

The Municipal Corporation of the Town of Fort Erie

By-law No. 15-2021

Being a By-law to Amend Zoning By-law No. 129-90 0-6489 Nigh Road Jason Pizzicarola- Agent Frank Kenneth DiCorso– Owner

350309-0471

Whereas an application was received from Jason Pizzicarola, (Agent) on behalf of Frank Kenneth DiCorso (Applicant) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands described as 0-6489 Nigh 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 January 11, 2021, 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-02-2021 considered and approved at the Council-in-Committee meeting held on January 11, 2021;

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 "Rural (RU) Zone", to "Rural RU (RU-656) Zone" (Part 1), "Rural RU (RU-657) Zone" (Parts 2 and 3) and "Environmental Conservation (EC) Overlay (EC-658) Zone" (Part 4).
2. **That** By-law No.129-90 as amended, is further amended by adding to "Section 8– Rural (RU) Zone" Subsection – "Exceptions to the Rural (RU) Zone" the following exceptions:

"RU-656 (15-2021) 0-6489 Nigh Road (Part 1)

These lands are zoned "Rural RU (RU-656) Zone" (Part 1), and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Rural (RU) Zone" by this by-law shall apply to those lands zoned "Rural RU (RU-656) Zone" subject to the following special regulation:

a) Minimum Lot Area – 2.6 ha

RU-657 (15-2021) 0-6489 Nigh Road (Parts 2 and 3)

These lands are zoned "Rural RU (RU-657) Zone" (Parts 2 and 3), and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Rural (RU) Zone" by this by-

law shall apply to those lands zoned “Rural RU (RU-657) Zone” shown as Part 2 on the attached Appendix “1” and shall be subject to the following special regulations:

- a) Minimum Lot Frontage – 90 m
- b) Minimum Lot Area – 1.1 ha”

3. **That** By-law No.129-90 as amended, is further amended by adding to “Section 35B– Environmental Conservation (EC) Zone” Subsection – “Exceptions to the Environmental Conservation (EC) Overlay Zone” the following exception:

“EC-658 (15-2021) 0-6489 Nigh Road (Part 4)

These lands are zoned Environmental Conservation (EC-658) Overlay Zone (Part 4), and all of the provisions of By-law 129-90 as amended that relate to lands zoned Environmental Conservation (EC) Overlay Zone by this by-law shall apply to those lands zoned Environmental Conservation (EC-658) Overlay Zone subject to the following special regulation:

(a) Notwithstanding the requirements of Subsection 35B.2 –Permitted Uses, the subject lands shall only be used for the conservation of plant and wildlife.”

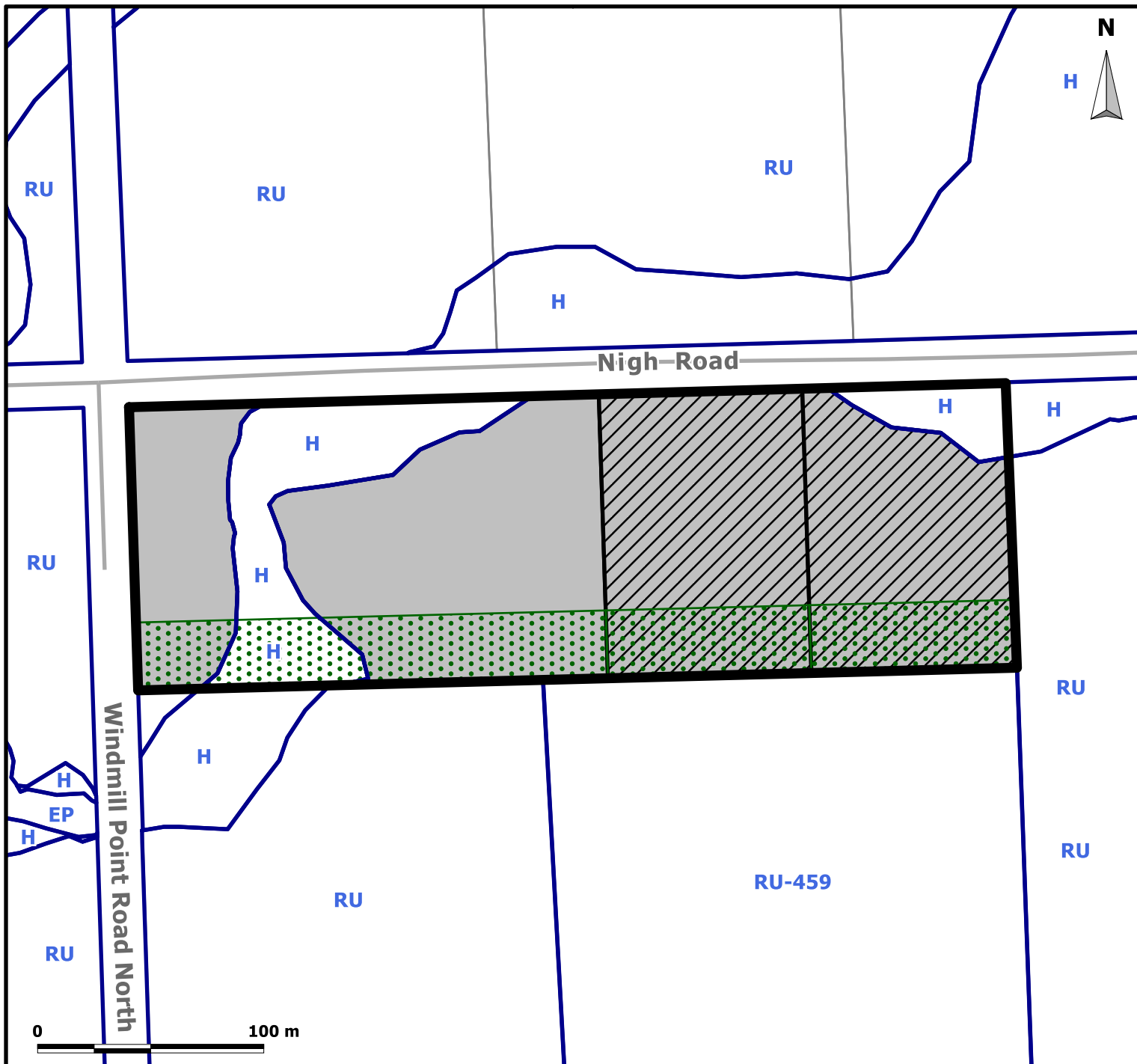
4. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 22nd day of February, 2021.

Mayor

Clerk

I, Carol Schofield, Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 42-2019 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20



By-law No. 15-2021

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90
PASSED THIS 22nd DAY OF FEBRUARY, 2021**



Subject Lands - 0-6489 Nigh Road



Part 1 - Change from Rural RU Zone to Rural RU (RU-656) Zone



Parts 2 & 3 - Change from Rural RU Zone to Rural RU (RU-657) Zone



Part 4 - Environmental Conservation (EC) Overlay (EC-658) Zone