

AMENDMENT NO. 3  
TO THE OFFICIAL PLAN  
OF THE  
PELHAM PLANNING AREA

Prepared by the Pelham Planning Board

Planning Consultants:

PHILIPS PLANNING AND ENGINEERING LIMITED  
Consulting Engineers and Town Planners  
P. O. Box 220  
Burlington, Ontario  
L7R 3Y2



R 792177

Ontario Municipal Board

**IN THE MATTER OF Section 13 of  
The Planning Act (R.S.O. 1970,  
c. 349),**

- and -

**IN THE MATTER OF an application  
by the Regional Municipality  
of Niagara for approval of those  
parts of the Official Plan for the  
Niagara Planning Area referred to  
the Ontario Municipal Board by  
The Honourable the Minister of  
Housing,**

- and -

**IN THE MATTER OF Section 44 of  
The Planning Act (R.S.O. 1970,  
c. 349),**

- and -

**IN THE MATTER OF a reference to  
the Ontario Municipal Board by  
The Honourable the Minister of  
Housing, on a request by the  
Town of Pelham, for consideration  
of proposed Amendment No. 3 to  
the Official Plan for the Pelham  
Planning Area, Ontario Municipal  
Board File R 792177**

**B E F O R E :**

**F. G. BLAKE,  
Vice-Chairman**

**- and -**

**W. L. BLAIR,  
Member**

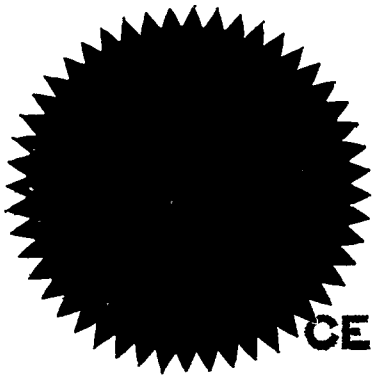
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**Friday, the 27th day of**

**February, 1981**

**THIS APPLICATION having come on for public hearing commencing  
on the 13th day of November, 1979, and continuing from time  
to time thereafter until the 5th day of November, 1980,  
at the City of St. Catharines, and after the hearing of the  
application the Board having reserved its decision until  
this day;**

THE BOARD ORDERS that Amendment No. 3 to the Official Plan for the Pelham Planning Area as modified by the modifications listed in Schedule "A" to this Order is approved.



SECRETARY

CERTIFIED TO BE  
A TRUE COPY

JAN 20 1982

SECRETARY OF THE  
ONTARIO MUNICIPAL BOARD

ENTERED	
O. B. No.	R79-10
Folio No.	270
MAR 13 1981	
SECRETARY, ONTARIO MUNICIPAL BOARD	



R 792177

Ontario Municipal Board

SCHEDULE "A"

to the Order of the Ontario Municipal Board  
made on the 27th day of February, 1981

Modifications to Amendment No. 3 to the Official Plan  
for the Pelham Planning Area

1. The paragraph under the heading Section 3 Location Of This Amendment is deleted and the following substituted:

"This Amendment applies to that portion of the Town of Pelham that is designated as Village Residential on Schedule A to this Amendment".

2. Clauses (c) and (d) of subsection 2 of Section 4 Basis Of This Amendment on page 2 of the Amendment are deleted.

3. The paragraph defining the Village Residential Area in subsection 1 of Section 5 The Amendment is deleted and the following is substituted:

"The Village Residential Area

This area includes those lands in the Town that have developed historically to some extent as a rural settlement area, namely, Fenwick. The availability of municipal water from Canboro Road provides for further residential development commensurate with proper planning guidelines".

4. The proposed wording for 1.14.1.2 on page 4 of the Amendment is deleted and the following is substituted:

"1.14.1.2 They are located in the central part of the Community of Fenwick; and"

5. The first four lines of proposed 1.16.3 on page 4 of the Amendment are deleted and the following is substituted:

"Notwithstanding the above policies the population size of Fenwick will be limited initially to approximately 1,000 people".

6. Subsection 2 of Section 5 The Amendment on page 5 of the Amendment is deleted and the following is substituted:

"Schedule "A1", Land Use Plan of the Official Plan is hereby amended as follows:-

(a) by changing the area of Fenwick as indicated on Schedule "A" of this Amendment from "Rural Residential" to "Village Residential".

7. Schedule "A" to Amendment No. 3 is modified

(a) by deleting from the area of change to Village Residential shown for Fenwick that portion south of the railway crossing on Church Street, that portion east of Cream Street, and that portion north of Memorial Drive;

(b) by deleting North Pelham as an area to be designated Village Residential;

(c) by deleting the strips along Canboro Road as areas to be changed from a Rural designation to a Village Residential designation;

(d) by deleting the notation Change from Rural to Village Residential at the foot of Schedule A.

