

**Ontario
Municipal
Board**

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**Commission des
affaires municipales
de l'Ontario**

655 rue Bay Bureau 1500
Toronto ON M5G 1E5
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RECEIVED

MAR 26 1998

TOWN OF PELHAM
CAO'S DEPT.



RECEIVED

MAR 26 1998

TOWN OF PELHAM
PLANNING DEPT.

March 24, 1998

The Clerk
Town of Pelham
Box 400
Fonthill ON LOS 1E0

Re: OMB File No. R940060, R970378, Case No. PL943362
By-laws 1609(1993) and 1945
Appeals by Art and Carla Hines

The Board has received correspondence advising that the above-mentioned appeals have been withdrawn, therefore, the Board has closed its files.

In accordance with Section 34(23.1) of the Planning Act, please proceed to finalize this matter.

Yours truly,

Gillian Burton
Acting Secretary

OB

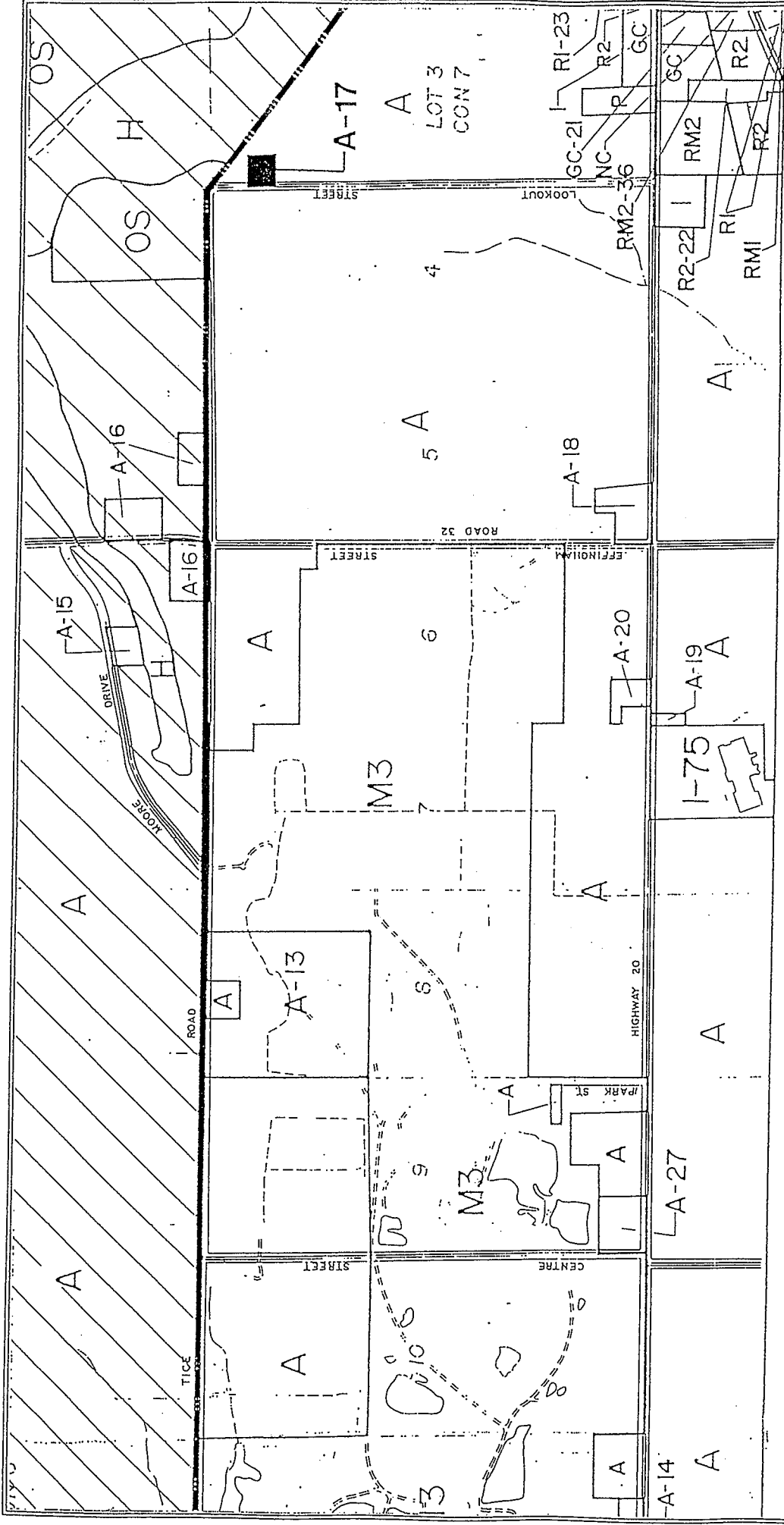
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Municipal Affairs had not been dealt with. This application was not before the Board. The evidence of the planner for the Town was that the approval of the by-law would not prejudice the processing of the application for condominium approval in the future and that the zoning should be in place before considering the condominium application. Mr. Connolly made it clear that he had no concerns or objections to By-law 1945 as approved by Council in November 1997 and now before the Board. The Board appreciated his candor.

