

The Corporation of the  
Town of Pelham

By-Law No. 4417(2022)

**Being a by-law to exempt Blocks 45, 46 on Plan 59M-471, municipally known as 42, 44, 46, 48, 50, 52, 54, 56 Summersides Boulevard, from part lot control.**

**River Estates Phase 2 Subdivision  
(River Realty Development (1976) Inc.)  
File No. PLC 06-2021**

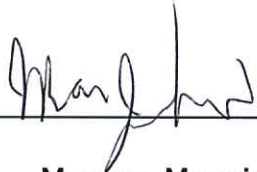
---

**WHEREAS** the Council of the Corporation of the Town of Pelham deems that the lands described in Section 1 of this by-law should be exempted from the provisions of Section 50 (5) of the *Planning Act* since such lands are to be used for street townhouse dwelling units as permitted by Zoning By-law No. 1136 (1987), as amended;

**NOW THEREFORE**, the Council of the Corporation of the Town of Pelham enacts as follows:

1. **THAT** the provisions of Section 50 (5) of the *Planning Act, R.S.O. 1990, c.P.13 as amended* shall not apply to the lands described as follows:
  - (a) Block 45 on Plan 59M-471, being Parts 8, 9, 10, 11, 12 and 13 on Reference Plan 59R-17129,  
  
for the purpose of creating 4 lots for street townhouse dwelling units as follows:
    - 1) Parts 8 and 9 on Reference Plan 59R-17129
    - 2) Part 10 on Reference Plan 59R-17129
    - 3) Part 11 on Reference Plan 59R-17129
    - 4) Parts 12 and 13 on Reference Plan 59R-17129
  - (b) Block 46 on Plan 59M-471, being Parts 1, 2, 3, 4, 5, 6 and 7 on Reference Plan 59R-17129,  
  
for the purpose of creating 4 lots for street townhouse dwelling units as follows:
    - 1) Parts 1, 2 and 3 on Reference Plan 59R-17129
    - 2) Part 4 on Reference Plan 59R-17129
    - 3) Part 5 on Reference Plan 59R-17129
    - 4) Parts 6 and 7 on Reference Plan 59R-17129
2. **THAT** in accordance with Section 50 (7.3) of the *Planning Act, R.S.O, 1990, c.P, 13 as amended*, this By-law shall expire three years from the date of the registration of this By-law in the Land Registry Office at which time Section 50 (5) of the *Planning Act R.S.O 1990* shall apply to those lands in the registered plan described in Section 1 of this by-law.
3. **THAT** upon final passage of this by-law, the Town Clerk shall cause this By-law to be registered in the local Land Registry Office.

ENACTED, SIGNED AND SEALED THIS  
24<sup>TH</sup> DAY OF JANUARY, 2022.



