

4-10-72

Amendment No. 12
to the
Official Plan
of the
Pelham Planning Area

Planning Consultants:

Miller O'Dell & Paul
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26-0P - 3875 012

CERTIFICATES

OFFICIAL PLAN

OF THE

PELHAM PLANNING AREA

AMENDMENT NO. 12

This Amendment was adopted by the Corporation of the Town of Pelham by By-law No. 1072 in accordance with Sections 13 and 17 of the Planning Act on the 16th day of June, 1986.

(SEAL)

This Amendment to the Official Plan of the Pelham Planning Area, which has been recommended by the Pelham Planning Board and adopted by the Council of the Town of Pelham, is hereby approved in accordance with Section 17 of the Planning Act, as Amendment No. 12 to the Official Plan of the Pelham Planning Area.

Date: _____

Approval Authority


Amendment No. 12
to the
Official Plan for the
Town of Pelham Planning Area

This Amendment to the Official Plan for the Town of Pelham Planning Area, which has been adopted by the Council of the Corporation of the Town of Pelham, is hereby modified in accordance with Sections 17 and 21 of the Planning Act, 1983, by the following:

- 1) In Policy 5.7(iii), the words "or mobile homes" are deleted;
- 2) In Policy 5.7(b)(i) and (ii), the phrase "including residences containing between three (3) and twenty-five (25) dwelling units" are inserted after the words "development" and "residential buildings" respectively;
- 3) In Policy 5(7)(d), add the phrase "...; however, if more than one-half of the widening is required on one side, only one half shall be taken by site plan control" after the word "otherwise" in the ninth line;
- 4) In policy 5(7)(d) reword the last sentence to read as follows: "Road widening requirements adjacent to Regional Roads will be added by amendment to the Regional Policy Plan subsequent to the completion of the Regional Roads Right of Way Study".

As thus modified, this amendment is hereby approved under sections 17 and 21 of the Planning Act, 1983, as Amendment No. 12 to the Official Plan for the Pelham Planning Area.

Date ..Nov. 4, 1986.....



L. J. FINCHAM
Director
Plans Administration Branch
Central and Southwest
Ministry of Municipal Affairs

THE CORPORATION OF THE
T O W N O F P E L H A M

BY-LAW #1072 (1986)

The Council of the Corporation of the Town of Pelham in accordance with the provisions of the Planning Act, S.O. 1980, hereby enacts as follows:

- (1) Amendment No. 12 to the Official Plan of the Pelham Planning Area, consisting of the attached schedules and explanatory text, is hereby adopted.
- (2) That the Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of the aforementioned Amendment No. 12 to the Official Plan of the Pelham Planning Area.
- (3) This by-law shall come into force and take effect on the day of the final passing thereof.

ENACTED AND PASSED THE 16th. DAY OF JUNE, 1986 A.D.

E.S. Bergenstein
MAYOR

Murray Hackett
CLERK

Certified that the above is a true copy of By-law #1072 (1986) as enacted and passed by the Council of the Town of Pelham on June 16th., 1986.

SIGNED: Murray Hackett
Clerk of the Municipality

PART "A" - THE PREAMBLE

Purpose -

The purpose of this amendment is to add site plan control policies to the Pelham Official Plan pursuant to Section 40 of the Planning Act.

Location -

The policies contained herein will be added to Section 5 of the Pelham Official Plan and will generally apply to all of the Town of Pelham as set out in Part "B" hereof.

Basis -

- (1) Site plan control has been utilized since 1980 as part of the normal land use planning and development process. Council is required, pursuant to Section 40 of the Planning Act 1983, to add appropriate policies to the Pelham Official Plan to continue the use of site plan control in the Town.
- (2) The whole Town will be designated a site plan control area. It is not the intention of Council to apply site plan control to all development, but rather to exempt certain types of development including single-family and two-family dwellings and agricultural development.
- (3) It is the intention of Council to consider all of the various types of land uses in the Town, and by by-law, designate these land uses which shall be subject to site plan control. It is anticipated that all multiple residential uses, all commercial and industrial uses, including agriculturally related commercial and industrial uses and farm help houses will be subject to site plan control. Site plan control is appropriate to regulate the location of a farm help house to avoid the possibility of a severance in the future.
- (4) Council has considered the matter of acquiring land for road widening purposes and for intersection improvements as a condition of development or redevelopment of land. Policies are included to allow the acquisition of land for such purposes, providing such land is equitably taken from each side of the road on a fair and equitable basis as is possible.
- (5) This amendment does not provide for the acquisition of lands for road widening and intersection improvements along regional roads. Such policies will be subject to the findings of the "Regional Roads Right of Way Study" currently being prepared by the Region of Niagara.

Implementation and Interpretation -

The respective policies of the Pelham Official Plan shall apply to the implementation and interpretation of this amendment.

PART "B" - THE AMENDMENT

- (1) The following site plan control policies are hereby added to the Pelham Official Plan as Subsection 5.7: -

5.7 - Site Plan Control -

- (a) All of the Town of Pelham shall be considered a site plan control area pursuant to Subsection 40 (2) of the Planning Act, 1983. Land uses which are exempt from these provisions shall be: -

- (i) Single family and two family dwellings.
- (ii) Agricultural uses including greenhouses, but this shall not include farm related commercial or industrial uses.