8. Amendment No. 3 is further modified by the deletion of Schedule B thereto.

  
SECRETARY

CERTIFIED TO BE  
A TRUE COPY

JAN 20 1982

  
SECRETARY OF THE  
ONTARIO MUNICIPAL BOARD



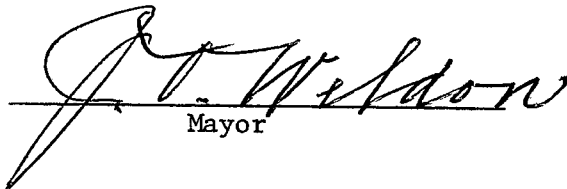
CERTIFICATES  
OFFICIAL PLAN  
OF THE  
PELHAM PLANNING AREA  
AMENDMENT NO. 3

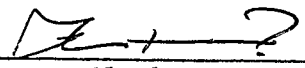
The attached Schedules 'A' and 'B' and explanatory text, constituting Amendment No. 3 to the Official Plan of the Pelham Planning Area, was prepared by the Pelham Planning Board and was recommended to the Council of the Town of Pelham under the provisions of Sections 12 and 17 of The Planning Act, on the 24th day of January, 1978.

  
Chairman

 (SEAL)  
Secretary

This Amendment was adopted by the Corporation of the Town of Pelham by By-law No. 449 (1978) in accordance with Sections 13 and 17 of The Planning Act on the 6th day of February, 1978.

  
Mayor

 (SEAL)  
Clerk

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. 3 to the Official Plan of the Pelham Planning Area.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Minister of Housing

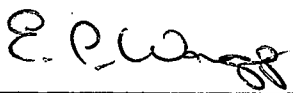
RESOLUTION

PELHAM PLANNING BOARD

1. Amendment No. 3 to the Official Plan of the Pelham Planning Area, comprising the attached Schedules 'A' and 'B', and explanatory text, has been prepared under the direction of this Board as provided in Section 17 of The Planning Act, R.S.O. 1970, as amended.
2. Said Amendment No. 3 to the Official Plan is hereby recommended to the Council of the Corporation of the Town of Pelham for adoption by by-law, pursuant to the provisions of Section 17 of The Planning Act, R.S.O. 1970, as amended.

ADOPTED THIS 24th DAY OF January, A.D., 1978.

  
Chairman

 (SEAL)  
Secretary

\* \* \* \*

Certified that the above is a true copy of the Resolution adopted by the Pelham Planning Board on the 24th day of January, A.D., 1978.

DATED at the Town     )  
                              )  
of Pelham this         )  
                              )  
6th day of             )  
                              )  
February,             )  
                              )  
A.D., 1978.             )

  
Secretary-Treasurer

THE CORPORATION OF THE  
TOWN OF PELHAM  
BY-LAW #449 (1978)

Being a by-law to adopt an amendment to the Town of  
Pelham Official Plan.

WHEREAS the Council of the Town of Pelham deems it desirable  
to amend the Official Plan of the Town of Pelham to be known as "Official  
Plan Amendment #3" to the Pelham Planning Area;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF  
PELHAM ENACTS AS FOLLOWS:

- (1) THAT Amendment #3 to the Official Plan of the Pelham Planning  
Area, consisting of the attached schedule and explanatory text, is hereby  
adopted.
- (2) THAT the Clerk is hereby authorized and directed to make  
application to the Minister of Housing for approval of the aforementioned  
Amendment #3 to the Official Plan of the Pelham Planning Area.
- (3) THAT This by-law shall come into force and take effect on the  
day of the final passing thereof, subject to approval of the Minister  
of Housing.

READ A FIRST AND SECOND TIME  
THIS 9th. DAY OF January,  
1978 A.D.

  
MAYOR

  
CLERK

READ A THIRD TIME AND FINALLY  
PASSED BY COUNCIL THIS 6th.  
DAY OF FEBRUARY, 1978 A.D.

  
MAYOR

  
CLERK

TOWN OF PELHAM  
CERTIFIED A TRUE COPY

  
CLERK



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SCHEDULE "A"	Land Use Plan (Following Text)	
SCHEDULE "B"	Land Use Plan (Following Text) (Schedule "B" Deleted by O.M.B. Decision)	

## SECTION 1

### TITLE AND COMPONENTS OF THIS AMENDMENT

1. This Amendment shall be referred to as Amendment No. 3 to the Official Plan of the Pelham Planning Area. The Pelham Planning Area was established on January 1st., 1970 with the inception of the Regional Municipality of Niagara. The Town of Pelham forms a subsidiary Planning Area within the Regional Planning Area.
2. This Amendment applies to the Official Plan of the Pelham Planning Area as approved by the Minister of Housing on May 23rd., 1974.
3. Sections 1 to 6 inclusive constitute this Amendment.

## SECTION 2

### PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to review the Rural Residential policies of the Pelham Official Plan in light of the policies of the Regional Niagara Policy Plan and the availability of a municipal water supply.

## SECTION 3

### LOCATION OF THIS AMENDMENT

This Amendment applies to that portion of the Town of Pelham that is designated as "Village Residential" on Schedule "A" to this Amendment.