The Board allows the motion and orders dismissal of the appeal by Mr. Connolly.

Counsel for NCU asked the Board to award costs against Mr. Connolly. Mr. Connolly is an informed individual who has been involved with development in the community. He has retained well-recognized experts in the past. He was unrepresented in this matter and is presently in bankruptcy. While somewhat academic to establish an amount for costs under the circumstances, the Board does find that Mr. Connolly should have known to take measures to clarify that he had no remedy for his concerns regarding the condominium application by appealing the by-law to which he admittedly had no objection. The Board awards costs of \$500. against Mr. Connolly to be paid to the applicant of this motion to cover part of the cost of the motion.

Finally, because of the decision to dismiss the appeal of Mr. Connolly, the Board has the undertaking of Mr. Bonomi, counsel for Mr. and Mrs. Hines, to submit the appropriate letter(s) from the Hines withdrawing their referral request of a portion of Official Plan Amendment 24 and withdrawing their appeals to Zoning By-laws 1609 and 1945 to the Board within the next few days. The intent of these withdrawals is to see By-law 1945 come into effect thus ending a nine-year saga of trying to legalize the subject property and



CHANGED TO A-17

Legend

SYMBOL	ZONE
A	AGRICULTURAL
R1	RESIDENTIAL 1
R2	RESIDENTIAL 2
RM1	RESIDENTIAL MULTIPLE 1
RM2	RESIDENTIAL MULTIPLE 2
I	INSTITUTIONAL
GC	GENERAL COMMERCIAL
NC	NEIGHBOURHOOD COMMERCIAL
M3	EXTRACTIVE INDUSTRIAL
P	PUBLIC USES
OS	OPEN SPACE
■	N.E.C. PLAN BOUNDARY

NOTE: Section 6.37 provides that this zoning by-law shall have no effect within the A.I.C. District of Pelham, as defined by provincial legislation.

THIS IS SCHEDULE 'A4' TO BY-LAW No. 1136(1987)
PASSED THIS 23 DAY OF JUNE 1987.

E. J. Bergeron
MAYOR
M. J. Miller
CLERK



M. J. MILLER O'NEILL

SCHEDULE 'A4'

To By-law No. 1136(1987)
TOWN OF PELHAM

This is Schedule "B" to By-Law #1609(1993) passed this 20th day of December, 1993.

M. J. Miller
Mayor
M. J. Miller
Clerk

SCHEDULE 'A5'
TO BY-LAW NO.
1136(1987)

TOWN OF PELHAM

- M1 LIGHT INDUSTRIAL
- M2 GENERAL INDUSTRIAL
- A AGRICULTURAL
- R1 RESIDENTIAL 1
- R2 RESIDENTIAL 2
- R3 RESIDENTIAL 3
- RM1 RESIDENTIAL MULTIPLE 1
- RM2 RESIDENTIAL MULTIPLE 2
- RD RESIDENTIAL DEVELOPMENT

- GC GENERAL COMMERCIAL
- NC NEIGHBOURHOOD COMMERCIAL
- I INSTITUTIONAL
- P PUBLIC USES
- OS OPEN SPACE
- H HAZARD



N.E.C. PLAN BOUNDARY
NOTE: Section 6.37 provides that this zoning by-law shall have no effect within the N.E.C. Development Control Area, as defined by provincial regulation.



