

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

DRAFT

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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. XX 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. XX 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 B2.1.3.12, B2.2.8, B2.3.4 and B3.1.1 of the Town of Pelham Official Plan to implement recommendations on cannabis production in the Town with the goal of promoting land use compatibility.

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.

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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 adding the following to Section B2.1.2.:

- l) Outdoor storage, growing and production of cannabis subject to a Zoning By-law amendment.

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 adding the following to Section B2.1.3.12:

In addition to these requirements, greenhouses for cannabis production will be required to ensure compatibility with neighbouring land uses through:

- a) Installation and operation of odour and light mitigation systems;
- b) Odour and light control, maintenance and monitoring plans;
- c) Maintaining appropriate setbacks from sensitive receptors as detailed in the Zoning By-law;
- d) A waste management plan.

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 adding the following to Section B2.2.2:

- k) Outdoor storage, growing and production of cannabis subject to a Zoning By-law amendment.

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 B2.2.8:

In addition to these requirements, greenhouses for cannabis production will be required to ensure compatibility with neighbouring land uses through:

- a) Installation and operation of odour and light mitigation systems;
- b) Odour and light control, maintenance and monitoring plans;

- c) Maintaining appropriate setbacks from sensitive receptors as detailed in the Zoning By-law;
 - d) A waste management plan.
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 B2.3.2:
- k) Outdoor storage, growing and production of cannabis subject to a Zoning By-law amendment.
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 B2.3.4(h):

In addition to these requirements, greenhouses for cannabis production will be required to ensure compatibility with neighbouring land uses through installation and operation of odour and light mitigation systems; odour and light control, maintenance and monitoring plans; maintaining appropriate setbacks from sensitive receptors as detailed in the Zoning By-law; and a waste management plan.

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 adding the following to Section B3.1:

Outdoor storage, growing and production of cannabis is not supported within the Niagara Escarpment Plan Area. Cannabis production within a greenhouse or structure is supported subject to the requirements of policies B2.1.3.12 and B2.2.8.