

THE CORPORATION OF THE TOWN OF PELHAM

BY-LAW NO. 450 (1978)

FEBRUARY, 1978

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Being a By-law to amend By-law No. 279 (1974) which By-law as amended may be cited as "The Zoning By-law of the Town of Pelham."

WHEREAS the Council of the Corporation of the Town of Pelham deems it necessary in the public interest to pass a by-law to amend By-law No. 279 (1974), to provide zoning controls for that part of the Town not affected by By-law No. 279 (1974).

AND WHEREAS pursuant to the provisions of Section 35 of The Planning Act as amended, by-laws may be passed by Councils of municipalities for prohibiting or regulating the use of land and the erection or use of buildings or structures within the municipality for or except for such purposes as may be set out in the by-law, and for regulating in certain respects buildings or structures to be erected within the municipality.

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

1. Section 1 of By-law No. 279 (1974) is amended by deleting Section 1 in its entirety and substituting the following:-

"This By-law may be cited as "The Zoning By-law of the Town of Pelham"".

2. Section 2 of By-law No. 279 (1974) is amended by deleting Section 2 in its entirety and substituting the following:-

"This By-law applies to all land within the boundaries of the Town of Pelham".

3. Section 3 of By-law No. 279 (1974) is amended by adding the following six subsections:-

3.10.1 "Bonafide Farm Operation"

means a farm operation that provides full time employment for one or more persons.

3.41.1 "Farm Help House, Permanent"

means a dwelling erected accessory to a principal farm dwelling and used only as a one family detached dwelling for the accommodation of a full time employee and his family, of a bonafide farm operation.

3.41.2 "Farm Help House, Seasonal"

means a trailer located accessory to a principal farm dwelling and used only for the accommodation of one or more persons employed on the farm between April 1st and November 30th of each calendar year.

3.51.1 "Intensive Animal Operation"

means the use of land, buildings or structures for the raising of fowl or animals where the number of animal units, as determined in accordance with the following table, housed or marketed per year (whichever is greater), exceeds one animal unit for each acre of land used for such purpose.

<u>Type of Livestock or Poultry</u>	<u>Annual Basis (365 Days)</u>
1 dairy cow (plus calf)	1 animal unit
1 beef cow (plus calf)	1 animal unit
1 bull	1 animal unit
1 horse	1 animal unit
4 sheep (plus lambs)	1 animal unit
4 sows (plus litter to weaning)	1 animal unit
125 laying hens	1 animal unit
100 female mink (plus associated males	1 animal unit
and kits)	
2 beef feeders (gain 400 - 1100 lb.)	1 animal unit
4 beef feeders (gain 400 - 750 lb.)	1 animal unit
4 beef feeders (gain 750 - 1100 lb.)	1 animal unit
15 hogs (gain 40 - 200 lb.)	1 animal unit
1000 broiler chickens or roasters	1 animal unit
(4 - 5 lb.)	
300 turkey broilers (11 - 12 lb.)	1 animal unit
150 heavy turkey hens (19 - 20 lb.)	1 animal unit
100 heavy turkey toms (30 - 32 lb.)	1 animal unit
40 veal calves (gain 90 - 300 lb.)	1 animal unit
300 pullets	1 animal unit "

"3.58.1 "Lot, farm-related"

means a lot created according to The Planning Act by the Land Division Committee of the Regional Municipality of Niagara by means of a conveyance related to a bonafide farm operation and shall include only.

- (a) a lot from a farm for an immediate member of such farm owner's family who assists on such farm,
- (b) a lot to permit the severance of a surplus farm home when 2 farms are amalgamated, or
- (c) a lot for a retiring farmer or farmer's widow."

"3.66.1 "Lot, non-farm related"

means a lot created according to The Planning Act by the Land Division Committee of the Regional Municipality of Niagara by means of a conveyance which does not fall within the definition of a farm-related lot in Sub-section 3.58.1 above."

"3.70.1 "Mutatis mutandis"

means with due alteration in details."

4. Section 4 of By-law No. 279 (1974) is amended by the addition of 7 new Zones to read as follows:-

"SECTION 4: ZONES

The following Zones are established within the Town of Pelham and such Zones may be referred to by the appropriate symbols:-

<u>Zone</u>	<u>Symbol</u>
Agricultural	A1
Agricultural	A2
Residential 1	R1
Residential 2	R2
Residential Multiple 1	RM1
Residential Multiple 2	RM2
Residential Village 1	RV1
Residential Village 2	RV2
Development	D
Commercial Local	CL
Commercial General	CG
Commercial Village	CV

<u>Zone</u>	<u>Symbol</u>
Commercial Rural	CR
Commercial Deferred	CD
Industrial Preferred	M1
Industrial General	M2
Industrial Extractive	M3
Industrial Deferred	M4
Commercial Industrial	CM
Institutional	I
Public	P
Open Space	OS
Hazard	H "

5. Section 5 of By-law No. 279 (1974) is amended by the addition of "and Schedule "B"" and replacing "Map" with "Maps" to read as follows:-

"SECTION 5: ZONING MAPS

Schedule "A" and Schedule "B" attached hereto, which may be cited as the "Zoning Maps", together with notations and references shown thereon, is hereby declared to form part of this By-law."

6. Section 7 of By-law No. 279 (1974) is amended by changing "any Rural Zone" to "any Agricultural Zone" in the first paragraph of Subsection 7.10.
7. Section 7 of By-law No. 279 (1974) is amended by adding "or Development Zone" after "Residential Zone" in Subsection 7.20 (a) 20.
8. Section 7 of By-law No. 279 (1974) is amended by deleting Subsection 7.33 and renumbering Subsection 7.34 as Subsection 7.33.
9. Section 8 of By-law No. 279 (1974) is amended by deleting Section 8 in its entirety and adding the following:-

"SECTION 8: AGRICULTURAL A1 ZONE

No person shall within any Agricultural A1 Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:-

8.1 Permitted Uses

- (a) Agricultural uses, including farm dwellings and greenhouses but excluding intensive animal operations.
- (b) Seasonal and permanent farm help houses.

Explanatory Note

Applications to amend this By-law to permit other types of farm help houses in an Agricultural A1 Zone will be considered by Council. This note is for information only and does not form part of the By-law.

- (c) One one-family detached dwelling on one farm-related lot.
- (d) One one-family detached dwelling on one non-farm related lot.
- (e) Existing dwellings.
- (f) Uses, buildings and structures accessory to the foregoing permitted uses in (c), (d) and (e) hereof.
- (g) Household occupations subject to the provisions of Subsection 10.2.

8.1 Regulations for Uses Permitted in Clause (a) of Subsection 8.1

- (a) Minimum Lot Frontage 600 feet
- (b) Minimum Lot Area 25 acres.

Explanatory Note

Applications to amend this By-law to permit smaller lots in the Agricultural A1 Zone for bonafide farm operations will be considered by Council. This note is for information only and does not form part of the By-law.

- (c) Maximum Lot Coverage 20 per cent, except that the maximum lot coverage of permitted agricultural buildings and structures shall not exceed 2 per cent, excluding greenhouses.
- (d) Minimum Setback:
 - (i) 75 feet from the centreline of the road for dwellings and buildings accessory thereto.
 - (ii) 100 feet from the centreline of the road for buildings and structures not included in paragraph (i) of this Clause.
- (e) Minimum Exterior Side Yard:
 - (i) 75 feet from the centreline of the road or 42 feet from the side lot line whichever is the greater for dwellings and buildings accessory thereto.
 - (ii) 100 feet from the centreline of the road or 67 feet from the side lot line whichever is the greater for buildings and structures not included in paragraph (i) of this clause.
- (f) Minimum Side Yard:
 - (i) the lesser of 25 feet or 10% of the lot frontage for dwellings and buildings accessory thereto, but not less than 5 feet.
 - (ii) 150 feet for buildings and structures not included in paragraph (i) of this Clause.
 - (iii) 25 feet for greenhouses except that the minimum side yard abutting any Residential or Development Zone or any lot occupied by a dwelling shall be 50 feet, provided that where a discharge fan is located on the side of a greenhouse facing and less than 100 feet distant from such dwelling, the minimum side yard abutting such lot shall be 80 feet.
- (g) Minimum Rear Yard:
 - (i) 100 feet for dwellings and buildings accessory thereto.
 - (ii) 150 feet for buildings and structures not included in paragraph (i) of this clause.
 - (iii) 25 feet for greenhouses except that the minimum rear yard abutting any Residential or Development Zone or any lot occupied by a dwelling shall be 50 feet, provided that where a discharge fan is located on the side of a greenhouse facing and less than 100 feet distant from such dwelling, the minimum rear yard abutting such lot shall be 80 feet.
- (h) Minimum Floor Area for 1,000 square feet
a principal farm dwelling
- (i) Maximum Height for a 35 feet
Dwelling

