



The Municipal Corporation of the Town of Fort Erie

By-law No. 125-2016

Being a By-law to Amend Zoning By-law No. 129-90 Royal Ridge Subdivision Royal Oak Property Developments Ltd. (Brent King) - Owner

350309-0403

Whereas an application was received from Royal Oak Property Developments Ltd. (Brent King) to amend the Town's Comprehensive Zoning By-law No. 129-90, as amended, for the lands described as Part of Lot 23, Concession 3, Lake Erie, Town of Fort Erie, Regional Municipality of Niagara, and

Whereas Public Meetings pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c.P.13 were held on September 8, 2015 and October 3, 2016, and

Whereas it is deemed desirable to amend the Comprehensive Zoning By-law No. 129-90 as amended, pursuant to Report No. PDS-89-2016 considered at the Council-in-Committee meeting of November 7, 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 "Neighbourhood Development (ND) Zone", "Open Space (OS) Zone" and "Residential Multiple 1 (RM1-508) Zone" to "Residential Multiple 1 (RM1-568) Zone" (Part 1), "Open Space (OS-569) Zone" (Part 2) and Environmental Protection (EP) Zone (Part 3).
2. **That** By-law No.129-90 as amended, is further amended by adding to "Section 14– Residential Multiple 1 (RM1) Zone" Subsection – "Exceptions to the Residential Multiple 1 (RM1) Zone" the following exceptions:

"RM1-568 (125-2016) Royal Ridge Subdivision

These lands are zoned "Residential Multiple 1 (RM1-568) Zone", and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Residential Multiple 1 (RM1) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 1 (RM1-568) Zone", on the attached Appendix "1" and shall be subject to the following provisions:

- a) Notwithstanding the list of Permitted Uses in Section 14.2, the lands shown on Appendix "1" may only be used for the following:
 - Semi-detached dwellings
 - townhouse dwellings

- b) The provisions of “Section 13.4 Regulations for Semi-Detached Dwellings” shall apply to the any semi-detached dwelling located on the lands shown on Appendix “1”.
- c) Notwithstanding the zone Regulations for Dwellings in Section 14.3, townhouse dwellings shall be subject to the following provisions:
 - i) Maximum lot coverage for exterior street townhouse – 60%
 - ii) Maximum lot coverage for interior street townhouse – 70%
 - iii) Minimum planting strip – 0 m
 - iv) Front yard setback of dwelling to daylighting triangle – 1.7 m
- b) Notwithstanding the Regulations in Section 6.40 Covered or Uncovered Porches, Balconies, Steps and Patios, semi-detached and townhouse dwellings shall be subject to the following provisions:
 - i) Front yard setback to covered porch less than 0.5 m above grade – 2.5 m
 - ii) Front yard setback from daylighting triangle to covered porch less than 0.5 m above grade – 0.5 m
 - iii) Rear yard setback to covered porch between 0.5 m and 1.5 m above grade – 3.0 m”

- 3. That** By-law No.129-90 as amended, is further amended by adding to “Section 33– Open Space (OS) Zone” Subsection – “Exceptions to the Open Space (OS) Zone” the following exceptions:

“OS-569 (125-2016) Royal Ridge Subdivision

These lands are zoned “Open Space (OS) Zone”, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space (OS-569) Zone”, on the attached Appendix “1” and shall be subject to the following provisions:

c) Notwithstanding the list of Permitted Uses in Section 33.2, the lands shown on Appendix "1" may only be used for a stormwater management pond."

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.