SECTION 4  
BASIS OF THIS AMENDMENT

1. GENERAL

- (a) Section 5.4 of the Official Plan of the Town of Pelham Planning Area indicates that Amendments may be made to the Official Plan to recognize changing conditions.
  - (b) The establishment of the Pelham Water Works Area No. 1 and the Fonthill Water Works Area has led to a general review of the Rural Residential policies of the Pelham Official Plan.
  - (c) Section 6.7 of the Regional Policy Plan recognizes that there are certain villages and hamlets within the Region that require special consideration. Several Pelham Communities fall within this policy, considering their historical composition, as well as their future potential for expansion.
  - (d) The Pelham Official Plan recognizes certain Communities within Sections 1.15 and 1.16 and provides certain policies for some growth.
2. (a) In conjunction with an engineering analysis of Canboro Road area respecting a need for a municipal water supply, the Council and Planning Committee have reviewed the policies of the existing Official Plan as they pertain to this area.
- (b) The local Official Plan supports the continued growth of the Fenwick Community. Due however, to the Rural Residential policies relating to Fenwick, which do not foresee the availability of a municipal water supply within the plan period, certain amendments to the Pelham Official Plan would appear to be justified.
- (c) Generally, the Council and Planning Committee feel that the availability of building lots in the aforementioned areas especially Fenwick, will lessen the demand for severances in the Rural area, thereby offering protection to the Agricultural Community.
- (d) The agricultural potential of the area which is the subject of this Amendment is rather limited, due to the many small parcels of land and conflicting land use. However, existing agricultural operations should be continued and protected as long as possible.

SECTION 5  
THE AMENDMENT

The Official Plan of the Pelham Planning Area is hereby amended to give effect to the following: -

1. Section 1 is hereby amended by deleting Subsections 1.13, 1.14, 1.15 and 1.16, being the Rural Residential policies, and replacing them with the following: -

"The Village Residential Area" -

This area includes those lands in the Town that have developed historically to some extent as a rural settlement area, namely Fenwick. The availability of municipal water from Canboro Road provides for further residential development commensurate with proper planning guidelines.

1.13 - The major uses permitted in the Village Residential Area are:

1.13.1 - Single family residences

1.13.2 - Existing agricultural operations

1.14 - Ancillary uses that may be permitted in the Village Residential Area are:

1.14.1 - Commercial and service uses as retail outlets, service stations and garages, farm implement dealers, repair shops and establishments supplying building materials, fuel, etc., provided: -

1.14.1.1 - They are located on major roads as shown on Schedule "C"; and

1.14.1.2 - They are located in the central part of the Community of Fenwick; and

1.14.1.3 - If to be located elsewhere their number will be limited and they will be only permitted adjacent to similar uses already established to form groups.

1.15 - Lot sizes in the Village Residential areas shall be in accordance with the provisions of the Zoning By-law, subject to the regulations of the Niagara (Regional Area) Health Unit.

1.16 - All development in the Village Residential area will also be subject to the following design policies: -

- 1.16.1 - In general the overall density will be kept consistent with the availability of municipal water. Municipal sanitary sewers are not expected to be available within the Plan period.
- 1.16.2 - In the vicinity of the Communities of Fenwick, and North Pelham the layout of new lots and streets will be designed to facilitate a compact expansion of these in a way commensurate with their possible future as self contained Communities, encouragement will also be given to a design which will allow the future splitting of lots.
- 1.16.3 - Notwithstanding the above policies the population size of Fenwick will be limited initially to approximately 1,000 people.

At the time this size is achieved, future growth will be reviewed thus:

- 1.16.3.1 - The possible need for the extension of the municipal water system, and the need for sewage disposal facilities or other services will be determined and future growth will depend upon this; and,
- 1.16.3.2 - A secondary plan will be required by amendment to this Plan if further services are to be supplied, and policies for further expansion will be set out.
- 1.16.4 - Existing agricultural operations that do not conflict with the Village Residential uses shall be retained for as long as possible.

2. Schedule "A1" - Land Use Plan of the Official Plan is hereby amended as follows: -

- (a) by changing the area of Fenwick as indicated on Schedule "A" of this Amendment from "Rural Residential" to "Village Residential."

SECTION 6  
ADMINISTRATION

This Amendment will be administered and implemented in accordance with Section 5, Administration of the Official Plan.

MODIFICATION TO SCHEDULE

"A" LAND USE

The following areas were not approved by the Ontario Municipal Board for a change in designation from "Rural Residential", or, "Rural" to "Village Residential".

	<u>Modification No.</u>	
For Fenwick	#1	That portion south of the railway crossing on Church Street
	#2	That portion each of Cream Street
	#3	That portion north of Memorial Drive
For North Pelham	#4	The entire area designated "Village Residential"
For Canboro Road	#5 & #6	The strips along Canboro Road designated "Village Residential"
<hr/>		
Map Notation	#7	The notation change from "Rural" to "Village Residential" at the foot of Schedule "A" was deleted