



# The Municipal Corporation of the Town of Fort Erie

## BY-LAW NO. 118-2014

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**BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 129-90  
EAST SIDE OF SCHOOLEY ROAD, NORTH OF ELIZABETH STREET  
PART OF LOT 26, BROKEN FRONT CONCESSION, LAKE ERIE, PARTS 1  
THROUGH 7 INCLUSIVE, PLAN 59R-13952  
(REMOVAL OF HOLDING PROVISION)**

350309-0288

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**WHEREAS** an application was received from Niagara Peninsula Homes Inc. in 2005 to amend the Town's Comprehensive Zoning By-law 129-90, as amended, for the lands described as Part of Lot 26, Broken Front Concession, Lake Erie, Township of Bertie, now in the Town of Fort Erie, Regional Municipality of Niagara, 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 5, 2005, and

**WHEREAS** the Municipal Council of the Town of Fort Erie passed By-law No. 154-06 on the 25<sup>th</sup> day of September, 2006, rezoning the subject lands to "Residential 2 Holding R2 (H) Zone", with a Holding provision preventing the development of the lands, which would remain on the lands until the owner entered into a Development Agreement with the Town, and

**WHEREAS** the Town of Fort Erie executed a Development Agreement with 1729654 Ontario Ltd. on October 19, 2009 and that Development Agreement was registered on title, and

**WHEREAS** the current owner, Gary Fraser of Black Bear Homes Inc. requested the holding provision be removed in a letter dated September 12, 2014;

**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 as amended, is further amended by changing the zoning of the lands as described above and shown on the attached Appendix "1" from "Residential 2 Holding R2 (H) Zone" to "Residential 2 (R2) Zone".

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 22<sup>ND</sup> DAY OF SEPTEMBER, 2014.**

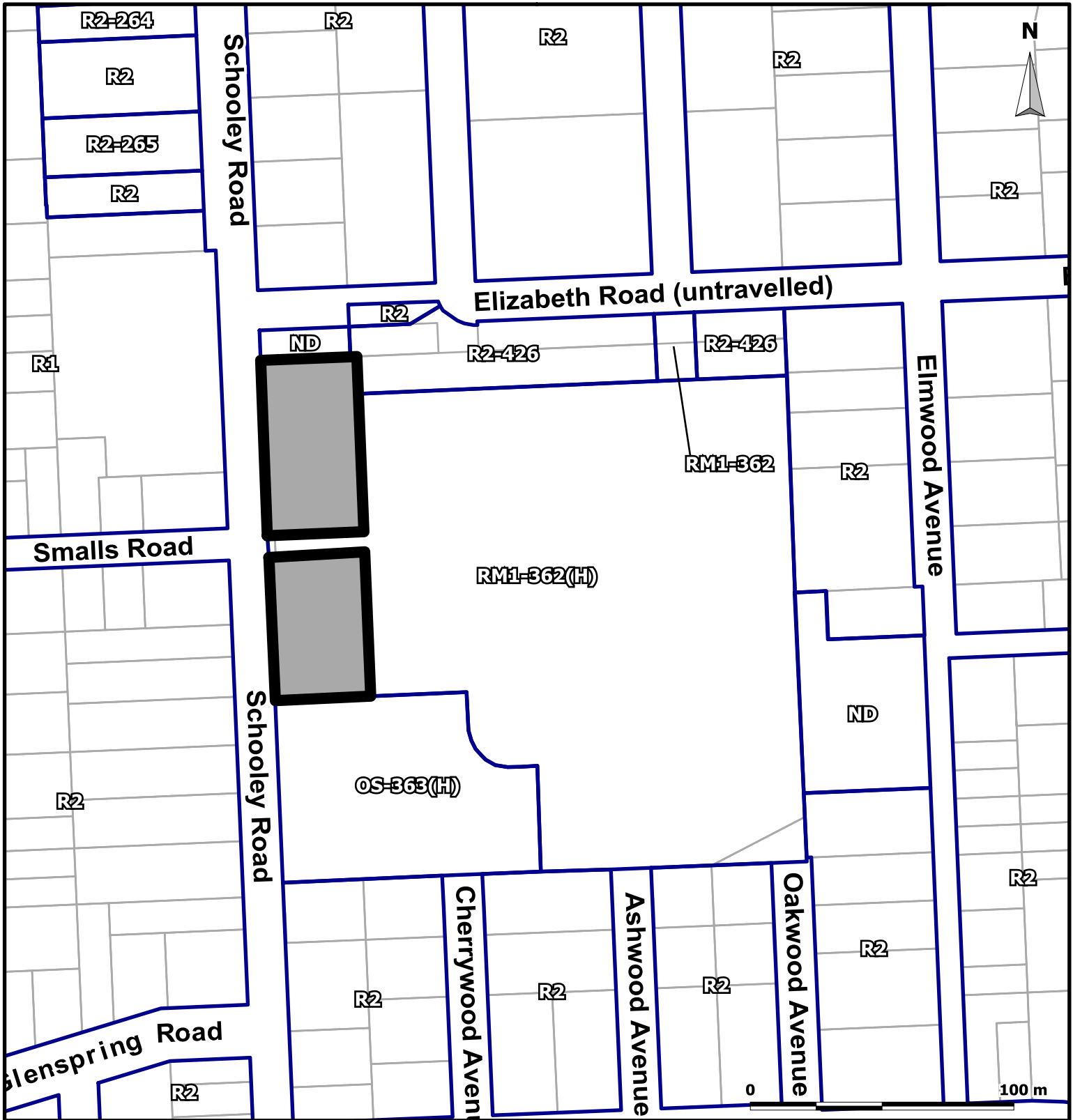
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
INTERIM CLERK

I, \_\_\_\_\_, 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. 118-2014 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. 118-2014**

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

**PASSED THIS DAY OF**

 Subject Lands

 Part 1 - Change from Residential 2 Holding R2(H) Zone to Residential 2 R2 Zone