



## The Corporation of the Town of Pelham

By-law No. 04-2023

**Being a By-law to amend Zoning By-law 1136(1987), as amended, for lands located at 1145 Pelham Street, legally described as Block 13, Registered Plan 59M-405, Town of Pelham, Regional Municipality of Niagara, from the General Commercial-89 Zone to a site specific Residential Multiple Two-89 Zone.**

**File No. AM-06-22**

**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 Corporation of the Town of Pelham has recommended that such a by-law be enacted;

**AND WHEREAS** the Council of the Corporation of the Town of Pelham deems 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 General Commercial-89 (GC-89) Zone to a site specific Residential Multiple Two-89 (RM2-89) Zone;
2. **AND THAT** Section 30 of Zoning By-law 1136(1987) as amended, is hereby amended by replacing the GC-89 zone with the following:

Residential Multiple Two-89 (RM2-89)

Notwithstanding the requirements of Sections 17.2(a), (d), (f), (h), (j) and (k) of the Residential Multiple Two Zone and Sections 6.16(a) and (i) of the General Provisions the following regulations shall apply:

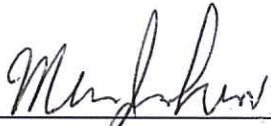
(a) Minimum Lot Area	106 m <sup>2</sup> / unit
(d) Maximum Density	94 units per hectare
(f) Minimum Front Yard	6 metres
(h) Minimum Interior Side Yard	6.2 metres
(j) Minimum Landscaped Area	34% of lot area
(k) Maximum Building Height	5 storeys with the 5th storey being limited to indoor and outdoor amenity space, storage, elevator and stairway penthouse or ornamental structure.

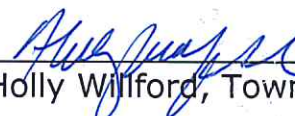
6.16 (a) Parking Requirements 1.46 spaces / unit

6.16 (i) Parking Area Location on Lot 1.5 m to any street line; 3.0 m to any side or rear lot line.

3. **THAT** this Bylaw shall come into force and effect 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 9th day of January, 2023.

  
Marvin Junkin, Mayor

  
Holly Willford, Town Clerk

Schedule 'A'



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Meters

This is Schedule 'A' to By-law No. \_\_04-2023\_\_ (2023) passed the 9th day of January, 2023.

  
Mayor: Marvin Junkin

  
Clerk: Holly Willford