

The Corporation of the Town of Pelham

BY-LAW NO. 4459(2022)

Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located at 952 Foss Road (east side of Victoria Avenue, between Foss Road to the north and Sumbler Road to the south), legally described as Part of Lot 18, Concession 11, former Township of Pelham, now Town of Pelham with the site-specific Agricultural-51 (A-51) zone.

R. Spinosa

File No. AM-01-2022

WHEREAS, Section 34 of the Planning Act. RSO 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;

WHEREAS, the Council 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 PELHAM ENACTS AS FOLLOWS:

1. **THAT** Schedule ‘A’ to Zoning By-law 1136 (1987), as amended, is hereby amended by reducing the area of land zoned Agricultural-51 (A-51) zone and rezoning the lands identified on Schedule ‘A’, attached hereto and forming part of this By-law from:

Agricultural-51 (A-51) zone to Agricultural (A) zone

2. **THAT** Section 30 – Exceptions of By-law No. 1136 (1987), as amended, be modified by deleting subsections for the site-specific A-51 zone in their entirety and replacing with the following provisions:

- a) A-51 In addition to the provisions of Section 7 of the Agricultural (A) zone, the following site-specific uses shall be permitted on the lands:

On-farm diversified uses:

- (a) a farm produce retail store;
- (b) processing of locally grown farm produce and value-added products;
- (c) retail sale of locally grown farm produce and value-added products produced or manufactured on the property; and
- (d) uses, buildings and structures accessory thereto.

The following provisions shall apply to the permitted on-farm diversified uses:

- (a) Minimum Interior Side Yard 15 m
- (b) Maximum Building Height 11m
- (c) Maximum Lot Coverage of all 2%
on-farm diversified uses,
including, but not limited to all
buildings, outdoor storage,

- landscaped areas, berms,
well and septic systems,
parking and access roads
- (d) Maximum Gross Leasable Floor 50 m²
Area of retail sales floor area
- (e) Minimum Gross Leasable Floor 25 m²
Area of retail sales floor area
dedicated to the sale of products
produced or manufactured on the
farm property

3. **THAT** this Bylaw shall come into effect and force from and after the date of passing thereof, pursuant to Section 34(21) and 34(30) of the Planning Act, RSO 1990, as amended.

ENACTED, SIGNED AND SEALED THIS

07TH DAY OF JUNE 2022.

MAYOR: MARVIN JUNKIN

CLERK: HOLLY WILLFORD