

**PL200477 – Attachment 1**

THE CORPORATION OF THE  
T O W N O F P E L H A M  
BY-LAW NO. 4377(2021)

**Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located at the northeast corner of Haist Street and Pancake Lane, legally described as Part of Lot 2, Concession 8, Town of Pelham, Regional Municipality of Niagara, from the Residential 1 (R1) zone to a site specific Residential Multiple 1 (RM1-299) zone.**

**Town of Pelham**

**File No. AM-05-20**

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**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;

**WHEREAS**, the Council 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 ONTARIO LAND TRIBUNAL ENACTS AS FOLLOWS:

1. **THAT** Schedule “A5” to Zoning By-law 1136 (1987) as amended, is hereby further amended by rezoning the lands identified on Schedule ‘A’ attached hereto and forming part of this By-law from Residential 1 (R1) to the site specific Residential Multiple 1 (RM1-299) zone.
2. **THAT** Section 30 of Zoning By-law 1136 (1987) as amended, is hereby amended by adding the following:

## RM1-299

Notwithstanding Subsection 16.1 and Subsection 16.3 (a), (c), (d), (e), (g), and (h) of the Residential Multiple 1 zone, the lands identified as RM1-299 shall be subject to the following provisions:

### Section 16.1 Permitted Uses:

- (a) Street townhouse dwellings
- (b) Uses, Buildings and Structures accessory to the foregoing permitted use.

### Prohibited Use:

- (a) Second dwelling units

### Section 16.3 Zone Requirements for Street Townhouse Dwellings

- |                                |   |
|--------------------------------|---|
| (a) Minimum Lot Frontage       | 17.0 metres (55.8 feet)   |
| (c) Minimum Lot Area           | 400 m <sup>2</sup> (4305 square feet) per dwelling unit                                   |
| (d) Minimum Front Yard         | 4.5 metres (14.76 feet) to front building face and<br>6.0 metres (19.69 feet) to a garage |
| (e) Minimum Exterior Side Yard | 4.5 metres (14.76 feet)   |
| (g) Minimum Rear Yard          | 7.0 metres (22.97 feet)   |
| (h) Maximum Building Height    | 6.0 metres (19.68 feet)   |

3. **THAT** this Bylaw shall come into effect and force from and after the date of approval and Order issued by the Ontario Land Tribunal.

## Schedule 'A'



Schedule "A" to By-law No. 4377 (2021).