

The Corporation of the Township of Pelee

By-law No. 1597

Being a By-Law to amend By-law No. 1547,
the Zoning By-law for the Township of Pelee
(1563 McCormick Road Pland 35 Part Lot 30 and Part Lot 69)

WHEREAS By-law No. 1547 the Township's comprehensive Zoning by-laws regulating the use of land and the character, location and use of buildings and structures within the former Township of Pelee.

AND WHEREAS the Council of the Corporation of the Township of Pelee deems it expedient and in the best interest of proper planning to further amend by-law 1547;


AND WHEREAS this by-law conforms with the Official Plan that pertains to the Township of Pelee, as amended by Official Plan Amendment No. 4 to the Official Plan for Pelee Township;


NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE TOWNSHIP OF PELEE ENACTS AS FOLLOWS:

THAT Schedule "A", Map 7 to By-law 1547, is hereby amended by changing the zoning classification on the parcel of land depicted on Schedule "A" attached hereto and forming part of this by-law from "Agricultural (A1)" to "General Residential (R1)".

AND THAT this By-Law shall come into force and take effect on the 7th day of July, 2003 and the short title of this By-Law is "Smith ZBL Amendment".

Passed this 7th day of July, 2003



Mayor
(c/s)


Clerk-Treasurer

Clerk's Certificate

I, Daphne Blais Rae, Clerk-Treasurer of the Township of Pelee, DO HEREBY CERTIFY the foregoing to be a true and complete copy of the By-law No. 1597 of the Township of Pelee in the Province of Ontario, duly passed at a meeting of the Council of the Corporation of the Township of Pelee, on the 7th day of July, 2003 and that this By-law is in full force and effect

