

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 2796 (2006)

Being a by-law to amend Zoning By-law No. 1136
(1987), as amended.
(1611 Lookout Street)

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), as amended, is hereby amended by rezoning the lands identified as the subject lands on Schedules 'A' and 'B', attached hereto and forming part of this By-law, from an Agricultural A Zone to a Residential 1 R1-211 Zone;
2. THAT Section 30 - Exceptions of By-Law No. 1136 (1987) be amended by adding the following exception:

"R1-211 (a) Notwithstanding subsections 13.2(a), 13.2(b), 13.2(d) and 13.2(e) of the Residential 1 R1 Zone, a single detached dwelling located on lands indicated as R1-211 on Schedule 'A4' shall be subject to the following provisions:

- | | | |
|-------|----------------------------|---|
| (i) | Minimum Lot Area | 1900 m ² (20,452.1 ft ²) |
| (ii) | Minimum Lot Frontage | 30 m (98.43 ft) |
| (iii) | Minimum Front Yard | 14 m (45.93 ft) |
| (iv) | Minimum Interior Side Yard | 5 m (16.4 ft) |

(b) Notwithstanding any provision of Zoning By-law No. 1136 (1987) to the contrary, the following provisions shall apply:

- (i) a garage shall not be permitted to project more than 1.5 m (4.92 ft) beyond the main wall of the front of the dwelling when the front wall of the garage faces the front lot line; or
- (ii) a garage shall not be permitted to project more than 7 m (22.97 ft) beyond the main wall of the front of the dwelling when the side wall of the garage faces the front lot line."

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
21ST DAY OF AUGUST, 2006 A.D.

Ronald W. Leavers
MAYOR

Sheryl M. Little
CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 2796 (2006)

The subject lands are located on the east side of Lookout Street, lying north of Regional Road 20 West. The lands are legally described as part of Lot 3, Concession 7, former Township of Pelham, now Town of Pelham.

The subject lands are currently zoned Agricultural A according to Zoning By-law No. 1136 (1987), as amended. The By-law rezones the lands in order to increase:

- the lot area requirement from 700 square metres to 1900 square metres;
- the lot frontage requirement from 19 metres to 30 metres;
- the minimum front yard from 7.7 metres to 14 metres; and
- the minimum interior side yard from 1.8 metres to 5 metres.

The By-law also provides restriction concerning the projection of garages beyond the main wall of the front of the dwelling.