

## NOTICE OF PASSING OF A ZONING BY-LAW

**OWNER: David and Grace Rich**  
**AGENT: Shawn Sider**  
**FILE NO. 350309-0472**

**TAKE NOTICE** that the Council of the Town of Fort Erie passed **By-law No. 120-2018** on the 24th day of September, 2018 under section 34 (18) of The Planning Act, 1990.

**AND TAKE NOTICE** that any person or agency may appeal to the Local Planning Appeals Tribunal in respect of the by-law by filing with the Clerk of the Town of Fort Erie not later than the **24th day of October, 2018**, a notice of the appeal setting out the objection to the by-law and the reasons in support of the objection. Any appeal must be accompanied by the Tribunal's fee of \$300.00. A certified cheque or money order in this amount made payable to the Minister of Finance must accompany the Notice of Appeal.

Only individuals, corporations and public bodies may appeal a zoning by-law to the Local Planning Appeals Tribunal. A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

The complete By-law and map is available for inspection in the Clerk's office during regular office hours and can also be found on the **Town of Fort Erie Website: [www.forterie.ca](http://www.forterie.ca)**.

### PURPOSE AND EFFECT

The purpose and effect of By-law No. 120-2018 is to amend Town of Fort Erie Comprehensive Zoning By-law No. 129-90 by changing the zoning of the lands shown on the location map from "Waterfront Rural Residential (WRR) Zone" and "Hazard (H) Zone" to "Waterfront Rural Residential (WaRR-627) Zone" and "Hazard (H) Zone".

### WRR-627 (120-2018) 2631 Windmill Point Lane West

These lands are zoned "Waterfront Rural Residential (WRR-627) Zone", and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Waterfront Rural Residential (WRR) Zone" by this by-law shall apply to those lands zoned "Waterfront Rural Residential (WRR-627) Zone" on the attached Appendix "1" shall be subject to the following special provisions:

- a) Notwithstanding the "Regulations for Dwellings" in Section 16.A.2, the following special provisions shall apply
  - i. Maximum number of dwelling units – 2
  - ii. Minimum easterly interior side yard – 0.8 m
  - iii. Minimum rear yard – 11 m
  - iv. Maximum building height – 10.5 m
  - v. Maximum floor area of dwelling unit within accessory structure – 105 sq m
- b) Notwithstanding "Yard Setbacks for Lots Abutting Lake Erie" in Section 6.48, the minimum setback for a dwelling from the 1-in-100 year flood elevation as determined by the Niagara Peninsula Conservation Authority shall be 11 m.

