

## THE REGIONAL MUNICIPALITY OF NIAGARA

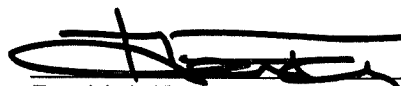
### OFFICIAL PLAN AMENDMENT NO. 50

Sparrow Lakes Golf Course Expansion

Town of Pelham

Amendment No. 50 to the Official Plan of the Town of Pelham, which was adopted by the Council of the Town of Pelham, is hereby approved under Section 17 of the Planning Act.

DATE: May 3, 2005

  
\_\_\_\_\_  
David J. Farley  
Director of Planning and Development  
Regional Municipality of Niagara

**AMENDMENT NO. 50  
TO THE  
OFFICIAL PLAN  
OF THE  
TOWN OF PELHAM**

**CERTIFIED COPY OF  
BY-LAW NO. 2633 (2005)  
ADOPTING OFFICIAL PLAN AMENDMENT NO. 50**

THE CORPORATION OF THE  
TOWN OF PELHAM

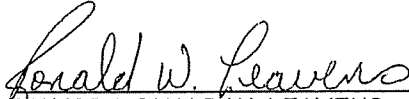
BY-LAW NO. 2633 (2005)

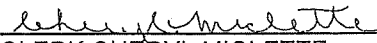
Being a by-law to adopt Amendment No. 50 to  
the Official Plan of the Town of Pelham.

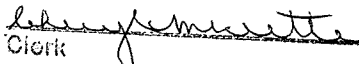
THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM IN  
ACCORDANCE WITH THE PROVISION OF THE PLANNING ACT, R.S.O. 1990, AS  
AMENDED, HEREBY ENACTS AS FOLLOWS:

- (1) Amendment No. 50 to the Official Plan of the Town of Pelham, consisting of the attached text and Schedule A, is hereby adopted.
- (2) THAT the Clerk is hereby authorized and directed to make application to the Regional Municipality of Niagara for approval of the aforementioned Amendment No. 50 to the Official Plan of the Town of Pelham.
- (3) THAT this by-law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME  
AND FINALLY PASSED BY COUNCIL THIS  
17TH DAY OF JANUARY, 2005 A.D.

  
MAYOR RONALD W. LEAVENS

  
CLERK CHERYL MICLETTE

THE CORPORATION OF THE  
TOWN OF PELHAM  
GENERAL COUNCIL  
  
Clerk

AMENDMENT NO. 50  
TO THE OFFICIAL PLAN  
FOR THE TOWN OF PELHAM  
PART 1 - PREAMBLE

**1.1 TITLE**

This Amendment when approved shall be known as Amendment No. 50 to the Official Plan for the Town of Pelham.

**1.2 COMPONENTS**

This Amendment consists of the explanatory text and the attached map identified as Schedule 'A'. This preamble does not constitute part of the actual Amendment, but is included as background information.

**1.3 PURPOSE**

The purpose of the Amendment is to amend the policies of the Good General Agricultural designation in order to permit the additional use of lands for golf course purposes.

**1.4 LOCATION**

As shown on the attached Schedule 'A', the subject lands are located on both the north and south side of River Road, at the easterly limit of the Town of Pelham. The lands are composed of part of Lot 2, Concession 14, in the former Township of Pelham, now in the Town of Pelham.

**1.5 BASIS**

The subject lands are currently designated Good General Agricultural according to the Town's Official Plan. The basis of the Amendment is to permit the expansion of the existing golf course located to the east in the City of Welland. The resulting golf course expansion conforms with the requirements of the Provincial Policy Statement, Regional Policy Plan and Pelham Official Plan.

## **PART 2 - THE AMENDMENT**

### **2.1 PREAMBLE**

All of this part of the document is entitled PART 2 - THE AMENDMENT, consisting of the explanatory text and the attached map identified as Schedule 'A' constitute Amendment No. 50 to the Official Plan of the Town of Pelham.

### **2.2 DETAILS OF THE AMENDMENT**

#### **Text Amendment**

The following subsection is added to Section 1.10.1:

- "i) In addition to the uses permitted by Policy 1.10.1, the lands occupying Part of Lot 2, Concession 14, and located on both the north and south side of River Road at the easterly limit of the Town of Pelham, and having a total area of approximately 21 hectares, may be used for a golf course."

#### **Map Amendment**

Schedule 'A' to the Official Plan for the Town of Pelham, is hereby modified to recognize the establishment of a golf course on lands identified on Schedule A attached hereto and forming part of this Amendment.

### **2.3 IMPLEMENTATION**

This Amendment will be implemented by the enactment of an amending Zoning By-law to reflect the general intent of this Amendment.

File Nos. AM-02/04

Applicants: 9925480 Ontario Inc. and Rose Porkolab

Assessment Roll Nos.: 2732-030-017-13001 and 2732-030-017-13000

Planning Report No.: P-50/04

L:\BY-LAWS\Official Plan\No. 50 Sparrow Lakes Golf Club.wpd



Metric Scale:  
1:7,500

# SCHEDULE 'A'

## Official Plan Amendment No. 50

UNOPENED  
ROAD  
ALLOWANCE

Con. XIV

Lot 3

Wooded Area Boundary

CITY  
OF  
WELLAND

PELHAM ROAD

COLBECK DRIVE

RIVER ROAD

Lot 2

WELLAND RIVER

TOWNSHIP  
OF  
WAINFLEET

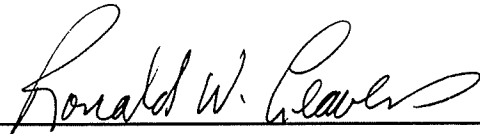
MUNICIPAL — BOUNDARY

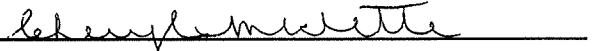
Subject Lands



**TOWN OF PELHAM  
CERTIFICATE  
OFFICIAL PLAN OF THE  
TOWN OF PELHAM  
AMENDMENT NO. 50**

The attached map and text, constituting Amendment No. 50 to the Official Plan of the Town of Pelham, was prepared by the Pelham Planning Services Department and was adopted by the Corporation of the Town of Pelham by By-law No. 2633 (2005) in accordance with Section 17 of the Planning Act, R.S.O. 1990, as amended, on the 17th day of January, 2005.

  
MAYOR

  
CLERK



**CERTIFIED COPY OF  
OFFICIAL PLAN AMENDMENT NO. 50**

**AMENDMENT NO. 50  
TO THE OFFICIAL PLAN  
FOR THE TOWN OF PELHAM**

**PART 1 - PREAMBLE**

**1.1 TITLE**

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The purpose of the Amendment is to amend the policies of the Good General Agricultural designation in order to permit the additional use of lands for golf course purposes.

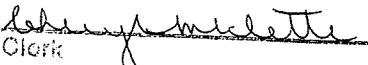
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**1.5 BASIS**

The subject lands are currently designated Good General Agricultural according to the Town's Official Plan. The basis of the Amendment is to permit the expansion of the existing golf course located to the east in the City of Welland. The resulting golf course expansion conforms with the requirements of the Provincial Policy Statement, Regional Policy Plan and Pelham Official Plan.

TOWN OF PELHAM  
TOWN OF PELHAM  
CERTIFIED TRUE COPY

  
Clerk

## **PART 2 - THE AMENDMENT**

### **2.1 PREAMBLE**

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#### **Text Amendment**

The following subsection is added to Section 1.10.1:

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#### **Map Amendment**

Schedule 'A' to the Official Plan for the Town of Pelham, is hereby modified to recognize the establishment of a golf course on lands identified on Schedule A attached hereto and forming part of this Amendment.

### **2.3 IMPLEMENTATION**

This Amendment will be implemented by the enactment of an amending Zoning By-law to reflect the general intent of this Amendment.

File Nos. AM-02/04

Applicants: 9925480 Ontario Inc. and Rose Porkolab

Assessment Roll Nos.: 2732-030-017-13001 and 2732-030-017-13000

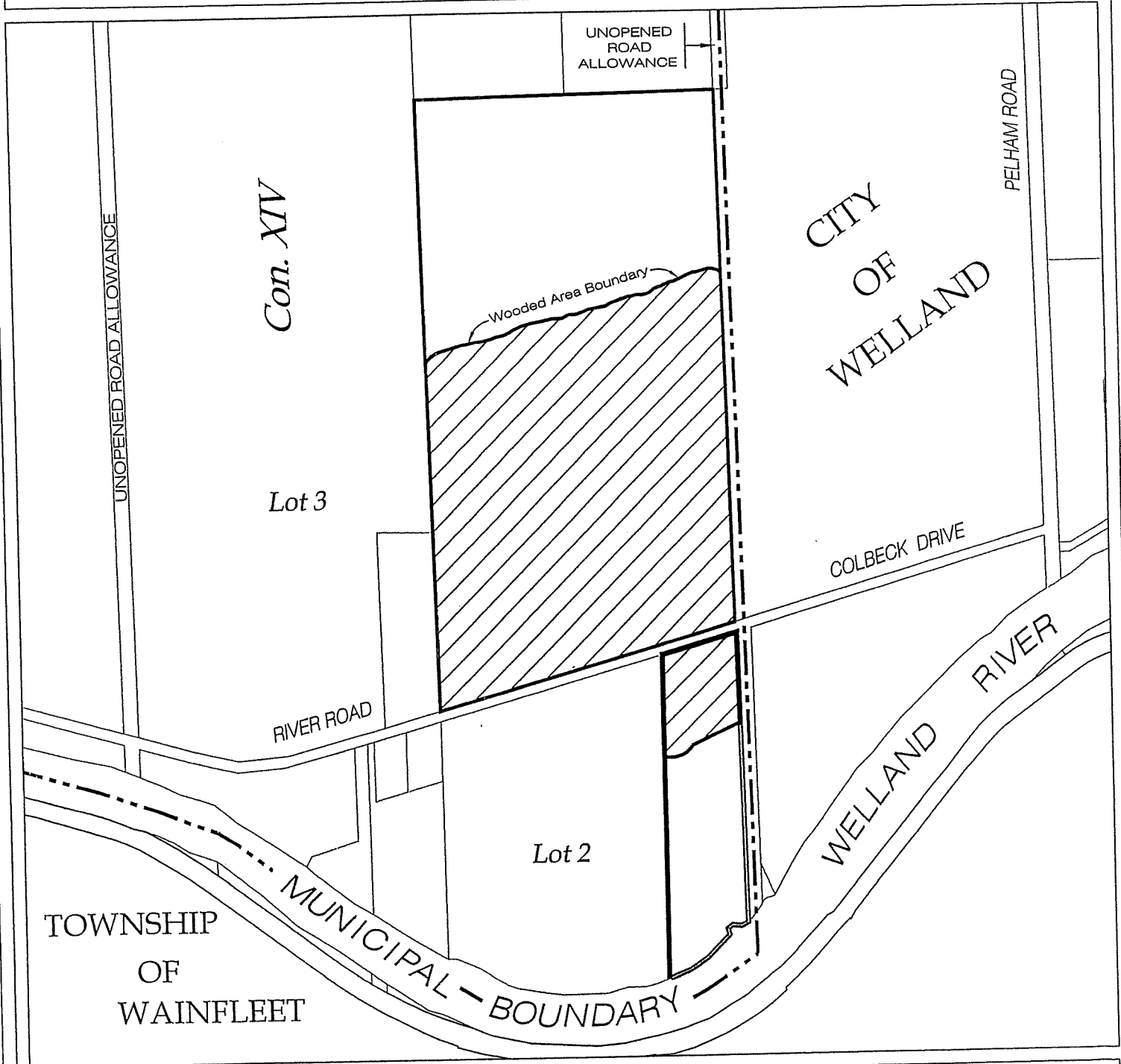
Planning Report No.: P-50/04



Metric Scale:  
1:7,500

# SCHEDULE 'A'

## Official Plan Amendment No. 50



Subject Lands



## APPENDICES

Appendix	A	Written Submissions or Comments and when they were received	
	A-1	Town of Pelham Building & Enforcement Services	Mar. 29, 2004
	A-2	Regional Niagara Public Health Dept.	Apr. 22, 2004
	A-3	Niagara Peninsula Conservation Authority	May 10, 2004
	A-4	Upper Canada Consultants, R. W. Hodge, P.Eng.	May 10, 2004
	A-5	Niagara Peninsula Conservation Authority	May 11, 2004
	A-6	Regional Niagara Planning & Development Dept.	Sept. 30, 2004
Appendix	B	Affidavit re - Giving Notice of Public Meeting - Giving Notice of Adoption	
Appendix	C	Affidavit re - List re Oral Submissions at Public Meeting	
Appendix	D	Minutes of General Committee Meeting September 27, 2004	
Appendix	E-1	Planning Report P-41/04 dated September 22, 2004	
	E-2	Planning Report P-50/04 dated December 2, 2004	
Appendix	F	Affidavit re - Information under Section 6(2) of Ont. Reg. 198/96 is provided and is true	
Appendix	G	List of public bodies given Notice but which did not respond	
Appendix	H	Applicant of Amendment	

## **Appendix A**

### **COPY OF ALL WRITTEN SUBMISSIONS AND COMMENTS AND WHEN THEY WERE RECEIVED**

EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATIONS

Part 1 of the subject lands is currently designated Good General Agricultural according to the Town of Pelham's Official Plan and zoned Agricultural A in Zoning By-law No. 1136(1987), as amended. Part 2 of the land is designated Good General Agricultural (north) and Flood Plain (south). The lands are similarly zoned Agricultural A and Hazard H.

