

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 3325 (2012)

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

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 and Development 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:

Parts 1 and 2 from a Residential 1 R1-183(H) Zone to a Residential 1 R1-184(H) Zone;
Part 3 from a Residential 1 R1-185(H) to a Residential 1 R1-184(H) Zone;
Part 4 from a Residential 1 R1-187(H) to a Residential 1 R1-184(H) Zone;
Part 5 from a Residential 1 R1-186(H) to a Residential 1 R1-184(H) Zone;
Part 6 from a Residential 1 R1-187(H) to a Residential 1 R1-185(H) Zone;
Part 7 from a Residential 1 R1-188(H) to a Residential 1 R1-186(H) Zone;
Part 8 from a Residential 1 R1-187(H) to a Residential 1 R1-186(H) Zone;
Part 9 from a Residential 1 R1- 188(H) to a Residential 1 R1-187(H) Zone;
Part 10 from an Open Space OS Zone to an Open Space OS-188 Zone;
Parts 11 and 12 from a Residential 1 R1-184(H) to an Open Space OS Zone; and
Part 13 from a Residential 1 R1-186(H) to a Residential 1 R1-238(H) Zone.

2. THAT Section 30 (Special Exceptions) to Zoning By-Law No. 1136 (1987), is hereby amended by deleting subsections R1-184, R1-185, R1-186, R1-187 and R1-188 and by adding the following subsections:

"R1-184 Notwithstanding subsection 13.2 of the Residential 1 R1 Zone, the lands identified as R1-184 on Schedule 'A4' shall be subject to the following provisions:

ZONE REQUIREMENTS

(a)	Minimum Lot Area	524 m ²
(b)	Minimum Lot Frontage	15 m or 17 m on a corner lot
(c)	Maximum Lot Coverage	45 percent
(d)	Minimum Front Yard	
	(i) dwelling	4 m
	(ii) garage	6 m
(e)	Minimum Interior Side Yard	1.2 m on one side and 3m on the other side where there is no garage attached
(f)	Minimum Exterior Side Yard	
	(i) dwelling	3 m
	(ii) garage	6 m
(g)	Minimum Rear Yard	7.5 m
(h)	Maximum Height for a Dwelling	12 m

- (i) Minimum Ground Floor Area for a Dwelling
 - (i) one storey 115.5 m²
 - (ii) two storeys 78 m²
- (j) Garage Projection a maximum of 1.5 m beyond the main wall of the front of the dwelling

R1-185 Notwithstanding subsection 13.2 of the Residential 1 R1 Zone, the lands identified as R1-185 on Schedule 'A4' shall be subject to the following provisions:

ZONE REQUIREMENTS

- (a) Minimum Lot Area 524 m²
- (b) Minimum Lot Frontage 15 m or 17 m on a corner lot
- (c) Maximum Lot Coverage 45 percent
- (d) Minimum Front Yard
 - (i) dwelling 4 m
 - (ii) garage 6 m
- (e) Minimum Interior Side Yard 1.2 m on one side and 3m on the other side where there is no garage attached
- (f) Minimum Exterior Side Yard
 - (i) dwelling 3 m
 - (ii) garage 6 m
- (g) Minimum Rear Yard 15 m
- (h) Maximum Height for a Dwelling 12 m
- (i) Minimum Ground Floor Area for a Dwelling
 - (i) one storey 115.5 m²
 - (ii) two storeys 78 m²
- (j) Garage Projection a maximum of 1.5 m beyond the main wall of the front of the dwelling
- (k) 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 15 m of the rear lot line.

R1-186 Notwithstanding subsection 13.2 of the Residential 1 R1 Zone, the lands identified as R1-186 on Schedule 'A4' shall be subject to the following provisions:

ZONE REQUIREMENTS

- (a) Minimum Lot Area 640 m²
- (b) Minimum Lot Frontage 18 m or 21 m on a corner lot
- (c) Maximum Lot Coverage 40 percent
- (d) Minimum Front Yard
 - (i) dwelling 4 m
 - (ii) garage 6 m

- (e) Minimum Interior Side Yard 1.2 m on one side and 3m on the other side where there is no garage attached
- (f) Minimum Exterior Side Yard
 - (i) dwelling 3 m
 - (ii) garage 6 m
- (g) Minimum Rear Yard 7.5 m
- (h) Maximum Height for a Dwelling 12 m
- (i) Minimum Ground Floor Area for a Dwelling
 - (i) one storey 115.5 m²
 - (ii) two storeys 78 m²
- (j) Garage Projection a maximum of 1.5 m beyond the main wall of the front of the dwelling

R1-187 Notwithstanding subsection 13.2 of the Residential 1 R1 Zone, the lands identified as R1-187 on Schedule 'A4' shall be subject to the following provisions:

ZONE REQUIREMENTS

- (a) Minimum Lot Area 825 m²
- (b) Minimum Lot Frontage 20.5 m
- (c) Maximum Lot Coverage 40 percent
- (d) Minimum Front Yard
 - (i) dwelling 4 m
 - (ii) garage 6 m
- (e) Minimum Interior Side Yard 3m
- (f) Minimum Exterior Side Yard 6 m
- (g) Minimum Rear Yard 15 m
- (h) Maximum Height for a Dwelling 12 m
- (i) Minimum Ground Floor Area for a Dwelling
 - (i) one storey 115.5 m²
 - (ii) two storeys 78 m²
- (j) Garage Projection a maximum of 1.5 m beyond the main wall of the front of the dwelling
- (k) 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 15 m of the rear lot line.

OS-188 Notwithstanding subsection 26.1 of the Open Space OS Zone or any provision of Zoning By-law No. 1136 (1987) to the contrary, no buildings or structures, including but not limited to, storage sheds, garages and gazebos, shall be permitted.

R1-238 Notwithstanding subsection 13.2 of the Residential 1 R1 Zone, the lands identified as R1-238 on Schedule 'A4' shall be subject to the following provisions:

ZONE REQUIREMENTS

- | | | |
|-----|--|--|
| (a) | Minimum Lot Area | 640 m ² |
| (b) | Minimum Lot Frontage | 18 m or 21 m on a corner lot |
| (c) | Maximum Lot Coverage | 40 percent |
| (d) | Minimum Front Yard | |
| | (i) dwelling | 4 m |
| | (ii) garage | 6 m |
| (e) | Minimum Interior Side Yard | 1.2 m on one side and 3m on the other side where there is no garage attached |
| (f) | Minimum Exterior Side Yard | |
| | (i) dwelling | 3 m |
| | (ii) garage | 6 m |
| (g) | Minimum Rear Yard | 7.5 m |
| (h) | Maximum Height for a Dwelling | 12 m |
| (i) | Minimum Ground Floor Area for a Dwelling | 210 m ² |
| (j) | Garage Projection | a maximum of 1.5 m beyond the main wall of the front of the dwelling" |

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
17TH DAY OF DECEMBER, 2012 AD


MAYOR


CLERK

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 3325 (2012)

This By-law involves a parcel of land located between Lookout and Haist Streets, north of Highway 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, Town of Pelham.

The By-law rezones the lands in order to accommodate the development of Phase 2 of the original Village of Chestnut Ridge development within the Northwest Fonthill Secondary Plan Area.

File No. AM-05/12

Owner: Costiano Developments Inc.