



Town of Pelham Official Plan  
Technical Conformity Review

**FINAL**

# **Technical Conformity Report**

**September 2023**

# Table of Contents

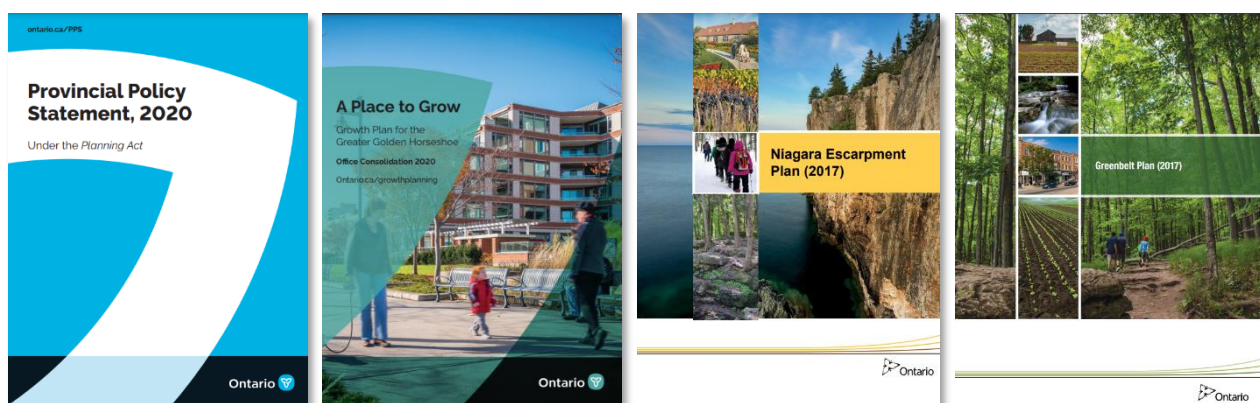
<b>1</b>	<b>Introduction .....</b>	<b>3</b>
1.1	Context.....	3
1.2	The Project.....	4
1.3	Purpose of this Report.....	6
<b>2</b>	<b>Policy Recommendations .....</b>	<b>7</b>
<b>2.1</b>	<b>Supporting Sustainable Growth and Complete Communities.....</b>	<b>8</b>
2.1.1	Directing Growth and Intensification.....	8
2.1.2	Addressing Urban Expansion .....	11
2.1.3	Expanding Housing Options and Supporting Residential Intensification.....	12
2.1.4	Achieving Design Excellence in Public and Private Spaces .....	14
<b>2.2</b>	<b>Enhancing our Agricultural System .....</b>	<b>16</b>
2.2.1	Agricultural Land Base and the Agri-food Network .....	16
2.2.2	Mineral Aggregate Resources.....	18
<b>2.3</b>	<b>Promoting a Sustainable and Climate-Resilient Community .....</b>	<b>19</b>
2.3.1	Integrating a Proactive Response to Climate Change.....	19
2.3.2	Protecting and Enhancing the Natural Environment.....	21
<b>3</b>	<b>Conformity Matrix .....</b>	<b>22</b>
<b>4</b>	<b>Next Steps .....</b>	<b>38</b>

# 1 Introduction

## 1.1 Context

The Town of Pelham (the “Town”) is undertaking a Technical Conformity Review of its Official Plan (“OP”) as Part 1 of the Town’s Official Plan Review, which was originally adopted in 2012 and was approved in part by the Ontario Municipal Board (now the Ontario Land Tribunal) in 2014. Under Section 26 of the *Planning Act*, a municipality is required to update its OP on an ongoing basis to reflect changing planning legislation and policy. As of the time of this project, the Town’s OP is required to conform to three Provincial plans and be consistent with Provincial policy:

- > A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (“Growth Plan”)
- > Greenbelt Plan, 2017
- > Niagara Escarpment Plan, 2017 (“NEP”)
- > Provincial Policy Statement, 2020 (“PPS”)



At the time of writing and undertaking Part 1 of the Town’s Official Plan Review, the Province released a new draft Provincial Planning Statement for review and comment. The commenting period for the new land use planning policy document has ended; however, the new and updated policies are not in effect and have therefore not been considered as part of Phase 1 of this Official Plan Review. Until new policies are in effect, land use planning decisions are required to be consistent with the 2020 PPS and conform to in-effect Provincial and Regional Plans.





OPs are high-level policy documents that guide the use of land, growth, and provision of infrastructure and community services and facilities in communities. OPs may be informed by other studies (e.g., affordable housing, growth management studies) and master plans (e.g., parks and recreation, transportation), and enable more specific implementation tools such as zoning by-laws and Community Improvement Plans. As a lower-tier municipality in Niagara Region, the Town of Pelham must also ensure that its OP conforms to the Niagara Region Official Plan (the “Regional OP”).

## 1.2 The Project

The primary purpose of the Technical Conformity Review is to review the Town of Pelham’s existing OP against the Regional OP and the Provincial plans and policies listed above, as per the conformity requirement prescribed by Section 27 of the *Planning Act*. Once completed, a final report containing recommendations necessary to achieve conformity will be provided which will inform the creation of the Town’s updated (or new) OP (see Figure 1). The Technical Conformity Review is being undertaken in three phases, which are described in more detail below.



Figure 1: The place of the Technical Conformity Review within the larger Official Plan Review.

## **Phase 1 – Project Start-up and Background Research**

The project team prepared a Background Research Report that included an inventory of all applicable Provincial, Regional and Town legislation and policies which serve as key drivers for policy updates in the OP. The Background Research Report also identified policy gaps between the Town's OP and the findings of the legislation and policy inventory, as well as opportunities to draw on best practices to inform the OP's updated policy framework. The Background Research Report was presented to Council at a public meeting under subsection 26(3) of the *Planning Act* on June 14, 2023.

## **Phase 2 – Discussion Paper (Options and Solutions)**

Phase 2 involved a review of high-level options for the strategic approach to updating the OP as well as a more detailed analysis of solutions for meeting certain conformity and consistency requirements. The resulting Discussion Paper identified three “Big Moves” for the updated OP. These “Big Moves” were framed and described as significant policy options for the Town's OP to achieve conformity. This Technical Conformity Review Report provides recommendations for the Town to implement policy options and “Big Moves” presented in the Discussion Paper. The Discussion Paper was presented to Council at the public meeting on June 14, 2023 along with the Background Research Report.

## **Phase 3 – Technical Conformity Review Report (Recommendations)**

Phase 3 of the project involves preparation and delivery of this Technical Conformity Review Report (TCR), which summarizes the findings of Phases 1 and 2. Policy recommendations, both high-level and specific, are written into the TCR including a Conformity Matrix that highlights the policy changes required for consistency and conformity with Provincial and Regional policies. The project is currently in Phase 3. This TCR is the primary deliverable of Phase 3.

## 1.3 Purpose of this Report

This TCR builds on the Background Research Report completed in Phase 1 and the Discussion Paper prepared in Phase 2 and provides policy recommendations and direction for the Town to consider when preparing the new OP. The TCR consists of the following Sections:

- > **Section 1: Introduction**
- > **Section 2: Policy Recommendations**
- > **Section 3: Conformity Matrix**
- > **Section 4: Next Steps**

The TCR provides recommendations for the Town to consider for its OP update, which implement opportunities identified in the Background Research Report and policy options presented in the Discussion Paper. These recommendations are detailed in the **Conformity Matrix** in **Section 3**, which has been designed for future use by the Town as a tool to show conformity with the Regional OP when the updated Town OP is submitted for approval. It should be noted that while this report and the two preceding deliverables of this project provide a roadmap for the future conformity update of the Town's OP, there are additional resources the Town should use in drafting the new or revised OP policies, most notably the Niagara OP Implementation Guidelines to Assist with Local OP Conformity prepared by Niagara Region in July 2022.

## 2 Policy Recommendations

The Conformity Matrix provided in **Section 3** of this Report provides direction for specific updates the Town's OP to achieve conformity and consistency with Provincial and Regional plans and policies. While many of the recommended policy updates are required verbatim by the Regional OP or Provincial policy, certain other conformity or consistency requirements can be implemented through differing policy options. These options, grouped in "Big Moves", were analysed and presented in the Discussion Paper delivered to the Town in Phase 2 of the project (see Figure 2).