It is intended that the designation and zoning of Parts 1 and 2 be amended to facilitate the extension of Sparrow Lakes Golf Course, currently located within the City of Welland. The 9-hole addition will round out the course into a full 36-hole course.

Lands north of Part 1 are comprised of a wooded area. Lands west of Part 2 are occupied by a single detached dwelling and a number of accessory buildings. For your information, a copy of the preliminary site plan, identifying property boundaries and features of the subject site, as well as the proposed course layout is included as an attachment to this Notice.

REQUEST FOR COMMENTS

Pursuant to Sections 17(15) and 34(15) of the Planning Act, R.S.O. 1990, as amended, you are hereby requested to provide comments regarding these applications by **Monday, April 19, 2004**. If the Town does not receive your agency's comments by the above noted date, Town Staff will assume that you have no objection. If your agency requires an extension in order to submit comments, please notify the Town at least one (1) week prior to the due date.

If you wish to be notified of the passing of the proposed Official Plan and Zoning By-law amendments, you must make a written request to the undersigned and such request must include the name and address to which such notice should be sent. Alternatively, the box at the bottom left of this Notice can be checked.

Further information regarding the application may be obtained by contacting the undersigned.

Craig Larmour, extension 16  
Director of Planning Services  
[clarmour@town.pelham.on.ca](mailto:clarmour@town.pelham.on.ca)

AGENCY COMMENTS

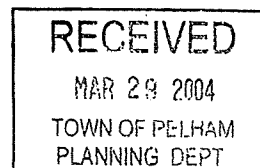
Building Department  
Name of Agency

Dale Miron  
Person Submitting Comments

☒ NO OBJECTION

March 29/04.  
Date

COMMENTS (If additional space is required, please attach a separate sheet):



☒ Please send notice of the passing of the Official Plan and Zoning By-law Amendment.

EXPLANATION OF THE PURPOSE AND EFFECT OF THE APPLICATIONS

Part 1 of the subject lands is currently designated Good General Agricultural according to the Town of Pelham's Official Plan and zoned Agricultural A in Zoning By-law No. 1136(1987), as amended. Part 2 of the land is designated Good General Agricultural (north) and Flood Plain (south). The lands are similarly zoned Agricultural A and Hazard H.

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Craig Larmour, extension 16  
Director of Planning Services  
[clarmour@town.pelham.on.ca](mailto:clarmour@town.pelham.on.ca)

AGENCY COMMENTS

Regional Niagara Public  
Health Department

Name of Agency

☒ NO OBJECTION

Gerry Murray, C.P.H.I.(C)

Person Submitting Comments

April 19, 2004

Date

RECEIVED

APR 22 2004

TOWN OF PELHAM  
PLANNING DEPT

COMMENTS (If additional space is required, please attach a separate sheet):

The Regional Niagara Public Health Department has no objections to the Zoning By-law Amendment provided the septic system is located on the proposed lot and not on a separate lot.

☒ Please send notice of the passing of the Official Plan and Zoning By-law Amendment.



**FACSIMILE**

No. of Pages: 1 (incl.  
cover sheet)

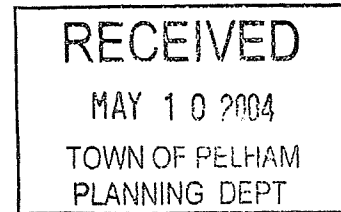
**DATE:** May 10, 2004

**TO:** Dick Hodge, Upper Canada Consultants

**CC:** Craig Larmour, Town of Pelham  
Drew Semple, Regional Planning  
Kelly Tonellato, MNR Vineland  
Lonnie King, DFO Burlington

**FROM:** Paul Bond, Watershed Planner

**RE:** Proposed Sparrow Lakes Golf Course Expansion  
River Rd., Town of Pelham

*dr*

Further to your May 4/04 letter to me, I would like to re-iterate to you that the NPCA will **NOT** support or approve any pre-grading of this site. You will recall our March 10, 2004 pre-consultation meeting at this office wherein we explicitly advised you not to proceed with any grading works until all of your approvals are in place.

Again, I caution you against proceeding with any pre-grading works prior to all necessary approvals being in place (OPA/ZBA/RPPA/SPA) including completion of the EIS. By copy of this fax, I am advising the Enforcement Division of the Federal Department of Fisheries and Oceans, and the Ministry of Natural Resources.

I trust no further action will be necessary and I look forward to your continued co-operation.

Yours truly,

Paul Bond  
Watershed Planner  
Niagara Peninsula Conservation Authority  
905-788-3135 ext.234  
fax 905-788-1121

**PB**

cc: Lisa Campbell, L. Campbell & Associates @ 905-945-3747



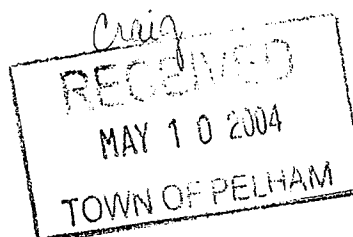
UPPER CANADA  
CONSULTANTS  
ENGINEERS/PLANNERS

May 4, 2004  
File 0350

Upper Canada  
Planning &  
Engineering Ltd.

215 Ontario Street  
St. Catharines, ON  
L2R 5L2

Phone 905-688-9400  
Fax 905-688-5274



Niagara Peninsula Conservation Authority  
250 Thorold Road West, 3<sup>rd</sup> Floor  
Welland, ON  
L3C 3W2

Attention: Mr. Paul Bond, Watershed Planner

Dear Mr. Bond:

**Re: Sparrow Lakes Golf Course**

---

Further to your letter of May 3<sup>rd</sup>, we have taken your recommendations into consideration and amended the plan accordingly.

As can be seen, there are no online ponds within the 34 metre watercourse corridor. For the most part, we have left the existing ditches basically as they are; however, they will flow through the proposed ponds and ultimately outlet the downstream pond through an area to be enhanced with wetland plantings into the existing watercourse.

We appreciate the Conservation Authority's review and approval of the proposed plan since our client would like to start pregrading the site within the next couple of weeks.

We trust the information provided is satisfactory; however, should you have further questions or concerns, please do not hesitate to contact the writer.

Yours very truly,

Richard W. Hodge, C.E.T.

RWH/jb

cc. Craig Larmour  
Drew Sample



250 Thorold Road West, 3rd Floor Tel (905) 788-3135  
Welland, Ontario L3C 3W2 Fax (905) 788-1121  
E-mail: npca@conservation-niagara.on.ca

May 3, 2004

File MPR 4.40.13

Mr. Craig Larmour, Town Planner  
Town of Pelham  
20 Pelham Town Square  
Fonthill ON L0S 1E0



Dear Sir:

Subject: Application for Zoning Bylaw and Official Plan Amendment  
Sparrow Lakes Golf Course Expansion, Phase 3, River Rd.  
Your File AM-02/04

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The NPCA has reviewed the above noted application for Zoning By-law and Official Plan amendment and offer the following comments and observations for your consideration.

The applications propose to re-zone and re-designate approximately 10.6 acres of vacant land on the south side of River Rd., adjacent the Welland River, to permit expansion of the Sparrow Lakes Golf Club. An approximate 50 ac. area on the north side of River Rd. is included in the application. As a note, Authority staff has recently met with the applicant's consultant to discuss the development on a preliminary basis.

The south parcel is abutted to the south by the Welland River. The north parcel is traversed by an unnamed tributary which crosses under River Rd. via culvert, eventually outletting to the Welland River from the applicant's southerly parcel. There are other "minor" surface drainage fingers to the east. Accordingly, the Authority's objectives in reviewing this development proposal pertain to protecting life and property from the effects of flooding, minimizing soil erosion and sedimentation while ensuring the natural integrity of these water courses is maintained. The Authority has engineered floodplain mapping for the portion of the Welland River abutting the subject property, which would be subject to the Authority's current Floodplain Management Policies.

The Authority's Floodplain Management Policies do not allow for the placement of new structural development within riverine floodplain areas. Although no buildings or structures are associated with the golf course expansion, there will be extensive grading and some watercourse re-location involved with the construction of the golf course. A recent site inspection indicated that the main "tributary" was visible as a watercourse, but the eastern tributary was not recognizable as a watercourse on site. For this reason we will not require a buffer on the eastern tributary, and it could be re-graded to accommodate offline ponds provided it is not directly connected to the main tributary. These issues will be reviewed and addressed in greater detail by the NPCA at the site plan approval stage. Any watercourse relocation will require natural channel design, buffers, no reduction in overall watercourse length, and DFO Authorization. NPCA permits pursuant to our Fill, Construction and Alteration to Waterways Regulation may be required as well.

The Authority has recently completed the "Welland River Strategy". This report recognizes the importance of buffers along watercourses and recommends a 30m buffer to prevent erosion, cool water temperatures for fisheries, and to protect water quality. The MNR has designated the Welland River as a Type 1 "Critical" fish habitat. This designation identifies the presence of sensitive species and/or habitat, and requires a minimum 30m natural vegetative buffer measured from the edge of the watercourse. The Tributary on the north parcel is designated a Type 2 "Important" fish habitat, indicating a watercourse below potential but still having the presence of sensitive species or habitat at certain times of the year. A 15m natural vegetative buffer is required on either side of such watercourses, measured from the edge of the watercourse. We are aware that an Environmental Impact Study (EIS) is being undertaken to address the impact of development on the Lower Coyle Creek Wetlands Complex to the north. It is our understanding that the EIS will be reviewing the buffer requirements for the watercourses noted herein as well. We would ask that a 30m section adjacent the Welland River be included in a Hazard/Environmental Conservation type of OP and Zone category. The tributary to the north should have a similar designation/zoning of a 17m wide corridor on either side, measured from the centerline of the watercourse. Given that the precise location of the watercourse and golf course layout are not known at this time (the tributary may be re-located), final approval of the proposed Zoning and Official Plan amendments should be deferred at this time.

It is our understanding that all of this development will be subject to site plan approval. As such, Authority staff will provide more detailed input and comment on Fisheries issues (through the DFO), lot grading and stormwater management design, and actual layout of the golf course itself in relation to Authority interests adjacent the existing watercourses identified herein at that time.

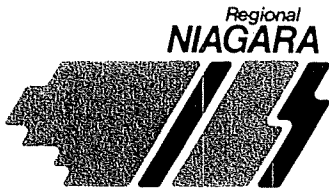
Trusting the enclosed to be satisfactory, please send notice of your Council's decision.

