

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

BY-LAW NO. 1609(1993)

Being a by-law to amend Zoning By-law No.
1136 (1987), as amended.

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, 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 Planning and Development Committee 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 THE TOWN OF PELHAM ENACTS AS FOLLOWS:

1. Section 1.2 - SCOPE OF THE BY-LAW (d) - BUILDING PERMIT ISSUED (i) of By-law 1136-87 is amended by the addition of the following after the word "Act":
 ", as amended from time to time."
2. Section 1.2 - SCOPE OF THE BY-LAW (e) - COMPLIANCE WITH OTHER RESTRICTIONS of By-law 1136-87 is amended by deleting the words "R.S.O. 1980" and substituting thereof:
 ", as amended from time to time."
3. Section 2.3 - OCCUPANCY PERMITS of By-law 1136-87 is amended by deleting it in its entirety.
4. Section 2.4 - REQUESTS FOR AMENDMENTS of By-law 1136-87 is amended by deleting it in its entirety.
5. Section 2.5 - INSPECTION (b) of By-law 1136-87 is amended by deleting the following:
 "R.S.O. 1980, or any successors thereto."
6. Section 2.9 - BY-LAWS REPEALED of By-law 1136-87 is amended by:
 - a) adding the reference "(i)" between the words "for those" in the second line, and
 - b) adding the following:
 "(ii)" the provisions of By-law 279, as they apply to those lands shown on Schedules "A", "A1", "A3", "A4", "A5" and "A6" attached hereto and forming part of this by-law and designated

as "Lands to which By-law 279, as amended, applies and provisions of this By-law shall not apply to such lands.

7. Sections 2.5, 2.6, 2.7, 2.8 and 2.9 of By-law 1136-87 be renumbered 2.3, 2.4, 2.5, 2.6 and 2.7, respectively.
8. Section 2 - ADMINISTRATION AND ENFORCEMENT of By-law 1136-87 is amended by adding the following subsection:
 "2.8 By-laws Included
 Zoning By-laws 1146, 1160, 1178, 1204, 1212, 1217, 1234, 1235, 1239, 1240, 1241, 1246, 1247, 1254, 1259, 1261, 1264, 1265, 1271, 1277, 1283, 1284, 1285, 1299, 1302, 1304, 1317, 1324, 1326, 1331, 1334, 1352, 1353, 1356, 1360, 1361, 1362, 1363, 1364, 1365, 1372, 1383, 1391, 1392, 1401, 1411, and 1428 having come into force in accordance with the provisions of Section 21 and 30 of the Planning Act are hereby incorporated into this By-law."
9. Section 5.2 - "ACCESSORY" of By-law 1136-87 is amended by deleting the words "when used to describe" and substituting thereof "means".
10. Section 5.4 - "ADULT ENTERTAINMENT PARLOUR" of By-law 1136-87 is amended by deleting the words "Section 222 of" and "R.S.O. 1980".
11. Section 5 - DEFINITIONS of By-law 1136-87 is amended by adding the following new definitions:
 "5.187 - "AMENITY AREA" means an area of land in a residential or mixed use development which provides recreational space for the residents of a development.
 5.188 - "CONSERVATION" means the use of land and/or water for the purpose of planned management of natural resources.
 5.189 - "CREMATORIUM" means a building fitted with the proper appliances for the purposes of the cremation of human remains and includes everything incidental or ancillary thereto.
 5.190 - "GREENHOUSE" means a structure used to cultivate or grow floral, vegetable or other horticultural produce in a climatically controlled environment and made primarily of translucent building material, usually plastic or glass.
 5.191 - "INDUSTRIAL USE" means the use of land, building or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods and related accessory uses.

- 5.192 - "MAUSOLEUM" means a building or structure serving as a final repository for the dead."
12. Section 5.8 - "ANIMAL UNIT" of By-law 1136-87 is amended by deleting the words "Tables 1 and" and substituting thereof "Table".
 13. Section 5.25 - "BONA FIDE FARM OPERATION" of By-law 1136-87 is amended by deleting it in its entirety.
 14. Section 5.26 - "BUILDING" of By-law 1136-87 is amended by deleting "R.S.O. 1980".
 15. Section 5.27 - "BUILDING BY-LAW" of By-law 1136(1987) is amended by the deletion of "R.S.O. 1980".
 16. Section 5.28 - "BUILDING PERMIT" of By-law 1136(1987) is amended by the deletion of "R.S.O. 1980".
 17. Section 5.35 - "CEMETERY" of By-law 1136-87 is amended by adding the following at the end of the sentence: "and shall not include a crematorium or mausoleum".
 18. Section 5.36 - "CHIEF BUILDING OFFICIAL" of By-law 1136-87 is amended by the deletion of "R.S.O. 1980".
 19. Section 5.38 - "CLINIC" of By-law 1136-87 is amended by deleting the words "medical doctors, dentists or drugless practitioners" and substituting thereof "health care professionals, their staff and their patients."
 20. Section 5.49 - "DAYLIGHTING TRIANGLE" of By-law 1136-87 is amended by deleting the words "the distance required by this By-Law" and substituting thereof "a minimum of 9.0m".
 21. Section 5.50 - "DETACHED" of By-law 1136-87 is amended by adding the following after the word "attached": "either above or below ground".
 22. Section 5.54 - "DWELLING" (b) - "BLOCK TOWNHOUSE DWELLING" of By-law 1136-87 is amended by deleting the following words: "R.S.O. 1980" and "or any successors thereto".
 23. Section 5.54 - "DWELLING" (f) - "FOURPLEX DWELLING" of By-law 1136-87 is amended by deleting the following words: "both horizontally and vertically" and "or a common vestibule".
 24. Section 5.55 - (b) "ACCESSORY DWELLING UNIT" of By-law 1136-87 is amended by deleting the following words: "automotive use".