---

Mayor: Marvin Junkin



---

Clerk: Holly Willford



PLAN OF SURVEY OF  
BLOCKS 45 AND 46  
REGISTERED PLAN 59M - 471

TOWN OF PELHAM  
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 200

5 0 5 10 metres

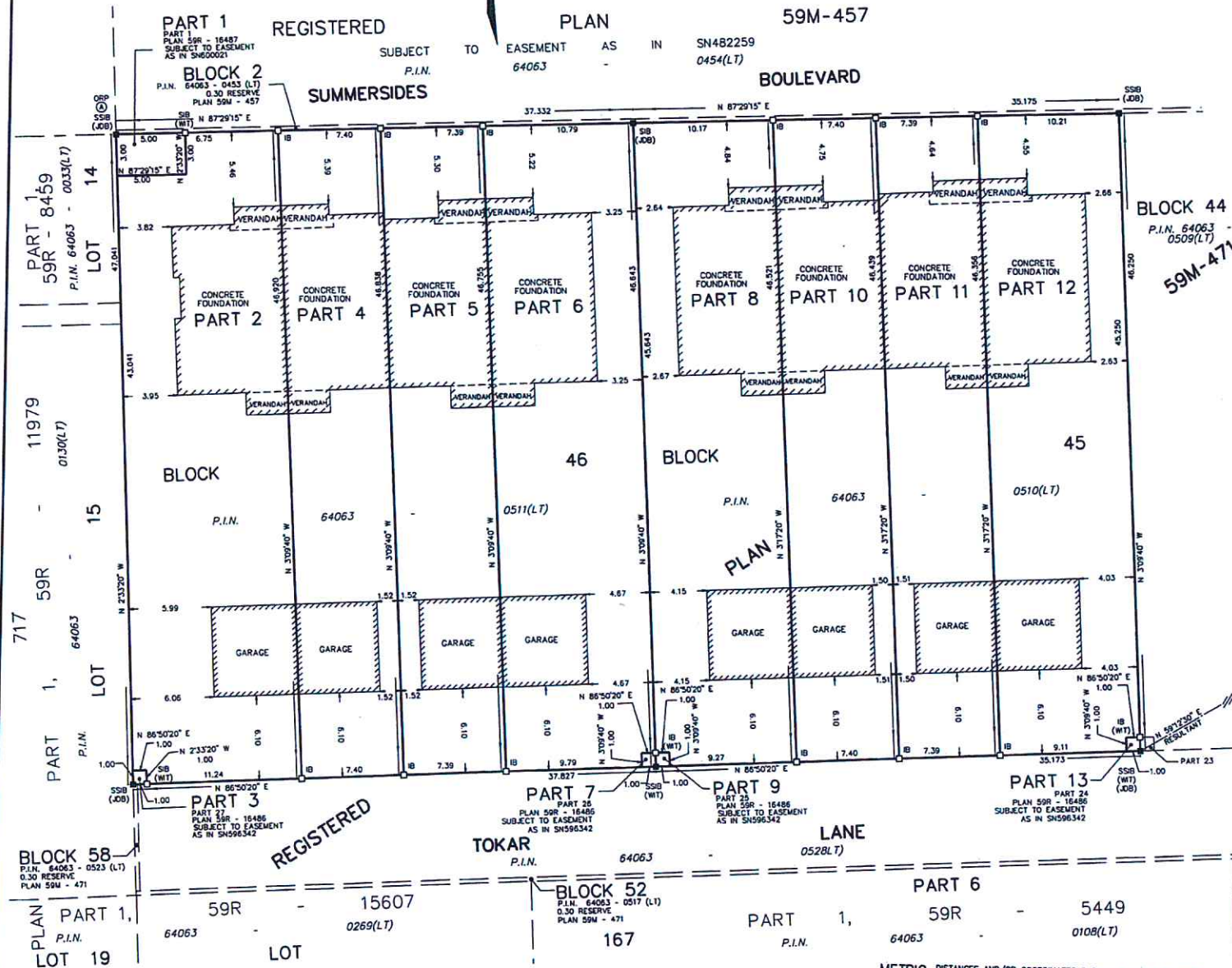
KIRKUP MASCOE URE SURVEYING,  
A DIVISION OF J.D. BARNES LIMITED



LEGEND

■ DENOTES SURVEY MONUMENT FOUND  
□ DENOTES SURVEY MONUMENT SET  
SSB DENOTES STANDARD IRON BAR  
SSIB DENOTES SHORT STANDARD IRON BAR  
IB DENOTES IRON BAR  
PB DENOTES PLASTIC BAR  
WT DENOTES WITNESS  
MEAS DENOTES MEASURED  
JDB DENOTES J.D. BARNES LIMITED  
P1 DENOTES PLAN 59M - 471  
P2 DENOTES EASEMENT PLAN 59R - 16486  
P3 DENOTES EASEMENT PLAN 59R - 16487

ALL SET SSB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN  
AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH  
SECTION 11 (4) OF O. REG. 523/91.



I REQUIRE THIS PLAN TO BE  
DEPOSITED UNDER THE  
LAND TITLES ACT.

DATE NOVEMBER 11, 2021

ROY S. KIRKUP  
ONTARIO LAND SURVEYOR

PLAN 59R-17129

RECEIVED AND DEPOSITED

DATE 2021-12-02

"C. LINGANCE"  
REPRESENTATIVE FOR THE LAND  
REGISTRAR FOR THE LAND TITLES  
DIVISION OF NIAGARA SOUTH  
(No 59)

SCHEDULE

PART	BLOCK	PLAN	PIN
1	ALL OF BLOCK 46	REGISTERED PLAN 59M-471	ALL OF 64063 - 0511(LT)
2			
3			
4			
5			
6			
7			
8	ALL OF BLOCK 45		ALL OF 64063 - 0510(LT)
9			
10			
11			
12			
13			

PARTS 3, 7, 9 AND 13 ARE SUBJECT TO EASEMENT AS IN SN596342  
PART 1 IS SUBJECT TO EASEMENT AS IN SN600021

NOTES

BEARINGS ARE XTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B,  
BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY  
THE COMBINED SCALE FACTOR OF 0.999827.

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP): UTM ZONE 17, NAD83 (CSRS) (2010.0).  
COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF O. REG. 216/10.

POINT ID	EASTING	NORTHING
ORP (A)	640 283.55	4 767 149.54
ORP (B)	640 548.53	4 767 219.78

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH  
CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS  
ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS  
MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 5TH OF NOVEMBER, 2021.

NOVEMBER 11, 2021  
DATE

ROY S. KIRKUP  
ONTARIO LAND SURVEYOR



Kirkup Mascoe Ure Surveying  
A Division of J.D. Barnes Limited

4318 PORTAGE ROAD, UNIT 2, NIAGARA FALLS, ON L2E 6A4  
T: (905) 641-1007 F: (905) 641-4234 www.jdbarnes.com

DRAWN BY: CH	CHECKED BY: RSK	REFERENCE NO.: 20-49-054-00
PLOTTED: NOVEMBER 12, 2021	DATED: NOVEMBER 12, 2021	

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN  
METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.