



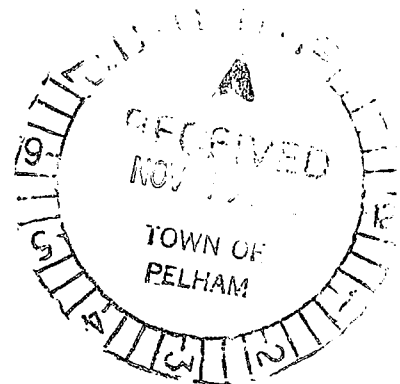
R 890530
R 870525

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

IN THE MATTER OF Section 34(18) of
the Planning Act, 1983

AND IN THE MATTER OF appeals by
Canadian National Railway, Bryland
Developments Limited and others
against Zoning By-law 1261 (1989) of
the Corporation of the Town of Pelham
O.M.B. File No. R 890530

AND IN THE MATTER OF appeals by
Stephen Kaiser, The Preservation of
Agricultural Lands Society, The
Landcorp Group and others against
Zoning By-law 1136 (1987) of the
Corporation of the Town of Pelham
O.M.B. File No. R 870525



B E F O R E :

S.R. COLE
Member

- and -

W.R.F. WATTY
Member

)
)
) Tuesday, the 14th day
) of May, 1991
)
)

THESE MATTERS having come on for public hearing, and the Board having reserved its decision until this day;

THE BOARD ORDERS that the appeals against By-law 1261 (1989) are allowed in part and said by-law is amended as set out in Schedule "A", attached hereto and forming part of this order.

THE BOARD FURTHER ORDERS that the appeals against By-law 1136 (1987) are allowed in part and said by-law is amended as set out in Schedule "B", attached hereto and forming part of this order.



Ontario

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

SCHEDULE "A"

SCHE. "A"

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 1418(1991)

Being a by-law to amend Zoning By-Law No.
1261 (1989), respecting certain lands
along Highway 20 east of Station Street.

WHEREAS, By-Law No. 1261 (1989) is a by-law of the Corporation of the Town of Pelham restricting the use of land and the location and use of buildings and structures within the Town of Pelham;

AND WHEREAS, By-Law No. 1261 (1989) having come before the Ontario Municipal Board;

AND WHEREAS, the Ontario Municipal Board has directed the Town to amend By-Law No. 1261 (1989) respecting certain matters;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

1. That the "Zoning Map" referenced as Schedule "A" forming part of By-Law 1261 (1989) is hereby amended by changing from Highway Commercial (HC) to Highway Commercial Exception 104 (HC-104) those lands identified on Schedule "A" attached hereto and forming part of this by-law, and the following provisions shall apply:

In addition to the permitted uses of the Highway Commercial (HC) Zone, nothing in this by-law shall prevent the use of lands identified as HC-104 on Schedule "A" attached hereto for a retail store, except in accordance with the following provisions:

