

ISSUE DATE:

Sept. 28, 2011



PL100691

Ontario
Ontario Municipal Board
Commission des affaires municipales de l'Ontario

Deanlee Management Inc. has appealed to the Ontario Municipal Board under subsection 17(40) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from the failure of the City of Hamilton to announce a decision respecting the Proposed Amendment to the Official Plan for the City of Hamilton on lands composed of Part of Lot 57, Concession 2, in the City of Hamilton (Approval Authority File No. OPA-07-014)
OMB File No. PL100691

Deanlee Management Inc. has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 6593 of the City of Hamilton to rezone lands respecting Part of Lot 57, Concession 2 from "AA-S1353" (Agricultural) District to a site specific "DE" (Low Density Multiple Dwellings) District, Modified and "E" (High Density Multiple Dwellings) District, Modified to implement the Official Plan Amendment
OMB File No. PL100692

Deanlee Management Inc. has appealed to the Ontario Municipal Board under subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from the failure of the City of Hamilton to make a decision respecting a proposed plan of subdivision on lands composed of Part of Lot 57, Concession 2, in the City of Hamilton
(Approval Authority File No. 25T-200712)
OMB File No. PL100706

APPEARANCES:

Parties

Counsel

Deanlee Management Inc.

P. DeMelo

City of Hamilton

N. Smith

Niagara Escarpment Commission

J. Thompson

R. Wolker

**DECISION DELIVERED BY K. J. HUSSEY AND H. E. JACKSON AND
ORDER OF THE BOARD**

The hearing of these Appeals was scheduled to start on September 7, 2011. On consent, the Board allowed the request for an adjournment. The Board was advised

that the latest iteration of the Plan presented by the Applicant, Deanlee Management Inc., was rejected by City Council.

On consent by all Parties, the hearing has been re-scheduled. The Applicant is hopeful that the plan to be presented at the hearing will be finalized by September 16, 2011, and that would allow Parties and Participants enough time to consider the plan and to submit revised witness statements, if necessary.

Mr. Wolker advised the Board that two persons, who were previously identified as Participants, will instead be witnesses. Their Participants' statements will now serve as witness statements. There was no objection to this change.

Hearing Date:

The Board has reserved seven days for this hearing, starting **Monday, December 5, 2011, at 10:30 a.m., continuing December 6, 7, 8, 12, 13 and 14.** The Hearing will be held at:

Council Chambers
Glanbrook Municipal Service Centre
4280 Binbrook Road
Binbrook, Ontario

There will be no further Notice.

This is the Order of the Board.

"K. J. Hussey"

K. J. HUSSEY
VICE-CHAIR

"H. E. Jackson"

H. E. JACKSON
MEMBER