

By-law No. 3965(2018)

**AMENDMENT NO. 05
TO THE
OFFICIAL PLAN (2014)
FOR THE
CORPORATION OF THE TOWN OF PELHAM**

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PART "A" – THE PREAMBE

SECTION 1

TITLE AND COMPONENTS

This document was approved in accordance with Section 17 and 21 of the Planning Act, R.S.O. 1990, as amended and shall be known as Amendment No. 05 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 constitutes Amendment No. 05 to the Official Plan adopted by By-law 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 delete the EF-Low Density Residential Policy B1.7.7.3.1 (b) affecting lands designated EF-Low Density in the East Fonthill Secondary Plan area, and replace it with a new policy to permit an increase in the ratio of townhouse units permitted within the EF-Low Density Residential designation from 15% to 60%.

SECTION 3

LOCATION OF THE AMENDMENT

The lands that are subject to this Amendment are located within the EF-Low Density Residential designation within the East Fonthill Secondary Plan area. The East Fonthill Secondary Plan area is that area being west of Rice Road, south of the municipal boundary, east of Station Street and north of Highway 20.

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 Official Plan have been considered in the preparation of this Amendment and the following factors:

1. The subject lands are located within the Urban Area of Fonthill and the principal use of the land will be for residential uses.
2. The subject lands are located in the EF-Low Density Residential Area. Lands including lands in the Greenfield and Built Boundary areas.
3. In order to achieve an appropriate distribution of land use and development pattern, the approach taken in the East Fonthill Secondary Plan was to achieve the minimum gross density of 50 people and jobs per hectare over the entire Secondary Plan area.
4. The EF-Low Density Residential designation are located within area identified as being in Neighbourhood 1, 2, 3 and 4 of East Fonthill Secondary Plan area. Within the East Fonthill Secondary Plan area, an overall minimum gross density or approximately 50 persons and jobs per hectare combined is to be achieved.
5. The residential development within plans of subdivisions in the East Fonthill Secondary Plan area will provide for an appropriate mix of single detached, semi-detached, townhouse and apartment residential units achieving a desirable distribution of land use and development pattern.
6. This Amendment is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe and the Region of Niagara Official Plan.

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 constitute Amendment No. 05 to the Official Plan adopted by By-law No. 3529 (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 No. 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. Policy B.1.7.7.3.1 (b) of the EF-Low Density designation shall be deleted and replaced with following:

"In addition to the permitted uses above, townhouses may be permitted and may constitute up to a maximum of 60% of the total number of dwelling units within any individual plan of subdivision."