

THE CORPORATION OF THE  
T O W N    O F    P E L H A M

BY-LAW NO.    1356(1990)

Being a by-law to regulate the use of lands and the character and use of buildings and structures within certain areas of the Town of Pelham.

WHEREAS Section 34 of the Planning Act, S.O. 1983, 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 Planning & Development Committee of the Town of Pelham has recommended that such a by-law be enacted;

AND WHEREAS the Council of the Corporation 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 the lands shown as R1 on the sketch attached hereto and identified as Schedule "A" to this by-law and forming part of this by-law, be and are hereby zoned as Residential 1 "R1" Zone.

(2.0)     Residential 1 "R1" Zone

Subject to the general provisions of Section 6 of By-Law #1136 (1987) and all other applicable requirements and sections of By-Law #1136 (1987), the provisions of this section shall apply throughout the Residential 1 "R1" Zone.

**2.1    PERMITTED USES**

(a)    One single detached dwelling and uses, buildings and structures accessory thereto.

**2.2    ZONE REQUIREMENTS**

(a)    Minimum Lot Area	700m <sup>2</sup>
(b)    Minimum Lot Frontage	19m
	20m on a corner lot
(c)    Maximum Lot Coverage	30 percent
(d)    Minimum Front Yard	7.7m

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- (f) Minimum Exterior Side Yard 5m from the side lot line or 15m from the centre line of the road whichever is the greater
- (g) Minimum Rear Yard 7.5m
- (h) Maximum Height for a Dwelling 10.5m
- (i) Minimum Ground Floor Area for a Dwelling:
  - (i) one storey 115.5m<sup>2</sup>
  - (ii) two storeys 78m<sup>2</sup>

(3) THAT the lands shown as R1- 95 on the sketch attached hereto and identified as Schedule "A" to this by-law and forming part of this by-law, be and are hereby zoned as Residential 1 "R1-95" Zone.

(4.0) Residential 1 "R1-95" Zone (lot area)

Subject to the general provisions of Section 6 of By-Law #1136 (1987) and all other applicable requirements and sections of By-Law #1136 (1987), the provisions of this section shall apply throughout the Residential 1 "R1-95" Zone.

**4.1 PERMITTED USES**

- (a) One single detached dwelling and uses, buildings and structures accessory thereto.

**4.2 ZONE REQUIREMENTS**

- (a) Minimum Lot Area 565m<sup>2</sup>
- (b) Minimum Lot Frontage 19m  
20m on corner lot
- (c) Maximum Lot Coverage 30 percent
- (d) Minimum Front Yard 7.7m
- (e) Minimum Interior Side Yard 1.8m on one side and 3m on the other side where there is no carport or garage attached, or 1.8m on both sides where a carport or garage is attached
- (f) Minimum Exterior Side Yard 5m from the side lot line or 15m from the centre line of the road whichever is the greater

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- (g) Minimum Rear Yard 7.5m
- (h) Maximum Height for a Dwelling 10.5m
- (i) Minimum Ground Floor Area  
for a Dwelling:
  - (i) one storey 115.5m<sup>2</sup>
  - (ii) two storeys 78m<sup>2</sup>

(5) THAT the lands shown as R1-96 on the sketch attached hereto and identified as Schedule "A" to this by-law and forming part of this by-law, be and are hereby zoned as Residential 1 "R1-96" Zone.

(6.0) Residential 1 "R1-96" Zone (lot area)

Subject to the general provisions of Section 6 of By-Law #1136 (1987) and all other applicable requirements and sections of By-Law #1136 (1987), the provisions of this section shall apply throughout the Residential 1 "R1-96" Zone.

**6.1 PERMITTED USES**

- (a) One single detached dwelling and uses, buildings and structures accessory thereto.

**6.2 ZONE REQUIREMENTS**

- (a) Minimum Lot Area 550m<sup>2</sup>
- (b) Minimum Lot Frontage 19m  
20 m on corner lot
- (c) Maximum Lot Coverage 30 percent
- (d) Minimum Front Yard 7.7m
- (e) Minimum Interior Side Yard 1.8m on one side and 3m on the other side where there is no carport or garage attached, or 1.8m on both sides where a carport or garage is attached
- (f) Minimum Exterior Side Yard 5m from the side lot line or 15m from the centre line of the road whichever is the greater
- (g) Minimum Rear Yard 7.5m
- (h) Maximum Height for a Dwelling 10.5m
- (i) Minimum Ground Floor Area  
for a Dwelling:
  - (i) one storey 115.5m<sup>2</sup>
  - (ii) two storeys 78m<sup>2</sup>

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- (7) THAT the lands shown as R2 on the sketch attached hereto and identified as Schedule "A" to this by-law, be and are hereby zoned Residential 2 "R2" Zone.

(8.0) Residential 2 "R2" Zone

Subject to the general provisions of Section 6 of By-Law #1136 (1987) and all other applicable requirements and sections of By-Law #1136 (1987) the provisions of this section shall apply throughout the Residential 2 "R2" Zone.

**8.1 PERMITTED USES**

- (a) One single detached dwelling and uses, buildings and structures accessory thereto.

