

THE CORPORATION OF THE  
TOWN OF PELHAM  
BY-LAW NO. 3542 (2014)

**Being a by-law to amend Zoning By-law No. 1136 (1987), as amended, for lands located south of the existing lots on Saddler Street and east of the existing lots on Tanner Drive. The lands are legally described as Part of Lot 177, Geographic Township of Thorold and Block 53, Plan 59M-235 and Block 13, Plan 59M-322, Registered Plan 59M-406.**

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 Committee of the Whole 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 Schedule 'A', attached hereto and forming part of this By-law, from Residential 2 (R2) Zone to Residential R2-252.

2. THAT Section 30 – Exceptions of By-Law No. 1136 (1987), as amended, be modified by adding the following exception:

"R2-252 Notwithstanding Section 6 of the General Provisions, Section 6.35 (c) is amended, and the lands identified as R2-252 shall be subject to the following provisions:

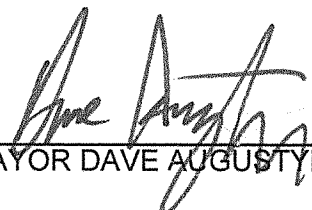
Unenclosed porches, balconies, steps and patios, covered or uncovered may project into any required rear yard to a maximum distance of 2.75 metres (9.02 feet).

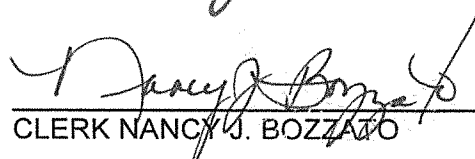
Notwithstanding the provisions under Section 14.2 of the Residential 2 (R2) Zone, the lands identified as R2-252 shall be subject to the following provisions:

- |    |                            |                        |
|----|----------------------------|------------------------|
| e) | Minimum Interior Side Yard | 1.2 metres (3.93 feet) |
| f) | Minimum Exterior Side Yard | 3 metres (9.84 feet)   |

3. THAT this By-Law shall become effective from and after the date of passing thereof 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  
15<sup>th</sup> DAY OF SEPTEMBER, 2014 A.D.

  
MAYOR DAVE AUGUSTYN

  
CLERK NANCY J. BOZZATO

**EXPLANATION OF THE PURPOSE AND EFFECT OF  
BY-LAW NO. 3542 (2014)**

This By-law involves a parcel of land located south of the existing lots on Saddler Street and east of the existing lots on Tanner Drive. The lands are legally described as Part of Lot 177, Geographic Township of Thorold and Block 53, Plan 59M-235 and Block 13, Plan 59M-322, Registered Plan 59M-406.

This By-law rezones the lands from Residential 2 (R2) Zone to site specific Residential R2-252 to allow unenclosed porches, balconies, steps and patios, covered or uncovered to project into any required rear yard to a maximum distance of 2.75 metres (9.02 feet).

The by-law also permits a minimum interior side yard of 1.2 metres (3.93 feet) and a minimum exterior side yard of 3 metres (9.84 feet).