Yours truly



Paul Bond  
Watershed Planner (ext. 234)  
PEB

cc: Regional Niagara Planning and Development Dept. @ 905-641-5208  
Ms. Lisa Campbell, Campbell & Associates via e-mail  
Mr. Dick Hodge, Upper Canada Consultants @ 905-688-5274



## PLANNING AND DEVELOPMENT DEPARTMENT

The Regional Municipality of Niagara  
3550 Schmon Parkway, P.O. Box 1042  
Thorold, Ontario L2V 4T7  
Telephone: (905) 984-3630  
Fax: (905) 641-5208  
E-mail: plan@regional.niagara.on.ca

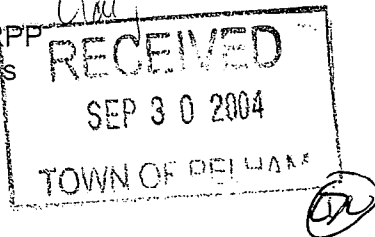
Appendix A-6

1 of 4

September 23, 2004

File: D.10.M.19.2  
(OPA) (AM-02/04)

Mr. Craig Larmour, MCIP, RPP  
Director of Planning Services  
Town of Pelham  
P.O. Box 400  
20 Pelham Town Square  
Fonthill, ON L0S 1E0



Dear Mr. Larmour:

**Re: Preliminary Regional and Provincial Comments  
Proposed Official Plan and Zoning By-law Amendment  
Sparrow Lakes Golf Course Expansion  
Files: OPA & AM-02/04  
Rose Porkolab & 9925480 Ontario Inc.  
River Road, west of South Pelham Road  
Town of Pelham**

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These applications propose to amend the Town's Official Plan and Zoning By-law to facilitate a 13.67 hectare (33.8 acre) expansion to the existing Sparrow Lakes Golf Course in the Town of Pelham. The nine hole expansion involves properties that lie to the south and north of River Road.

The following preliminary Regional and Provincial comments on the proposed development are provided for your consideration. The final decision on these applications should not be made until the associated Regional Policy Plan Amendment has been considered. It is important to note that other concerns may be identified following the review for the Regional Policy Plan Amendment and any other supporting documents such as the Environmental Impact Study.

### Regional Planning

The proposed golf course expansion lands are situated in a Good General Agricultural Area according to the Regional Policy Plan and are designated Good General Agricultural in Pelham's Official Plan. Therefore, this proposal requires an amendment to the Regional Policy Plan, which will be considered by Regional Council in the near future.

The larger parcel located north of River Road has a woodlot that covers approximately 40% of the parcel. Though it appears that there may be little or no development within the woodlot any development proposed for this area would be subject to the provisions of the Regional Tree Conservation By-law. If any development is proposed in the woodlot then Regional Planning staff would recommend the applicant prepare a Tree Preservation Plan for our review. The Tree Preservation Plan should be prepared by a qualified professional and should define those areas where trees will be removed and where they will be retained. Another area where tree preservation should be considered is the hedgerow separating the existing golf course from the expansion area. The Town should consider redesignating and rezoning the woodlot to an

Environmental Protection Area type of Official Plan designation and Zoning category in order to protect it from future development.

### Provincial Review

- Ministry of Natural Resources

- i) Provincially Significant Wetlands and Fish Habitat

The southern parcel for the Sparrow Lake's golf course expansion is on the Welland River. The Ministry of Natural Resources (MNR) identifies Provincially Significant Wetlands within 120 metres of the subject property along the Welland River. The Welland River is also identified by MNR as a Critical Type 1 fish habitat. Consequently, Regional Planning staff would recommend the use of a 30 metre buffer along the Welland River in order to protect the Provincially Significant Wetlands and fish habitat area from erosion as well as to act as a filter for surface runoff flowing from the proposed golf course expansion area. The required 30 metre buffer will need to be maintained in a natural, vegetated state and a site plan should illustrate the type of landscape planting material to be provided. The Town of Pelham should redesignate and rezone the buffer area to an Environmental Hazard type of Official Plan and Zoning category.

There is also a Locally Significant Wetland, the Lower Coyle Creek complex located in the woodlot area of the northern parcel. An Environmental Impact Statement (EIS) undertaken by L. Campbell and Associates should identify possible buffer constraints for this wetland. The EIS will be subject to a detailed review by the Region's Ecological and Environmental Advisory Committee (EEAC) in the Fall of 2004. If it is determined that the comprehensive set of recommendations provided in the EIS, which outlines mitigation measures, are acceptable then these can be implemented through the necessary site plan agreement and rezoning.

Finally, an unnamed Welland River tributary that traverses both the proposed north and south expansion parcels is identified by the Ministry of Natural Resources as an Important Type 2 fish habitat which will require the use of a 15 metre buffer for fish habitat protection. It is Regional Planning staff's understanding that the applicant is proposing the use of a 17 metre buffer to protect this fish habitat. The Town of Pelham should rezone the 17 metre buffer area of this unnamed tributary to an Environmental Hazard type of zoning category.

- ii) Potential Creek Crossing

Since the proposed north and south golf course expansion areas are traversed by an unnamed Welland River tributary, there is a possibility that a bridge crossing of the creek will be needed. Due to the fact that permits are required in order to facilitate the construction of the proposed bridge, Niagara Peninsula Conservation Authority staff should be consulted to evaluate the feasibility of locating a bridge in any proposed location. If a bridge crossing is proposed then the EIS should review the proposed crossing location to determine any impacts and/or mitigation measures that may be needed.

- **Ministry of the Environment**

- i) Permit to Take Water (PTTW)

The applicants have indicated that irrigation water for the golf course will be supplied from the Welland River. It should be noted that any proposal to take water from the river or any groundwater source will require a 'Permit to Take Water' from the Ministry of Environment (MOE). The applicants are advised to consult with the MOE to determine whether the current 'moratorium on new and expanded water-taking permits' applies to this proposal.

- ii) Stormwater Management

It is our understanding that the unnamed tributary of the Welland River will serve as the primary stormwater outlet for the golf course expansion area. The tributary traverses the northern parcel crosses under River Road via a culvert and eventually outlets into the Welland River by way of the southern parcel. The preparation of a Stormwater Management Plan that addresses water quality and quantity, sedimentation and erosion controls, and grading are important considerations. The final Stormwater Management Plan should be prepared incorporating the recommendations of the EIS prepared by L. Campbell and Associates. For example, the quality of the water leaving the site should maintain predevelopment levels in terms of nutrients, suspended solids and temperature and this can be accomplished through the use of stormwater management ponds for storage and the utilization of vegetative buffers for filtering purposes. The Niagara Peninsula Conservation Authority, in accordance with its agreement with the Region, will be reviewing and providing comments on the Stormwater Management Plan on behalf of the Regional Planning and Development Department. The final Stormwater Management Plan should be implemented through the necessary site plan agreement

- **Ministry of Culture**

According to the Ministry of Culture, there is a potential for the discovery of archaeological resources on the subject lands. As a result, an archaeological assessment has been submitted and will need to be reviewed by the Ministry of Culture prior to any site alteration occurring.

### **Conclusion**

The proposed amendments to the Town's Official Plan and Zoning By-law are dependent on the approval of the associated Regional Policy Plan Amendment. Please note that there may be other concerns identified as the review of this proposal continues. This correspondence is offered to the Town as preliminary information and to formally respond to the circulation notice.

The amendments to the Town's Official Plan and Zoning By-law should consider the following:

- An Environmental Hazard designation and zone to be applied to the Welland River and unnamed Welland River tributary (including their respective buffers of 30 metres and 15 metres) in order to protect Provincially Significant Wetlands and fish habitat.
- An Environmental Protection Area designation and zone to be applied the woodlot that covers approximately 40% of the northern parcel.
- The Official Plan amendment should contain a policy outlining various studies or plans to be approved (i.e. EIS, stormwater management, tree preservation/landscaping plan, archeological assessment) and implemented through a site plan agreement between the owner and the Town to the satisfaction of the appropriate approval authority including the Town of Pelham, Regional Planning and Development Department and the Niagara Peninsula Conservation Authority.

As previously mentioned, a decision for these applications should not be made until the above associated Regional Policy Plan amendment is approved. The above comments are preliminary and Regional Planning staff will offer a more detailed response through the consideration of the Regional Policy Plan Amendment.

If there are any questions relating to these comments, please contact Brian Dick, Planner, or Peter Colosimo, Senior Planner, for assistance.

Yours truly,



*for* David J. Farley  
Director of Planning Services

Attachment: Comments

BD/

c: Mr. Richard Hodge, Upper Canada Consultants, 215 Ontario St., St. Catharines, ON.  
L2R 5L2  
Mr. J. Durst, Ministry of Natural Resources, Vineland  
Mr. J. MacDonald, Ministry of Culture, London  
Ms. B. Ryter, Ministry of the Environment, Hamilton  
Ms. S. McInnes, MCIP, RPP, Niagara Peninsula Conservation Authority  
Mr. D. Semple, MCIP, RPP, Regional Planning and Development Department.  
Mr. W. Stevens, Regional Public Works

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THE CORPORATION OF THE TOWN OF PELHAM

IN THE MATTER OF SECTION 17 OF THE  
PLANNING ACT, R.S.O. 1990, AS AMENDED

TOWN OF PELHAM OFFICIAL PLAN AMENDMENT NO. 50

Part of Lot 2, Concession 14, Town of Pelham

AFFIDAVIT

I, **CRAIG LARMOUR**, DIRECTOR OF PLANNING SERVICES OF THE TOWN OF PELHAM, IN THE REGIONAL MUNICIPALITY OF NIAGARA, MAKE OATH AND SAY AS FOLLOWS:

- (1) I am the Director of Planning Services of the Corporation of the Town of Pelham and as such I have knowledge of the matters herein set forth.
- (2) The requirements for the giving of notice and the holding of one public meeting have been complied with.


SWORN BEFORE ME AT THE TOWN OF PELHAM )  
IN THE REGIONAL MUNICIPALITY OF NIAGARA )  
THIS 31ST DAY OF JANUARY, 2005 A.D. )  
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CHERYL MILETTE, CLERK

  
CRAIG LARMOUR, MCIP, RPP

CHERYL MILETTE, Clerk,  
Town of Pelham, a Commissioner,  
for taking Affidavits in the  
Regional Municipality of Niagara

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CRAIG LARMOUR, MCIP, RPP

Meeting GC-25/04

GENERAL COMMITTEE  
September 27, 2004

Minutes of a regular General Committee meeting held on Monday, September 27<sup>th</sup>, 2004 at 7:00 p.m. in the Municipal Council Chambers, 20 Pelham Town Square, Fonthill.

ATTENDANCE:

Council:	Mayor R. Leavens Councillor M. Allen Councillor U. Brand Councillor S. Cook Councillor J. Durley Councillor D. Urbanowicz
Absent:	Councillor P. Papp
Staff:	CAO/Director of Financial Services G. Cherney Director of Planning Services, C. Larmour Recording Secretary (Deputy Clerk) N. Bozzato
Regional Niagara:	Drew Semple, Senior Planner Brian Dick, Planner Regional Councillor David Eke, Vice Chair, Planning Committee Regional Councillor Brian Baty
Media:	Sarah Gibson, The Voice of Pelham
Other:	R. Hodge, Agent for Applicants Interested Citizens

1. CALLED TO ORDER:  
The meeting was called to order by Mayor R. Leavens.
2. ADOPTION OF AGENDA:  
**RECOMMENDATION - MOVED BY COUNCILLOR D. URBANOWICZ, SECONDED BY COUNCILLOR S. COOK - THAT the agenda for the September 27<sup>th</sup>, 2004 regular General Committee meeting be adopted. CARRIED, CHAIR, MAYOR R. LEAVENS**
3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF:  
There were no disclosures of pecuniary interest noted by members of the Committee.

At this point in the meeting, Mayor R. Leavens vacated the Chair and Councillor J. Durley assumed the Chair, as Chair of the Planning Services Division.