**8.2 ZONE REQUIREMENTS**

- |     |   |   |
|-----|---|---|
| (a) | Minimum Lot Area                        | 360m <sup>2</sup>   |
| (b) | Minimum Lot Frontage                    | 12m   |
|     |   | 15m on a corner lot   |
| (c) | Maximum Lot Coverage                    | 50 percent  |
| (d) | Minimum Front Yard                      | 6.5m  |
| (e) | Minimum Interior Side Yard              | 1.5m on one side and<br>3m on the other side<br>where there is no<br>carport or garage<br>attached or 1.5m on<br>both sides where a<br>carport or garage is<br>attached |
| (f) | Minimum Exterior Side Yard              | 15m from the centre<br>line of the road or 5m<br>from the side lot line<br>whichever is the<br>greater  |
| (g) | Minimum Rear Yard                       | 7.5m  |
| (h) | Maximum Height for a Dwelling           | 10.5m   |
| (i) | Minimum Ground Floor for<br>a Dwelling: |   |
|     | (i) one storey                          | 93m <sup>2</sup>  |
|     | (ii) two storeys                        | 55m <sup>2</sup>  |

- (9) THAT the lands shown as RM1-97 on the sketch attached hereto and identified as Schedule "A" to this by-law, be and are hereby zoned Residential Multiple 1 "RM1-97" Zone.

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(10.0) Residential Multiple 1 "RM1-97" Zone (20 units)

Subject to the general provisions of Section 6 of By-Law #1136 (1987) and all other applicable requirements and sections of By-Law #1136 (1987) the provisions of this section shall apply throughout the Residential Multiple 1 "RM1-97" Zone.

**10.1 PERMITTED USES**

Triplex dwellings, semi-detached duplex dwellings, boarding houses, converted dwelling houses, street townhouse dwellings, block townhouse dwellings, four-plex dwellings.

**10.2 ZONE REQUIREMENTS FOR BLOCK TOWNHOUSE DWELLINGS**

- (a) Minimum Lot Frontage 30m
- (b) Minimum Lot Area 2000m<sup>2</sup>
- (c) Maximum Density 20 dwelling units
- (d) Minimum Front Yard 7.5m on either a street or an internal roadway
- (e) Minimum Side Yard 4.5m, except that where the rear of a building faces the side yard shall be 7.5m, and the minimum side yard abutting a street or an internal roadway shall be 7.5m
- (f) Minimum Rear Yard 7.5m
- (g) Maximum Building Height 10.5m
- (h) Minimum Ground Floor Area
  - For A Dwelling:
    - (i) one storey 88m<sup>2</sup>
    - (ii) two storeys 50m<sup>2</sup>
- (i) Distance Between Buildings on the same lot:
  - A FACE OF A BUILDING MEANS one or other of the longest walls of a building. Each building shall be deemed to have two sides.
  - A SIDE OF A BUILDING MEANS one or other of the shortest walls of a building. Each building shall be deemed to have two sides.
  - Any face of one townhouse shall be no closer to any side of another townhouse than 9m.
  - Any face of any townhouse shall be no closer than 15m to any face of another townhouse.
  - Any side of any townhouse shall be no closer than 9m to any side of another townhouse.
- (j) Minimum Landscaped Area 25 percent

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(k) Planting Strip

A planting strip of 1.5m minimum in width shall be provided where the boundary of an (RM1) Zone abuts an (R1), (R2) Zone

- (l) A children's play area shall be provided for each project of a size that will contain at least 2.5m of play space for each one-bedroom unit and at least 5m<sup>2</sup> of play space for each two or more bedroom units in one location at the rear of the building accessible to the building without crossing a parking lot and located at least 4.5m from the nearest wall of the building and enclosed with a chain link or equally durable fence.

- (11) THAT the lands shown as R1H on the sketch attached hereto and identified as Schedule "A" to this by-law, be and are hereby zoned Residential 1 "R1H" Zone.

(12.0) Residential 1 Holding "R1H" Zone

No person shall within a Residential 1 Holding "R1H" Zone, use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

**12.1 PERMITTED USES**

- (a) One single detached dwelling and uses, buildings and structures accessory thereto.

**12.2 ZONE REQUIREMENTS**

- |   |  |
|---|--|
| (a) Minimum Lot Area                          | 700m <sup>2</sup>  |
| (b) Minimum Lot Frontage                      | 19m  |
|   | 20m on a corner lot  |
| (c) Maximum Lot Coverage                      | 30 percent   |
| (d) Minimum Front Yard                        | 7.7m   |
| (f) Minimum Exterior Side Yard                | 5m from the side lot line or 15m from the centre line of the road whichever is the greater |
| (g) Minimum Rear Yard                         | 7.5m   |
| (h) Maximum Height for a Dwelling             | 10.5m  |
| (i) Minimum Ground Floor Area for a Dwelling: |  |
| (i) one storey                                | 115.5m <sup>2</sup>  |
| (ii) two storeys                              | 78m <sup>2</sup>   |

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(13) THAT the lands shown as H on the sketch attached hereto and identified as Schedule "A" to this by-law, be and are hereby zoned Hazard "H" Zone.

(14.0) Hazard "H" Zone

Subject to the general provisions of Section 6 of By-Law #1136 (1987) and all other applicable requirements and sections of By-Law #1136 (1987) the provisions of this section shall apply throughout the Hazard "H" Zone.

**14.1 PERMITTED USES**


- (a) Agricultural uses.
- (b) Forestry, conservation and flood control uses and works.
- (c) Public Recreational uses.
- (d) Existing uses.
- (e) Uses, buildings and structures accessory thereto, excluding accessory dwellings.

**14.2 REGULATIONS**

- (a) All development within the Hazard "H" Zone shall be subject to the provisions of the Niagara Peninsula Conservation Authority pursuant to the requirements of the Conservation Authorities Act, R.S.O. 1980 as amended, or any subsequent enabling legislation.

(15) THAT this by-law will come into force and take effect pursuant to Sections 34 (19) and 34 (31) of the Planning Act, S.O. 1983.

READ A FIRST, SECOND AND THIRD TIME  
AND FINALLY PASSED BY COUNCIL THIS  
3RD DAY OF JULY , 1990 A.D.

  
MAYOR

  
CLERK