8.3 Regulations for Uses Permitted in Clause (b)
of Subsection 8.1

- (a) A farm help house shall be located in accordance with a site plan agreement with the Town of Pelham.
- (b) No seasonal farm help house shall be used as a permanent dwelling.
- (c) Minimum Floor Area for -
 - (i) Seasonal Farm Help House 400 square feet
 - (ii) Permanent Farm Help House 1,000 square feet
- (d) Notwithstanding the provisions of (a), (b) and (c) above, a seasonal farm help house may be located on the same lot as the principal farm dwelling for a period not to exceed one year in the event of destruction by fire, flood or natural disaster of said farm dwelling.

8.4 Regulations for Uses Permitted in Clause (c)
of Subsection 8.1

- (a) Minimum Lot Frontage 150 feet
- (b) Minimum Lot Area 1 acre
- (c) Maximum Lot Area 2½ acres
- (d) Maximum Lot Coverage 10%
- (e) Minimum Setback 75 feet from the centre-line of the road.
- (f) Minimum Exterior Side Yard 58 feet from the centre-line of the road or 25 feet from the exterior side lot line whichever is the greater.
- (g) Minimum Side Yard 30 feet
- (h) Minimum Rear Yard 50 feet
- (i) Minimum Floor Area 1,000 square feet
- (j) Maximum Height for a Dwelling 35 feet

8.5 Regulations for Uses Permitted in Clause (d)
of Subsection 8.1

- (a) Minimum Lot Frontage 200 feet
- (b) Minimum Lot Area 2 acres
- (c) Maximum Lot Area 2½ acres
- (d) Maximum Lot Coverage 5%
- (e) Minimum Setback 75 feet from the centre-line of the road
- (f) Minimum Exterior Side Yard 83 feet from the centre-line of the road or 50 feet from the exterior side lot line whichever is the greater.
- (g) Minimum Side Yard 50 feet
- (h) Minimum Rear Yard 50 feet
- (i) Minimum Floor Area 1,400 square feet
- (j) Maximum Height for a Dwelling 35 feet

8.6 Regulations for Accessory Buildings
Permitted in Clause (f) of Subsection 8.1

- (a) Maximum Lot Coverage - 1 per cent provided that the lot coverage of all buildings on the lot does not exceed the permitted maximum lot coverage.
- (b) Minimum Distance from Main Building - 5 feet provided that in no case shall any overhang, eaves or gutter project into this required minimum area, which shall be clear of any obstruction from the ground to the sky.
- (c) Minimum Yard Requirements except as provided for in Subsection 8.2:
 - (i) The minimum yard abutting a public street shall be 15 feet.
 - (ii) Except as provided in paragraph (i) of this Clause, no accessory building shall be located within 6 feet of a side or rear lot line.
 - (iii) In no case shall any overhang, eaves or gutter project more than 12 inches into any required minimum yard.
- (d) Maximum Height 20 feet

8.7 Supplementary Regulations for Permitted
Uses in the Zone

- (a) Notwithstanding building setback and minimum yard requirements of this Zone, the requirements of M.D.S. Formula 1 and M.D.S. Formula 2, contained herein as Schedule 'C', shall prevail and said Schedule 'C' is hereby declared to form part of this By-law.
- (b) Notwithstanding the Minimum Side Yard provisions of this Zone for a dwelling, lots that existed at the date of passing of this By-law shall be subject to the following provisions:-
 - (i) Minimum Side Yard - 5 feet on one side and 10 feet on the other side where there is no carport or garage or 5 feet on both sides where a carport or garage is attached.
- (c) Notwithstanding the restrictions of M.D.S. Formula 1, contained herein as part of Schedule 'C', a lot subject to the provisions of Subsection 7.10 of this By-law may be used for the erection of a one-family detached dwelling.
- (d) Notwithstanding the construction of a one family detached dwelling in accordance with Clause (c) of this subsection, an animal operation existing at the date of passing of this By-law may expand in accordance with the provisions of M.D.S. Formula 2, contained herein as part of Schedule "C" ^{as} if the subject dwelling above did not exist.

10. Section 9 of By-law No. 279 (1974) is amended by deleting Section 9 in its entirety and adding the following:-

"SECTION 9: AGRICULTURAL A2 ZONE

No person shall within any Agricultural A2 Zone, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:-

9.1 Permitted Uses

- (a) Intensive animal operations.
- (b) All uses permitted in an Agricultural A1 Zone being Section 8.1 hereof.

- (c) Existing abattoirs.
- (d) Uses, buildings and structures accessory to the foregoing permitted uses.

9.2 Regulations for Uses Permitted in Clause (a) of Subsection 9.1

All permitted uses, buildings and structures shall meet the requirements of M.D.S. Formula 2, contained herein as part of Schedule "C".

9.3 Regulations for Uses Permitted in Clause (b) of Subsection 9.1

The provisions of Section 8 shall apply, mutatis mutandis, to the uses permitted in Clause (b) of Subsection 9.1.

9.4 Regulations for Accessory Buildings Permitted in Clause (d) of Subsection 9.1

The provisions of Subsection 8.6 shall apply, mutatis mutandis, to the accessory buildings permitted in this zone."

11. Section 10 of By-law No. 279 (1974) is amended by the addition of "Residential Village RV1 and RV2" to Subsection 10.1 to read as follows:-

<u>"Zone</u>	<u>Symbol</u>
Residential 1	R1
Residential 2	R2
Residential Multiple 1	RM1
Residential Multiple 2	RM2
Residential Village 1	RV1
Residential Village 2	RV2

12. Section 10 of By-law No. 279 (1974) is amended by the addition of the following subsection:-

"10.4: Regulations for Keeping Livestock in Residential Village RV1 and RV2 Zones

- (a) Livestock and poultry are prohibited in any Residential Zone except as otherwise specifically permitted elsewhere in this By-law.
- (b) No building or yard for the keeping of livestock or poultry shall be permitted within 100 feet of a dwelling, or a building occupied by a commercial or institutional use or any well used for domestic water supply.
- (c) Notwithstanding (b) above, no building for the keeping of pigs shall be permitted within 300 feet of a dwelling or a building occupied by a commercial or institutional use.
- (d) All livestock and poultry shall be contained by a fence."

13. By-law No. 279 (1974) is amended by adding the following Section 14A to the By-law:-

"SECTION 14A: RESIDENTIAL VILLAGE RV1 ZONE

No person shall within any Residential Village RV1 Zone, use any land, or erect, alter or use any building or structure except in accordance with the following provisions:-

14A.1 Permitted Uses

- (a) One-family detached dwellings including the keeping of up to 1/2 animal unit per acre.
- (b) Uses, buildings and structures accessory to the foregoing permitted use.
- (c) Notwithstanding Clause (a) above, no roosters, geese, ducks or turkeys, nor more than 50 other types of fowl shall be permitted.

