

Shannon Larocque

From: Shannon Larocque
Sent: Monday, September 30, 2019 11:48 AM
Subject: Reminder: Short Term Accommodations Roundtable

Good Afternoon,

This email is being sent as a reminder about the roundtable scheduled for tomorrow, Tuesday October 1st @ 2:00pm in the Council Chambers at Town Hall.

We would love to have you attend and provide valuable feedback on the proposed policies and regulations.

If you would confirm your attendance, it would be greatly appreciated. If you are unable to attend, we will distribute draft policies and regulations for review and comment by email following the roundtable.

Thank you,
Shannon



Shannon Larocque, MCIP, RPP
Senior Planner
**Community Planning &
Development**

e: slarocque@pelham.ca
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20 Pelham Town
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Fonthill, ON L0S

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Shannon Larocque

From: Laven, Amaraine (MNRF) <Amaraine.Laven@ontario.ca>
Sent: Tuesday, November 05, 2019 2:25 PM
To: Shannon Larocque
Cc: Mott, Nancy (MNRF)
Subject: RE: Request for Comments - Proposed Short Term Accommodations Policies and Regulations

Hi Shannon,

We have now had the opportunity to review the documents provided relating to the Zoning By-law and Official Plan amendments for policy and regulation changes to short term accommodations.

We understand that the location of the amendment does not include the Niagara Escarpment Plan Area (NEPA). If the amendment did include the NEPA, the introduction of short term accommodation as a permitted use would conflict with the Niagara Escarpment Plan (NEP), as the only provision for short-term accommodation is per the NEP definition of Bed and Breakfast. Therefore, Section 3 – Location of the Amendment should explicitly exclude the Niagara Escarpment Plan Area.

Additionally, we note the current Official Plan does not contain a standalone definition for *bed and breakfast*. Rather, under the applicable designations it is listed as a permitted use and is further outlined in a standalone section, which indicates that the implementing Zoning By-law shall define it and further detail the conditions under which it may be permitted. The ZBA is proposing to change the definition of bed and breakfast generally to be permitted within any dwelling unit, which is more permissive than the definition provided in the NEP, which allows it only within single dwellings, not dwelling units. Section B3.1.1 states that many of the general policies of the Official Plan are intended to apply to the area of the NEP. Please be advised that if adopted, the more permissive definition of bed and breakfast will not apply within the NEPA and the NEP definition will prevail.

I hope these comments are helpful. Please let me know if you have any questions or require clarification on anything.

Sincerely,

Amaraine Laven, MES(PI)
Senior Planner



Niagara Escarpment Commission
An agency of the Government of Ontario

232 Guelph Street | Georgetown, ON | L7G 4B1

Tel: 905-877-1763

Website: www.escarpment.org

Please let me know if you require communication supports or alternate formats.

From: Shannon Larocque <SLarocque@pelham.ca>
Sent: October 22, 2019 1:45 PM
To: Laven, Amaraine (MNRF) <Amaraine.Laven@ontario.ca>
Cc: Mott, Nancy (MNRF) <Nancy.Mott@ontario.ca>
Subject: RE: Request for Comments - Proposed Short Term Accommodations Policies and Regulations

Hi Amaraine,

An extension is definitely possible. I don't have an expected time frame on when a recommendation report will be proceeding to Council at this time.

Regards,
Shannon

From: Laven, Amaraine (MNRF) <Amaraine.Laven@ontario.ca>
Sent: Friday, October 18, 2019 4:53 PM
To: Shannon Larocque <SLarocque@pelham.ca>
Cc: Mott, Nancy (MNRF) <Nancy.Mott@ontario.ca>
Subject: RE: Request for Comments - Proposed Short Term Accommodations Policies and Regulations

Hi Shannon,

We will try to have comments to you prior to the public meeting, however, we may not be able to. Please advise if an extension is possible.

Sincerely,

Amaraine Laven, MES(PI)
Senior Planner



Niagara Escarpment Commission
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Tel: 905-877-1763

Website: www.escarpment.org

Please let me know if you require communication supports or alternate formats.

From: Shannon Larocque <SLarocque@pelham.ca>
Sent: October 2, 2019 12:33 PM
To: Fricke, Britney <Britney.Fricke@niagararegion.ca>; Sarah Mastroianni <smastroianni@npca.ca>; Bob Lymburner <BLymburner@pelham.ca>; Derek Young <DYoung@pelham.ca>; Mike Zimmer <MZimmer@pelham.ca>; Mott, Nancy (MNRF) <Nancy.Mott@ontario.ca>; Laven, Amaraine (MNRF) <Amaraine.Laven@ontario.ca>
Cc: Craig Genesse <CGenesse@pelham.ca>; Belinda Menard <BMenard@pelham.ca>; Tolga Aydin <TAydin@pelham.ca>; Xenia Pasiecznik <XPasiecznik@pelham.ca>
Subject: Request for Comments - Proposed Short Term Accommodations Policies and Regulations

Good Afternoon,

Please find attached a public meeting notice as well as a draft OPA, ZBA and nuisance by-law for short term accommodations.

Your comments would be appreciated in advance of the public meeting on October 22nd if possible. We apologize for the shorter than normal notice.

If you have any questions, please feel free to contact me.

Best Regards,



Shannon Larocque, MCIP. RPP.