25. Section 5.60 - "FAMILY" of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following:
 "FAMILY means one person or group of persons, including domestic servants, caregivers and not more than two boarders, residing as a single housekeeping unit."
26. Section 5.66 - "FINISHED GRADE" (ii) of By-law 1136-87 is amended by deleting the words "building or".
27. Section 5.67 - (c) "GROSS FLOOR AREA" of By-law 1136-87 is amended by adding the words "basement or" between the words "a cellar" and adding the words "not used for commercial purposes" after the word "cellar".
28. Section 5.67 - (e) "NET FLOOR AREA" of By-law 1136-87 is amended by deleting it in its entirety.
29. Section 5.83 - "HOME OCCUPATION" of By-law 1136-87 is amended by adding the following between the words "conducted for":
 "entirely within the dwelling or dwelling unit".
30. Section 5.84 - "HOME PROFESSION" of By-law 1136-87 is amended by deleting it in its entirety.
31. Section 5.85 - "HOTEL" of By-law 1136-87 is amended by deleting the words "or any successors thereto,".
32. Section 5.91 - "LAND DIVISION COMMITTEE" is amended by deleting the following: "of Section 31" and "S.O. 1983".
33. Section 5.92 - "LANDSCAPED AREA" (iii) of By-law 1136-87 is amended by deleting the word "play" and substituting thereof "amenity".
34. Section 5.97 - "LIBRARY PUBLIC" of By-law 1136-87 is amended by deleting the words ", or any successor thereto".
35. Section 5.99 (a) of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following:
 "LOT" means a parcel of land,
 (i) which is a whole lot as shown on a Registered Plan of Subdivision, but a Registered Plan of Subdivision for the purposes of this paragraph does not include a Registered Plan of Subdivision or part of a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a by-law passed pursuant to The Planning Act, as amended from time to time;

- (ii) is a separate parcel of land without any adjoining lands being owned by the same owner or owners; or
- (iii) the description of which is the same as in a deed which has been severed pursuant to The Planning Act, as amended from time to time; or, the description of a remnant parcel which results from the adjacent parcel having received the necessary severance, but

for the purpose of this paragraph, no parcel or tract of land ceases to be a lot by reason only of the fact that a part of it has or have been conveyed to or acquired by the Municipality, the Regional Municipality of Niagara, Her Majesty the Queen in the Right of Ontario, or Her Majesty the Queen in the Right of Canada."

- 36. Section 5.104 - "LOT LINE" (b) (ii) "FRONT LOT LINE" of By-law 1136-87 is amended by adding the word "exterior" before the words "side lot line".
- 37. Section 5.106 - "MAIN" of By-law 1136-87 is amended by deleting it in its entirety.
- 38. Section 5.110 - "MOTEL" of By-law 1136-87 is amended by deleting the following: "Tourist Establishment Act, R.S.O. 1980" and substituting thereof: "Tourism Act, as amended from time to time."
- 39. Section 5.112 - "MUNICIPAL DRAIN" of By-law 1136-87 is amended by deleting the following: "R.S.O. 1980" and substituting thereof: "as amended from time to time".
- 40. Section 5.116 - "OBNOXIOUS USE" of By-law 1136-87 is amended by deleting the following: "R.S.O. 1980" and substituting thereof: "as amended from time to time".
- 41. Section 5.127 - "PERSONAL SERVICE SHOP" of By-law 1136-87 is amended by deleting the following: "R.S.O. 1980" and substituting thereof: "as amended from time to time".
- 42. Section 5.129 - "PLANTING STRIP" of By-law 1136-87 is amended by deleting the words "an area of" and substituting thereof "a portion of the", and is further amended by deleting the words "open space" and substituting thereof "area".
- 43. Section 5.130 - "PORCH or VERANDAH" of By-law 1136-87 is amended by deleting "1.5m" and substituting thereof "1.1m".

