

The Corporation of the TOWN OF PELHAM By-Law No. 718 (1981)

3. Sections 4, 11 and 12 of By-Law No. 450(1978) are hereby amended by deleting the reference to "Residential Village 2" and "RV2".

4. Section 9 of By-Law No. 450(1978) is hereby amended by changing subsection 8.1 contained therein, which are the permitted uses of the "Agricultural A1 Zone" to read as follows:

8.1 Permitted Uses

- (a) Agricultural operations which shall include:
- (i) a dairy or beef operation but not including the raising or keeping of more than ½ animal unit/acre/year of any other type of livestock.
- (ii) one one family detached dwelling, and green-houses.
- (b) Seasonal or permanent farm help houses on farms larger than 10 hectares.

Explanatory Note

Applications to permit farm help houses on farms less than 10 hectares will be considered by Council. This note is for information only and does not form a part of the By-Law.

- (c) one one family detached dwelling (new or existing) on one lot.
- (d) uses, buildings and structures accessory to the uses permitted in clauses (a) (ii) and (c) of this subsection.
- (e) household occupations subject to the provisions of subsection 10.2.

5. Section 9 of By-Law No. 450(1978) is hereby amended by deleting clause (c) of subsection 8.4 contained therein.

6. Section 9 of By-Law No. 450(1978) is hereby amended by deleting subsection 8.5 contained therein.

7. Section 9 of By-Law No. 450(1978) is hereby amended by changing the heading of subsection 8.6 contained therein to read as follows:

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

8. Section 9 of By-Law No. 450(1978) is hereby amended by the addition of the following to clause (a) of subsection 8.7 contained therein.

"The minimum acceptable separation distance determined from M.D.S. Formula 1 shall be 300 metres."

9. Section 10 of By-Law No. 450(1978) is hereby amended by changing clauses (a) and (b) of subsection 9.1 contained therein, which are the permitted uses of the "Agricultural A2 Zone" to read as follows:

- "(a) agricultural operations, including the keeping or raising of any livestock, greenhouses, and one one family detached dwelling.
- (b) all uses permitted in clauses (b), (c), (d) and (e) of subsection 8.1 hereof."

10. Section 10 of By-Law No. 450(1978) is hereby amended by deleting subsections 9.2, 9.3 and 9.4 contained therein and adding a new subsection 9.2 which shall read as follows:

"9.2 Regulations for Uses Permitted in Subsection 9.1

The regulations which apply to the uses permitted in subsection 8.1 shall apply mutatis mutandis to the uses permitted in subsection 9.1 hereof."

11. Section 13 of By-Law No. 450(1978) is hereby amended by changing clauses (a) and (b) of subsection 14A.2 contained therein, which is the "Residential Village RV1 Zone", to read as follows:

	Municipal Water & Sanitary Sewers	Municipal Water Only or No Municipal Water & No Sanitary Sewers
"(a) Minimum Lot Area	836m ²	3700m ²
(b) Minimum Lot Frontage	18m	36m

12. Section 14 of By-Law No. 450(1978) is hereby deleted.

13. Section 24 of By-Law No. 450(1978) is hereby amended by the addition of the following exceptions:

"#129 This land may only be used for an airport and uses, buildings and structures accessory thereto."

"#130 In addition to the uses permitted in the "Agricultural A1 Zone", the land indicated by number 130 on Schedule "B" may also be used for the production and sale of canoes and uses, buildings and structures accessory thereto."

14. Schedule "B", which consists of Maps 1, 2, 3 and 4 thereto, are hereby deleted and replaced by Schedule "B" attached hereto and by this reference forming a part of this By-Law.

15. THAT this By-Law shall come into force and take effect the day of its passing, subject to the approval of the Ontario Municipal Board.

READ A FIRST AND SECOND TIME THIS

16th., DAY OF SEPTEMBER, 1981 A.D.

"E. G. Bergenstein"

MAYOR

"Murray Hackett"

CLERK

READ A THIRD TIME AND FINALLY PASSED

BY COUNCIL THIS 16th., DAY OF

SEPTEMBER, 1981 A.D.

"E. G. Bergenstein"

MAYOR

"Murray Hackett"

CLERK

EXPLANATORY NOTE By-Law No. 718 (1981)

THE PURPOSE of this by-law is to amend By-Law No. 279(1974) as amended by By-Law No. 450 (1978), which places zoning control on the rural section of the municipality.

By-Law No. 718 (1981) is required to bring By-Law No. 279 (1974)) as amended, into conformity with the Regional Municipality of Niagara's Policy Plan, and the Town of Pelham's Official Plan.

THE EFFECT of this by-law is to regulate the use of land, and the character, location and use of buildings and structures within the rural area of the Town of Pelham as shown on Maps 1, 2, 3 and 4 of Schedule "B" to By-Law No. 718(1981).