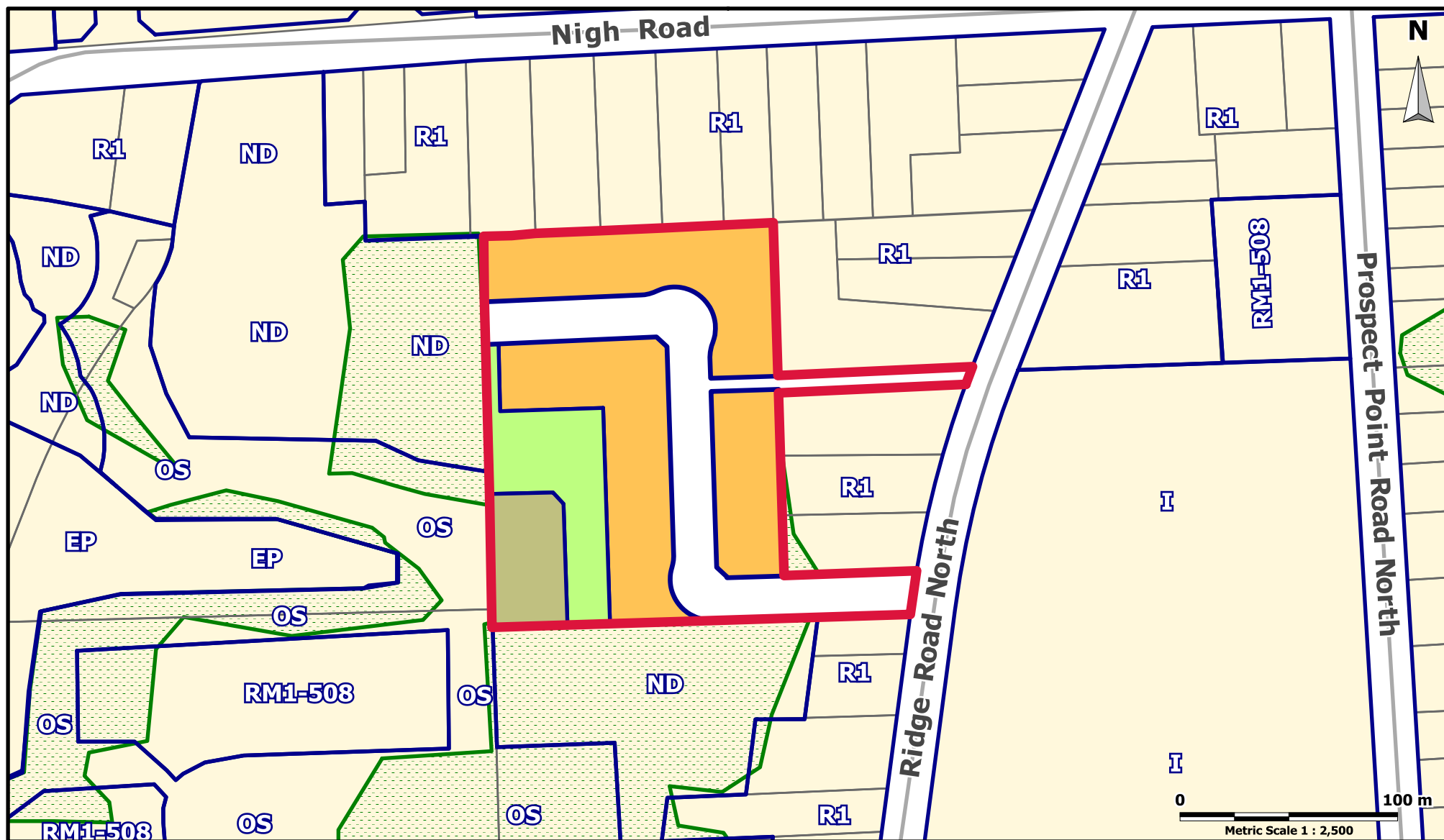
Read a first, second and third time and finally passed this 14th day of November, 2016.

Mayor

Clerk

I, Laura Bubanko , the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 125-2016 of the said Town. Given under my hand and the seal of the said Corporation, this day of _____, 20____

APPENDIX "1"



Proposed Zoning - Royal Ridge Subdivision

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| Part 1 - Change from Residential Multiple 1 RM1-508 Zone, Neighbourhood Development ND Zone & Open Space OS Zone to Residential Multiple 1 RM1-568 Zone | Subject Lands - Royal Oak Subdivision |
| Part 2 - Change from Neighbourhood Development ND Zone & Open Space OS Zone to Open Space OS-569 Zone | Environmental Conservation EC Overlay Zone |
| Part 3 - Change from Open Space OS Zone to Environmental Protection EP Zone | Parcel Fabric |
| | Zone Boundary |