

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

Re: # AM-10 /90
HOLIDAY R V RESORTS
(INDIAN LAKE)

BY-LAW NO. 1360 (1990)

Being a by-law to regulate the use of lands
and the character and use of buildings and
structures within certain areas of the Town
of Pelham.

WHEREAS Section 34 of the Planning Act, S.O. 1983, as
amended, provides that the governing body of a Municipal
Corporation may pass by-laws to regulate the use of lands and the
character, location and use of buildings and structures;

AND WHEREAS the Planning & Development Committee of the
Town of Pelham has recommended that such a by-law be enacted;

AND WHEREAS the Council of the Corporation of the Town of
Pelham has deemed it to be in the public interest that such a
by-law be enacted;

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

(1) THAT the lands identified on Schedule "A" attached hereto
be and are hereby zoned as Agricultural "A-95" Zone and
Hazard "H-95" Zone.

(2) Agricultural "A" Zone
Subject to the general provisions of Section 6 of By-Law
#1136 (1987) and all other applicable requirements and
sections of By-Law #1136 (1987), the provisions of this
section shall apply throughout the Agricultural "A-95"
Zone.

(2.1) PERMITTED USES

- (a) Agricultural Uses Including Greenhouses;
- (b) Seasonal or permanent farm help houses on farms
larger than 10 hectares.
- (c) One single detached dwelling on one lot;
- (d) Home occupations;
- (e) Kennels;
- (f) Uses, buildings and structures accessory to the
foregoing permitted uses;
- (g) Forestry and conservation uses.

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**(2.2) REGULATIONS FOR AGRICULTURAL USES PERMITTED IN
CLAUSE (a) OF SUBSECTION 2.1**

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|-----|-------------------------------|-------------|
| (a) | Minimum Lot Frontage | 180m |
| (b) | Minimum Lot Area | 10 hectares |
| (c) | Maximum Lot Coverage | 10 percent |
| (d) | Minimum Front Yard | 20m |
| (e) | Minimum Side Yard | 46m |
| (f) | Minimum Exterior
Side Yard | 20m |
| (g) | Minimum Rear Yard | 46m |

**(2.3) REGULATIONS FOR GREENHOUSES AS PERMITTED IN CLAUSE
(a) OF SUBSECTION 2.1**

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|-----|---|---|
| (a) | Minimum Lot Frontage | 100m |
| (b) | Minimum Lot Area | 2 hectares |
| (c) | Maximum Lot Coverage | 60 percent |
| (d) | Minimum Front Yard | 20m |
| (e) | Minimum Side Yard or
Minimum Rear Yard | 15m, except where venti -
lating fans exhaust into
the respective side or
rear yard, the minimum
yards shall be 25m |
| (f) | Minimum Exterior
Side Yard | 30m from the centre line
of the road, or 20.5m from
the lot line whichever is
greater |
| (g) | Supplementary Setback Distances | |
| | (i) | all greenhouses shall be located a minimum
distance of 45m from any residential use on an
adjacent lot |
| | (ii) | no manure, compost or equipment storage area
shall be permitted within 30 metres of a
street or residential use on an adjacent lot. |

**(2.4) REGULATIONS FOR DWELLINGS PERMITTED IN CLAUSES (b)
OR (c) OF SUBSECTION 2.1**

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|-----|-------------------------------|-------------|
| (a) | Minimum Lot Frontage | 46m |
| (b) | Minimum Lot Area | .4 hectares |
| (c) | Maximum Lot Coverage | 10 percent |
| (d) | Minimum Front Yard | 13m |
| (e) | Minimum Exterior
Side Yard | 8m |
| (f) | Minimum Side Yard | 9m |
| (g) | Minimum Rear Yard | 15m |

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- (h) Minimum Floor Area
for a Dwelling 93m²
- (i) Maximum Dwelling Height 10.5m
- (j) Supplementary Regulations for a Farm Help House
 - (i) a farm help house shall be located in accordance with a site plan agreement with the Town of Pelham;
 - (ii) no seasonal farm help house shall be used as a permanent dwelling;
 - (iii) minimum floor area for a seasonal farm help house - 37m²
minimum floor area for a permanent farm help house - 93m²
 - (iv) notwithstanding the above provisions, a seasonal farm help house may be used as a principal farm dwelling for a period not to exceed one (1) year in the event of destruction by fire, flood or natural disaster of the said farm dwelling.

