

THE CORPORATION OF THE
T O W N O F P E L H A M

BY-LAW #326 (1975)

Being a by-law to amend Restricted Area By-law
#674 as amended of the former Village of Fonthill,
and By-law #279 (1974) as amended of the Town of
Pelham.

WHEREAS application has been received to rezone property
in Part of Block Y, Plan 25, of the former Village of Fonthill, now in
the Town of Pelham, for the purpose of constructing a multiple family
development thereon;

AND WHEREAS Council deems it desirable and expedient to
rezone the lands for the purpose of permitting such development, and
regulating the use of land, and the character, location and use of
buildings, and to enter into a development control agreement with the
owner of such lands, as a condition of the development, pursuant to
Section 7.34 of By-law #279 (1974);

NOW THEREFORE COUNCIL OF THE CORPORATION OF THE TOWN
OF PELHAM ENACTS AS FOLLOWS:

- (1) THAT Schedule "A", being the zoning map to By-law #674 as amended,
of the former Village of Fonthill is hereby amended by changing the
zone designation of the lands described in Schedule "A" of this by-law,
from R1 to Special RM-1 Zone.
- (2) 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" of this by-law from
Development (D) Zone to Special RM-1 Zone.
- (3) THAT By-law #674 as amended, and By-law #279 (1974) as amended
are further amended by adding a new section 12 (a) and 28 (a) to
each by-law respectively, with such new section, to read as follows:

Special RM-1 Zone -

No person shall within any Special RM-1 Zone use any
land, or erect, alter, or use any building or structure except in
accordance with the following provisions:

Permitted Uses - (a) apartment buildings
(b) row house dwellings
(c) uses, buildings, and structures accessory to the

foregoing permitted uses

Regulations for Permitted Uses -

(a) Minimum Lot Area	6.95 acres
(b) Minimum Lot Frontage	556.95 feet
(c) Maximum Lot Coverage	35%
(d) Minimum Setback	116 feet from centre line of highway
(e) Minimum Sideyard	35 feet
(f) Minimum Rear yard	35 feet
(g) Minimum Floor Area Per Dwelling Unit	950 square feet
(h) Maximum Building Height	45 feet

Play Space -

No person shall use or erect on a lot an apartment building, or row house dwelling containing other than all bachelor units, as defined in By-law #279 (1974), unless there is provided on each 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 a building

(c) accessible to the building without any necessity of crossing a parking lot

(d) in one location

(e) of a size that will contain at least twenty-five (25) square feet of play space for each one bedroom unit, and at least fifty (50) square feet of play space for each two or more bedroom units.

(4) THAT provision of Clause (a) of Section 7.31 of By-law #279 (1974) shall not apply to the lands described in Schedule "A" of this by-law.

(5) THAT all other provisions of By-law #674 as amended, and By-law #279 (1974) as amended, shall ~~not~~ be observed and complied with.

(6) 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
18th. DAY OF August, 1975 A.D.

Anthony A. Gullett
MAYOR

E. J. S.
CLERK

SCHEDULE "A"

to

BY-LAW #326 (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 Village of Fonthill, in the County of Welland), and being composed of Block Y as shown in Registered Plan No. 25 for the said Village of Fonthill.