

## Town of Pelham Council Report

Wednesday, April 22, 2026

**Subject:** 2025 Official Plan – Next Steps

**Prepared By:** Lindsay Richardson, MCIP, RPP

**Department:** Community Planning and Development

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### Recommendation:

**BE IT RESOLVED THAT Council receive report 2026-0087 “2025 Official Plan – Next Steps,” for information.**

### Background:

The Town of Pelham new Official Plan (OP) was adopted by Council on May 21, 2025, following a three-phase approach that included:

#### *Phase 1 – Conformity Review (2023)*

- Review of the existing OP to identify required updates to meet provincial and regional policy requirements.

#### *Phase 2 – Draft Plan & Consultation (2024–Early 2025)*

- Release of the draft OP and public, stakeholder, and agency consultation to inform revisions.

#### *Phase 3 – Statutory Meeting & Adoption (2025)*

- Statutory public meeting held and final OP brought forward for Council adoption and provincial approval.

### Approval Authority

Bill 23, the *More Homes Built Faster Act, 2022*, amended the *Ontario Planning Act* to create a new category called “upper-tier municipalities without planning responsibilities.” That change removed key planning powers from several regional governments, including the Regional Municipality of Niagara. As a result of Bill 23, the Region of Niagara no longer has authority to adopt OPs or Official Plan Amendments (OPAs), approve lower-tier subdivisions, or appeal planning decisions on behalf of local municipalities. The Ministry of Municipal Affairs and Housing (MMAH) is now the approval authority for the Town of Pelham’s new OP.

The Council adopted OP, and supporting materials were forwarded to the Ministry in early June 2025. The plan was deemed complete by MMAH on June 26, 2025. Under the *Ontario Planning Act*, specifically subsection 17(40) (as amended), MMAH has 120

days to make a decision to approve, modify, or refuse a new municipal official plan after it has been adopted and submitted as a complete submission.

In the 7 months since its submission, the Province has been reviewing the Town's OP in consultation with its partner Ministries and Agencies. During this period, town staff reached out to MMAH repeatedly to request an update on the forthcoming approval of the new OP, but received no response.

Town staff finally met with MMAH on January 27, 2026, to review preliminary feedback and discuss next steps. Town of Pelham Planning staff then received a formal issues list and written comments on February 2, 2026. The issues list is attached to this report as Appendix "A".

Ministry staff advised that the review process has taken longer than usual, as this is the first opportunity for MMAH to review the Town of Pelham's new OP following changes to planning approval responsibilities introduced by Bill 23, which removed approval authority from the Region.

### **Analysis:**

Staff have worked closely with MMAH and its partner agencies, including meetings specifically with OMAFA and MNR to address their individual points of concern, while creating a red-lined revision of the new Official Plan to address the comments and concerns brought forward by the Province. During recent discussions with MMAH on March 30, 2026, Provincial Staff noted that, according to their legal counsel, the Town will again be required to follow the public process for OP adoption under the *Planning Act* for Section 26, Updates. A copy of the written correspondence outlining this process from the Province has been attached to this report as Appendix "B".

The Town has now provided MMAH with a complete and updated draft of the new OP based on their comments, which will be circulated to relevant partner ministries for review. MMAH anticipates providing comments by early May, allowing the Town time to consider any feedback before the targeted statutory meeting in May. Prior to repealing the existing OP and adopting the new OP, the Town will ensure all statutory consultation requirements under Section 26 of the *Planning Act* are met.

Following Council adoption, the Town will submit the new OP to MMAH for approval, including all required supporting materials such as a record under Ontario Regulation 543/06, a completed application form, a description of the public consultation strategy, information on consultation with Indigenous communities, and the Council resolution as required under subsection 26(7) of the *Planning Act*. No application fee is required for a Section 26 submission.

### *Planning Act Requirements and Dates*

In accordance with the direction of the Province, Staff will initiate the planning process under Section 26 of the *Planning Act*, including an open house, statutory public

meeting, recommendation report and by-law with dates, times and locations for each as follows:

### Open House

Date: April 28, 2026  
Location: Meridian Community Centre, 100 Meridian Way, Fonthill - Kinsmen Room  
Time: 5 pm to 7 pm

Note: This will be an open house format, with a brief presentation at 5 pm, and general discussion afterwards.

### Statutory Public Meeting

Date: May 13, 2026  
Location: Council Chambers, Town Hall, 20 Pelham Town Square  
Time: 5:30 pm

Registration is not required but is encouraged. A Notice of Statutory Public meeting will be posted on the Town's website with additional details on April 23, 2026.

Above and beyond the requirements of the *Planning Act*, Town staff will be providing additional individual notice to those properties directly affected by the required designation changes outlined in MMAH's issues list (comment #69) on page 33 of Attachment "A". The province has requested that some of the industrial lands surrounding the airport be aligned with the rural land mapping as shown in the Niagara Official Plan, and policies be updated to reflect this.

Town staff will focus the required additional public consultation on the requested changes from MMAH. Comments received prior to and during the original OP process remain on the official record and have been reviewed and considered by Staff and the Province.

A red-lined OP document will be available for review prior to the Statutory Public Meeting.

A new OP recommendation report and by-law will be presented to Council on May 20, 2026, for adoption. The new OP and supporting materials, as outlined in the correspondence in Appendix "B", will then be forwarded to the Province for Minister approval.

### **Financial Considerations:**

None.

**Alternatives Reviewed:**

None, the Province has indicated that this is the only process available to the Town at this time.

**Strategic Plan Relationship: Community Development and Growth**

**Other Pertinent Reports/Attachments:**

Appendix A – MMAH List of Requested Changes

Appendix B - Correspondence from MMAH

**Approved and Submitted by:**

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