44. Section 5.134 - "PROFESSIONAL OFFICE" of By-law 1136-87 is amended by deleting the following: ", R.S.O. 1980, as amended" and substituting thereof: "as amended from time to time."
45. Section 5.136 - "PUBLIC AGENCY" (iv) of By-law 1136-87 is amended by deleting the following: ", R.S.O. 1970," and "any successors thereto".
46. Section 5.150 (a) - "SCHOOL" of By-law 1136-87 is amended by deleting the following: ", R.S.O. 1980, as amended" and substituting thereof: "as amended from time to time."
47. Section 5.156 - "SHOPPING CENTRE" of By-law 1136-87 is amended by deleting the word "two" and substituting thereof "five", and deleting the words "R.S.O. 1980" and "or any successor thereto."
48. Section 5.164 - (c) "IMPROVED STREET" of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following:
 "IMPROVED STREET" means any street that is:
 - a) owned and maintained all year round by the Corporation hereafter,
 - b) has been constructed in such a manner so as to permit its use by normal vehicular traffic, and
 - c) not a lane or private right-of-way."
49. Section 5.185 - (c) "FRONT YARD DEPTH"; Section 5.185 - (e) "REAR YARD DEPTH"; and Section 5.185 - (g) "REAR YARD DEPTH" of By-law 1136-87 are amended by deleting them in their entirety.
50. Section 5.185 - (d) "REAR YARD"; Section 5.185 - (f) "SIDE YARD"; Section 5.185 - (h) "EXTERIOR SIDE YARD"; Section 5.185 - (i) "INTERIOR SIDE YARD"; and Section 5.185 - (j) "REQUIRED YARD" of By-law 1136-87 are amended by renumbering the sections as follows:
 "Section 5.185 - (c) "REAR YARD"; Section 5.185 - (d) "SIDE YARD"; Section 5.185 - (e) "EXTERIOR SIDE YARD"; Section 5.185 - (f) "INTERIOR SIDE YARD"; and Section 5.185 - (g) "REQUIRED YARD".
51. Section 5.185 - "REQUIRED YARD" (g) of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following:
 "REQUIRED YARD" means that part of a yard required by this By-law and does not contain any buildings, structures or

uncovered surface parking areas except where specifically permitted elsewhere in this By-law."

52. Section 6.1 - ACCESSORY USES (b) - LOCATION of By-law 1136-87 is amended by deleting the words "setback therefrom" and substituting thereof "yard for the main building or structure", and is also amended by the addition of the following:

"In all other zones any accessory building or structure which is not part of the main structure shall be erected to the rear of the front yard and shall not be located closer to any lot line than the required yard of the main building or structure."

53. Section 6.1 - ACCESSORY USES (f) - SWIMMING POOLS (i) Location in Any Zone items 1. and 2. of By-law 1136-87 are amended by deleting them in their entirety and replacing them with the following:

"1. No interior wall surface of any such swimming pool shall be located closer than 1.5 meters to any side lot line, rear lot line or exterior side lot line, or closer than 3.0 meters to that portion of a rear lot line which abuts a side lot line of any adjoining lot;

"2. no water circulating equipment, such as pumps or filters shall be located closer than 3.0 meters to any side lot line or rear lot line or 1.2 meters to any side lot line or rear lot line if enclosed in an accessory building or structure or closer to any street than the required yard for the main building or structure."

54. Section 6.1 - ACCESSORY USES (f) - SWIMMING POOLS (ii) of By-law 1136-87 is amended by deleting the word "minimum" and substituting thereof "required".

55. Section 6.1 - ACCESSORY USES (f) - SWIMMING POOLS (iv) Indoor Swimming Pools of By-law 1136-87 is amended by deleting the following:

"not be located in any minimum yard requirement and shall".

56. Section 6.1 - ACCESSORY USES (g) - SATELLITE DISH ANTENNA (i) of By-law 1136-87 is amended by adding the word "yard" between the words "minimum requirements".

57. Section 6.2 - DWELLING UNITS BELOW GRADE of By-law 1136-87 is amended by deleting the following:

(i) In the second sentence deleting the words "be used as a furnace room, laundry room, storage room, recreation room or for a similar use only and shall", and

(ii) In the third sentence deleting the words " the finished floor level of such basement is not below the level of the sanitary or storm sewer servicing the building or structure in which such basement is located and provided further".

