



# The Municipal Corporation of the Town of Fort Erie

## By-law No. 100-2021

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**Being a By-law to Amend Zoning By-law No. 129-90**

**1485 Garrison Road**

**David French - Agent**

**Fort Erie Hospitality Inc. (Ray Gupta) - Owner**

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350309-0515

**Whereas** an application was received from David French (Agent) on behalf of Sunray Group of Hotels Inc. to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands described as 1485 Garrison 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 April 19, 2021, and

**Whereas** Sunray Group of Hotels Inc. was noted in error as the Owner of the property on the Zoning By-law Amendment application submitted to the Town, and noted as the Owner within Report Nos. PDS-30-2021, PDS-71-1-2021 and PDS-71-2021; and

**Whereas** the correct Owner of the property is Fort Erie Hospitality Inc., a separate legal entity from Sunray Group of Hotels Inc. under the same control; and

**Whereas** the approval of the recommendations of Report No. PDS-71-2021 at the Council meeting of August 23, 2021 to amend the zoning of the property is maintained, notwithstanding the ownership error; 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-71-2021 considered and approved at the Council meeting of August 23, 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 "Highway Commercial (C3-132) Zone" to "Highway Commercial (C3-670) 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:

**"C3-670      (100-2021) 1485 Garrison Road**

These lands are zoned "Highway Commercial (C3-670) 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 (C3-670) Zone" subject to the following special regulation:

- a) In addition to Subsection 22.2 a) the following additional use shall be permitted subject to additional regulatory compliance and approval where required.
  - i) Residential Retirement Home"

- 3. That** the Clerk of the Town is authorized to effect any minor modifications, corrections 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 30<sup>th</sup> day of August, 2021.**

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Mayor

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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. 100- 2021 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 2021

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# APPENDIX "1"



## By-law No. 100-2021

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90  
PASSED THIS 30th DAY OF AUGUST, 2021**



Subject Lands - 1485 Garrison Road



Change from Highway Commercial C3-132 Zone to Highway Commercial C3-670 Zone