

THE CORPORATION OF THE  
T O W N   O F   P E L H A M  
BY-LAW #762 (1982)

Being a by-law to amend By-law #450 (1978), as amended, a by-law to prohibit the use of land and the erection and use of buildings or structures except for certain purposes; and to regulate the height, location, floor area, spacing and use of certain buildings to be erected within the municipality and the minimum frontage of the parcel of land that any building or structure may occupy.

WHEREAS the Council of the Corporation of the Town of Pelham deems it necessary in the public interest to pass a by-law to regulate the use of land and the erection or use of buildings or structures within the municipality except for such purposes as may be set out in the by-law and for regulating in certain respects buildings or structures to be erected within the municipality;

AND WHEREAS pursuant to the provisions of Section 39 of The Planning Act, as amended, by-laws may be passed by Councils of municipalities for prohibiting or regulating the use of land and the erection of buildings or structures within the municipality for or except for such purposes as may be set out in the by-law, and for regulating in certain respects buildings or structures to be erected within the municipality;

AND WHEREAS a free standing Zoning By-law, being By-law #523 (1979) has been passed by the Council of the Corporation of the Town of Pelham and approved by the Ontario Municipal Board;

AND WHEREAS the Council of the Corporation of the Town of Pelham deems it necessary and desirable to incorporate the above mentioned free standing zoning by-law into the Town of Pelham's comprehensive Zoning By-law #450 (1978), as amended;

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

(1)            THAT the zoning designation of the lands as described herein-after be changed from "Agriculture (A2) Zone" to "Commercial Rural 123 (CR-123) Zone":

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, in the Province of Ontario and being composed of Part of Lot 6 in the Tenth Concession of the Township of Pelham, formerly in the County of Welland, and which said parcel or tract of land is more particularly described as follows:

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COMMENCING at the north-east corner of the said Lot 6;  
THENCE S89°03'W along the northerly limit of the said Lot  
400 feet to the place of beginning of the parcel to be described;  
THENCE South parallel to the easterly limit of the said  
Lot 440 feet;  
THENCE N89°03'E 200 feet to a point in the easterly limit  
of the lands described in registered instrument No. 70493B;  
THENCE South along said easterly limit 161 feet to the  
southeast corner of the said lands;  
THENCE S89°03'W along the southerly limit of said lands  
623.6 feet more or less to a point in the easterly limit of the lands  
described in registered instrument No. 174499;  
THENCE N11°25'30"W along the easterly limit of said lands  
34.5 feet more or less to an angle therein;  
THENCE N53°49'30"E along said easterly limit 351.12 feet  
to an angle therein;  
THENCE N4°57'E 46.72 feet to an angle therein;  
THENCE N7°40'E 321.63 feet to a point in the northerly  
limit of the said lot distant therein westerly 100.02 feet from the  
place of beginning;  
THENCE 89°03'E along said northerly limit 100.02 feet to  
the place of beginning;

AND CONTAINING by admeasurement an area of 3.455 acres  
be the same more or less.

BEARINGS herein are referred to the northerly limit of  
said Lot 6, Concession 10 on a course N89°03'E in accordance with  
registered instrument No. 174499.

(2) THAT Map 2 to Schedule "B" to By-law #450 (1978), as amended,  
is hereby further amended by changing the zoning designation of the lands  
described in Section (1) of this By-law from "Agricultural (A2) Zone" to  
"Commercial Rural 123 (CR-123) Zone."

(3) THAT Section 24 of By-law #450 (1978) is amended by the  
addition of the following exception: -

"123 This land shall only be used for the repair  
of farm equipment and related vehicles and  
uses, buildings and structures accessory  
thereto."

(4) THAT the site plan agreement entered into as a condition of the  
passing of Zoning By-law #523 (1979) be and is hereby made a part of this  
By-law.

(5) THAT By-law #523 (1979) be and is hereby repealed.

con't.....

(6) THAT this by-law shall come into force and take effect on the day of its passing, subject to the approval of the Ontario Municipal Board.

READ A FIRST TIME BY COUNCIL THIS  
8th. DAY OF MARCH, 1982 A.D.

ES Bergenstein  
MAYOR

Murray Hackett  
CLERK

READ A SECOND AND THIRD TIME AND  
FINALLY PASSED BY COUNCIL THIS  
8th. DAY OF MARCH, 1982 A.D.

ES Bergenstein  
MAYOR

Murray Hackett  
CLERK