

THE CORPORATION OF THE  
TOWN OF PELHAM

BY-LAW NO. 3376 (2013)

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

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 Section 30 – Exceptions of By-Law No. 1136 (1987) is amended by deleting special provision HC-162 and adding the following exception:

"HC -162      The development of lands indicated as HC-162 on Schedule 'A5' of this By-law shall be subject to the following provisions:

- a)      In addition to the permitted uses of the Highway Commercial HC Zone (Subsection 20.A.1), a retail store and supermarket retail establishment may also be permitted.

A supermarket is defined as "a retail establishment having a minimum floor area of 300 m<sup>2</sup> (3,229 ft<sup>2</sup>) and a maximum floor area of 3,800 m<sup>2</sup> (40,904 ft<sup>2</sup>), primarily selling food and grocery items and which may sell other accessory merchandise such as household supplies and personal care products but not including a pharmacy, a photo shop, a dry cleaners, or a florist."

- b)      Notwithstanding the provisions of subsections 20.A2(c) and 20.A2(d) of the Highway Commercial HC Zone and Section 6.9(c), 6.16(a), 6.16(d), 6.17(b) and 6.17(e) of the General Provisions the following special provisions shall apply:

- |                                          |     |
|------------------------------------------|-----|
| i.      Maximum Lot Coverage             | 40% |
| ii.     Front yard Setback               | 6 m |
| iii.    Minimum number of Loading Spaces | 2   |

- |       |                                                                                        |       |
|-------|----------------------------------------------------------------------------------------|-------|
| iv.   | Minimum number of parking spaces                                                       | 180   |
| v.    | Minimum ingress and egress from a required parking space                               | 7.3m  |
| vi.   | Minimum planting strip width along Regional Road 20                                    | 6 m   |
| vii.  | Minimum planting strip width along easterly boundary                                   | 1.2 m |
| viii. | Planting strip along Regional Road 20 and along the Easterly boundary shall be sodded. |       |

2. 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  
21st DAY OF May, 2013 A.D.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK