

THE CORPORATION OF THE  
T O W N   O F   P E L H A M

BY-LAW NO. 1319 (1990)

Being a by-law to impose interim control on  
certain lands within the Town of Pelham.

WHEREAS the Council of the Corporation of the Town of Pelham did on January 29th, 1990 ratify the following recommendation:

- "THAT Council authorize by resolution, a planning review of the Town of Pelham Official Plan to address the issue of non-farm development in agricultural areas; and,

"THAT staff be directed to investigate alternative measures of ensuring that non-farm development does not jeopardize the findings of the planning study";

AND WHEREAS the Council of the Corporation of the Town of Pelham did on January 29th, 1990 enact the following resolution:

- "WHEREAS continuous and extensive discussions have been ongoing by the Planning and Development Committee of the Town of Pelham in recent months concerning the issue of non-farm development in Agricultural areas.

"AND WHEREAS a need exists to undertake a review of the Agricultural policies of the Town of Pelham Official Plan.

"BE IT THEREFORE RESOLVED THAT the Council of the Corporation of the Town of Pelham hereby supports a review of the Agricultural policies of the Official Plan and further directs that the Town's Planning Consultants prepare and present a requisite report addressing the following study objectives:

- o To explore alternate means for assessing non-farm development applications in the Agricultural area;
- o To pursue discussions on the appropriateness of land division in the Agricultural area with other government agencies (e.g. Ministry of Municipal Affairs and the Ministry of Agriculture and Food), especially in light of recent Regional reports advocating the abolition of lot creation in the Agricultural area;

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- o To explore the opportunities for "infill" development in the Agricultural area;
- o To undertake an analysis of the Ontario Institute of Pedology mapping to determine if parcels of land exist of low agricultural capability in the Agricultural area that are appropriate for non-farm development;
- o To establish development standards for lot creation and development in the Agricultural area;
- o To provide recommendations on policy revision to the Official Plan."

AND WHEREAS the Planning Act, S.O. 1983, Chapter 1, Section 37 (1) provides as follows:

"Where the Council or a local municipality has, by by-law or resolution, directed that a review or study be undertaken in respect of land use planning policies in the municipality or in any defined area or areas thereof, the Council of the municipality may pass a by-law (hereinafter referred to as an interim control by-law) to be in effect for a period of time specified in the by-law, which period shall not exceed one year from the date of the passing thereof, prohibiting the use of land, buildings or structures within the municipality or within the defined area or areas thereof for, or except for, such purposes as are set out in the by-law."

AND WHEREAS the Council of the Corporation of the Town of Pelham considers it expedient to enact an Interim Control By-Law with respect to those lands zoned Agricultural A1 and Agricultural A2 pursuant to By-Law No. 279 (1974), in order to give effect to its resolution of January 29th, 1990 aforesaid;

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

(1) No person shall use land or erect or use a building or structure within those lands zoned Agricultural A1 and Agricultural A2 pursuant to By-Law No. 279 (1974) of the Town of Pelham for any purpose except:

- a) agricultural uses and operations
- b) existing legal non farm uses
- c) household occupations

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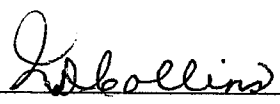
- d) seasonal or permanent farm help houses
- e) one, one family detached dwelling on one lot created prior to the passing of By-Law No. 279 (November 11th, 1974) or by consent in accordance with the policies of the Pelham Official Plan.
- f) uses, buildings and structures accessory to the uses permitted in clauses a), b), c), d) and e) of this section.

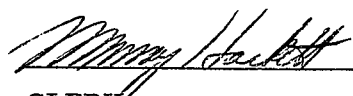
(2) For the purposes of this by-law, the definitions and interpretation given by Section 3 of said By-law No. 279 (1974) of the Town of Pelham shall govern.

(3) This by-law shall be in force and effect for a period of one year from the date of passage thereof.

(4) Every person convicted of a breach of the provisions of this by-law shall be liable, upon conviction, to the penalties as provided in Section 66 of the Planning Act, S.O. 1983, Chapter 1 as amended.

READ A FIRST, SECOND AND THIRD TIME  
AND FINALLY PASSED BY COUNCIL THIS  
5th DAY OF FEBRUARY, 1990 A.D.

  
MAYOR

  
CLERK