14A.2 Regulations for Dwellings

	<u>With Only Municipal Water</u>	<u>Without Mun- icipal Water</u>
(a) Minimum Lot Area	7,500 sq. ft.	15,000
(b) Minimum Lot Frontage	60 feet	120 feet
(c) Maximum Lot Coverage	35%	20%
(d) Minimum Setback	58 feet from the centreline of the road.	
(e) Minimum Exterior Side Yard	50 feet from the centreline of the road or 17 feet from the exterior side lot line which- ever is the greater.	
(f) Minimum Side Yard	5 feet on one side and 10 feet on the other side where there is no carport or garage or 5 feet on both sides where a car- port or garage is attached.	
(g) Minimum Rear Yard	25 feet	
(h) Minimum Building Floor Area	1,000 square feet	
(i) Maximum Building Height	35 feet "	

14. By-law No. 279 (1974) is amended by adding the following Section 14B to the By-law:-

"SECTION 14B: RESIDENTIAL VILLAGE RV2 ZONE

No person shall within any Residential Village RV2 Zone, use any land, or erect, alter or use any building or structure except in accordance with the following provisions:-

14B.1 Permitted Uses

- (a) One-family detached dwellings including the keeping of up to 1/2 animal unit per acre.
- (b) Uses, buildings and structures accessory to the foregoing permitted use.
- (c) Notwithstanding Clause (a) above, no roosters, geese, ducks or turkeys, nor more than 50 other types of fowl shall be permitted.

14B.2 Regulations for Dwellings

(a) Minimum Lot Area	15,000
(b) Minimum Lot Frontage	120 feet
(c) Maximum Lot Coverage	20%
(d) Minimum Setback	58 feet from the centre- line of the road

- | | |
|---------------------------------|---|
| (e) Minimum Exterior Side Yard | 50 feet from the centreline of the road or 17 feet from the exterior side lot line whichever is the greater. |
| (f) Minimum Side Yard | 5 feet on one side and 10 feet on the other side where there is no carport or garage or 5 feet on both sides where a carport or garage is attached. |
| (g) Minimum Rear Yard | 25 feet |
| (h) Minimum Building Floor Area | 1,000 square feet |
| (i) Maximum Building Height | 35 feet " |

15. Section 15 of By-law No. 279 (1974) is amended by the addition of "subject to the provisions of Subsection 8.7" to Subsection 15.1(a).

following the words

"on one lot".

16. Section 17 of By-law No. 279 (1974) is amended by the addition of "With No Sanitary Sewer" regulations to read as follows:-

"17.2: Regulations for Permitted Uses in Clause (a) of Subsection 17.1

	With Both Municipal Water and Sanitary Sewer	With No Sanitary Sewer
(a) Minimum Lot Frontage	50 feet	100 feet
(b) Minimum Lot Area	7,500 square feet	15,000 square feet
(c) Maximum Lot Coverage	30 per cent	20%
(d) Maximum Gross Floor Area	45 per cent of lot area except that the total floor area of each commercial use shall not exceed 1,200 square feet.	
(e) Minimum Front Yard	40 feet	"

17. By-law No. 279 (1974) is amended by adding the following Section 18A to the By-law:-

"SECTION 18A: COMMERCIAL VILLAGE CV ZONE

No person shall, within any Commercial Village CV Zone, use any land or erect, alter or use any building or structure except in accordance with the following provisions:-

18A.1: Permitted Uses

- (a) Ambulance service, animal hospitals, automobile service stations, automobile sales areas and equipment dealers, banks, barber shops, beauty salons, clinics, commercial clubs, custom workshops, hotels, motels and taverns, L.C.B.O. and Brewers' Retail outlets, dry cleaning establishments, nurseries, open air markets, professional and business offices, public garages, public and private parking areas, public halls, restaurants, retail stores, tourist homes, undertaking establishments, water loading stations.
- (b) Uses, buildings and structures accessory to the foregoing permitted uses.

18A.2 Regulations for Permitted Uses in Clause (a) of Subsection 18A.1

	<u>With Only Municipal Water</u>	<u>Without Municipal Water</u>
(a) Minimum Lot Frontage	50 feet	100 feet
(b) Minimum Lot Area	7,500 square feet	15,000 square feet
(c) Maximum Lot Coverage	40 per cent	20 per cent
(d) Maximum Gross Floor Area	50 per cent of lot area	40 per cent of lot area
(e) Minimum Front Yard	20 feet	20 feet
(f) <u>Minimum Side Yard</u>		
(i) Where the yard abuts a Commercial Zone and access is available to the rear yard by a public or private lane, minimum nil.		
(ii) Where the yard abuts a Commercial Zone and no access is available to the rear yard except by means of the said yard, one yard shall have a minimum width of twelve feet (12 feet) the other yard shall have a minimum width of nil.		
(iii) Where the yard abuts a street, minimum ten feet (10 feet).		
(iv) Where the yard abuts any Residential Zone, minimum fifteen feet (15 feet).		
(g) <u>Minimum Rear Yard</u>		
(i) Where the yard abuts a Commercial Zone and access is available to the rear of the building on the said lot by means of a public or private lane, minimum nil.		
(ii) Where the yard abuts a Commercial Zone and no access is available to the rear of the said building except by means of a yard, minimum twenty feet (20 feet).		
(iii) Where the building contains residential accommodation of one or more storeys in height, minimum thirty-five feet (35 feet).		
(iv) Where the yard abuts any Residential Zone, minimum thirty-five feet (35 feet).		
(h) Maximum Building Height	35 feet	

18A.3 Fenwick Core Area Regulations

Notwithstanding the provisions of Clause (d) and (e) of Subsection 7.14, Clause (c) of Subsection 16.5, and Clauses (a), (b), (e), (f) and (g) of Subsection 18A.2, on any lot abutting Canboro Road from a point 300 feet east of Maple Street to a point 400 feet west of Maple Street on any lot abutting the east side of Maple Street from Canboro Road to a point 300 feet north of Canboro Road, and on any lot abutting the north side of Welland Road from Canboro Road to 300 feet east of Canboro Road:-

- (a) the minimum frontage shall be the lesser of 30 feet or as existing at the date of passing of the By-law,
- (b) the minimum lot area shall be the lesser of 3,000 square feet or as existing at the date of passing of this By-law,
- (c) no front yard or side yard shall be required, and
- (d) the minimum rear yard depth shall be 12 feet."

18. By-law No. 279 (1974) is amended by adding the following Section 18B:-

"SECTION 18B: COMMERCIAL RURAL CR ZONE

No person shall within any Commercial Rural CR Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:-

"18B.1 Permitted Uses

- (a) Automobile service stations, building supply sales, farm implement sales and service establishments, feed and fertilizer dealers, animal hospitals in wholly enclosed buildings, retail farm supply stores, public garages, welding shops, public and private halls, fuel storage depots and general trucking uses excluding livestock trucking uses.
- (b) Residential uses accessory to any permitted use in Clause (a) of this Subsection.
- (c) Uses, buildings and structures accessory to any permitted use in Clauses (a) and (b) of this Subsection.

18B.2 Regulations for Permitted Uses in Clause (a) of Subsection 18B.1 Other than Automobile Service Stations

- (a) Minimum Lot Frontage 100 feet
- (b) Minimum Lot Area 1 acre
- (c) Maximum Lot Coverage 30 per cent
- (d) Maximum Gross Floor Area 50 per cent of lot area
- (e) Minimum Setback 100 feet from the centre-line of the road.
- (f) Minimum Side Yard 20 feet except as provided in paragraphs (i) and (ii) of this Clause.
 - (i) 40 feet abutting a side lot line which is the boundary of any Residential Zone.
 - (ii) No rear yard shall be required abutting a railway spur.

- (g) Minimum Exterior Side Yard 100 feet from the centre-line of the road.
- (h) Minimum Rear Yard 25 feet except as provided in paragraphs (i), (ii) and (iii) of this Clause:-
 - (i) The minimum rear yard abutting any Residential Zone shall be 35 feet.
 - (ii) The minimum rear yard abutting a public street shall be 40 feet.
 - (iii) No rear yard shall be required abutting a railway spur.
- (i) Maximum Building Height 45 feet
- (j) Minimum Parking Requirements: No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle within 5 feet of any street line, or within 15 feet of the boundary of any Residential Zone.

