

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



**ISSUE DATE:** November 19, 2014

**CASE NO(S):** PL050179

Ponderosa Nature Resort has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's neglect to enact a proposed amendment to the Official Plan for the Town of Flamborough now the City of Hamilton, to redesignate land composed of Part of Lot 34, Concession 7 from Open Space and Recreation to Residential Mobile Home Park to permit the existing use of the property  
OMB File No. O050032

Ponderosa Nature Resort has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's neglect to enact a proposed amendment to Zoning By-law 90-145-Z of the City of Hamilton to rezone lands respecting Part of Lot 34, Concession 7 from Recreation Open Space "O3-3" and Conservation Management "CM" to Residential Mobile Home Park "R-9" to permit the existing use of a mobile home park  
OMB File No. Z050024

Heard: November 17, 2014 by telephone conference call

**APPEARANCES:**

**Parties**

**Counsel**

Ponderosa Nature Resort

Manfred Rudolf

City of Hamilton

Dennis Perlin

**MEMORANDUM OF ORAL DECISION DELIVERED BY J. de P. SEABORN ON  
NOVEMBER 17, 2014 AND ORDER OF THE BOARD**

[1] A hearing by way of telephone conference call was convened in respect of an appeal by Ponderosa Nature Resort ("Applicant"). The Applicant seeks an official plan

amendment and zoning by-law amendment to facilitate its proposal to operate a Residential Mobile Home Park. A re-designation of the lands from Open Space and Recreation (under the former Town of Flamborough Official Plan) to Residential Mobile Home Park is required as well as re-zoning to permit the proposed use.

[2] The Applicant requires certificates of approval to address water and sewage issues and while the applications for the appropriate permits have been made, they remain under consideration by the Ministry of Environment.

[3] As a result, Mr. Rudolf and Mr. Perlin jointly requested that a pre-hearing date be set for the Spring of 2015. It is their hope that the sewage and water approvals will be in place (or, at the least, there will be some indication of when, and if, they will be issued). Given the amount of time that has passed since the initial pre-hearing in this matter the Applicant will give notice of the next pre-hearing conference in accordance with the provisions of the *Planning Act*. The hearing for which notice shall be given is set for **Thursday, April 2, 2015 at 10 a.m. in the City of Hamilton**. The City will book the space and advise the Board accordingly.

[4] I am not seized of the next pre-hearing. However, I will case manage the matter in the event a further telephone conference call is required in advance of the April 2015 pre-hearing. In this regard, counsel should contact the Case Coordinator and arrange a date and time if such a call is necessary.

*"J. de P. Seaborn"*

J. de P. SEABORN  
VICE CHAIR

**Ontario Municipal Board**

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