

**AMENDMENT NO. 04**  
**TO THE**  
**OFFICIAL PLAN (2014)**  
**FOR THE**  
**CORPORATION OF THE TOWN OF PELHAM**

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## **PART “A” - THE PREAMBLE**

### **SECTION 1**

#### **TITLE AND COMPONENTS**

This document, when approved in accordance with Sections 17 and 21 of The Planning Act, R.S.O. 1990, as amended, shall be known as Amendment No. 04 to the Official Plan adopted by By-law No. 3259 (2012), and confirmed by the Ontario Municipal Board decision of July 18, 2014, for the Town of Pelham Planning Area.

Part “A”, the Preamble does not constitute part of this amendment.

Part “B”, the Amendment, consisting of the following text and map (designated Schedule ‘A’) constitutes Amendment No. 04 to the Official Plan adopted by By-law No. 3259 (2012), and confirmed by the Ontario Municipal Board decision of July 18, 2014, for the Town of Pelham Planning Area.

### **SECTION 2**

#### **PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is to change the land use designation of certain lands shown on Schedule ‘A’ attached hereto from Specialty Agricultural to a site specific Specialty Agricultural to permit the use of the lands for a secondary dwelling on heritage properties in accordance with Policy B2.1.3.4 and to exclude the reference to site plan control in Policy B2.1.3.4 as an existing structure has been constructed, with a building permit, on the site.

### **SECTION 3**

#### **LOCATION OF THIS AMENDMENT**

The lands that are the subject of this amendment are located on the west side of Cream Street, north of Tice Road. The lands comprise an area of 14.85 Hectares, and have approximately 194.0 Metres frontage on Cream Street, as shown on Schedule ‘A’, attached hereto.

## **SECTION 4**

### **BASIS OF THE AMENDMENT**

The Planning Act, R.S.O. 1990, as amended, provides that amendments may be made to the Official Plan. Policies of the Plan have been considered in the preparation of this amendment and the following factors:

1. The subject lands are located within the Specialty Agricultural designation area in the Town of Pelham and the principal use of land will be for specialty cropland agricultural uses.
2. The Comfort House, located on the subject lands, has been designated under the Ontario Heritage Act, R.S.O. 1990 c.O.19.
3. A new dwelling has been constructed on the subject lands, with a building permit subject to a Development Agreement approved by Council. As the new dwelling did not undergo site plan control, and as no additional dwellings are to be built on the site, the requirement for site plan control under Policy B2.1.3.4 is not relevant to the subject lands.
4. The Good General Agricultural designation, under Policy B2.1.3.4, permits Secondary Dwellings on Heritage Properties. This policy would have no negative effect to specialty cropland agricultural uses in the Specialty Agricultural designation.
5. The proposed use of the lands is compatible with its surroundings and will allow the Comfort House to remain as a dwelling which aids in its preservation.
6. The amendment is consistent with the Provincial Policy Statement, and conforms to the Greenbelt Plan, the Growth Plan, the Regional Official Plan and the general intent and purpose of the Town Official Plan.
7. The lands are the subject of a Zoning By-law Amendment to permit a secondary dwelling.
8. The Development Agreement approved by Council to permit the new dwelling is no longer required and will be rescinded.

## **SECTION 5**

### **IMPLEMENTATION AND INTERPRETATION**

The relevant policies of the Official Plan adopted by By-law No. 3259 (2012), and confirmed by the Ontario Municipal Board decision of July 18, 2014, of the Town of Pelham Planning Area shall apply to the implementation and interpretation of this Amendment.

## **PART “B” - THE AMENDMENT**

All of this part of the document entitled Part “B” – The Amendment consisting of the following policies and attached map designated as Schedule ‘A’ constitute Amendment No. 04 to the Official Plan adopted by By-law 3259 (2012) for the Pelham Planning Area, and confirmed by the Ontario Municipal Board decision of July 18, 2014.

The Official Plan, adopted by By-law 3259 (2012), and confirmed by the Ontario Municipal Board decision of July 18, 2014, for the Pelham Planning Area is hereby amended as follows:

1. The subject lands described on the attached Schedule ‘A’ is hereby re-designated from Specialty Agricultural to a site specific Specialty Agricultural.
2. The addition of the following Policy:

Policy B2.2.10.2 1732 Cream Street

A secondary dwelling on heritage properties is permitted in accordance with Policy B2.1.3.4 and the subject lands are exempt from Site Plan Control as outlined in Policy B2.1.3.4.