18B.3 Regulations for Accessory Buildings
Permitted in Clause (c) of Subsection 18B.1

- (a) Location - in rear yard only.
- (b) Minimum Distance from any other building on the lot - 10 feet provided that in no case shall any overhang, eaves or gutter project into this required minimum area which shall be clear of any obstruction from the ground to the sky.
- (c) Maximum Lot Coverage - 5 per cent provided that the lot coverage of all buildings on the lot shall not exceed 30 per cent.
- (d) Minimum Yard Requirements:
 - (i) The minimum yard abutting a public street shall be 67 feet.
 - (ii) 10 feet except where the side or rear lot line abuts a railway spur, in which case, no rear yard shall be required.
 - (iii) In no case shall any overhang, eaves or gutter project more than 12 inches into any required minimum yard.
- (e) Maximum Height 15 feet

18B.4 Regulations for Uses in Close Proximity
to Agricultural Operations

Notwithstanding building setbacks and minimum yard requirements of this Zone, the requirements of M.D.S. Formula 1, contained herein as part of Schedule "C", shall prevail."

19. Section 23 of By-law No. 279 (1974) is amended by deleting Section 23 in its entirety and replacing it with the following:-

"SECTION 23: INDUSTRIAL EXTRACTIVE M3 ZONE

No person shall within any Industrial Extractive M3 Zone, make or establish any pit or quarry, or use any land, or erect, alter or use any building or structure except in accordance with the following provisions:-

23.1 Permitted Extractive Industrial Operations

Making or establishment of pits and quarries for the purpose of extracting natural materials from the earth including soil, and gravel, stone, rock, shale and minerals.

23.2 Permitted Uses

- (a) Processing of natural materials including screening, sorting, washing, crushing, storing and other similar operations allied to an extractive industrial operation permitted in Subsection 23.1 and uses, buildings and structures accessory thereto, saving and excepting any building or structure used for human habitation.
- (b) Agricultural uses, and uses, buildings and structures accessory thereto, saving and excepting any building or structure used for human habitation.

23.3 Regulations

- (a) Yard Requirements:
 - (i) No building or structure other than a fence shall be located within 100 feet of any lot line or within 300 feet of any occupied dwelling or Residential Zone.
 - (ii) No pit, quarry or excavation shall be made or established within 50 feet of any lot line which does not abut a public street, or within 200 feet of any occupied dwelling or Residential Zone, or at a lesser distance from any public street than 100 feet.
- (b) Fences: Any pit or quarry shall be enclosed by a standard 8 wire woven fence."

20. By-law No. 279 (1974) is amended by the addition of the following section:-

"SECTION 23A: INDUSTRIAL DEFERRED M4 ZONE

No person shall within any Industrial Deferred M4 Zone, use any land, or erect, alter or use any building or structure except in accordance with the following provisions:-

23A.1 Permitted Uses

- (a) Agricultural uses, but excluding dwellings and intensive animal operations.
- (b) Dwellings as existing at the date of the passing of this By-law and uses, buildings and structures accessory thereto.

23A.2 Regulations for Agricultural Uses Permitted in Clause (a) of Subsection 23A.1

- (a) Minimum Lot Frontage 500 feet
- (b) Minimum Lot Area 10 acres

- (c) Maximum Lot Coverage 5 per cent
- (d) Minimum Setback and Exterior Side Yard 100 feet from the centreline of the street or 17 feet from the lot line.
- (e) Minimum Side Yard 50 feet
- (f) Minimum Rear Yard 100 feet
- (g) The provisions of Subsection 8.7 shall apply, mutatis mutandis, to certain agricultural uses permitted in clause (a) of Subsection 23A.1.
- (h) The provisions of Subsection 8.6 shall apply, mutatis mutandis, to accessory uses permitted in clause (b) of subsection 23A.1."

21. By-law No. 279 (1974) is amended by the addition of the following section:-

"SECTION 23B: COMMERCIAL INDUSTRIAL CM ZONE

No person shall within any Commercial Industrial CM Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:-

23B.1 Permitted Uses

- (a) Automobile service stations, building supply sales, automobile sales and service, industrial equipment sales and service, machine and welding shops, restaurants, light warehousing and metal fabricating.
- (b) Use, buildings and structures accessory to any permitted use in (a) above.

23B.2 Regulations for Permitted Uses in Clause (a) of Subsection 23B.1 Other Than Automobile Service Stations

- (a) Minimum Lot Frontage 100 feet
- (b) Minimum Lot Area 1 acre
- (c) Maximum Lot Coverage 30 per cent
- (d) Maximum Gross Floor Area 50 per cent of lot area
- (e) Minimum Setback 100 feet from the centreline of the road
- (f) Minimum Side Yard 20 feet except as provided in paragraph (i) of this Clause:-
 - (i) 40 feet abutting a side lot line which is the boundary of any Residential Zone.
- (g) Minimum Exterior Side Yard 100 feet from the centreline of the road
- (h) Minimum Rear Yard 25 feet except as provided in paragraphs (i) and (ii) of this Clause:-
 - (i) The minimum rear yard abutting any Residential Zone shall be 35 feet.
 - (ii) The minimum rear yard abutting a public street shall be 40 feet.

- (i) Maximum Building Height 45 feet
- (j) Minimum Parking Requirements: No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle within 5 feet of any street line, or within 15 feet of the boundary of any Residential Zone.

23B.3 Regulations for Accessory Buildings
Permitted in Clause (b) of Subsection 23B.1

- (a) Location - in rear yard only.
- (b) Minimum Distance from any other building on the lot - 10 feet provided that in no case shall any overhang, eaves or gutter project into this required minimum area which shall be clear of any obstruction from the ground to the sky.
- (c) Maximum Lot Coverage - 5 per cent provided that the lot coverage of all buildings on the lot shall not exceed 30 per cent.
- (d) Minimum Yard Requirements:
 - (i) The minimum yard abutting a public street shall be 67 feet.
 - (ii) No accessory building shall be located within 10 feet of a side or rear lot line that does not abut a public street.
 - (iii) In no case shall any overhang, eaves or gutter project more than 12 inches into any required minimum yard.
- (e) Maximum Height 15 feet

23B.4 Regulations for Uses in Close Proximity
to Agricultural Operations

Notwithstanding building setback and minimum yard requirements of this Zone, the requirements of M.D.S. Formula 1, contained herein as part of Schedule "C", shall prevail."

- 22. Section 25 of By-law No. 279 (1974) is amended by adding "airports" as a permitted use in Subsection 25.1.
- 23. Section 28 of By-law No. 279 (1974) is amended by the addition of the words "and Schedule "B"" to read as follows:-
 - "Exception Numbers (used with various zoning classifications as shown on Schedule "A" and Schedule "B").
- 24. Section 28 of By-law No. 279 (1974) is amended by the addition of the following exception:-
 - "106 Nothing shall prevent the continued use of the lands indicated by the number 106 on Schedule "B" for a saw mill and uses, buildings and structures accessory thereto.
 - 107 Nothing shall prevent the continued use of the lands indicated by the numbers 107 on Schedule "B" for a wrecking yard and uses, buildings and structures accessory thereto.
 - 108 Nothing shall prevent the continued use of the land indicated by the number 108 on Schedule "B" for the manufacture of building slate and similar materials and uses, buildings and structures accessory thereto.

- 109 Nothing shall prevent the continued use of the lands indicated by the number 109 on Schedule "B" for a canning factory and uses, buildings and structures accessory thereto.
- 110 Nothing shall prevent the continued use of the lands indicated by number 110 on Schedule "B" for automotive glass sales and service and uses, buildings and structures accessory thereto.
- 111 Nothing shall prevent the continued use of the lands indicated by the number 111 on Schedule "B" for a machine shop and uses, buildings and structures accessory thereto.
- 112 Nothing shall prevent the continued use of the lands indicated by the number 112 on Schedule "B" for a welding shop and uses, buildings and structures accessory thereto.
- 113 Nothing shall prevent the continued use of the lands indicated by the number 113 on Schedule "B" for the fabrication of metal products and uses, buildings and structures accessory thereto.
- 114 Nothing shall prevent the continued use of the lands indicated by the number 114 on Schedule "B" for the repair and maintenance of recreational marine products and uses, buildings and structures accessory thereto.
- 115 Nothing shall prevent the continued use of the lands indicated by the number 115 on Schedule "B" for the manufacture and storage of explosive materials and uses, buildings and structures accessory thereto.
- 116 Nothing shall prevent the continued use of the lands indicated by the number 116 on Schedule "B" for the manufacture of concrete burial vaults and uses, buildings and structures accessory thereto.
- 117 Nothing shall prevent the continued use of the lands indicated by the number 117 on Schedule "B" for the manufacture of roof trusses and uses, buildings and structures accessory thereto.
- 118 Nothing shall prevent the continued use of the lands indicated by the number 118 on Schedule "B" for the storage of petroleum products and uses, buildings and structures accessory thereto.
- 119 Nothing shall prevent the continued use of the lands indicated by the number 119 on Schedule "B" for the number of dwelling units as existing at the date of passing of the By-law and uses, buildings and structures accessory thereto.
- 120 Nothing shall prevent the continued use of the lands indicated by the number 120 on Schedule "B" for the sale of school supplies and uses, buildings and structures accessory thereto.
- 121 Nothing shall prevent the continued use of the lands indicated by the number 121 on Schedule "B" for communication towers and uses, buildings and structures accessory thereto."

