

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW #391 (1976)

Being a by-law to amend Restricted Area By-law #279 (1974), as amended, and rezone property owned by Mr. John Emmons on the north side of #20 Highway to "Commercial General".

WHEREAS an application has been received to rezone property on the north side of #20 Highway, as described in Schedule "A" of this by-law, for the purpose of permitting the expansion of the existing commercial building on the abutting said lands;

AND WHEREAS Council deems it desirable and expedient to rezone the lands for the purpose of permitting the expansion building, 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 #279 (1974), as amended, is hereby further amended by changing the zone designation of the lands described in Schedule "A" of this by-law from "Residential R2-102 Zone" to a "Commercial General (CG) Zone."
- (2) THAT the Commercial General (CG) Zone shall comply with the provisions of Section 18 of By-law #279 (1974), as amended.
- (3) THAT Section 18.3 of By-law #279 (1974), as amended, shall be amended by repealing the words "to a point 450 feet east of Pelham Street" in Section 18.3, and by substituting for the words so repealed the words "to a point 550 feet east of Pelham Street."
- (4) THAT all other provisions of 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
25th. DAY OF October, 1976 A.D.


MAYOR


CLERK

DESCRIPTION FOR RE-ZONING

PART OF THE BEATTY LOT (FORMERLY CHESTNUT ST.)
PART OF LOTS 3, 4 AND 5 NORTH SIDE EAST CANBORO ST.
ALL FORMERLY PART OF LOT 158 TOWNSHIP OF THOROLD
ACCORDING TO DEXTER D'EVERARD O'S UNREGISTERED PLAN

(now known as Plan 716)
NOW SHOWN ON REGISTERED PLAN NO. 25
(now known as Plan 717)

FORMERLY IN THE VILLAGE OF FONTHILL

COUNTY OF WELAND

ALL NOW IN THE TOWN OF PELHAM

REGIONAL MUNICIPALITY OF NIAGARA

ALL AND SINGULAR THAT certain parcels or tract of land and premises situate, lying and being in the Town of Pelham, in the Regional Municipality of Niagara, and being composed of Part of The Beatty Lot (formerly Chestnut St.) Part of Lots 3, 4 and 5 North side East Canboro Street, all formerly part of Lot 168, Township of Thorold, according to Dexter D'Everardo's unregistered Plan (now known as Plan 716) now shown on Registered Plan No. 25 (now known as Plan 717) formerly in the Village of Fonthill, County of Welling, all now in the said Town of Pelham, containing by admeasurement an area of 12,790 square feet, (0.294 of an acre) more or less, shown outlined in red on the whiteprint of a plan dated September 1, 1976, signed by Thomas G. Cahill, O.L.S. and attached hereto, and which said parcel or tract of land may be more particularly described as follows:

PREMISING that the northerly limit of East Canboro Street has an astronomical bearing of N 64° 44' 30" E according to an Instrument registered in the Registry Office for the Registry Division of Niagara South formerly the Registry Division of the said County of Welling as No. 82026B, and relating all bearings herein thereto;

COMMENCING at an iron bar defining the south-westerly corner of said Lot 3;

THENCE N 64° 44' 30" E in the said northerly limit of East Canboro Street, 61.04 feet to the south-easterly corner of said Lot 3; being the Place of Beginning of the lands herein to be described;

THENCE N 64° 44' 30" E continuing in the said northerly limit of East Canboro Street, 96.04 feet to an iron bar;

THENCE N 25° 15' 30" W, 100 feet to an iron bar;

THENCE S 87° 33' W, 146.32 feet more or less to an iron bar in the west limit of said Beatty Lot;

THENCE S 1° 17' W, in the said west limit of Beatty Lot,
47.19 feet;

THENCE S 88° 36' E, 104.78 feet to a point in the east
limit of said Lot 3;

THENCE S 1° 17' W in the said east limit 75.45 feet to the
Place of Beginning.

WELLAND, Ontario,

September 8, 1976,

File: 67-164.

C. J. CLARKE, NIAGARA, LIMITED,
ONTARIO LAND SURVEYORS,



THOMAS G. CAHILL, O.L.S.