

THE CORPORATION OF THE  
TOWN OF PELHAM  
BY-LAW NO. 4255(2020)

**Being a by-law to adopt an Amendment to the Official Plan for the  
Town of Pelham Planning Area.**

**Amendment No. 10**

**Implementation of Short Term Accommodation Recommendations**

THE MUNICIPAL 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:

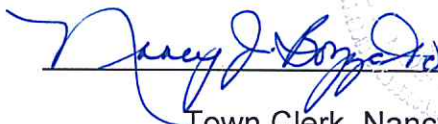
1. **THAT** Amendment No. 10 to the Official Plan of the Town of Pelham consisting of the attached explanatory text and schedules is adopted.
2. **AND THAT** the Clerk of the Town is authorized to effect any minor modifications or correction solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after passage of this by-law

ENACTED, SIGNED AND SEALED THIS

13<sup>TH</sup> Day of July, 2020.



Mayor Marvin Junkin



Town Clerk, Nancy J. Bozzato

**AMENDMENT NO. 10**  
**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. 10 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. 10 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 Sections B1.2.2, B1.3.3, B1.3.4.2, B1.6.2.2, B1.6.2.3, B1.7.7.3.1, B2.1.2, B2.1.3.4, B2.1.3.6, B2.2.2 and B3.3.3.2 of the Town of Pelham Official Plan to implement recommendations on Short Term Accommodations in the Town with the goal to achieve Council’s strategic plan goal.

### **SECTION 3**

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

The lands that are subject to this Amendment are all lands within the Town of Pelham.

## **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 policies will ensure compatibility with the surrounding land uses.
2. 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

1. 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 by replacing the following of Section B1.2.2(e):
  - e) Hotels, inns and bed and breakfast establishments short term accommodations; Hotels, inns and short term accommodations;
2. 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 by replacing the following of Section B1.3.3(c):
  - c) Inns and short term accommodations;
3. 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 by replacing the following of Section B1.3.4.2:

New street-level residential uses, including single detached and semi-detached units, townhouses and apartments as well as small-scale inns and short term accommodations are permitted in the *Downtown Transitional Area* designation both as a primary use and as an accessory use to a commercial business.
4. 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 by adding the following to Section B1.6.2.2 (b):
  - b) Uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations, bed and breakfast establishments, parks, open space linkages, places of worship and day nurseries may be permitted within the *Low Density Residential* designation; and,
5. 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 by adding the following to Section B1.6.2.3(b):

- b) Within areas designated *Low Density Residential – Special Policies* uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations, bed and breakfast establishments, pocket parks and open space linkages are permitted; and,
6. 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 by adding the following to Section B1.7.7.3.1(x):
- x) Bed and breakfast establishments.
7. 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 by replacing the following of Section B2.1.2(c):
- c) Short term accommodations subject to Policy B2.1.3.6 of this Plan;
8. 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 by replacing the following of Section B2.1.3.4(b):
- b) The designated heritage building will be used as a Dwelling Unit, either as the Primary Dwelling, a Secondary Dwelling or Short term accommodations;
9. 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 by replacing the entirety of Section B2.1.3.6 as follows:

#### **B2.1.3.6 Short Term Accommodations**

New short term accommodations are permitted in a dwelling in the *Good General Agricultural* designation, subject to the following guidelines which may be implemented in the Comprehensive Zoning By-law:

- a) The uses are clearly secondary to the primary use of the dwelling as a residence;
- b) **Bed** and breakfast establishments must be the principal residence of the owner and operator;



- c) The character of the dwelling as a private residence is preserved;
- d) Adequate parking facilities are available on the lot for the proposed use;
- e) Bed and breakfast establishments have no more than three bedrooms available for guests;
- f) The proposed use will not cause a traffic hazard as a result of its location on a curve or a hill;
- g) The proposed use can be serviced with an appropriate water supply and an appropriate means of sewage disposal as required by the Regional Niagara Public Works Department; and,
- h) No signage is permitted.

10. 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 by replacing the following of Section B2.2.2(e):

- e) Short Term Accommodations in accordance with Policy B2.1.3.6;

11. 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 by replacing the following of Section B3.3.3.2(d):

- d) Short term accommodations;