



The Corporation of the Town of Pelham

By-law No. XXXX-2024

Being a By-law to Redivide the Wards in the Town of Pelham and to repeal and replace By-Law No. 3402(2013).

WHEREAS section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (“*Municipal Act, 2001*” or “the statute”) provides that the powers of a municipality under the statute or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the statute or any other Act;

AND WHEREAS section 11 of the *Municipal Act, 2001* provides that a lower-tier municipality has the authority to pass by-laws respecting the governance structure of the municipality and its local boards;

AND WHEREAS subsection 222(1) of the *Municipal Act, 2001* provides that sections 9 and 11 of the statute authorize a municipality to pass by-laws to divide or redivide the municipality into wards;

AND WHEREAS the Town of Pelham has experienced population growth such that a review of existing ward boundaries was undertaken to ensure fair and equitable representation for all residents of the municipality;

AND WHEREAS the Town of Pelham held public open house meetings on February 12, 2024, and February 27, 2024, to review and gather public input on proposed ward boundary adjustments;

AND WHEREAS on May 29, 2024, the Council of the Corporation of the Town of Pelham considered the proposed ward boundary adjustments and the input obtained from the public and passed a resolution approving the redivision of the Town of Pelham into wards in accordance with the proposed boundary adjustments;

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it necessary and desirable to redivide the Town of Pelham into wards in accordance with the said resolution and the provisions of the *Municipal Act, 2001*, and to enact this by-law for that purpose;

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts as follows:

1. Redivision of the Town of Pelham into Wards

- 1.1. The Town of Pelham is hereby redivided from three (3) existing wards into three (3) new wards, which shall be known as Ward One (1), Ward Two (2), and Ward Three (3).

1.2. The boundaries for each ward are as described in Schedule "A" and as shown in Schedule "B", which are attached hereto and form part of this By-law.

1.3. The Town Clerk is hereby authorized and directed to do all things necessary to give effect to this By-law, including providing the notice required under subsection 222(3) of the *Municipal Act, 2001*.

2. General

2.1. The short title of this By-law is the "Ward Redivision By-law".

2.2. If any provision of this By-law is found by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, the balance of the By-law shall not be affected and shall remain in full force and effect.

2.3. If there is a conflict between a provision of this By-law and a provision of any other By-law of the Town, the provision that establishes the higher standard shall prevail.

2.4. This By-law shall be read with all changes in number or gender as are required by context.

2.5. Any reference to legislation in this By-law includes the legislation and any amendment, replacement, subsequent enactment or consolidation of such legislation.

2.6. The Town Clerk is hereby authorized to effect any minor modifications or corrections solely of an administrative, clerical, numerical, grammatical, semantical or descriptive nature or kind to this By-law as are determined to be necessary.

3. Repeal and Enactment

3.1. By-law 3402(2013), being a by-law to redivide the Town of Pelham ward boundaries, is hereby repealed and replaced.

4. Effective Date

4.1. This By-law shall come into force and effect on the date determined under subsections 222(8) and 222(9) of the *Municipal Act, 2001*.

Read, enacted, signed and sealed this XXst day of XXXX, 2024.

Marvin Junkin, Mayor

Sarah Leach, Acting Town Clerk

Schedule "A" to By-Law XX-2024

Description of Ward One (1)

COMMENCING at the northwest angle of the area municipality of the Town of Pelham; Thence easterly along the northerly boundary of the said Town (being the boundary between the Geographic Townships of Pelham and Louth} to the northeast angle of the said Town; Thence southerly along the easterly boundary of the area municipality of the Town of Pelham (being the boundary between the Geographic Townships of Pelham and Thorold} to the Road allowance between Concessions 5 & 6 in the Geographic Township of Pelham; Thence westerly along the centre line of the Road Allowance between Lot 1 Concessions 5 & 6 in the Geographic Township of Pelham to Metler Road; Thence westerly along the centre line of Metler Road to Effingham Street; Thence southerly along the centre line of Effingham Street to Welland Road; Thence easterly along the centre line of Welland Road to Haist Street; Thence southerly along the centre line of Haist Street to Foss Road; Thence easterly along the centre line of Foss Road to the easterly boundary of the Town (being the boundary between the Town of Pelham and the City of Welland); Thence southerly along the said easterly boundary of the Town to the southerly limit of the said Town (being the centre line of the Welland River}); Thence westerly along the southerly limit of the Town (being the centre line of the Welland River) to the southwest angle of the said Town; Thence northerly along the westerly boundary of the Town to the point of commencement.

