

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 2936 (2008)

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:

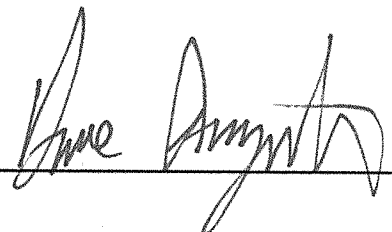
1. That By-law No. 2575 (2004) be and is hereby repealed.
2. THAT Schedule 'A' to Zoning By-law No. 1136 (1987), as amended, is hereby amended by rezoning the lands identified as the subject lands on Schedules 'A' and 'B', from an Agricultural A Zone to an Agricultural A-144 Zone.
3. Section 30 of Zoning By-law No. 1136 (1987), as amended, is hereby amended by deleting exception A-144 and by adding the following exception:

"A-144 The development of lands indicated as A-144 on Schedule 'A' of this By-law shall be subject to the following provisions:

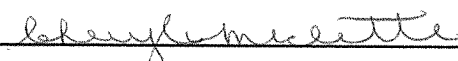
- (i) Notwithstanding any provision to the contrary, the existing agricultural buildings are permitted in their existing location subject to the following:
 - (a) any extension or addition must be in compliance with the provisions of By-law No. 1136 (1987); and
 - (b) livestock operations are prohibited.
- (ii) Notwithstanding subsections 7.2(a) and 7.2(b) of the Agricultural A Zone, the following provisions shall apply:
 - (a) minimum lot frontage 99.4 metres (326.1 feet); and
 - (b) minimum lot area 9 hectares (22.2 acres)."

4. 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 FEBRUARY, 2008 A.D.



MAYOR



CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2936 (2008)

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. 2575 (2004), 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 the aforementioned By-law to eliminate the flea market use returning the whole of the lands to agricultural use. The By-law also gives recognition to the location of existing agricultural buildings and reduces the lot frontage and area requirements.