

THE CORPORATION OF THE  
TOWN OF PELHAM  
BY-LAW NO. 3291 (2012)

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

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 and Development 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 Section 30 (Special Exceptions) to Zoning By-law No. 1136 (1987), as amended, is hereby amended by deleting subsection A-51 and by adding the following subsection:

"A-51 a) Notwithstanding subsection 7.1 of the Agricultural A Zone, the use of lands identified as A-51 on Schedule 'A' shall be limited to:

- (i) farm implement sales and service;
- (ii) feed and fertilizer dealership;
- (iii) retail farm supply store;
- (iv) sale and service of motorcycles, snowmobiles, all terrain vehicles and personal watercrafts;
- (v) one residential unit accessory to the foregoing permitted uses; and
- (vi) uses, buildings and structures accessory to the foregoing permitted uses.

b) Development of the above noted uses, shall be subject to the following provisions:

- (i) Minimum Lot Frontage 200 metres
- (ii) Minimum Lot Area 12 hectares
- (iii) Minimum Front Yard 25.0 metres
- (iii) Minimum Side Yard 15.0 metres
- (iv) Minimum Rear Yard 10.5 metres
- (v) Maximum Building Height 10.5 metres
- (vi) Maximum Lot Coverage 10%"

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  
4TH DAY OF SEPTEMBER, 2012 A.D.

MAYOR

CLERK

## **EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 3291 (2012)**

This By-law involves a parcel of land located on the south side of Foss Road, lying east of Victoria Avenue/Regional Road 24. The lands are legally described as part of Lots 19 and 20, Concession 11, former Township of Pelham, and municipally as 952 Foss Road.

The By-law amends the provisions of the Agricultural A-51 Zone to permit motorcycle sales and service as an additional use, and eliminates snowmobile and go-cart racing to reduce the impact of permitted uses on adjacent residences and local farming operations with respect to noise, traffic, and safety issues.

File No. AM-04/12

Applicant: Ronald M. Roy

Planning Report No.: P-36/12