



The Municipal Corporation of the Town of Fort Erie

By-law No. 89-2022

Being a By-law to Amend Zoning By-law No. 129-90, as amended 409 Gorham Road Gorham Road Inc. (David Kompson) - Owner

Whereas an application was received from Rob MacFarlane of Zelinka Priamo Inc. (Agent) on behalf of Gorham Road Inc. (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended for a temporary use, for the lands known municipally as 409 Gorham Road, and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c. P.13 was held on June 20, 2022; and

Whereas it is deemed desirable to amend the Comprehensive Zoning By-law No. 129-90, as amended, pursuant to the recommendations of Report No. PDS-43-2022 considered and approved as amended at the Council-in-Committee meeting held on June 20, 2022 and in accordance with Section 39(1) of the *Planning Act*, R.S.O. 1990, c. P.13;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie 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 known municipally as 409 Gorham Road and shown on the attached Appendix "1" from "Highway Commercial (C3) Zone" to "Highway Commercial (C3-749) Zone".
2. **That** By-law No. 129-90 as amended, is further amended by adding to "Section 22 – Highway Commercial (C3) Zone" Subsection – "Exceptions to the Highway Commercial (C3) Zone" the following exception:

"C3-749 (89-2022) 409 Gorham Road

These lands are zoned "Highway Commercial (C3-749) Zone", and all of the provisions of By-law No. 129-90, as amended, that relate to lands zoned "Highway Commercial (C3) Zone" by this by-law shall apply to those lands zoned "Highway Commercial (C3-749) Zone" subject to the following special provisions:

- a) Use of a trailer for a Liquor Store
- b) A parking lot surface is required that suppresses dust and is navigable for accessibility purposes, in the discretion of the Director, Infrastructure Services."

- 3. **That** this by-law comes into force upon passage and expires on June 30, 2023 with a further extension of one year to June 30, 2024 provided that a building permit is applied for and issued before June 30, 2023.
- 4. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

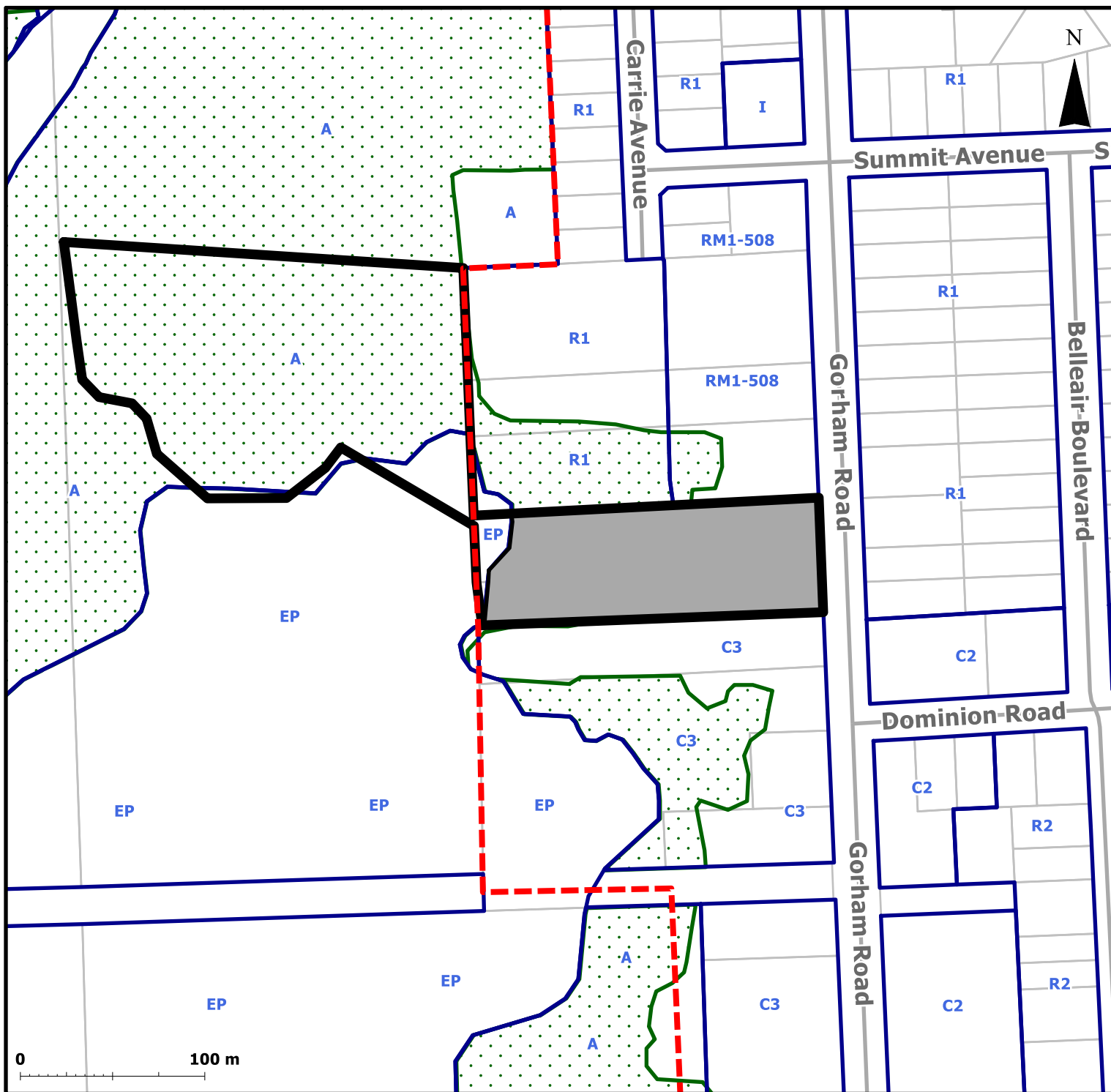
Read a first, second and third time and finally passed this 18th day of July, 2022.

Mayor

Clerk

I, Carol Schofield, the Clerk of The Corporation of the Town of Fort Erie, hereby certify the foregoing to be a true copy of By-law No. 89-2022 of the said Town. Given under my hand and the seal of the said Corporation,
this day of , 20



APPENDIX "1"



By-law No. 89-2022

THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90

PASSED THIS 18th DAY OF JULY, 2022

-  Subject Property - 409 Gorham Road
-  Change from Highway Commercial (C3) Zone to Highway Commercial (C3-749) Zone