



ONTARIO

ONTARIO MUNICIPAL BOARD

123 EDWARD ST.
TORONTO 101
TELEPHONE : 965-1912

PLEASE QUOTE FILE NO.
R8823

October 18, 1972

Mr. L. C. Hunt,
Clerk-Treasurer,
P.O.Box 400,
43 South Pelham Street,
Fonthill, Ontario.

RECEIVED

OCT 23 1972

TOWN OF PELHAM

Dear Sir:

Re: Town of Pelham -
Restricted Area By-law 121 (1971)

We are enclosing herewith copy of the Order of
the Board made on the 21st day of Sept. in
1972
connection with the above-mentioned application.

Yours very truly,

(Two) Peter Saruya

C. Saruyama
Supervisor - Planning Administration.

Encl.
:dm



R8823

ONTARIO MUNICIPAL BOARD

IN THE MATTER OF Section 35 of
The Planning Act (R.S.O. 1970,
c. 349),

- and -

IN THE MATTER OF an application
by The Corporation of the Town
of Pelham for approval of its
Restricted Area By-law 121 (1971)

B E F O R E :

H.H. LANCASTER,

Member

THURSDAY, the 21st day

of SEPTEMBER, 1972

THIS APPLICATION having come on for public hearing on the 28th day of July, 1972 at the Town of Pelham in the presence of counsel for the applicant corporation, counsel for an interested party and of a number of interested persons; and upon hearing those appearing in support of the by-law and those appearing in opposition thereto; and it appearing that notice of hearing had been given in accordance with the directions of the Board; upon hearing the evidence adduced and submissions by those as aforesaid, and the Board having reserved its decision until this day;

THE BOARD ORDERS, under and in pursuance of the legislation hereinbefore referred to, and of any and all other powers vested in the Board, that By-law 121(1971)



R8823

ONTARIO MUNICIPAL BOARD

- 2 -

passed the 12th day of October, 1971, be and the
same is hereby approved.

SECRETARY

H. Anderson



ENTERED
O. B. No. <i>118</i>
Folio No. 31
OCT 19 1972
<i>H. Anderson</i>
SECRETARY, ONTARIO MUNICIPAL BOARD



R8823

ONTARIO MUNICIPAL BOARD

IN THE MATTER OF Section 35 of
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B E F O R E :

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THE BOARD ORDERS, under and in pursuance of the legislation hereinbefore referred to, and of any and all other powers vested in the Board, that By-law 121(1971)



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ONTARIO MUNICIPAL BOARD

- 2 -

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K.C. ANDREWS
SECRETARY

ENTERED
O. B. No. <i>118</i>
Folio No. <i>31</i>
OCT 19 1972
<i>K.C. Andrews</i>
SECRETARY, ONTARIO MUNICIPAL BOARD



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ONTARIO MUNICIPAL BOARD

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SEP 25 1971

IN THE MATTER OF Section 35 of
The Planning Act (R.S.O. 1970,
c. 349),

TOWN OF PELHAM

- and -

IN THE MATTER OF an application
by The Corporation of the Town
of Pelham for approval of its
Restricted Area By-law 121(1971)
passed the 12th day of October,
1971

C O U N S E L :

T. H. Baker, Q.C. - for the Town of Pelham
J. C. Shapland - for Jedfro Investments Limited

DECISION OF THE BOARD delivered by H. H. LANCASTER

The applicants are applying to rezone a parcel of land,
as described in the proposed by-law, from Open Space to
Commercial to permit the construction of a community shopping
plaza.

The evidence adduced at the hearing indicated that the
area would support a convenience type shopping plaza such as
this, emphasizing the fact that most shopping was presently
done outside of the community.

The proposed shopping centre will be comprised of a
commercial development totalling between fifty and sixty
thousand square feet, approximately 120,000 square feet for
parking and service, and an additional 85,000 square feet
set aside for mall, courtyard and landscaped areas. The
buildings will vary in height from one floor to a maximum of
three floors.

Parking facilities for 250 cars are planned, based on
the ratio of 5.5 cars per 1,000 square feet of gross leasable
space; and traffic flow in and out of the proposed centre would
not substantially affect the flow of traffic on adjacent

0032-105

Canboro Road.

Two objections were voiced at the hearing; the first by a resident to the east of the site who is presently affected as a result of poor drainage from the site, and who felt that the project would only add to the problem; and the second, by a resident whose home is located some 300 to 350 feet southerly of the site. This objector felt that the increased noise potential of the project together with its close proximity would possibly lessen the value of her land and perhaps lead to a certain amount of trespassing.

The evidence indicated that the municipality is already taking the necessary steps to alleviate the existing drainage problem, and that fencing and landscaping would effectively diminish any noise or trespassing problems which otherwise might arise.

The Board is of the opinion that the proposed neighbourhood shopping plaza is a viable project located adjacent to the existing commercial centre of the town and will therefore grant the application and approve the by-law.

DATED at Toronto this 21st day of September, 1972.


H. H. LANCASTER
MEMBER