



**The Municipal Corporation of the  
Town of Fort Erie**

**BY-LAW NO. 127-06**

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**BEING A BY-LAW TO AMEND ZONING BY-LAW 129-90  
CRYSTAL RIDGE LANDING (1372708 ONTARIO INC)  
N/E CORNER OF THUNDERBAY ROAD AND RIDGE ROAD  
PART OF LOT 23, CONCESSION 1  
(REMOVAL OF HOLDING PROVISION)**

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350309-0286

**WHEREAS** an application has been received from 1372708 Ontario Inc. to amend the Town's Comprehensive Zoning By-law 129-90 for the lands shown as Schedule A, and

**WHEREAS** a Public Meeting pursuant to Section 34(12) of the *Planning Act R.S.O. 1990, c.P.13* was held on December 19, 2005, and

**WHEREAS** the Council of the Town of Fort Erie passed By-law No. 56-06 on the 10th day of April 2006, rezoning the subject lands to permit residential development and Open Space use, and including a Holding provision which would remain on the lands until the completion of a subdivision agreement with the municipality for the subject lands; and

**WHEREAS** a subdivision agreement has been approved for the subject lands and the Council now deems it advisable to pass an amendment to the Comprehensive Zoning By-law having the effect of removing the Holding provision; and

**WHEREAS** it is deemed expedient to correct the exception numbers and amend accordingly due to the use of duplicate numbers;

**NOW THEREFORE** the Municipal Council of the Corporation of the Town of Fort Erie hereby enacts as follows:

- 1. THAT** Schedule A of By-law No. 129-90 is amended by changing the zoning of the lands shown as Part 1 on the attached Schedule A from Residential 2A Holding R2A-348(H) Zone to Residential 2A R2A-357 Zone; by changing the zoning of the lands shown as Part 2 on the attached Schedule A from Residential 2 Holding R2-349(H) Zone to Residential 2 R2-358 Zone, and by changing the zoning of the lands shown as Part 3 on the attached Schedule A from Open Space Holding OS-350(H) Zone to Open Space OS-359 Zone, which the attached Schedule A is hereby declared to form part of By-law No. 129-90.
- 2. THAT** By-law No. 129-90 "Section 12-Residential 2A R2A Zone, Subsection – Exceptions to the Residential 2A R2A Zone" be and it is hereby amended by deleting all reference to Exception R2A-348(H), and replacing same with the following exception:

**R2A-357** These lands are zoned Residential 2 R2A-357 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Residential 2A R2A Zone by this by-law shall apply to those lands zoned Residential 2A R2A-357 Zone on the attached Schedule A and subject to the following special provision:

- a) *All dwelling units shall have attached garages*
- b) *The minimum front yard setback shall be 4 metres to the dwelling unit and 6 metres to the garage*

3. **THAT** By-law No. 129-90, “Section 11-Residential 2 R2 Zone, Subsection – Exceptions to the Residential 2 R2 Zone” be and it is hereby amended by deleting all reference to Exception R2-349(H), and replacing same with the following exception:

**R2-358** These lands are zoned Residential 2 R2-358 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Residential 2 R2 Zone by this by-law shall apply to those lands zoned Residential 2 R2-358 Zone on the attached Schedule A and subject to the following special provision:

- a) *All dwelling units shall have attached garages*
- b) *The minimum front yard setback shall be 4 metres to the dwelling unit and 6 metres to the garage.*

4. **THAT** By-law No. 129-90 “Section 33-Open Space OS Zone, Subsection – Exceptions to the Open Space OS Zone” be and it is hereby amended by deleting all reference to Exception OS-350(H), and replacing same with the following exception:

**OS-359** These lands are zoned Open Space OS-359 Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Open Space OS Zone by this by-law shall apply to those lands zoned Open Space OS-359 Zone on the attached Schedule A and subject to the following special provision:

- a) *Notwithstanding Section 33.2 Permitted Uses the lands zoned Open Space OS-359 shall only be used for open space, conservation of the environment and stormwater management purposes.*

5. THAT the lands referred to in Sections 1, 2, 3 and 4 are situated on the north side of Thunder Bay Road, west side of Prospect Point Road and east side of Ridge Road and consist of Part of Lot 23 Concession 1 L.E. in the Town of Fort Erie, in the Regional Municipality of Niagara.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 17<sup>th</sup> DAY OF JULY, 2006.