58. Section 6.3 - EXTERNAL DESIGN of By-law 1136-87 is amended by deleting it in its entirety.
59. Section 6.4 - FRONTAGE ON PUBLIC STREET of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following:
 "FRONTAGE ON IMPROVED STREET
 (a) No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon an improved street."
60. Section 6.7 - HOME OCCUPATION AND HOME PROFESSIONS of By-law 1136-87 is amended by deleting the following:
 - (i) In the subtitle the words "AND HOME PROFESSION",
 - (ii) In the first and second line the words "a home profession", and
 - (iii) Add the words "permitted in such zone and" after the word "unless".
61. Section 6.7 HOME OCCUPATIONS (a) - SIZE of By-law 1136-87 is amended by deleting the following: "or home profession".
62. Section 6.7 HOME OCCUPATIONS (c) - OCCUPANCY of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following:
 "The home occupation shall only be carried out by a resident of the dwelling unit in which the home occupation is located."
63. Section 6.7 - HOME OCCUPATIONS (d) - ADVERTISING of By-law 1136-87 is amended by deleting the following: "other than a lawful sign" and "house".
64. Section 6.7 - HOME OCCUPATIONS (e) - SALES OR RENTALS of By-law 1136-87 is amended by deleting the words "on such premises" at the end of the sentence and substituting thereof "outside the dwelling".
65. Section 6.7 - HOME OCCUPATIONS (f) - OPEN STORAGE AREA of By-law 1136-87 is amended by deleting the words "or home profession".
66. Section 6.8 - LANES AS YARDS of By-law 1136-87 is amended by deleting it in its entirety.

67. Section 6.10 - LOT REQUIREMENTS (a) of By-law 1136-87 is amended by deleting the following:
 "semi-detached dwellings, street townhouse dwellings,".
68. Section 6.11 - LOT AREA REDUCTION (a) - PROHIBITION of By-law 1136-87 is amended by deleting the words "at the discretion of the Committee of Adjustment or" and substituting thereof "in accordance with the Planning Act or".
69. Section 6.12 - LOTS WITH MORE THAN ONE USE OR ZONE (b) - MORE THAN ONE ZONE item (i) and (ii) of By-law 1136-87 are amended by deleting them in their entirety and replacing them with the following:
 "(i) Where a lot is divided into two or more zones, each such portion of the said lot shall be used in accordance with the provisions of this By-law which are applicable to the zone wherein such portion of the said lot is located."
70. Section 6.13 - MUNICIPAL SERVICES of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following:
 "No person shall, within any Residential Zone or Commercial Zone, except as provided for in the Residential Village RV1 Zone, or Rural Commercial (RC) Zone, erect, alter or use any building or structure unless such lot is serviced by a public water supply and sanitary sewer system."
71. Section 6.15 - NON-CONFORMING USES, BUILDINGS, STRUCTURES AND LOTS (e) - LOT AREA, DEPTH AND/OR FRONTAGE LESS THAN REQUIRED of By-law 1136-87 is amended by: (a) deleting the word "DEPTH" in the subtitle, (b) the addition of the word "and" after the word "registered" in subsection (iii) and, (c) deleting the words "R.S.O. 1990" in subsection (iv).
72. Section 6.16 - PARKING AREA REGULATIONS of By-law 1136-87 is amended by deleting the preamble, subtitle and subsection (a) in their entirety and replacing it with the following:
 "The owners of every building or structure erected or used for any of the purposes hereinafter set forth shall provide and maintain for the sole use of the owner, occupant or other persons entering upon or making use of the said premises from time to time, parking spaces and areas in accordance with the provisions of this subsection, except for:
 (i) CENTRAL BUSINESS AREA
 Commercial uses within a GC zone, shall either be provided with the required number of parking spaces specified hereunder or shall be exempt from the provision of parking spaces in accordance with an agreement with

Council pursuant to The Planning Act.

(a) PARKING REQUIREMENTS".

73. Section 6.16 - PARKING AREA REGULATIONS of By-law 1136-87 is amended by:

(i) adding the following to the parking requirements table:

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| "Duplex dwelling, | 1 parking space per dwelling unit |
| triplex dwelling, | |
| fourplex dwelling, | |
| converted dwelling | |

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| Block townhouse dwelling | 1.5 parking spaces per dwelling unit" |
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(ii) deleting the words "in a garage" for the parking requirements for "Apartment Dwelling"

(iii) deleting the word "net" and substituting thereof "gross" for the parking requirements for "Take-out Restaurant or Drive-in Restaurant"

(iv) deleting the words "Shop or Workshop"; and deleting the word "net" and substituting thereof "gross" for the parking requirements for "Retail Store"

(v) deleting the word "net" and substituting thereof "gross" for the parking requirements for "Furniture Store, Factory Outlet, Warehouse Showroom"

(vi) deleting the word "manufacturing" and substituting thereof "gross" for the parking requirements for "Industrial Establishment"

(vii) deleting the parking requirements for "Shopping Centre" and replacing it with the following:

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| "Shopping Centre (other than an Eating Establishment) | 1 parking space per 30m ² of gross floor area for the first 2323m ² and thereafter 1 parking space per 25m ² of gross floor area" |
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74. Section 6.16 - PARKING AREA REGULATIONS (b) - CALCULATION OF PARKING REQUIREMENTS item (i) of By-law 1136-87 is amended by deleting the words "(b) or Clause (c)" and substituting thereof "(a)".

