



# The Municipal Corporation of the Town of Fort Erie

## By-law No. 120-2019

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### Being a By-law to Amend Zoning By-law No. 129-90 1211 & 1225 Sunset Drive

Thomas R. Richardson, Sullivan Mahoney LLP - Agent  
Alfred Beam and Janet Beam – Owner

350309-0482

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**Whereas** an application was received from Thomas R. Richardson, Sullivan Mahoney LLP (Agent) on behalf of Alfred Beam and Janet Beam (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands described as Part Lot 2, Concession 6 Niagara River Part 1, RP 59R4888

**Whereas** a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c.P.13 was held on July 8, 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-46-2019 considered and approved at the Council-in-Committee meeting of July 15, 2019;

**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 "Agricultural (A) Zone" and Agricultural (A-77) Zone" to "Agricultural (A-641) Zone" (Part 1), "Agricultural (A-642) Zone" (Part 2), and "Agricultural (A-643) Zone" (Part 3).
2. **That** By-law No.129-90 as amended, is further amended by adding to "Section 7 – Agricultural (A) Zone" Subsection – "Exceptions to the Agricultural (A) Zone" the following exceptions:

**"A-641 (120-2019) 1225 Sunset Drive (Part 1)**

These lands are zoned "Agricultural (A-641) Zone", and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Agricultural (A) Zone" by this by-law shall apply to those lands zoned "Agricultural (A-641) Zone" subject to the following provisions:

In addition to the permitted uses in Section 7.2 and 7.3, the lands indicated as A-641 on Schedule "A" may also be used for a farm implement sales and service establishments, feed and fertilizer dealers, farm product markets, farm supply and service establishments, garden centres and uses, buildings and structures accessory thereto subject to the provisions set out in Section 26.3.

In addition to the permitted uses in Section 7.2 and 7.3, the lands indicated as A-641 on Schedule "A" may also be used as a construction trades establishment subject to the following special regulations:

- (a) Minimum Lot Frontage – 10.66 m.
- (b) Minimum front yard setback - 60.96 m.
- (c) Minimum side yard setback - 12.00 m.
- (d) Minimum rear yard setback - 15.24 m.
- (e) No outside storage of materials, waste materials, finished or unfinished products, equipment or parts shall be placed, kept or allowed to remain except in rear and side yards provided that they are screened from view from any street. The screening shall mean a visually impervious fence, wall or landscape berm. In no case shall this screening be less than 2.40 m in height."

**"A-642 (120-2019) 1225 Sunset Drive (Part 2)**

These lands are zoned "Agricultural (A-642) Zone", and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Agricultural (A) Zone" by this by-law shall apply to those lands zoned "Agricultural (A-642) Zone" subject to the following provisions:

In addition to the permitted uses in Section 7.2 and 7.3 the single detached dwelling on the lands indicated as A-642 on Schedule "A" may also be used for an office subject to the following special regulations:

- (a) Minimum lot frontage - 67.97 m.
- (b) Minimum lot area - 0.45 ha.
- (c) Front yard setback - 8.73 m.
- (d) Southerly interior side yard setback - 2.76 m."

**"A-643 (120-2019) 1221 Sunset Drive (Part 3)**

These lands are zoned "Agricultural (A-643) Zone", and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Agricultural (A) Zone" by this by-law shall apply to those lands zoned "Agricultural (A-643) Zone" subject to the following provisions:

- (a) Minimum lot frontage – 56.86 m.
- (b) Minimum lot area – 0.45 ha."

