



The Corporation of the Town of Pelham

By-law No. 49-2024

Being a By-law to amend Town of Pelham Zoning By-law No. 4481(2022) to consolidate previously approved zoning amendments for various site-specific properties.

WHEREAS on August 30, 2022, the Council of the Corporation of the Town of Pelham approved Town of Pelham Comprehensive Zoning By-law No. 4481 (2022) to regulate the use of land, buildings and structures within the Town of Pelham ("the Zoning By-law");

AND WHEREAS the Council of the Corporation of the Town of Pelham has conducted public hearings in regard to this application, as required by sub-section 34(12) of the *Planning Act*, R.S.O. 1990, c. P.13 ("the *Planning Act*");

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it desirable to amend the Zoning By-law to incorporate previously approved zoning amendments within the context of zoning by-law 4481(2022) as set out herein and has authority to do so under the provisions of the *Planning Act*;

NOW THEREFORE the Council of the Corporation of the Town of Pelham enacts as follows:

1. **THAT** Section 10: Exceptions be amended to include the approved amendments as prepared in Schedule A.
2. **THAT** Schedules A-E be amended appropriately based on the approved amendments as illustrated in Schedule B.
3. **THAT** all other provisions of the Zoning By-law remain in full force and effect and continue to apply.
4. **THAT** this By-law shall come into force and take effect on the date of final passing by the Council of the Corporation of the Town of Pelham, subject to the provisions of the *Planning Act*.

Read, enacted, signed and sealed on this 10 day of July, 2024.

Marvin Junkin, Mayor

Holly Wilford, Town Clerk

A-14: 952 Foss Road and Southside Foss Road

*formerly A-51

In addition to the uses in the Agricultural Zone, this land may also be used for a farm produce retail store; processing of locally grown farm produce and value-added products; retail sale of locally grown farm produce and value-added products produced or manufactured on the property; and uses building and structures accessory to the foregoing permitted uses and the following special regulations shall apply:

Minimum Interior Side Yard	15.0m
Maximum Building Height	11.0m
Maximum Lot Coverage of all on-farm diversified uses, including but not limited to all buildings, outdoor storage, landscaped areas, berms, well and septic systems, parking and access roads	2%
Maximum Gross Leasable Floor Area of retail salesfloor area	50.0m ²
Minimum Gross Leasable Floor Area dedicated to the sale of products produced or manufactured on the farm property	25.0 m ²

R2-150: Park Place West Subdivision

*formerly R2-324

Notwithstanding the provisions of Section 3: General Provisions the following shall apply:

- a) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0m of the front lot line or exterior side lot line, and 4.5m of the rear lot line, provided that, such uses are not more than 2.0m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the regulations of the Residential Two R2 Zone, the following site specific regulations shall apply:

Single Detached Dwelling

Minimum Lot Area	360m ²
Minimum Lot Frontage	12.0m

Maximum Lot Coverage	50%
Minimum Front Yard	4.0m to front face; 6.0m to garage
Minimum Interior Side Yard	6.0m
Minimum Rear Yard	6.0m
Maximum Height	10.5m
Minimum Ground Floor Area	One Storey: 88m ² Two or Three Storey: 50m ²

RM1-151: Park Place West Subdivision

*formerly RM1-325

Notwithstanding the provisions of Section 3: General Provisions the following shall apply:

- a) Daylighting Triangle: A building or structure shall be permitted within the daylighting triangle subject to meeting the minimum exterior side and front yard regulations.
- b) Notwithstanding the yard provisions of this By-law, unenclosed porches, balconies, steps and patios, covered or uncovered shall not be permitted within 2.0m of the front lot line or exterior side lot line, and 4.5m of the rear lot line, provided that, such uses are not more than 2.0m above ground. Uncovered patios and decks shall not be permitted within 1.2m of a rear or side lot line provided that such uses are not more than 0.3m above ground.