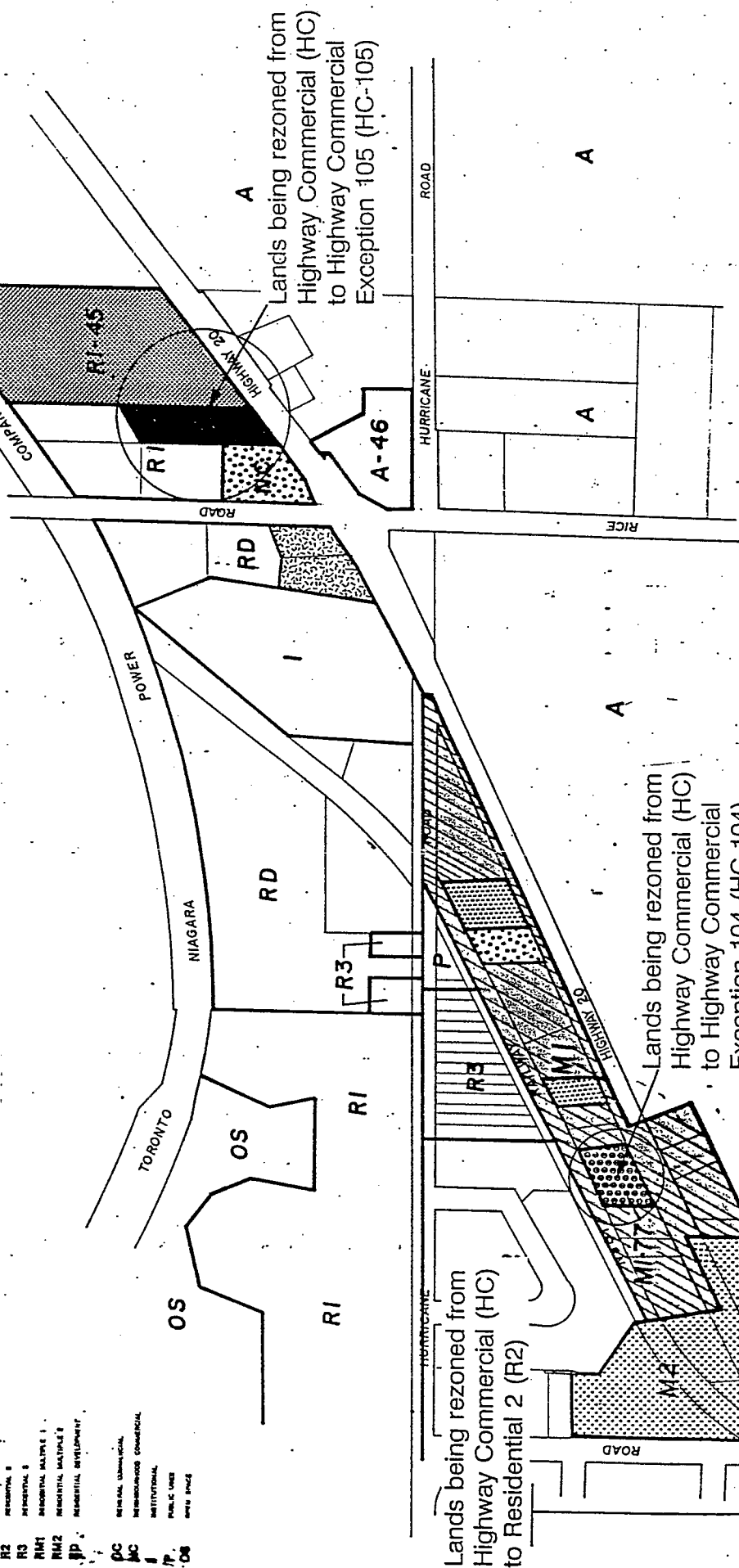
- | | |
|--|-------------------|
| (i) Maximum Gross Floor Area for each Permitted retail store | 232m ² |
| (ii) Maximum combined Gross Floor Area of all such retail stores | 418m ² |
2. That the "Zoning Map" referenced as Schedule "A" forming part of By-Law 1261 (1989) is hereby amended by changing from Highway Commercial (HC) to Residential 2 (R2) those lands known municipally as 1445 Station Street and as identified on Schedule "A" attached hereto and forming part of this by-law.

TOWN OF PELHAM
CERTIFIED TRUE COPY

Jack Bernard

SCHEDULE "A" TO BY-LAW NO. 1418

- M1 LIGHT INDUSTRIAL
- M2 HEAVY INDUSTRIAL
- A AGRICULTURAL
- R1 RESIDENTIAL 1
- R2 RESIDENTIAL 2
- R3 RESIDENTIAL 3
- RM1 RESIDENTIAL MULTIPLE 1
- RM2 RESIDENTIAL MULTIPLE 2
- RP RESIDENTIAL DEVELOPMENT
- PC GENERAL COMMERCIAL
- HC HIGHWAY COMMERCIAL
- I INSTITUTIONAL
- PP PUBLIC USES
- OS OPEN SPACE



