

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 2645 (2005)

Being a by-law to amend Zoning By-law No. 1136 (1987),
as amended. (Sparrow Lakes Expansion)

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, as amended, provides that the governing body of a municipal corporation may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

AND WHEREAS the General Committee, Planning Services Division, of the Town of Pelham has recommended that such a by-law be enacted;

AND WHEREAS the Council of the Town of Pelham has deemed it to be in the public interest that such a by-law be enacted;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

1. THAT Schedule 'A' to Zoning By-law No. 1136 (1987), as amended, is hereby amended by rezoning the lands identified as the subject lands on Schedules 'A' and 'B', attached hereto and forming part of this By-law, as follows:

Parts 1, 2 and 3 from Agricultural A Zone to Agricultural A-192 Zone;
Parts 4 and 5 from Hazard H to Hazard H-193 Zone;
Part 6 from Agricultural A Zone to Hazard H-194 Zone;
Part 7 from Hazard H Zone to Hazard H-194 Zone; and
Part 8 from Hazard H Zone to Hazard H-195 Zone.

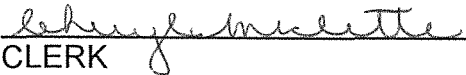
2. THAT Section 30 - Exceptions of By-Law No. 1136 (1987) be amended by adding the following exception:

- "A-192 In addition to the permitted uses of Section 7.1, Agricultural A Zone, use of the lands indicated as A-192 on Schedule 'A' of this By-law for the purpose of a golf course shall also be permitted.
- H-193 In addition to the permitted uses of Section 28.1, Hazard H Zone, use of the lands indicated as H-193 on Schedule 'A' of this By-law for the purpose of a golf course shall also be permitted.
- H-194 Notwithstanding the permitted uses of Section 28.1, Hazard (H) Zone, the lands indicated as H-194 on Schedule 'A', shall only be used for conservation and necessary approved works limited to grade alteration and cart paths for the abutting golf course.
- H-195 Notwithstanding the permitted uses of Section 28.1, Hazard (H) Zone, the lands indicated as H-195 on Schedule 'A', shall only be used for conservation."

3. That this By-Law shall come into force and take effect pursuant to Sections 34(21) and 34(30) of the Planning Act, R.S.O. 1990, as amended.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
21ST DAY OF FEBRUARY, 2005 A.D.


MAYOR (ACTING)


CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2645 (2005)

This By-law involves a parcel of land located on both the north and south sides of River Road, lying west of Pelham Street and the City of Welland municipal boundary. The lands are described legally as part of Lot 2, Concession 14, Town of Pelham.

The subject lands are currently zoned Agricultural A and Hazard H according to Zoning By-law No. 1136 (1987), as amended. Parts 1, 2 and 3 are to be rezoned to Agricultural A-192 in order to permit the golf course development. Similarly, Parts 4 and 5 are to be rezoned to Hazard H-193 to permit a golf course. Parts 6 and 7 are to be rezoned to Hazard H-194 to provide a 17 metre buffer on either side of the Welland River tributary, identified as a Type 2 fish habitat. Finally, Part 8 is to be rezoned to H-195 to provide a 30 metre buffer from the Welland River in order to protect the Provincially Significant Wetlands and Critical Type 1 fish habitat.

File No: AM-02/04

Applicants: 9925480 Ontario & R. Porkolab

Assessment Roll No.: 2732 030 017 13000 & 2732 030 017 13001

Planning Report No.: P-50/04