- 109 Nothing shall prevent the continued use of the lands indicated by the number 109 on Schedule "B" for a canning factory and uses, buildings and structures accessory thereto.
- 110 Nothing shall prevent the continued use of the lands indicated by number 110 on Schedule "B" for automotive glass sales and service and uses, buildings and structures accessory thereto.
- 111 Nothing shall prevent the continued use of the lands indicated by the number 111 on Schedule "B" for a machine shop and uses, buildings and structures accessory thereto.
- 112 Nothing shall prevent the continued use of the lands indicated by the number 112 on Schedule "B" for a welding shop and uses, buildings and structures accessory thereto.
- 113 Nothing shall prevent the continued use of the lands indicated by the number 113 on Schedule "B" for the fabrication of metal products and uses, buildings and structures accessory thereto.
- 114 Nothing shall prevent the continued use of the lands indicated by the number 114 on Schedule "B" for the repair and maintenance of recreational marine products and uses, buildings and structures accessory thereto.
- 115 Nothing shall prevent the continued use of the lands indicated by the number 115 on Schedule "B" for the manufacture and storage of explosive materials and uses, buildings and structures accessory thereto..
- 116 Nothing shall prevent the continued use of the lands indicated by the number 116 on Schedule "B" for the manufacture of concrete burial vaults and uses, buildings and structures accessory thereto.
- 117 Nothing shall prevent the continued use of the lands indicated by the number 117 on Schedule "B" for the manufacture of roof trusses and uses, buildings and structures accessory thereto.
- 118 Nothing shall prevent the continued use of the lands indicated by the number 118 on Schedule "B" for the storage of petroleum products and uses, buildings and structures accessory thereto.
- 119 Nothing shall prevent the continued use of the lands indicated by the number 119 on Schedule "B" for the number of dwelling units as existing at the date of passing of the By-law and uses, buildings and structures accessory thereto.
- 120 Nothing shall prevent the continued use of the lands indicated by the number 120 on Schedule "B" for the sale of school supplies and uses, buildings and structures accessory thereto.
- 121 Nothing shall prevent the continued use of the lands indicated by the number 121 on Schedule "B" for communication towers and uses, buildings and structures accessory thereto."

25. Section 31 of By-law No. 279 (1974) is amended by the addition of subsection 31.2 so that the Section shall read as follows:-

"SECTION 31: REPEAL OF PRECEDING BY-LAWS

The following By-laws and all amendments thereto are hereby repealed from and after the coming into force of this By-law.

- 31.1 (a) No. 442 (1958) of the former Township of Thorold as it applies to lands now in the Town of Pelham, which are within the defined area shown on Schedule "A" attached hereto.
- (b) No. 674 of the former Village of Fonthill.
- (c) No. 1705 (1965) of the former Township of Pelham as it applies to lands which are within the defined area shown on Schedule "A" attached hereto.
- (d) No. 113 (1971) of the Town of Pelham as it applies to lands which are within the defined area shown on Schedule "A" attached hereto.

Explanatory Note:

The effective date of subsection 31.1 above is August 6th, 1976. This note is for information only and does not form part of this By-law.

- 31.2 (a) No. 442 (1958) of the former Township of Thorold as it applies to lands now in the Town of Pelham, which are within the defined area shown on Schedule "B" attached hereto.
- (b) No. 1705 (1965) of the former Township of Pelham as it applies to lands which are within the defined area shown on Schedule "B" attached hereto.
- (c) No. 113 (1971) of the Town of Pelham as it applies to lands which are within the defined area shown on Schedule "B" attached hereto."

Explanatory Note:

The effective date of subsection 31.2 above is _____, 197____. This note is for information only and does not form part of this By-law. (Date of O.M.B. approval to be filled in).

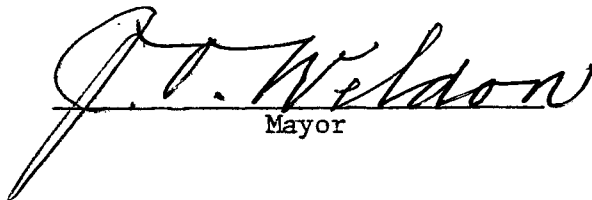
26. Effective Date

This By-law shall come into force and take effect upon being passed by Council subject to the approval of the Ontario Municipal Board.

Read a FIRST Time this 9th day of January, 1978.

Read a SECOND Time this 9th day of January, 1978.


Read a THIRD Time and finally passed this 6th day of
FEBRUARY, 1978.


Mayor


Clerk

I hereby certify that the foregoing is a true copy of By-law No. 450(1978)
as enacted by the Council of the Town of Pelham on the 6th day of
FEBRUARY, 1978.

DATED at Fonthill,)
)
this 7th day of)
)
FEBRUARY)
)
1978.)

 (Seal)
Clerk

SCHEDULE "C"

TO BY-LAW NO. 450 (1978)

PASSED THE 6th DAY OF FEBRUARY 1978

MDS FORMULA ONE

[Signature]
C. Wilson

MDS FORMULA ONE

- I USE - To determine the minimum separation distance requirements for non-agricultural uses (Table 6) establishing or expanding in close proximity to existing livestock buildings.
- METHOD - Involves assessment of the livestock operation, the selection of factors from tables, the calculation of the minimum acceptable distance and evaluation

II Assessment of Livestock Operation and Selection of Factors

Type of livestock, housing capacity and calculation of animal units (Table 2)

Type of Livestock	Existing Housing Capacity Number Per Year	Animal* Units
	Total Animal Units	

Selection of Factors

1. Calculate animal units factor 'B' - Table 3 using the greater of

(a) existing housing capacity Animal Units
(Animal units/year)

OR

(b) basic quota of 2 times the number of tillable acres under single ownership at this site Animal Units
(up to a maximum of 75 acres or 150 animal units)

2. Factor for type of livestock 'A' -
Table 1. If there are more than one type of livestock use average of factors weighted according to number of animal units in each category.

3. Factor 'D' for type of manure system - Table 5

4. Encroachment factor 'E' for siting of land uses, or change in land use designation, or zoning (Table 6)

Animal Units

Animal Units

Factor B

Factor A

Factor D

Factor E

* Animal units per year.

SCHEDULE "C"

MDS FORMULA ONE (Continued)

III Calculation of Minimum Acceptable Distance

1. Distance coef. $H = A \times B \times D \times E = ___ \times ___ \times ___ \times ___ =$

coef H

2. Minimum acceptable distance to nearest part of the livestock operation (e.g. building, silo, manure storage tank, concrete pad or stacker, but not including milkhouse, implement shed or dry feed storage buildings) from nearest part of proposed dwelling.

$= H \times 1,000 \text{ ft.} = ___ \times 1,000 \text{ ft.} = ______ \text{ ft.}$

3. Actual distance $______ \text{ ft.}$

SCHEDULE "C"

MDS FORMULA TWO

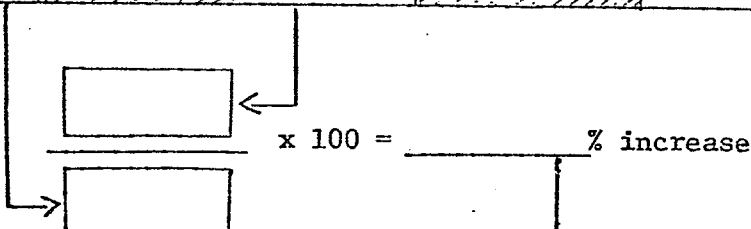
- I USE - To determine the setbacks and separation distance requirements for new, enlarged or remodelled livestock housing and manure storage facilities within agricultural areas.
- METHOD - Involves assessment of the proposed change in the livestock operation, the selection of factors from tables, the performance of test one (calculation of acceptable distances and comparison with actual distances) and, if required, performance of test two (calculation of performance index and total performance, and comparison to minimum accepted values), and performance of test three (siting of manure storage).