Lands being rezoned from Highway Commercial (HC) to Residential 2 (R2)

Lands being rezoned from Highway Commercial (HC) to Highway Commercial Exception 104 (HC-104)

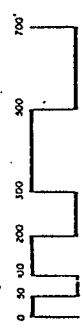
Lands being rezoned from Highway Commercial (HC) to Highway Commercial Exception 105 (HC-105)

This is Schedule 'A' to By-Law 1418
Passed this 15th day of JULY, 1991

André Bolduc
MAYOR
Michelle Bolduc
CLERK

	TO: HIGHWAY COMMERCIAL	HC
	TO: HIGHWAY COMMERCIAL	HC
	TO: HIGHWAY COMMERCIAL	HC
	TO: HIGHWAY COMMERCIAL	HC
	TO: HIGHWAY COMMERCIAL	HC

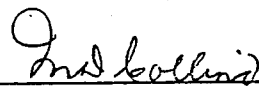
EXCEPTION 84, HC 84 & EXCEPTION 85, HC 85

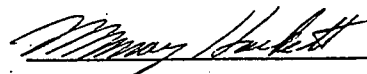


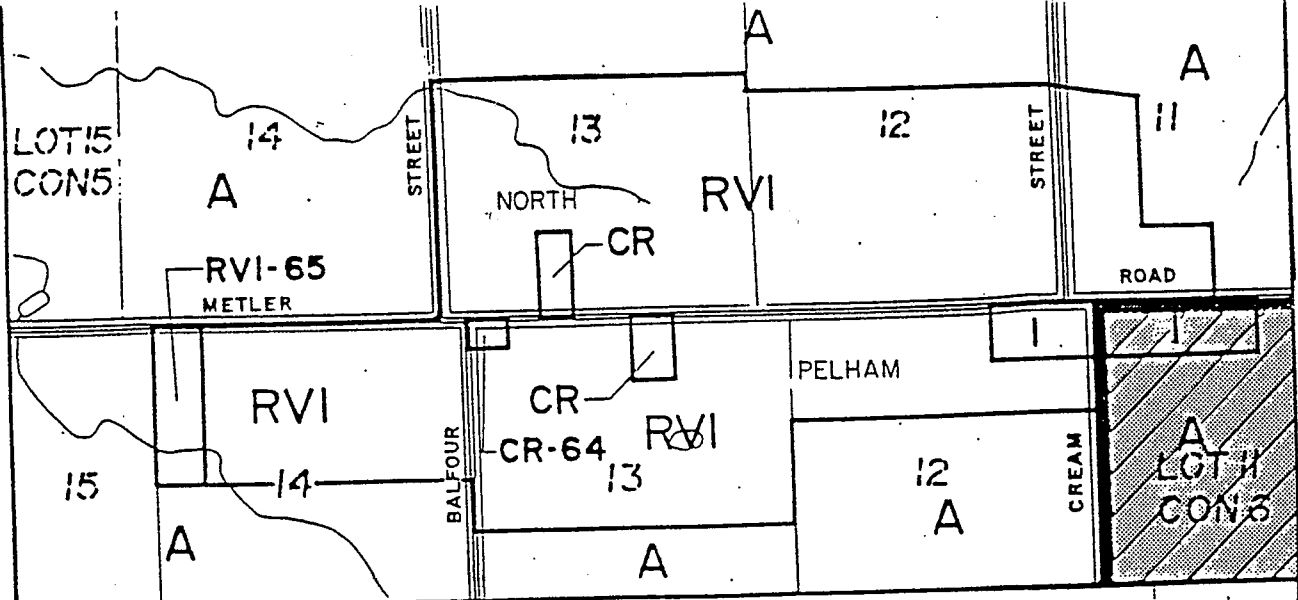
MILLER ODELL
URBAN AND RURAL PLANNING CONSULTANTS INC.

