

The Municipal Corporation of the Town of Fort Erie

By-law No. 126-2021

**Being a By-law to Amend Zoning By-law No. 129-90,
as amended
4197 Niagara River Parkway
Better Neighbourhoods Inc. (Curtis Thompson) – Agent
Sant Parkash Dhillon, Aman Uppal, Shaminder Dhillon
and Kuldip Singh – Owners**

350309-0524

Whereas an application was received from Curtis Thompson of Better Neighbourhoods Inc. (Agent), on behalf of Sant Parkash Dhillon, Aman Uppal, Shaminder Dhillon and Kuldip Singh (Owners) to amend the Town's Comprehensive Zoning By-law No. 129-90, as amended, for the lands known municipally as 4197 Niagara River Parkway; and

Whereas a Public Meeting pursuant to subsection 34(12) of the *Planning Act*, R.S.O. 1990, c. P.13 was held on September 13, 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-93-2021 considered and approved at the Council-in-Committee meeting held on October 18, 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 known municipally as 4197 Niagara River Parkway and shown as Parts 1 and 2 on the attached Appendix "1" from "Waterfront Residential 1 (WR) Zone", to "Waterfront Residential WR (WR-715) Zone" (Part 1) and "Waterfront Residential WR (WR-716) Zone" (Part 2).
2. **That** By-law No.129-90, as amended, is further amended by adding to "Section 16 - Waterfront Residential (WR) Zone" Subsection – "Exceptions to the Waterfront Residential (WR) Zone" the following exceptions:

"WR-715 (126-2021) 4197 Niagara River Parkway (Part 1)

These lands are zoned "Waterfront Residential (WR-715) Zone" (Part 1), and all of the provisions that relate to lands zoned "Waterfront Residential (WR) Zone" by this by-law shall apply to those lands zoned "Waterfront Residential WR (WR-715) Zone", subject to the following special provision:

- a) **Prohibited Uses** Short Term Rental is prohibited. For the purpose of this provision, "Short Term Rental" means "all or part of a

dwelling unit, subject to licencing by the Town, to provide sleeping accommodation for any period of thirty (30) calendar days at a time or less in exchange for payment, but does not include any type of institutional dwelling, hotels, or other similar uses”.

WR-716 (126-2021) 4197 Niagara River Parkway (Part 2)

These lands are zoned “Waterfront Residential WR (WR-716) Zone” (Part 2), and all of the provisions that relate to lands zoned “Waterfront Residential (WR) Zone” by this by-law shall apply to those lands zoned “Waterfront Residential WR (WR-716) Zone”, subject to the following special provision:

- | | |
|-------------------------------|--|
| a) Minimum Front Yard | 14 m |
| b) Minimum Interior Side Yard | 3m (easterly and westerly) |
| c) Minimum Rear Yard | 21 m |
| d) Maximum Building Height | i) 2 storeys
ii) 9m |
| e) Prohibited Uses | Short-Term Rental is prohibited. For the purpose of this provision, “Short-Term Rental” shall mean “all or part of a dwelling unit, subject to licencing by the Town, to provide sleeping accommodation for any period of thirty (30) calendar days at a time or less in exchange for payment, but does not include any type of institutional dwelling, hotels, or other similar uses” |
| f) Municipal Services | Notwithstanding Subsection 6.16 a private water supply is permitted” |

3. **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.