75. Section 6.16 - PARKING AREA REGULATIONS (b) - CALCULATION OF PARKING REQUIREMENTS item (ii) of By-law 1136-87 is amended by

deleting the words "(b) or Clause (c)" and substituting thereof "(a)", and further amended by deleting the following: "the uses of which have not been clearly determined at the time of construction,".

76. Section 6.16 - PARKING AREA REGULATIONS (b) - CALCULATION OF PARKING REQUIREMENTS item (iv) of By-law 1136-87 is amended by deleting the words "Clause (c)" and substituting thereof "Clause (a)", and is also amended by deleting the following:
 "or where applicable. The Liquor Licensing Board of Ontario, whichever capacity is the lesser, except that where seating is provided in the form of fixed benches or pews, 0.6m of each such bench or pew shall be considered as equalling one seat."
77. Section 6.16 - PARKING AREA REGULATIONS (c) - PARKING AREA SURFACE item (i) of By-law 1136-87 is amended by deleting the word "house".
78. Section 6.16 - PARKING AREA REGULATIONS (c) - PARKING AREA SURFACE item (ii) of By-law 1136-87 is amended by the addition of the words "Institutional, Public" after the word "Industrial".
79. Section 6.16 - PARKING AREA REGULATIONS (d) - INGRESS AND EGRESS item (i) of By-law 1136-87 is amended by adding the word "wide" after the words "3.0 metres".
80. Section 6.16 - PARKING AREA REGULATIONS (h) - OTHER PARKING REGULATIONS item (ii) of By-law 1136-87 is amended by the deletion of the word "gasoline" and substituting thereof "motor fuel".
81. Section 6.16 - PARKING AREA REGULATIONS (i) - PARKING AREA LOCATION ON LOT of By-law 1136-87 is amended by deleting the first set of requirements and replacing it with the following:

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| "Residential-except Apartment Dwelling and Boarding House Dwelling | All yards provided that no part of any parking area, other than a driveway, is located closer than 0.9 metres to any street line." |
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82. Section 6.16 - PARKING AREA REGULATIONS (i) - PARKING AREA LOCATION ON LOT of By-law 1136-87 is amended by deleting the word "Residential" , and is also amended by adding the following: "or rear lot line" after the words "side lot line", in the second set of requirements.

83. Section 6.16 - PARKING AREA REGULATIONS (k) - LOCATION OF PARKING AREA items (i) and (ii) of By-law 1136-87 are amended by deleting them in their entirety and replacing them with the following:
 "All required parking spaces shall be provided on the same lot occupied by the building, structure or use for which the parking spaces are required;"
84. Section 6.17 - PLANTING STRIPS (d) - LANDSCAPED OPEN SPACE of By-law 1136-87 is amended by deleting the words "OPEN SPACE" and substituting thereof "AREA".
85. Section 6.27 - SIGHT TRIANGLES of By-law 1136-87 is amended by deleting the word "SIGHT" and substituting thereof "DAYLIGHTING" in the subtitle, and also by deleting the first paragraph and replacing it with the following:
 "On a corner lot within the Daylighting Triangle, no sign, fence, landscaping, building or structure shall be great than 0.5m in height above the elevation of the ground at the street line, regardless of whether or not any such landscaping materials form part of a required planting strip.",
 and is also amended by deleting the third paragraph in its entirety.
86. Section 6.28 - SIGNS of By-law 1136-87 is amended by deleting it in its entirety.
87. Section 6.35 - YARD ENCROACHMENTS PERMITTED (a) - ORNAMENTAL STRUCTURES of By-law 1136-87 is amended by the addition of the words "bay windows and bow windows" after the word "sills".
88. Section 6.35 - YARD ENCROACHMENTS PERMITTED (c) - UNENCLOSED PORCHES, BALCONIES, STEPS AND PATIOS of By-law 1136-87 is amended by deleting "0.7" and substituting thereof "0.6".
89. Section 6.35 - YARD ENCROACHMENTS PERMITTED (h) - OPERATING MACHINERY of By-law 1136-87 is amended by deleting the word "shall" and substituting thereof:
 "not including air conditioners in a Residential Zone, shall:"
90. Section 6.35 - YARD ENCROACHMENTS PERMITTED (h) - OPERATING MACHINERY (ii) of By-law 1136-87 is amended by the deleting it in its entirety.
91. Section 6.35 - YARD ENCROACHMENTS PERMITTED (h) - OPERATING MACHINERY (iii) (iv) (v) of By-law 1136-87 are amended by renumbering the sections to read as follows: "Section 6.35 - YARD ENCROACHMENTS PERMITTED (ii) (iii) (iv)", and is also

amended by deleting the words "or (ii)" in former paragraphs (iii) and (iv).

