Re: #AM-11/90
DONALD & SALLY
YOUNG

BY-LAW NO. 1361 (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-96".
- (2) <u>Agricultural "A" Zone</u>

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-96" 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

(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

(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

(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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Minimum Floor Area (h) for a Dwelling

- (i) Maximum Dwelling Height 10.5m
- Supplementary Regulations for a Farm Help House (j)
  - farm help house shall be located in accordance with a site plan agreement with the Town of Pelham;
  - no seasonal farm help house shall be used as (ii) permanent dwelling;
  - (iii) minimum floor area for a seasonal farm help house -  $37m^2$ minimum floor area for a permanent farm help house -  $93m^2$
  - (iv) notwithstanding the above provisions, seasonal farm help house may be used principal farm dwelling for a period not 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) SUBSECTION 2.1

Minimum Lot Frontage (a) 100m

Minimum Lot Area (b) 2 hectares

Maximum Lot Coverage (C) 10 percent

Minimum Front Yard (d) 20m

(e) Minimum Side Yard 15m

Minimum Exterior (f)

> Side Yard 30m from the centre line of the road, or 20.5m from

> > the lot line whichever

greater

Minimum Rear Yard (g) 25m

- (h) Supplementary Setback Distances
- No kennel shall be permitted within (i) 150m of any existing dwelling on any adjacent lot.

### 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, 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 the vicinity of a livestock or poultry operation.

#### (2.7) REQUIREMENTS FOR BUILDING AND STRUCTURES ACCESSORY TO DWELLINGS:

- (a) Maximum Lot Coverage One percent provided the maximum lot coverage οf all buildings does not: exceed 10 percent
- (b) Minimum Side Yard and Rear Yard Зm, except the minimum' side yard abutting a

street shall be 7.5m

- Minimum Distance from (C) the Dwelling 3m
- Maximum Building Height (d) 3.7m
- Accessory buildings and structures shall not be permitted in the required front yard
- Nothing in this by-law shall prevent the continued use (3) the lands indicated as "A-96" on Schedule "A" to this by-law for and a campground and uses, buildings, and structures accessory thereto.
- (4)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-96" 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 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 total of more than 180 days in a calendar year."

THAT this By-Law shall come into force and take effect (5) 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

MAYOR

MAYOR