



The Municipal Corporation of the Town of Fort Erie

BY-LAW NO. 7-12

BEING A BY-LAW TO AMEND BY-LAW NO. 93-06 TO REMOVE THE RESTRICTION ON VEHICULAR ACCESS ON PART OF THE WINDMILL POINT ROAD WATERFRONT ROAD ALLOWANCE

WHEREAS by By-law 93-06 passed by the Municipal Council of the Town of Fort Erie on May 29, 2006, vehicular access was restricted on certain Lake Erie waterfront road allowances, including the Windmill Point Road waterfront road allowance, and

WHEREAS at the Council-in-Committee meeting held on January 9, 2012, the Municipal Council of the Town of Fort Erie considered Report No. CS-01-12 and approved a request to amend By-law No. 93-06 to remove the restriction on vehicular access on part of the Windmill Point Road waterfront road allowance as identified in the said report, and

WHEREAS it is deemed desirable to amend By-law No. 93-06 to remove the restriction on vehicular access on part of the Windmill Point Road South waterfront road allowance as identified in the said report;

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

1. **THAT** Schedule "A" to By-law No. 93-06 is repealed and replaced with Schedule "A" attached hereto.
2. **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 16th DAY OF JANUARY, 2012.



MAYOR



CLERK

I, Carolyn J. Kett, the Clerk, of The Corporation of the Town of Fort Erie hereby certifies the foregoing to be a true certified copy of By-law No. 7-12 of the said Town. Given under my hand and the seal of the said Corporation, this day of _____, 20____

SCHEDULE "A" TO BY-LAW 7-12

SCHEDULE "A" Page 1

UNOPENED LAKE ERIE WATERFRONT ROAD ALLOWANCES

Beachview Avenue (South of Edgemere Road)

Baxter Avenue Plan 351, Bertie; Baxter Avenue, Plan 358 Bertie; being Baxter Avenue South of Edgemere Road; Fort Erie

BEING ALL OF PIN 642111-0006 (LT)

Bertie Bay Road (South of MacDonald Drive)

Part of the Road Allowance between Lots 10 & 11, Concession 1, Lake Erie, former Township of Bertie being Bertie Bay Road (AKA Erie Road); Fort Erie, more particularly described as follows:

Being all of that part of the said road allowance south of a line being the projection easterly of the North limit of Lot 1, Plan 392 (also being the south limit of MacDonald Drive), from the North East corner of said Lot 1 at its intersection with the West limit of the said road allowance, continuing along the said projection easterly to the North West corner of Lot 1 Block C, Plan 385 at its intersection with the East limit of the said road allowance;

BEING PART OF PIN 64204-0047 (LT)

Buffalo Road (South of Stockton Lane)

Part of the Road Allowance between Lots 6 & 7, Concession 1, Lake Erie, former Township of Bertie, South of Dominion Street, AKA Buffalo Avenue; Fort Erie, more particularly described as follows:

Being all that part of the said road allowance south of a line being the projection easterly of the North limit of the lands described in Instrument Number RO710080 (also being the south limit of Stockton Lane), at its intersection with the West limit of the said road allowance, continuing along the said projection easterly, to a point in the East limit of the said road allowance;

BEING PART OF PIN 64205-0001 (LT)

Burleigh Road (South of North Shore Drive)

Part of the Road Allowance between Lots 20 & 21, Broken Front Concession, Lake Erie, former Township of Bertie, being Burleigh Road South, formerly Burleigh Road; Fort Erie, more particularly described as follows:

Being all that part of the said road allowance south of a line being the projection easterly of the North limit of Lot 1, Plan 436, (also being the south limit of North Shore Drive) from the North East corner of the said Lot 1, at its intersection with the West limit of the said road allowance, continuing along the said projection easterly, to a point in the East limit of the said road allowance;

BEING PART OF PIN 64199-0187 (LT)

SCHEDULE "A" TO BY-LAW 7-12

SCHEDULE "A" Page 2

Centralia Avenue (South of Thunder Bay Road)

Firstly: Part of the Road Allowance Between Lots 16 & 17, Broken Front Concession, Lake Erie, former Township of Bertie, Except BL19;

Secondly: Part of Lot 16, Broken Front Concession, Lake Erie, former Township of Bertie as in BE41151;

Being part of Centralia Avenue (formerly Centralia Avenue South); Fort Erie

More particularly described as follows:

Being that part of the said road allowance and said lot comprising part of Centralia Avenue (formerly Centralia Avenue South) south of the north easterly corner of the lands described in PIN Number 642000034 (LT)

BEING PART OF PIN 64200-0040 (LT)

Crescent Road (South of Kam Road)

Part of the Road Allowance between Lots 4 & 5, Concession 1, Lake Erie, former Township of Bertie, except RO584926, AKA Crescent Road; Fort Erie, more particularly described as follows:

