

The Corporation of the Town of Pelham

BY-LAW NO. 4404(2021)

Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located within the River Estates Phase 2 subdivision with the site-specific Residential Multiple 1-287 (RM1-287) zone. And for lands located within the Saffron Meadows Phase 1 and 2 subdivisions with the site-specific Residential Multiple 1-268 (RM1-268) zone.

Town of Pelham

File No. AM-05-2021

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 adding the following subsection for the site-specific Residential Multiple 1-287 (RM1-287) zone:

RM1-287 Section 5 of the Definitions is amended for the subject lands as follows:

Section 5.49

"DAYLIGHTING TRIANGLE" means an area free of buildings or structures or other visual obstructions, and which are to be determined by measuring, from the point of intersection of street lines on a corner lot, a minimum of 6 m (19.685 ft) along each such street line and joining such points with a straight line, and the triangular-shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the "daylighting triangle".

2. **THAT** Section 30 – Exceptions of By-law No. 1136 (1987), as amended, be modified by deleting the site-specific Residential Multiple 1-268 (RM1-268) zone and replaced by the following:

RM1-268 Notwithstanding Section 16.3 h), and i) of the Residential Multiple 1 (RM1) zone, Sections 16.1 and 16.3 a), b), c), d), e), f), g), and j) is amended, and the lands identified as RM1-268 shall be subject to the following provisions:

Section 16.1 Permitted Uses

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

Section 16.3 Regulations for Street Townhouse Dwellings

- | | | |
|----|-----------------------------|---|
| a) | Minimum Lot Frontage | 6 m / dwelling unit |
| b) | Minimum Corner Lot Frontage | 11 m (36.09 ft) |
| c) | Minimum Lot Area | 180 m ² (1937.7 ft ²) |
| d) | Minimum Front Yard | 4.5 m (14.76 ft) to the front face of the dwelling and 6.0 m (19.68 ft) to the front face of the garage |
| 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 | 6.5 m (21.32 ft) |
| j) | Planting Strip | delete |

Notwithstanding the provisions under Section 6 of the General Provisions, the lands identified as RM1-268 shall be subject to the following provisions:

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)

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

06TH DAY OF DECEMBER 2021.


MAYOR: MARVIN JUNKIN


CLERK: HOLLY WILLFORD