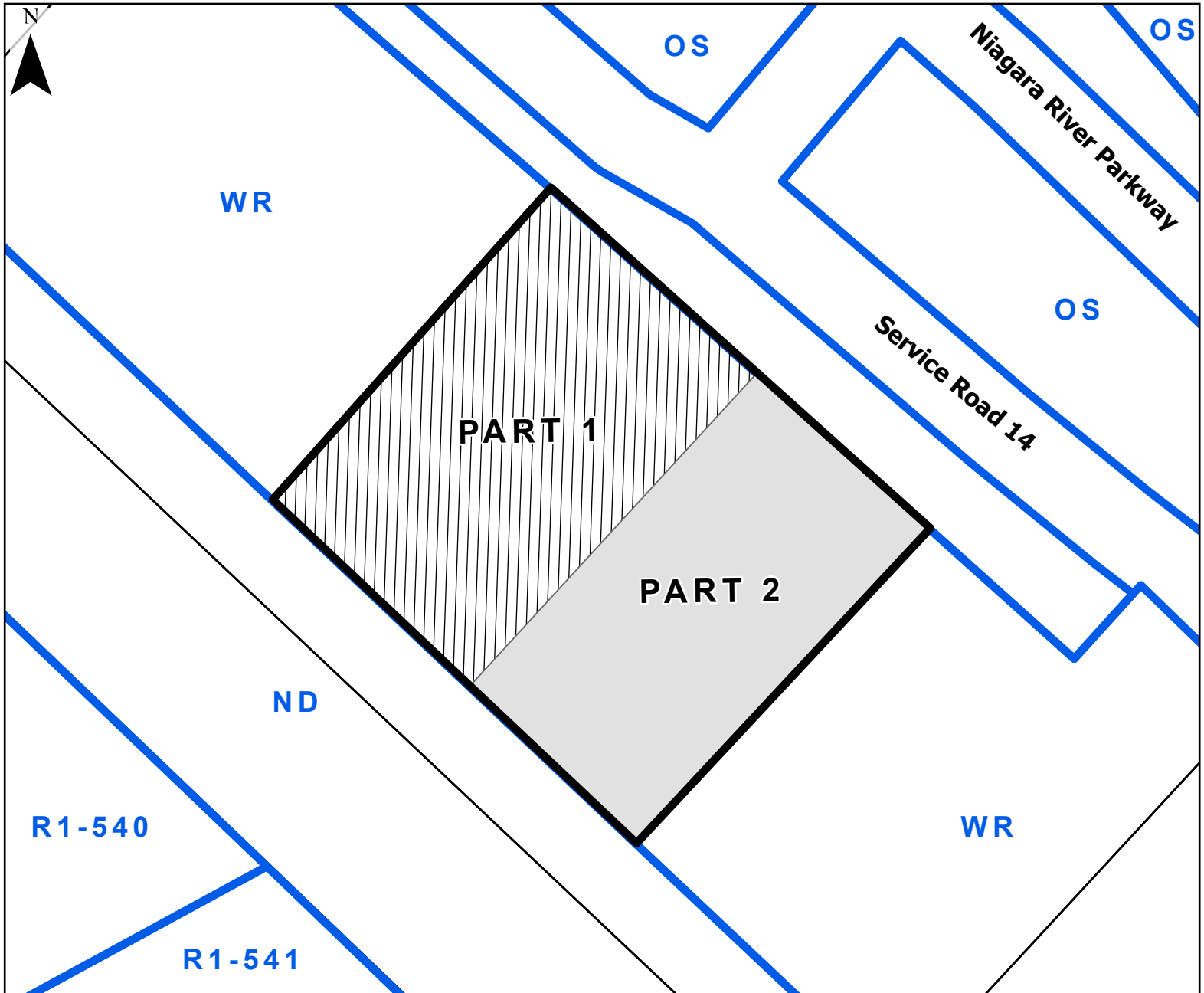
Read a first, second and third time and finally passed this 25th day of October, 2021.

Mayor

Clerk

I, Carol Schofield, Clerk of The Corporation of the Town of Fort Erie, certify the foregoing to be a true copy of By-law No. 126-2021 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20 .

APPENDIX "1"



By-law No. 126-2021

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90
PASSED THIS 25th DAY OF OCTOBER, 2021**

0 5 10
Meters



Subject Lands - 4197 Niagara River Parkway



Part 1 - Change from Waterfront Residential (WR) Zone to Waterfront Residential (WR-715) Zone



Part 2 - Change from Waterfront Residential (WR) Zone to Waterfront Residential (WR-716) Zone