

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 2473 (2003)

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 Schedule 'A4' to Zoning By-law No. 1136 (1987), be amended by rezoning the lands identified on Schedule 'A' (attached to and forming part of this By-law) from Agricultural A Zone to Residential 2 R2-174 Zone, Residential 2 R2-175 Zone, Residential Multiple 1 RM1-176 Zone, Open Space OS Zone and Hazard H Zone.

2. THAT Section 30 - Exceptions of By-Law No. 1136 (1987) be amended by adding the following exceptions:

"R2-174 Notwithstanding the provisions of the Residential 2 R2 Zone, for a single detached dwelling, the lands indicated as R2-174 on Schedule 'A4' shall be subject to the following provisions:

(a) Minimum Front Yard 4.5 metres for a single detached dwelling and 6 metres for an attached garage

(b) Minimum Interior Side Yard 1.2 metres"

"R2-175 (a) Notwithstanding the provisions of the Residential 2 R2 Zone, for a single detached dwelling, the lands indicated as R2-175 on Schedule 'A4' shall be subject to the following provisions:

(i) Minimum Front Yard 4.5 metres for a single detached dwelling and 6 metres for an attached garage

(ii) Minimum Interior Side Yard 1.2 metres

(b) Notwithstanding any provision of Zoning By-law No. 1136 (1987) to the contrary, no buildings or structures, including but not limited to, storage sheds, garages, pool houses, swimming pools, decks and gazebos shall be permitted within 7.5 metres of the 'top of bank', as approved by the Niagara Peninsula Conservation Authority."

"RM1-176 (a) Notwithstanding the provisions of the Residential Multiple 1 RM1 Zone, for street townhouse dwellings, the lands indicated as RM1-176 on Schedule 'A4' shall be subject to the following provisions:

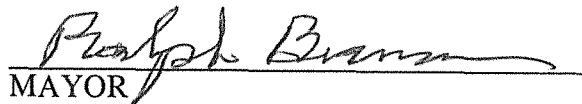
(i) Minimum Front Yard 4.5 metres for a street townhouse dwelling unit and 6 metres for an attached garage

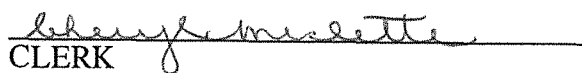
(ii) Minimum Interior Side Yard 1.2 metres

(b) Notwithstanding any provision of Zoning By-law No. 1136 (1987) to the contrary, no buildings or structures, including but not limited to, storage sheds, garages, pool houses, swimming pools, decks and gazebos, shall be permitted within 7.5 metres of the 'top of bank', as approved by the Niagara Peninsula Conservation Authority."

3. 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
5TH DAY OF MAY, 2003 A.D.


MAYOR


CLERK