4. PUBLIC MEETING UNDER THE PLANNING ACT:

(A) Joint Public Meeting – Regional Policy Plan Amendment, Town of Pelham Official Plan & Zoning By-law Amendment Application AM-02/04 – Sparrow Lakes Golf Course Extension:

Chair, Councillor J. Durley recited the required form of notice as per the Planning Act with respect to a public meeting.

Chair, Councillor Durley then introduced Regional Niagara Council representatives David Eke and Brian Baty, Regional Senior Planner Drew Semple, Regional Planner Brian Dick, and Town of Pelham Director of Planning Services Craig Larmour.

Mr. Semple provided contact information for the Region in order that citizens might submit any written correspondence to the Region prior to consideration of the application by the Regional Planning Committee. He stressed that no decision has been made on this application to date. Information gathered at this public meeting will be considered in the preparation of the Regional Planning recommendation report to the Regional Planning Committee.

Information contained in Regional Planning Report DPD 48-2004 was reviewed. The subject property, consisting of 24 hectares (60 acres) of land is comprised of two separate parcels of land, lying on the north and south sides of River Road, the southerly portion extending southerly to the Welland River. The lands lie to the west of the existing Sparrow Lakes Golf Course and are proposed to be developed for a 9 hole course which will result in a full 36 hole facility. The larger portion of land to the north of River Road was previously a cultivated agricultural operation, as well as a portion of the land being a woodlot. To the west of the expansion lands is an agricultural operation with residential properties to the west and south. The existing golf course is situated to the east of the subject lands. There is a Type II Important Fish Habitat stream traversing the property and designated Wetlands in close proximity.

Mr. Semple outlined the various planning policy documents that must be considered when deliberating on this application, including the Regional Policy Plan and Provincial Policy Statement. Excerpts were discussed pertaining to this application, as contained in the Regional Planning Report.

The subject lands are designated Good General Agricultural and are not under the Unique Agricultural designation, although a golf course is not a permitted use in the current Designation, hence the need for the Regional Policy Plan Amendment.

Mr. Semple reviewed the Provincial Policy Statement, 2.1.3 which indicates that changes to the designation of prime agricultural land may be considered under certain circumstances providing for limited non-residential uses in agricultural areas subject to a demonstration of need for the land to be used and a lack of reasonable alternative locations.

Director of Planning Services C. Larmour also noted that the Town of Pelham Council has not made a decision on this application to date, nor have they discussed the proposal. When considering this type of application, regard must be had to the Provincial Policy Statement, Regional Policy Plan, Town of Pelham Official Plan and the Zoning By-law. The Town policies do not contain the level of detail as provided in the Regional Policy Plan regarding non-agricultural development and as such, the Town relies heavily on the Regional Policy Plan direction.

Mr. Larmour noted that the southern portion of the lands is within a floodplain designation. The applicants intend to amend the Official Plan and Zoning By-law, and then construct and operate a golf course on the subject lands. He noted that although a number of uses are permitted in an Agricultural A Zone, a golf course is not one of those permitted uses.

In accordance with Provincial Legislation, the application has been circulated to the pertinent government agencies, however few comments have been received to date. The Niagara Peninsula Conservation Authority has indicated that there will be a number of requirements with regard to the tributary leading to the Welland River and will provide further detail if the application progresses. No objections have been received from the Regional Niagara Public Health Department and Town of Pelham Building and Enforcement Services Department.

Mr. Larmour stated that a report will be forwarded to Pelham Council taking into account the public comments and agency reports received. In closing, Mr. Larmour stated that the recommendation report will be prepared and presented at a subsequent meeting.

#### APPLICANT'S PRESENTATION:

Mr. Dick Hodge explained the rationale taken by Sparrow Lakes Golf Course which has resulted in much of the grading work having been completed to date, albeit prior to obtaining the necessary planning approvals. He noted that given the existence of a woodlot on part of the subject lands, it was determined that the expansion would not incorporate these lands. In order to save this woodlot, an agreement to purchase an additional 10 acres of land on the south side of River Road was made.

The Archeological Assessment has been undertaken, Mr. Hodge indicating that there were no problems found to prevent the proposal. The Environmental Impact Study was required to cover three seasons to study migration patterns, habitat, etc. The completion of this Study was expected in the Spring of 2004, however was delayed due to the weather conditions. This Study was completed in July 2004. Mr. Hodge stated that the contractors specializing in golf course development are difficult to acquire due to the complexity of the projects. For this reason, the grading has begun as the contractors were only available in conjunction with the original scheduled completion dates. Having completed the required preliminary studies, the Golf Course made the business decision to proceed with the grading process, or else they would be into the year 2006 before they could open the expansion.

#### PUBLIC INPUT:

Mrs. Shirley Izsa, 139 River Road, RR3, Welland stated that she is an abutting property owner and that their dwelling is situated directly next to the proposed expansion to the golf course. She noted that the 6<sup>th</sup> Green will be approximately 75 feet away from her house and that the 7<sup>th</sup> Tee surrounds both her front and back yards. She submitted photographs that show the proximity of her property to the new golf course proposal, and she was particularly concerned about the closeness of her bedroom window to the golf play area as proposed.

Mrs. Izsa stated that their property was purchased approximately 13 years ago in an Agriculturally zoned area. The dwelling was designed based on the existence of an open field abutting the property. The existing golf course was not present when

they purchased their property. She expressed concern that the 6<sup>th</sup> Green will be within 12 feet of her driveway and will overlook both her front and rear yards, resulting in a total loss of privacy. She also noted that mis-shot golf balls could end up on her property, as well as the golfers attempting to retrieve them. She indicated that she was not adverse to the expansion, but is adverse to the close proximity and resulting negative impact on her and the enjoyment of her property.

Mrs. Izsa cited further concerns that poorly shot balls could go through her bedroom or automobile windows and that golfers might be compelled to use the scrub line of bushes as "facilities", as well as the noise that will be inherent with golfers playing so close to her property. She was also concerned with the noise related to the beer carts and tournaments that will be held at the facility.

Having moved to the country for peace and tranquility, Mrs. Izsa expressed concern that the enjoyment of her property will be lost once this expansion is completed and was disappointed that no communication was initiated by the Golf Course to discuss their plans with the Izsa's.

Rose Porkolab, 118 River Road West, RR3, Welland, stated that she sold property to the golf course owners. She questioned why her property taxes have risen since this property has been sold. However she advised that since her husband died in 1999, she is no longer registered with the Ontario Federation of Agriculture.

Margaret Porkolab, daughter of Rose Porkolab, questioned the Regional comments that there is a fish habitat stream on the property. There is a ditch on the property, however she stated that she has never seen fish in the ditch and the ditch dries up seasonally. She noted that the Conservation Authority did not perform a site visit to observe this supposed fish habitat. She provided a history of changes to the drainage efficiency over the years, citing various areas that should be cleaned out to improve the drainage flows.

Mr. Semple clarified that the Ministry of Natural Resources actually identifies the fish habitat streams in the Region. He indicated that he understood the concerns of the Porkolabs and that often times, these habitats are actually only drainage swales that are intermittently wet. However, as the designation is present it must be recognized and addressed. The Conservation Authority, who is responsible for the Federal Department of Fisheries and Oceans, is required to enforce the regulations relating to the streams, which include setback requirements needed to protect the habitat.

Rose Porkolab suggested that the referenced stream is not a fish habitat as she used to work this ditch as part of her farmland. Mr. Semple agreed to follow up with this citizen and the Ministry of Natural Resources to try and determine how the designation was established. Mr. Semple noted however that the applicant has agreed to incorporate a 15 metre buffer area on either side of said stream.

Mr. George Izsa, 139 River Road, Welland, questioned if there are any setback requirements in the Zoning By-law pertaining to the play area of the golf course and the proximity to existing residential dwellings. He noted that many golf courses have a planned buffer between existing residential uses and fareways.

Mr. Larmour stated that the Town of Pelham By-law is silent on this issue and that such setback requirements have not been established. He noted that these issues are typically addressed during site plan control, and differ depending on every

unique situation. Site plan controls will require implementation should this application be approved. Berms and landscaping solutions could be incorporated into the Plan. Mr. Larmour noted that Council will hear the concerns of these abutting neighbours, as will the developers responsible for the expansion project. He was hopeful that the concerns would be addressed, noting that it may result in alterations to the proposal.

Chair, Councillor J. Durley echoed the remarks of Mr. Larmour, noting that buildings have setback requirements. He was hopeful that the developer will consider the comments received during this public meeting and take serious consideration of the concerns.

Mr. G. Berkhout, 1159 Cream Street, Fenwick expressed dissatisfaction with the applicant having already begun the grading process prior to any approvals having been considered.

#### COMMITTEE INPUT:

Regional Councillor D. Eke questioned what will be done to address the issue of golfers needing to cross River Road and if any difficulties are anticipated in this regard. Mr. Hodge explained that this situation is not new to the area, citing another golf course requiring a crossing area over a public road. Sufficient signage will be placed to caution both golfers and motorists. Mr. Larmour also noted that the Town of Pelham Director of Operations has given no indication of concern regarding golfers crossing over River Road. The road is straight at this location and the visibility, therefore, is acceptable.

Regarding the presentations made by members of the public, Regional Councillor D. Eke noted that the site plan approval stage would appear to be too late in the process to accommodate any changes in the course design in order to be more acceptable to the abutting residential neighbours. He suggested that it may be difficult to reach an agreement acceptable to both parties since much of the grading and design work has already been completed.

Mr. Hodge stated he was hopeful there would be no problems in this regard. He said that the applicants had met with the Izsa's as a courtesy gesture and have incorporated a swale into the design to drain away from the neighbouring property. The work is not finished as yet and trees will be planted to provide a screen between the two properties. He suggested that the golf course will consider overplanting to increase the density of the tree buffer. The golf course owners want to be good neighbours and will work with the Izsa's to accommodate their concerns, within reason. He noted that the green is 50 feet from the property line, to maximize the setback distance and that preliminary work has been discussed with the neighbours, but suggested they may not have fully understood the plans for design.

Mrs. Izsa indicated that she fully understood the design plan, however noted that this meeting did not occur until much of the grading work was complete, in late August. She indicated that this meeting was held at the request of her and her husband. Mr. Izsa attended the clubhouse and indicated that they were not satisfied with the location of the green, as it will be too close to their residential property. The response he received was that the golf club was advised by the Town that they could work the land however they wished.

Mr. Nick Durbano of Sparrow Lakes Golf Course stated that he met with Mr. Izsa and was aware of his concerns regarding this expansion. He advised Mr. Izsa that if the Region were to permit expansion into the bush area of their property, the

setback distance would be about 200 feet away from River Road. If this plan is not permitted, a berm would be constructed to reduce the impact on the Izsa's. He suggested there may have been a misunderstanding with the Izsa's in this regard. Mr. Durbano stated that shrubs have been removed, at the request of the Izsa's, and tree planting will occur to try and address the concerns of these neighbours.

In response to a question by Councillor S. Cook, Mrs. Izsa estimated that the tee area is 10 feet from ground level and situated approximately 74 feet from her bedroom window. Mr. Durbano suggested the distance to be 125 feet. Councillor S. Cook summarized the concerns of the Izsa's, noting there appear to be three areas of concern, as follows: 1) the number of golf balls that could land in the Izsa's yard, and the golfers entering the yard to retrieve them; 2) the noise component given the close proximity to the residential property; and 3) the configuration of the green and tee areas proposed.

Mrs. Izsa confirmed these concerns, noting that the berm extends across an open part of her yard, but that it splits and the green has been raised and appears to be visible from her property as depicted in the submitted photographs.

Councillor Cook questioned what mitigation measures could be taken to satisfy the Izsa's and permit this development to proceed, should the approvals be given by the Town and Region. Mrs. Izsa requested that a landscape architect be contracted to design an appropriate buffer for sound and to ensure that measures are taken to block the view of the golf course from her property.

Discussion regarding the use of privacy fencing ensued, Mrs. Izsa stating that she would prefer that a fence not be installed but landscaping tools such as trees and rocks be incorporated instead. Alternatively, a redesign of the area to move the 6<sup>th</sup> green would be acceptable to her. Mr. Durbano suggested that they would be able to do planting in such a way as to create a wall between the two properties. He was not concerned about golf balls entering her property, noting that it would be difficult for this to happen given the direction tee and the obstructed flight line that will be established.

