



The Municipal Corporation of the Town of Fort Erie

By-law No. 77-2016

**Being a By-law to Amend Zoning By-law No. 129-90, as
Amended – Removal of Holding Provision
Rosehill Auction House
(JOMMJG Enterprises - Joseph Edward Passero, Mary Anne
Reinhart, Olivia Catherine Marinaro, Mary Elizabeth Passero,
Joseph Andrew Passero and Gregory Russell Vamplew)**

350309-0376

Whereas the Council of the Town of Fort Erie passed By-law No. 26-2014 on the 10th day of February, 2014, rezoning the lands on the north of Garrison Road, west and east of Rosehill Road, being Lot 15, Lot 16, Lot 23, Lot 24, Lot 132 to Lot 139, Lot 140 to 145, Lot 172 to Lot 174, Lot 291 to Lot 293, Lot 316 to Lot 321, Plan 487, Bertie; Part Grayson Av, Plan 487, Bertie (closed by By-Law RO754546) Part 2 & 3, 59R10368; S/T RO754547; Bertie, Except BB5331; Part Lot 17, Part Lot 18 and Part Lot 19, Plan 487, Bertie as in RO127211; Part Lot 20, Part Lot 21 and Part Lot 22, Plan 487, Bertie, as in RO156484; Lot 28 to Lot 30, Plan 487, Bertie, Except BB5331, Lot 126 to Lot 128, Plan 487; Lot 11, Lot 12 to Lot 14, Plan 487; now in the Town of Fort Erie, Regional Municipality of Niagara, to "Existing Commercial Use ECU-498 Holding (H) Zone", "Existing Commercial Use ECU-500 Holding (H) Zone" and "Rural Commercial C7-499 Holding (H) Zone" with a Holding provision preventing the development of the lands, which would remain on the lands until the owner entered into a Site Plan Agreement with the Town, and

Whereas the Town of Fort Erie executed a Site Plan Agreement with JOMMJG Enterprises on March 11, 2016 and that Site Plan Agreement was registered on title, and

Whereas Sullivan Mahoney LLP, the agent for the current owner, requested the holding provision be removed in a letter dated March 8, 2016;

Now therefore the Council 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 on the lands as described above and shown on the attached Appendix "1" from "Existing Commercial Use ECU-498 Holding (H) Zone", "Existing Commercial Use ECU-500 Holding (H) Zone" and "Rural Commercial C7-499 Holding (H) Zone" to "Existing Commercial Use ECU-498 Zone", "Existing Commercial Use ECU-500 Zone" and "Rural Commercial C7-499 Zone."

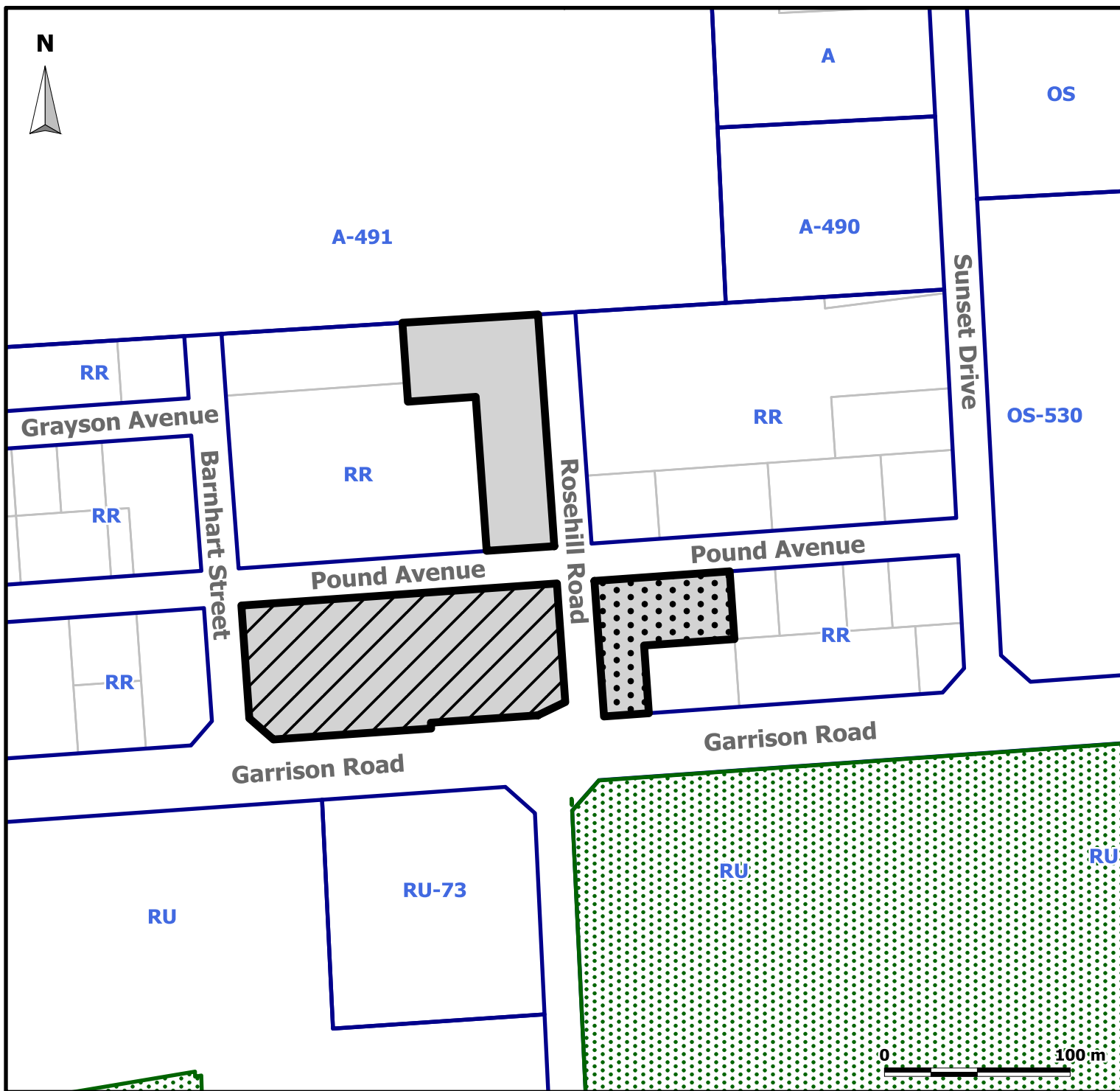
2. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections, or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 18th day of July, 2016.

Mayor

Clerk

I, Laura Bubanko, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 77-2016 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20__.



By-law No. 77-2016

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90
PASSED THIS 18th DAY OF JULY, 2016**

 Part 1 - Change from Rural Commercial Holding C7-499(H) Zone to Rural Commercial C7-499 Zone

 Part 2 - Change from Existing Commercial Use Holding ECU-498(H) Zone to Existing Commercial Use ECU-498 Zone

 Part 3 - Change from Existing Commercial Use Holding ECU-500(H) Zone to Existing Commercial Use ECU-500 Zone