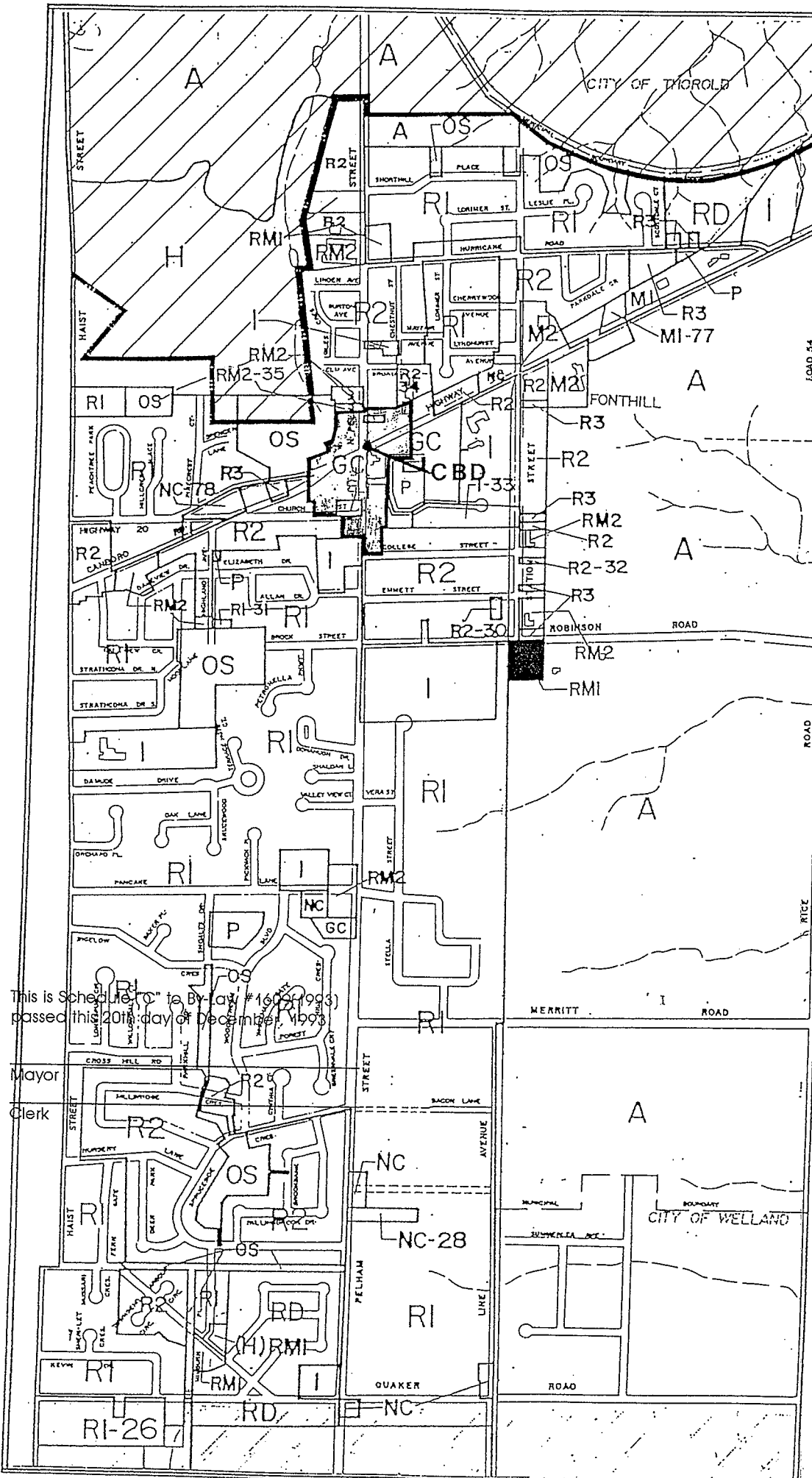
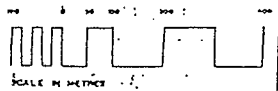
CHANGED
TO RM1

This is Schedule "C" to By-Law #1609(1993) passed this 20th day of December, 1993.

