

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 3354(2013)

Being a by-law to amend Zoning By-law No. 1136 (1987), as amended.
(1541 Haist Street)

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 Committee of the Whole 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 rezoning the lands identified as the subject lands on Schedule 'B', attached hereto and forming part of this By-law, from Residential 1 R1-165 to Residential 1 R1-239.

2. THAT Section 30 – Exceptions of By-Law No. 1136 (1987), as amended, be modified by adding the following exception:

"R1-239 (a) The use of the lands as indicated as R1-165 for a bed and breakfast establishment and the associated special provisions specific to that use shall be removed;

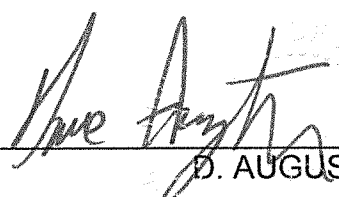
(b) Notwithstanding the permitted uses under subsection 13.1 of the Residential 1 R1 Zone, the use of the lands shall be subject to the provisions under subsection 13.2 with the exception for:

(i) Minimum North Interior Side Yard 6.7 m (21.98 ft)

(c) That the Owner enter into a Development Agreement with the Town of Pelham agreeing that no Building Permit shall be issued until the Control Architect approves the Building drawings for the lands and provides written correspondence clearly indicating that the Building drawings are consistent with the, "Architectural Review/Control Design Guidelines for Proposed Severed Lot (Part 4) RE: #1541 Haist Street, Fonthill Ontario", prepared by Allen Chui Architects inc., to the satisfaction of the Director of Planning and Development."

3. 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 MARCH, 2013 A.D.


D. AUGUSTYN, MAYOR


NANCY J. BOZZATO, TOWN CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 3354 (2013)

This By-law involves a parcel of land located on the east side of Haist Street north of Highway 20 West. The lands are legally described as Part of Blocks P, Q, R, Plan 717, Part 4, Town of Pelham, municipally known as 1541 Haist Street.

This By-law rezones the lands to remove the bed and breakfast use and the associated site specific provisions on a newly created parcel, and to increase the northerly minimum interior side yard setback distance from 1.8 metres to 6.7 metres. In addition, the Owner enters into a Development Agreement with the Town addressing all development issues including Architectural Design Controls.