

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 2776 (2006)

Being a by-law to amend Zoning By-law No. 1136
(1987), as amended. (Meritage Estates)

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 'A5' to Zoning By-law No. 1136 (1987), as amended, is hereby amended by rezoning the lands identified as the subject lands on Schedules 'A', 'B' and 'C' attached hereto and forming part of this By-law, as follows:

Part 1 from a Residential 1 R1 Zone to an Agricultural A Zone;
Part 2 from a Residential 1 R1 Zone to a Residential 1 R1-165 Zone;
Part 3 from a Residential 1 R1 Zone to a Residential 1 R1-209(H) Zone;
Part 4 from an Open Space OS Zone to a Residential 1 R1-209(H) Zone;
Part 5 from an Open Space OS Zone to a Residential 1 R1(H) Zone;
Part 6 from an Open Space OS Zone to a Residential 1 R1-210(H) Zone;
Part 7 from a Residential 1 R1 Zone to a Residential 1 R1-210(H) Zone; and
Part 8 from a Residential 1 R1 Zone to a Residential 1 R1(H) Zone.

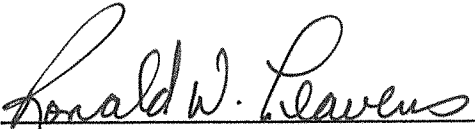
2. THAT Section 30 - Exceptions of By-Law No. 1136 (1987) be amended by adding the following exceptions:

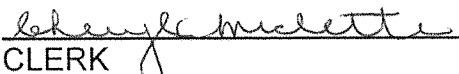
"R1-209 Notwithstanding any provision of Zoning By-law No. 1136 (1987), as amended, to the contrary, no buildings or structures, including but not limited to, storage sheds, garages, pool houses, swimming pools, decks and gazebos shall be permitted within 19.5 metres of the 'top of bank', as approved by the Niagara Peninsula Conservation Authority."

"R1-210 Notwithstanding any provision of Zoning By-law No. 1136 (1987), as amended, 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
13TH DAY OF JUNE, 2006 A.D.


MAYOR


CLERK