

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW # 611 (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 #570 (1980).

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 and premises, situate, lying and being in the Town of Pelham, in the Regional Municipality of Niagara, Province of Ontario, and being composed of Part of Block "C" as shown on a plan registered in the Land Registry Office for the Registry Division of Niagara South, formerly the Registry Office for the Registry Division of the County of Welland, as compiled Plan No. 16, for the said Township of Pelham, now known as 703, containing by admeasurement an area of 0.836 of a hectre more or less, and which said parcel or tract of land is more particularly described by Richard Larocque Limited as follows:

PREMISING that the Westerly limit of Balfour Street has an assumed astronomical bearing of N 00° 06' 30" W according to Plan 59R-1687, and all bearings herein related thereto;

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COMMENCING at the North-East corner of Block "C";

THENCE S 88° 44' W, along the Northerly Limit of Block "C", being the Southerly Limit of Welland Road, 73.16 metres;

THENCE S 00° 06' 30" E, parallel to the Westerly Limit of Balfour Street, 114.31 metres;

THENCE N 88° 44' E, parallel to the Southerly Limit of Welland Road, 73.16 metres to the Easterly Limit of the said Block "C";

THENCE N 00° 06' 30" W along the said Easterly Limit of Block "C" being also the Westerly Limit of Balfour Street, 114.31 metres more or less to the point of commencement.

(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	700m ²	1400m 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 Sideyard	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	93m 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 #570 (1980) 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