Notwithstanding the regulations of the Residential Multiple One RM1 Zone, the following site specific regulations shall apply:

Semi-detached Dwelling

Minimum Lot Frontage	7.8m
Minimum Lot Area	250m ² per dwelling unit
Minimum Front Yard	3.0m from front face or 6.0m to garage
Minimum Side Yard	1.2m
Minimum Rear Yard	6.0m
Maximum Height	10.5m

Street Townhouse Dwelling

Minimum Lot Frontage	6.0m
Minimum Corner Lot Frontage	7.5m
Minimum Lot Area	170m ² per dwelling unit
Minimum Front Yard	3.0m to front face or 6.0m to garage
Minimum Exterior Side Yard	3.0m
Minimum Interior Side Yard	1.2m or 0m to common wall
Minimum Rear Yard	6.0m
Maximum Height	10.5m
Minimum Ground Floor Area	One Storey: 88m ² Two or Three Storey: 50m ²
Landscape Strips	There are no landscape strip requirements

A-152: 364 Foss Road
*formerly A-52

In addition to the uses in the Agricultural Zone, this land may also be used for a sod and fertilizer retail outlet, farm supply and service establishment and accessory office uses.

R1-153(H): Oak Haven Estates Subdivision
*formerly RV1-233(H)

Notwithstanding the regulations of the Residential One R1 Zone, these lands may only be used for single detached dwellings and uses, buildings and structures accessory thereto and the following site-specific regulations shall apply:

Minimum Lot Frontage	Interior Lot: 14.0m Corner Lot: 18.0m
Minimum Lot Area	490m ²

Maximum Lot Coverage	35%
Minimum Front Yard	6.0m
Minimum Interior Side Yard	1.5m
Minimum Exterior Side Yard	4.5m to front face or 8.0m to garage
Minimum Rear Yard	7.5m
Maximum Building Height	10.5m
Minimum Ground Floor Area	One Storey: 93m ² Two Storey: 56m ²
Garage projection shall be permitted a maximum of 1.0m beyond the mail wall of the front of the dwelling	

RM1-154: Oak Haven Estates Subdivision

*formerly RMV1-235

Notwithstanding the regulations of the Residential Multiple One RM1 Zone, these lands may only be used for street townhouse dwellings and uses, buildings and structures accessory thereto and the following site-specific regulations shall apply:

Minimum Lot Frontage	7.0m per dwelling unit
Minimum Lot Area	240 m2 per dwelling unit
Minimum Front Yard	6.0m to front face or 8.0m to garage
Minimum Interior Side Yard	1.5m
Minimum Rear Yard	7.5m
Maximum Building Height	10.5m
Minimum Ground Floor Area	One Storey: 75m ² Two Storey: 45m ²
Garage Projection shall be permitted a maximum of 1.0m beyond the mail wall of the front of the dwelling	

RM1-155: Oak Haven Estates Subdivision

*formerly RMV1-236

Notwithstanding the regulations of the Residential Multiple One RM1 Zone, these lands may only be used for block townhouse dwellings and uses, buildings and structures accessory thereto and the following site-specific regulations shall apply:

Minimum Lot Frontage	25.0m
Maximum Number of Dwelling Units	36
Minimum Setback from a Public Road	7.5m
Minimum Setback from the Open Space Zone	1.5m
Minimum Setback from the R1-153 and RM1-154 Zones	8.0m
Minimum Setback from the RM1-29 Zone	4.0m
Minimum Internal Roadway Width	6.0m
Minimum Setback from Internal Road	4.0m to front face or 6.0m to garage
Minimum Setback between Side of Unit and Internal Road	2.0m
Maximum Building Height	10.5m
Minimum Ground Floor Area for a Dwelling	One Storey: 75m2 Two Storey: 45m2
Minimum Landscape Area	30%
Garage Projection shall be permitted a maximum of 1.0m beyond the mail wall of the front of the dwelling	

R2-156 (H): 125 Port Robinson Road

*formerly R2-330 (H)

Notwithstanding the regulations of the Residential Two R2 Zone, the following site specific regulations shall apply:

Zone Requirements for a Single Detached Dwelling

Minimum Lot Coverage	Deleted
Minimum Front Yard	4.5m to dwelling 6.0m to garage
Minimum Interior Side Yard Setback	1.2m
Minimum Exterior Side Yard	3.0m
Minimum Ground Floor Area for a Dwelling	One-Storey – 88m ² Two-Storey- 50m ²

The lifting of the Holding (H) provision for the R2-156(H) shall be subject to the satisfactory approval of the Director of Community Planning that a Developer’s Group Agreement or equivalent has been entered into and that the plan of subdivision has received final approval by the Town.