APPOINTMENT OF HEARING

The Ontario Municipal Board has appointed MONDAY, the 19th., day of OCTOBER, 1981, at the hour of eleven o'clock (local time), in the forenoon at the Council Chambers, Municipal Building, Fonthill, for the hearing of all parties interested in supporting or opposing this application.

By-Law No. 718 (1981) will be heard by the Ontario Municipal Board at the same time as By-Law No. 450 (1978), which is a comprehensive by-law to place zoning on the rural area of the Town of Pelham.

INFORMATION pertaining to this zoning application, is available and open for inspection at the Town of Pelham Municipal Offices, Pelham Town Square, Fonthill, Ontario, during normal office hours, and you may attend the October 6th, 1981 Meeting of the Town of Pelham Planning & Development Committee to discuss this application, by arranging to appear before the Committee by notifying the Town of Pelham's Municipal Office that you plan to attend.

MURRAY HACKETT, CLERK
TOWN OF PELHAM

TOWN OF PELHAM
RURAL AREA ZONING BY-LAW
NO. 718 (1981)

NOTICE OF APPLICATION to the Ontario Municipal Board by the Corporation of the Town of Pelham for approval of a by-law to regulate land use passed pursuant to Section 39 of the Planning Act.

THIS NOTICE APPLIES to property owners in the Town of Pelham, the City of St. Catharines, the City of Welland, the City of Thorold, the Town of Lincoln, the Township of West Lincoln, and the Township of Wainfleet.

TAKE NOTICE THAT the Council of the Corporation of the Town of Pelham intends to apply to the Ontario Municipal Board pursuant to the provisions of Section 39 of The Planning Act for approval of By-Law No 718 (1981) passed on the 16th., day of September, 1981. A copy of the by-law is furnished herewith and a note giving an explanation of the purpose and effect of the by-law and stating the lands affected thereby is also furnished herewith.

ANY PERSON INTERESTED MAY, within twenty-one (21) days after the date of this notice, send by registered mail or aeliver to the Clerk of the Town of Pelham, notice of objection to approval of the said by-law or part thereof giving details of all or the portion of the by-law to which you object and detailed reasons therefor, and shall indicate that if a hearing is held the objector or agent will attend at the hearing to support the objection.

ANY PERSON wishing to support the application for approval of the by-law may within twenty-one (21) days after the date of this notice send by registered mail or deliver to the Clerk of the Town of Pelham notice of his support of approval of the said by-law together with a request for notice of any hearing that may be held giving also the name and address to which such notice should be given.

THE ONTARIO MUNICIPAL BOARD may approve of the said By-law, but before doing so it may appoint a time and place when any objection to the by-law will be considered. Notice of any hearing that may be held will be given only to persons who have filed an objection or notice of support and who have left with or delivered to the Clerk undersigned, the address to which notice of hearing is to be sent out, similarly, to any person who has filed a request for a change in the provisions of the by-law.

THE LAST DATE FOR FILING OBJECTIONS will be OCTOBER 13th., 1981.

DATED AT THE TOWN OF PELHAM THIS 22ND., DAY OF SEPTEMBER, 1981.

MURRAY M. HACKETT, CLERK
TOWN OF PELHAM
Pelham Town Square
P.O. Box 400
FONTHILL, Ontario
L0S 1E0

The Corporation of the
TOWN OF PELHAM
By-Law No. 718 (1981)

Being a By-Law to amend By-Law No. 450(1978) which amends Zoning By-Law No. 279(1974) 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. 450(1978).

AND WHEREAS pursuant to the provisions of Section 39 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 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 3 of By-Law No. 450(1978) is hereby amended by deleting the following definitions:

- 3.51.1 Intensive Animal Operation
- 3.58.1 Lot, farm-related
- 3.66.1 Lot, non-farm related"

2. Section 3 of By-Law No. 450(1978) is hereby amended by adding the following definition:

" 3. 4.1 Animal Unit	Maximum Number on Farm for Complete Year
Type of Livestock or Poultry	
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 and kits)	1 animal unit
40 female rabbits (plus associated males)	1 animal unit
4 femals goats (plus kids)	1 animal unit

	Maximum Number Marketed During Year
2 beef feeders (gain 180-500 kg)	1 animal unit
4 beef feeders (gain 180-350 kg)	1 animal unit
4 beef feeders (gain 340-500 kg)	1 animal unit
15 hogs (gain 18-90 kg)	1 animal unit
1000 broiler chickens or roasters (2 kg approximately)	1 animal unit
300 turkey broilers (5-5.5 kg)	1 animal unit
150 heavy turkey hens (8.5 - 9 kg)	1 animal unit
100 heavy turkey toms (13.5 - 14.5 kg)	1 animal unit
40 veal calves (gain 30-136 kg)	1 animal unit
1000 pullets	1 animal unit