Description of Ward Two (2)

Commencing at a point in the easterly boundary of the area municipality of the Town of Pelham (being the boundary between the Geographic Townships of Pelham and Thorold the centre line of the Road Allowance between Concessions 5 & 6 in the Geographic Township of Pelham); Thence westerly along the centre line of the Road Allowance between Lot 1 Concessions 5 & 6 in the Geographic Township of Pelham to Metler Road; Thence westerly along the centre line of Metler Road to Effingham Street; Thence southerly along the centre line of Effingham Street to Pancake Lane; Thence easterly along the centre line of Pancake Lane to Pelham Street; Thence northerly along the centre line of Pelham Street to Port Robinson Road; Thence easterly along the centre line of Port Robinson Road to a point in Lot 160 in the Geographic Township of Thorold distant 660 feet measured

easterly at right angles from the easterly limit of Rice Road in the said Geographic Township of Thorold; Thence northerly parallel with the easterly limit of Rice Road to the southerly limit of the right-of-way of the Hydro Electric Power Commission of Ontario crossing Lot No. 161 of the Geographic Township of Thorold; Thence northwesterly along the southerly limit of the said right-of-way across Lot No.'s 161, 162 and 163 in the Geographic Township of Thorold to the easterly boundary of the Town of Pelham; Thence northerly along the easterly boundary of the said Town (being the boundary line between the Geographic Townships of Pelham and Thorold) to the point of commencement.

Description of Ward Three (3)

COMMENCING at a point in the easterly boundary of the Town (being along the boundary between the Town of Pelham and the City of Welland) at a point in the westerly limit of the Road Allowance Between Lots 1 and 2, Concession 10 north of Foss Road which is the northwest angle of the City of Welland; Thence easterly along the boundary line between the Town of Pelham and the City of Welland to the easterly limit of South Pelham Road; Thence easterly across Lot No. 237 of the Geographic Township of Thorold along the boundary line between the City of Welland and the Town of Pelham to a point in the westerly limit of the NS & T railway right-of-way; Thence northerly along the westerly limit of the said right-of-way to a point on a line midway between Merritt Road and Quaker Road; Thence easterly 66.4 feet more or less to the northwesterly angle of Registered Plan 664; Thence easterly along the northerly limit of Registered Plan 664 (being a line between the Town of Pelham and City of Welland) 699 feet more or less to a point in the southeast angle of Registered Plan 59M-298; Thence northerly, along the easterly limit of Registered Plan 59M-298 (being a line between the Town of Pelham and City of Welland) 309.1 feet to a point; Thence easterly 653.77 feet more or less to the northeast angle of Registered Plan 664 being the line between Lots No. 175 and No. 176 in the Geographic Township of Thorold; Thence southerly along the line between Lots No. 175 and 176, 338.45 feet more or less to a point at the intersection of the northerly boundary of the City of Welland and the easterly limit of Lot 176; Thence easterly in the limit between the Town of Pelham and the City of Welland to a point in Lot No. 174 in the Geographic Township of Thorold measured 660 feet easterly at right angles from the eastern limit of Rice Road; Thence northerly parallel with the easterly limit of Rice Road to Port

Robinson Road; Thence westerly along the centre line of Port Robinson Road to Pelham Street; Thence southerly along the centre line of Pelham Street to Pancake Lane; Thence westerly along the centre line of Pancake Lane to Effingham Street; Thence southerly along the centre line of Effingham Street to Welland Road.; Thence Easterly along the centre line of Welland Road to Haist Street; Thence southerly along the centre line of Hast Street to Foss Road; Thence easterly along the centre line of Foss Road to the point in the easterly boundary of the Town; Thence northerly along the easterly boundary of the Town (being along the boundary between the Town of Pelham and the City of Welland) to the point of commencement.

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