

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: November 30, 2020

CASE NO(S):

PL141141

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	Regional Municipality of Niagara
Subject:	Proposed Official Plan Amendment No. 26-OP-133510
Municipality:	Upper Tier of Niagara
LPAT Case No.:	PL141141
LPAT File No.:	PL141141
LPAT Case Name:	Regional Municipality of Niagara v. Ministry of Municipal Affairs and Housing

Heard: August 14, 2020 by telephone conference call

APPEARANCES:

Parties

Counsel

Regional Municipality of Niagara

D. Gibbs

Ministry of Municipal Affairs and
Housing

J. A. Beamish and J. Page

**MEMORANDUM OF ORAL DECISION DELIVERED BY M. A. SILLS ON AUGUST 14,
2020 AND ORDER OF THE TRIBUNAL**

[1] The parties have reached a settlement regarding a partial appeal by the Regional Municipality of Niagara (the "Region") of the decision of the Ministry of Municipal Affairs and Housing (the "MMAH") in respect to Regional Policy Plan Amendment No. 3-2013.

[2] The appeal is specific to a modification to the Wellandport Hamlet boundary on Schedules A and B, and the withholding of a decision on the Wainfleet Hamlet boundaries.

[3] At the direction of the Tribunal on June 12, 2020, the Region prepared and forwarded revised mapping to the MMAH for review. The parties have now reached a consensus on the appropriate mapping and concur that it is now appropriate for the Tribunal to approve Schedules “A” and “B”, as modified.

[4] Contextual and land use planning evidence was provided by way of Affidavit of Diana Morreale. Ms. Morreale, the Director of Development Approvals for the Region attended on the call, as did MMAH planners Adam Didycz and Lewis Bitonti.

[5] Ms. Morreale testified the revised mapping is consistent with the Provincial Policy Statement, 2020 and conforms to the Provincial Growth Plan for the Greater Golden Horseshoe, 2020.

ORDER

[6] The Tribunal orders that the appeal is allowed in part, and directs as follows:

1. Schedules “A” and “B” to Regional Official Amendment No. 3-2013 are modified as follows:
 - a) The boundary for the Hamlet of Wellandport as located in the Township of West Lincoln is modified as shown on Schedule 1 attached hereto;
 - b) The boundary for the Hamlet of Wellandport as located in the Township of Wainfleet is modified as shown on Schedule 2 attached hereto;

- c) The boundary for the Hamlet of Ostryhon Corners in the Township of Wainfleet is modified as shown on Schedule 3 attached hereto;
and
 - d) The boundary for the Hamlet of Chambers Corners in the Township of Wainfleet is modified as shown on Schedule 4 attached hereto.
2. Schedules “A” and “B” to Regional Official Plan Amendment No. 3-2013 are approved as modified in paragraph 1.

“M. A. Sills”

M. A. SILLS
VICE-CHAIR

If there is an attachment referred to in this document,
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Local Planning Appeal Tribunal

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