RM1-157 (H): 125 Port Robinson Road

*formerly R2-331 (H)

Notwithstanding the uses of the Residential Multiple One RM1 Zone, these lands shall only be used for street townhouse dwellings and buildings, structures and uses accessory thereto and the following site specific regulations shall apply:

Zone Requirements for a Street Townhouse Dwelling

Minimum Lot Frontage	6.0m for interior units 7.2m for end units
Minimum Corner Lot Frontage	7.5m per dwelling unit
Minimum Lot Area	170m ² per dwelling unit
Minimum Front Yard	4.5m to dwelling 6.0m to garage

- Minimum Exterior Side Yard 3.0m
- Minimum Interior Side Yard Setback 1.2m and 0m for a common wall
- No planting strip shall be required.

The lifting of the Holding (H) provision for the RM1-157(H) shall be subject to the satisfactory approval of the Director of Community Planning that a Developer’s Group Agreement or equivalent has been entered into and that the plan of subdivision has received final approval by the Town.

RM1-158 (H): 125 Port Robinson Road
*formerly RM1-332 (H)

Notwithstanding the uses of the Residential Multiple One RM1 Zone, these lands shall only be used for street townhouse dwellings and buildings, structures and uses accessory thereto and the following site specific regulations shall apply:

Zone Requirements for a Street Townhouse Dwelling

- Minimum Lot Frontage 6.0m for interior units
7.2m for end units
- Minimum Corner Lot Frontage 7.5m per dwelling unit
- Minimum Lot Area 170m² per dwelling unit
- Minimum Front Yard 4.5m to dwelling
- Minimum Exterior Side Yard 3.0m
- Minimum Interior Side Yard Setback 1.2m and 0m for a common wall

No planting strip shall be required.

All access shall be provided by a laneway. No direct access shall be provided to Klager Avenue.

The lifting of the Holding (H) provision for the RM1-158(H) shall be subject to the satisfactory approval of the Director of Community Planning that a Developer’s Group Agreement or equivalent has been entered into and that the plan of subdivision has received final approval by the Town.

RM2-159: 125 Port Robinson Road

*formerly RM2-333 (H)

Notwithstanding the regulations of the Residential Multiple Two RM2 Zone, the following site specific regulations shall apply:

Zone Requirements for Apartment Dwellings

Minimum Lot Area	117m2 per dwelling unit
Maximum Density	86 units per hectare
Minimum Rear Yard (Port Robinson Rd.)	One half the height of the building or 7.5m whichever is greater
Parking Requirements	1.25 spaces per unit

R2-160: Tanner Extension

*formerly R2-326

Notwithstanding the regulations of the Residential Two R2 Zone, the following site specific regulations shall apply:

Minimum Lot Area	340m2
Minimum Lot Frontage	12.0m 15.0m corner lot
Minimum Front Yard	4.0m to dwelling 6.0m to garage
Minimum Interior Side Yard	1.2m
Minimum Exterior Side Yard	3.0m
Minimum Rear Yard	6.0m

RM1-161: Tanner Extension

*formerly RM1-327

Notwithstanding the uses of the Residential Multiple One RM1 Zone, these lands shall only be used for street townhouse dwellings and buildings, structures and uses accessory thereto and the following site specific regulations shall apply:

Zone Requirements for a Street Townhouse Dwelling

- Minimum Lot Area 188m² per interior unit
- Minimum Front Yard 6.0m
- Minimum Interior Side Yard 1.5m
- Minimum Exterior Side Yard 3.0m
- Minimum Rear Yard 6.0m
- No planting strip shall be required.

