

THE CORPORATION OF THE  
T O W N   O F   P E L H A M  
BY-LAW #763 (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 #524 (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 (A1) Zone" to "Commercial Rural 128 (CR-128) Zone":

ALL AND SINGULAR that 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 County of Welland and being composed of Part of Lot 17, Concession 10 and Part of Lot 7, Registered Plan 16 for the former Township of Pelham, said Registered Plan 16 now known as Plan 703 and premising that the westerly limit of said Lot 7 has an astronomic bearing of N0°13'E and relating all bearings herein thereto the said parcel may  
con't.....

be more particularly described as follows:

COMMENCING at the north westerly angle of said Lot 7,  
Registered Plan 16;

THENCE  $S0^{\circ}13'W$  along the westerly limit of said Lot 5.185m  
(17.01 feet) to a standard iron bar found at its intersection with the  
southerly limit of West Canboro Street as widened by registered instrument  
No. 116307, said standard iron bar marking the place of beginning of the  
herein described parcel;

THENCE  $N88^{\circ}34'E$  along said southerly limit of West Canboro  
Street, 21.336m (70.0 feet) to an iron bar;

THENCE  $S2^{\circ}00'E$ , 88.697m (291.0 feet) to an iron bar;

THENCE  $N88^{\circ}34'E$ , 45.720m (150.0 feet) to an iron bar;

THENCE  $S2^{\circ}00'E$ , 24.326m (79.81 feet) to an iron pipe;

THENCE  $S88^{\circ}34'W$ , 71.427m (234.34 feet) more or less to the  
westerly limit of said Lot 7;

THENCE  $N0^{\circ}13'E$  along said westerly limit, 61.557m (201.96  
feet) to an iron bar;

THENCE  $S88^{\circ}34'W$ , 28.112m (92.23 feet) to an iron bar;

THENCE  $N0^{\circ}13'E$ , 51.508m (168.99 feet) more or less to a  
standard iron bar in the southerly limit of West Canboro Street as widened;

THENCE  $N88^{\circ}34'E$  along said last mentioned limit, 28.112m  
(92.23 feet) more or less to the place of beginning;

AND containing by admeasurement an area of 0.5216 of a  
hectare (1.289 acres) be the same more or less.

(2) THAT Map #3 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 "Agriculture (A1) Zone" to  
"Commercial Rural 128 (CR-128) Zone".

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

"128 This land shall only be used for the operation  
of a wholesale florist business and uses,  
buildings and structures accessory thereto,  
as well as residential uses accessory to the  
wholesale florist business."

(4) THAT the site plan agreement entered into as a condition of  
the passing of Zoning By-law #524 (1979) be and is hereby made a part of  
this By-law.

(5) THAT By-law #524 (1979) be and is hereby repealed.

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(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. Bergensten  
MAYOR

Murray Hackett  
CLERK

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

ES. Bergensten  
MAYOR

Murray Hackett  
CLERK