



The Corporation of the Town of Pelham

By-law No. 4491(2022)

Being a By-law to amend Zoning By-law 1136(1987), as amended, for lands on the west side of Norgate Way, north of Summersides Boulevard and east of Station Street, legally described as Part of Lots 5, 6, 7, 8, 9 and 11, Registered Plan 717 and Part of Lots 166 and 167, in the Town of Pelham, Regional Municipality of Niagara from the Agricultural (A) zone to the site-specific Residential Two – 324 (R2-324) and Residential Multiple 1 – 325 (RM1-325) zones.

**Park Place West
File No. AM-02-22**

WHEREAS section 34 of the *Planning Act*, RSO 1990, c. P. 13, 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 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 Council of the Corporation of the Town of Pelham 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 the Agricultural (A) Zone to the site specific Residential 2 – 324 (R2-324) and Residential Multiple 1 – 325 (RM1-325) zones.
2. **AND THAT** Section 30 of Zoning By-law 1136(1987) as amended, is hereby amended by adding the following:

That Section 6 of the General Provisions is amended by deleting and replacing the following subsections as follows for the lands identified as RM1-325:

Section 6.27 – Daylighting Triangle

A building or structure shall be permitted within the daylighting triangle subject to meeting the minimum exterior side and front yard regulations.

That Section 6 of the General Provisions is amended by deleting and replacing the following subsections as follows for the lands identified as R2-324 and RM1-325:

Section 6.35 – Yard Encroachments Permitted

c) Unenclosed Porches, Balconies, Steps & Patios

Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2 m of the front lot line or exterior side lot line, and 4.5 m of the rear lot line provided that, such uses are not more than 2.0 m above ground. Uncovered patios and decks shall not be permitted within 1.2 m of a rear or side lot line provided that, such uses are not more than 0.3 m above ground.

R2-324

Notwithstanding Section 14.2(a), (b), (c), (d), (e), (g), (h) and (i) of the Residential 2 (R2) zone, the following site-specific regulations shall apply:

Section 14.2 – Regulations for Single Detached Dwellings

- | | |
|---|---|
| a) Minimum Lot Area | 360 m ² |
| b) Minimum Lot Frontage | 12 m |
| c) Maximum Lot Coverage | 50% |
| d) Minimum Front Yard | 4 m to dwelling front face; 6 m to garage |
| e) Minimum Interior Side Yard | 1.2 m |
| g) Minimum Rear Yard | 6.0 m |
| h) Maximum Height | 10.5 m |
| i) Minimum Ground Floor Area for dwelling | |
| | (i) One storey: 88 m ² |
| | (ii) Two or three storey: 50 m ² |

RM1-325

Notwithstanding Sections 16.2 and 16.3 of the Residential Multiple 1 (RM1) zone, the following site-specific regulations shall apply:

Section 16.2 – Regulations for semi-detached dwellings

- | | |
|-------------------------------|---|
| a) Minimum Lot Frontage | 7.8 m |
| b) Minimum Lot Area | 250m ² per dwelling unit |
| c) Maximum Lot Coverage | deleted |
| d) Minimum Front Yard | 3 m from front face of dwelling;
6 m to garage |
| e) Minimum Side Yard | 1.2 m |
| f) Minimum Exterior Side Yard | 3.0 m |
| g) Minimum Rear Yard | 6.0 m |
| h) Maximum Height | 10.5 m |

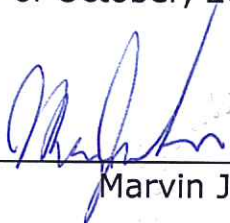
Section 16.3 – Regulations for street townhouse dwellings

- | | |
|--------------------------------|--|
| a) Minimum Lot Frontage | 6 m |
| b) Minimum Corner Lot Frontage | 7.5 m |
| c) Minimum Lot Area | 170 m ² per dwelling unit |
| d) Minimum Front Yard | 3 m to dwelling front face;
6 m to garage |
| e) Minimum Exterior Side Yard | 3 m |

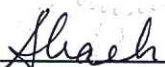
- f) Minimum Interior Side Yard 1.2 m, 0 m to common wall
- g) Minimum Rear Yard 6.0 m
- h) Maximum Height 10.5 m
- i) Minimum Ground Floor Area for Dwelling
 - (i) One storey: 88 m²
 - (ii) Two or three storey: 50 m²
- j) Planting Strips delete

3. **THAT** this Bylaw shall come into effect and force from and after the date of passing thereof, pursuant to Section 34(21) and 34(30) of the *Planning Act*, 1990, as amended.