OS-162: Tanner Extension

*formerly OS-328

Notwithstanding the regulations of the Open Space OS Zone, the following site-specific regulation shall apply:

- Minimum Lot Area 497m²

RM2-163: 1 Pancake Lane

*formerly RM2-316

Notwithstanding the provisions of Section 3: General Provisions the following shall apply:

- a) Notwithstanding the yard provisions of this By-law, the porch may project into the required front yard by 2.5 metres

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following shall apply:

- a) Parking Requirements 56 total including visitor

- b) Width of Ingress and Egress7.0m
- c) Parking Area Location on Lot2.0m from the westerly lot line

Notwithstanding the regulations of the Residential Multiple Two RM2 Zone, these lands may only be used for one apartment building containing a maximum of 40 dwelling units and the following site-specific regulations shall apply:

Minimum Lot Area per Dwelling Unit	118m ² per unit
Maximum Density	85 units per hectare
Minimum Interior Side Yard	6.0m
Minimum Landscaped Area	31.89% of lot area
Maximum Building Height	4-storeys
Common Amenity Area	60.0m ² total for the building (indoor)
Private Amenity Area	7.5m ² per unit (balconies)
Minimum Setback from Internal Road	4.0m to front face or 6.0m to garage
Minimum Setback between Side of Unit and Internal Road	2.0m

RM2-164: 15 Highway 20 East
*formerly RM2-329

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following shall apply:

- a) Parking Requirements1.16 spaces per unit
- b) Width of Ingress and Egress7.0m for ingress and egress (two-way traffic)

- c) Parking Area Location on Lot

0m from south lot line
0m from west lot line
1.4m from north lot line
- d) Dimensions of Parking Spaces

6.2m drive aisle width
2.6m parking stall width where
abutting a column
- e) Planting Strips

1.4m width planting strip along the
north lot line

Notwithstanding the regulations of the Residential Multiple Two RM2 Zone, the following site-specific regulations shall apply:

Minimum Lot Area	59m ² per unit
Maximum Density	170 units per hectare
Maximum Lot Coverage	48%
Minimum Front Yard	0m
Minimum Interior Side Yard	0.9m west 4.2m east
Minimum Landscaped Area	20%
Maximum Building Height	4 storeys (14.5 m)
Minimum Floor Area	52m ² for a one bedroom
Amenity Area	36.9m ²

RM2-165: 1145 Pelham Street
*formerly GC-89

Notwithstanding the provisions of Section 4: Parking and Loading Requirements, the following shall apply:

- a) Parking Requirements

1.46 spaces per unit

1.4m from north lot line

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- b) Parking Area Location on Lot 1.5m to any streetline
3.0m to any side or rear lot line

Notwithstanding the regulations of the Residential Multiple Two RM2 Zone, the following site-specific regulations shall apply:

Minimum Lot Area	106m ² per unit
Maximum Density	94 units per hectare
Minimum Front Yard	6.0m
Minimum Interior Side Yard	6.2m
Minimum Landscaped Area	34% of lot area
Maximum Building Height	5 storeys with the 5 th storey being limited to indoor and outdoor amenity space, storage, elevator and stairway penthouse or ornamental structure

EF-MU3-136: 120 Meridian Way

In addition to the parking provisions of the East Fonthill Mixed Use Three EF-MU3-136 Zone, the following shall apply:

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- a) Parking spaces shall be a minimum of 2.7 metres wide and 5.8 metres in length.

