



The Municipal Corporation of the Town of Fort Erie

By-law No. 71-2017

**Being a By-law to Amend Zoning By-law No. 129-90
3823 Terrace Lane
Michael Allen, Architect - Agent
Peter Coutu – Applicant
1322977 Ontario Inc. (Stjepan and Nada Sustic) – Owners**

350309-0429

Whereas an application was received from Michael Allen, Architect (Agent) on behalf of Peter Coutu (Applicant) and 1322977 Ontario Inc. (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands described as Lots 11 and 12, Registered Plan 410, and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c.P.13 was held on May 1, 2017, 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-40-2017 considered at the Council-in-Committee meeting of June 12, 2017 and subsequently authorized and approved by Council, and

Whereas on June 12, 2017, Council determined that in accordance with Section 34(17) of *The Planning Act*, further notice is not required with respect to the inclusion of a site specific regulation to permit 4 parking spaces within 0 m of the front lot line since the holding of the Public Meeting on May 1, 2017;

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 as described above and shown on the attached Appendix "1" from "Recreational Commercial (C5) Zone" to "Core Mixed Use 2 (CMU2-584) Zone".
2. **That** By-law No.129-90 as amended, is further amended by adding to "Section 26B– Core Mixed Use 2 (CMU2) Zone" Subsection – "Exceptions to Core Mixed Use 2 (CMU2) Zone" the following exception:

"CMU2-584 (71-2017) 3823 Terrace Lane

These lands are zoned "Core Mixed Use 2 (CMU2-584) Zone", and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Core Mixed Use 2 (CMU2) Zone" by this by-law shall apply to those lands zoned "Core Mixed Use 2 (CMU2-584) Zone"

shown as Part 1 on the attached Appendix “1” and shall be subject to the following provisions:

- a) Maximum height – 5 storeys, 20 metres.
- b) Minimum rear yard – 0 m.
- c) Minimum easterly interior side yard – 1.2 m.
- d) Minimum westerly interior side yard – 0 m.
- e) Notwithstanding the requirements of Section 18.2 (d), a minimum of one parking space per dwelling unit may be provided in a dedicated area in a municipal lot through a long-term lease agreement.
- f) Notwithstanding the requirements of Section 6.20 (D)(i), a parking area may be located in the front yard, 0 m from the front lot line.”

3. 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.

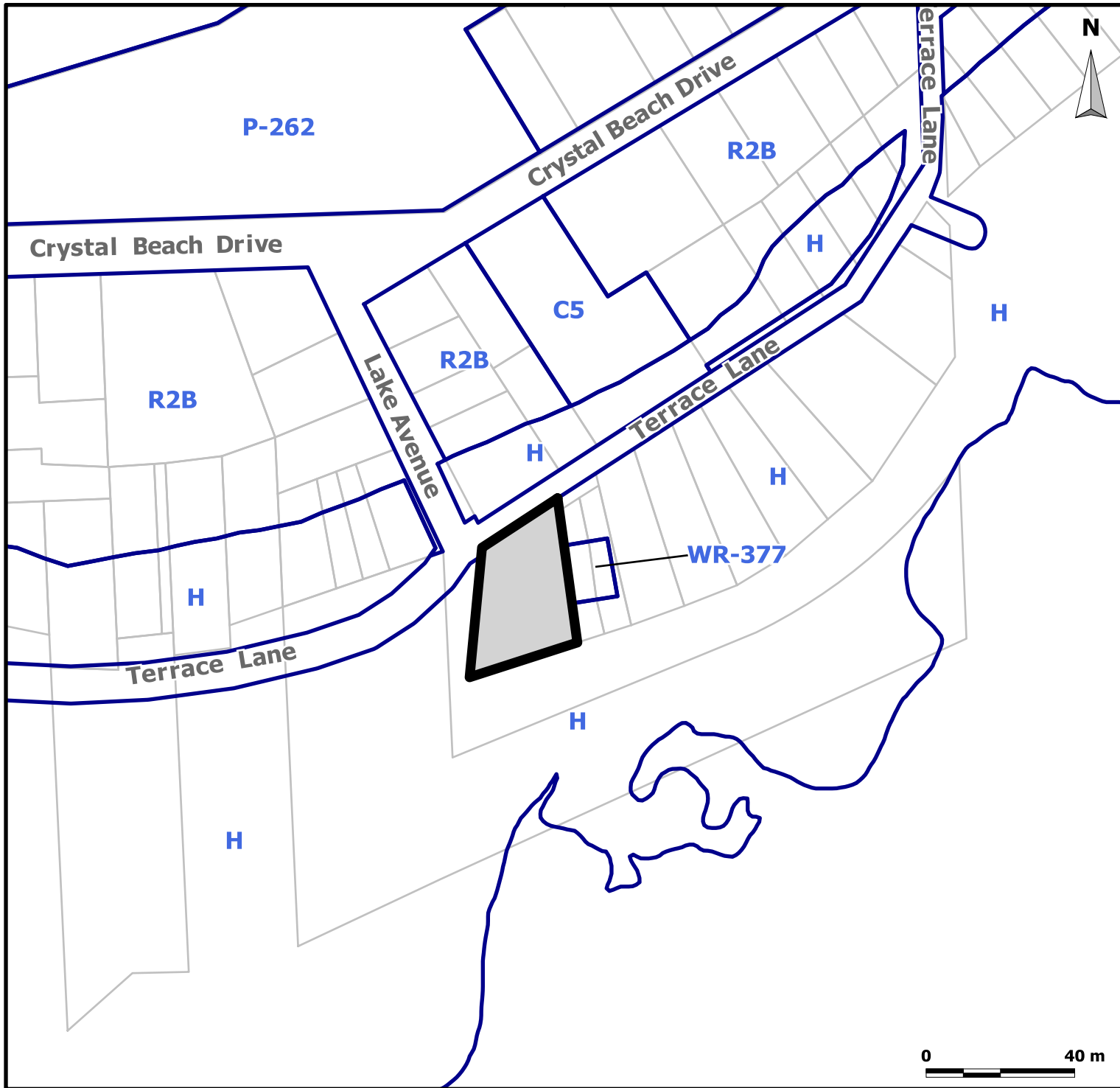
Read a first, second and third time and finally passed this 19th day of June, 2017.

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. 71-2017 of the said Town. Given under my hand and the seal of the said Corporation, this day of _____, 20____

APPENDIX "1" TO BY-LAW NO. 71-2017



By-law No. 71-2017

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

PASSED THIS 19th DAY OF JUNE, 2017



Subject Lands - 3823 Terrace Lane



Zone Boundary



Part 1 - Change from Recreational Commercial (C5) Zone to
Core Mixed Use 2 (CMU2-584) Zone