Mr. Durbano also noted that this operation will not run 12 months of the year, albeit the active season will be when the Izsa's utilize their outdoor amenity area. She stated that it seems unfair for her to lose her privacy and enjoyment of her property while the owners of the golf course will stand to gain financially at her expense. She again noted that she moved to this location to enjoy peace and tranquility.

Councillor D. Urbanowicz requested clarification on the configuration of the tee off area, which was provided by Mr. Durbano.

Regional Councillor B. Baty questioned the decision to proceed with grading work prior to obtaining the appropriate approvals to permit the golf facility. He also noted that there are new rules in place for water taking and requested information as to whether the Niagara Peninsula Conservation Authority had issued or reviewed permits on the drawing of water from the Welland River. Mr. Hodge indicated that the water moratorium is for wells and that water for the golf facility would be from the River, which does not fall under the referenced Legislation.

In response to a question by Councillor D. Urbanowicz, Mr. Larmour stated that the Town does not have a site alteration by-law in place and as such, does not police works done on private property as long as there is no adverse impact on drainage. The issue in this application will be the use of the property and not the grading. The



present Zoning and planning designations do not permit the lands to be *used* as a golf course. As long as golf activities do not occur on the lands, there is no violation of the Town's by-laws. In response to a question by Councillor S. Cook, Mr. Izsa stated that they do have drainage issues but are related to the Town ditching and there has been no change since the grading undertaken by Sparrow Lakes.

Mr. Semple advised that environmental policies encourage the protection of woodlots and the Region supports the preservation of such woodlots and wetland areas.

Mr. Allan Billyard of Sparrow Lakes Golf Course, in response to a question by Councillor D. Urbanowicz as to whether or not any changes to the design could be incorporated to satisfy the concerns of the neighbours, stated that the configuration was staked out and discussed with the Izsa's prior to any earth moving taking place. He said that the 7<sup>th</sup> Tee is not visible from the Izsa property due to the location of the berms. The 6<sup>th</sup> Green was raised to accommodate planting of trees as requested by the Izsa's, as well as the opening between the berms being constructed at their request to allow for drainage.

Recognizing that there is no site alteration by-law in place, Councillor U. Brand suggested that the owners should be aware that site plan control could result in a recommendation that the area be reconfigured. He suggested that Council not be influenced by the fact that grading alteration work has been done and that if a reconfiguration would alleviate the concerns, it may be imposed by this Council. He also noted that it would be beneficial for members of Council to be provided with a copy of the Environmental Impact Study Executive Summary. Specific measures to protect any fish habitat or tributary will need to be in place. Councillor Brand also cited that Ontario Hydro may become involved with regard to controlling the Welland River levels. He suggested that the Izsa's submit their requested mitigation measures in writing to be considered in this approval process or at the site plan approval stage should these applications succeed.

Mr. Durbano stated that they would be willing to contract a Landscape Architect to assist with the design aspects to satisfy the neighbours, however noted that they do have a budget for this project. Mr. Larmour noted that it is clear to the applicants that there are issues with the neighbours and this Council and as such he anticipates efforts on their behalf to resolve the issues.

Regional Councillor B. Baty stated that he will forward a template for a site alteration by-law to the Town for perusal.

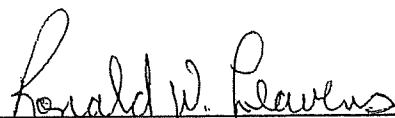
The public meeting was declared closed by the Vice-Chair at approximately 8:30 p.m.

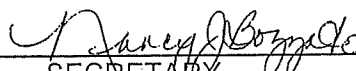
**RECOMMENDATION - MOVED BY COUNCILLOR S. COOK, SECONDED BY COUNCILLOR M. ALLEN – THAT Report P-41/04 re Proposed Regional Policy Plan Amendment No. 193 and Town of Pelham Official Plan & Zoning by-law Amendment Application Am-02/04 – Sparrow Lakes Expansion be received."**  
**CARRIED, CHAIR, COUNCILLOR J. DURLEY.**

At this point in the meeting Chair, Councillor J. Durley vacated the Chair and the Chair was assumed by Mayor R. Leavens.

7. ADJOURNMENT:

RECOMMENDATION - MOVED BY COUNCILLOR M. ALLEN, SECONDED BY COUNCILLOR D. URBANOWICZ - THAT this regular meeting of the General Committee be adjourned until the next regular meeting scheduled for MONDAY, OCTOBER 4<sup>TH</sup>, 2004, unless sooner called by the Chair. CARRIED, CHAIR, MAYOR R. LEAVENS

  
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CHAIR

  
\_\_\_\_\_  
SECRETARY

TO: Chair, Councillor John Durley, and Members of the General Committee,  
Planning Services Division

FROM: C. Larmour, Director of Planning Services

DATE OF REPORT: September 22, 2004

DATE OF MEETING: September 27, 2004

SUBJECT: Proposed Regional Policy Plan Amendment No. 193 and Town of  
Pelham Official Plan and Zoning By-law Amendments  
Application AM-02/04  
Sparrow Lakes Expansion

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## RECOMMENDATION

THAT the General Committee, Planning Services Division, receive Planning Services Report P-41/04 regarding Proposed Regional Policy Plan Amendment No. 193 and Town of Pelham Official Plan and Zoning By-law Amendment Application AM-02/04, 9925480 Ontario Inc. and Rose Porkolab (Sparrow Lakes Expansion), part of Lot 2, Concession 14, in the former Township of Pelham, now Town of Pelham.

## LOCATION, PURPOSE, BACKGROUND AND POLICY

### 1. Location

The subject lands are located on the north and south sides of River Road, lying west of Pelham Street and the City of Welland boundary. The lands are legally described as part of Lot 2, Concession 14, in the former Township of Pelham. A map illustrating the general location of the lands is included as Attachment No. 1.

### 2. Purpose

The purpose of these applications is to permit the expansion of the existing Sparrow Lakes Golf Course. The specific purpose of the each of the three applications is as follows:

**Regional Policy Plan Amendment** to modify the Agricultural policies in order to permit the additional use of lands for the purpose of accommodating a golf course.

**Official Plan Amendment** to modify the Good General Agricultural and Flood Plain designations to allow for a golf course.

**Zoning By-law Amendment** to amend the Agricultural A and Hazard H Zones to permit a golf course.

### 3. Background

Part 1 of the subject lands is currently designated Good General Agricultural according to the Town of Pelham Official Plan and zoned Agricultural A in Zoning By-law No. 1136(1987), as amended. Part 2 of the land is designated Good General Agricultural (north) and Flood Plain (south). The lands are similarly zoned Agricultural A and Hazard H.

It is intended that the designation and zoning of Parts 1 and 2 be amended to facilitate the extension of Sparrow Lakes Golf Course, currently located within the City of Welland. The 9-hole addition will round out the course into a 36-hole course.

Lands north of Part 1 are comprised of a wooded area. Lands west of Part 2 are occupied by a single detached dwelling and a number of accessory buildings. A copy of the preliminary site plan, identifying property boundaries and features of the subject site, as well as the proposed course layout, is included as Attachment No. 2.

### 4. Provincial Policy Statement

Section 3 of the *Planning Act* requires that, in exercising any authority that affects planning matters, planning authorities "shall have regard to" policy statements issued under the Act. To this end, the Town shall have regard for the policies of the Provincial Policy Statement (PPS).

Policy 2.1.1 of the Statement states:

*Prime agricultural areas will be protected for agriculture. Permitted uses and activities in these areas are: agricultural uses, secondary uses, and agriculture-related uses. Proposed new secondary uses and agriculture-related uses will be compatible with, and will not hinder, surrounding agricultural operations.*

Policy 2.1.3 states, in part:

*An area may be excluded from prime agricultural areas only for:*

c) *limited non-residential uses, provided that:*

1. *There is a demonstrated need for additional land to be designated to accommodate the proposed use;*
2. *There are no reasonable alternative locations which avoid prime agricultural lands; and*
3. *There are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.*

*Impacts from any new non-agricultural uses on surrounding agricultural operations and land will be mitigated.*

Prime agricultural area is defined by the PPS as:

*Means an area where prime agricultural land predominates. Prime agricultural areas may also be identified through an alternative agricultural land evaluation system approved by the Province.*

The PPS provides the following definition of prime agricultural land:

*Means land that include specialty crop lands, and/or Canada Land Inventory Classes 1, 2 and 3 soils, in this order to priority for protection.*

## **5. Regional Policy Plan**

The subject lands are identified as Good General Agricultural Area as defined by the Regional Plan. The purpose and intent of the Plan is preserve and protect agricultural lands for continued production. However, the Plan policies also allow for the consideration of non-agricultural uses subject to certain criteria. Policy 6.A.8 states:

*Non-agricultural uses should not be located in Agricultural Areas. The introduction of new non-agricultural development of all types into the Agricultural Areas has an adverse impact on the agricultural and natural resources and shall be strictly limited. However, applications for individual non-agricultural uses may be received. These applications will be reviewed through a Regional Policy Plan Amendment using the following review criteria:*

- (a) the quality of the agricultural land including soils, climate and the nature of agricultural activity in the area. It is expected that Rural Areas will be preferred, that poorer general agricultural lands will be the next preference and the good general agricultural lands will be less preferred for such uses. These uses are not permitted on unique agricultural lands;*
- (b) the need for and desirability of the proposed use to the community;*
- (c) the availability of alternative site in Urban Areas and Rural Areas;*
- (d) non-agricultural uses shall not be permitted in Unique Agricultural Areas. Furthermore, estate residential development is not permitted in Agricultural Areas and/or in close proximity to agricultural activity;*
- (e) the degree of conflict with surrounding agricultural uses. This would depend on the size and nature of the proposed use, the existing agricultural uses and on any buffering factors between them. For example, creeks, roadways, and other prominent features would be helpful in defining and screening a non-agricultural use from surrounding farms*
- (f) impact on the environment and on rural resources such as forestry and fisheries; and*
- (g) compliance with other policies contained in the Regional Policy Plan.*

Cont.../4

## 6. Town of Pelham Official Plan

The lands are designated as Good General Agricultural and Flood Plain according to the Town of Pelham Official Plan. The current Good General Agricultural designation does not permit the intended use of the lands for golf course purposes.

The Flood Plain policies are intended to control the use and development of lands in recognition of their susceptibility to flooding. The uses permitted on flood plains are limited to agriculture, conservation, forestry, wildlife management areas, and non-structural types of development associated with existing public or private parks, existing golf courses and other existing recreational uses.

## 7. Town of Pelham Zoning By-law

The lands are currently zoned Agricultural A and Hazard H according to Town of Pelham Zoning By-law No. 1136 (1987), as amended.

## COMMENTS AND DISCUSSION

### 1. Agency Comments

The application was circulated to all internal departments and external agencies having an interest in the application. The following comments have been received to date:

- The **Niagara Peninsula Conservation Authority** has provided correspondence concerning potential impact of the development on the Welland River. A copy of the Authority's detailed comments is included as Attachment No. 3.
- The **Town of Pelham Building Department** and **Regional Public Health Department** have informed that they have no objection to the proposal.

### 2. Public Comments

Notice of this Public Meeting was given by advertisement in the *Pelham News* and *The Voice of Pelham* on Wednesday, September 1, 2004. While a number of persons have telephoned and visited the office, no written comments regarding the proposed amendments have been received to date.

### 3. Planning Staff

The purpose of this report is to make the Committee and public aware of the intent of the applications, applicable policies and agency comments and to facilitate discussion between the interested parties.

A recommendation report will be prepared and presented to this Committee at a subsequent meeting.

## ATTACHMENTS

1. Location Map
2. Preliminary Site Plan
3. Niagara Peninsula Conservation Authority correspondence dated May 3, 2004

Prepared by,



Craig Larmour, MCIP, RPP  
Director of Planning Services

Approved and Submitted by,



Gord Cherney  
Chief Administrative Officer

/CL

Encl.