R3-127: 1553 Pelham Street

*Formerly R3-127 (H)

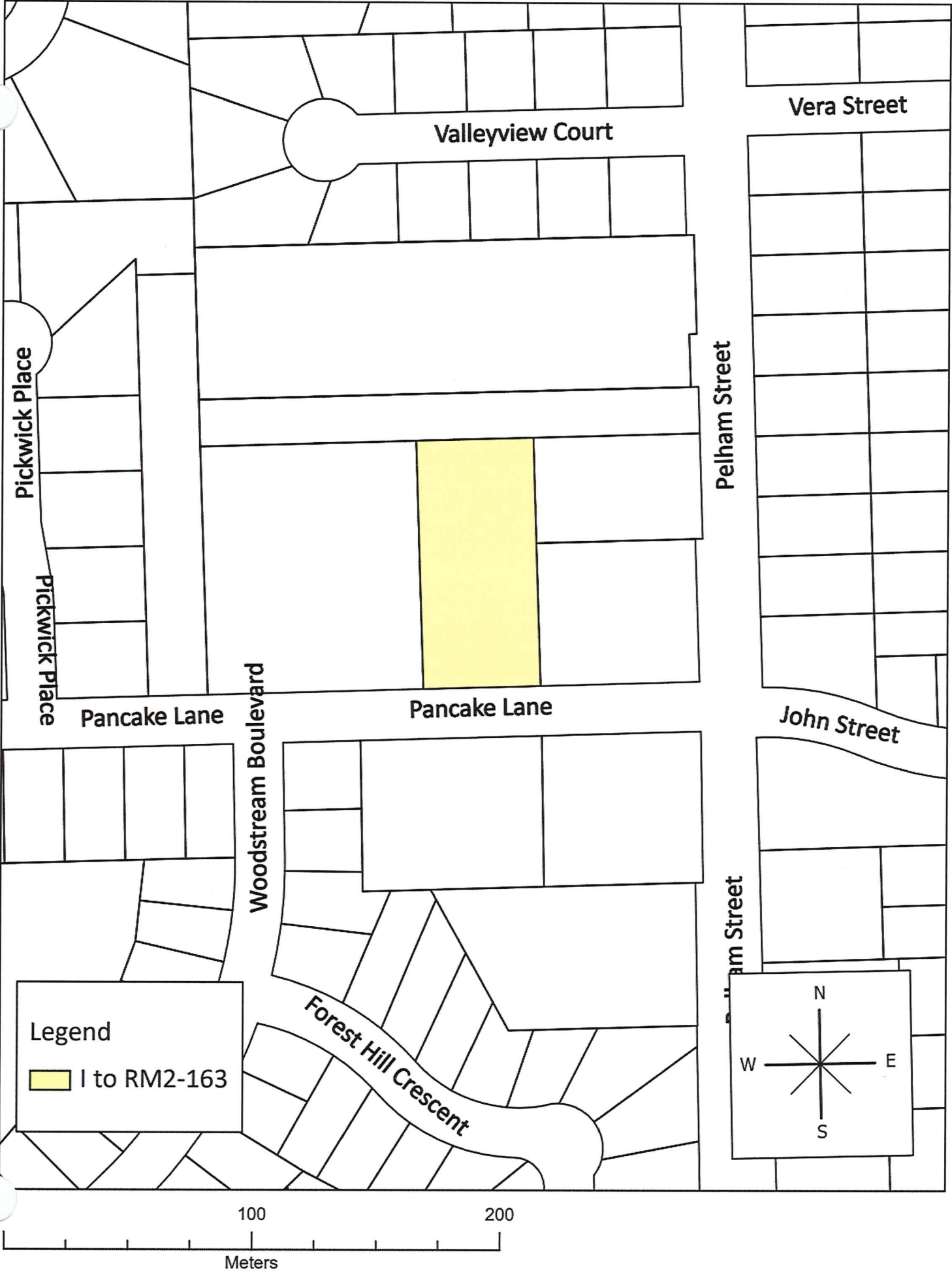
This By-law authorizes the removal of Holding (H) Provision from a portion of the lands currently zoned R3-127 (H).