Read, enacted, signed and sealed this 03rd day of October, 2022.

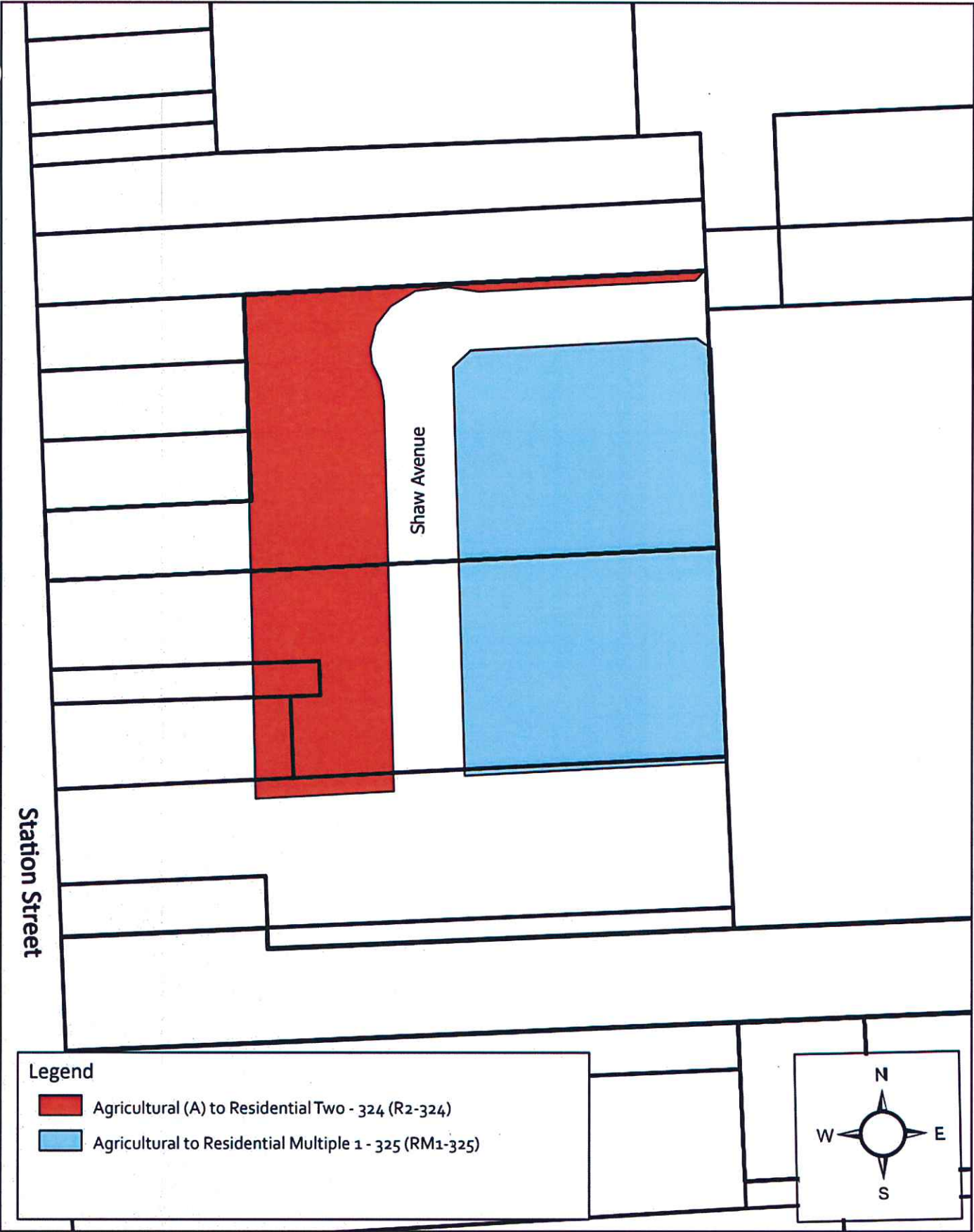


Marvin Junkin, Mayor



Holly Willford, Town Clerk
Sarah Leach Deputy

Schedule 'A'



0 12.5 25 50 75 100 Meters

This is Schedule 'A' to By-law No. 4491 (2022) passed the 03rd day of October, 2022.


Mayor: Marvin Junkin


Deputy Clerk: ~~Holly Willford~~ Sarah Leach