

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 2108 (1999)

Being a by-law to amend Zoning By-Law No. 1136 (1987),
as amended.

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, 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 Services Division of General Committee of the Town of Pelham has recommended that such a by-law be enacted;

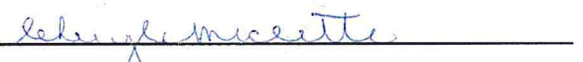
AND WHEREAS the Council of the Corporation of the Town of Pelham has deemed it to be in the public interest that such a by-law be enacted;

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

- (1) SECTION 6.12 - LOTS WITH MORE THAN ONE USE OR ZONE (b) - MORE THAN ONE ZONE of By-Law 1136 (1987) is amended by the addition of the following:
 - “ (ii) Notwithstanding subsection (i) and subject to subsection (iii) for the purpose of determining required yard setbacks, the provisions of the said zone in which a building or structure is to be erected shall apply.
 - (iii) Where one of the zones of the lots is Hazard, the required setback for each of the respective zones shall be the greater of that determined under (i) above or as otherwise required by the Niagara Peninsula Conservation Authority, in accordance with the provisions of the Conservation Authorities Act as amended from time to time.”
- (2) SECTION 28.1 - PERMITTED USES of By- Law No. 1136 (1987) is amended by deleting it in its entirety and replacing it with the following:
 - “(a) Agricultural uses,
 - (b) Forestry, conservation and flood control uses and works.
 - (c) Public recreational uses.
 - (d) Existing uses.
 - (e) Uses, building and structures accessory thereto, excluding accessory residential buildings.
 - (f) On privately owned lands, private passive yard use incidental to a permitted use in an abutting Zone, and for the purpose of this subsection a private passive yard use is defined as a natural or landscaped area, used for passive amenity purposes but does not include a building, structure, swimming pools, parking lot, or active recreational use.”
- (3) THAT this By-law shall come into force and take effect pursuant to Section 34(21) and 34(30) of the Planning Act, R.S.O. 1990, as amended.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
20TH DAY OF SEPTEMBER, 1999 A.D.


MAYOR RALPH BEAMER


DEPUTY CLERK CHERYL MICLETTE