RD-166 (H): 147 Port Robinson Road

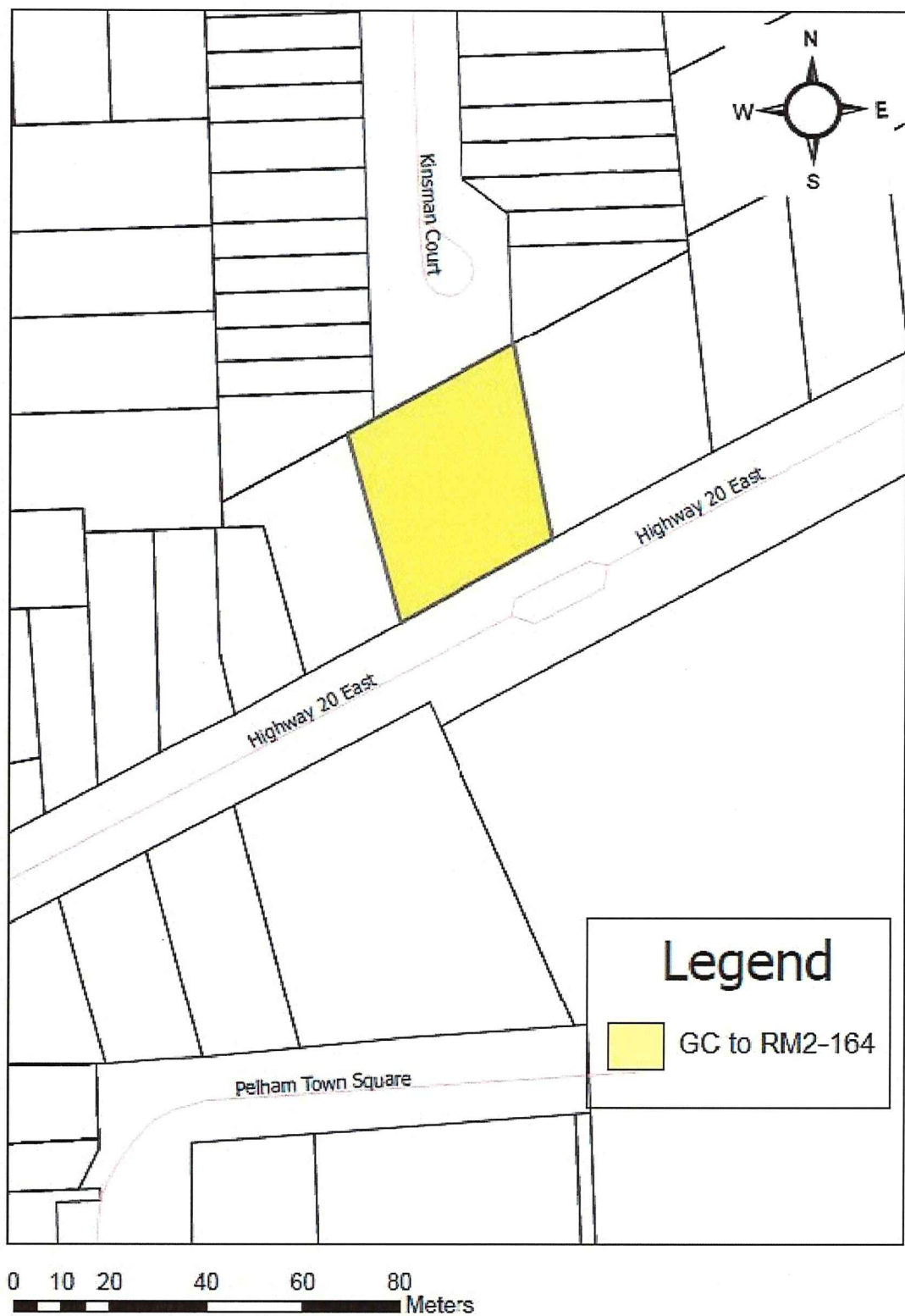
*Formerly RD – H

The lifting of the Holding (H) provision for the RD-166(H) shall be subject to the satisfactory approval of a Plan of Subdivision and Developer’s Group Agreement.