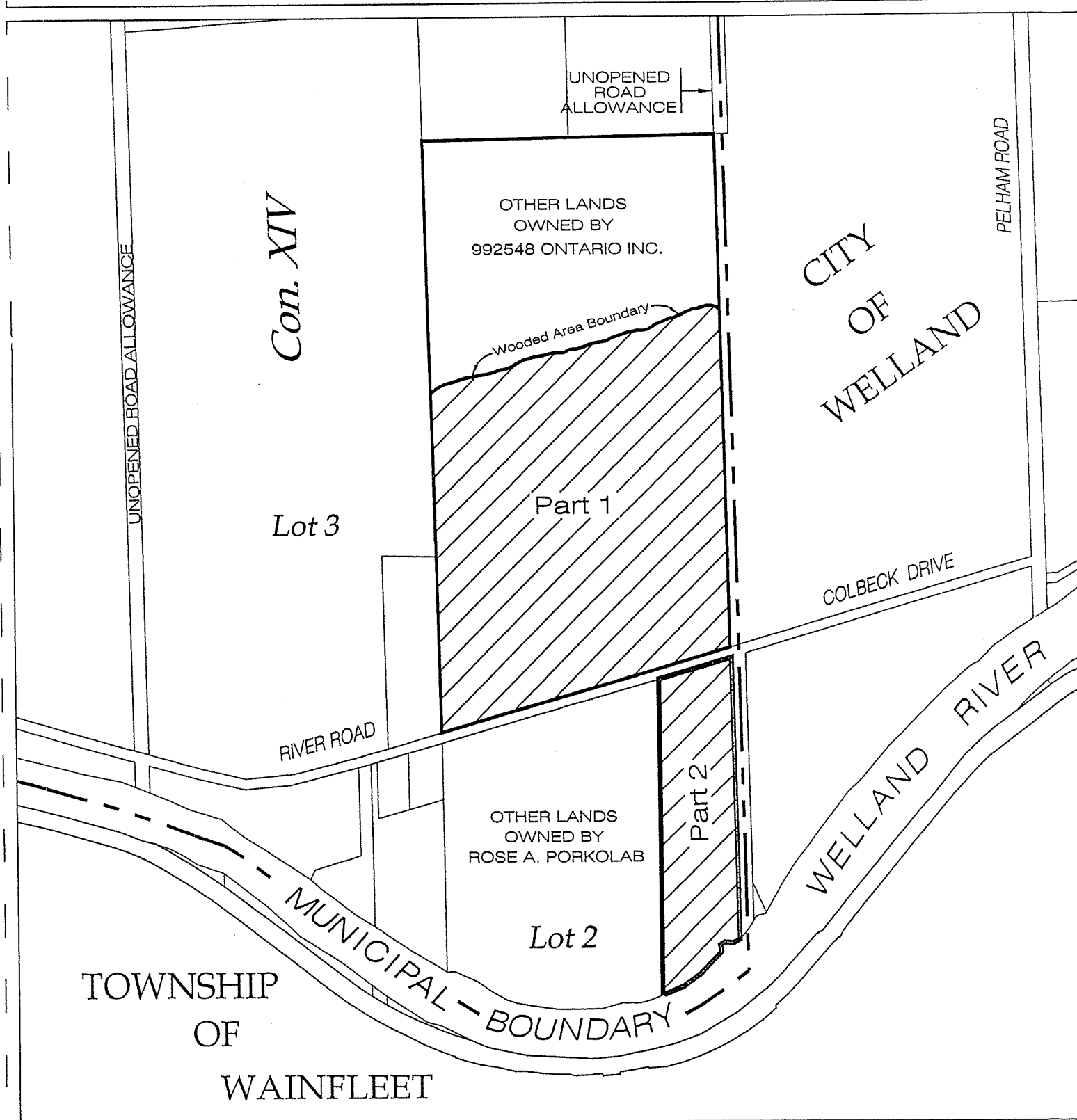


Metric Scale:  
1:7,500

REPORT NO. P-41104  
ATTACHMENT NO. 1  
PAGE NO. 1/1

# LOCATION MAP

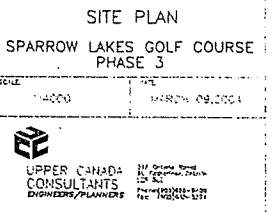
Appendix E-1  
6 of 9



Subject Lands









250 Thorold Road West, 3rd Floor  
Welland, Ontario L3C 3W2  
Tel (905) 788-3135  
Fax (905) 788-1121  
E-mail: npca@conservation-niagara.on.ca

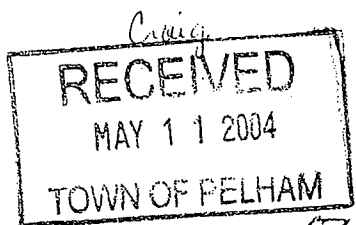
REPORT NO. P-41/04  
ATTACHMENT NO. 3  
PAGE NO. 1/2

Appendix E-1  
8 of 9

May 3, 2004

File MPR 4.40.13

Mr. Craig Larmour, Town Planner  
Town of Pelham  
20 Pelham Town Square  
Fonthill ON L0S 1E0



Dear Sir:

Subject: Application for Zoning Bylaw and Official Plan Amendment  
Sparrow Lakes Golf Course Expansion, Phase 3, River Rd.  
Your File AM-02/04

The NPCA has reviewed the above noted application for Zoning By-law and Official Plan amendment and offer the following comments and observations for your consideration.

The applications propose to re-zone and re-designate approximately 10.6 acres of vacant land on the south side of River Rd., adjacent the Welland River, to permit expansion of the Sparrow Lakes Golf Club. An approximate 50 ac. area on the north side of River Rd. is included in the application. As a note, Authority staff has recently met with the applicant's consultant to discuss the development on a preliminary basis.

The south parcel is abutted to the south by the Welland River. The north parcel is traversed by an unnamed tributary which crosses under River Rd. via culvert, eventually outletting to the Welland River from the applicant's southerly parcel. There are other "minor" surface drainage fingers to the east. Accordingly, the Authority's objectives in reviewing this development proposal pertain to protecting life and property from the effects of flooding, minimizing soil erosion and sedimentation while ensuring the natural integrity of these water courses is maintained. The Authority has engineered floodplain mapping for the portion of the Welland River abutting the subject property, which would be subject to the Authority's current Floodplain Management Policies.

The Authority's Floodplain Management Policies do not allow for the placement of new structural development within riverine floodplain areas. Although no buildings or structures are associated with the golf course expansion, there will be extensive grading and some watercourse re-location involved with the construction of the golf course. A recent site inspection indicated that the main "tributary" was visible as a watercourse, but the eastern tributary was not recognizable as a watercourse on site. For this reason we will not require a buffer on the eastern tributary, and it could be re-graded to accommodate offline ponds provided it is not directly connected to the main tributary. These issues will be reviewed and addressed in greater detail by the NPCA at the site plan approval stage. Any watercourse relocation will require natural channel design, buffers, no reduction in overall watercourse length, and DFO Authorization. NPCA permits pursuant to our Fill, Construction and Alteration to Waterways Regulation may be required as well.

REPORT NO. *P-41/04*  
ATTACHMENT NO. *3*  
PAGE NO. *2/2*

The Authority has recently completed the "Welland River Strategy". This report recognizes the importance of buffers along watercourses and recommends a 30m buffer to prevent erosion, cool water temperatures for fisheries, and to protect water quality. The MNR has designated the Welland River as a Type 1 "Critical" fish habitat. This designation identifies the presence of sensitive species and/or habitat, and requires a minimum 30m natural vegetative buffer measured from the edge of the watercourse. The Tributary on the north parcel is designated a Type 2 "Important" fish habitat, indicating a watercourse below potential but still having the presence of sensitive species or habitat at certain times of the year. A 15m natural vegetative buffer is required on either side of such watercourses, measured from the edge of the watercourse. We are aware that an Environmental Impact Study (EIS) is being undertaken to address the impact of development on the Lower Coyle Creek Wetlands Complex to the north. It is our understanding that the EIS will be reviewing the buffer requirements for the watercourses noted herein as well. We would ask that a 30m section adjacent the Welland River be included in a Hazard/Environmental Conservation type of OP and Zone category. The tributary to the north should have a similar designation/zoning of a 17m wide corridor on either side, measured from the centerline of the watercourse. Given that the precise location of the watercourse and golf course layout are not known at this time (the tributary may be re-located), final approval of the proposed Zoning and Official Plan amendments should be deferred at this time.

It is our understanding that all of this development will be subject to site plan approval. As such, Authority staff will provide more detailed input and comment on Fisheries issues (through the DFO), lot grading and stormwater management design, and actual layout of the golf course itself in relation to Authority interests adjacent the existing watercourses identified herein at that time.

Trusting the enclosed to be satisfactory, please send notice of your Council's decision.

Yours truly



Paul Bond  
Watershed Planner (ext. 234)  
PEB

cc: Regional Niagara Planning and Development Dept. @ 905-641-5208  
Ms. Lisa Campbell, Campbell & Associates via e-mail  
Mr. Dick Hodge, Upper Canada Consultants @ 905-688-5274

## PLANNING SERVICES REPORT

P-50/04

**TO:** Chair, Councillor John Durley, and Members of the General Committee,  
Planning Services Division

**FROM:** C. Larmour, Director of Planning Services

**DATE OF REPORT:** December 02, 2004

**DATE OF MEETING:** December 06, 2004

**SUBJECT:** Proposed Regional Policy Plan Amendment No. 193 and Town of  
Pelham Official Plan and Zoning By-law Amendments  
Application AM-02/04  
Sparrow Lakes Golf Club Expansion

---

### RECOMMENDATION

THAT the General Committee, Planning Services Division, receive Planning Services Report P-50/04 regarding Proposed Regional Policy Plan Amendment No. 193 and Town of Pelham Official Plan and Zoning By-law Amendment Application AM-02/04, 9925480 Ontario Inc. and Rose Porkolab (Sparrow Lakes Expansion), part of Lot 2, Concession 14, in the former Township of Pelham, now Town of Pelham;

AND FURTHER THAT Official Plan and Zoning By-law Amendment Application AM-02/04 be approved and that Planning Staff be directed to prepare the necessary by-laws for consideration by Council.

### LOCATION, PURPOSE, BACKGROUND AND POLICY

#### 1. Location

The subject lands are located on the north and south sides of River Road, lying west of Pelham Street and the City of Welland boundary. The lands are legally described as part of Lot 2, Concession 14, in the former Township of Pelham. A map illustrating the general location of the lands is included as Attachment No. 1.

#### 2. Purpose

The purpose of these applications is to permit the expansion of the existing Sparrow Lakes Golf Course. The specific purpose of each of the three applications is as follows:

**Regional Policy Plan Amendment** to modify the Agricultural policies in order to permit the additional use of lands for the purpose of accommodating a golf course.

Cont.../2

**Official Plan Amendment** to modify the Good General Agricultural and Flood Plain designations to allow for a golf course.

**Zoning By-law Amendment** to amend the Agricultural A and Hazard H Zones to permit a golf course.

### 3. Background

Part 1 of the subject lands is currently designated Good General Agricultural according to the Town of Pelham Official Plan and zoned Agricultural A in Zoning By-law No. 1136(1987), as amended. Part 2 of the land is designated Good General Agricultural (north) and Flood Plain (south). The lands are similarly zoned Agricultural A and Hazard H.

It is intended that the designation and zoning of Parts 1 and 2 be amended to facilitate the extension of Sparrow Lakes Golf Course, currently located within the City of Welland. The 9-hole addition will round out the course into a 36-hole course.

Lands north of Part 1 are comprised of a wooded area. Lands west of Part 2 are occupied by a single detached dwelling and a number of accessory buildings.

