



The Municipal Corporation of the Town of Fort Erie

By-law No. 120-2018

Being a By-law to Amend Zoning By-law No. 129-90 2631 Windmill Point West Lane David and Grace Rich – Owners Shawn Sider - Agent

350309-0475

Whereas an application was received from Shawn Sider (Agent) on behalf of David and Grace Rich (Owners) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands described as 2631 Windmill Point West Lane, and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c.P.13 was held on September 4, 2018, and

Whereas it is deemed desirable to amend the Comprehensive Zoning By-law No. 129-90 as amended, pursuant to the recommendations of Report No. PDS-65-2018 considered and approved at the Council-in-Committee meeting of September 17, 2018;

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

1. **That** Schedule "A" of By-law No. 129-90 as amended, is further amended by changing the zoning of the lands as described above and shown on the attached Appendix "1" from "Waterfront Rural Residential (WRR) Zone" and "Hazard (H) Zone" to "Waterfront Rural Residential (WRR-627) Zone and "Hazard (H) Zone".
2. **That** By-law No.129-90 as amended, is further amended by adding to "Section 16A – Waterfront Rural Residential (WRR) Zone" Subsection – "Exceptions to the Waterfront Rural Residential (WRR) Zone" the following exception:

"WRR-627 (120-2018) 2631 Windmill Point Lane West

These lands are zoned "Waterfront Rural Residential (WRR-627) Zone", and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Waterfront Rural Residential (WRR) Zone" by this by-law shall apply to those lands zoned "Waterfront Rural Residential (WRR-627) Zone" on the attached Appendix "1" shall be subject to the following special provisions:

- a) Notwithstanding the “Regulations for Dwellings” in Section 16.A.2, the following special provisions shall apply
 - i. Maximum number of dwelling units – 2
 - ii. Minimum easterly interior side yard – 0.8 m
 - iii. Minimum rear yard – 11 m
 - iv. Maximum building height – 10.5 m
 - v. Maximum floor area of dwelling unit within accessory structure – 105 sq m
- b) Notwithstanding “Yard Setbacks for Lots Abutting Lake Erie” in Section 6.48, the minimum setback for a dwelling from the 1-in-100 year flood elevation as determined by the Niagara Peninsula Conservation Authority shall be 11 m.”

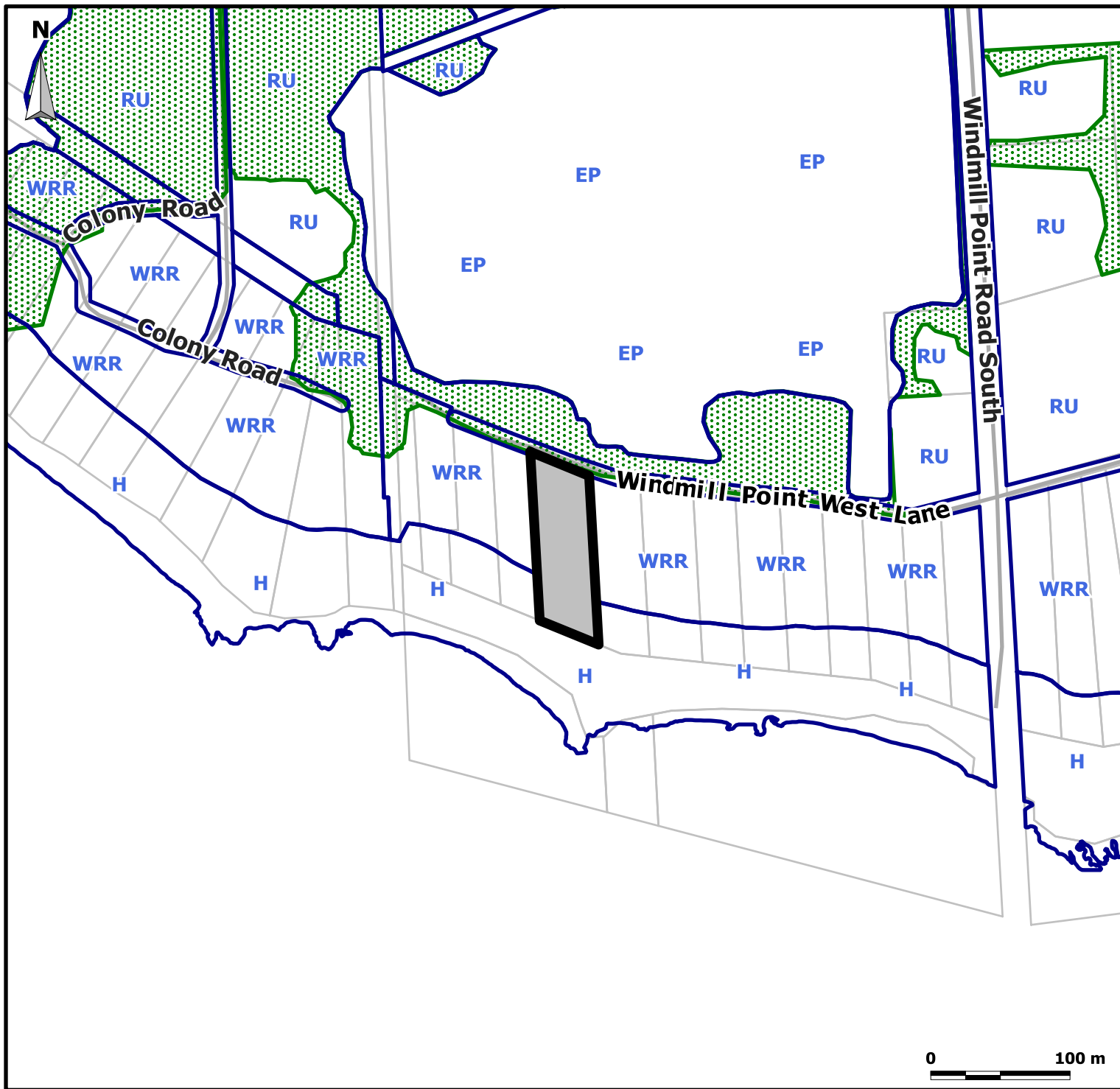
3. That the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 24th day of September, 2018.

Mayor


Clerk


I, Carol Schofield, Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 120-2018 of the said Town. Given under my hand and the seal of the said Corporation, this day of _____, 20____



By-law No. 120-2018

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90
PASSED THIS 24th DAY OF SEPTEMBER, 2018**

 Subject Lands - 2631 Windmill Point West Lane

 Part 1 - Change from Waterfront Rural Residential WRR Zone and Hazard H Zone
to Waterfront Rural Residential WRR-627 Zone and Hazard H Zone