

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW # 494 (1978)

Being a by-law to amend Restricted Area By-law #279 (1974), as amended, of the Town of Pelham, and to rezone the property owned by Dr. C. Duncan from Residential (R2) zone to Commercial General 122 (CG 122) zone.

WHEREAS application has been made to rezone the property described herein of Dr. C. Duncan to allow the erection of a Dental Clinic;

AND WHEREAS a portion of the property is presently zoned Commercial General (CG) zone and the Planning and Development Committee of the Town of Pelham deem it desirable to zone the entire property Commercial to allow a Dental Clinic:

AND WHEREAS a rezoning to permit the construction of a Dental Clinic is in conformity with the Official Plan of the Pelham Planning Area;

AND WHEREAS the Planning and Development Committee of the Council of the Town of Pelham recommends the rezoning of the property as described herein of Dr. C. Duncan being part of Lot 49 Registered Plan 25 and Part of Blocks A and B of Unregistered Dexter D'Everardo Plan, now known as Plan 716, as shown on Corporation Plan 25, now known as Plan 717.

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

(1) THAT the zone designation of the lands described hereinafter be changed from Residential (R2) zone to Commercial General 122 (CG 122) zone.

(2) 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 part of Lot 49, on the east side of North Pelham Street, according to Registered Plan No. 25 for the Village of Fonthill, and part of Blocks "A" and "B", on the west side of Chestnut Street, according to unregistered Dexter D'Everardo Plan (now known as Plan 716), all as shown on Corporation Plan No. 25 (now known as Plan 717) more particularly described as follows:

COMMENCING at a point in the east limit of North Pelham Street at a point distant 66 feet southerly from the north-

west angle of said Lot No. 49;

THENCE easterly parallel to the northerly limits of said Lot No. 49 and Block "B", 260 feet more or less to the east limit of said Block "B";

THENCE southerly in and along the easterly limits of said Blocks "B" and "A" 82 feet and 6 inches more or less to the south-east angle of said lot;

THENCE westerly in and along the southerly limit of said Block "A" 95 feet more or less to the southwest angle of said Block "A";

THENCE northerly in and along the westerly limits of said Block "A" 16 feet 6 inches more or less to the southwest angle of said Lot 49;

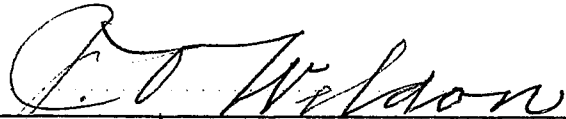
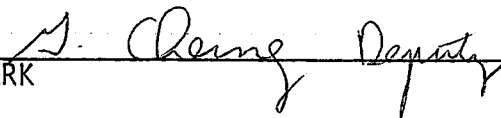
THENCE westerly 165 feet more or less to the south-west angle of said Lot 49;

THENCE northerly 66 feet more or less to the place of beginning.

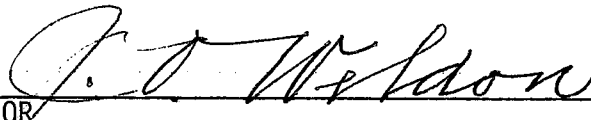
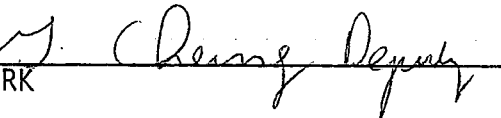
(3) NOTWITHSTANDING the permitted uses of a Commercial General zone Section 18.1 of By-law #279 (1974) the use of the lands designated CG 122 on Schedule "A" shall be restricted to Business and Professional Offices. All other relevant provisions of By-law #279 (1974) shall apply hereto except section 18.3. and section 16.3. *AC* *Row.*

(4) THAT as a condition of the passing of this by-law the owner or subsequent owners be required to enter into a Site Plan Agreement with the Town of Pelham.

READ A FIRST AND SECOND TIME
BY COUNCIL THIS 21st DAY OF
NOVEMBER, 1978 A.D.


MAYOR

CLERK

READ A THIRD TIME AND FINALLY
PASSED BY COUNCIL THIS 21st
DAY OF NOVEMBER, 1978 A.D.


MAYOR

CLERK