

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 3711(2016)

Being a by-law to amend Zoning By-law No. 1136 (1987), as amended, for lands located south of Highway 20 East and west of Rice Road (130 Highway 20 East; Part Lots 161 and 166 Plan 717), legally described as Part Lots 161 and 166, Part of the Road Allowance between Lots 161 and 166, Town of Pelham; and, Part of Lots 166 and 167 and part of Lot 3, Plan 717, from East Fonthill- Open Space 'EF-OS' zone to East Fonthill- Mixed Use 1 'EF-MU1' zone; and, being a by-law to amend By-law No. 3543 (2014).

Fonthill Gardens Inc.

File No. AM-10-15

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 Committee of the Whole 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 'A5' to Zoning By-law No. 1136 (1987), as amended, is hereby amended by rezoning the lands identified as the subject lands on Schedule 'A', attached hereto and forming part of this By-law, from:

East Fonthill- Open Space 'EF-OS' —
to East Fonthill- Mixed Use 1 'EF-MU1'

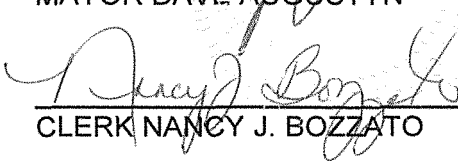
2. **THAT** Section 2.1.0 a) ii. of By-Law No. 3543 (2014), be amended to state:

"Retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Areas greater than 150 m² (1614.59 ft²) per business; and, retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Areas between 100 m² (1076.39 ft²) and 150 m² (1614.59 ft²) per business are permitted up to a maximum of 18% of the total Gross Leasable Floor Area per lot."

3. **THAT** this By-Law shall become effective from and after the date of passing thereof pursuant to Sections 34(21) and 34(30) of the Planning Act, R.S.O. 1990, as amended.

ENACTED, SIGNED AND SEALED THIS
16th DAY OF FEBRUARY, 2016 A.D.


MAYOR DAVE AUGUSTYN


CLERK NANCY J. BOZZATO

**EXPLANATION OF THE PURPOSE AND EFFECT OF
BY-LAW NO. 3711 (2016)**

This By-law involves parcels of land located on the south side of Highway 20 East and west of Rice Road, municipally referred as 130 Highway 20 East and Part Lots 161 and 166 Plan 717. The legal description of the subject parcels are described as Part Lots 161 and 166, Part of the Road Allowance between Lots 161 and 166, Town of Pelham; and, Part of Lots 166 and 167 and part of Lot 3, Plan 717.

This By-law rezones the lands from East Fonthill- Open Space 'EF-OS' zone to East Fonthill- Mixed Use 1 'EF-MU1'zone.

This By-law amends Section 2.1.0 a) ii. of By-Law No. 3543 (2014) to permit retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Areas between 100 m^2 (1076.39 ft^2) and 150 m^2 (1614.59 ft^2) per business up to a maximum of 18% of the total Gross Leasable Floor Area per lot.