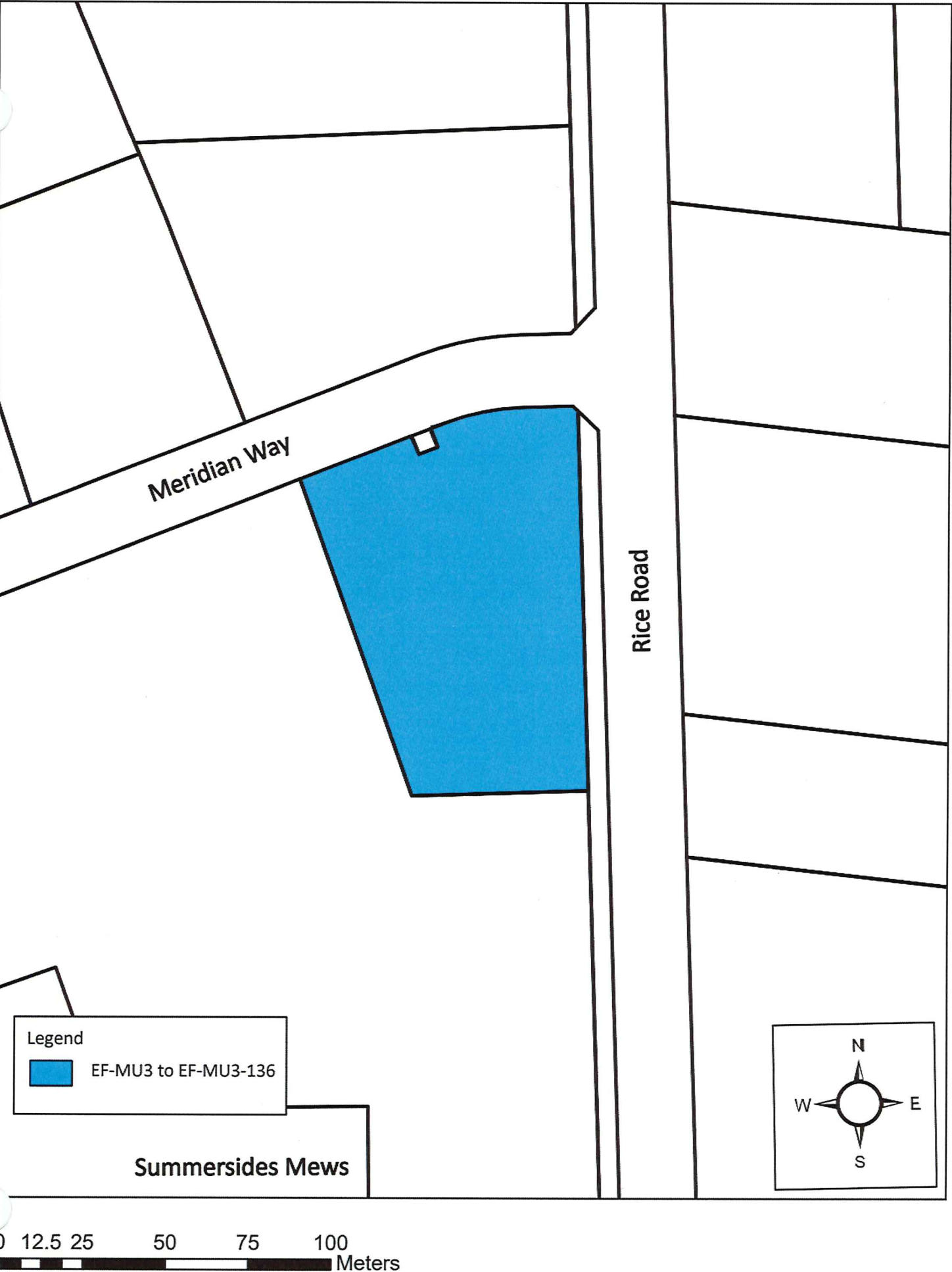
1 Pancake Lane



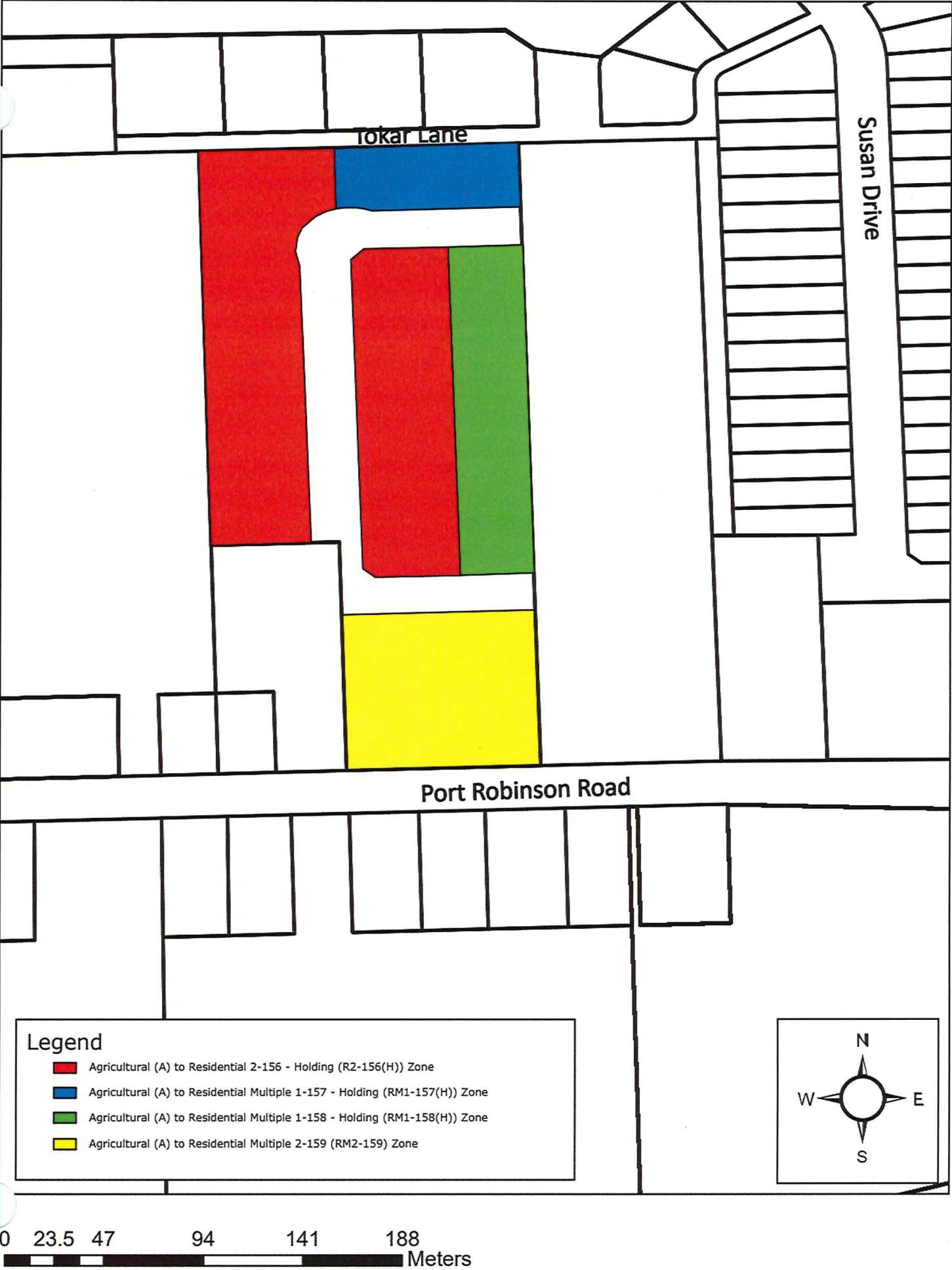
15 Highway 20 East



120 Meridian Way



125 Port Robinson Road



147 Port Robinson Road



1145 Pelham Street



1553 Pelham Street



Tanner Extension

