

THE CORPORATION OF THE  
TOWN OF PELHAM

BY-LAW NO. 2943 (2008)

Being a by-law to amend Town of Pelham  
Zoning By-law No. 1136 (1987), as amended.  
(Weiland Heights)

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, as follows:

Part 1 from a Residential 1 R1-23 Zone to a Residential 2 R2-218(H) Zone;  
Part 2 from a Residential 2 R2(H) Zone to a Residential 2 R2-218(H) Zone;  
Part 3 from a Residential 2 R2(H) Zone to a Residential 2 R2-219(H) Zone;  
Part 4 from a Residential Multiple 1 RM1-191(H) Zone to a Residential 2 R2-219(H) Zone.

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

"R2-218 Notwithstanding subsection 14.2 of the Residential 2 R2 Zone, the lands identified as R2-218 on Schedule 'A4' shall be subject to the following provisions:

**ZONE REQUIREMENTS**

(a)	Minimum Lot Area	360 m <sup>2</sup> (3,875.13 ft <sup>2</sup> )
(b)	Minimum Lot Frontage	12 m (39.37 ft) or 15 m (49.21 ft) on a corner lot
(c)	Maximum Lot Coverage	50 percent
(d)	Minimum Front Yard	9 metres (29.53 ft)
(e)	Minimum Interior Side Yard	1.2 m (3.94 ft) on one side and 3m (9.84 ft) on the other side where there is no carport or garage attached, or 1.2 m (3.94 ft) on both sides where a carport or garage is attached
(f)	Minimum Exterior Side Yard	5 m (16.4 ft)
(g)	Minimum Rear Yard	7.5 m (24.61 ft)
(h)	Maximum Height for a Dwelling	10.5 m (34.45 ft)

- (i) Minimum Ground Floor Area for a Dwelling
  - (i) one storey 93 m<sup>2</sup> (1,001.08 ft<sup>2</sup>)
  - (ii) two storeys 55 m<sup>2</sup> (592.03 ft<sup>2</sup>)
- (j) Garage Projection a maximum of 1.5 m (4.92 ft) beyond the main wall of the front of the dwelling.

R2-219 Notwithstanding subsection 14.2 of the Residential 2 R2 Zone, the lands identified as R2-219 on Schedule 'A4' shall be subject to the following provisions:

**ZONE REQUIREMENTS**

- (a) Minimum Lot Area 360 m<sup>2</sup> (3,875.13 ft<sup>2</sup>)
- (b) Minimum Lot Frontage 12 m (39.37 ft) or 15 m (49.21 ft) on a corner lot
- (c) Maximum Lot Coverage 50 percent
- (d) Minimum Front Yard
  - (i) dwelling 4 m (13.13 ft)
  - (ii) garage 6.5 m (21.33 ft)
- (e) Minimum Interior Side Yard 1.2 m (3.94 ft) on one side and 3m (9.84 ft) on the other side where there is no carport or garage attached, or 1.2 m (3.94 ft) on both sides where a carport or garage is attached
- (f) Minimum Exterior Side Yard
  - (i) dwelling 4 m (13.13 ft)
  - (ii) garage 6 m (19.69 ft)
- (g) Minimum Rear Yard 7.5 m (24.61 ft)
- (h) Maximum Height for a Dwelling 10.5 m (34.45 ft)
- (i) Minimum Ground Floor Area for a Dwelling
  - (i) one storey 93 m<sup>2</sup> (1,001.08 ft<sup>2</sup>)
  - (ii) two storeys 55 m<sup>2</sup> (592.03 ft<sup>2</sup>)
- (j) Garage Projection a maximum of 1.5 m (4.92 ft) beyond the main wall of the front of the dwelling."

3. THAT Section 30 - Exceptions of By-Law No. 1136 (1987), as amended, is hereby amended by deleting exception RM1-191 and by adding the following exception:

" RM1-191 Notwithstanding subsection 16.3 of the Residential Multiple 1 RM1 Zone, the lands identified as RM1-191 on Schedule 'A4' shall be subject to the following provisions:

### PERMITTED USES

- (a) street townhouse dwellings; and
- (b) uses, buildings and structures accessory to the foregoing permitted uses.

### ZONE REQUIREMENTS

- (a) Minimum Lot Frontage 8 m (26.25 ft) per dwelling unit, except that in the case of an interior lot containing a dwelling attached on one side only, the minimum lot frontage required shall be 9 m (29.53 ft)
- (b) Minimum Corner Lot Frontage 11 m (36 ft)
- (c) Minimum Lot Area 230 m<sup>2</sup> (2,475.78 ft<sup>2</sup>) per dwelling unit
- (d) Minimum Front Yard
  - (i) dwelling 4 m (13.13 ft)
  - (ii) garage 6 m (19.69 ft)
- (e) Minimum Exterior Side Yard 5 m (16.4 ft)
- (f) Minimum Interior Side Yard
  - (i) one storey and one and a half storey dwellings 1.2 m (3.94 ft)
  - (ii) two storey dwellings 1.5 m (4.92 ft)
- (g) Minimum Rear Yard 7.5 m (24.61 ft)
- (h) Maximum Building Height 10.5 m (34.45 ft)
- (i) Minimum Ground Floor Area for a Dwelling:
  - (i) one storey 88 m<sup>2</sup> (947.26 ft<sup>2</sup>)
  - (ii) two storeys 50 m<sup>2</sup> (538.21 ft<sup>2</sup>)

4. 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  
3<sup>rd</sup> DAY OF MARCH, 2008 A.D.

  
MAYOR

  
CLERK

**EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. ???? (2008)**

The subject lands are located on the west side of Haist Street, lying north of Regional Road 20 West. The lands are legally described as part of Lots 2 and 3 and part of the Road Allowance between Lots 2 and 3, Concession 7, former Township of Pelham, now Town of Pelham.

The By-law rezones the lands in order to accommodate the proposed Weiland Heights Plan of Subdivision.

File No: AM-06/07  
Applicant: Oscar Weiland  
Assessment Roll Nos.: 2732 000 000 00000  
Planning Report No.: P-07/08