



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

**BY-LAW NO. 126-08**

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**BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 129-90  
(1267 GARRISON ROAD INC.-DAVID KOMPSON)  
1267 GARRISON ROAD,  
LOTS 1721 TO 1724, LOT 1726, PART OF LOT 1725  
AND PART OF GRANDVIEW RD, NP455,  
(REMOVAL OF HOLDING PROVISION)**

**ROLL NO. 2703 020 022 176000000**

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**WHEREAS** an application was received from David Kompson to amend the Town's Comprehensive Zoning By-law 129-90 for the lands shown on 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 July 10<sup>th</sup>, 1995; and

**WHEREAS** the Council of the Town of Fort Erie passed By-law 128-95 on the 17th day of July 1995, rezoning the subject lands to and to including a Holding provision which would remain on the lands until the completion of a site plan agreement and to permit a gaming premises in addition to the permitted uses in Highway Commercial C3 Zone.

**WHEREAS** a site plan 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;

**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 129-90 is amended by changing the zoning of the lands shown on the attached Schedule A from "Highway Commercial Holding C3-138 (H)" to "Highway Commercial C3 Zone" which attached Schedule A is hereby declared to form part of By-law 129-90.
2. **THAT** By-law 129-90, is further amended by deleting from "Section 22 – Highway Commercial C3 Zone Subsection – Exceptions to the Highway Commercial C3 Zone" all reference to Exception C3-138(H) Zone.
3. **THAT** the lands referred to in Sections 1, and 2 are situated at 1267 Garrison Road Lots 1721 TO 1724, Lot 1726, Part of Lot 1725 and Part of Grandview Road, NP455, in the Town of Fort Erie, in the Regional Municipality of Niagara.

3. **THAT** pursuant to the provisions of Sections 23.1 to 23.5 inclusive of the Municipal Act, 2001, as amended, the Clerk of the Town of Fort Erie is hereby authorized to effect any minor modifications or corrections solely of an administrative, numerical, grammatical, semantical or descriptive nature or kind to this by-law or its schedules as such may be determined to be necessary after the passage of this by-law.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 18<sup>th</sup> DAY OF AUGUST 2008.**



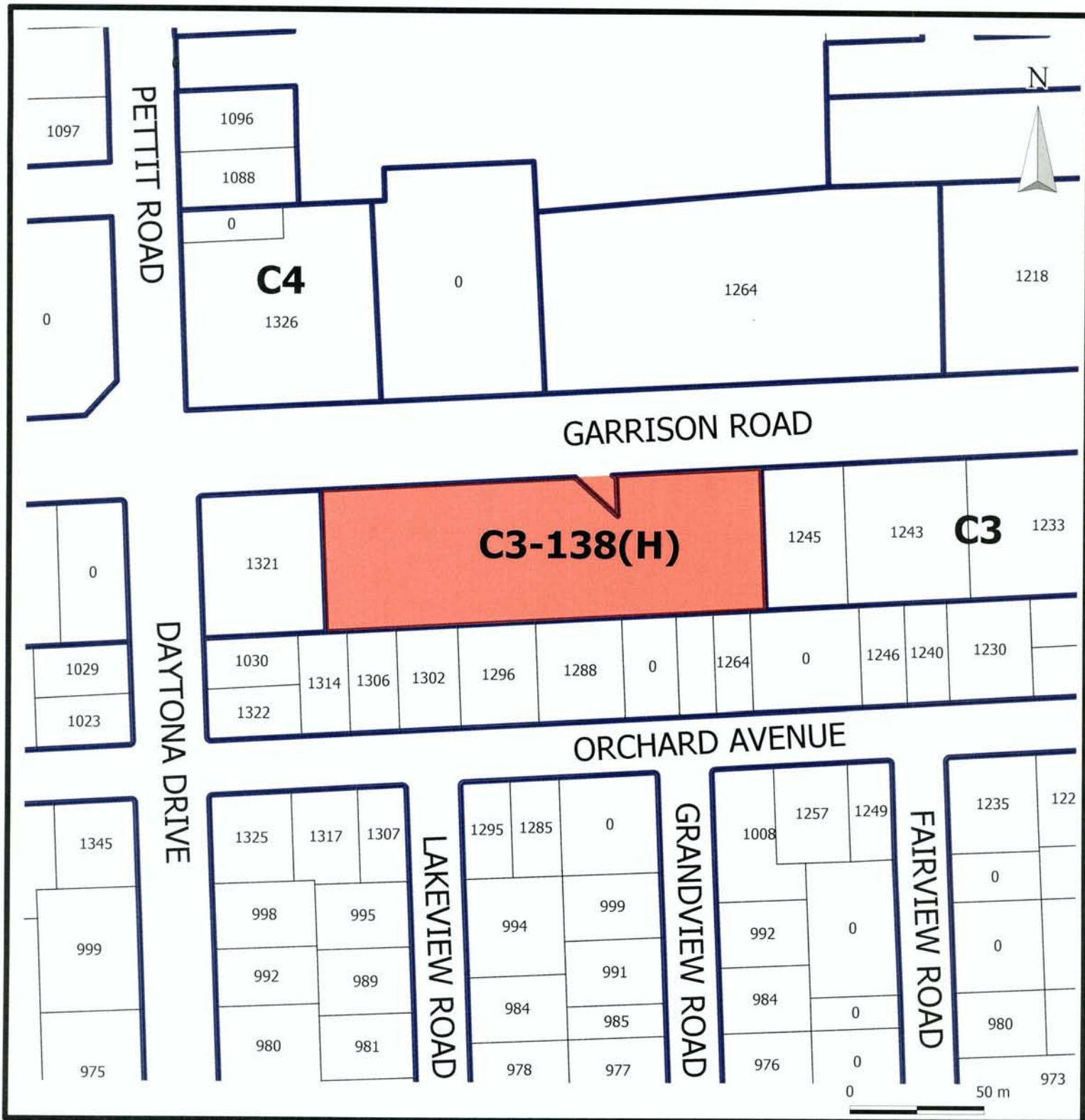
**MAYOR**



**CLERK (DEPUTY)**

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. 126-08 of the said Town. Given under my hand and the seal of the said Corporation this \_\_\_\_\_ day of \_\_\_\_\_,

# SCHEDULE "A"



By-Law No. 126-08

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

PASSED THIS 18th DAY OF AUGUST 2008

 - Rezone from Highway Commercial Holding C3-138(H) Zone to Highway Commercial C3 Zone

Sketch of Lots 1721 to 1724, Lot 1726, Part of Lot 1725 and Part of Grandview Rd, NP455  
Formerly in the Township of Bertie, now in the Town of Fort Erie, Regional Municipality of Niagara



Town of Fort Erie

Community & Development Services  
August 13, 2008