Senior Planner

Town of Pelham

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Planning and Development Services

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

Via Email Only

October 22, 2019

File Nos.: D.10.06.OPA-19-025
D.18.06.ZA-19-117

Ms. Shannon Larocque, MCIP, RPP
Senior Planner
Town of Pelham
20 Pelham Town Square
Fonthill, ON L0S1E0

Dear Ms. Larocque:

**Re: Provincial and Regional Comments
Official Plan and Zoning By-law Amendment Applications
Town Initiated Amendments for Short Term Accommodations
City File No.: AM-12-18**

Regional Planning and Development Services staff has reviewed the information circulated with the Town initiated Official Plan and Zoning By-law Amendments to include policies and regulations with respect to short term accommodations within the Town. A Licensing By-law is also proposed. The applications were received on October 2, 2019.

The draft Official Plan Amendment proposes to:

- Permit short term accommodations in the Downtown, Downtown Transitional Area, Good General Agricultural, Speciality Agricultural and Environmental Protection Two designations, subject to specific policy requirements; and,
- Permit bed and breakfast establishments in residential designations.

The draft Zoning By-law Amendment proposes to:

- Permit a bed and breakfast establishment in a residential zone subject to meetings parking, signage, Ontario Building Code, Ontario Fire Code and licensing requirements and being occupied as a principal residence by the owner/operator; and,
- Permit short term accommodations in Agricultural, Special Rural, neighbourhood Commercial, general Commercial and Commercial Rural zones.

Regional staff provides the following comments regarding Provincial and Regional policy to assist the Town in finalizing the amendments before they go to Council.

Official Plan Amendment

Short Term Accommodations in the Downtown & Downtown Transitional Area

Lands designated Downtown and Downtown Transitional are within a Settlement Area under the 2014 Provincial Policy Statement (PPS), subject to the policies of the 2019 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan), and designated Urban Area in the Regional Official Plan (ROP).

The PPS calls for the sustainability of health, liveable and safe communities by accommodating an appropriate range and mix of residential (including rental accommodations), employment, institutional, recreation, park and open space and other uses to meet long-term needs. The Growth Plan contains policies that encourage the development of complete communities with a diverse mix of land uses and range of housing types, taking into account affordable housing and densities. The ROP permits a full range of residential, commercial and industrial uses generally within the Urban Area, subject to the availability of adequate municipal services and infrastructure. The policies emphasize intensification and infill as the preferred form of development to help achieve complete communities that have a mix of land uses, employment opportunities and are active transportation and transit supportive. The ROP promotes higher density development in Urban Areas and supports growth that contributes to the overall goal of providing a sufficient supply of housing that is affordable, accessible, and suited to the needs of a variety of households and income groups in Niagara.

The proposal to introduce permissions for short term accommodations within the Downtown and Downtown Transitional designations will provide further temporary accommodation options in those areas, contributing to the creation of a complete community and providing further housing choice. The proposal is generally supported by Provincial and Regional policy.

Short Term Accommodations in the Good General Agricultural and Speciality Agricultural Areas

Lands designated Good General Agricultural and Specialty Agricultural are within a Prime Agricultural Area and Prime Agricultural Land under the 2014 PPS. Such lands shall be protected for long-term use for agriculture with specialty crop areas being given the highest priority for protection. The ROP designates these lands as Good General Agricultural and Unique Agricultural Area, and a full range of agricultural, agriculture-related and secondary/on-farm diversified uses are permitted within these designations. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. The PPS defines agriculture-related uses as farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in

close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity. On-farm diversified uses are defined in the PPS as uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

Regional staff consider short term accommodations to be an agri-tourism use that would be permitted as an on-farm diversified use. When considering permissions for short term accommodations within agricultural areas, Town staff should be guided by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Guidelines on Permitted Uses in Prime Agricultural Areas, which contain criteria that must be met in order for a use to qualify as agriculture-related or on-farm diversified. Consideration should be given to incorporating this criterion within the draft Official Plan Amendment to ensure the proposal aligns with Provincial policy.

Zoning By-law Amendment- Definitions

Several definitions are used within the proposed Amending By-law to refer to specific dwelling types, some of which depend on other definitions. Regional staff suggest that the Town refer to wording employed by the Province to better inform these definitions. For instance, the definition of “Second Unit” refers back to another definition (“Dwelling Unit”), where it might be more clear to use the “Second Unit” definition from the Province, particularly the reference to “...with a private kitchen, bathroom facilities and sleeping areas.” (<https://www.ontario.ca/page/add-second-unit-your-house>)

Conclusion

In conclusion, the proposed Official Plan Amendment for the Downtown and Downtown Transitional designations are consistent with the PPS and conform to the intent of Provincial or Regional policies. Town staff should consider incorporating criteria from the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Guidelines on Permitted Uses in Prime Agricultural Areas into the draft Official Plan Amendment for the Good General Agriculture and Specialty Agricultural Areas to ensure the proposal aligns with Provincial policy.

Regional staff has reviewed the exemption criteria under Policy 14.E.6 and 14.E.7 of the Regional Official Plan, and confirms that the Official Plan Amendment (OPA) is exempt from Regional Council approval, in accordance with the ROP and the Memorandum of Understanding.

Should you have any questions related to the above comments, please feel free to contact me at 905-980-600 ext. 3432 or Lola Emberson, MCIP, RPP, Senior Development Planner, at 905-980-6000 ext. 3518.

D.10.06.OPA-19-025

D.18.06.ZA-19-117

October 22, 2019

Kind regards,

A handwritten signature in dark ink, appearing to read "Britney Fricke". The signature is written in a cursive, flowing style.

Britney Fricke, MCIP, RPP
Development Planner

cc: Lola Emberson, MCIP, RPP, Senior Development Planner, Niagara Region