

THE CORPORATION OF THE

TOWN OF PELHAM

BY-LAW NO. 2571 (2004)

Being a by-law to amend Zoning By-law No. 1136 (1987), as amended, of the Town of Pelham
(Pheasant Run)

WHEREAS The Town of Pelham Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended;

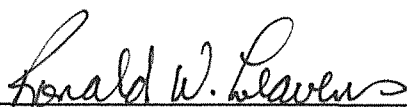
AND WHEREAS the General Committee, Planning Services Division, of the Town of Pelham has recommended that such a by-law be enacted;

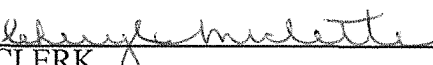
AND WHEREAS the Council of the Town of Pelham has deemed it to be in the public interest that such a by-law be enacted;

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

1. THAT Schedule 'A5' to Zoning By-law No. 1136 (1987), as amended, is hereby amended by changing the zoning on the lands shown as the subject lands on Schedules 'A' and 'B', attached hereto and forming part of this By-law, as follows:
 - (a) Part 1 is hereby rezoned from a Residential Multiple 1 RM1-164 Zone to a Residential 2 R2 Zone;
 - (b) Part 2 is hereby rezoned from an Open Space OS Zone to a Residential 2 R2 Zone; and
 - (c) Part 3 is hereby rezoned from an RM1-164 Zone to a Residential 2 R2 (H) Zone.
2. THAT this By-Law shall become effective from and after the date of passing thereof 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
3RD DAY OF MAY, 2004 A.D.


MAYOR


CLERK

Declaration

Under Section 34(22) of the Planning Act, R.S.O. 1990, as Amended

I, CHERYL MICLETTE, Clerk of the Town of Pelham, Regional Municipality of Niagara, hereby certify that the notice for By-Law #2571 (2004) of Pelham, passed by the Council of the Corporation of the Town of Pelham on the 3rd day of May, 2004, was given in the manner and form and to the persons and agencies prescribed by regulation made by the Lieutenant Governor-in-Council under subsection 18 of Section 34 of the Planning Act, R.S.O. 1990, as amended. I also certify that the 20 day objection period expired on the 25th day of May, 2004, and to this date no notice of objection or request for a change in the provisions of the by-law has been filed by any person or agency in the Office of the Clerk.

DATED this 11th day of June, 2004.


CHERYL MICLETTE, CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2571 (2004)

This By-law involves a parcel of land located on the west side of Line Avenue, lying between Bacon Lane and Saddler Street. The subject lands are composed of part of Lot 177, former Township of Thorold, now Town of Pelham.

Parts 1 and 3 of the subject lands are currently zoned as Residential Multiple 1 RM1-164, while Part 2 is zoned Open Space OS according to Zoning By-law No. 1136 (1987), as amended.

This By-law rezones Parts 1 and 2 to Residential 2 R2 in order to permit the subdivision of thirty-nine (39) single detached dwelling lots. In addition, the By-law rezones Part 3 to Residential 2 R2 (H), recognizing its temporary use for stormwater management. The (H) holding provision is not to be removed from the zoning of the lands until such time as the stormwater management facility is no longer required.

File Nos. AM-08/03 and 26T19-03004

Applicant: 527786 Ontario Limited

Assessment Roll No.: 2732 030 019 03300

Planning Report No.: P-14/04