

Jennifer Meader

Turkstra Mazza Associates

15 Bold Street

Hamilton Ontario Canada L8P 1T3

Office: 905.529.3476 x274

Cell: 416.605.0508

jmeader@tmalaw.ca

VIA COURIER

June 20, 2019

Haldimand County
45 Munsee Street North
Cayuga, Ontario
NOA 1E0

Attention: County Clerk

Dear Sir or Madam:

Re: NOTICE OF APPEAL

Development Charges By-law No. 2042/19

Pursuant to Section 14 of the *Development Charges Act, 1997*, S.O. 1997, c.27

Losani Homes (1998) Ltd.

We represent Losani Homes (1998) Ltd. ("**Losani**"), who owns lands and has sold a number of homes within the County of Haldimand (the "**County**"). We hereby appeal Development Charges By-law No. 2042/19 ("**DC By-law**") to the Local Planning Appeal Tribunal ("**LPAT**"), pursuant to section 14 of the *Development Charges Act, 1997*, S.O. 1997, c.27 ("**DC Act**").

Losani's reasons for appeal include, but are not limited to, the following:

1. The costs attributed to growth for the "Gravel Road Conversion" project are not fair, reasonable or in accordance with the DC Act;
2. The benefit to existing development ("BTE") attributed to the "Shoulder Paving" project is not fair, reasonable, or in accordance with the DC Act;
3. The BTE attributed the "Cal-Argyle Street Bridge" project is not fair, reasonable, or in accordance with the DC Act;
4. The cost estimates for the "Caledonia Arterial Road" project are not fair, reasonable, or in accordance with the DC Act;
5. The BTE attributed to the "Future Watermain Replacement" project is not fair, reasonable, or in accordance with the DC Act;

TURKSTRA MAZZA ASSOCIATES

6. The BTE attributed to the "Sanitary Sewer Rehabilitation" and "Sanitary Sewer Repairs" projects is not fair, reasonable, or in accordance with the DC Act;
7. The cost estimates for the "Plant Capital Improvements" project are not fair, reasonable, or in accordance with the DC Act;
8. The methodology for estimating persons per unit for multiple units and apartment units is not fair, reasonable, or in accordance with the DC Act;
9. The cost estimates for the projects included in the Background Study prepared in support of the DC By-law are not fair, reasonable, or in accordance with the DC Act;
10. The costs attributed to BTE for certain projects included in the Background Study are not fair, reasonable, or in accordance with the DC Act;
11. The costs attributed to growth outside the ten-year period of the DC By-law for certain projects included in the Background Study are not fair, reasonable, or in accordance with the DC Act; and
12. The appropriate statutory deductions for excess capacity and government grants have not been made for a number of the projects included in the Background Study.
13. The proposed DC By-law will result in a charge that will exceed the average level of service provided in the County over the previous ten years.

As additional information is acquired through the appeal process, we reserve the right to raise additional issues.

Enclosed in support of this appeal, please find:

1. The LPAT's Appellant Form A1; and
2. A cheque in the amount of \$300, payable to the Minister of Finance as the LPAT's required appeal fee.

Should you have any questions or require any additional information, please do not hesitate to contact us. Otherwise, we thank you for your receipt of this appeal package.

Yours truly,



Jennifer Meader
JM/jm

C. William Liske, Losani Homes
Daryl Keleher, Altus Group

TURKSTRA MAZZA ASSOCIATES