

THE CORPORATION OF THE  
TOWN OF PELHAM

BY-LAW NO. 2363 (2002)

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 General Committee, Planning Services Division of the Town of Pelham has recommended that such a by-law be enacted;

AND WHEREAS the Council 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 rezoned from an Agricultural "A" Zone and Residential 1 "R1" Zone to a Residential 1 "R1-165" Special Exception Zone.
2. THAT Section 30 – Exceptions of By-Law No. 1136 (1987) is amended by adding thereto the following exception:

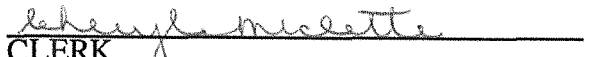
"R1-165 In addition to the permitted uses of the Residential 1 "R1" Zone, nothing in this By-law shall prevent the use of the lands indicated as "R1-165 " on Schedule 'A' to this By-law for a bed and breakfast establishment and the following special provisions shall apply thereto:

- a) for the purpose of this section bed and breakfast establishment shall be defined as a single detached dwelling which is operated only by an occupant of the dwelling and which provides sleeping for the travelling public and may include the provision of breakfast, but shall not include a "Hotel, Motel, Boarding House Dwelling or Converted Dwelling" as defined herein;
- b) be clearly secondary to the main residential use;
- c) not contain more than 6 guest rooms;
- d) not contain more than 12 guest beds;
- e) provide 1 parking space per guest room;
- f) the external appearance of the building shall not be changed so as to negatively impact on the character of the dwelling or neighbourhood;
- g) where required by the Town, be licenced pursuant to the Municipal Act, as amended or any successor thereto;

- h) that approval be obtained from the Regional Health Services Department and the Town's Building and Fire Services Departments prior to the initial start-up of the bed and breakfast establishment."
3. That this By-Law shall come into force and take effect pursuant to Sections 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  
4TH DAY OF MARCH, 2002 A.D.

  
MAYOR (ACTING)

  
CLERK