

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

BY-LAW NO. 2364 (2002)

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 General Committee, Planning Services Division 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 the lands identified on Schedule 'A' attached hereto be and are hereby rezoned from Agricultural A Zone to Residential 1 R1 Zone.
2. THAT the lands identified on Schedule "A" attached hereto be and are hereby rezoned from Agricultural A Zone to Residential 1 'R1-166' Zone.
3. THAT Section 30 - Exceptions of By-Law No. 1136 (1987) is amended by adding thereto the following exception:

"R1-166 Notwithstanding the provisions of Section 13.2 (b), (c), (e) and (f) of the Residential 1 R1 Zone and Section 6.35 (c) of the General Provisions the following special provisions shall apply:

- |                                |                                                                                                                                                                                                                                                  |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) Minimum Lot Frontage       | 18 m<br>20 m on a corner lot                                                                                                                                                                                                                     |
| (b) Maximum Lot Coverage       | 40%                                                                                                                                                                                                                                              |
| (c) Minimum Interior Side Yard | 1.5 m on one side and 3 m on the other side where there is no carport or attached garage, or 1.5 m on both sides where a carport or garage is attached.                                                                                          |
| (d) Minimum Exterior Side Yard | 4 m from the side lot line or 14 m from the centre line of the road whichever is the greater. No access to the garage or carport is permitted if the setback is less than 5 m from the side lot line or 15 m from the centre line of the street. |

(e) Unenclosed Porches, Balconies, Steps and Patios

(i) where the setback is 4 m may project into the required exterior side yard a maximum distance of 1 m provided that, in the case of porches, steps or patios, such uses are not more than 1.3 m above ground.

(ii) where the setback is 5 m or greater may project into the required exterior side yard a maximum distance of 1.5 m provided that, in the case of porches, steps or patios, such uses are not more than 1.3 m above ground"

4. That the lands identified on Schedule 'A' attached hereto be and are hereby rezoned from Agricultural A Zone to Open Space OS Zone.
5. That the lands identified on Schedule 'A' attached hereto be and are hereby rezoned from Agricultural A zone to Hazard 'H-167' Zone:
6. THAT Section 30 - Exceptions of By-Law No. 1136 (1987) is amended by adding thereto the following exception:

"H-167 Notwithstanding Section 28 of the Hazard H Zone the following special provisions shall apply:

In the 'H-167' Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following provisions:

PERMITTED USES

- (a) Agriculture, save and except any buildings;
- (b) Conservation, save and except any buildings;
- (c) Existing buildings and structures and additions and reconstruction thereto.

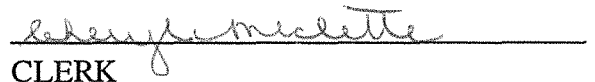
ZONE PROVISIONS

- (a) Minimum Lot Frontage none required
- (b) Minimum Lot Area none required"

7. 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  
4TH DAY OF MARCH, 2002 A.D.

  
MAYOR (ACTING)

  
CLERK