



# The Corporation of the Town of Pelham

By-law No. 17-2024

## Being a By-law to adopt Official Plan Amendment No. 20 for the Town of Pelham Planning Area.

1389 Effingham Street  
File No. OP-AM-02-2023

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. 20 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 6th day of March 2024.

Marvin Junkin, Mayor

William Tigert, Town Clerk

**AMENDMENT NO. 20**  
**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 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. 19 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. 20 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 Policies B2.1.3.11 (g) and (h) as they relate to the property located at 1389 Effingham Street to allow a farm winery with a minimum of 2.4 hectares of the lands planted in vineyards and/or fruit crops in full production and to allow a maximum floor area of 520 m<sup>2</sup> for buildings devoted to the farm winery use.

The effect of the amendment will be to permit the development of a farm winery with tasting/hospitality area and retail store.

### **SECTION 3**

#### **LOCATION OF THE AMENDMENT**

The lands that are subject to this Amendment are located at 1389 Effingham Street within the Specialty Agricultural 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 Amendment is consistent with the Provincial Policy Statement and conforms to the Greenbelt Plan, Growth Plan for the Greater Golden Horseshoe and the Region of Niagara Official Plan.
2. The amendment conforms to Policies B2.1.3.11 (a) through (f) of the Town Official Plan and will allow the development of a farm winery as a secondary agricultural use to the principal farm operation.
3. The amendment conforms to Policy B2.1.3.8 of the Town Official Plan relating to accessory commercial retail uses on farm properties.
4. The amendment conforms to Policies B3.4.4.1 as a vegetation protection zone will be established between the agricultural related buildings on the adjacent lands to a feature in the Environmental Protection Three designation.

## **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 Special Policy Area that constitutes Amendment No. 20 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 policy and attached map designated as Schedule 'A', identifies the Special Policy Area that constitutes Amendment No. 20 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:

By deleting policy

"B2.1.3.11 Farm Wineries

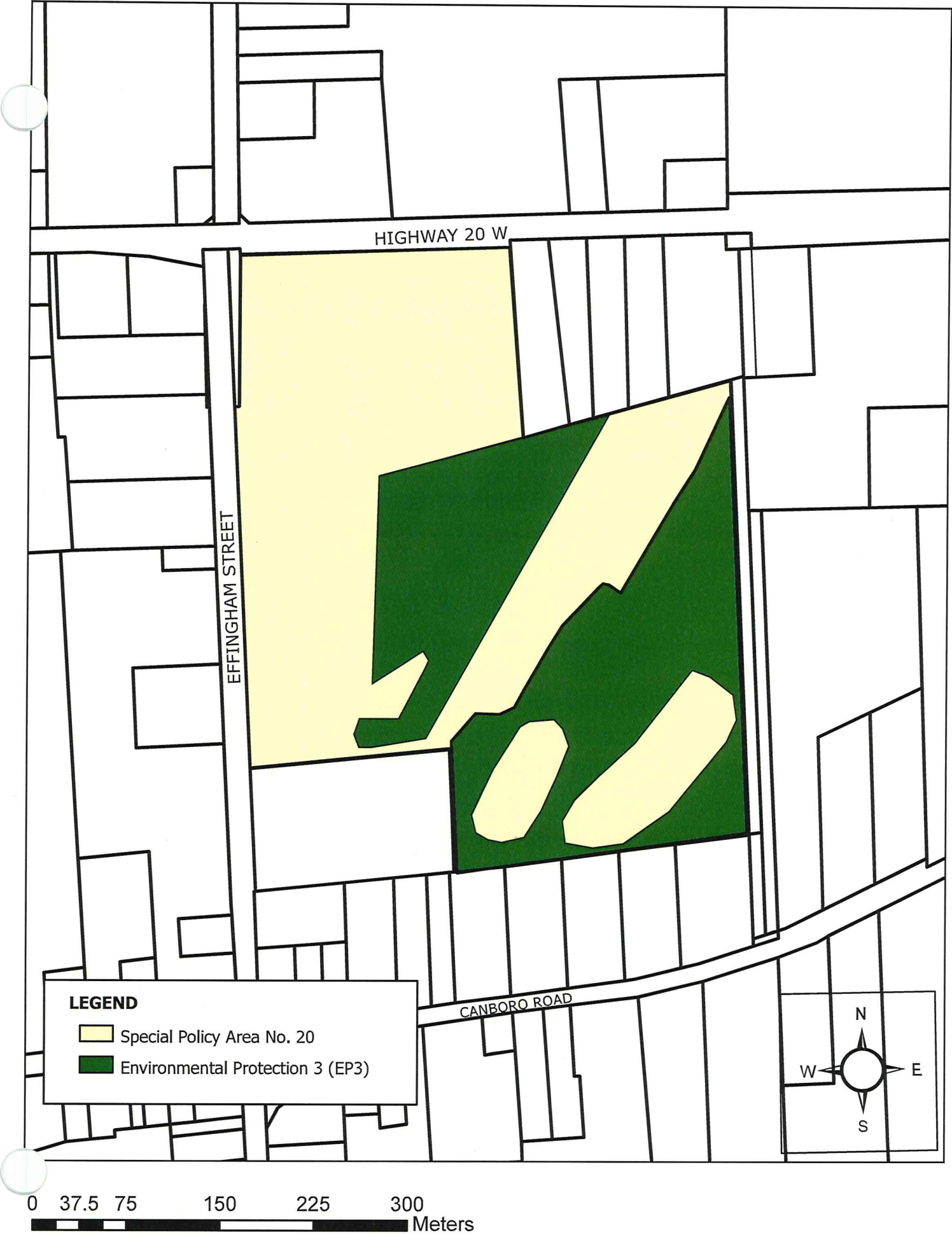
g) A minimum of 5 hectares of the lands shall be planted in vineyards and/or fruit crops and be in full production. Council will require the vineyard and/or fruit crop planting and production as a condition of approval to be completed prior to the issuance of a building permit; and, h) The maximum ground floor area for building and structures utilized for a farm winery shall not exceed 300 square metres."

and replacing it with:

"B2.1.3.11 Farm Wineries

g) A minimum of 2.4 hectares of the lands shall be planted in vineyards and/or fruit crops and be in full production. Council will require the vineyard and/or fruit crop planting and production as a condition of approval to be completed prior to the issuance of a building permit; and  
h) The maximum ground floor area for building and structures utilized for a farm winery shall not exceed 520 square metres."

Schedule 'A'



This is Schedule 'A' to By-law No. 17-2024 passed the 6th day of March, 2024.

  
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Mayor: Marvin Junkin

  
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Clerk: William Tigert