Being all of that part of the said road allowance south of a line being the projection easterly of the North limit of Lot 1, Plan 377 (also being the south limit of Kam Road), from the North East corner of said Lot 1 at its intersection with the West limit of the said road allowance, continuing along the said projection easterly to the North West corner of the lands described in Instrument Number RO440635 at its intersection with the East limit of the said road allowance;

BEING PART OF PIN 64205-0129 (LT)

Kraft Road (South of Edgemere Road)

Part of the Road Allowance between Lots 2 & 3, Concession 1, Lake Erie, former Township of Bertie, being Kraft Road South of Dominion Road; Fort Erie, more particularly described as follows:

Being all of that part of the said road allowance south of a line being the projection easterly of the North limit of Lot 11, Plan 352 from the North East corner of said Lot 11 to a point in the West limit of the said road allowance (being the point of commencement), and continuing along the said projection easterly to its intersection with the East limit of the said road allowance;

BEING PART OF PIN 64211-0001 (LT)

Maple Leaf Alley

Alley, Plan 436, Bertie; Fort Erie

BEING ALL OF PIN 64188-0090 (LT)

SCHEDULE "A" TO BY-LAW 7-12

SCHEDULE "A" Page 3

Pierce Avenue (South of Edgemere Road)

Pierce Avenue, Plan 351, Bertie; Pierce Avenue, Plan 358, Bertie, South of Edgemere Road; Fort Erie

BEING ALL OF PIN 64211-0008 (LT)

Prospect Point Road (South of Lost Lane)

Part of the Road Allowance between Lots 22 & 23, Broken Front Concession, Lake Erie, former Township of Bertie, being Prospect Point Road South (formerly Prospect Point Road); Fort Erie, more particularly described as follows:

Being all of that part of the said road allowance south of a line being the projection easterly of the North limit of the lands described in Instrument Number RORO406183 (also being the southerly limit of Lost Lane) from the North East corner thereof at its intersection with the West limit of the said road allowance, continuing along the said projection easterly to the North West corner of Lot 8, Plan 413 at its intersection with the East limit of the said road allowance;

BEING PART OF PIN 64188-0001 (LT)

Rose Avenue (South of Edgemere Road)

Rose Avenue, Plan 351, Bertie; Rose Avenue, Plan 358, Bertie; being Rose Avenue South of Edgemere Road; Fort Erie

BEING ALL OF PIN 64211-0004 (LT)

Stonemill Road (South of Thunder Bay Road)

Part of the Road Allowance between Lots 12 & 13, Broken Front Concession, Lake Erie, Bertie, being Stonemill Road; Fort Erie, more particularly described as follows:

Being all of that part of the said road allowance south of a line being the projection easterly of the North limit of the lands described in Instrument Number RO427934 (being the southerly limit of Thunder Bay Road), from the North East corner thereof at its intersection with the West limit of the said road allowance, continuing along the said projection easterly to the intersection of east limit of the said road allowance with the south limit of the road allowance between Concession 1, Lake Erie and Broken Front Concession, Lake Erie, Bertie (Thunder Bay Road);

BEING PART OF PIN 64204-0001 (LT)

SCHEDULE "A" TO BY-LAW 7-12

SCHEDULE "A" Page 4

Thunder Bay Road (East of Stonemill Road)

Part of the Road Allowance between Concession 1, Lake Erie, and Broken Front Concession, Lake Erie, former Township of Bertie; Fort Erie, more particularly described as follows:

Being all of that part of the said road allowance east of the east limit of the road allowance between Lots 12 & 13, Broken Front Concession, Lake Erie, Bertie; (Stonemill Road); Fort Erie

BEING PART OF PIN 64204-0011 (LT)

Windmill Point Road (South of Windmill Point Lane)

Part of the Road Allowance between Lots 14 & 15, Broken Front Concession, Lake Erie, Bertie, being Windmill Point Road; Fort Erie, more particularly described as follows:

Being all of that part of the said road allowance south of a line being the projection easterly of the North limit of Lot 16, Plan 407 (also being the south limit of Windmill Point West Lane) from the North East corner of said Lot 16 at its intersection with the West limit of the said road allowance, continuing along the said projection easterly to the North West corner of Lot 15, Plan 407 at its intersection with the East limit of the said road allowance and the south limit of Windmill Point East Lane;

BEING PART OF PIN 64200-0090 (LT)

The restriction on vehicular access provided for in Section 2 of this By-law shall not apply to that portion of the above-described Windmill Point Road waterfront road allowance, described as follows:

That part between:

- (a) a line being the projection easterly of the North limit of Lot 16, Plan 407 (also being the south limit of Windmill Point West Lane) from the North East corner of said Lot 16 at its intersection with the West limit of the said road allowance, continuing along the said projection easterly to the North West corner of Lot 15, Plan 407 at its intersection with the East limit of the said road allowance and the south limit of Windmill Point East Lane, and
- (b) a line being the projection westerly of the south boundary of Part 19 on Reference Plan 59R-11256 at its intersection with the East limit of the said road allowance, and continuing along the said projection westerly to the intersection of the south boundary of Part 1 on Reference Plan 59R-11257 with the West limit of the said road allowance.