

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 3811 (2016)

Being a by-law to repeal By-law No. 3720 (2016) and amend Zoning By-law No. 1136 (1987), as amended, for lands located on the south side of Port Robinson Road and west of Rice Road, municipally known as 166 Port Robinson Road, legally described as Thorold Part Township Lot 171, from Agricultural (A) zone and a site specific Residential Multiple 1 (RM1-264) zone to a site specific Residential Multiple 1 (RM1-274) zone.

Hummel Properties Inc.

File No. AM-11-14

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 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 THE TOWN OF PELHAM ENACTS AS FOLLOWS:

1. **THAT** By-law No. 3720 (2016) be repealed.

2. **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:

Agricultural (A) zone to	a site specific Residential Multiple 1 (RM1-274) zone
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A site specific Residential Multiple 1 (RM1-264) zone to	a site specific Residential Multiple 1 (RM1-274) zone
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3. **THAT** Section 30 – Exceptions of By-Law No. 1136 (1987), as amended, be modified by adding the following exception:

RM1-274	Notwithstanding Section 16.4 a), c), h), and j) of the Residential Multiple 1 (RM1) zone, Sections 16.1 and 16.4 b), c), d), e), f), g), and j) is amended, and the lands identified as RM1-274 shall be subject to the following provisions:
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16.1 PERMITTED USES

- a) street townhouse dwellings
- b) secondary suites above garages
- c) uses, buildings and structures accessory to the foregoing permitted uses

16.4 REGULATIONS FOR STREET
TOWNHOUSE DWELLINGS

- b) Minimum Corner Lot Frontage 8 m (26.2 ft)
- d) Minimum Front Yard 3.5 m (11.48 ft) to the front face of the dwelling
- e) Minimum Exterior Side Yard 3 m (9.84 ft)
- f) Minimum Interior Side Yard 1.2 m (1.93 ft) or 0 m (0 ft) for a common wall
- g) Minimum Rear Yard 10.5 m (34.44 ft)
- j) Planting Strip delete
- k) Garages
The garage shall be set back 1.2 m (1.93 ft) from the side lot line and 0.5 m (1.64 ft) from the rear lot line. The garage height is permitted 7 m (22.97 ft)

Notwithstanding the provisions under Section 6 of the General Provisions, the lands identified as RM1-274 shall be subject to the following provisions:

- 6.16 d) Ingress and Egress (x) Ingress and egress for all driveways and garages for individual street townhouse units are to be from rear lanes
- 6.35 c) Unenclosed Porches, Balconies, Steps and Patios A covered porch is permitted to encroach into a front and exterior side yard 1.5 m (4.92 ft) and into a rear yard 3 m (9.84 ft)

- 4. 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
5th DAY OF DECEMBER, 2016 A.D.


MAYOR DAVE AUGUSTYN


CLERK NANCY J. BOZZATO

**EXPLANATION OF THE PURPOSE AND EFFECT OF
BY-LAW NO. 3811 (2016)**

This By-law involves parcels of land located on the south side of Port Robinson Road and west of Rice Road, municipally known as 166 Port Robinson Road. The legal description of the subject parcels is described as Thorold Part Township Lot 171.

This By-law repeals By-law No. 3720 (2016) and rezones the lands from Agricultural (A) zone and a site specific Residential Multiple 1 (RM1-264) zone to a site specific Residential Multiple 1 (RM1-274) zone.

This By-law will facilitate the development of lands in the Saffron Meadows Subdivision.