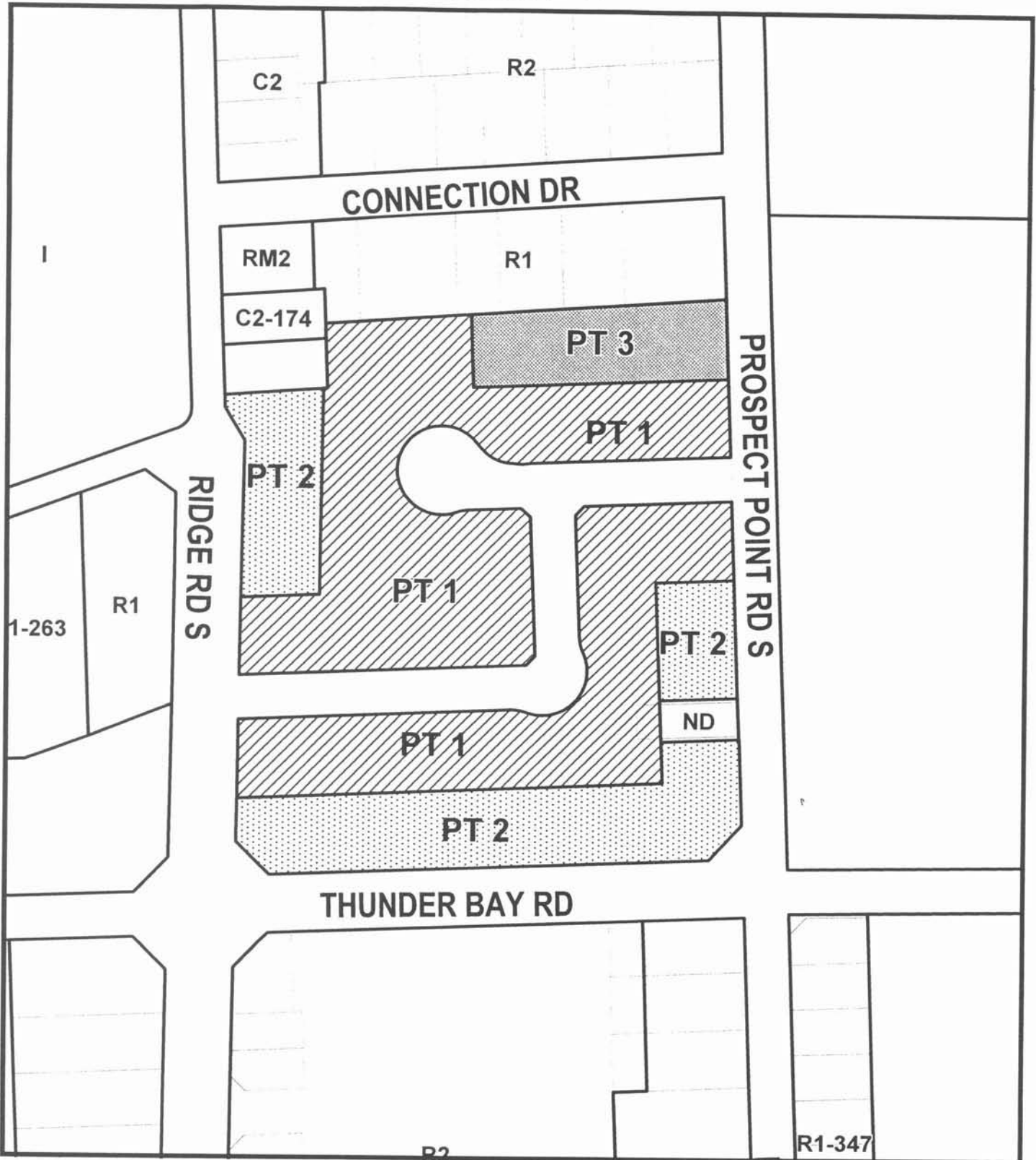
  
MAYOR

  
CLERK

I, the Clerk, Carolyn J. Kett, of The Corporation of the Town of Fort Erie hereby certify the foregoing to be a true certified copy of By-law No. 126-06 of the said Town. Given under my hand and the seal of the said Corporation this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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SCHEDULE "A"



By-law No. 127-06

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

PASSED THIS 17th DAY OF JULY 2006

-  REZONE FROM RESIDENTIAL 2A HOLDING R2A-348(H) ZONE TO RESIDENTIAL 2A R2A-357 ZONE
-  REZONE FROM RESIDENTIAL 2 HOLDING R2-349(H) ZONE TO RESIDENTIAL 2 R2-358 ZONE
-  REZONE FROM OPEN SPACE HOLDING OS-350(H) ZONE TO OPEN SPACE OS-359 ZONE



NORTH

Scale 1"=200'  
Community and Development Services  
July 2006

Sketch of Part Lot 23 in Concession 1 Lake Erie  
in the Town of Fort Erie, Regional Municipality of Niagara