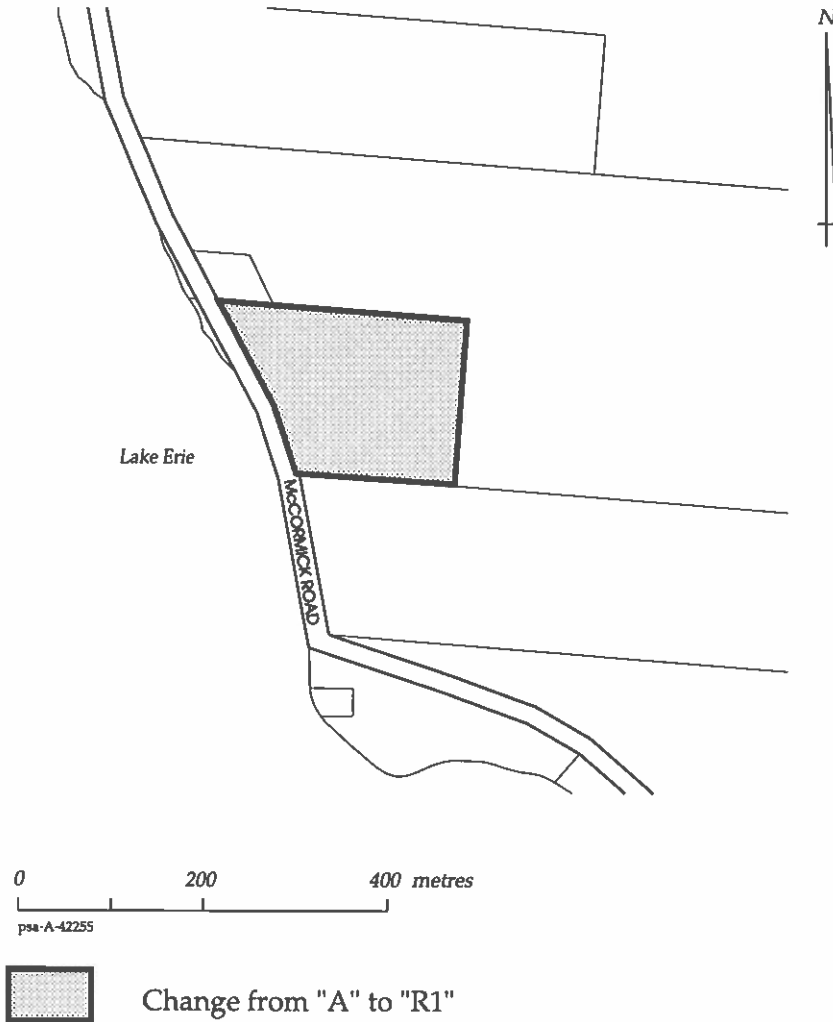
CERTIFIED THIS 6th day of August, 2003

Daphne Blais Rae, AMCT
Clerk-Treasurer

EXPLANATORY NOTE

The purpose of By-law 1597-2003 is to change the zoning on land situated on the east side of McCormick Road from "Agricultural (A)" to "General Residential R1" to permit five new residential lots on the subject property (see Key Map below for location). The subject property is also the subject of an official plan amendment which seeks to change the land use designation from Agriculture to Residential.

KEY MAP



AMENDMENT NO. 812

TO THE OFFICIAL PLAN FOR THE TOWNSHIP OF PELEE

(1563 McCormick Road Plan 35 Part Lot 30 and Part Lot 69)

PREPARED ON BEHALF OF THE
TOWNSHIP OF PELEE,
1045 WEST SHORE ROAD,
PELEE ISLAND, ONTARIO
N0R 1M0
(519) 724-2931

TABLE OF CONTENTS

	<u>Page</u>
OFFICIAL DOCUMENTATION PAGES	
- The Clerk's Certificate Page	i
- The Adopting By-law	ii
THE CONSTITUTIONAL STATEMENT	iii
PART A - THE PREAMBLE	1
Purpose of the Amendment	1
Basis of the Amendment	1
PART B - THE AMENDMENT	2
Details of the Amendment	2
Implementation of the Amendment	2
PART C - THE APPENDICES	3
Appendix 1 - Planning Analysis	3
Appendix 2 - Public Participation	3

This Amendment No. ^R5 to the Official Plan for the Township of Pelee, which has been adopted by the Council for the Corporation of the Township of Pelee is hereby approved in accordance with Section 21 of the Planning Act, R.S.O. 1990 as Amendment No. 4 to the Official Plan for the Township of Pelee.

August 11, 2003
DATE

Daphne Blais Rae

The Constitutional Statement

Part A – The Preamble does not constitute part of this amendment

Part B – The Amendment consisting of the following text and map, constitutes amendment No. 5 to the Official Plan for the Township of Pelee

Also attached is **Part C – The Appendices** which does not constitute part of this amendment. These appendices contain the planning considerations and public involvement associated with this amendment.

Part A – The Preamble

Purpose of the Amendment

The purpose of Official Plan Amendment No. 5 is to change the land use designation on approximately 9 acres of land described as Part of Lot 30 and Part of Lot 69, Registered Plan 35, Township of Pelee shown on Schedule "A", attached hereto and forming part of this amendment from "Agricultural" to "Residential".

Basis of the Amendment

The land that is the subject of this amendment is situated at the southwestern end of the Township. Currently, the subject property is not used for agricultural purposes and will not be in the future. There is currently one dwelling on the subject property and there is sufficient land area for the creation of five new residential building lots to be severed.

Part B – The Amendment

Details of the Amendment

The Official Plan for the Township of Pelee, as amended, is hereby further amended as follows:

Schedule "A-2", Land Use Plan to the Official Plan for the Township of Pelee, is hereby amended by changing the land use designation on Part of Lot 30 and Part of Lot 69, Registered Plan 35, Township of Pelee, County of Essex shown on Schedule "A" attached hereto and forming part of this amendment from "Agricultural" to "Residential".

Implementation of the Amendment

This amendment will be implemented through an amendment to the Zoning By-law and severance applications.

Part C – The Appendices

Appendix 1 – Planning Analysis

The purpose of Official Plan Amendment No. 5 to the Official Plan for the Township of Pelee is to change the land use designation on Schedule "A-2" the Land Use Plan, for Part of Lot 30 and Part of Lot 69, Registered Plan 35, Township of Pelee, County of Essex shown on Schedule "A" attached hereto and forming part of this Amendment from "Agricultural" to "Residential". This change in designation will permit the creation of five new residential lots.