92. Section 6.35 - YARD ENCROACHMENTS PERMITTED (h) - OPERATING MACHINERY of By-law 1136-87 is amended by adding the following requirements to Subsection 6.35:
"(i) AIR CONDITIONERS IN A RESIDENTIAL ZONE
Notwithstanding the yard provision of this By-law to the contrary, air conditioners shall:
(i) be permitted to encroach into a front yard to a maximum of 2m from the main wall of the main building or may encroach into any side yard provided that the air conditioner is setback a minimum distance of 0.3m from any side lot line."
93. Section 7.1 - PERMITTED USES (b) - Explanatory Note of By-law 1136-87 is amended by deleting it in its entirety.
94. Section 7.1 - PERMITTED USES of By-law 1136-87 is amended by the addition of the following: "(f) Animal Hospitals", and item (f) and (g) are amended by being renumbered as " (g) (h)", respectively.
95. Section 7.3 - REGULATIONS FOR GREENHOUSES AS PERMITTED IN CLAUSE (a) OF SUBSECTION 7.1 (c) - Maximum Lot Coverage of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following:
"(c) Maximum Lot Coverage
(i) Greenhouse only 60%
(ii) Greenhouse in conjunction
with use permitted in 7.1 70%"
96. Section 7.3 - REGULATIONS FOR GREENHOUSES AS PERMITTED IN CLAUSE (a) OF SUBSECTION 7.1 (g) - Supplementary Setback Distances item (i) of By-law 1136-87 is amended by deleting the words "residential use" and substituting thereof "dwelling".
97. Section 7.5 - REGULATION FOR KENNELS PERMITTED IN CLAUSE (e) OF SUBSECTION 7.1 of By-law 1136-87 is amended by deleting the title and substituting thereof:
"REGULATION FOR USES PERMITTED IN CLAUSE (e) AND (f) OF SUBSECTION 7.1"
98. Section 8.1 - PERMITTED USES (d) of By-law 1136-87 is amended by the deletion of the word "thereto" and substituting thereof "to the forgoing permitted uses".
99. Section 9.1 - PERMITTED USES (b) of By-law 1136-87 is amended

by deleting it in its entirety and replacing it with the following:

"Home Occupations".

100. Section 10.1 PERMITTED USES (b) of By-law 1136-87 is amended by deleting the word "thereto" and substituting thereof "to the foregoing permitted uses;".
101. Section 10.2 - ZONE REQUIREMENTS FOR SEMI-DETACHED DWELLINGS (b) - Minimum Lot Frontage of By-law 1136-87 is amended by the addition of "per dwelling unit" after the word "12m".
102. Section 11.1 - PERMITTED USES (a) of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following:
 - "(a) Triplex dwellings, semi-detached dwellings, duplex dwellings, fourplex dwellings, boarding house dwellings, converted dwellings, street townhouse dwellings, block townhouse dwellings.
 - (b) Uses, buildings and structures accessory to the foregoing permitted uses."
103. Section 11.3 - ZONE REQUIREMENTS FOR STREET TOWNHOUSE DWELLINGS (j) of By-law 1136-87 is amended by deleting the words "Open Space" and substituting thereof "Area".
104. Section 12.2 - ZONE REQUIREMENTS (i) of By-law 1136-87 is amended by deleting the words "Open Space" and substituting thereof "Area", and also amended by the addition of the following:
 - "(k) Planting Strip A planting strip of 3.0 m in width shall be provided where the boundary of an (RMV2) zone abuts a (RV1), (RV2), or (RMV1) zone.
 - (l) Minimum Floor Area Per Dwelling Unit

| | | |
|-------------|------------------|---|
| Bachelor | 42m ² | |
| One Bedroom | 56m ² | plus 9m ² for each additional bedroom" |
105. Section 13.1 - PERMITTED USES (a) of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following:
 - (a) One single detached dwelling
 - (b) Uses, buildings and structures accessory to the foregoing uses
 - (c) Home occupations"
106. Section 14.1 - USES PERMITTED (a) of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the

following:

- (a) One single detached dwelling
- (b) Uses, buildings and structures accessory thereto
- (c) Home occupations"

107. Section 14.2 - ZONE REQUIREMENTS (i) - Minimum Ground Floor for a Dwelling of By-law 1136-87 is amended by adding the word "Area" after the word "Floor".

108. Section 15.1 - PERMITTED USES (a) of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following:

- "(a) Semi-detached dwellings
- (b) Duplex dwellings
- (c) Uses, buildings and structures accessory to the foregoing permitted uses."

109. Section 15.2 - ZONE REQUIREMENTS FOR SEMI-DETACHED DWELLINGS (b) of By-law 1136-87 is amended by the deletion of the following: "(576m² per semi-detached dwelling)".

110. Section 16.1 - PERMITTED USES of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following:

"16.1 PERMITTED USES

- (a) Triplex dwellings, semi-detached dwellings, duplex dwellings, boarding house dwellings, converted dwellings, street townhouse dwellings, block townhouse dwellings, fourplex dwellings.
- (b) Uses, buildings and structures accessory to the foregoing permitted uses".

