

R 890710

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

IN THE MATTER OF Section 34(26) of
the Planning Act, 1983

- and -

IN THE MATTER OF an appeal to this
Board by Muriel Peppler for an order
disallowing the passing of a Town of
Pelham Zoning By-law 1283 (1989) to
rezone lands comprised of Lot 9 on
Registered Plan M-64 known as
Berkwood Place, in the Town of Pelham
from an Open Space, O.S. Zone 2 in
Residential 1 R1-88 Zone

C O U N S E L :

T.A. Bielby

- for Town of Pelham

DISPOSITION as noted on Hearing Sheet dated March 9, 1990

Muriel Peppler's concern relates to a proposal by the municipality to install a public walkway on part of the land in question. None of her concerns or arguments filed as Exhibits M7 and M8 and added to orally at the hearing of the motion deals with the merits of the rezoning from Open Space to Residential use. Instead, they deal with the impact of the proposed walkway, and her opinion that the proposed walkway is not a permitted use in either an open space zone or a residential zone.

Since the appeal has no bearing on the matter before the Board, the Board will grant the motion to dismiss the appeal on the grounds that the objection is insufficient pursuant to Section 34(26) of the Planning Act.

TOWN OF PELHAM REFERRED TO:	
MAYOR	<input type="checkbox"/>
COUNCIL	<input type="checkbox"/>
P. W. & U.	<input type="checkbox"/>
P. & D.	<input checked="" type="checkbox"/>
FINANCE	<input type="checkbox"/>
STAFF	<input type="checkbox"/>
OTHER <u>INFO.</u>	

P.G. WILKES
MEMBER

file - Town of Pelham rezoning
Berkwood lot



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as Berkwood Place, in the Town of
Pelham from an Open Space, O.S. Zone
2 in Residential 1 R1-88 Zone

B E F O R E :

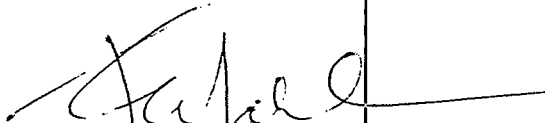
P.G. WILKES
Vice-Chairman

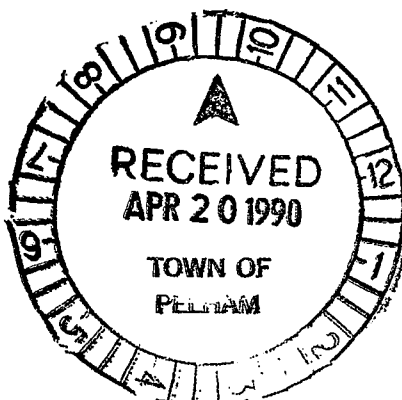
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Friday, the 9th day
of March, 1990


UPON MOTION to this Board to dismiss the appeal and the motion having
been granted;

THE BOARD ORDERS that this appeal is hereby dismissed.


SECRETARY

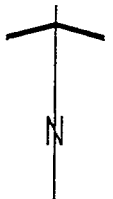
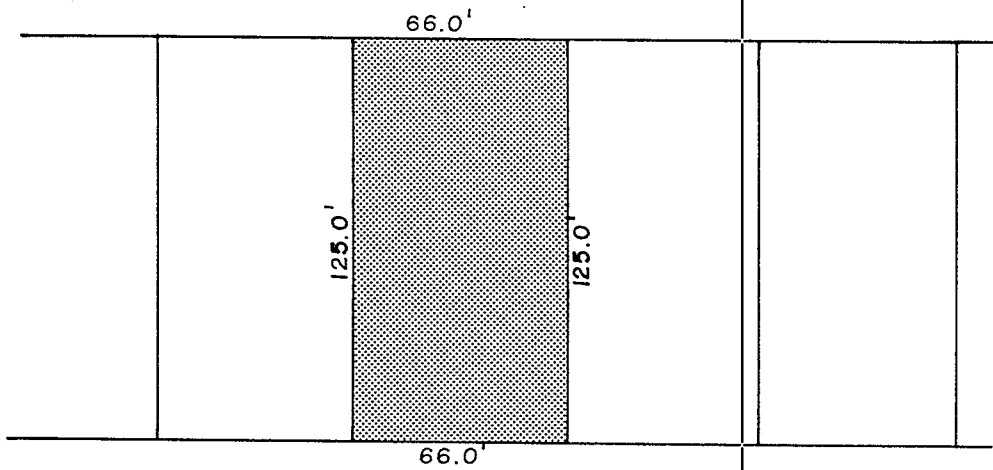


TOWN OF PELHAM REFERRED TO:	
MAYOR	<input type="checkbox"/>
COUNCIL	<input checked="" type="checkbox"/>
P. W. & U.	<input type="checkbox"/>
P. & D.	<input type="checkbox"/>
FINANCE	<input type="checkbox"/>
STAFF	<input type="checkbox"/>
OTHER INFO. -	
all members	

ENTERED
O.C. No. R.89-1
Folio No. 350
APR 17 1990

SECRETARY, ONT. MUNICIPAL BOARD

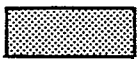
KATHY

BERKWOOD PLACE



1" = 600'

TOWN OF PELHAM



CHANGE FROM OPEN SPACE
TO RI-88 ZONE

THIS IS SCHEDULE A TO BY-LAW No. 1283(1989)
PASSED THIS 2 DAY OF October, 1989.

MAYOR

Paul Hollen

CLERK

Mary Hackett