



The Corporation of the Town of Pelham

By-law No. 26-2026

Being a By-law to adopt a new Official Plan for the Town of Pelham

WHEREAS the *Planning Act*, R.S.O. 1990, c. P. 13 ("*Planning Act*") authorizes the Town of Pelham to prepare an Official Plan in accordance with the provisions of Part III of the *Planning Act*;

AND WHEREAS subsection 17(22) of the *Planning Act* provides that when the applicable requirements of subsections 17(15) to 17(21) have been met, and the Council of a municipality is satisfied that the Official Plan is suitable for adoption, the Council may, by by-law, adopt all or part of the Official Plan and submit it for approval;

AND WHEREAS the Town of Pelham currently has in effect an Official Plan, as amended, which was adopted by By-law No. 3259-2012;

AND WHEREAS the Town of Pelham currently has in effect the Region of Niagara Official Plan, as amended, which was adopted by By-law No. 2022-47;

AND WHEREAS on May 21, 2025, the Council of the Town of Pelham enacted By-law No. 28-2025 to adopt a new Official Plan;

AND WHEREAS the 2025 Official Plan was submitted to the approval authority, being the Ministry of Municipal Affairs and Housing, for approval but has not yet been approved;

AND WHEREAS the Council of the Town of Pelham deems it desirable to adopt a new Official Plan and to enact this By-law for that purpose;

NOW THEREFORE, the Council of the Corporation of the Town of Pelham enacts as follows:

1. **THAT** the new Town of Pelham Official Plan, being the document attached hereto as Schedule A, is suitable for adoption and is hereby adopted as the Official Plan for the Corporation of the Town of Pelham.
2. **THAT** the Town Clerk is hereby authorized and directed to give notice of adoption of the Official Plan for the Corporation of the Town of Pelham in accordance with subsection 17(23) of the *Planning Act*.
3. **THAT** the Town Clerk is hereby authorized and directed to forward the adopted Official Plan for the Corporation of the Town of Pelham, and other required documentation as prescribed by the Ministry of Municipal Affairs and Housing, to the Ministry of Municipal Affairs and Housing for approval in accordance with subsection 17(31) of the *Planning Act*.
4. **THAT** the Official Plan for the Corporation of the Town of Pelham shall take effect on the day after the day it is approved by the Province of Ontario in accordance with subsection 17(38.1) of the *Planning Act*.
5. **THAT** the current Official Plan for the Corporation of the Town of Pelham, as adopted by By-law No. 3259-2012, including all amendments thereto, is hereby repealed at the end of the day on which the new Official Plan is approved, save and except the following, which shall remain in full force and effect:

- a) Section B1.6, being the approved North West Fonthill Secondary Plan, as amended, including all associated schedules and appendices;
 - b) Section B1.7, being the approved East Fonthill Secondary Plan, as amended, including all associated schedules and appendices; and
 - c) Section B1.9, being the approved East Fenwick Secondary Plan, as amended, including all associated schedules and appendices.
6. **THAT** the current Niagara Official Plan, as adopted by By-law No. 2022-47, including all amendments thereto, is hereby repealed at the end of the day on which the new Official Plan is approved.
7. **THAT** the 2025 Official Plan, adopted by By-law No. 28-2025 and not yet approved or in effect, is hereby repealed in its entirety.
8. **THAT** this By-law shall come into force and effect on the day upon which it is approved by the Province of Ontario.

Read, enacted, signed and sealed on this 20th day of May, 2026.



Marvin Junkin, Mayor



Holly Willford, Town Clerk