On September 27, 2004, the Town convened a public meeting at which time a neighbouring property owner expressed concern regarding the location of the 6<sup>th</sup> hole green and 7<sup>th</sup> hole tee block. On October 19, 2004 Planning Staff met with the applicant and the adjacent owners in an effort to assist in resolving the conflict. In the end it was agreed that the 7<sup>th</sup> hole tee block would remain in its proposed location, however, the 6<sup>th</sup> hole green would be relocated so that the nearest edge of the green would be located a minimum of 30 metres (100 feet) from the westerly property line. In addition, the applicant agreed to suitably landscape the berm located to the west of the green. A copy of the revised site plan, identifying property boundaries and features of the subject site, as well as the proposed course layout, is included as Attachment No. 2.

### 4. Provincial Policy Statement

Section 3 of the *Planning Act* requires that, in exercising any authority that affects planning matters, planning authorities "shall have regard to" policy statements issued under the Act. To this end, the Town shall have regard for the policies of the Provincial Policy Statement (PPS).

Policy 2.1.1 of the Statement states:

*Prime agricultural areas will be protected for agriculture. Permitted uses and activities in these areas are: agricultural uses, secondary uses, and agriculture-related uses. Proposed new secondary uses and agriculture-related uses will be compatible with, and will not hinder, surrounding agricultural operations.*

Policy 2.1.3 states, in part:

*An area may be excluded from prime agricultural areas only for:*

- c) *limited non-residential uses, provided that:*
1. *There is a demonstrated need for additional land to be designated to accommodate the proposed use;*
  2. *There are no reasonable alternative locations which avoid prime agricultural lands; and*
  3. *There are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.*

*Impacts from any new non-agricultural uses on surrounding agricultural operations and land will be mitigated.*

Prime agricultural area is defined by the PPS as:

*Means an area where prime agricultural land predominates. Prime agricultural areas may also be identified through an alternative agricultural land evaluation system approved by the Province.*

The PPS provides the following definition of prime agricultural land:

*Means land that include specialty crop lands, and/or Canada Land Inventory Classes 1, 2 and 3 soils, in this order to priority for protection.*

## **5. Regional Policy Plan**

The subject lands are identified as Good General Agricultural Area as defined by the Regional Plan. The purpose and intent of the Plan is preserve and protect agricultural lands for continued production. However, the Plan policies also allow for the consideration of non-agricultural uses subject to certain criteria. Policy 6.A.8 states:

*Non-agricultural uses should not be located in Agricultural Areas. The introduction of new non-agricultural development of all types into the Agricultural Areas has an adverse impact on the agricultural and natural resources and shall be strictly limited. However, applications for individual non-agricultural uses may be received. These applications will be reviewed through a Regional Policy Plan Amendment using the following review criteria:*

- (a) *the quality of the agricultural land including soils, climate and the nature of agricultural activity in the area. It is expected that Rural Areas will be preferred, that poorer general agricultural lands will be the next preference and the good general agricultural lands will be less preferred for such uses. These uses are not permitted on unique agricultural lands;*

- (b) the need for and desirability of the proposed use to the community;
- (c) the availability of alternative site in Urban Areas and Rural Areas;
- (d) non-agricultural uses shall not be permitted in Unique Agricultural Areas. Furthermore, estate residential development is not permitted in Agricultural Areas and/or in close proximity to agricultural activity;
- (e) the degree of conflict with surrounding agricultural uses. This would depend on the size and nature of the proposed use, the existing agricultural uses and on any buffering factors between them. For example, creeks, roadways, and other prominent features would be helpful in defining and screening a non-agricultural use from surrounding farms
- (f) impact on the environment and on rural resources such as forestry and fisheries; and
- (g) compliance with other policies contained in the Regional Policy Plan.

#### **6. Town of Pelham Official Plan**

The lands are designated as Good General Agricultural and Flood Plain according to the Town of Pelham Official Plan. The current Good General Agricultural designation does not permit the intended use of the lands for golf course purposes.

The Flood Plain policies are intended to control the use and development of lands in recognition of their susceptibility to flooding. The uses permitted on flood plains are limited to agriculture, conservation, forestry, wildlife management areas, and non-structural types of development associated with existing public or private parks, existing golf courses and other existing recreational uses.

#### **7. Town of Pelham Zoning By-law**

The lands are currently zoned Agricultural A and Hazard H according to Town of Pelham Zoning By-law No. 1136 (1987), as amended.

### **COMMENTS AND DISCUSSION**

#### **1. Agency Comments**

The application was circulated to all internal departments and external agencies having an interest in the application. The following comments have been received to date:

- The **Niagara Peninsula Conservation Authority** has provided correspondence concerning potential impact of the development on the Welland River. A copy of the Authority's detailed comments is included as Attachment No. 3.
- The **Town of Pelham Building Department** and **Regional Public Health Department** have informed that they have no objection to the proposal.

## **2. Public Comments**

A Public Meeting was held convened by the Town on Monday, September 27, 2004. A number of persons in attendance addressed the Committee with their concerns relating to the proposal.

## **3. Planning Staff**

The following criteria provided in the Regional Policy Plan are accepted as providing suitable evaluation of applications to expand non-agricultural uses in agriculturally designated areas:

- i. Need of the proposed use;
- ii. Quality of agricultural land involved;
- iii. Compatibility with surrounding use;
- iv. Impact on the environment;
- v. Efficient use of land; and
- vi. Alternative locations.

It is under these criteria that this application is being evaluated in order to determine the appropriateness of permitting the requested golf course expansion.

### **i Need**

The Sparrow Lakes Golf Club was opened in 1995 as an 18 hole course located on the east side of Pelham Street. In 1998, the applicant purchased additional land on the west side of Pelham Street and opened a 9 hole course and practice range in 2000. These lands, located in the City of Welland, also include a club house and parking facility. The applicant informs that membership at the course has continued to grow and is exceeding the capacity of the existing facility in accommodating demand.

The proposed expansion of the golf course through the acquisition of contiguous lands is considered logical in meeting the demand at this facility.

### **ii Quality of Agricultural Land**

The applicant retained the service of Colville Consulting Inc. for the preparation of an Agricultural Impact Assessment in support of this application. The consultant found that the lands are predominately Class 3 soils.

While Class 3 soils are considered prime agricultural lands by the Provincial Policy Statement, they have the lowest priority for protection. In Pelham, Class 3 generally represents the poorest soils, save and except valleylands and floodplains. On this basis, there is no reasonable alternative for the development to locate on poorer class soils.



### **iii Compatibility**

The proposed development while new on this particular parcel of land is not new to the area. In consideration of the fact that this proposal expands an existing facility, the impact and conflict with existing uses is considered to be minimal.

As noted previously, the applicant has agreed to relocate the 6<sup>th</sup> hole green further from the westerly property line in order to minimize the impact on the adjacent residential neighbour. In addition, landscaping measures in the vicinity of the 6<sup>th</sup> hole green and 7<sup>th</sup> hole tee blocks will assist in providing a visual buffer.

### **vi Impact on the Environment**

The applicant retained the service of L Campbell & Associates for the purpose of measuring environmental impact of the proposed development. The consultant addressed all pertinent matters including; fish habitat, woodlot and wetland features, water quality and flora and fauna habitat.

As a result, the boundary of the woodlot and wetland located on the northern portion of the property was identified and the woodlot was eliminated as a possibility for accommodating the proposed expansion.

In addition, the consultant recommended certain measures for the protection of on-site drainage courses through the provision of 30 metre corridors and the establishment of a 30 metre erosion prevention buffer at the Welland River.

The Niagara Peninsula Conservation Authority has expressed concern with respect to the potential for impact on the Welland River. It is accepted that the measures provided for in the L Campbell & Associates report will address the concerns of the Authority.

To date, the applicant has been diligent in implementing all of the recommendations contained within the report. Planning Staff advise that these measures will be perpetuated through the use of Site Plan Control should the application receive approval.

### **v. Efficient Use of Land**

The proposal does not result in the removal of any topsoil from the lands and does not propose the construction of any large scale buildings. While unlikely that the course would cease to exist, the lands could be returned to agricultural if necessary at some point in the future.

### **vi Alternative Location**


The subject lands are located adjacent to the existing golf course, as a result no alternative location was considered.

In conclusion, Planning Staff are of the opinion that the proposal satisfies the required criteria as established in the Regional Policy Plan and Town of Pelham Official Plan for the expansion of non-agricultural uses in agriculturally designated areas. On this basis, Planning Staff recommend approval of the application.

#### ATTACHMENTS

1. Location Map
2. Revised Preliminary Site Plan
3. Niagara Peninsula Conservation Authority correspondence dated May 3, 2004

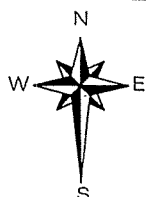
Prepared by,

  
Craig Larmour, MCIP, RPP  
Director of Planning Services

/CL  
Encl.

