## The Corporation of the Town of Pelham

BY-LAW NO. 4450(2022)

Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located on the south side of Quaker Road, west of Clare Avenue, legally described as Part of Lot 237 and Part 1 on RP 59R-728, in the Town of Pelham. The Zoning By-law Amendment rezones the lands from the Residential 1 (R1) zone and Residential Multiple 1 (RM1-281(H)) to an amended Residential Multiple 1 (RM1-281(H)) zone.

Homes by Antonio Ltd.

File No. AM-08-2021

**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 Schedule 'A5' to Zoning By-law 1136 (1987), as amended, is hereby amended by rezoning the lands identified on Schedule 'A', attached hereto and forming part of this By-law from Residential 1 (R1) and RM1-281(H) to Residential Multiple 1 281 (H) (RM1-281(H)).
- 2. **THAT** Section 30 Exceptions of By-law No. 1136 (1987), as amended, be modified by replacing the Residential Multiple 1-281 (H) zone regulations with the following:

RM1-281

Notwithstanding Section 16 of the Residential Multiple 1 (RM1) zone and Section 6.35(c) Yard Encroachments permitted, this property shall only be used for block townhouse dwellings and the following special regulations shall apply:

a) Minimum Lot Frontage

8.79 m

d) Minimum Setback from Quaker Road

30 m

Minimum Setback from Internal Roadway

2.9 m to dwelling; 6.0 m to garage

e) Minimum Side Yard

6 m to rear of dwelling; 1.5 m to side of dwelling

f) Minimum Rear Yard

6 m to rear of dwelling unit; 1.5 m to side of dwelling unit

i) Distance between Buildings on the same Lot

Face to Side 7 m Face to Face 15 m Side to Side 3 m

## k) Planting Strip

A Planting Strip of 0.5 m minimum in width shall be provided along the eastern property line of 703 Quaker Road and a planting strip 1.2 m minimum in width shall be provided along the western property line of 695 Quaker Road.

## I) Amenity Area

Each dwelling unit shall be provided with a yard 6 meters in depth, measured from the rear wall of the dwelling to the lot line, as private amenity space.

i) Unenclosed porches, balconies, steps and patios, covered or uncovered, may project into any required yard a maximum distance of 3.5 m, but not less than 2.5 m from any lot line provided that, in the case of any porches, steps or patios such uses are not more than 1.3 m above ground.

The holding (H) provision shall be lifted subject to execution of Condominium and Site Plan Agreements addressing servicing and drainage to the satisfaction of the Director of Public Works.

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 03<sup>rd</sup> day of May, 2022.

MAYOR: MARVIN JUNKIN

CLERK HOLLY WILLFORD

## Schedule 'A'

