



The Municipal Corporation of the Town of Fort Erie

By-law No. 44-2019

**Being a By-law to Amend Zoning By-law No. 129-90
615 Burleigh Road North
Michael Sullivan - Agent
David and Christine Watson – Owners**

350309-0468

Whereas an application was received from Michael Sullivan (Agent) on behalf of David and Christine Watson (Owners) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands described as 615 Burleigh Road North, and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c.P.13 was held on February 4, 2019, 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-17-2019 considered at the Council-in-Committee meeting of March 4, 2019 and subsequently authorized and approved by Council;

Whereas Council determined that in accordance with Section 34(17) of the Planning Act, further notice was not required as a result of the inclusion of a site specific zoning regulation for a minimum lot frontage of 71 m for the retained lot which was inadvertently omitted from the description of the zoning amendment included in the information report to Council;

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 "Rural (RU) Zone" to "Rural RU (RU-631) Zone" (Part 1) and "Rural RU (RU-632) Zone" (Part 2) and "Environmental Protection EP (EP-633) Zone" (Part 3).
- 2. That** By-law No. 129-90 as amended, is further amended by adding to "Section 8– Rural (RU) Zone" Subsection – "Exceptions to the Rural (RU) Zone" the following exceptions:

"RU-631 (44-2019) 0 Burleigh Road North (Part 1)"

These lands are zoned "Rural RU (RU-631) Zone" (Part 1), and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Rural (RU) Zone" by this by-law shall apply to those lands zoned "Rural RU (RU-631) Zone" shown as Part 1 on the attached Appendix "1" and shall be subject to the following provisions:

- a) Minimum Lot Frontage – 48 m
- b) Minimum Lot Area – 1.0 ha

RU-632 (44-2019) 615 Burleigh Road North (Part 2)

These lands are zoned "Rural RU (RU-632) Zone" (Part 2), and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Rural (RU) Zone" by this by-law shall apply to those lands zoned "Rural RU (RU-632) Zone" shown as Part 2 on the attached Appendix "1" and shall be subject to the following provisions:

- a) Minimum Lot Frontage – 71 m
- b) Minimum Lot Area – 3.0 ha"

3. **That** By-law No.129-90 as amended, is further amended by adding to "Section 35A– Environmental Protection (EP) Zone" Subsection – "Exceptions to the Environmental Protection (EP) Zone" the following exception:

"EP-633 (44-2019) 615 Burleigh Road North (Part 3)

These lands are zoned Environmental Protection EP (EP-633) Zone (Part 3), and all of the provisions of By-law 129-90 as amended that relate to lands zoned Environmental Protection (EP) Zone by this by-law shall apply to those lands zoned Environmental Protection EP-633 Zone shown as Part 3 on the attached Appendix "1" subject to the following provisions:

- (a) Notwithstanding the requirements of Subsection 35A.2 –Permitted Uses, the subject lands shall only be used for the conservation of plant and wildlife."

4. **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.

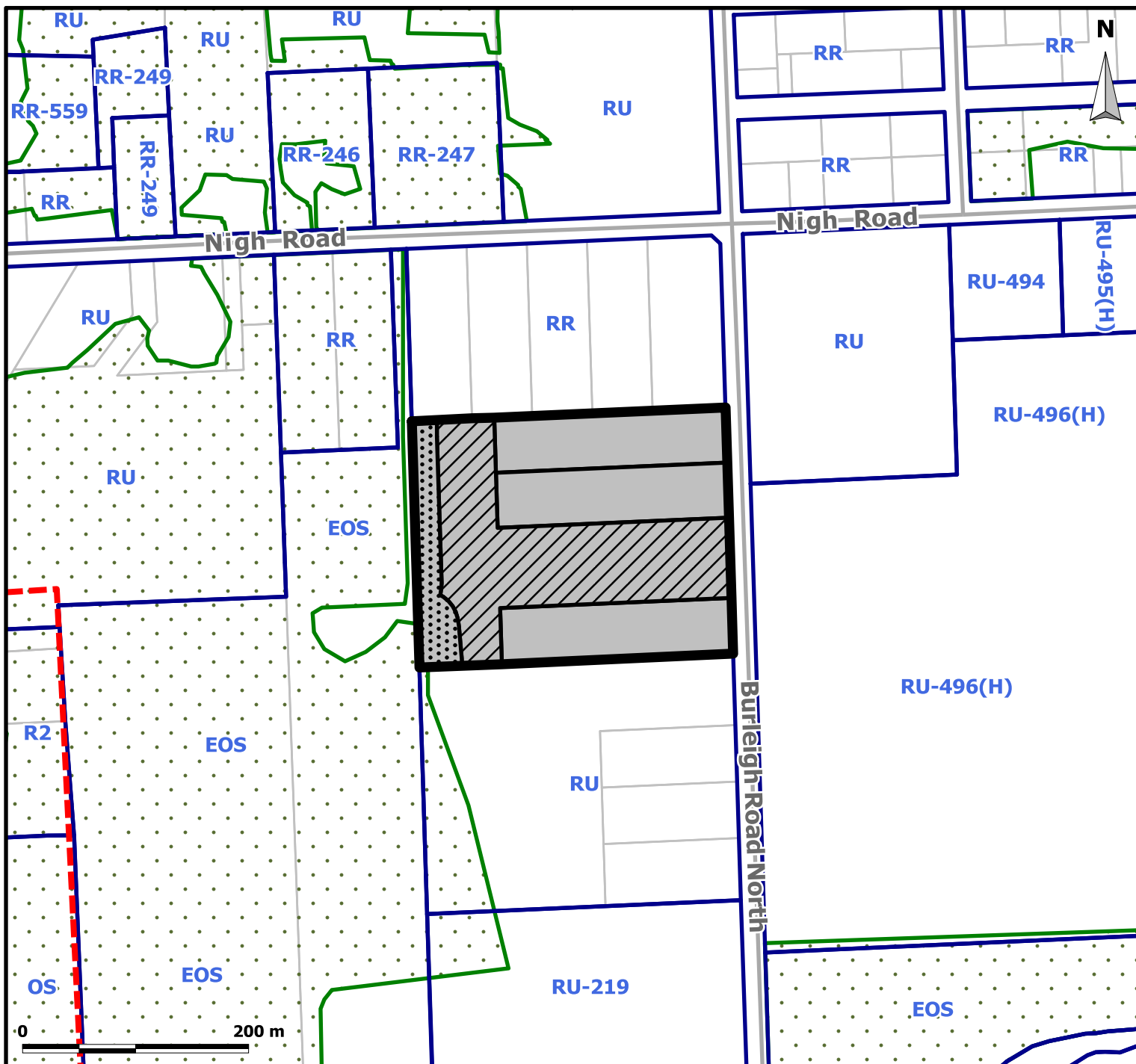
Read a first, second and third time and finally passed this 18th day of March, 2019.

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. 44-2019 of the said Town. Given under my hand and the seal of the said Corporation, this
day of _____, 20____





APPENDIX "1"



By-law No. 44-2019

THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90

PASSED THIS 18th DAY OF MARCH, 2019

-  Subject Lands - 615 Burleigh Road North
-  Part 1 - Change from Rural RU Zone to Rural RU-631 Zone
-  Part 2 - Change from Rural RU Zone to Rural RU-632 Zone
-  Part 3 - Change from Rural RU Zone to Environmental Protection EP-633 Zone