

The Corporation of the
Town of Pelham

By-law No. 4261(2020)

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, municipally known as 695 Quaker Road. The Zoning By-law Amendment rezones the lands from the Residential 1 (R1) Zone to a site-specific Residential 2 (R2) and Residential Multiple 1 (RM1-281{H}).

Janusz Szymala, Pawel Ryzlak
File No. AM-09-19

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 as Parts 1-2 on Schedule ‘A’ attached hereto and forming part of this By-law from:

Residential 1 (R1) to	Residential 2 (R2-297)
Residential 1 (R1) to	Residential Multiple 1 (RM1-281{H})

2. **THAT** Section 30 – Exceptions of By-law No. 1136 (1987), as amended, be modified by adding the following:

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

Section 5.55

- d) Second Dwelling Unit
Means a second dwelling unit on a lot with a principle dwelling that is created through converting part of, or adding on to the existing dwelling that maintains an independent entrance, or within a detached accessory building (e.g. in-law suite, basement suite, coach house).

General Provisions	Section 6 of the General Provisions is amended by deleting and replacing the following subsections as follows for the lands identified as R2-297:
--------------------	---

Section 6.1 – Accessory Uses
a) General

Where this By-law provides that a lot, building or structure may be erected or used for a purpose, that purpose shall include any accessory building, structure or accessory use, but shall not include any occupation for gain or profit conducted within or accessory to a dwelling unit

except as in this By-law is specifically permitted.

Only one second dwelling unit is permitted per lot in a single detached, semi-detached, or townhouse dwelling, or their accessory building provided:

- i) The maximum floor area does not exceed 60 m².
- ii) A minimum of one parking stall is required.
- iii) Compliance with the Ontario Building Code and Fire Code, as applicable.

c) Maximum Height

Except as otherwise provided herein, no accessory building shall exceed 3.7 m in height and no accessory building containing a second dwelling unit shall exceed 6 m in height.

Section 6.2 – Dwelling Units Below Grade
Deleted.

- 3. **THAT** Section 30 – Exceptions of By-law 1136 (1987) as amended is further amended by adding the lands shown as Part 2 on Schedule A to the RM1-281{H} zone.

- 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
27th day of July, 2020.

MAYOR: MARVIN JUNKIN

CLERK: NANCY J. BOZZATO