



The Municipal Corporation of the Town of Fort Erie

By-law No. 91-2017

Being a By-law to Authorize the Entry into a Spatial Separation Agreement - 1099 & 1119 Point Abino Road South (Front House Point Abino, LLC & Main House Point Abino, LLC - Robert Rich, Jr.)

Whereas the existing single family dwelling at 1099 Point Abino Road South extends over the property line and onto 1119 Point Abino Road South, and

Whereas the owner of 1099 Point Abino Road South wishes to construct an addition which will extend over the property line to the same extent on 1119 Point Abino Road South, and

Whereas the Ontario Building Code (the "Code") regulates the amount of glazing or window permitted in a wall face between buildings on the same property, and

Whereas the Code will permit the limiting distance or setback to be taken to a point beyond a property line provided that an agreement is entered into between the municipality and the property owners, and

Whereas it is deemed desirable to enter into a Spatial Separation Agreement with Front House Point Abino, LLC and Main House Point Abino, LLC to meet the requirements of the Ontario Building Code;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the entry into a Spatial Separation Agreement with Front House Point Abino, LLC and Main House Point Abino, LLC to meet the requirements of the Ontario Building Code with respect to the required limiting distance, in a form satisfactory to the Town Solicitor, is authorized and approved.
2. **That** the Mayor and Clerk are authorized to execute the Spatial Separation Agreement, and to affix the corporate seal thereto.
3. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 28th day of August, 2017.

Mayor

Interim Clerk

I, _____, the Clerk, of The Corporation of the Town of Fort Erie hereby certifies the foregoing to be a true copy of By-law No. 91-2017 of the said Town. Given under my hand and the seal of the said Corporation, this _____ day of _____, 20____