MODIFICATION _____
NO. 1
UNDER SECTION 17(9) OF
THE PLANNING ACT, 1983

- (iii) Notwithstanding (i) and (ii) above, single family dwellings ~~or mobile homes~~ used for farm help houses shall be subject to site plan control to regulate the location of the dwelling, preferably in close proximity to main farm buildings. In no case shall a road widening be required as a condition of site plan approval for a help house.

Council shall enact a site plan control by-law to designate those lands which it considers desirable as site plan control areas. Such uses shall include multiple residential uses, institutional uses and commercial and industrial uses.

- (b) Pursuant to Section 40 (4) of the Planning Act, all development within such areas designated by Council as a site plan control area, shall require the approval of Council of one or both of the following as Council may determine, based on the merits of each application: -

MODIFICATION _____
NO. 2
UNDER SECTION 17(9) OF
THE PLANNING ACT, 1983

- (i) Plans showing the location of all buildings, structures, facilities and works to be constructed in conjunction with the development.
- (ii) Drawings showing plan and elevation of each building to be constructed including apartment and multiple residential buildings.

- (c) As a condition to the approval of plans and drawings referred to in (b) above, Council may require one or more of the following, including road widenings abutting the property; access ramps; signage; vehicle loading, parking walkways and surfacing of such areas; lighting; landscaping; refuse storage facilities; easements for municipal purposes; and site grading and drainage facilities. The owner shall enter into an agreement with the Town ensuring the provision of all buildings, structures, facilities and work required under Subsection 5.7 hereof.

con't.....

- (d) Pursuant to Subsection 40 (9) of the Planning Act, 1983, local road widenings may be required to a maximum width of 20.12 metres (66 feet) as a condition of development of any lands within a designated site plan control area abutting any local road indicated on Schedule "C".

Local road widenings will be taken along each side of the subject road to a maximum of one-half the required road widening except where topographic features dictate otherwise.

~~MODIFICATION NO. 3 UNDER SECTION 17(9) OF THE PLANNING ACT, 1983~~ ~~ROAD WIDENING REQUIREMENTS ADJACENT TO REGIONAL ROADS MAY BE ADDED BY AMENDMENT TO THIS PLAN NO. 4 UNDER SECTION 17(9) OF THE PLANNING ACT, 1983~~ ~~SUBSEQUENT TO THE COMPLETION OF THE "REGIONAL ROADS RIGHT OF WAY STUDY".~~

THE CORPORATION OF THE



TOWN OF PELHAM

TOWN OF PELHAM NOTICE OF PUBLIC MEETING

PURPOSE: To consider and receive comments from the public regarding a proposed Amendment to the Official Plan of the Pelham Planning Area.

and **NATURE OF AMENDMENT:** The proposed amendment would designate the entire Town of Pelham as a Site Plan Control Area pursuant to Section 40 (2) of The Planning Act, 1983. Exempt from this control would be single and two family dwellings, except where they are to be used as farm help houses. Agricultural uses not including greenhouses and farm related commercial or industrial uses.

MEETING DATE: TUESDAY, JUNE 10th, 1986
MEETING TIME: 7:30 p.m.

MEETING PLACE: Council Chambers, Municipal Building,
20 Pelham Town Square, Fonthill, Ontario, L0S 1E0

This Amendment applies to the entire Town of Pelham and not to any one particular area, therefore no key plan is provided.

For further information contact:

E.G. WAGG,
Town of Pelham Municipal Offices,
20 Pelham Town Square,
P.O. Box 400,
Fonthill, Ontario, L0S 1E0
892-2607

P U B L I C M E E T I N G H A N D O U T

SITE PLAN CONTROL

PLANNING ACT OF ONTARIO
SECTION 40

The Planning Act makes provision for municipalities to control the location of buildings and structures on lots together with landscaping, massing and servicing details. This is done through the approval of development plans, and as a condition of approval the municipality may require the developer to enter into an agreement to ensure the completion of the required works.

This control was formerly contained in municipal By-law #649 (1980) which designated the Town of Pelham as a Site Plan Control Area. The new Planning Act of Ontario which was made law in 1983 now requires that a municipality's Official Plan must contain site plan control policies in order to be able to continue to use the controls as provided for in the Act. The Town is now proceeding to place such policies in its Official Plan. A copy of the proposed Official Plan Amendment containing these policies is attached for your information.

The objectives of Site Plan Control are:

- To improve the treatment of site plan details and maintain a consistent municipal standard in a site plan control area;
- To ensure safety and efficiency of vehicular and pedestrian access;
- To minimize land use incompatibility between new and existing development;
- To provide functional and attractive on-site facilities such as landscaping and lighting;
- To control the placement and provision of required services such as driveways, parking, loading facilities and garbage collection;
- To secure easements or grading and alterations necessary to provide for public utilities and site drainage; and
- To ensure that the development proposed is built and maintained as approved by council.