The Official Plan for the Township of Pelee establishes a policy direction whereby future development should be encouraged on Pelee Island in an attempt to curb a sagging economy and a declining permanent population.

Appendix 2 – Public Participation

The minutes of the public meeting held to consider this amendment are attached.

Form 1
The Planning Act, R.S.O. 1990
Notice of the Passing of a Zoning By-law Amendment by
The Corporation of the Township of Pelee

TAKE NOTICE that the Council of the Corporation of the Township of Pelee has passed by-law 1597 on the 7th day of July, 2003 under Section 34 of the Planning Act, R.S.O. 1990.

AND TAKE NOTICE that only individuals, corporations and public bodies may appeal a zoning by-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of individual who is a member of the association or the group on its behalf. An appeal to the Ontario Municipal Board in respect of the By-law may be completed by filing with the Clerk of the Township of Pelee not later than the 28th day of July, 2003, a notice of appeal setting out the objection to the By-law and the reasons in support of the objection accompanied by the required fee of \$125 made payable to the Minister of Finance.

An explanation of the purpose and effect of the by-law describing the lands to which the by-law applies and a key map showing the location fo the lands to which the by-law applies are attached. The complete by-law and any associated information if available for inspection in my office during regular office hours.

Dated at the Township of Pelee this 10th day of July, 2003.



Daphne Blais Rae, AMCT
Clerk-Treasurer
Township of Pelee
1045 West Shore Road
Pelee Island ON
N0R 1M0
Tel: 519-724-2931



Ontario

Ministry of
Municipal Affairs

Ministère des
Affaires municipales

Municipal Services Office
Southwestern
659 Exeter Road, 2nd Floor
London ON N6E 1L3
519/873-4020
Fax: 519/873-4018
Toll Free: 1-800-265-4736

Bureau des services aux municipalités
région du Sud-Ouest
659 Exeter Road, 2^e étage
London ON N6E 1L3
(519) 873-4020
Télécopieur : (519) 873-4018
Sans frais : 1 800 265-4736

February 4, 2004

Ms. Daphne Blais Rae
Clerk
Township of Pelee
1045 West Shore Road
Pelee Island, ON NOR 1M0

Re: Official Plan Amendment No. 5 to the Official Plan of the
Township of Pelee
Part of Lot 30 and 69, Plan 35
Township of Pelee, County of Essex
Bruce Smith
MMAH File No. 37-OP-3706-005

Dear Ms. Rae:

Please find attached a copy of the notice of decision regarding the above-noted application.

Please be advised that it will be our expectation that the concerns noted by the Ministry of Natural Resources (MNR) and the Essex Region Conservation Authority (ERCA) will be incorporated as conditions of approval for the creation of the proposed lots, either through the plan of subdivision or consent process. A copy each of the letters from MNR and ERCA in this regard is attached for your reference.

If you have any questions regarding this application, please feel free to call
Scott Oliver at (519) 873-4033.

Sincerely,

Bruce Curtis
Manager
Community Planning and Development

enclosures (4)

c.c. Bruce & Darith Smith
Fiona Walker, MNR, Aylmer
Rebecca Belanger, ERCA, Essex

Presented to COUNCIL

FEB 16 2004

TOWNSHIP OF PELEE

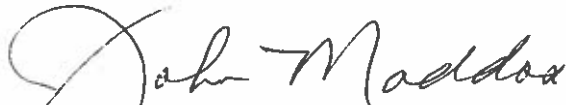
FEB 09 2004

DECISION

With respect to Official Plan Amendment #5
Subsection 17(34) of the Planning Act

I hereby approve all of proposed Amendment No. 5 to the Official Plan
for the Township of Pelee adopted by By-law No. 1599.

Dated at London this 4th of February, 2004



John Maddox
Director
Municipal Services Office - Southwestern
Ministry of Municipal Affairs