

THE CORPORATION OF THE  
TOWN OF PELHAM

By-law #3311 (2012)

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

WHEREAS Section 34 of the Planning Act, R.S.O. 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;

AND WHEREAS the General Committee, Planning Services Division, 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. THAT Schedule 'A4' to Zoning By-law No. 1136 (1987), as amended, is hereby amended by rezoning the lands identified as the subject lands on Schedules 'A' and 'B', attached hereto and forming part of this By-law, as follows:

Part 1 from Residential Village 1 RV1 Zone to Residential Village 1 RV1-233(H) Zone;  
Part 2 from Residential Village 1 RV1 Zone to Residential Village 1 RV1-234(H) Zone;  
Parts 3 and 4 from Residential Village 1 RV1 Zone to Residential Multiple Village 1 RMV1-235(H) Zone;  
Part 5 from Residential Village 1 RV1 Zone to Residential Multiple Village 1 RMV1-236(H) Zone;  
Part 6 from Residential Village 1 RV1 Zone to Residential Multiple Village 1 RMV1-237(H) Zone; and  
Part 7 from Residential Village 1 RV1 Zone to Open Space OS(H) Zone.

2. THAT Section 30 - Exceptions of By-Law No. 1136 (1987) be amended by adding the following exceptions:

" RV1-233 Notwithstanding subsection 9.2 of the Residential Village 1 RV1 Zone, the lands identified as RV1-233 on Schedule 'A2' shall be subject to the following provisions:

**ZONE REQUIREMENTS**

- |     |  |                   |
|-----|--|-------------------|
| (a) | Minimum Lot Area                         | 490 square metres |
| (b) | Minimum Lot Frontage                     |                   |
|     | (i) Interior lot                         | 14 metres         |
|     | (ii) corner lot                          | 18 metres         |
| (c) | Maximum Lot Coverage                     | 35 percent        |
| (d) | Minimum Front Yard                       | 6 metres          |
| (e) | Minimum Interior Side Yard               | 1.5 metres        |
| (f) | Minimum Exterior Side Yard               |                   |
|     | (i) dwelling                             | 4.5 metres        |
|     | (ii) garage                              | 8 metres          |
| (g) | Minimum Rear Yard                        | 7.5 metres        |
| (h) | Maximum Height for a Dwelling            | 10.5 metres       |
| (i) | Minimum Ground Floor Area for a Dwelling |                   |

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RMV1-235 Notwithstanding Section 11 (Residential Multiple Village 1 RMV1 Zone) of Zoning By-law No. 1136 (1987), as amended, the lands identified as RMV1-235 on Schedule 'A2' shall be subject to the following provisions only:

- (a) street townhouse dwellings; and
- (b) uses, buildings and structures accessory to the foregoing permitted uses.

RMV1-236 Notwithstanding Section 11 (Residential Multiple Village 1 RMV1 Zone) of Zoning By-law No. 1136 (1987), as amended, the lands identified as RMV1-236 on Schedule 'A2' shall be subject to the following provisions only:

- (a) block townhouse dwellings; and
- (b) uses, buildings and structures accessory to the foregoing permitted uses.

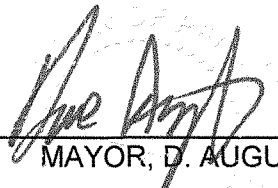
(a)	Minimum Lot Frontage	25 metres
(b)	Maximum Number of Dwelling Units	36
(c)	Minimum Setback from a Public Road	7.5 metres
(d)	Minimum Setback from the Open Space Zone	1.5 metres

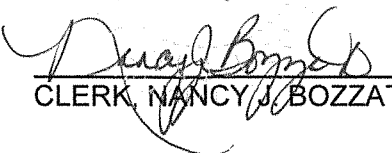
- (e) Minimum Setback from the RV1-233 and RMV1-235 Zones 8 metres
- (f) Minimum Setback from the RMV1-237 Zone 4 metres
- (g) Minimum Internal Roadway Width 6 metres
- (h) Minimum Setback from Internal Road:
  - (i) dwelling 4 metres
  - (ii) garage 6 metres
- (j) Minimum Setback Between Side of Unit and Internal Road 2 metres
- (k) Maximum Building Height 10.5 metres
- (l) Minimum Ground Floor Area for a Dwelling:
  - (i) one storey 75 square metres
  - (ii) two storeys 45 square metres
- (m) Garage Projection a maximum of 1 metre beyond the main wall of the front of the dwelling.
- (n) Minimum Landscape Area 30%

RMV1-237 Notwithstanding the provisions of the Residential Multiple Village 1 RMV1 Zone or any other provision of Zoning By-law No. 1136 (1987), as amended, to the contrary, no buildings or structures, including but not limited to, storage sheds, garages, pool houses, swimming pools, decks and gazebos shall be permitted on the lands indicated as RMV1-237 on Schedule 'A2' of this By-law."

3. 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, as amended.

READ A FIRST, SECOND AND THIRD TIME  
AND FINALLY PASSED BY COUNCIL THIS  
5<sup>TH</sup> DAY OF NOVEMBER, 2012 A.D.

  
MAYOR, D. AUGUSTYN

  
CLERK, NANCY J. BOZZATO

EXPLANATION OF THE PURPOSE AND EFFECT OF BY-LAW NO. 3311 (2012)

This By-law involves a parcel of land located on the east side of Maple Street, lying south of Memorial Drive. The legal description is part of Lots 15, Concession 9, former Township of Pelham, Town of Pelham.

The subject lands are currently zoned Residential Village 1 RV1 Zone according to Zoning By-law No. 1136 (1987), as amended. The By-law rezones the lands in order to accommodate the development of the proposed plan of subdivision.

A (H) holding provision has been affixed to the zoning of the lands and is not intended to be removed until such time as all servicing matters have been properly addressed and the Subdivision Agreement is signed.

File No: AM-02/10

Applicant: Equimor Mortgage Investment Corporation

Planning Report No.: P-29/12