II Assessment of the Proposed Change in the Livestock Program

1. Types of livestock, housing capacity and calculation of animal units (Table 2)

Type of Live-stock	Existing Housing Capacity Number/Year	Animal* Units (Table 2)	Additional Capacity Number/Year	Animal* Units (Table 2)	Total Housing Capacity Number/Year	Animal * Units (Table 2)
Total Animal Units*						

2. Calculation of percentage increase in animal units*



Selection of Factors

1. Factor for livestock to be added (Table 1)
2. Factor for total number of animal units* (Table 3)
3. Factor for new operations, or rebuilding, remodelling or enlarging (Table 4)
4. Factor for manure system (Table 5)

	Factor A
	Factor B
	Factor C
	Factor D

III Calculation of Distance coefficient for Livestock Housing

Distance Coef. F = A x B x C x D = x x x =

	Coef. F
--	---------

Calculation of Distance Coefficient for Siting of Manure Storage

1. Selection of Factor for manure storage (Table 7)
2. Distance Coefficient S (Table 7)

	Factor M
	Coef. S

* Animal units per year.

22 EW 2
-2-

SCHEDULE "C"

MDS FORMULA TWO (Continued)

TEST ONE					TEST TWO		TEST THREE	
Calculation of acceptable distance (Col.C) between the subject structure and neighbouring uses and comparison with actual distances (Col.D). Multiply basic distances (Col.A) times distance coefficient F. (Col.B)					(To be used when application fails to meet all criteria in Test One). 1. To be acceptable, application must meet both of the following (a) each value in Col.E must equal or exceed the value in Col.F, (b) the total values in Col.E must equal or exceed 7.40 except as provided in the footnotes.* 2. Enter a figure not greater than 1.50 in Col.E.		(Siting of manure storage). Multiply the basic distances (Col.A) by the storage distance coefficient S to determine acceptable distance (Col.G) and compare with actual distances (Col.H)	
Neighbouring Land Use	Col.A Basic Dist.	Col.B Dist. Coef. F	Col.C Acceptable Dist.	Col.D Actual Dist.	Col.E Col.D Col.C	Col.F Min. Index	Col.G Acceptable Dist. = Coef. S x Basic Dist.	Col.H Actual Dist.
1. Area zoned residential *	2000' x		=			0.90		
2. Area zoned commercial **	1000' x		=		insert lowest value of items 2, 3, 4, 5, 6 & 7			
3. Area zoned industrial **	1000' x		=					
4. Area zoned open space **	1500' x		=					
5. Area zoned institutional **	2000' x		=					
6. Area zoned development	2000' x		=					
7. Non-conforming uses	1000' x		=			0.90		
8. Nearest neighbour's residence	1000' x		=			0.90**		
9. Next nearest neighbour's residence	1000' x		=			0.90**		
10. Middle of the road allowance	300' x		=			0.90		
11. Nearest lot line	200' x		=			0.70		
12. Intersection of road allowance and lot line	600' x		=			0.60		
					TOTAL *			

23 EW
-2-
SCHEDULE "C"

MDS FORMULA TWO (Continued)

NOTES

- | | |
|---|---|
| <ul style="list-style-type: none">* Applies to subdivisions, hamlets, towns, but does not apply to lots created by consent, unless such lots are located in a hamlet, village, town or city.** Items 2, 3, 4 and 5 apply to areas zoned commercial, industrial, open space, and institutional or designated for such use in the official plan. | <ul style="list-style-type: none">* Total values in Col. E shall equal or exceed 7.40 except where the below mentioned provision is invoked, the values in Column E shall equal or exceed 7.20 or 7.00 as applicable.** If the neighbour's dwelling is an accessory to a similar livestock facility, the indicated value in Column E shall equal or exceed 0.70. |
|---|---|

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-22-
SCHEDULE "C"

M.D.S. FORMULA THREE

AS A GUIDE FOR USE BY AGRICULTURAL ENGINEERS OF ONTARIO MINISTRY OF AGRICULTURE AND FOOD

- I USE - To determine the set-backs and separation distance requirements for existing livestock buildings and manure storage facilities within agricultural areas.
- APPLICATION - 1. As a guideline for land use planning.
2. As a guideline to determine minimum acceptable separation distance for existing livestock buildings and manure storage facilities for purposes of distance certification under the Ontario Certificate of Compliance program.
- PURPOSE - To provide a standard for certification of the siting of existing buildings and manure storage facilities, which, with good management of the livestock operation, may be considered as environmentally acceptable to the community in which it is situated, having regard for specified neighbouring land uses.
- METHOD - Involves assessment of the existing livestock operation, the selection of factors from tables, the performance of test one (calculation of acceptable distances and comparison with actual distances) and, if required, performance of test two (calculation of performance index and total performance, and comparison to minimum accepted values), and performance of test three (siting of manure storage).

II ASSESSMENT OF LIVESTOCK OPERATION

1. Types of livestock and housing capacity
2. Calculation of Animal Units (Table 2)

Type of Livestock	Existing Housing Capacity Number per Year	Animal Units
Total Existing Housing Capacity, Animal Units		

Selection of Factors

1. Factor for total number of animal units (Table 3)
2. Factor for type of livestock (Table 1). If there are more than one type of livestock, use average of factors weighted according to animal units.
3. Factor for manure system (Table 5)

↓

	B
--	---

	A
--	---

	D
--	---

III CALCULATION OF DISTANCE COEFFICIENT FOR LIVESTOCK HOUSING

Distance Coef. $F = .70 \times A \times B \times D = .70 \times \underline{\quad} \times \underline{\quad} =$

	F
--	---

CALCULATION OF DISTANCE COEFFICIENT FOR SITING OF MANURE STORAGE

1. Selection of Factor for manure storage (Table 7)

	M
--	---
2. Distance Coefficient S

	S
--	---

SCHEDULE "C"

MDS FORMULA 3 (Continued)

TEST ONE

Calculation of acceptable distance (Col.C) between the subject structure and neighbouring uses and comparison with actual distances (Col.D). Multiply basic distances (Col.A) times distance coefficient F. (Col.B)

TEST TWO

(To be used when application fails to meet all criteria in Test One).

1. To be acceptable, application must meet both of the following (a) each value in Col. E must equal or exceed the value in Col.F, (b) the total values in Col.E must equal or exceed 7.40 except as provided in the footnotes.*

2. Enter a figure not greater than 1.50 in Col.E.

TEST THREE

(Siting of manure storage). Multiply the basic distances (Col.A) by the storage distance coefficient S to determine acceptable distance (Col.G) and compare with actual distances (Col. H)

Neighbouring Land Use	Col.A	Col.B	Col.C	Col.D	Col.E	Col.F	Col.G	Col.H
	Basic Dist.	Dist. Coef. F	Acceptable Dist.	Actual Dist.	Col.D Col.C	Min. Index	Acceptable Dist. = Coef. S x Basic Dist.	Actual Dist.
1. Area zoned residential *	2000' x		=			0.90		
2. Area zoned commercial **	1000' x		=		insert lowest value of items 2, 3, 4, 5, 6 & 7			
3. Area zoned ** industrial	1000' x		=					
4. Area zoned ** open space	1500' x		=					
5. Area zoned institutional **	2000' x		=					
6. Area zoned development	2000' x		=					
7. Non-conforming uses	1000' x		=			0.90		
8. Nearest neighbour's residence	1000' x		=			0.90**		
9. Next nearest neighbour's residence	1000' x		=			0.90**		
10. Middle of the road allowance	300' x		=			0.90		
11. Nearest lot line	200' x		=			0.70		
12. Intersection of road allowance and lot line	600' x		=			0.60		
					TOTAL *			