111. Section 16.2 - ZONE REQUIREMENTS FOR TRIPLEX DWELLINGS, CONVERTED DWELLINGS, SEMI-DETACHED DUPLEX DWELLINGS items (a), (b) and (c) of By-law 1136-87 are amended by deleting them in their entirety and replacing them with the following;

"ZONE REQUIREMENTS FOR TRIPLEX DWELLINGS, CONVERTED DWELLINGS, SEMI-DETACHED DWELLINGS, DUPLEX DWELLINGS, FOURPLEX DWELLINGS AND BOARDING HOUSE DWELLINGS

- | | |
|--|---|
| (a) Minimum Lot Frontage | 19m |
| (b) Minimum Lot Area | |
| (i) Triplex, boarding house and converted dwellings | 175m ² per dwelling unit |
| (ii) Semi-detached, duplex and fourplex dwellings | 156m ² per dwelling unit" |

112. Section 16.3 - ZONE REQUIREMENTS FOR BLOCK TOWNHOUSE DWELLINGS of By-law 1136-87 is amended by renumbering it as Section 16.4.
113. Section 16.4 - ZONE REQUIREMENTS FOR BLOCK TOWNHOUSE DWELLINGS item (1) of By-law 1136-87 is amended by deleting it in its entirety and substituting thereof:
- "(1) Amenity Area
- An amenity area shall be provided of a size that will contain at least 2.5m² of area for each one-bedroom unit and at least 5m² of area for each two or more bedroom units in one location for recreational use for the residents of the development."
114. Section 17.1 - PERMITTED USES of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following:
- "(a) apartment dwellings
(b) uses, buildings and structures accessory to the foregoing permitted uses".
115. Section 17.2 - ZONE REQUIREMENTS (j) of By-law 1136-87 is amended by deleting the words "Open Space" and substituting thereof "Area".
116. Section 17.2 - ZONE REQUIREMENTS (m) of By-law 1136-87 is amended by deleting it in its entirety and substituting thereof:
- "(m) Amenity Area
- An amenity area shall be provided of a size that will contain at least 2.5m² of area for each one-bedroom unit and at least 5m² of area for each two or more bedroom units in one location for recreational use for the residents of the development."
117. Section 18.1 - PERMITTED USES of By-law 1136-87 is amended by adding:
- "(c) Home Occupations;"
118. Section 19.1 - PERMITTED USES of By-law 1136-87 is amended by the addition of the following:
- "(c) Dwelling units above ground floor"
119. Section 19.2 - REGULATIONS FOR COMMERCIAL USES of By-law 1136-87 is amended by the addition of the following:
- "(j) Maximum Floor Area 235m² For each permitted use"

120. Section 19.3 - REGULATIONS FOR ACCESSORY RESIDENTIAL USES of By-law 1136-87 is amended by its being retitled as the following;
"REGULATIONS FOR RESIDENTIAL USES PERMITTED IN CLAUSE (C) OF SUBSECTION 19.1".
121. Section 19.3 - REGULATIONS FOR ACCESSORY RESIDENTIAL USES item (a) of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following;
"(a) Not more than 50% of the gross floor area shall be used for dwelling units."
122. Section 19.3 - REGULATIONS FOR ACCESSORY RESIDENTIAL USES item (b) of By-law 1136-87 is amended by deleting the word "Accessory".
123. Section 20.1 - PERMITTED USES (a) of By-law 1136-87 is amended by:
(i) adding "motor fuel retail outlet" after the words "ambulance service"
(ii) deleting the words "animal hospital" and substituting thereof "veterinarian's clinic"
(iii) adding "car wash" after the words "service station"
(iv) deleting the words "automobile washing establishment"
(v) deleting the word "taverns" and substituting thereof "refreshment rooms"
(vi) deleting the words "retail outlets" and substituting thereof "retail store"
(vii) adding the words "shopping centre" after the words "rental establishment".
124. Section 20.1 - PERMITTED USES of By-law 1136-87 is amended by the addition of the following;
"(c) Dwelling units above ground floor".
125. Section 20.3 - CENTRAL BUSINESS AREA REGULATIONS (c) of By-law 1136-87 is amended by deleting the word "and" and substituting thereof:
"except that when a front yard or exterior side yard abuts Highway #20 a minimum yard of 3m shall be provided."
126. Section 20.4 - REGULATIONS FOR ACCESSORY RESIDENTIAL USES of By-law 1136-87 is amended by deleting the word "ACCESSORY" in the subtitle.
127. Section 20.4 - REGULATIONS FOR ACCESSORY RESIDENTIAL USES of By-law 1136-87 is amended by the deletion of the word "accessory".

