



The Municipal Corporation of the Town of Fort Erie

BY-LAW NO. 20-2000

**BEING A BY-LAW TO AMEND ZONING BY-LAW 129-90
GAETANO & GUISEPPA ZAMBUTO
Southeast Corner of Thunder Bay Road & Prospect Point Road**

Roll No. 2703 020 012 09801 0000

D14-0138.01

**THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF FORT ERIE
HEREBY ENACTS AS FOLLOWS:**

WHEREAS Section 34, Subsection 1 of The Planning Act R.S.O. 1990, cP13, authorizes the Council of the Municipality to regulate the use of land and the character, location and use of buildings and structures within the Municipality, and;

WHEREAS Section 34, Subsection 12 requires the Municipality before the passing of a by-law under this section of the Act to ensure that sufficient information is made available to the public to generally understand the zoning proposal and to hold a public meeting, and;

WHEREAS in accordance with Section 34, Subsection 23 Council held a public meeting on July 12, 1999 to consider an application to amend the Zoning By-law to permit a subdivision with 169 lots for single detached dwellings of which 7 lots were proposed on a private road and residents at the public meeting had some concerns with the number of lots on the private road, and

WHEREAS the developer in consultation with the same residents has reduced the total number of lots in the plan of subdivision to 159 lots for single detached dwellings with only two lots fronting on the private road and all of the same residents have agreed to this, and;

WHEREAS in accordance with Section 34, Subsection 17 where changes have been made to a proposed by-law after the holding of the public meeting, Council can determine that no further notice be given with respect to the by-law and,

WHEREAS Council at its meeting of February 7, 2000 determined in recommendation No. 17 that because of the reduction in the number of lots, no further notice need be given with respect to the proposed zoning by-law amendment.

**NOW THEREFORE THE MUNICIPAL CORPORATION OF THE TOWN OF FORT ERIE
HEREBY ENACTS AS FOLLOWS:**

1. Schedule A21 of By-law 129-90 is amended by changing the zoning of the lands shown as Part 1 on the attached Schedule A from "Residential Development RD Zone" to "Residential 1 R1 Zone" and by changing the zoning of the lands shown as Part 2 on the attached Schedule A from "Residential Development RD Zone" to "Open Space OS Zone" and by changing the zoning of the lands shown as Part 3 on the attached

Schedule A from "Residential Development RD Zone" to "Residential 1 R1-222 Zone" which attached Schedule A is hereby declared to form part of this by-law.

2. By-law 129-90 is amended by adding to Subsection Schedule A21 of Section 35 (Exceptions) thereto the following exception:

"R1-222 These lands are zoned "Residential 1 R1-222 Zone" and all of the provisions of By-law 129-90 as amended that relate to lands zoned "Residential 1 R1 Zone" by that By-law shall apply to those lands zoned "Residential 1 R1-222 Zone" on Schedule A21, except:


- (a) that notwithstanding the requirements of Subsection 6.5, the lots shall not be required to have frontage on a public street;
- (b) that notwithstanding the requirements of Subsection 5.151, the front lot line shall be the lot line that divides the lot from the private lane, and;
- (c) that notwithstanding the requirements of Subsection 9.3(a), the minimum lot frontage shall not be less than 21 metres.

3. Council determined that under Section 34, Subsection 17 of The Planning Act R.S.O. 1990, cP13, no further notice need be given concerning the passage of this by-law.

4. The lands referred to in Section 1, 2, & 3 are situated at the southeast corner of Thunder Bay Road and Prospect Point Road and consist of Part of Lot 22 in Broken Front Concession, L.E., formerly in the Township of Bertie, now in the Town of Fort Erie, in the Regional Municipality of Niagara.

