

THE CORPORATION OF THE
TOWN OF PELHAM
BY-LAW #321 (1985)

Being a by-law to amend Restricted Area By-law #442 (1958), as amended of the former Township of Thorold, and By-law #279 (1974) as amended of the Town of Pelham.

WHEREAS application has been received from Amroy Development Limited to rezone their property for the purpose of constructing a multiple family housing development;

AND WHEREAS Council deems it desirable and expedient to rezone the lands for the purpose of regulating the use of land and the character, location and use of buildings, subject to entering into a site plan agreement with the developer;

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM

ENACTS AS FOLLOWS:

(1) THAT the lands as hereinafter described be rezoned from Agriculture to Residential Multiple RM1 Zone.

(2) THAT the Residential Multiple RM1 Zone shall comply with the following requirements:

2.1 - Permitted Uses -

- (a) Row Houses
- (b) Uses, buildings and structures accessory to the foregoing permitted use.

2.2 - Regulations for Row Houses -

- (a) Minimum Lot Area - 4,350 square feet per dwelling unit
- (b) Minimum Lot Frontage - 80 feet plus 20 feet for each unit over three
- (c) Maximum Lot Coverage - 35%
- (d) Minimum Setback - 50 feet or a distance equal to the height of the building from the front lot line, whichever is the greater
- (e) Minimum Side Yard - 10 feet
- (f) Minimum Exterior Side Yard - 25 feet
- (g) Minimum Rear Yard - 35 feet
- (h) Minimum Floor Area Per Dwelling Unit - 950 square feet
- (i) Maximum Building Height - 35 feet

2.3 - Row House Play Space -

No person shall use or erect on a lot a row house containing other than all bachelor apartments unless there is provided on such a lot a play space for children and such play space shall be:-

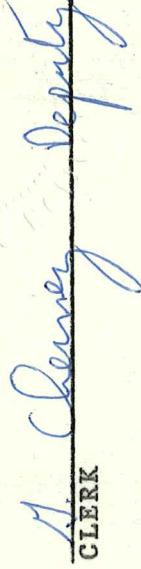
- (a) enclosed with a chain link or equally durable fence
- (b) located at least fifteen (15) feet from the nearest wall of the building
- (c) accessible to the building without the necessity of crossing a parking lot

- (3) THAT Schedule "A" being the Zoning Map to By-law #279 (1974) as amended of the Town of Pelham is hereby amended by changing the zone designation of the lands described in Schedule "A" to this by-law from Development (D) Zone to Residential Multiple RM1 Zone.
- (4) THAT all other provisions of By-law #442 (1958), as amended, and By-law #279 (1974), as amended shall be observed and complied with.
- (5) THAT this by-law shall take effect from and after its final approval by the Ontario Municipal Board.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
2nd. DAY OF June, 1975 A.D.



MAYOR



CLERK

SCHEDULE "A"

to

By-law #321 (1975)

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Town of Pelham, in the Regional Municipality of Niagara, formerly in the County of Welland, and being composed of Parts of Lots 166 and 167 in the former Township of Thorold and premising that the northerly limit of said Lot 167 has an astronomic bearing of N 86 degrees 40 minutes East and relating all bearings herein thereto the said parcel may be more particularly described as follows:

COMMENCING at the southeasterly angle of Lot 1 according to Registered Plan 34 for the former Village of Fonthill;

THENCE North 59 degrees 25 minutes East along the Northwesterly limit of the Niagara, St. Catharines and Toronto railway right-of-way 168.8 feet to a standard iron bar found at its intersection with the former easterly limit of the Village of Fonthill according to Registered Pl Instrument #17157A for the Township of Thorold, said standard iron bar marking the Place of Beginning of the herein described parcel;

THENCE North 1 degree 16 minutes West along the said former Easterly limit of the Village of Fonthill, 329.85 feet to a standard iron bar planted at its intersection with the Northerly limit of said Lot 167;

THENCE North 86 degrees 40 minutes East along the Northerly limit of Lots 167 and 166, 444.79 feet to a standard iron bar marking an angle therein;

THENCE 88 degrees 22 minutes 30 seconds East continuing along the Northerly limit of Lot 166, 28.5 feet to a standard iron bar

THENCE South 1 degree 37 minutes 30 seconds East a distance of 80.24 feet to a standard iron bar planted in the Northwesterly limit of the Niagara, St. Catharines and Toronto Railway right-of-way;

THENCE South 59 degrees 25 minutes West along the said last mentioned limit, 543.02 feet more or less to the Place of Beginning.

AND CONTAINING by admeasurement an area of 2.232 acres be the same more or less.