



The Corporation of the Town of Pelham

By-law No. 26-2023

Being a By-law to amend Zoning By-law 4481(2022), as amended, for lands located south of Port Robinson Road, east of Stella Street and west of the Steve Bauer Trail, legally described as Part of Lot 173, Geographic Township of Thorold, Now in the Town of Pelham, Regional Municipality of Niagara, from the Residential One (R1) and Environmental Protection (EP1) Zones to the site specific Residential Two – 156 (R2-156), Environmental Protection 1 (EP1) and Open Space (OS) zones.

File No. AM-03-2020

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 'C' to Zoning By-law 4481(2022), is hereby further amended by rezoning the lands identified on Schedule 'A' attached hereto and forming part of this By-law from the Residential One (R1) and Environmental Protection (EP1) Zones to a site specific Residential Two – 156, Environmental Protection (EP1) and Open Space (OS) Zones;
2. **AND THAT** Section 10 of Zoning By-law 4481(2022) as amended, is hereby amended by adding the following:

R2-156

Notwithstanding the requirements of Section 6.2.2 of the Residential 2 (R2) zone, 3.7 Encroachments and 4.1.4.3(a) Driveways the following regulations shall apply:

Minimum Lot Frontage	15.0m
Minimum Lot Area	450 m ²
Minimum Front Yard	4.5 m to building face; 6 m to garage
Maximum Front Yard	n/a
Minimum Side Yard	1.2m on one side and 3m on the other side where there is no attached carport or garage; 1.2 m

Minimum Corner Side Yard	with an attached carport or garage 3.0m to dwelling; 6.0 m to garage
Minimum Rear Yard	7.5 m
Maximum Building Height	10.5 m measured to the mid-point of the roof
Maximum Lot Coverage	50% two-storey; 60% bungalow

Unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.5 m of the front lot line or exterior side lot line, and 2.0 m of the rear lot line provided that, such uses are not more than 1.3 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.

In any zone where a dwelling is permitted, the maximum driveway width shall be 50% of the frontage or the exterior side lot line distance, whichever is less for the entire length of the driveway;

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 19th day of April 2023.

Marvin Junkin, Mayor

William Tigert, Town Clerk