

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 3949(2017)

Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located on the south side of Quaker Road municipally known as 703 Quaker Road from Residential 1 (R1) Zone to a site specific Residential Multiple 1 (RM1-281-H) Zone.

Tony and Rosetta Nuziato (Upper Canada Consultants)

File No. AM-01-16

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;

AND WHEREAS Section 36 of the Planning Act, R.S.O. 1990, as amended provides for the use of the holding (H) symbol in conjunction with any use designation in a Zoning By-law passed under Section 34;

AND 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 as the subject lands on Schedule 'A' attached hereto and forming part of this By-law from:

Residential 1 (R1) Zone to	Site Specific Residential Multiple 1(RM-281-H) Zone
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2. **THAT** Section 30 – Exceptions of By-law 1136 (1987) as amended is further amended by the following exception:

RM1-281-H Zone	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:
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| a) Minimum Lot Frontage | 8.79 m (28.83 ft) |
| b) Minimum Setback from Quaker Road | 30.0 m (98.42 ft) |
| c) Minimum Setback from Internal Roadway | 4.5 m (14.76 ft) to dwelling unit or 6.0 m (19.68 ft) to garage |

- d) Minimum Side Yard 1.5 m (4.9 ft)
- e) Minimum Rear Yard 6.0 m (19.68 ft) to
back of dwelling unit
1.5 m (4.9 ft) to side of
dwelling unit
- f) Distance between buildings on same lot Any side of any
townhouse shall be no
closer than 3.0 m
(9.84 ft)
- g) Planting strip A planting strip of
1.3 m (4.26 ft)
minimum in width shall
be provided where the
boundary of an RM1
zone abuts an R1 or
R2 zone except for
along the west
property line of 695
Quaker Road a 0.5 m
(1.64 ft) buffer strip
with a privacy fence is
required.
- h) Unenclosed porches, balconies, steps and patios, covered or
uncovered, may project into any required yard a maximum distance
of 3.5 m (11.48 ft) provided that, in the case of porches, steps or
patios, such uses are not more than 1.3 m (4.27 ft) above ground.

3. **THAT** the holding (H) provision shall be lifted subject to:

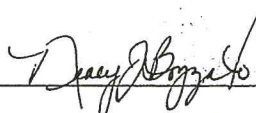
- a) Execution of Condominium and Site Plan Agreements addressing
servicing and drainage to the satisfaction of the Director of Public
Works.

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 18th DAY OF DECEMBER,
2017 A.D.

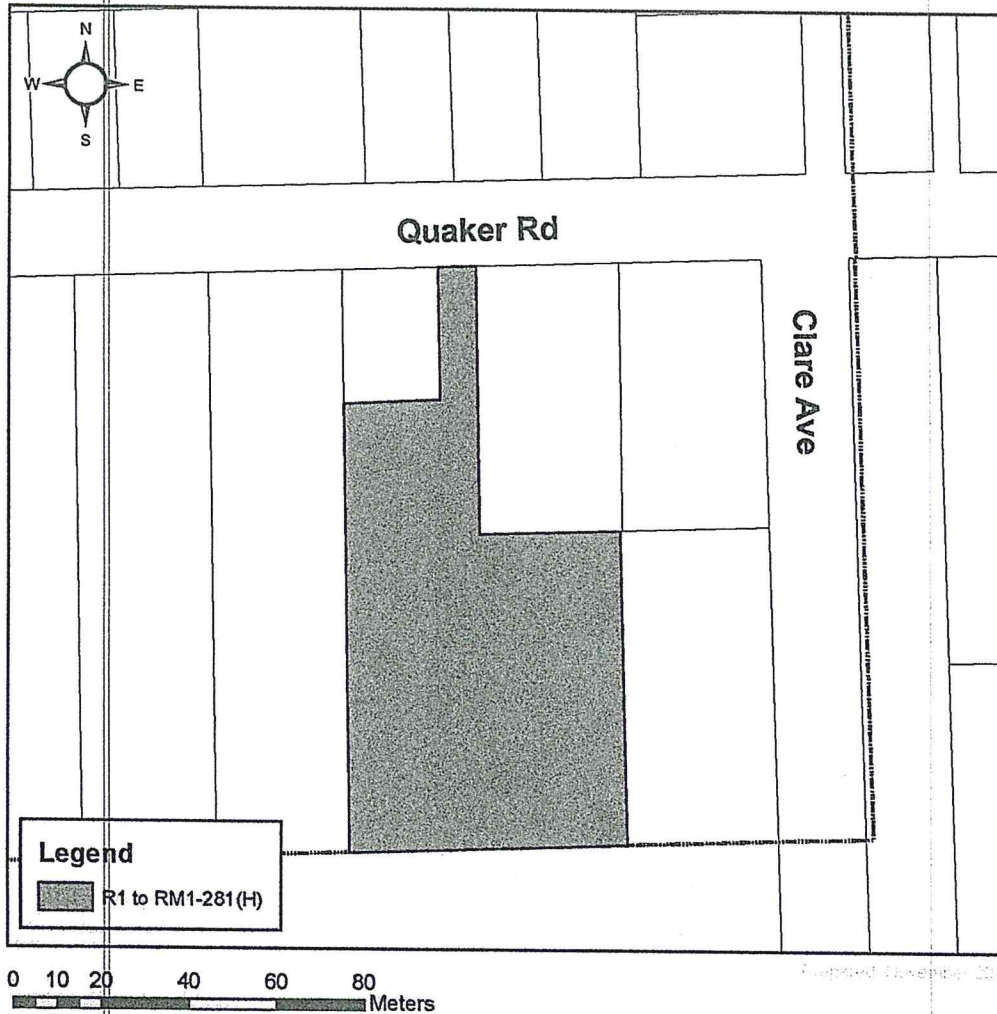


MAYOR DAVE AUGUSTYN



CLERK NANCY J. BOZZATO

Schedule 'A':



This is Schedule 'A' to By-law No. 3949 (2017) passed the 18 day of December, 2017.

Dave Augustyn
Mayor: Dave Augustyn

Nancy J. Bozzato
Clerk: Nancy J. Bozzato