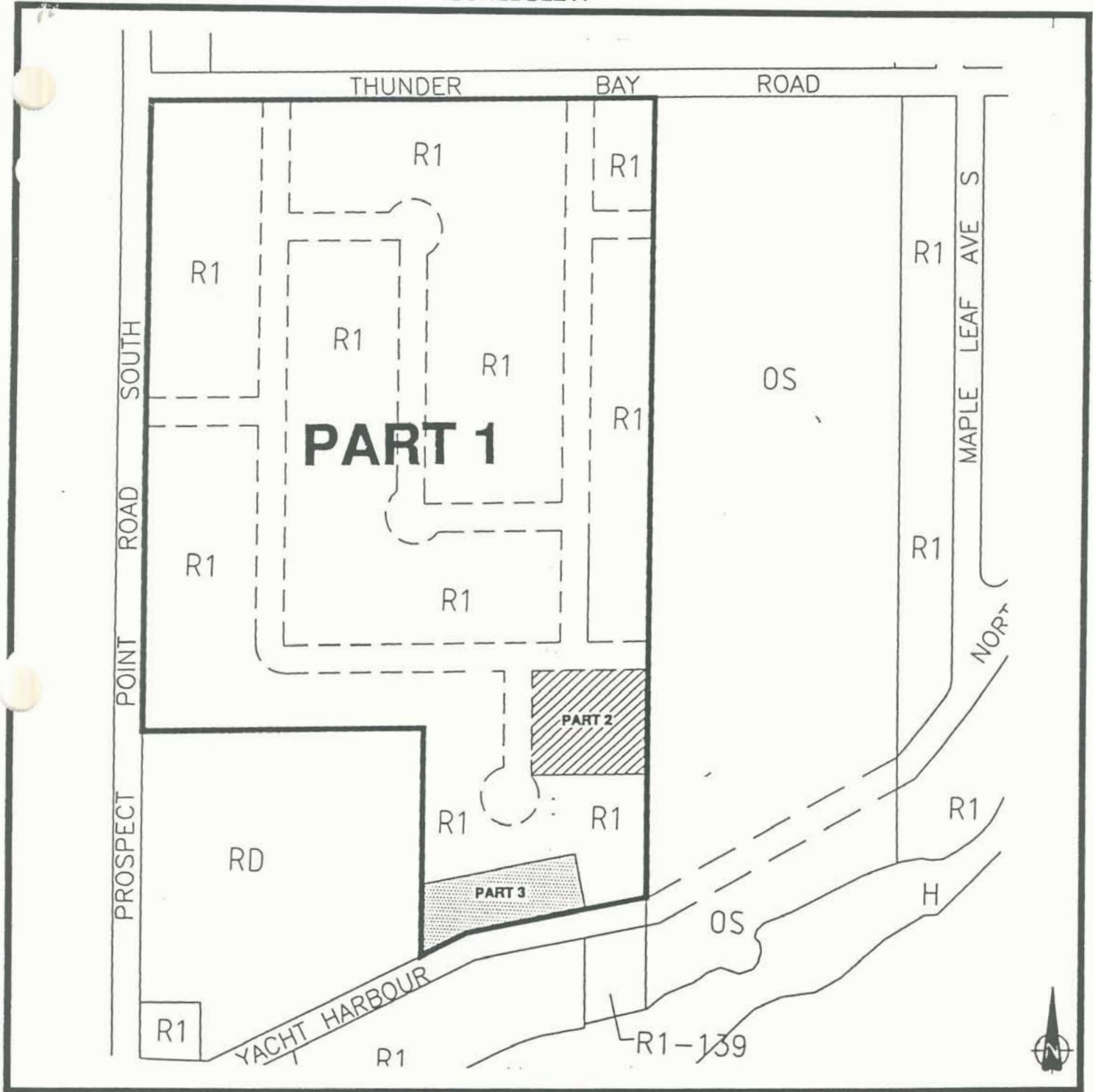
READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 14TH DAY OF FEBRUARY, 2000.


MAYOR


CLERK

I, CAROLYN BOOTH, CLERK OF THE CORPORATION OF THE TOWN OF FORT ERIE HEREBY CERTIFY THE FOREGOING TO BE A TRUE CERTIFIED COPY OF BY-LAW NO. 20-2000 OF THE SAID TOWN. GIVEN UNDER MY HAND AND THE SEAL OF THE SAID CORPORATION THIS ____ DAY OF _____, 2000.

SCHEDULE A



BY-LAW NO. 20-2000

THIS SKETCH FORMS PART OF SCHEDULE 'A21'
TO BY-LAW 129-90

PASSED THIS 14TH DAY OF FEBRUARY 2000



- 1 CHANGE FROM RESIDENTIAL DEVELOPMENT (RD) ZONE TO RESIDENTIAL 1 (R1) ZONE
- 2 CHANGE FROM RESIDENTIAL DEVELOPMENT (RD) ZONE TO OPEN SPACE (OS) ZONE
- 3 CHANGE FROM RESIDENTIAL DEVELOPMENT (RD) ZONE TO RESIDENTIAL 1 (R1-222) ZONE

SKETCH OF PART OF LOT 22 CONCESSION B/L (FORMER TOWNSHIP OF BERTIE)
NOW IN THE TOWN OF FORT ERIE, REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1:4000
DEPARTMENT OF PLANNING AND PROPERTY SAFETY
FEBRUARY 2000