This Section summarizes the analysis undertaken in the Background Research Report and Discussion Paper and presents high-level recommendations to the Town to achieve conformity with Provincial and Regional plans and policies, grouped by the Big Moves established in the Discussion Paper. As noted above, these recommendations are provided in detail in the Conformity Matrix in Section 3.



Figure 2: The Big Moves: focus areas for the Technical Conformity Review

## 2.1 Supporting Sustainable Growth and Complete Communities

The first Big Move intends to achieve, over the planning horizon of the updated Town OP, the minimum residential intensification target for the Town of Pelham. This target is established by the Region in Table 2-2 of the Regional OP. The Town must achieve a minimum 25% residential intensification over the planning horizon, but may plan for additional intensification within the built-up area (BUA). Intensification will be focused on strategic growth areas, areas with existing or planned public service facilities, and other criteria outlined in the Regional OP.

Strategically directing growth and intensification to urban areas where municipal water and wastewater systems and services exist or are planned, and a range of transportation options can be provided can help to protect the health and integrity of the Natural Environment System and Agricultural System.

Three policy directions and options were explored in the Discussion Paper to support sustainable growth and the principles of complete communities. The subsections below provide recommendations for the Town to implement the policy directions and options.

### 2.1.1 Directing Growth and Intensification

The Town is required to plan, in coordination with the Region, to integrate growth allocated by the Region over the planning horizon of the OP. To achieve this conformity requirement, the Discussion Paper identified an opportunity to review the Town's structure and land use designations to establish a cohesive and concise growth strategy.

One option was presented in the Discussion Paper to direct anticipated growth and intensification:

- > **Review, consolidate, and update the land use designations and Town structure to develop one cohesive and concise strategy for growth. This should include a Town structure and land use designations as independent elements that work together to guide growth and permit different uses.**

Through the Town's updated OP, there is an opportunity to more specifically delineate where growth should occur and conversely, where growth should not occur in order to protect the Agricultural System and Natural Environment System. At the highest level, this can be achieved by expanding policies in Section A4 (Town Structure and Land Use) of the OP to delineate between the Urban Area as where growth is to be accommodated, and the Agricultural System (which includes rural settlements) as to be protected and the site of limited non-agricultural residential growth. These two identifications would be distinct from the grouping of land use that currently exists in Section A4.



The OP can also direct growth at a more detailed level within the urban area. While Section A3 (Settlement Area Strategy) implies that the majority of growth is to be directed to Fonthill over Fenwick, the updated Official Plan can be more explicit. It is recommended that in Section A4, a subsection be added which identifies Fonthill as the primary settlement area for new population and employment growth, followed by Fenwick (see Figure 3).

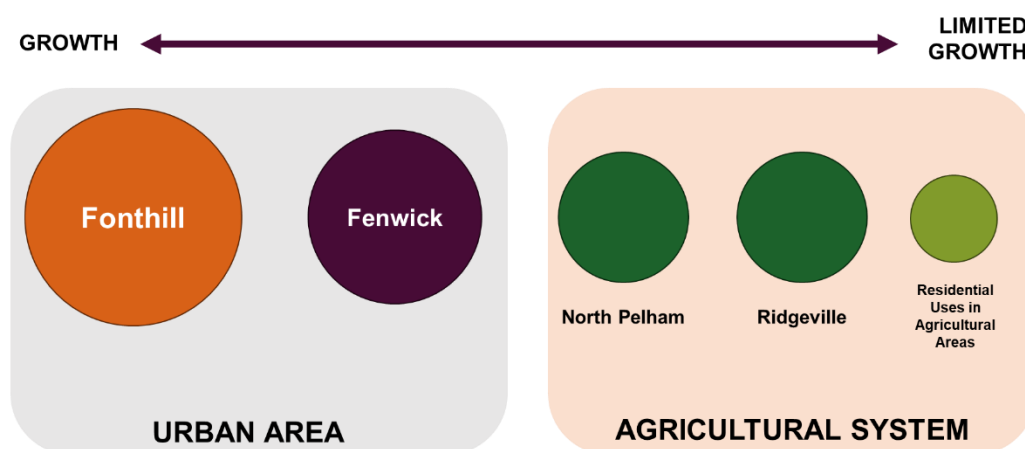



Figure 3: Conceptual illustration of the proposed Town Structure

Additional policies can also be added to the OP to more specifically direct for intensification of existing areas within the Town, using tools provided by Niagara Region. Policy 2.2.1 of the Regional OP identifies a hierarchy of growth through intensification that includes “local growth centres and corridors, as identified by Local Area Municipalities”.

It is recommended that Sections A5.4 and A5.5, which concern Intensification Targets and Intensification Corridors, respectively, be moved into a standalone section with the new intensification policies related to the Downtown Fonthill Local Growth Centre. Downtown Fonthill can be identified as a Local Growth Centre and the preferred, but not only, location for intensification and public and private investment in the Town. Existing policies around Intensification Corridors in the OP can be expanded on to:

- > encourage intensification in those areas;
- > specify the types of uses and built form that the Town intends for the areas; s
- > specify where along the Corridor the policy applies (e.g., only to lands directly fronting on the Corridor); and,
- > apply requirements for transitions to adjacent areas.

It is recommended that Highway 20 between Lookout and Haist Streets, and between Line Avenue and Rice Road, in addition to where it is currently identified as a Corridor on Schedule A1 of the Town’s existing OP. These portions of Highway 20, which currently have a *suburban* character, can be conceived in the OP as more *urban* corridors.



Within the Urban Area of the Town, the OP should conceive a mix of land uses, and an urban form that can support multiple modes of transportation. These elements support the evolution of a complete community where people can live, work, shop, and access services in proximity to one another. Within the context of the updated OP, this can be achieved in part through a revised Town structure and implementing land use designations that direct where development should occur in accordance with the Regional OP, including areas strategically identified for intensification.

**It is recommended that the Town create new OP policies to delineate a Town Structure to guide growth, as well as identifying areas for intensification.**

### 2.1.2 Addressing Urban Expansion

Through the growth management work undertaken by Niagara Region as part of the preparation of the new Regional OP, it was determined that the Town requires additional lands to be included in its urban area, to be designated for future residential development. These lands are in two areas on the perimeter of the existing Fonthill settlement area, as shown in Figure 4.

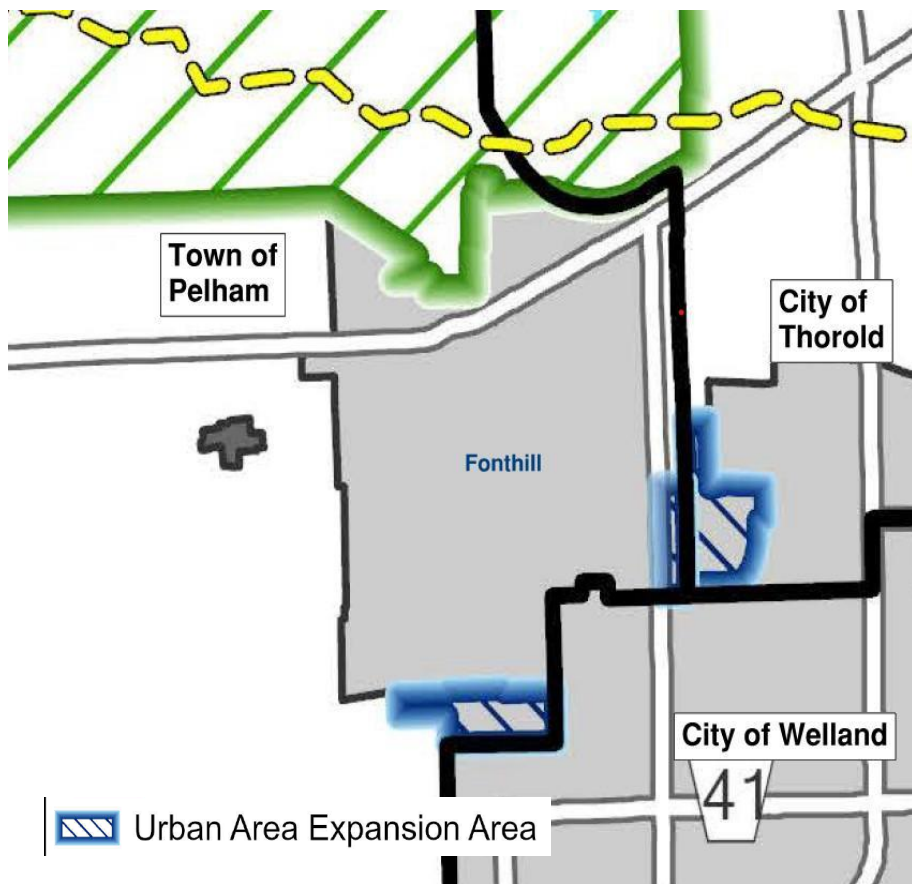


Figure 4: Urban expansion areas in the Town of Pelham

As part of the Town's update of its OP, these two areas should be included on the Schedule that illustrates the Town Structure, and additional policies should be added to Part A to guide how these lands may be considered for future development (i.e., servicing studies, a new secondary plan or extension of existing secondary plans, phasing). Pursuant to Section 2.2.5 of the Regional OP, the Town is required to determine, in consultation with the Region, the appropriate policy directions for urban area expansions through a Secondary Plan exercise.

