prepare a record and forward the prescribed material to the Ontario Municipal Board within fifteen days of the receipt of this notice, in compliance with Sections 22(9) and 34(23) of the *Planning Act*.

Thank you for your cooperation in respect of this matter.

Yours very truly,

A handwritten signature in black ink that reads "R.D. Cheeseman". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Russell D. Cheeseman

cc. Mr. Mario Roque (via e-mail)
Mr. John Corbett (via e-mail)