SCHEDULE "C"

MDS FORMULA 3 (Continued)

NOTES

- | | |
|---|---|
| <p>* Applies to subdivisions, hamlets, towns, but does not apply to lots created by consent, unless such lots are located in a hamlet, village, town or city.</p> <p>** Items 2, 3, 4 and 5 apply to areas zoned commercial, industrial, open space, and institutional or designated for such use in the official plan.</p> | <p>* Total values in Col. E shall equal or exceed 7.40 except where the below mentioned provision is invoked, the values in Column E shall equal or exceed 7.20 or 7.00 as applicable.</p> <p>** If the neighbour's dwelling is an accessory to a similar livestock facility, the indicated value in Column E shall equal or exceed 0.70.</p> |
|---|---|

27 EW A
- 25 -
SCHEDULE "C"

TABLE 1		- Type of Livestock and Factors	
	Beef Cattle	- open feedlot with barn	0.8
		- total confinement	0.7
	Broilers	- chicken	0.6
		- turkey	0.7
	Dairy Cattle	- free stall	0.7
		- tie stall	0.65
		- loose housing	0.8
	Hens (laying)	- caged	0.9
		- floor housing	0.8
		- breeding flocks	0.7
		- pullets	0.7
	Hogs	- feeder	1.1
		- dry sows	1.0
	Horses		0.7
	Mink		1.1
	Rabbits		0.8
	Roasters		0.7
	Sheep		0.7
	Veal Calves	- white	1.0
TABLE 2		- Animal Units of Production	
Type of Livestock or Poultry		Maximum Number on Farm for Complete Year	
	1 dairy cow (plus calf)	1 animal unit	
	1 beef cow (plus calf)	1 animal unit	
	1 bull	1 animal unit	
	1 horse	1 animal unit	
	4 sheep (plus lambs)	1 animal unit	
	4 sows (plus litter to weaning)	1 animal unit	
	125 laying hens	1 animal unit	
	100 female mink (plus associated males & kits) ..	1 animal unit	
	40 female rabbits (plus associated males)	1 animal unit	
		Maximum Number Marketed During Year	
	2 beef feeders (gain 400-1100 lb.)	1 animal unit	
	4 beef feeders (gain 400-750 lb.)	1 animal unit	
	4 beef feeders (gain 750-1100 lb.)	1 animal unit	
	15 hogs (gain 40-200 lb.)	1 animal unit	
	1000 broiler chickens or roasters (4-5 lb.)	1 animal unit	
	300 turkey broilers (11-12 lb.)	1 animal unit	
	150 heavy turkey hens (19-20 lb.)	1 animal unit	
	100 heavy turkey toms (30-32 lb.)	1 animal unit	
	40 veal calves (gain 20-300 lb.)	1 animal unit	
	1000 pullets	1 animal unit	
Notes:			
1.	<u>Dairy</u>	- A dairy farm usually has milking cows, dry cows, heifers and calves. e.g. a herd of 50 milking cows is usually considered 75 animal units.	
2.	<u>Feeder Hogs</u>	- a feeder hog operation will market annually 2 to 3 times (average 2.5 times) the number of feeder hogs housed at one time.	
3.	<u>Chicken Broilers</u>	- usually 4 batches per year.	
4.	<u>Turkey Broilers</u>	- usually 3 batches per year.	
5.	<u>Heavy Turkeys</u> (confinement)	- usually 1 or 2 batches per year.	
6.	<u>Veal Calves</u>	- usually 4 batches per year.	

Table 3 - Animal Units Factor B

Animal Units	Animal Units Factor B	Animal Units	Animal Units Factor B	Animal Units	Animal Units Factor B	Animal Units	Animal Units Factor B
2	.151	72	.950	320	1.455	1650	2.195
3	.238	74	.958	340	1.480	1700	2.345
4	.301	76	.965	360	1.505	1750	2.364
5	.349	78	.972	380	1.528	1800	2.383
6	.399	80	.979	400	1.551	1850	2.402
7	.423	82	.986	420	1.573	1900	2.420
8	.452	84	.993	440	1.594	1950	2.438
9	.477	86	1.000	460	1.614	2000	2.456
10	.500	88	1.006	480	1.634	2100	2.491
12	.540	90	1.012	500	1.653	2200	2.524
14	.573	92	1.019	520	1.672	2300	2.556
16	.602	94	1.025	540	1.690	2400	2.588
18	.628	96	1.031	560	1.707	2500	2.618
20	.651	98	1.038	580	1.724	2600	2.647
22	.671	100	1.044	600	1.741	2700	2.676
24	.690	105	1.058	620	1.758	2800	2.704
26	.707	110	1.072	640	1.774	2900	2.731
28	.724	115	1.086	660	1.789	3000	2.758
30	.739	120	1.099	680	1.805	3200	2.809
32	.754	125	1.112	700	1.820	3400	2.858
34	.767	130	1.125	730	1.842	3600	2.905
36	.779	135	1.137	760	1.863	3800	2.951
38	.792	140	1.149	800	1.890	4000	2.994
40	.803	150	1.172	850	1.924	4200	3.036
42	.815	160	1.194	900	1.955	4400	3.077
44	.825	170	1.214	950	1.986	4600	3.116
46	.836	180	1.234	1000	2.015	4800	3.154
48	.846	190	1.254	1050	2.043	5000	3.191
50	.856	200	1.272	1100	2.071	5500	3.279
52	.866	210	1.290	1150	2.097	6000	3.362
54	.875	220	1.307	1200	2.123	6500	3.440
56	.884	230	1.324	1250	2.148	7000	3.513
58	.893	240	1.340	1300	2.172	7500	3.583
60	.902	250	1.356	1350	2.195	8000	3.650
62	.910	260	1.371	1400	2.218	8500	3.714
64	.919	270	1.386	1450	2.241	9000	3.775
66	.927	280	1.401	1500	2.262	9500	3.833
68	.935	290	1.415	1550	2.284	10000	3.890
70	.943	300	1.428	1600	2.304		

282w
12-22
SCHEDULE "C"

Table 4. Operations Increase Factor C

Percent Increase	Factor C	Percent Increase	Factor C	Percent Increase	Factor C	Percent Increase	Factor C
0	.55	48.0	.70	111.0	.85	232	1.00
3.1	.56	51.5	.71	116.4	.86	246	1.01
6.1	.57	55.0	.72	122.1	.87	260	1.02
9.2	.58	58.7	.73	128.0	.88	276	1.03
12.3	.59	62.4	.74	134.1	.89	294	1.04
13.4	.60	66.2	.75	140.6	.90	314	1.05
18.5	.61	70.1	.76	147.5	.91	336	1.06
21.6	.62	74.1	.77	154.7	.92	361	1.07
24.8	.63	78.3	.78	162.3	.93	390	1.08
28.0	.64	82.5	.79	170.3	.94	423	1.09
31.2	.65	86.9	.80	179.0	.95	461	1.10
34.5	.66	91.4	.81	188.1	.96	506	1.11
37.8	.67	96.0	.82	197.9	.97	560	1.12
41.1	.68	100.8	.83	208.4	.98	628	1.13
44.5	.69	105.8	.84	220	.99	700	1.14

Over 700% increase 1.14

NEW Operation 1.14

Notes to Table 4.

Note 1 - where there are no livestock or livestock buildings on the farm now, but would be after construction, use factor for "new" livestock enterprise, 1.14.

Note 2 - where the barn is being remodelled or rebuilt (such as after a fire) representing substantial capital investment, but with no increase in A.U. and no change in kind of livestock, use 0.70.

Note 3 - where the barn is being remodelled or rebuilt (such as after a fire) representing substantial capital investment, and with increase in A.U., and with or without change in kind of livestock, increase the factor from table 4 by 0.10, but in no case enter less than 0.70.

Note 4 - whether the additional housing is annexed to or separate from the existing housing, in either case enter the factor for increase from table 4.