Additional direction in the Town's OP will be required per policy 8.7.3 of the Regional OP to coordinate planning between the Town, the Region, and the City of Thorold for the urban expansion area between Rice Road and the Town's eastern municipal boundary, to the north and south of Merritt Road. These lands are directly adjacent to

the East Fonthill Secondary Plan, so there is an opportunity to build on the work of that Secondary Plan and include the urban expansion area within the Secondary Plan Area.

The other urban expansion area is entirely contained within the Town, but is directly adjacent to existing low-density residential development within the City of Welland's urban area. It is recommended that through the Secondary Planning exercise, consideration be given to planning for these lands to exceed the designated greenfield density target and include mixed-use development. This would be supported by several factors:

- > A lack of walkable amenities and services for residents in south Fonthill; and
- > The presence of Harold Black Park within the urban expansion area, which as a community use offers potential as an anchor around which to focus medium to high-density development.

**It is recommended that the Town identify Urban Expansion Areas in the OP, both in the policies to direct for the development of Urban Expansion Areas through Secondary Plans, and on the Land Use Schedules.**

### **2.1.3 Expanding Housing Options and Supporting Residential Intensification**

Healthy, livable and safe communities are sustained by accommodating appropriate and affordable housing options across a range and mix of types. The PPS directs municipalities to provide a range and mix of housing options through new development and residential intensification to meet the needs of current and future residents. The Town is required by the Regional OP to establish targets in the OP for an overall housing mix by density type and affordability. To expand housing options across existing residential areas and achieve the Town's residential intensification target, two options were presented to the Town in the Discussion Paper:

- > **Introduce permissions for new building typologies in land use designations that permit residential uses, subject to criteria established in the OP, and provisions of the Zoning By-law, to encourage gentle density increases, where appropriate, in residential neighbourhoods.**
- > **Include minimum and maximum height requirements for building typologies that align with a structure for growth that permits context-specific densities.**



While out of scale with the Town, two best practice examples from the City of Toronto and City of London were provided to demonstrate to the Town how other municipalities are implementing these policy directions through OP policies. To adequately accommodate future housing demands across the Town, a range of new housing typologies will be required with respect to built form, location, and affordability across the designated greenfield area and residential intensification areas within the BUA, including intensification corridors. To accommodate the housing demand, there is a significant need to consider increases in the proportion of medium and high-density housing units forecasted to 2051.

**It is recommended that, at a minimum, the Town introduce permissions for a range of building typologies that accommodate residential uses. This should include but not be limited to duplexes, triplexes, townhouses, and apartments. At a minimum, these typologies should be permitted and encouraged in areas that will support local intensification, as established by the new proposed Town structure described in Section 2.1.1. In doing so, the Town will be consistent with and conform to Provincial and Regional policy to establish efficient development patterns that promote a mix of housing particularly where there is convenient access to everyday services and transportation options. Residential intensification policies outlined in Section B1.1.3 of the existing OP should be revisited to introduce new policies directing the intensity and form of development within the Town's residential areas in appropriate areas.**

#### 2.1.4 Achieving Design Excellence in Public and Private Spaces

The PPS directs municipalities to promote healthy, active communities by planning for safe public streets, spaces and facilities that meet the needs of pedestrians and foster social interaction and community connectivity. Consistent with this direction, the Regional OP requires public realm enhancements through urban design and improvements and investments that contribute to safe, attractive complete streets and desirable communities.

To be consistent with and conform to Provincial and Regional policy and achieve design excellence in public and private spaces, the following option was presented to the Town in the Discussion Paper:

- > **Introduce general urban design policies applicable to all areas of the Town to accommodate the Town's anticipated intensification and growth while achieving the Town's expectations for a high standard of urban design in public and private development.**

As previously noted, the Regional OP requires that policies for urban design be included in local OPs to enhance the public realm, contribute to safe, attractive, and complete streets and communities. This includes sustainable design principles, but must be applied to the public realm, infrastructure, public services facilities, development, and streets. The Regional OP also requires that areas identified for intensification are designed to be pedestrian oriented with a vibrant mix of uses incorporating, where feasible, public gathering areas and public art. These are important elements and examples of design excellence in public and private spaces that the Town must plan for, particularly in those areas of the Town which may be opportunities for local intensification, as discussed in Section 2.1.1 of this TCR. One example from the City of Barrie's new Official Plan was presented in the Discussion Paper to demonstrate how urban design policies can be applied to all areas of the Town to achieve design excellence envisioned for the future of Pelham.

The existing OP establishes urban character as an overarching goal with associated objectives for the Town. There are also existing urban design guidelines specifically for areas identified as intensification corridors along major roads. However, there is an opportunity to introduce general policies applicable to all areas of the Town, including those outside of intensification corridors. These urban design policies should be aligned

with multiple objectives and priorities for the Town, including sustainable, climate resilient development and complete communities.

**It is recommended that the Town establish general urban design policies applicable to all areas of the Town in order to achieve conformity with the Regional OP and to set a standard for urban design in the public realm and through public and private developments. This should include, at a minimum, policies for the public realm, built form types, sustainable development, and general urban design policies that promote and encourage the development of complete communities and human-scaled design.**

**It is also recommended that the Town apply development and urban design policies to areas suited for local intensification. These local opportunities are further discussed in Section 2.1.1 of this TCR. The existing OP currently identifies Intensification Corridors and establishes urban design guidelines specifically for these areas in Section B1.2.4.3 of the existing OP. The Town is encouraged to revisit and apply urban design policies to local areas for intensification to accommodate the Town's anticipated intensification and growth in a manner that creates a high quality urban environment.**

## 2.2 Enhancing our Agricultural System

Through the Background Research Report and the Discussion Paper, it was established that the agricultural and rural policies in the Town's existing OP are generally in conformity with Provincial and Regional policies, and the OP contains a strong policy framework to protect the strong agricultural economy in the Town. Nevertheless, these policies can be revised to more directly align with Regional and Provincial language, particularly around the agricultural system.

### 2.2.1 Agricultural Land Base and the Agri-food Network

The Growth Plan and the Regional OP both describe an agricultural system that consists of the agricultural land base and the agri-food network (elements essential to the viability of the agricultural economy such as transportation corridors, farm markets, distributors, and primary processing facilities).

Through the Discussion Paper, several options were explored to protect the agricultural land base from erosion or the encroachment of non-agricultural land uses:

- > **Amend OP policies to specifically designate Prime Agricultural and Speciality Crop Area lands in the Town.**
- > **Enhance protections for agricultural lands and the “Right to Farm” through clearer policies around Minimum Distance Separation and requiring Agricultural Impact Assessments for certain non-agricultural uses in rural areas.**

These proposed changes to the Town's policies would bring the OP into better alignment with the language used by the Province through the PPS, the Growth Plan, and the Greenbelt Plan (“Prime Agricultural” and “Specialty Crop Area”), and makes it clear that these lands are incredibly valuable to the local, Regional, and Provincial agricultural system. Additionally, adding requirements for new lots and non-agricultural uses in these areas, in conformity with the 2022 Regional OP, further protect agricultural lands from conversion and encroachment.

