

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 4032 (2018)

Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located at the southwest corner of Rice Road and Summersides Boulevard, municipally known as 120 Summersides Boulevard, legally described as Block 126, Plan 59M-434; Subject to an Easement in Gross over Part 1 on 59R-15716 as in SN495375 in the Town of Pelham, to amend the provisions of the site specific (RM2-256) zone.

Mountainview Mid Rise Inc.

File No. AM-08-17

WHEREAS, Section 34 of the Planning Act, RSO 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;

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 PELHAM ENACTS AS FOLLOWS:

1. **THAT** Section 30 – Exceptions of By-law No. 1136 (1987), as amended, be modified by deleting the following from the RM2-256 zone:

- i) Minimum Landscaped Area 30 percent
- l) Minimum First Floor Building Height 4.0 m (13.12 ft)

and replacing it with the following:

- i) Minimum Landscaped Area 22 percent
- l) Minimum First Floor Building Height 3.0 m (9.84 ft)

2. **THAT** Section 30 – Exceptions of By-law No. 1136 (1987), as amended, be further amended by adding the following text to the RM2-256 zone 17.2 Regulations for Apartment Dwellings:

Notwithstanding any other provision of this By-law, the lands that are subject to this exception shall be permitted to develop in phases. Building phases that do not individually comply to specific regulations

of the Zoning By-law shall be permitted without amendment to the Zoning By-law if upon full build out the site would otherwise comply.

Notwithstanding Section 6, the following special regulations shall apply:

- a) Parking Requirement 1.25 spaces/unit
- b) Parking Area Location on Lot All yards provided that no part of any parking area, other than a driveway, is located closer than 7.5 m (24.61 ft) to any street line.
- c) Underground Parking Areas Portion of an underground parking area may be situated above finished grade.
- d) Parking Aisle Width 7.3 m (23.95 ft)

3. **THAT** this Bylaw shall come into effect and force from and after the date of passing thereof, pursuant to Section 34(21) and 34(30) of the Planning Act, RSO 1990, as amended.

ENACTED, SIGNED AND SEALED THIS

13th DAY OF AUGUST, 2018 A.D.


MAYOR DAVE AUGUSTYN


CLERK NANCY J. BOZZATO