



MILLER O'DELL & PAUL

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REPLY TO:

March 2, 1989

Mr. Z. Weing
Senior Planner
Plans Administration Branch
Ministry of Municipal Affairs
777 Bay Street
Toronto, Ontario
M5G 2E5

Dear Mr. Weing:

Pelham Official Plan
Amendments 7, 13 and 14
Ministerial Approval

Further to our ongoing meetings relative to those policy sections and land use designations of the above noted amendments, that have not been approved, modified, or deferred by the Ministry, I trust the following will be of assistance in your consideration of same.

Prompt attention by the Ministry in the disposition of these amendments would be appreciated as the Ontario Municipal Board is awaiting direction so that it can proceed with the establishment of "appointment for hearing" for Official Plan Amendment No. 16 of the Regional Plan and the Municipality's Comprehensive Zoning By-law.

1. Amendment No. 16 to the Official Plan
for the Niagara Planning Area

The Town of Pelham, in Amendment No. 7, designated two areas for urban purposes that were outside of the approved urban area boundaries. As a result, the Municipality initiated Amendment No. 16 to the Regional Plan and during the interim, while said amendment was being considered, the Ministry of Municipal Affairs deferred said areas (Section 14(3)) as part of the approval process of Amendment No. 7 to the Pelham Plan. The Land Use Plan, Schedule "A" to the Pelham Official Plan presently refers to these areas as Area 2 and Area 3.

PALS has objected to this portion of Amendment No. 7 to the local plan, and Amendment No. 16 to the Regional Plan, which culminated in Municipal Affairs attempting to mediate a resolution on 1988 06 23. This attempt was unsuccessful and, therefore, the matter should be considered by the Board.

- 3 and 4 - This deferral has already been addressed under Item 1 above - Amendment No. 16.
- 5 and 6 - This deferral has already been addressed under Item 1 above - Amendment No. 16.
- 7 and 8 - This deferral was subject of considerable discussion and is discussed further under the Recreation and Open Space policies of Amendment No. 13.
- 9 and 10 - This deferral was a result of a letter of objection from Mr. A. Wellenreiter. This Ministry should pursue the status of this objection to determine if the matter should be deferred further or alternatively referred to the Ontario Municipal Board.
- 11 and 12 - This deferral pertains to the issue of floodplain mapping and should be deferred until such time as the Minister of Natural Resources considers flood reduction criteria for the Region.
- 13 - This deferral pertains to the issue of permitting open space recreational uses in the agricultural area. A response from the Region is still pending.
- 14 and 15 - This deferral should be maintained at this time as the forthcoming signing of the "memorandum of understanding" by the various parties (e.g. Town of Pelham, Regional Niagara, Ministry of Natural Resources, Ministry of Agriculture and Food, and so on) will establish the required direction for policy preparation and land use designation for the mineral aggregate resource areas of the Kame.

3. Amendment No. 13 to the Official Plan for the Pelham Planning Area

Amendment No. 13 was addressing the following matters:

- o Mineral aggregate policies
- o Finalization of recreation and open space policies
- o Completion of airport and related policies
- o Granny flat policies
- o Pelham-Welland boundary adjustments

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"Notwithstanding the agricultural designation of the three existing golf courses and the two private parks as illustrated on Schedule A, these existing recreational uses will be appropriately recognized in the implementing zoning by-law. This will allow the existing uses to continue. Additional uses and/or expansions shall be permitted providing the proposed use or expansion is, related to and in keeping with the nature of the existing use. The proposal shall be evaluated based upon:

1. Demonstration of the need for and desirability of the operation;
2. Reasonable regard for the Environmental, Agricultural and other policies and designations of the Plan;
3. Reasonable compatibility with existing surrounding land uses.

Should it be determined that the proposed use and/or expansion dramatically alters the intensity or scope of the existing use or does not comply with criteria 1, 2 or 3 above, then a zoning by-law amendment will be required."

- o Airport and Related Policies - as previously noted, Mr A. Wellenreiter has objected to this policy section. The Ministry should be exploring this matter to determine the status of objection.
- o Pelham-Welland Boundary Adjustment - This matter can be approved by the Ministry as previously discussed.

4. Amendment No. 14 to the Official Plan for the Pelham Planning Area

Amendment No. 14 provided for housekeeping changes to the land use plan, changes to the Group Home policies, and changes to the Extractive Industrial policy section. Based upon our meeting, it was agreed that the Ministry:

- o Approve Item 1 - changes to land use plan - of Amendment No. 14.
- o Defer item 2 - Extractive Industrial policy section - as subject of the "memorandum of understanding".
- o Delete Item 3 and replace with the following:

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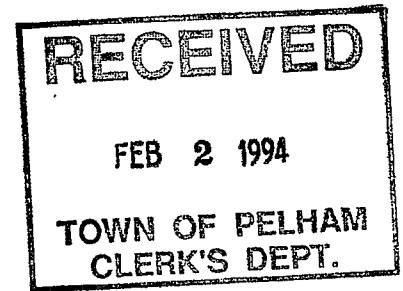


Ministry of
Municipal
Affairs

Ministère des
Affaires
municipales

BY-LAW 815
(1982)

January 31, 1994



Mr. M. Hackett
Clerk
Town of Pelham
P.O. Box 400
20 Pelham Town Square
Fonthill, Ontario
L0S 1E0

Dear Mr. Hackett:

Subject: Partial Approvals to Amendment No. 7 of the
Town of Pelham Official Plan
Our File: 26-OP-3875-007

As you know, a number of partial approvals have been given to this amendment, over the past ten years. To ensure that you have copies of each of those decisions, I am enclosing copies of those approval pages for your files.

If you have any questions, please contact me at (416) 585-6084.

Yours truly,

Anthony Brenders
Planner
Plans Administration Branch
Central and Southwest

Attachments