5. That the "Zoning Map" referenced as Schedule "A-4", forming part of By-Law 1136 (1987), as amended, is hereby amended by deleting the Agricultural A Zone,, Open Space OS Zone, Hazard H Zone, A-15 Zone and A-16 Zone from those lands identified on Schedule "D" attached hereto and forming part of this by-law.
6. That the "Zoning Map" referenced as Schedule "A-5", forming part of By-Law 1136 (1987), as amended, is hereby amended by deleting the Agricultural A Zone, Hazard H Zone, Open Space OS Zone, and Residential 1 R1 Zone from those lands identified on Schedule "E" attached hereto and forming part of this by-law.
7. That the "Zoning Map" referenced as Schedule "A", forming part of By-Law 1136 (1987), as amended, is hereby amended by changing from Agricultural (A) to Extractive Industrial (M3) those lands identified on Schedule "B" attached hereto and forming part of this by-law.
8. That this By-Law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of The Planning Act.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
15TH DAY OF JULY, 1991 A.D.



MAYOR


CLERK




SCHEDULE "C"
TO BY-LAW NO. 1417

SCHEDULE "A1"
TO BY-LAW NO. 1136

 Zoning of lands deleted

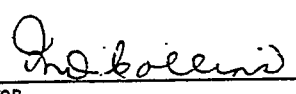
TOWN OF PELHAM

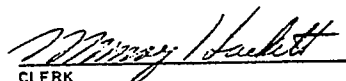
Legend

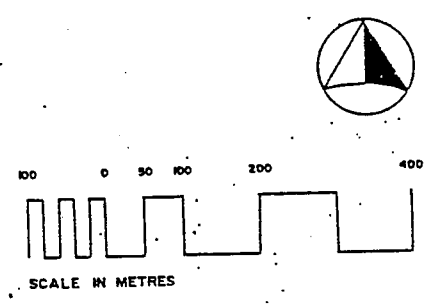
SYMBOL	ZONE
I	INSTITUTIONAL
A	AGRICULTURAL
RVI	RESIDENTIAL VILLAGE I
CR	COMMERCIAL RURAL
	N.E.C. PLAN BOUNDARY

NOTE: Section 6.37 provides that this zoning by-law shall have no effect within the N.E.C. Development Control Area, as defined by provincial regulation

THIS IS SCHEDULE 'C' TO BY-LAW No. 1417
PASSED THIS 15 DAY OF JULY, 1991


MAYOR



CLERK




 MILLER O'DELL & PAUL
URBAN AND RURAL PLANNING CONSULTANTS INC.

SCHEDULE "A5"
TO BY-LAW NO. 1136

TOWN OF
PELHAM

M1	LIGHT INDUSTRIAL
M2	GENERAL INDUSTRIAL
A	AGRICULTURAL
R1	RESIDENTIAL 1
R2	RESIDENTIAL 2
R3	RESIDENTIAL 3
RM1	RESIDENTIAL MULTIPLE 1
RM2	RESIDENTIAL MULTIPLE 2
RD	RESIDENTIAL DEVELOPMENT
GC	GENERAL COMMERCIAL
NC	NEIGHBOURHOOD COMMERCIAL
I	INSTITUTIONAL
P	PUBLIC USES
OS	OPEN SPACE
H	HAZARD
	N.E.C. PLAN BOUNDARY
NOTE: Section 6.37 provides that this zoning by-law shall have no effect within the N.E.C. Development Control Area, as defined by provincial regulation	

SCHEDULE "E"
TO BY-LAW NO. 1417

 Zoning of Lands deleted

THIS IS SCHEDULE "E" TO BY-LAW NO. 1417
PASSED THE 15 DAY OF JULY, 1991

John G. Williams
Mayor

Murray MacLennan
Clerk

