

**THE CORPORATION OF THE
TOWN OF PELHAM**

BY-LAW NO. 3208 (2011)

**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 'A5' 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:

Part 1 from a Residential 1 R1-165 Zone to a Residential 1 R1 Zone;

Part 2 from an Agricultural A Zone to a Residential 1 R1;

Part 3 from an Agricultural A Zone to a Residential 1 R1-225 Zone; and

Part 4 from an Agricultural A Zone to a Hazard H Zone.

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

"R1-225 (a) Notwithstanding the subsections 13.2(b) and 13.2(e) of the Residential 1 R1 Zone, lands identified as R1-225 on Schedule 'A5' shall be subject to the following provisions:

i) Minimum Lot Frontage65 metres

ii) Minimum Interior Side Yard

Left7.5 metres

Right1.8 metres

- (b) Notwithstanding any provision of Zoning By-law No. 1136 (1987) to the contrary, no driveways and 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
27TH DAY OF JUNE, 2011 A.D.


MAYOR


CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 3208 (2011)

The property is located on the east side of Haist Street, lying north of Highway 20. The lands are legally described as part of Lots P and Q, Plan 717, former Township of Pelham, Town of Pelham.

The subject lands are currently zoned Residential 1 R1-165 and Agricultural A according to Zoning By-law No. 1136 (1987), as amended. The By-law rezones Parts 1, 2 and 3 to a Residential 1 to facilitate development of two (2) single detached dwelling lots. The By-law also rezones lands (Part 4) to Hazard H to reflect the hazards associated with the valleyland system.