**(2.5) REGULATIONS FOR KENNELS PERMITTED IN CLAUSE (e) OF
SUBSECTION 2.1**

- (a) Minimum Lot Frontage 100m
- (b) Minimum Lot Area 2 hectares
- (c) Maximum Lot Coverage 10 percent
- (d) Minimum Front Yard 20m
- (e) Minimum Side Yard 15m
- (f) Minimum Exterior
Side Yard 30m from the centre line
of the road, or 20.5m from
the lot line whichever is
greater
- (g) Minimum Rear Yard 25m
- (h) Supplementary Setback Distances
- (i) No kennel shall be permitted within 150m of any
existing dwelling on any adjacent lot.

**(2.6) SUPPLEMENTARY SEPARATION DISTANCES FOR USES
PERMITTED IN THE AGRICULTURAL A ZONE**

Notwithstanding the various setback distances and minimum yard requirements of the Agricultural A Zone, the provisions of subsection 6.14, MDS Tables and Schedule "B" shall apply to the establishment or expansion of any livestock or poultry operation or conversely, to the establishment or expansion of any non-farm use in the vicinity of a livestock or poultry operation.

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(2.7) REQUIREMENTS FOR BUILDING AND STRUCTURES ACCESSORY TO DWELLINGS

- (a) Maximum Lot Coverage One percent provided the maximum lot coverage of all buildings does not exceed 10 percent
- (b) Minimum Side Yard and Rear Yard 3m, except the minimum side yard abutting a street shall be 7.5m
- (c) Minimum Distance from the Dwelling 3m
- (d) Maximum Building Height 3.7m
- (e) Accessory buildings and structures shall not be permitted in the required front yard
- (3) Nothing in this by-law shall prevent the continued use of the lands indicated as "A-95" on Schedule "A" to this by-law for a campground, open air recreational uses such as hiking, cross-country skiing, horseback riding, pleasure snowmobiling and uses, buildings, and structures accessory thereto.
- (4) Hazard "H" Zone
Subject to the general provisions of Section 6 of By-Law #1136 (1987) and all other applicable requirements and sections of By-Law #1136 (1987), the provisions of this section shall apply throughout the Hazard "H-95" Zone.
- (4.1) PERMITTED USES**
- (a) Agricultural uses.
- (b) Forestry, conservation and flood control uses and works.
- (c) Public recreational uses.
- (d) Existing uses.
- (e) Uses, buildings and structures accessory thereto, excluding accessory dwellings.
- (4.2) REGULATIONS**
- (a) All development within the Hazard "H" Zone shall be subject to the provisions of the Niagara Peninsula Conservation Authority pursuant to the requirements of the Conservation Authorities Act, R.S.O. 1980, as amended, or any subsequent enabling legislation.
- (5) Nothing in this by-law shall prevent the continued use of the lands indicated as "H-95" on Schedule "A" to this by-law for a campground, open air recreational uses such as hiking, cross-country skiing, horseback riding, pleasure snowmobiling and uses, buildings, and structures accessory thereto.

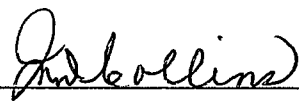
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- (6) For the purpose of this by-law campground means a place where people are temporarily accommodated in a tent or trailer on tent or trailer sites.

"Tent and trailer site" means a plot of ground within the Agricultural "A-95" and Hazard "H-95" Exception zone intended for the accommodation of either a trailer, tent or other individual camping unit for a temporary occupancy. Temporary occupancy of a tent and trailer site may be continuous for the period between May 1 and October 31 in any calendar year. No tent and trailer site shall be used as a permanent place of abode, dwelling or business or for indefinite periods of time. Permanent place of abode shall mean a tent and trailer site occupied for a total of more than 180 days in a calendar year."

- (7) THAT this By-Law shall come into force and take effect pursuant to Sections 34(19) and 34(31) of the Planning Act, S.O. 1983.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
16TH DAY OF JULY , 1990 A.D.


MAYOR


CLERK