Table 5. Type of Manure System and Factor D

Type of Manure System	Examples	Factor D
1. Wet and anaerobic within the barn, (stored wet in the barn more than 14 days).	1. Total Confinement barns for cattle or hogs on slats. 2. Caged laying barn with wet droppings stored under the cages.	0.82
2. Wet or semi-solid, removed from the barn frequently (stored in the barn 14 days or less).	1. Free-stall dairy barn, alleys scraped frequently. 2. Piggeries with deep, narrow gutter system. 3. Caged laying barn with set droppings, mechanical scraper.	0.78
3. Semi-solid, using bedding or air-drying of the manure.	1. Cattle and pigs, partially bedded. 2. Beef cattle and pigs bedded and high density housing. 3. Caged laying barns with air-dried droppings stored under the cages. 4. Mink	0.75
4. Solid or dry-bedded manure system within the barn.	1. Poultry on dry bedding. 2. Cattle or sows, heavily bedded, housed loose in low density, or stabled. 3. Horse and sheep barns.	0.70

ENCROACHMENT FACTOR E		Farm Location			
TABLE 6: For use with MDS 1, for determining minimum setback distance for non-agricultural uses establishing or enlarging in close proximity to livestock buildings.	Lot Location	High Potential	Moderate Potential	Restricted Potential	Urban Use Area
1. Building Permits					
(a) in moderate potential livestock areas		.9	.75	.6	.4
(b) restricted potential livestock areas		.8	.7	.5	.4
(c) in urban use area		.75	.6	.4	.35
2. Severances*					
(a) in high potential livestock areas		1.2	1.0	.8	.6
(b) in moderate potential livestock areas		1.0	.8	.7	.5
(c) restricted potential livestock areas		0.85	.75	.6	.45
(d) in urban use area		.8	.65	.5	.4

Definitions:

"High potential" is land zoned A2 unless it is restricted by reason of existing land use conflicts so that Formula 3 cannot be met.

"Moderate potential" is land that does not fall within the definition of high potential, restricted potential or urban use areas.

"Restricted potential" is land that cannot comply with Formula 3.

"Urban Use Area" is land designated for urban development in an approved Official Plan.

Explanatory Note: When a conflict arises in the use of Table 6, an application may be made to the Committee of Adjustment for a decision.

*Applies to severances to create a residential lot. Measurements are to be made to the nearest part of the lot to be severed.

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Table 7. Type of Manure Storage and Factor M

Type of Manure Storage	Factor M
Open pile	.9F* + .06
Covered concrete tank	.6F* + .2
Anaerobic, open concrete tank or silo	.7F* + .3
Above grade or partially above grade storage with concrete or clay side walls and concrete floor - for semi-solid manure	.8F* + .25
Anaerobic, open earth-sided pit, pond or lagoon	.5F* + 1

FOR NEW MANURE STORAGE

When calculating the acceptable distance, use NDS Formula II.

Values of 'C' in the formula F=ABC should never be less than following minimums.


- open concrete tank, silo, or pile..... 0.8
- covered concrete tank..... 0.6
- open earth-sided pit, pond, or lagoon..... 1.0

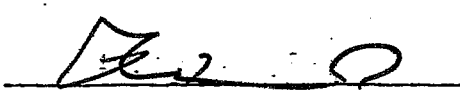
EVALUATION OF EXISTING MANURE STORAGE

When determining if an existing manure storage is satisfactory, use NDS Formula III.

COEFFICIENT S										
F*	.9F*+.06	.6F*+.2	.7F*+.3	.8F*+.25	.5F*+1	F*	.9F*+.06	.6F*+.2	.7F*+.3	.8F*+.25
.02	.078	.112	.114	.126	1.010	1.02	.978	.812	1.014	1.066
.04	.096	.124	.128	.136	1.020	1.04	.996	.824	1.028	1.082
.06	.114	.136	.142	.148	1.030	1.06	1.014	.836	1.042	1.098
.08	.132	.148	.156	.160	1.040	1.08	1.032	.848	1.056	1.114
.10	.150	.160	.170	.172	1.050	1.10	1.050	.860	1.070	1.130
.12	.168	.172	.184	.184	1.060	1.12	1.068	.872	1.084	1.146
.14	.186	.188	.198	.198	1.070	1.14	1.086	.884	1.098	1.162
.16	.204	.204	.212	.212	1.080	1.16	1.104	.896	1.112	1.178
.18	.222	.222	.228	.228	1.090	1.18	1.122	.908	1.126	1.194
.20	.240	.240	.244	.244	1.100	1.20	1.140	.920	1.140	1.210
.22	.258	.258	.260	.260	1.110	1.22	1.158	.932	1.154	1.226
.24	.276	.276	.276	.276	1.120	1.24	1.176	.944	1.168	1.242
.26	.294	.294	.294	.294	1.130	1.26	1.194	.956	1.182	1.258
.28	.312	.312	.312	.312	1.140	1.28	1.212	.968	1.196	1.274
.30	.330	.330	.330	.330	1.150	1.30	1.230	.980	1.210	1.290
.32	.348	.348	.348	.348	1.160	1.32	1.248	.992	1.224	1.306
.34	.366	.366	.366	.366	1.170	1.34	1.266	1.004	1.238	1.322
.36	.384	.384	.384	.384	1.180	1.36	1.284	1.016	1.252	1.338
.38	.402	.402	.402	.402	1.190	1.38	1.302	1.028	1.266	1.354
.40	.420	.420	.420	.420	1.200	1.40	1.320	1.040	1.280	1.370
.42	.438	.438	.438	.438	1.210	1.42	1.338	1.052	1.294	1.386
.44	.456	.456	.456	.456	1.220	1.44	1.356	1.064	1.308	1.402
.46	.474	.474	.474	.474	1.230	1.46	1.374	1.076	1.322	1.418
.48	.492	.492	.492	.492	1.240	1.48	1.392	1.088	1.336	1.434
.50	.510	.510	.510	.510	1.250	1.50	1.410	1.100	1.350	1.450
.52	.528	.528	.528	.528	1.260	1.52	1.428	1.112	1.364	1.466
.54	.546	.546	.546	.546	1.270	1.54	1.446	1.124	1.378	1.482
.56	.564	.564	.564	.564	1.280	1.56	1.464	1.136	1.392	1.498
.58	.582	.582	.582	.582	1.290	1.58	1.482	1.148	1.406	1.514
.60	.600	.600	.600	.600	1.300	1.60	1.500	1.160	1.420	1.530
.62	.618	.618	.618	.618	1.310	1.62	1.518	1.172	1.434	1.546
.64	.636	.636	.636	.636	1.320	1.64	1.536	1.184	1.448	1.562
.66	.654	.654	.654	.654	1.330	1.66	1.554	1.196	1.462	1.578
.68	.672	.672	.672	.672	1.340	1.68	1.572	1.208	1.476	1.594
.70	.690	.690	.690	.690	1.350	1.70	1.590	1.220	1.490	1.610
.72	.708	.708	.708	.708	1.360	1.72	1.608	1.232	1.504	1.626
.74	.726	.726	.726	.726	1.370	1.74	1.626	1.244	1.518	1.642
.76	.744	.744	.744	.744	1.380	1.76	1.644	1.256	1.532	1.658
.78	.762	.762	.762	.762	1.390	1.78	1.662	1.268	1.546	1.674
.80	.780	.780	.780	.780	1.400	1.80	1.680	1.280	1.560	1.690
.82	.798	.798	.798	.798	1.410	1.82	1.725	1.310	1.595	1.730
.84	.816	.816	.816	.816	1.420	1.84	1.770	1.340	1.630	1.770
.86	.834	.834	.834	.834	1.430	1.86	1.815	1.370	1.665	1.810
.88	.852	.852	.852	.852	1.440	2.00	1.910	1.400	1.700	1.850
.90	.870	.870	.870	.870	1.450	2.10	1.930	1.460	1.770	1.930
.92	.888	.888	.888	.888	1.460	2.20	1.990	1.520	1.840	2.010
.94	.906	.906	.906	.906	1.470	2.30	2.030	1.580	1.910	2.090
.96	.924	.924	.924	.924	1.480	2.40	2.070	1.640	1.980	2.170
.98	.942	.942	.942	.942	1.490	2.50	2.110	1.700	2.050	2.250
1.00	.960	.960	.960	.960	1.500					

SIGNATURE OF SIGNING OFFICERS


Mayor


Clerk