

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 4044 (2018)

Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located on the south side of Welland Road, lying west of Pelham Street, municipally known as 100 Welland Road from a Residential Multiple 1 (H) (RM1(H)) zone to a site specific Residential Multiple 1-289 (RM1-289) zone.

1977655 Ontario Ltd.

File No. AM-05-18

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** Schedule 'A5' to Zoning By-law 1136 (1987) as amended, is hereby further amended by rezoning the lands identified on Schedule 'A' attached hereto and forming part of this By-law from:

Residential Multiple 1 (H) (RM1 (H)) to Residential Multiple 1 - 289 (RM1-289)

2. **THAT** Section 30 – Exceptions of By-law 1136 (1987), as amended, is further amended by the following exception:

RM1-289	Notwithstanding Section 16 of the Residential Multiple 1 (RM1) zone the following site-specific regulations shall also apply:
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Section 16.1 Permitted Uses

- a) Block townhouse dwellings,
- b) One second dwelling unit accessory to each dwelling of a two-unit block townhouse dwelling,
- c) Uses, buildings and structures accessory to the foregoing permitted uses.

Section 16.4 Regulations for Block Townhouse Dwellings

- | | |
|-------------------------------|---|
| d) Minimum Front Yard | 2.9 m to street or private lane |
| e) Minimum Side Yard | 1.2 m to lot line or private lane |
| f) Minimum Rear Yard | 6m |
| i) Distance Between Buildings | Any side of any block townhouse shall be no closer than 1.3 m to any side of another block townhouse. |

k) Planting Strip

A minimum planting strip width of 1 m shall be provided where the boundary of an RM1 zone abuts an R1 or R2 zone.

3. **THAT** Section 6 – General Provisions of By-law 1136 (1987), as amended, shall be subject to the following provisions:

6.16 d) Ingress & Egress

Two-way traffic


6 m drive aisle width (clear width measured from curb-face to curb-face)

6.35 c) Unenclosed Porches, Balconies, Steps and Patios

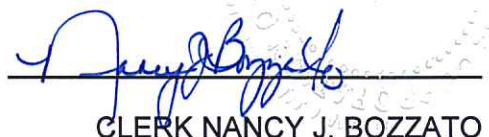
Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 1 m of the front lot line provided that, such uses are not more than 1.3m above ground. Such uses shall also not be within 3.6 m of the rear lot line provided that, such uses are not more than 2 m above ground. Patios may project into any required rear yard provided they are not more than 0.6 m above grade.

4. **THAT** this By-law 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 1st day of October, 2018 A.D.



MAYOR DAVE AUGUSTYN



CLERK NANCY J. BOZZATO