

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

Re: #AM-12/90

BY-LAW NO. 1362 (1990)

RIVERVIEW GOLF
COURSE

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-97" Zone and Hazard "H-97" 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-97" 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-97" on Schedule "A" to this by-law for uses and a golf course 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-97" 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.

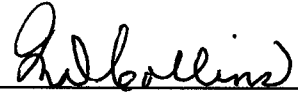
(4.2) REGULATIONS

- (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-97" on Schedule "A" to this by-law for a golf course and uses, buildings, and structures accessory thereto.

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- (6) 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