

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW #610 (1980)

Being a by-law to prohibit the use of land and the erection and use of buildings or structures except for certain purposes; and to regulate the height, location, floor area, spacing and use of certain buildings to be erected within the municipality and the minimum frontage of the parcel of land that any building or structure may occupy and to repeal By-law #561 (1979).

WHEREAS the Council of the Corporation of the Town of Pelham deems it necessary in the public interest to pass a by-law to regulate the use of land and the erection or use of buildings or structures within the municipality except for such purposes as may be set out in the by-law and for regulating in certain respects buildings or structures to be erected within the municipality;

AND WHEREAS pursuant to the provisions of Section 35 of The Planning Act, as amended, by-laws may be passed by Councils of municipalities for prohibiting or regulating the use of land and the erection of buildings or structures within the municipality for or except for such purposes as may be set out in the by-law, and for regulating in certain respects buildings or structures to be erected within the municipality;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

(1) THAT the lands as herein described be zoned Residential Village (RV1) Zone:

ALL AND SINGULAR that certain parcel or tract of land premises, situate, lying and being in the Town of Pelham, formerly in the Township of Pelham, in the Regional Municipality of Niagara, formerly County of Welland, and being composed of Part of the east half of the north half of Lot 16, Concession 11 of the said former Township more particularly described as follows:

COMMENCING at the iron bar marking the north eastern angle of the said lot;

THENCE Southerly along the eastern limit thereof 86.868 metres to a point;

THENCE South 89° 03' 30" West 60.96 metres to a point;

THENCE North 00° 16' West 86.86 metres to a point;

THENCE North 89° 03' 30" East 60.96 metres to the place of beginning.

The said eastern limits is assumed to have a bearing of North and all other bearings are related thereto.

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(2) No person shall within any Residential Village (RV1) Zone, use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

(A) Permitted Uses -

(i) One family detached dwellings including the keeping of up to $\frac{1}{2}$ animal unit per 0.4 ha.

(ii) Uses buildings and structures accessory to the foregoing permitted use.

(iii) Notwithstanding Clause (i) above, no roosters, geese, ducks or turkeys, nor more than 50 other types of fowl shall be permitted.

(B) Regulations for Dwellings -

| | With Only Municipal Water | Without Municipal Water |
|------------------------------------|--|-------------------------------|
| (i) Minimum Lot Area | 700 m ² | 1400 m ² |
| (ii) Minimum Lot Frontage | 19m | 38m |
| (iii) Maximum Lot Coverage | 35% | 20% |
| (iv) Minimum Setback | 18m from the centre line of the road | |
| (v) Minimum Exterior Side-yard | 15m from the centre line of the road or 5m from the exterior side lot line, whichever is the greater. | |
| (vi) Minimum Sideyard | 1.5m on one side and 3m on the other side, where there is no attached garage or carport or 1.5m on both sides where a carport or garage is attached. | |
| (vii) Minimum Rearyard | 7.5m | |
| (viii) Minimum Building Floor Area | 93 m ² | |
| (ix) Maximum Building Height | 10.5m | |

(C) Regulations for Accessory Buildings -

(i) No accessory building shall be erected prior to the erection of the permitted dwelling on the same lot except where it is necessary for the storage of tools and materials for use in connection with the construction of such dwelling, and no accessory building shall be used prior to the erection of such dwelling for any purpose other than such storage.

(ii) No accessory building shall be located: -

(a) in any front yard, or

(b) within 1.0m of any side or rear lot line

(c) in no case shall any overhang, eaves or gutter project more than 0.3m into any required minimum yard.

(d) Minimum distance from main building - 1.5m provided that in no case shall any overhang, eaves or gutter project into this required minimum area which shall be clear of any obstruction from the ground to the sky.

(e) Maximum Height - 4.5m

(f) The total ground floor area of all accessory buildings including car parking areas within such building shall not exceed 7% of the lot area provided that lot coverage of all buildings on such lot does not exceed the maximum lot coverage as specified above.

(3) THAT By-law #561 (1979) be and is hereby repealed.

(4) THAT this by-law shall come into force and take effect on the day of its passing, subject to the approval of the Ontario Municipal Board.

READ A FIRST TIME THIS

5th. DAY OF MAY,

1980 A.D.

MAYOR

E.S. Bergenstein

CLERK

Murray Hackett

READ A SECOND AND THIRD TIME

AND FINALLY PASSED BY COUNCIL

THIS DAY OF

1980 A.D.

MAYOR

E.S. Bergenstein

CLERK

Murray Hackett