The Town's existing OP is relatively silent on the importance of the agri-food network, although policies on agriculture-related and on-farm diversified uses were added to the OP in 2022 through Official Plan Amendment 15. In the Discussion Paper two options were explored for increasing the presence of the agri-food network in the Town's land-use planning framework:

- > **Include a specific section in the Town's updated OP which contains policies to strengthen the agri-food network, such as encouraging value-added uses to increase opportunities for processing and retail of Pelham-grown agricultural products in Pelham.**



This new section on the agri-food network can incorporate much of the work the Town has completed to date on diversifying the uses in the Agricultural System but introduce a new umbrella policy or policies which link together the disparate parts of the agri-food network into a cohesive strategy. This includes linking agricultural production to OP policies in other areas, such as transportation, employment, and policies for the Town's settlement areas.

- > **Expand goals and criteria for Community Improvement Plans (CIPs) to include supporting the diversification of the rural economy through expanded on-farm diversified and value-added uses.**

Another opportunity for improvement and support of the Town's agri-food network is through community improvement. The Town's CIP currently allows for the Town to provide financial incentives to landowners for improvements to that will increase investment in the downtown areas of Fonthill and Fenwick. This mandate could be expanded to encourage investment in agriculture-related and on-farm diversified uses. While policies in the Town's OP and Zoning By-law and the Niagara Escarpment Plan encourage agriculture-related and on-farm diversified uses, many farm owners and operators face hurdles in achieving the compliance with building, fire, and health codes required for many of these uses, particularly those uses that involve assembly. An agri-food network CIP could provide support for the costs related to achieving this compliance.

While this expansion of the CIP would require further study and funding outside the scope of the OP update, it must be enabled through OP policy. The Town could also consider developing an agriculture-specific CIP separate from the Town's existing CIP.

**It is recommended that the Town update policies in Section B2.1 and B2.2 to designate Prime Agricultural and Speciality Crop Areas in the Town and establish additional requirements for non-agricultural uses and land division on agricultural lands; enhance protections for existing agricultural uses from erosion and encroachment; establish a specific policy section in Section B2 dedicated to the agri-food network; and update Community Improvement policies in Section E1.7 to support agri-food network development.**

### 2.2.2 Mineral Aggregate Resources

The Town of Pelham is the site of significant mineral aggregate resources and the only primary sand and gravel deposits in Niagara Region. The Town is the current site of a major mineral aggregate extraction operation, and the Town's OP should be updated to plan for the protection of these resources. Further, the Regional OP contains more detailed policies regarding mineral aggregates than the Town's. The Town must find a balance between planning for the future use of mineral aggregate resources and the protection of its natural heritage features, most notably the Fonthill Kame Area of Natural and Scientific Interest (Earth Science). Through the Discussion Paper, two different policy approaches were presented:

- > **Option A: Emphasize the importance of the Town's mineral aggregate resources and significantly expand OP policies which will guide future expansion of mineral aggregate operations in the Town.**
- > **Option B: Significantly reduce the focus of the Town's OP on mineral aggregate resources and defer to Greenbelt Plan and Niagara Escarpment Plan policies.**

After discussion with Town staff and Region/key agency stakeholders, it is recommended that the Town employ **Option A** and increase the level and prescriptiveness of its mineral aggregate policies through the OP update. This approach allows the Town to be proactive in planning for extraction operations and balance the preservation of mineral aggregate resources with protection of natural heritage.

Additionally, the policies in Section C3 of the Town's existing OP which control development on the Fonthill Kame, and which were appealed at the time of adoption and deferred by the Ontario Municipal Board, should be reinstated. There may be an opportunity to more directly link the updated mineral aggregate policies (which conform to the Region's OP policies) and the protection of the Fonthill Kame.

**It is recommended that Section B2.5 of the Town's OP be updated to conform with the Regional OP's policies on mineral aggregate resources and operations, including expanded criteria for assessment of mineral aggregate operations applications, more careful consideration of the impacts of aggregate extraction on the natural heritage system, and planning for the impacts of haulage and trucking from aggregate operations.**

## **2.3 Promoting a Sustainable and Climate-Resilient Community**

Since the Town's OP was last updated, the PPS was revised to include an increased emphasis on preparing for the impacts of climate change. The future of livability in the Town of Pelham, including its economic vitality, its social cohesion, and the well-being of its residents, depends upon a healthy natural and built environment that is sustainable and climate resilient.


Two policy directions and options to implement these policy directions were explored in the Discussion Paper. The subsections below provide recommendations for the Town to consider in implementing the policy directions and options.

### **2.3.1 Integrating a Proactive Response to Climate Change**

Preparing for the impacts of a changing climate is an important and new direction established in the PPS since the Town's OP was last updated. Policies introduced through the Regional OP also provide guidance for strategies to reduce the impacts of climate change. To strengthen the relationship between land use planning and climate change in the Town's OP, two options were presented in the Discussion Paper:

- > **Establish a standalone chapter on climate change that identifies the Town's actions to reduce local contributions to climate change and to better prepare for a changing climate.**
- > **Implement policies that address climate change mitigation and adaptation across the various chapters of the OP.**

The best practice examples provided in the Discussion Paper demonstrate that some municipalities are choosing to establish a standalone chapter on climate change and identify policies throughout OPs that address both climate change mitigation and adaptation. Embedding climate change into the framework of planning policies is a necessary approach, particularly as awareness grows of the adverse impacts of climate change on communities and the built and natural environment. The Town should demonstrate leadership by identifying the role of the built environment and transportation systems in mitigating and adapting to climate change through specific policies that reflect Regional direction and local opportunities, as established by the Town's Corporate Climate Change Adaptation Plan.



**It is recommended that the Town establish a standalone chapter on climate change with direction to promote a broad range of practices associated with sustainable and climate-resilient communities. This should include subsections or policies directing the Town to consider development of a local green development standards program for new development, incorporation of climate change projections as established by the Corporate Climate Change Adaptation Plan, direction to regularly review and update the Town's Corporate Climate Change Adaptation Plan, and promotion and support for the use of green infrastructure and /or renewable energy in new public and private developments. In doing so, the Town can bring greater urgency and action to addressing and preparing for the impacts of a changing climate.**



### 2.3.2 Protecting and Enhancing the Natural Environment

Protecting the quality of the natural environment is an important part of the Province's vision for the land use planning system in Ontario. The Regional OP provides guidance for the protection, restoration, and enhancement of the Natural Environment System (NES), which are closely aligned with strategies to reduce the impacts of climate change. To implement the NES mapping and policies established in the Regional OP, two options were presented to the Town in the Discussion Paper:

- > **Map the natural heritage system and water resource system on separate schedules, with explanatory text in the OP to describe the interrelated components of the natural environment system.**
- > **Map the natural heritage system and water resource system on the same schedules, with explanatory text in the OP to describe the interrelated components of the natural environment system.**

The policy options presented in the Discussion Paper are both implemented by various municipalities in Ontario. Implementing the natural heritage system and water resources on two separate schedules provides the benefit of illustrating details that may otherwise be missed. Operative and non-operative text in the Town's OP should then describe the relationship between the natural heritage system and water resources system as two interrelated components that form the NES.

**It is recommended that the Town map the Natural Heritage System and Water Resources System on separate schedules, with explanatory text in the OP to describe the interrelated components of the NES and provide guidance for the protection, restoration and enhancement of the NES.**

### 3 Conformity Matrix

This Conformity Matrix builds on the table provided in the Background Research Report. The Conformity Matrix includes targeted recommended revisions to achieve conformity and consistency with Provincial and Regional Plans and policies.

Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
Indigenous Land Acknowledgement	There is no land acknowledgement or reference to Indigenous peoples in the Town’s OP.	<ul style="list-style-type: none"> <li>&gt; PPS (s. 1.2.2)</li> <li>&gt; Current OP best practices</li> </ul>	The OP should include an acknowledgement of the traditional rights and territories of Indigenous peoples in the area. It is recommended that this be introduced at the beginning of the OP, prior to establishing the Community Vision and Goals and Objectives. The Town may choose to integrate the existing land acknowledgement used corporately.
Long-term Growth and Visioning	<b>Section A1</b> articulates a Community Vision for Pelham, highlighting its environmental and topographical features, its agricultural lands, natural areas, and the intent of the Plan for guiding development in the Town’s urban settlement areas.	<ul style="list-style-type: none"> <li>&gt; <i>Planning Act</i> (ss. 2, 16)</li> <li>&gt; Growth Plan (s. 4.2.6)</li> <li>&gt; PPS (s. 1.1)</li> <li>&gt; Regional OP (ss. 2.1, 2.3, 3.5, 4.1)</li> </ul>	<p>There is a need to update Section A1 to:</p> <ul style="list-style-type: none"> <li>&gt; Reflect updated population and employment projections established in the Regional OP for the Town of Pelham (28,830 and 7,140, respectively);</li> <li>&gt; Reflect the housing policies in the Regional OP and establish direction for the Town of Pelham to provide a mix of housing options, provide affordable and attainable housing, and achieve affordable housing targets;</li> <li>&gt; Identify the agricultural lands in the Town as Prime Agricultural Lands; and</li> <li>&gt; Direct the Town to plan for the impacts of a changing climate through mitigation and adaptation efforts.</li> </ul> <p>The Town’s Community Vision and Guiding Principles should be reviewed and updated through consultation and engagement with Town residents as part of the Town’s new OP.</p>

Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
<b>Goals and Objectives</b>	<b>Section A2</b> establishes goals and objectives related to the Natural Environment, Growth and Settlement, Urban Character, the Economy, Infrastructure, Natural Resources, Cultural Heritage, and Community Improvement.	<ul style="list-style-type: none"> <li>&gt; <i>Planning Act</i> (ss. 2, 16)</li> <li>&gt; Growth Plan</li> <li>&gt; Regional OP (all sections)</li> </ul>	Section A2 should be updated to include goals and objectives related to climate change, agriculture, parks and open space, and diversity, equity, and inclusion (DEI). Existing goals and objectives should be reviewed against the Regional OP for conformity and revised accordingly.
<b>Growth Management</b>	<b>Section A3</b> establishes a strategy for the settlement areas in Pelham, Fonthill and Fenwick. This includes establishing forecasts to 2031 for population, housing, and employment, and targeting specific growth in certain areas (e.g. accommodating up to 500 new jobs in the Mixed-Use Commercial-Employment centre in East Fonthill).	<ul style="list-style-type: none"> <li>&gt; Regional OP (ss. 2.1, 2.2)</li> </ul>	<p>Section A3 requires updating to establish population, housing, and employment forecasts, as well as intensification targets, to 2051 in conformity with the Regional OP.</p> <p>Additionally, policies directing growth more specifically between Fonthill and Fenwick should be reviewed in light of changes and trends since the current OP was adopted.</p>
<b>Settlement Area Expansion</b>	<p><b>Section A5.1</b> describes the Urban Area Boundary for Fonthill and Fenwick as the limit of urban development on full services.</p> <p>The limits of the Urban Area Boundary are shown on Schedules A, A1, and A2 (labelled as “Urban Settlement”).</p>	<ul style="list-style-type: none"> <li>&gt; Regional OP (ss. 2.2.5 and 6.1.4, 8.7, and Appendix 2 – Urban Expansion Areas and Future Employment Areas)</li> </ul>	<p>The Town’s new OP will require policies directing how growth will occur in the expansion areas (i.e., servicing studies, a new secondary plan or extension of existing secondary plans, phasing). Policy 2.2.5.6 in the Regional OP requires the development of a Secondary Plan for urban expansion areas, pursuant to Section 6.1.4 of the Regional OP. The Town is required to determine, in consultation with the Region, the appropriate policy directions for urban area expansions based on criteria established in the Regional OP.</p> <p>Additional direction in the Town’s OP will be required as per policy 8.7.3 of the Regional OP to coordinate planning between the Town, the Region, and the City of Thorold for the urban expansion area between Rice Road and the Town’s eastern municipal boundary, to the north and south of Merritt Road.</p> <p>Schedules A, A1, and A2 will also require updating to reflect the expanded urban area, and terminology should be aligned between policies and schedule.</p>

Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
Town Structure	NEW	<ul style="list-style-type: none"> <li>&gt; PPS (s. 1.1.2)</li> <li>&gt; Regional OP (s. 2.2)</li> </ul>	Expand polices in Section A4 (Town Structure and Land Use) of the OP to delineate between the Urban Area as where growth is to be accommodated, and the Agricultural System (which includes the hamlets of North Pelham and Ridgeville) as to be protected and the site of limited non-agricultural residential growth.
			Identify Fonthill as the primary settlement area for new population and employment growth, followed by Fenwick.
			Create a new Town-wide Schedule showing the Town Structure, including: <ul style="list-style-type: none"> <li>&gt; Urban Area</li> <li>&gt; Agricultural System</li> <li>&gt; Fonthill</li> <li>&gt; Fenwick</li> <li>&gt; Hamlets</li> <li>&gt; Downtown Fonthill Local Growth Centre</li> <li>&gt; Intensification Corridors</li> </ul>
Intensification and Phasing	<p><b>Section A5</b> provides context on key concepts and parts of the Provincial planning framework which guide development in the Town, including:</p> <ul style="list-style-type: none"> <li>&gt; Urban Area Boundaries;</li> <li>&gt; The Built-up Area;</li> <li>&gt; Greenfield Areas;</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Growth Plan (s. 2.2)</li> <li>&gt; Regional OP (s. 2.1, 2.2, 2.3, 7.7)</li> </ul>	<p>Section A5 should be reviewed against the Regional OP and updated accordingly. Updates that are required to Section A5 include:</p> <ul style="list-style-type: none"> <li>&gt; Update the existing intensification target of 300 new units in the Town's BUA between 2015 and 2031 to 1,030 new units between 2021 and 2051 as per the ROP;</li> <li>&gt; Direct the Town to identify local growth centres and corridors in a new, updated Town structure and establish local intensification strategies; and</li> </ul>



Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
	<ul style="list-style-type: none"> <li>&gt; Intensification Target;</li> <li>&gt; Intensification Corridors;</li> <li>&gt; Phasing; and</li> <li>&gt; Urban Area Expansion.</li> </ul>		<ul style="list-style-type: none"> <li>&gt; Include reference to density targets for Designated Greenfield Areas (50 residents and jobs per hectares across the Region).</li> </ul> <p>Identify Downtown Fonthill as a Local Growth Centre and the preferred location for growth and public and private investment in the Town.</p> <p>Expand policies for Intensification Corridors to:</p> <ul style="list-style-type: none"> <li>&gt; encourage intensification in those areas;</li> <li>&gt; specify the types of uses and built form that the Town intends for the areas; s</li> <li>&gt; specify where along the Corridor the policy applies (e.g., only to lands directly fronting on the Corridor); and,</li> <li>&gt; apply requirements for transitions to adjacent areas.</li> </ul>
<b>Additional Residential Units</b>	<b>Sections B1.1.2 and B1.1.4</b> allow for second dwelling units within single-detached, semi-detached, townhouse and multiple dwellings in the Urban Living Area land use designation, and subject second dwelling units to a series of additional policies, such as providing adequate parking and ensuring that the character of the primary dwelling facing the street is maintained.	<ul style="list-style-type: none"> <li>&gt; <i>Planning Act</i> (ss. 3, 3.1, 3.2, and 3.3)</li> <li>&gt; Regional OP (s. 2.3.3.2)</li> </ul>	<p>The existing policies require updating to meet the requirements of the <i>Planning Act</i> as amended by the <i>More Homes Built Faster Act, 2022</i> (Bill 23). The following revisions are required to the policies in Sections B1.1.2 and B1.1.4:</p> <ul style="list-style-type: none"> <li>&gt; Within urban areas, the Town's OP and Zoning By-law must allow for up to three residential units within the primary dwelling (if a single- or semi-detached or townhouse dwelling) or two residential units in the primary dwelling and one additional residential unit in an ancillary building; and</li> <li>&gt; The Town cannot require more than one parking space per unit on a property.</li> </ul>
<b>Intensification</b>	<b>Sections B1.1.3 and B1.2.4.1</b> sections set an intensification target of 15%, or 300 new dwelling units, to be built within the built	<ul style="list-style-type: none"> <li>&gt; Regional OP (s. 2.2.2)</li> </ul>	Section B1.1.3 and B1.2.4.1 require updating to conform with the Regional OP's intensification target for Pelham of 25%, or 1,030 new units, between 2021 and 2051. These targets are established in Table 2-2 to the ROP.

Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
	boundaries of Fenwick and Fonthill between 2016 and 2031.		
<b>Affordable Housing</b>	<b>Section B1.2.4.1</b> requires that at least 50% of dwellings constructed in Downtowns be affordable to low and moderate income households. <b>Section B.1.7.3.2</b> establishes a minimum threshold for affordable housing in the East Fonthill Secondary Plan Area.	<ul style="list-style-type: none"> <li>&gt; PPS (s. 1.4.3)</li> <li>&gt; Growth Plan (s. 2.2.6.1.a)</li> <li>&gt; Regional OP (ss. 2.3.2.3, 2.3.2.4)</li> </ul>	<p>The existing OP does not have any dedicated section for affordable housing policies applicable Town-wide. The Regional OP requires local OPs to set the following minimum targets for affordable housing:</p> <ul style="list-style-type: none"> <li>&gt; 20% of all new rental housing; and</li> <li>&gt; 10% of all new ownership housing.</li> </ul> <p>A new section should be added that establishes minimum targets for affordable housing. This section should include additional policies directing for the identification of surplus public lands or buildings, as well as brownfield and grey field sites, that may be suitable for affordable housing development.</p> <p>Where implementation policies are reviewed and updated (Section E1), new policies should be introduced directing the Town to utilize tools for supporting affordable housing development, including providing flexibility of form and scale, streamlining of planning approvals, and financial incentive programs.</p>
<b>Rental Conversion</b>	<b>Section B1.1.12</b> discourages the conversion of rental to condominium where the vacancy rate is less than 3% and the ownership being provided through the conversion is not affordable.	<ul style="list-style-type: none"> <li>&gt; Regional OP (s. 2.3.2.6)</li> </ul>	As per the Regional OP, the Town's OP must restrict conversion or demolition of rental housing except according to certain criteria. Section B1.1.12 must be updated to ensure alignment and conformity with the Regional OP, specifically policy 2.3.2.6.
<b>Housing Strategy</b>	<b>Sections A3 and B1</b> broadly call for a number and variety of dwellings to satisfy existing and future residents. However, the Town's OP does not explicitly direct the Town to prepare a housing strategy.	<ul style="list-style-type: none"> <li>&gt; Regional OP (2.3.3.3)</li> </ul>	The Regional OP encourages local municipalities in the Region to develop housing strategies. It is recommended that, at a minimum, new policies be introduced in the Town's OP to enable and support the Town in pursuing these efforts or supporting the Region with these efforts. This policy or suite of policies may be introduced in Section A3 to accompany population, household and employment forecasts.
<b>Housing Mix</b>	<b>Section A2.3.2</b> establishes a high-level objective to provide a mix of housing types in	<ul style="list-style-type: none"> <li>&gt; Growth Plan (s. 2.2.6.3)</li> </ul>	The Regional OP requires local municipalities to establish targets in their OPs for an overall mix of housing by density type (i.e. low-, medium-, and high-

Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
	neighbourhoods. There are no targets for housing by density (i.e., low-, medium-, and high-density) or level of affordability.	> Regional OP (ss. 2.3.1)	density) and level of affordability. The Town must include minimum affordable housing targets, as required by the Regional OP in policy 2.3.2.3. It is recommended that this policy be incorporated into Section B1.1.3 of the Town's OP. Alternatively, the Town may establish a standalone section or subsection for affordable housing policies given the breadth of policy revisions that are required to achieve conformity with the Regional OP.
<b>Urban Design</b>	<p><b>Section B1.2.4.3 and B1.3.4.3</b> outline detailed urban design and development criteria for new development or redevelopment in the Downtown and Downtown Transitional Area designations, respectively.</p> <p><b>Section B1.2.5</b> sets out a list of potential projects to revitalize the public realm in the Downtown designation.</p>	> Regional OP (ss. 6.2.1, 6.2.2)	These sections are generally in conformity with the Regional OP, but may require small revisions to ensure that certain concepts in the are being supported. This includes sustainable design and the promotion of active transportation.
<b>Prime Agricultural Lands</b>	<b>Section B2.1</b> contains policies for the Good General Agricultural land use designation.	> Growth Plan (s. 4.2.6) > Greenbelt Plan (s. 3.1.3) > Regional OP (s. 4.1)	<p>Section B2.1 should be renamed to Prime Agricultural to delineate prime agricultural areas within the Town, based on Niagara's ROP, Growth Plan, and Greenbelt mapping and policy.</p> <p>Schedule A (Land Use) should be revised to show Prime Agricultural instead of Good General as a land use designation.</p>
<b>Non-agricultural Uses in Prime Agricultural Lands</b>	<b>Section B2.1.3.10</b> outlines the restrictions on conversions to non-agricultural uses.	> Regional OP (Policy 4.1.3.3)	Section B2.1.3.10 should be revised to specifically require that applications for non-agricultural uses on Prime Agricultural (formerly Good General Agricultural) lands must be accompanied by an Agricultural Impact Assessment which evaluates the potential impacts of the proposed development on nearby agricultural operations and the broader agriculture system and recommends ways to avoid, or, if avoidance is not possible, minimize and mitigate adverse impacts.

Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
<b>Lot Creation and Consents in Agricultural Areas</b>	<b>Sections B2.1.3 and B2.2.5</b> include policies guiding consents to sever and lot creation in agricultural areas, setting out certain criteria where severing new lot from an existing farm parcel may be permitted (e.g., to accommodate a surplus dwelling resulting from the consolidation of two farms).	> Regional OP (ss. 4.1.4 through 4.1.6)	Update Policy 2.1.3.1 to add the following criteria for creation of a new lot through a consent to sever within the Prime Agricultural (formerly Good General Agricultural) designation: <ul style="list-style-type: none"> <li>&gt; if the new lot is for an agricultural use, that it is appropriate for the farming activities proposed, is suited to the particular location and common in the area, and provides some flexibility for changes in the agricultural operation;</li> <li>&gt; if the new lot is for an agriculture-related use, that the new lot is limited to the minimum size to accommodate the proposed use and required water and sewage services, and that residential uses are prohibited on the lot in perpetuity through the Town's zoning by-law</li> </ul>
		>	While not strictly necessary for conformity, the Town should consider renaming the Specialty Agricultural designation to Specialty Crop Area for consistency of language with the Regional OP and Provincial planning documents.  Update Policy B2.1.3.3 to add the following criteria for the creation of a new residential lot within the Prime Agricultural (formerly Good General Agricultural) designation as a result of a farm consolidation rendering a farm dwelling surplus: <ul style="list-style-type: none"> <li>&gt; the lot has adequate groundwater or other water supply;</li> <li>&gt; the lot has sufficient frontage on an existing public road, and should use the existing road access to the farm operation wherever possible; and,</li> </ul> the new lot will not have impact on surrounding farming operations and will not create a traffic hazard.

Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
		>	<p>Update Section B2.2.5 to add the following criteria for the creation of a new lot through a consent to sever within the Specialty Crop Area (formerly Specialty Agricultural) designation:</p> <ul style="list-style-type: none"> <li>&gt; the severance must be supported by a planning justification report;</li> <li>&gt; the consent is for one of the following uses: <ul style="list-style-type: none"> <li>○ an agriculture-related use, provided that the new lots is large enough to accommodate the use and appropriate sewage and water services;</li> <li>○ public infrastructure, if the use cannot be provided through easements or rights of way, the need for the infrastructure is demonstrated and no alternative exists, and an agricultural impact assessment for the proposed use has been completed.</li> </ul> </li> </ul>
<b>Minimum Distance Separation (MDS)</b>	<b>Policies B2.1.4 and B2.2.4</b> require compliance with the Minimum Distance Separation Formulae for livestock facilities	<ul style="list-style-type: none"> <li>&gt; Regional OP (ss. 4.1.3, 4.1.9, 4.1.10)</li> </ul>	Policies B2.1.4 and 2.2.4 should be expanded to outline land use compatibility reasoning for MDS requirements and apply the policies to anaerobic digesters in addition to livestock facilities.
	<b>New</b>		Policies B2.1.3.1, B2.1.3.10, and B2.2.5 should be updated to require that new lots and non-agricultural development in Prime Agricultural and Speciality Crop Area lands comply with the Minimum Distance Separation formulae.
<b>Agri-food Network</b>	<b>New</b> Through OPA 15 (2022), policies were added to the Town's existing OP to permit agriculture-related and on-farm diversified uses, but the OP does not contain a dedicated section or set of policies on the agri-food network	<ul style="list-style-type: none"> <li>&gt; Growth Plan (4.2.6)</li> <li>&gt; Regional OP (4.1)</li> </ul>	<p>A new subsection (or subsections) should be added to Section B2.1 and B2.2 of the Town's OP which established the concept of the agri-food network and its importance to the strength of the agricultural system. This section can include existing policies on agriculture-related and on-farm diversified uses, as well as new policies, including but not limited to:</p> <ul style="list-style-type: none"> <li>&gt; requiring that planning for settlement area expansions and infrastructure development consider potential impacts (positive and</li> </ul>

Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
			<p>negative) on the processing and movement of agricultural goods and services;</p> <ul style="list-style-type: none"> <li>&gt; establishing a link between the agricultural system and employment in the Town;</li> <li>&gt; promoting a strong and innovative rural brand the Town, such as supporting festivals and events that highlight the Township's farming character and agricultural products;</li> <li>&gt; encouraging opportunities for urban agriculture such as community gardens, food co-ops, local food sourcing for municipal facilities, and other initiatives; and</li> <li>&gt; encouraging connecting between local farmers and local retail food stores.</li> </ul>
	<b>Section E1.7</b> established Community Improvement Project Areas within the town and enabling policies for Community Improvement Plans, but does not enable the use of a CIP for agricultural or rural purposes.	> Best Practices	<p>Policies E1.7.2 and E1.7.3 should be updated to include the growth and diversification of the Town's agricultural economy as a goal of Community Improvement and enable value-added agriculture-related and on-farm diversified uses as opportunities for funding through a CIP.</p> <p>Policy E1.7.4 should also be updated to add agricultural areas to the criteria for the delineation of a Community Improvement Project Area.</p>
<b>Topsoil Removal</b>	<b>New</b>	> Regional OP (s. 4.1.1.5)	The Regional OP discourages the removal of topsoil in prime agricultural areas, specialty crop areas, and rural areas, and prohibits placement of fill dirt in prime agricultural areas and specialty crop areas. The Town's OP should be updated to include policies which conform with the above, as well as directing for the enactment of a municipal site alteration/fill by-law to support said policies.
<b>Mineral Aggregate Resources</b>	<b>Section B2.5</b> contains policies guiding the use of land within the Mineral Aggregate Resource Area designation, including requirements and	> Regional OP (s. 4.3.1)	While the Town's OP contains substantial policies guiding the protection of mineral aggregates and their extraction, much of which is in conformity with



Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
	restrictions for development on or near aggregate resources, criteria for new or expansion of mineral aggregate resource extraction, and rehabilitation of mineral aggregate sites (e.g., returning a former extraction site to agricultural uses).		<p>the Regional OP, Section B2.5 should be updated to fill conformity gaps, particularly for the following:</p> <ul style="list-style-type: none"> <li>&gt; Planning for the impacts of mineral aggregate operations on natural heritage (Regional OP policies 4.3.4.5 to 4.3.4.10)</li> <li>&gt; Expansion of the criteria for the evaluation of applications for new or expanded mineral aggregate operations and associated OP amendments (Regional OP policy 4.3.4.4)</li> <li>&gt; Planning for haulage and truck traffic related to aggregate extraction (Regional OP Section 4.3.5)</li> </ul> <p>Policies to encourage recycling of aggregate material in the Town wherever possible, including in Town-led infrastructure projects (Regional OP Section 4.3.7)</p>
<b>Natural Heritage and Water Resource Mapping</b>	<p>The Town's OP currently implements the Region's Natural Heritage System through a series of land use designations:</p> <ul style="list-style-type: none"> <li>&gt; <b>Section B3.1:</b> Niagara Escarpment Area</li> <li>&gt; <b>Section B3.2:</b> Environmental Protection One – Regional Environmental Protection Area (EPA)</li> <li>&gt; <b>Section B3.3:</b> Environmental Protection Two – Regional Environmental Conservation Area (ECA)</li> <li>&gt; <b>Section B3.4:</b> Environmental Protection Three (Greenbelt Key</li> </ul>	<ul style="list-style-type: none"> <li>&gt; Growth Plan (s. 4.2.2 through 4.2.4)</li> <li>&gt; Greenbelt Plan (s.3.2)</li> <li>&gt; Niagara Escarpment Plan (s. 1.3, 1.4)</li> <li>&gt; Regional OP (s. 3.1)</li> </ul>	<p>A new schedule should be introduced to map the Natural Environment System. As recommended in this TCR, it is recommended that the Natural Environment System, inclusive of the Natural Heritage System and Water Resources System, be mapped on at least two separate schedules. Implementing policies can be identified that speak to the integrated nature of the Natural Environment System.</p>

Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
	<p>Natural Heritage And Key Hydrological Features)</p> <p>These sections delineate which natural heritage and hydrological features are contained within each designation, and outline policies related to permitted uses within or adjacent those features.</p> <p><b>Sections C1</b> through <b>C4</b> contain additional policies supporting the policies in Section B3, including for supporting corridors and linkages between natural heritage features.</p>		
<b>Climate Change</b>	<p><b>Section D3</b> encourages and supports energy conservation, district heating, and combined heat and power, but otherwise the Town's existing OP does not reference climate change.</p>	<ul style="list-style-type: none"> <li>&gt; <i>Planning Act</i> (s. 16(14))</li> <li>&gt; PPS (s. 1.1.3.2)</li> <li>&gt; Regional OP (s. 3.5)</li> </ul>	<p>A new section on climate change should be introduced. This section may integrate current Section D3 and establish the relationship between energy conservation, district heating, and other alternative energy sources and climate change. The Town should introduce policies that support actions identified in the Town's Energy Management Plan and Corporate Climate Change Adaptation Plan to support reduction of greenhouse gas emissions and increase resiliency to the impacts of climate change, among other priorities and objectives established by the Town in these plans. This is further discussed in Section 2.3.1 of this TCR.</p>
<b>Watershed Planning</b>	<p><b>Section C5</b> contains a policy committing the Town to working with Niagara Region, the Niagara Peninsula Conservation Authority, and the Province in preparing watershed and subwatershed plans, but contains no other policies on watershed planning.</p>	<p>Regional OP (s 3.2)</p>	<p>The Town's OP must be updated to conform with the Watershed Plan and subsequent policies in the ROP, particularly around the responsibilities of local municipalities in the Region for the preparation of subwatershed studies.</p>


Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
<b>Excess Soil</b>	There are no existing policies on excess soil in the Town's OP.	<ul style="list-style-type: none"> <li>&gt; PPS (s. 3.2.3)</li> <li>&gt; Regional OP (s. 3.7)</li> </ul>	<p>The Regional OP directs that local municipalities will use best practices for managing excess soil. New policies must be added to the Town's OP for the management of excess soil generated and fill received during development or site alteration. This may include:</p> <ul style="list-style-type: none"> <li>&gt; Explicit reference to the Town's Removal of Topsoil from Lands By-law;</li> <li>&gt; Objectives and policies that speak to the importance of preventing the disruption and destruction of landscape features; and</li> </ul> <p>Requiring appropriate identification for planning, design, grading, and construction practices that minimize mass grading, disturbance to landform character, and other factors that must be considered where the removal of topsoil or other alterations to the landscape are proposed.</p>
<b>Complete Streets</b>	There are no existing policies on complete streets in the Town's OP.	<ul style="list-style-type: none"> <li>&gt; Growth Plan (3.2.2.3)</li> </ul> <p>Regional OP (s., 5.1.4)</p>	<p>The Regional OP directs that a complete streets approach be adopted by local municipalities for designing new or reconstructed local streets, and that in the absence of a local complete streets guideline or equivalent, that the Region's Complete Streets Design Manual and Guidelines should be used.</p> <p>The Town does not have complete streets guidelines available at the local level. The Town's Active Transportation Plan and Implementation Strategy directs the Town to implement the Region's resource. The OP should include policies that encourage and support a broad range of design standards that can be universally applied to achieve complete streets.</p>
<b>Cycling</b>	<b>Section D2.6</b> commits the Town to preparing an Active Transportation Plan in partnership with the Region, and developing policies and zoning to support active transportation.	<ul style="list-style-type: none"> <li>&gt; Regional OP (s. 5.1.3)</li> </ul>	New policies should be introduced to implement the Strategic Cycling Network identified in the Regional OP. Additionally, there is an opportunity to expand the policies in Section D2.6 to reflect the Region's goal of an interconnected active transportation network, and not just individual facilities. The policies in Section B1.5 may also be updated as the Open Space designation incorporates the principles of active transportation.

Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
<b>Public Transit</b>	<b>Section D2.7 directs that all</b> Town Arterial and Collector roads be designed to accommodate a future transit network.	> Regional OP (s. 5.1.2)	While there is no explicit conformity requirement around public transit in the Town, there is an opportunity to build on the policies in Section D2.7, drawing from policies in the Regional OP around transit-supportive development.
<b>Parkland and Open Space</b>	<b>Section D5.4</b> , which is nested within Section D5 (Subdivision of Land), sets out goals for public parkland in the Town, policies for the conveyance and dedication of parkland through the development process, and policies on park siting and design.	> <i>Planning Act</i> (s.42, s. 51.1) > Ontario Regulation 509/20: Community Benefits Charges And Parkland Regional OP (s. 5.3.1)	Since the last update of the Town's OP, significant changes have been made to the parkland conveyance tools under Section 42 and 51.1 of the <i>Planning Act</i> , including to dedication rates and cash-in-lieu rules. Additionally, the Regional OP directs local municipalities to include specific policies related to parkland and open space in their OPs, including but not limited to: <ul style="list-style-type: none"> <li>&gt; Integrating development with trails and parks;</li> <li>&gt; Consideration of climate change in parks planning; and</li> <li>&gt; Consideration of using surplus public lands for recreation and open space needs.</li> <li>&gt; There is opportunity to introduce new policies in Section B1.5.4.1 guiding the development or trails and parks, and use of open space needs. If the Town chooses to introduce a new standalone chapter on climate change, there is an opportunity to implement new policies that require consideration of climate change in parks planning. This may include opportunities for green infrastructure, community gardens, renewable energy, and others.</li> </ul>
<b>Cultural Heritage</b>	<b>Section D4</b> includes policies around cultural and built heritage, including criteria for Heritage Impact Assessments (HIAs), restoration/rehabilitation of cultural heritage resources, and the framework for listing and designating heritage properties.	> <i>More Homes Built Faster Act</i> , 2022 (Schedule 6)	Section D4 requires review to ensure that policies related to listing properties on the heritage register, and subsequent designation of those properties, align with changes to the <i>Ontario Heritage Act</i> made under the <i>More Homes Built Faster Act</i> (Bill 23). Bill 23 removes the Town's ability to issue notice of intention to designate a property unless the property is already listed. Policies in Section D4.2.2.3 specifically must be revised and updated for conformity.

Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
<b>Archaeology</b>	<b>Section D4.3</b> contains policies around archaeological preservation and criteria for archaeological assessments.	<ul style="list-style-type: none"> <li>&gt; PPS (s. 2.6)</li> <li>&gt; Regional OP (s. 6.4)</li> <li>&gt; Current best practices</li> </ul>	Section D4.3 should be revised to ensure conformity with the Regional OP's more robust framework around archaeology. New policies should be introduced guiding the Town through engagement with Indigenous communities and consideration of their interests when managing both cultural heritage and archaeological resources. Additional policies should be introduced
<b>Site Plan Control</b>	<b>Section E1.4</b> designates all areas of the Town as a Site Plan Control area, and sets out of the elements of a development which fall under site plan control.	<i>Planning Act</i> (s. 41)	Section E1.4 requires revisions to align with changes to the <i>Planning Act</i> through the <i>More Homes Built Faster Act</i> (Bill 23). Revisions required to achieve conformity include: <ul style="list-style-type: none"> <li>&gt; Remove exterior design from site plan control (with certain exceptions).</li> <li>&gt; Exempt residential buildings containing no more than 10 units from site plan control.</li> </ul>
<b>Community Planning Permit System</b>	<b>Section E1.8</b> enables the establishment of a development permit system for the Town, and proposes that the system apply to lands adjacent to any natural heritage feature which require some level of impact assessment prior to development. This section also sets out goals for the development permit system, scope of authority of the development permit system, and criteria and conditions for the modification of zoning regulations where the development permit system applies.	<ul style="list-style-type: none"> <li>&gt; Ontario Regulation 173/16</li> <li>&gt; Regional OP (3.1.32)</li> </ul>	The existing policies in Section E1.8 conform with the Province's requirements for OP policies related to community planning permits (the new term which has replaced "development permits"). The Regional OP contains policies providing additional guidance for local municipalities using community planning permit systems for development in the natural environment system, as in the case of the Town.  The following revisions are recommended for conformity: <ul style="list-style-type: none"> <li>&gt; Minor updates can be made to Section E1.8 to reflect the change from "development permit system" to "community planning permit system".</li> <li>&gt; Consider expanding the community planning permit system in Pelham beyond the natural environment context (e.g., to streamline infill development within the Downtown land use designation).</li> </ul>

Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
<b>Community Benefits Charges</b>	<b>Section B1.7.7.2(h)</b> enables the Town to enact a height and/or density bonusing by-law.	<ul style="list-style-type: none"> <li>&gt; <i>Planning Act</i> (s. 37)</li> </ul>	<p>Through the <i>More Homes, More Choice Act</i> (Bill 108), the Province amended Section 37 of the <i>Planning Act</i> to remove height/density bonusing and replace it with the Community Benefits Charge.</p> <p>The Town's OP should be updated to introduce policies in Section E1 enabling the use of Community Benefits Charges and directing for the preparation of a Community Benefits Charge strategy and by-law. Example policies prepared by other Ontario municipalities have previously been provided to the Town in the Background Research Report and may be consulted to inform policies for the Town.</p>
<b>Bill 109 Implementation</b>	<b>Section E3.1</b> enables Council to require that where appropriate, a development proponent attend a pre-consultation meeting with Town staff and/or Regional or NPCA staff. The section also prescribes what information will be required as part of any complete planning application, and what additional information may be required depending on the context of the application.	<ul style="list-style-type: none"> <li>&gt; <i>Planning Act</i> (s. 34(10.12))</li> <li>&gt; Current best practices</li> </ul>	The planning fee refunding regime to the <i>Planning Act</i> under the <i>More Homes For Everyone Act</i> (Bill 109) has implications for the pre-consultation process, which may require changes to ensure the Town can meet the timelines required by the <i>Planning Act</i> . It is not anticipated that this will result in significant changes to Section E3.1 of the OP.
<b>Indigenous Engagement</b>	There is currently no existing framework for consultation or engagement with Indigenous communities on planning applications or projects.	<ul style="list-style-type: none"> <li>&gt; PPS (s. 1.2.2)</li> <li>&gt; Regional OP (7.10)</li> </ul>	<p>The PPS requires that municipalities engage with Indigenous communities on land use planning matters. The Regional OP builds on this requirement with robust policies guiding engagement with First Nations and other Indigenous communities, which should be integrated into the Town's OP as applicable.</p> <p>It is recommended that the Town follow the lead of the Region, as well as current best practices for OPs, and add policies setting out a framework for consultation, including consultation with Indigenous communities, on planning decisions by the Town. The Town is encouraged to engage with Indigenous communities in the development of these policies to support the enrichment of a of nation-to-nation relationship.</p>





Focus Area	Existing Town OP Characterization	Key Policy Drivers and Resources	Recommended Revisions for Conformity
Housekeeping	Since the adoption and approval of the Town's current OP, sixteen OPAs have been adopted, implementing a mix of site-specific and Town-wide policy changes.	> OPAs 1 through 16	Through the update to the Town's OP, these OPAs and any others that may be adopted between the publishing of this TCR and the adoption of the updated OP should be integrated.

## 4 Next Steps

---

The Technical Conformity Report will be presented to the Town for submission to Council. WSP will also prepare a draft template for the updated OP for the Town to use in subsequent phases of the OPR outside the scope of the Technical Conformity Review. This template document will be based on feedback from the Town on the OP format options presented in the Discussion Paper in Phase 2. This will include a high-level structure and suggested Table of Contents and select graphical elements.

Following submission to and endorsement by Council, the Technical Conformity Review will be completed for formal submission to the Town at which point Phase 1 of the Town's Official Plan Review will be completed.