Approved and Submitted by,

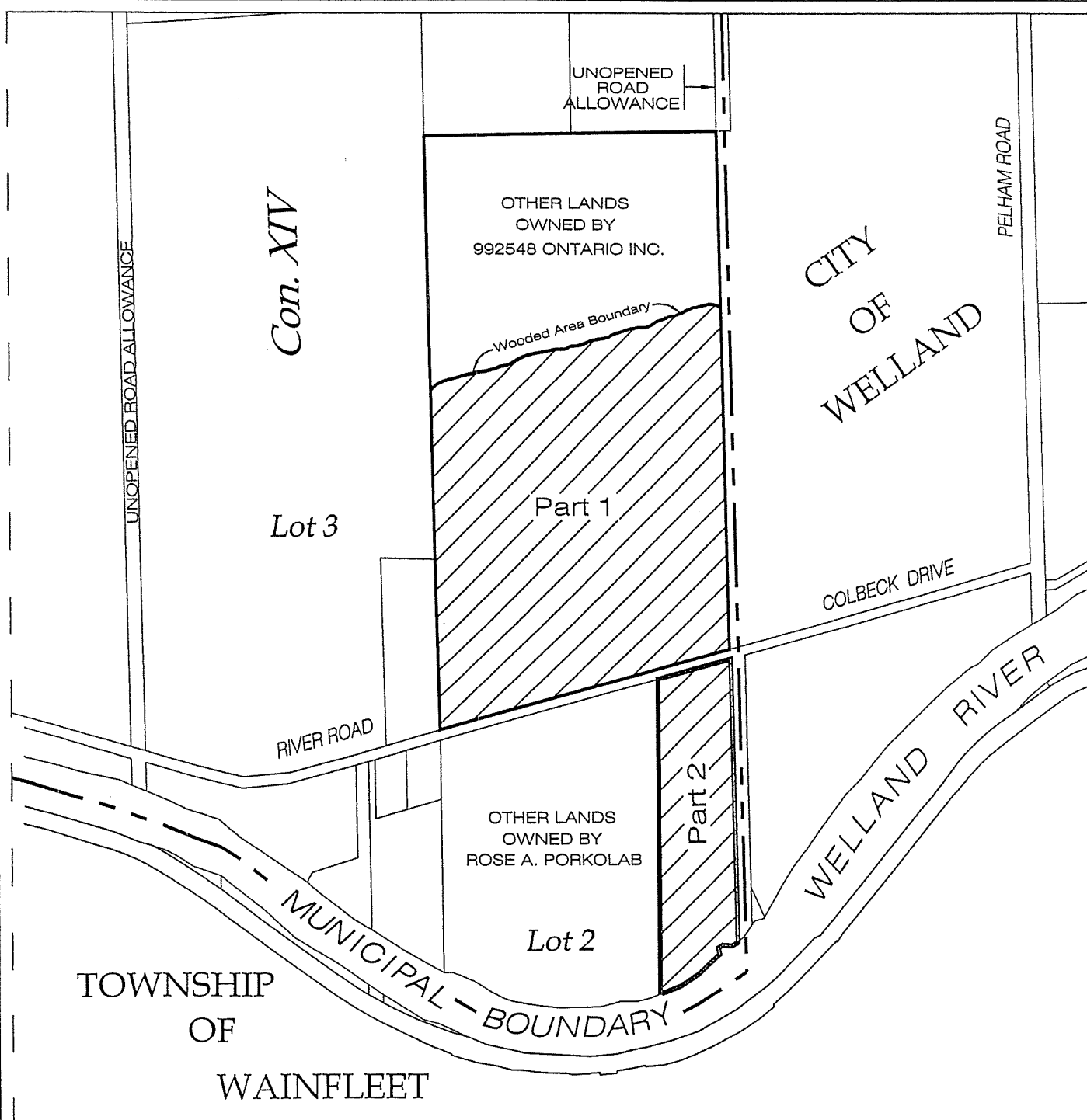
  
Gord Cherney  
Chief Administrative Officer



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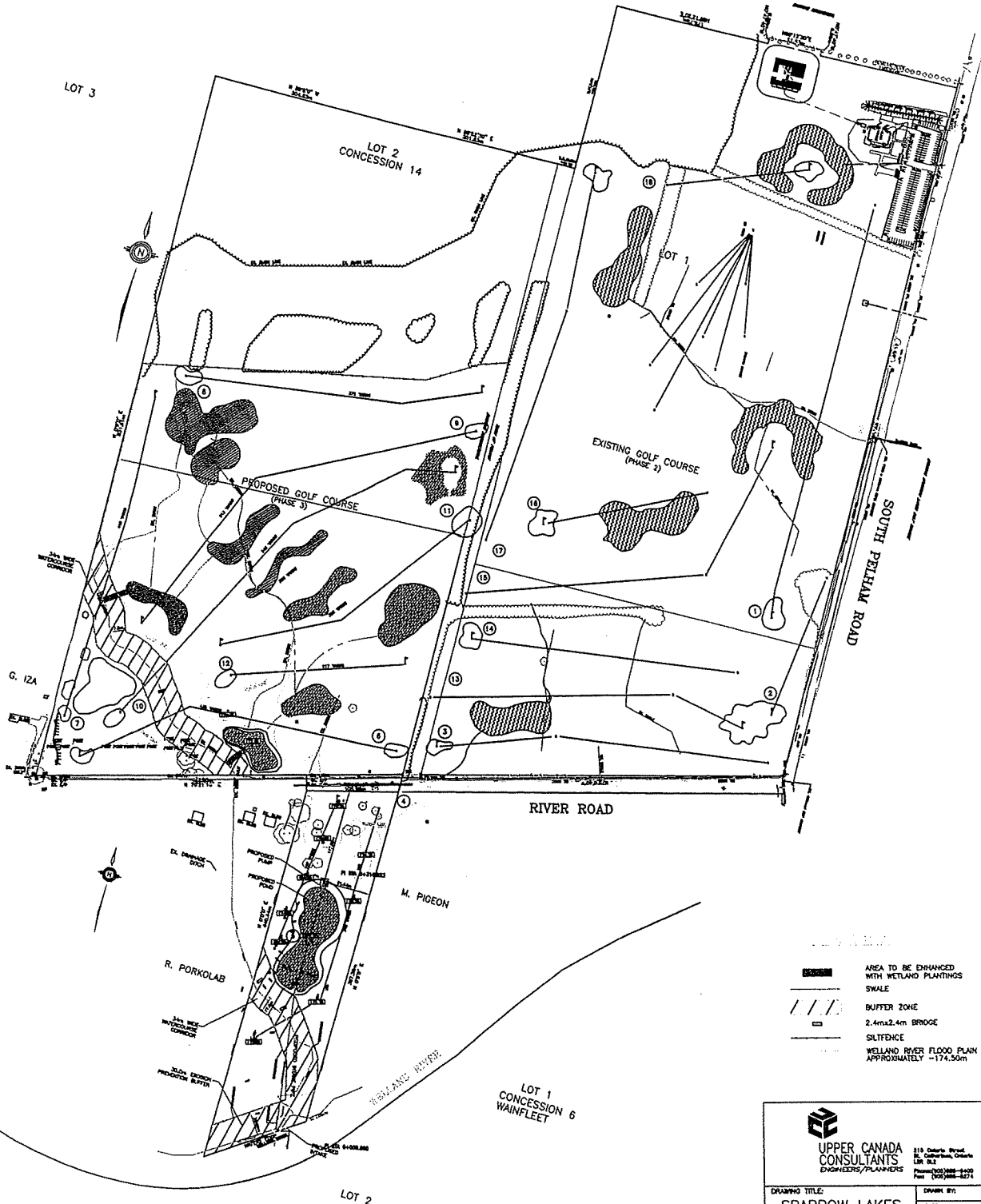
REPORT NO. P-50/04  
ATTACHMENT NO. 1  
PAGE NO. 1/1


# LOCATION MAP



Subject Lands

REPORT NO. P-50104  
ATTACHMENT NO. 2  
PAGE NO. 1/1



 <b>UPPER CANADA CONSULTANTS</b> ENGINEERS/PLANNERS		1110 Centre Street St. Catharines, Ontario L2R 6L7 Phone: (905) 466-8400 Fax: (905) 466-8271
<b>DRAWING TITLE:</b> SPARROW LAKES GOLF COURSE PH3 CITY OF WELLAND SITE PLAN		<b>DRAWN BY:</b> H.G. <b>DATE:</b> NOVEMBER 16, 2004 <b>SCALE:</b> 1:8000 <b>DRAWING NO.:</b> 0350-SP



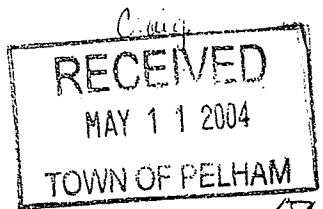
250 Thorold Road West, 3rd Floor Tel (905) 788-3135  
Welland, Ontario L3C 3W2 Fax (905) 788-1121  
E-mail: npca@conservation-niagara.on.ca

REPORT NO. P-50/04  
ATTACHMENT NO. 3  
PAGE NO. 1/2

May 3, 2004

File MPR 4.40.13

Mr. Craig Larmour, Town Planner  
Town of Pelham  
20 Pelham Town Square  
Fonthill ON L0S 1E0



Dear Sir:

Subject: Application for Zoning Bylaw and Official Plan Amendment  
Sparrow Lakes Golf Course Expansion, Phase 3, River Rd.  
Your File AM-02/04

---

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The applications propose to re-zone and re-designate approximately 10.6 acres of vacant land on the south side of River Rd., adjacent the Welland River, to permit expansion of the Sparrow Lakes Golf Club. An approximate 50 ac. area on the north side of River Rd. is included in the application. As a note, Authority staff has recently met with the applicant's consultant to discuss the development on a preliminary basis.

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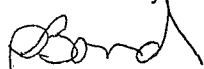
REPORT NO. P-50/04  
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Trusting the enclosed to be satisfactory, please send notice of your Council's decision.

Yours truly



Paul Bond  
Watershed Planner (ext. 234)  
PEB

cc: Regional Niagara Planning and Development Dept. @ 905-641-5208  
Ms. Lisa Campbell, Campbell & Associates via e-mail  
Mr. Dick Hodge, Upper Canada Consultants @ 905-688-5274

THE CORPORATION OF THE TOWN OF PELHAM

IN THE MATTER OF SECTION 17 OF THE  
PLANNING ACT, R.S.O. 1990, AS AMENDED

TOWN OF PELHAM OFFICIAL PLAN AMENDMENT NO. 50

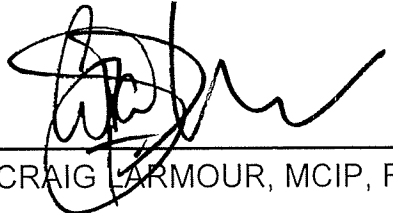
Part of Lot 2, Concession 14, Town of Pelham

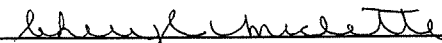
AFFIDAVIT

I, CRAIG LARMOUR, DIRECTOR OF PLANNING SERVICES OF THE TOWN OF PELHAM, IN THE REGIONAL MUNICIPALITY OF NIAGARA, MAKE OATH AND SAY AS FOLLOWS:

- (1) I am the Director of Planning Services of the Corporation of the Town of Pelham and as such I have knowledge of the matters herein set forth.
- (2) The information required under Section 6(2) of Ontario Regulation 198/96 attached as Schedule "A" is provided and is true.

SWORN BEFORE ME AT THE TOWN OF PELHAM )  
IN THE REGIONAL MUNICIPALITY OF NIAGARA )  
THIS 31ST DAY OF JANUARY, 2005 A.D. )  
)  
)  
)  
)  
)  
)  
)

  
CRAIG LARMOUR, MCIP, RPP

  
CHERYL MICLETTE, CLERK

CHERYL MICLETTE, Clerk,  
Town of Pelham, a Commissioner,  
for taking Affidavits in the  
Regional Municipality of Niagara

## SCHEDULE A

1. Pelham Council is submitting an Official Plan Amendment.
2. The proposed amendment does not replace an existing official plan.
- 3
  - i) The lands are described as Part of Lot 2, Concession 14, Town of Pelham
  - ii) The proposed amendment affects approximately 21 hectares (51.8 acres).
  - iii) The proposed amendment does not change, replace or delete a policy in the official plan.
  - iv) Not applicable.
  - v) The proposed amendment adds a policy to the official plan.
  - vi) The purpose of the policy amendment is to modify the Good General Agricultural designation to allow for a golf course.
  - vii) The current designation of the subject land is Good General Agricultural.

The predominant use of land in the Agricultural Area shall be all types of agriculture, which shall include the raising of livestock. Compatible uses such as forestry and conservation shall also be permitted. Residential uses relating to agriculture are also permitted subject to the other policies in this Plan.
  - viii) The proposed amendment does change a designation.
  - ix) The proposed amendment changes the permitted uses on the subject lands in the Agricultural area.
  - x) The proposed amendment would allow the use of lands for a golf course.
  - xi) The subject land is also affected by a Zoning By-law Amendment application. There are no lands within 120 metres of the subject land that are the subject of an application for an amendment to an official plan, a zoning by-law, a Minister's zoning order, a minor variance, a plan of subdivision, a consent or a site plan.
  - xii) The associated Zoning By-law Amendment application is known as File No. AM-2/04 and the Town of Pelham is the approval authority considering the application. The purpose of the Zoning By-law Amendment application is to permit the use of a golf course. The by-law will be presented to Town of Pelham Council after the final approval of OPA 50.



LIST OF PUBLIC BODIES GIVEN NOTICE OF PROPOSED PLAN OR AMENDMENT BUT WHICH DID NOT RESPOND

D. Maniccia, Manager of Operations  
Niagara Catholic District School Board  
427 Rice Road  
WELLAND ON L3C 7C1

Planning & Transportation  
District School Board of Niagara  
191 Carlton Street  
St. Catharines ON L2R 7P4

Manager Land Services  
Enbridge Consumers Gas  
P. O. Box 650  
TORONTO ON M1K 5E3

Clerk, City of Welland  
411 East Main Street  
Welland ON L3B 3X4

Land Use Planning Section  
Real Estate Services  
Hydro One Networks Inc.  
483 Bay St. 15<sup>TH</sup> Floor  
TORONTO ON M5G 2P5

Clerk, Township of Wainfleet  
P. O. Box 44  
Wainfleet ON L0S 1V0

Attn: Secretary  
Enbridge Consumers Gas  
P. O. Box 1051  
THOROLD ON L2V 5A8

Crossings Co-ordinator  
Enbridge Pipelines Inc.  
801 Upper Canada Drive  
P. O. Box 128  
SARNIA ON N7T 7H8

TransCanada Pipelines  
TransCanada Pipelines Tower  
P. O. Box 1000, Stn. M  
Calgary AB T2P 4K5

Chief of Police  
Regional Niagara Police Dept.  
68 Church St.  
St. Catharines ON L2R 3C6

## Appendix H

AMENDMENT BEING INITIATED BY:

APPLICANT- 9925480 Ontario Inc.  
Sparrow Lakes Golf Club  
105 Pelham Street  
Welland ON L3B 5R2  
(905) 788-1649

REGIONAL PROCESSING FEE TO BE PAID BY APPLICANT