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 26th day of August, 2019.**

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Mayor

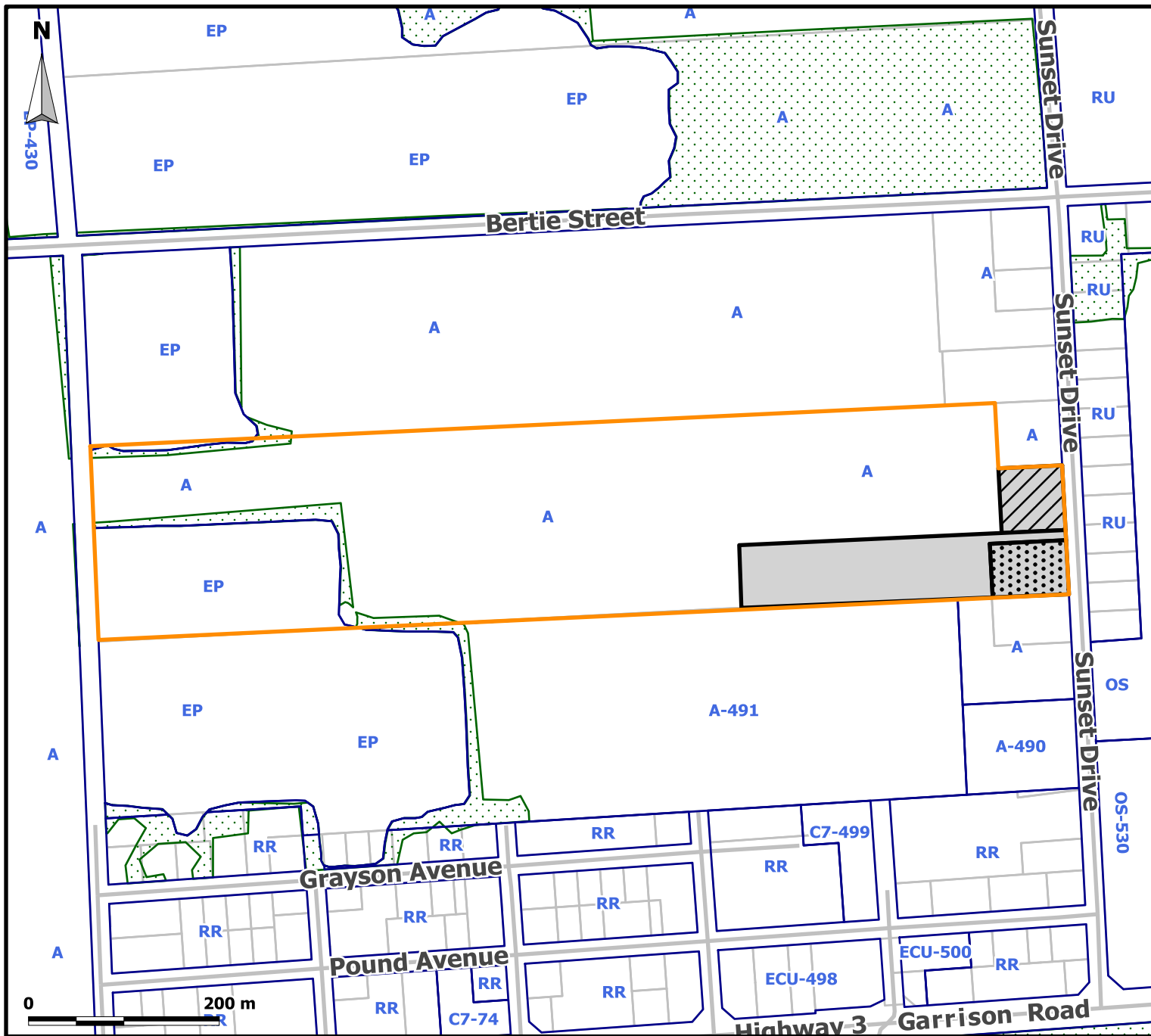
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Clerk

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. 120-2019 of the said Town. Given under my hand and the seal of the said Corporation, this day of \_\_\_\_\_, 20\_\_\_\_

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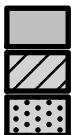
# APPENDIX "1"



By-law No. 120-2019

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

PASSED THIS 26th DAY OF AUGUST, 2019



Part 1 - Change from Agricultural A Zone and Agricultural A-77 Zone to Agricultural A-641 Zone

Part 2 - Change from Agricultural A Zone to Agricultural A-642 Zone

Part 3 - Change from Agricultural A Zone and Agricultural A-77 Zone to Agricultural A-643 Zone



Subject Lands - 1211 & 1225 Sunset Drive

Zone Boundary

EC Overlay Zone