

THE CORPORATION OF THE  
T O W N O F P E L H A M

BY-LAW NO. 4463(2022)

Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands on the north side of Port Robinson Road, east of Station Street, legally described as Part of Lot 167, Geographic Township of Thorold, Part of Lots 17, 18 & 19 Plan 717, Town of Pelham, from the Residential Multiple 1 – 263 (RM1-263) and Residential Development (RD) zones to a site specific Residential 2 (R2-322) zone.

Hummel Properties Inc.

File No. AM-07-21

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**WHEREAS**, Section 34 of the Planning Act. RSO 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 COUNCIL OF THE CORPORATION 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 Residential Multiple 1 – 263 (RM1-263) and Residential Development (RD) zones to a site specific Residential 2 (R2-322) zone.
2. **THAT** Section 30 – Exceptions of By-law No. 1136 (1987), as amended, be modified by adding the following:

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| General Provisions | Section 6 of the General Provisions is amended by deleting and replacing the following subsection as follows for the lands identified as R2-322: |
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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 2m of the front lot line or exterior side lot line, and 4.5m of the rear lot line

provided that such uses are not more than 1.3m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provide that, such uses are not more than 0.3m above ground.

R2-322                      Notwithstanding Sections 14(d), (e) and (f) of the Residential 2 (R2) zone, the following site-specific regulations shall apply:

Section 14.2 – Regulations

- d)        Minimum Front Yard                      4 m to dwelling front face; 6 m to garage
- e)        Minimum Interior Side Yard              1.2m on both sides where a carport or garage is attached, 1.2m on one side and 3m on the other side where there is no attached carport of garage
- f)        Minimum Exterior Side Yard              4 m

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, RSO 1990, as amended.

ENACTED, SIGNED AND SEALED THIS  
20<sup>th</sup> DAY OF JUNE, 2022 A.D.

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MAYOR MARVIN JUNKIN

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CLERK HOLLY WILLFORD