



The Municipal Corporation of the Town of Fort Erie

By-law No. 78-2017

Being a By-law to Amend Zoning By-law No. 129-90 21 Wintemute Street (2353345 Ontario Inc. – Steve Bremner)

350309-0364

Whereas an application was received from 2353345 Ontario Inc. to amend the Town's Comprehensive Zoning By-law No. 129-90, as amended, for the lands known municipally as 21 Wintemute Street, 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 7, 2015, and

Whereas it is deemed desirable to amend the Comprehensive Zoning By-law No. 129-90 as amended, pursuant to Report No. PDS-54-2016 considered at the Council-in-Committee meeting of June 13, 2016 and subsequently authorized and approved by Council;

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 "Residential 2 (R2-39) Zone" to "Residential Multiple 2 (RM2-585) Zone".
2. **That** By-law No.129-90 as amended, is further amended by adding to "Section 15 – Residential Multiple (RM2) Zone" Subsection – "Exceptions to the Residential Multiple 2 (RM2) Zone" the following exception:

"RM2-585 (78-2017) 21 Wintemute Street

These lands are zoned "Residential Multiple 2 (RM2-585) Zone", and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Residential Multiple 2 (RM2) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 2 (RM2-585) Zone" on the attached Appendix "1" and shall be subject to the following exceptions:

- a) Notwithstanding the Zone Regulations in Section 15.3, apartments shall be subject to the following special provisions.
 - i) Minimum front yard – 3.17 metres
 - ii) Minimum Interior Side Yard- 3.29 metres
 - iii) Minimum Exterior Side Yard-3.42
 - iv) Minimum lot area – 229 square metres per unit"

- b) Notwithstanding Definition 5.99 (b) "Dwelling, Apartment" shall mean:

- c) **“DWELLING, APARTMENT”** means a dwelling containing 4 or more dwelling units accessible from a corridor system connecting with a common entrance from outside the dwelling, or from individual exterior entrances where the occupants of such units have the common right to use halls, stairs, elevators and yards, the said dwellings being located on a single lot with or without other dwellings, such lot being held and maintained under one ownership or under condominium ownership pursuant to The Condominium Act, 1998 as amended, or any successor legislation.”

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 17th day of July, 2017.

Mayor

Interim Clerk

I, _____, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 78-2017 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. 78-2017



LOCATION PLAN 21 Wintemute Street

Subject Lands - 21 Wintemute Street