

MINISTER'S ORDERS

FILED AS ONTARIO REGULATION 681/98 ZONING ORDER FOR SLOT MACHINES AT RACE TRACKS TOWN OF FORT ERIE (FORT ERIE REACETRACK)

- (1) This Order applies to the land in the Town of Fort Erie in the Regional Municipality of Niagara, that is described in the Schedule, being all of the lands of the Fort Erie Racetrack.
- (2) (1) the following uses of the land and erections or uses of buildings or structures on the land are permitted:
1. The location, installation, operation and use of slot machines
 2. The erection, location and use of buildings and structures to provide for the use described in paragraph 1.
 3. The enlargement, alteration and extension of existing buildings or structures in order to provide for the use described in paragraph 1.
 4. Such other uses, buildings and structures as may be permitted by a municipal by-law passed under Section 34 of the Act.
- (3) Every other use of the land and every other erection or use of buildings or structures on the land is prohibited.
- (4) In this section, "Slot Machine" means any automatic machine or slot machine:
- (a) That is used or intended to be used for any purpose other than vending merchandise or services, or;
 - (b) That is used or intended to be used for the purpose of vending merchandise or services if:
 - (i) The result of one of any number of operations of the machine is a matter of chance or uncertainty to the operator;
 - (ii) As a result of a given number of successive operations by the operator the machine produces different results, or;
 - (iii) On any operation of the machine it discharges or emits a slug or token;
- But does not include an automatic machine or slot machine that dispenses as prizes only one or more free games on that machine.

Schedule

The land referred to in Section 1 of the Order is composed of:

1. The 1277230 Lands

Firstly:

Part of Lot 2, Concession II from the Niagara River, in the former Township of Bertie, now in the Town of Fort Erie, in the Regional Municipality of Niagara, designated as Parts 4,5 and 6 on Plan 59R-1253.

Secondly:

Part of Lot 3, Concession II from the Niagara River, in the former Township of Bertie, now in the Town of Fort Erie, in the Regional Municipality of Niagara, and Lots 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, Plan 525, in the Town of Fort Erie, in the Regional Municipality of Niagara, designated as Part 2 on Plan 59R-1253.

Thirdly:

Parts of Lots 3 and 4, Concession III from the Niagara River, in the former Township of Bertie, now in the Town of Fort Erie, in the Regional Municipality of Niagara, designated as Part 1 on Plan 59R-8190 and Parts 7, 9, 10, 11, 12 and 13 on Plan 59R-1253.

Save and except that Part of Lot 4, Concession III from the Niagara River, in the former Township of Bertie, now in the Town of Fort Erie, in the Regional Municipality of Niagara, designated as Parts 2 and 3 on Plan 59R-8190.

Fourthly:

Part of Block W, Plan 525, in the Town of Fort Erie, in the Regional Municipality of Niagara, designated as Part 14 on Plan 59R-1253.

2. The Nordic Lands:

Parts of Lots 3 and 4, Concession II, Niagara River, former Township of Bertie, designated as Part 1 on Plan 59R-1253, Town of Fort Erie, in the Regional Municipality of Niagara

Registry Division of Niagara South (No. 59)

Minister of Municipal Affairs and Housing

Dated on December 17th, 1998.

ORIGINAL ON FILE IN THE PLANNING & PROPERTY SAFETY DEPARTMENT

**FILED AS ONTARIO REGULATION 359/03
ZONING ORDER FOR MARCY'S WOODS
TOWN OF FORT ERIE**

Application

1. This Order applies to land in the Town of Fort Erie in The Regional Municipality of Niagara, being the land outlined in red on a map numbered 212 and identified by stamp of the Registrar of Regulations on August 29, 2003 and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

Use of land

2. (1) Every use of land and the erection, location and use of any building or structure is prohibited on the land described in section 1 except,
 - (a) conservation and management of plant and wildlife;
 - (b) buildings or structures intended for flood and erosion control;
 - (c) public utilities; and
 - (d) uses, buildings and structures lawfully in existence on the date this order comes into force.

- (2) Additions to and the extension or enlargement of any building or structure is prohibited.

Conditions

3. (1) Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.
(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.
(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.
(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

Revocation

4. This Regulation is revoked on August 29, 2004.

Made by:

Original signed by Minister of Municipal Affairs and Housing

Date made: August 29, 2003