K. D. Bollens
Mayor
Murray Hackett
Clerk

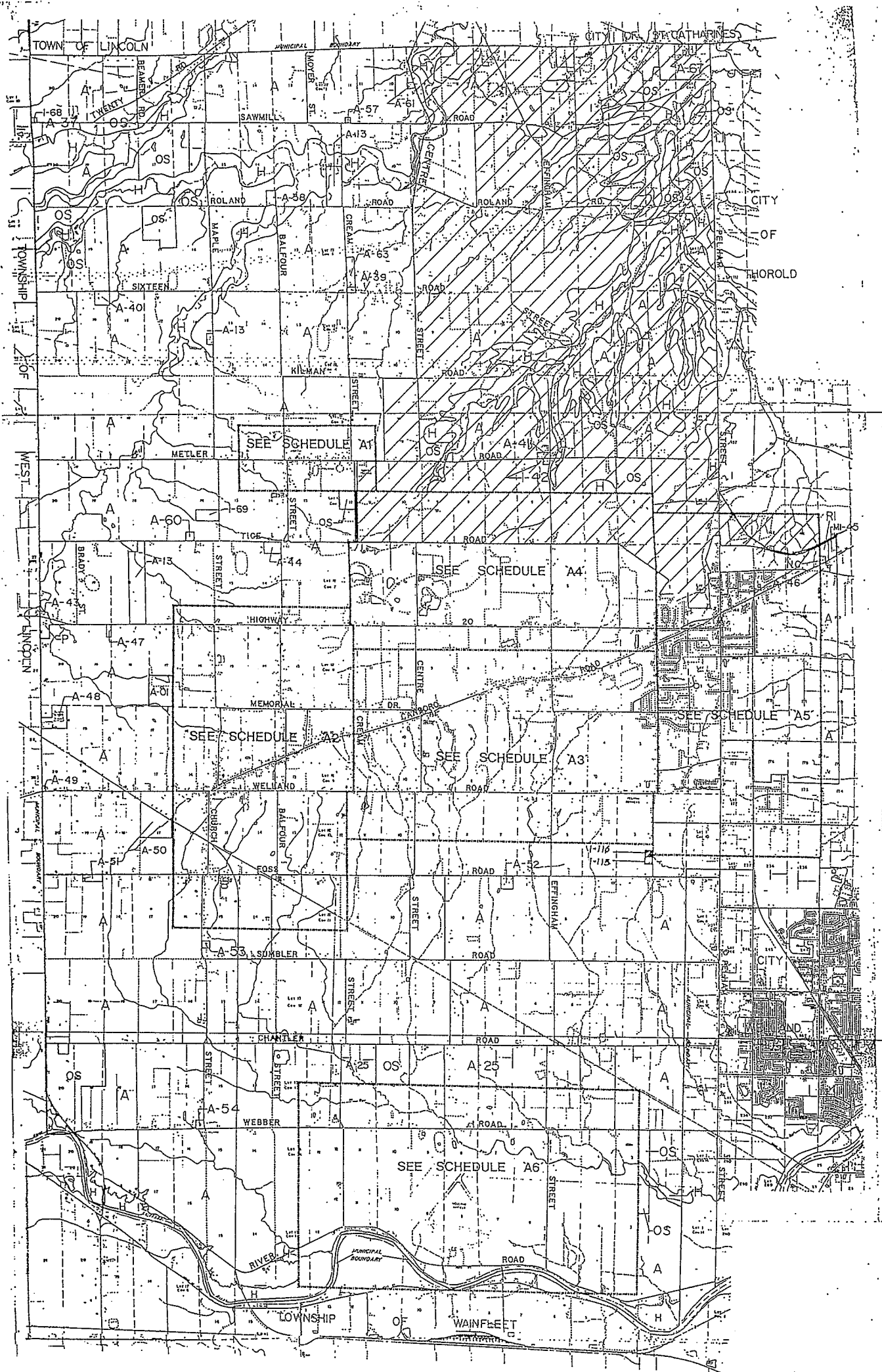
THIS IS SCHEDULE 'A5' TO BY-LAW NO. 1136(1987) PASSED THE 27th DAY OF JANUARY 1987.

E.S. Bergenstam
Mayor
Murray Hackett
Clerk



This is Schedule "C" to By-Law #1609(1993) passed this 20th day of December, 1993.

Mayor
Clerk



SCHEDULE "A"
To By-law No. 1136(1987)

Town of Pelham

REGIONAL MUNICIPALITY OF NIAGARA

This is Schedule "A" to By-Law #1609(1993),
passed this 20th day of December, 1993.

Ind. Gollins
Mayor
Mary Hackett
Clerk

CHANGED TO I-115

- A AGRICULTURAL
- SR SPECIAL RURAL
- RV1 RESIDENTIAL VILLAGE 1
- RV2 RESIDENTIAL VILLAGE 2
- RMV1 RESIDENTIAL MULTIPLE VILLAGE 1
- RMV2 RESIDENTIAL MULTIPLE VILLAGE 2
- R1 RESIDENTIAL 1
- R2 RESIDENTIAL 2
- R3 RESIDENTIAL 3
- RM1 RESIDENTIAL MULTIPLE 1
- RM2 RESIDENTIAL MULTIPLE 2
- RD RESIDENTIAL DEVELOPMENT

CHANGED TO I-116

- NC NEIGHBOURHOOD COMMERCIAL
- GC GENERAL COMMERCIAL
- CR COMMERCIAL RURAL
- M1 LIGHT INDUSTRIAL
- M2 GENERAL INDUSTRIAL
- M3 INDUSTRIAL EXTRACTIVE
- I INSTITUTIONAL
- P PUBLIC
- OS OPEN SPACE
- H HAZARD
- AR AIRPORT
- N.E.C. PLAN BOUNDARY

THIS IS SCHEDULE "A" TO BY-LAW #1136(1987)
PASSED BY THE TOWN OF PELHAM
ON 23rd day of December, 1993
Mary Hackett
Clerk