

**Subject:** Town of Pelham Draft Comprehensive Zoning By-law – Status Update and Information Report

**Recommendation:**

**BE IT RESOLVED THAT Council receive Report 2022-0054, Town of Pelham Draft Comprehensive Zoning By-law – Status Update and Information Report, for information purposes.**

**Background:**

The Town's current Zoning By-law, By-law No. 1136 (1987), was originally approved in 1987. Since its approval more than 30 years ago, there have been significant changes to Provincial, Regional and local policy framework. The Town of Pelham has the responsibility as a municipality to bring the Zoning By-law in line with current policy framework at all levels of government, including conformity with the Town's approved Official Plan (2014). This report is a status update on the work underway to prepare a new comprehensive Zoning By-law to replace By-law 1136 (1987).

Public consultation initiatives undertaken in 2021 included:

- Utilizing "Engaging Pelham" website to release draft zoning sections based on themes (i.e. residential zoning requirements, commercial use zoning requirements, rural/agricultural zoning requirements etc.), mapping, reports and other pertinent documents in order to prompt feedback and provide the public an engagement point for discussion;
- One-on-one meetings and discussions with individuals through "Tuesday's with Tara" initiative
- Meetings with internal Staff

Following this consultation period, Staff reviewed the comments and feedback received and have updated the draft Zoning By-law where appropriate. The revised draft is now complete and is attached to this report as Appendix A.

## **Analysis:**

The new Town of Pelham Comprehensive Zoning By-law is a hybrid model using contextual zoning primarily in the greenfield areas of the Town and more conventional zoning in the built up, rural and agricultural areas of the Town. This hybrid model will permit more flexibility, and better represents current development trends and diversity of uses in the Town.

A number of graphics have been introduced to provide for ease of use and interpretation of various zone requirements. The mapping has also been updated and uses colour to better differentiate between various zone categories.

The draft Zoning By-law is made up of 9 Sections:

### Section 1: Interpretation and Administration

This Section describes how the Zoning By-law is to be interpreted, and how the By-law is to be administered by the Town. Section 1 contains details such as the application of zone categories and the interpretation of the zoning map boundaries.

### Section 2: Definitions

This Section provides specific definitions for commonly used terms in the By-law. Many of the permitted uses, and other technical terms used in the Zoning By-law are defined in this Section. Where a term is not specifically defined, it is intended that the common general definition of the term within Webster's Dictionary is applicable. These definitions ensure that the Zoning By-law is being interpreted and applied consistently.

### Section 3: General Provisions

This Section provides general provisions which may be applicable to all zones, one or more categories of zones or to specific uses. The general provisions address matters such as special provisions for specific uses and additional requirements for specific situations (i.e. home occupations and industries, second dwelling units, loading and parking requirements etc.).

### Section 4: Rural/Agricultural Zones

This Section outlines the regulations for the Rural/Agricultural Zones in the Town including: Agricultural, Specialty Agricultural, Rural Employment, Mineral Aggregate Resource and Commercial Rural Zones.

## Section 5: Residential Zones

This Section outlines the regulations for the residential zones in the Town including: Residential One, Residential Two, Residential Three, Residential Multiple One, Residential Multiple Two and Residential Development Zones.

## Section 6: Greenfield Development Zones

This Section outlines the regulations for the Greenfield Development zones in the Town including: New Greenfield Development Residential One, New Greenfield Development Residential Two, New Greenfield Development Residential Three and New Greenfield Development Neighbourhood Commercial Zones.

## Section 7: Commercial Zones

This Section outlines the regulations for the various commercial zones in the Town including: Village Commercial, Main Street, Town Square, Downtown Corridor and Neighborhood Commercial Zones.

## Section 8: Other Zones

This Section outlines the regulations for the remaining zone categories in the Town including: Open Space, Institutional, Airport, Environmental Protection One, Environmental Protection Two and Environmental Protection Three Zones.

## Section 9: Exceptions

This Section lists the Special Exceptions, which include zone regulations and uses applicable to site specific properties within the Town.

### **Financial Considerations:**

There are no financial implications as a result of the recommendations contained in this report.

### **Alternatives Reviewed:**

There were no alternatives reviewed as this report is for information purposes.

### **Strategic Plan Relationship: Strong Organization**

In September 2020, Pelham Town Council met to discuss priorities and updates to the corporate strategic plan. Council re-ranked the strategic priorities in order of importance and a new Zoning By-law was moved to the number one priority for the Town.

**Consultation:**

Staff are preparing to circulate the draft document to the appropriate agencies in accordance with the *Planning Act*, providing a 45-day commenting period as per the Memorandum of Understanding with the Region of Niagara. Additionally, a second round of public consultation via a series of Open Houses (either in-person\* or virtual depending on the current pandemic regulations) will be completed prior to the formal Statutory Public Meeting which is proposed to be held in Q2 of this year.

Note: *\*if in-person Open Houses are held, they will follow Public Health guidelines, safety standards, and best practices for hosting such events during the pandemic.*

In addition, this version of the proposed draft Zoning By-law will be posted on the 'Engaging Pelham' website and the public will also be able to provide input online on the proposed draft Zoning By-law through this public engagement platform.

Council is also encouraged to review the draft Zoning By-law and reach out to Staff with any comments, concerns or questions during the commenting period so that we can address Council members' questions as well.

Staff will review all comments and correspondence received from agencies, stakeholders, Council members and the public and make final revisions to the draft Zoning By-law before scheduling the statutory public meeting and bringing the final By-law forward for a recommendation report to Council.

**Other Pertinent Reports/Attachments:**

Appendix A – Draft Comprehensive Zoning By-law

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