

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 2575 (2004)

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

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;

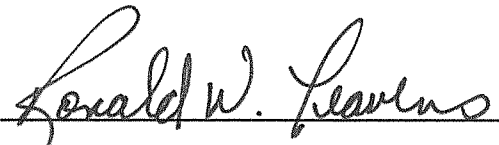
NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

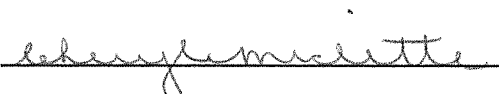
1. That By-law 2523 (2003) be and is hereby repealed.
2. Section 30 of Zoning By-law No. 1136 (1987), as amended, is hereby amended by deleting exception A-144 and by adding the following exception:

"A-144 In addition to the permitted uses of the Agricultural "A" Zone, nothing shall prevent the use of the lands indicated as "A-144" on Schedule "A" of this By-law for a flea market subject to the following provisions:

 - (a) For the purpose of this section, flea market means a building or part of a building where new and second hand goods, articles and antiques are offered or kept for sale at retail to the general public but shall not include any other establishment otherwise defined or classified herein; and
 - (b) Operation of the flea market shall be limited to Fridays, Saturdays and holiday Mondays."
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
17TH DAY OF MAY, 2004 A.D.


MAYOR


CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2575 (2004)

This By-law involves a parcel of land located on the south side of Foss Road, lying west of Church Street. The subject lands are composed of part of Lot 17, Concession 11, Town of Pelham and are known municipally as 878 Foss Road.

Council previously approved By-law No. 2523 (2003) on October 20, 2003, to allow the use of the lands for the purpose of selling new and used goods, including but not limited to, clothing, glassware, farm equipment, parts and implements.

This By-law repeals By-law No. 2523 (1987) and provides revised wording for the special exception A-144 that more accurately describes the existing operation and permits its permanent use.

File Nos. AM-03/03
Applicant: Gilles and Mary Overbeeke
Assessment Roll No.: 2732-010-018-06100
Planning Report No.: P-24/04