128. Section 20 - GENERAL COMMERCIAL GC ZONE of By-law 1136-87 is amended by the addition of the following title "SECTION 20.A - HIGHWAY COMMERCIAL HC ZONE".
129. Section 21.1 - PERMITTED USES (a) of By-law 1136-87 is amended by the addition of the following after the words "Automobile service stations":
 "motor fuel retail outlet, veterinarian's clinic,"
130. Section 21.1 - PERMITTED USES of By-law 1136-87 is amended by the addition of the following;
 "(c) Accessory residential uses to any of the foregoing permitted uses except automobile service station"
131. Section 21.3 - REGULATION FOR ACCESSORY RESIDENTIAL USES item (i) of By-law 1136-87 is amended by:
 (a) adding the words "(b), (c), and (d)" after the number "19.3"
 (b) deleting the words "as provided in clause (ii) thereof" and substituting thereof:
 "that the maximum number of dwelling units shall be one (1); or,"
132. Section 21.3 - REGULATION FOR ACCESSORY RESIDENTIAL USES item (ii) of By-law 1136-87 is amended by deleting the following;
 "In addition to Clause (i) hereof,".
133. Section 21.3 - REGULATION FOR ACCESSORY RESIDENTIAL USES item (ii) (A) (B) (C) (D) of By-law 1136-87 are amended by renumbering to read as follows;
 "Section 21.3 - REGULATION FOR ACCESSORY RESIDENTIAL USES (ii) (a) (b) (c) (d)".
134. Section 22.1 - PERMITTED USES (b) of By-law 1136-87 is amended by the addition of the following;
 "excluding accessory residential uses."
135. Section 24.2 - REGULATIONS (b) of By-law 1136-87 is amended by deleting the words "Pits and Quarries Control Act, R.S. O., 1980" and substituting thereof "Aggregates Act".
136. Section 25.1 - PERMITTED USES of By-law 1136-87 is amended by adding the following:
 "(b) Uses, buildings and structures accessory to the foregoing permitted uses."
137. Section 25.2 - REGULATIONS of By-law 1136-87 is amended by the addition of the following:
 "(i) Minimum Rear Yard 7.5m"

138. Section 26.1 - PERMITTED USES of By-law 1136-87 is amended by deleting it in its entirety and replacing it with the following:
- (a) Public and private parks, conservation and forestry uses.
 - (b) Cemeteries, mausoleums and crematoriums.
 - (c) Uses, buildings and structures accessory to the foregoing permitted uses excluding accessory residential uses."
139. Section 27.1 - PERMITTED USES (b) of By-law 1136-87 is amended by deleting the word "dwellings" and substituting thereof "residential uses".
140. Section 28.1 - PERMITTED USES (e) of By-law 1136-87 is amended by deleting the word "dwellings" and substituting thereof "residential uses".
141. Section 28.2 - REGULATIONS (a) of By-law 1136-87 is amended by deleting the following:
- "R.S.O. 1980 as amended, or any subsequent enabling legislation"
142. Section 30 - EXCEPTIONS - Number 29 of By-law 1136-87 is amended by deleting the Schedule reference "A2" and substituting thereof "A3".
143. Section 30 - EXCEPTIONS - Number 30 of By-law 1136-87 is amended by adding the words "on Schedule A5" after the reference "R2-30".
144. Section 30 - EXCEPTIONS - Number 01 of By-law 1136-87 is amended by adding the words "and Schedule A" after the words "Schedule A2".
145. Section 30 - EXCEPTIONS - Number 44 of By-law 1136-87 is amended by adding the words "as indicated on Schedule A" after the words "A-44 Zone".
146. Section 30 - EXCEPTIONS - Number 47 of By-law 1136-87 is amended by adding the words "as indicated on Schedule A" after the words "A-47 Zone".
147. Section 30 - EXCEPTIONS - Number 74 of By-law 1136-87 is amended by deleting the reference to "Schedule A4" and substituting thereof "Schedule A3".
148. Section 30 - EXCEPTIONS - is amended by the addition of the following:

"Number 115 - Nothing in this by-law shall prevent the use of lands identified as I-115 on Schedule "A" for a church."

149. Section 30 - EXCEPTIONS - is amended by the addition of the following:

"Number 116 - Nothing in this by-law shall prevent the use of lands identified as I-116 on Schedule "A" for a cemetery."

150. Schedule A of By-law 1136-87 is amended by illustrating the lands to which Section 30 - Exceptions - Number 115 and Number 116 apply.

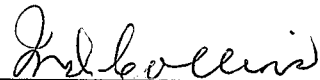
151. Schedule A4 of By-law 1136-87 is amended by renumbering Exception Number A-16, located on the east side of Lookout Street, to A-17.


152. Schedule A5 of By-law 1136-87 is amended by deleting the Number 29 from the reference RM1-29.

153. Schedule A5 of By-law 1136-87 is amended by illustrating the lands to which Section 20.3 - Central Business Area Regulations apply.

154. That this By-Law shall come into force and take effect pursuant to Sections 34(21) and 34(30) of the Planning Act, R.S.O. 1990.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
20TH DAY OF DECEMBER, 1993 A.D.



MAYOR


CLERK