



The Corporation of the Town of Pelham

By-law No. 17-2023

Being a By-law to adopt Official Plan Amendment No. 18 for the Town of Pelham Planning Area.


**125 Port Robinson Road
File No. OP-AM-03-2022**

The Council of the Corporation of the Town of Pelham, in accordance with the provisions of Section 17 of the *Planning Act*, R.S.O., 1990, as amended, hereby enacts as follows:

1. **THAT** Amendment No. 18 to the Official Plan of the Town of Pelham consisting of the attached explanatory text is adopted;
2. **AND THAT** the Clerk of the Town of Pelham is authorized to effect any minor modifications or correction solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after passage of this by-law.

Read, enacted, signed and sealed this 21st day of February 2023.


Marvin Junkin, Mayor


Holly Willford, Town Clerk

AMENDMENT NO. 18
TO THE
OFFICIAL PLAN (2014)
FOR THE
CORPORATION OF THE TOWN OF PELHAM

CONTENTS

PART "A" – THE PREAMBLE

- Section 1 Title and Components
- Section 2 Purpose of the Amendment
- Section 3 Location of the Amendment
- Section 4 Basis of the Amendment
- Section 5 Implementation of the Amendment

PART "B" – THE AMENDMENT

- Introductory Statement
 - Details of the Amendment
 - Appendix A Schedule 'A' to the Official Plan Amendment
-

PART "A" – THE PREAMBLE

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. 18 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. 18 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 amend Policy B1.7.8.2(d)(i) by increasing the maximum allowable height and density for an apartment building located at 125 Port Robinson Road.

The effect of the amendment will be to permit the development of the property for a residential apartment building.

SECTION 3

LOCATION OF THE AMENDMENT

The lands that are subject to this Amendment are located at 125 Port Robinson Road within the Fonthill Settlement Area.

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 East Fonthill Secondary Plan Area and are designated EF – Medium Density Residential.
2. The amendment will facilitate development that achieves the cumulative density targets for the Neighbourhood and the overall Secondary Plan Area.
3. 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

The Amendment consisting of the following policies and attached map designated as Schedule 'A', identifies the subject lands that constitute Amendment No. 17 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) for the Pelham Planning Area, and confirmed by the Ontario Municipal Board decision of July 18, 2014 is hereby amended as follows:

1. The revision of the following Policy:

Part "B" – The Amendment consisting of the following policies and attached map designated as Schedule 'A', identifies the subject lands that constitute Amendment No. 18 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) for the Pelham Planning Area, and confirmed by the Ontario Municipal Board decision of July 18, 2014 is hereby amended as follows:

The revision of the following Policies from:

B.1.7.7.4.2 Development Policies

b) Small scale apartment buildings shall be developed at densities ranging from a minimum of 35 units per net hectare, up to 75 units per net hectare;

to

b) Small scale apartment buildings shall be developed at densities ranging from a minimum of 35 units per net hectare, up to 86 units per net hectare;

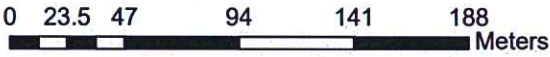
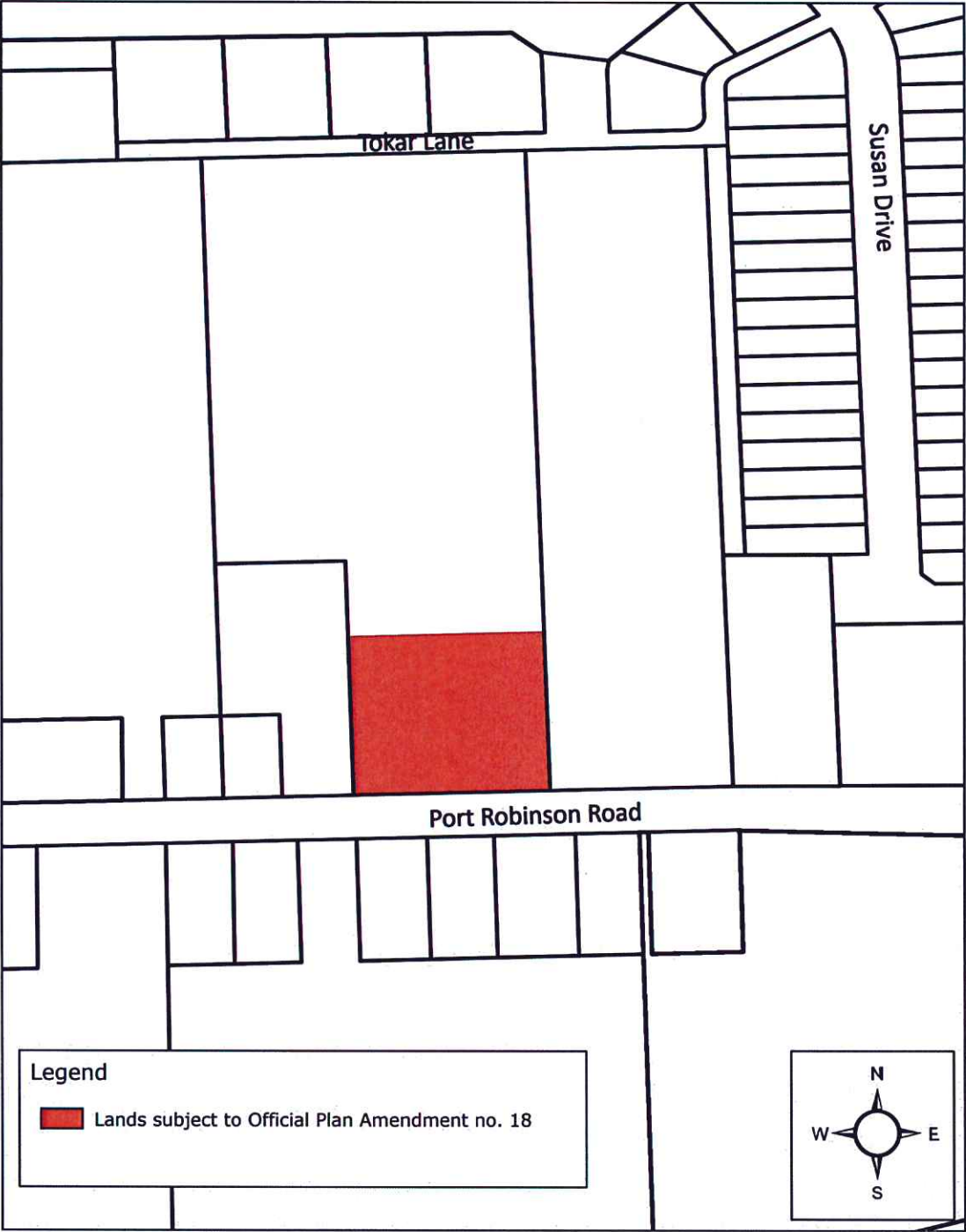
and

d) The maximum building height for any building within the EF-Medium Density Residential designation shall be 5 storeys or 17 metres, whichever is less, and may include a 4 metre minimum height requirement on the first floor to accommodate live-work units;

to

d) The maximum building height for any building within the EF-Medium Density Residential designation shall be 5 storeys and 18 metres, and may include a 4 metre minimum height requirement on the first floor to accommodate live-work units;

Schedule 'A'



This is Schedule 'A' to By-law No. _____ (2023) passed the 21st day of February, 2023.


Mayor: Marvin Junkin


Clerk: Holly Willford