

SECTION 35B – ENVIRONMENTAL CONSERVATION (EC) OVERLAY ZONE

35B.1 Subject to the General Provisions of Section 6 and all other applicable requirements of this By-law, the provisions of this section shall apply to all Environmental Conservation (EC) Zones.

35B.2 PERMITTED USES

- a) Uses listed in the Section of this By-law which corresponds to the underlying Zone identified on Schedule A of this By-law, subject to the regulations outlined in Section 35B.3.
- b) Minor additions, enlargements and reconstruction of existing uses in compliance with the regulations of the Niagara Peninsula Conservation Authority.

35B.3 REGULATIONS

- a) Development subject to an Environmental Impact Study and/or approval of the relevant approval authority in accordance with the policies of the Town's Official Plan.
- b) Areas identified as developable through the completion of an Environmental Impact Study will be subject to the regulations of the underlying zoning designation and will be identified as such on Schedule A of the Zoning By-law following the approval of the development application by the Town.
- c) Areas identified as environmentally significant through the completion of an Environmental Impact Study will be subject to the regulations of the Environmental Protection EP Zone and will be identified as such on Schedule A of the Zoning By-law following the approval of the development application by the Town.

EXCEPTIONS TO THE ENVIRONMENTAL CONSERVATION (EC) OVERLAY ZONE**EC-658 (15-2021) 0-6489 Nigh Road (Part 4)**

These lands are zoned Environmental Conservation (EC-658) Overlay Zone (Part 4), and all of the provisions of By-law 129-90 as amended that relate to lands zoned Environmental Conservation (EC) Overlay Zone by this by-law shall apply to those lands zoned Environmental Conservation (EC-658) Overlay Zone subject to the following special regulation:

- a) Notwithstanding the requirements of Subsection 35B.2 –Permitted Uses, the subject lands shall only be used for the conservation of plant and wildlife.

**TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90
OFFICE CONSOLIDATION**

EC-754 (116-2022) 726 Gorham Road (Part 2)

These lands are zoned “Environmental Conservation (EC-754) Overlay Zone” (Part 2), and all of the provisions of By-law 129-90, as amended, that relate to lands zoned Environmental Conservation (EC) Overlay Zone by this by-law shall apply to those lands zoned “Environmental Conservation (EC-754) Overlay Zone”, subject to the following special provisions:

- a) Notwithstanding the Permitted Uses in Subsection 35B.2, these lands shall be used for no other purpose than the conservation of plant and wildlife associated with the Beaver Creek fish habitat buffer, and the installation and maintenance of rear yard rain gardens that have a minimum depth of 150.00 mm, minimum length of 7.20 m, and a minimum width of 3.60 m.
- b) Notwithstanding the Regulations in Subsection 35B.3, rear yard rain gardens are to be maintained in perpetuity, and removal or decommissioning is prohibited.”

EC-774 (51-2023) 214 Windmill Point Road South (Part 2)

These lands are zoned “Environmental Conservation (EC-774) Overlay Zone”, and all of the provisions of By-law 129-90, as amended, that relate to lands zoned Environmental Conservation (EC) Overlay Zone by this by-law shall apply to those lands zoned “Environmental Conservation (EC-774) Overlay Zone”, subject to the following special provisions:

- a) Notwithstanding the Permitted Uses in Subsection 35B.2, these lands shall be used for no other purpose than a 30mVegetation Protection Zone associated with the adjacent Significant Woodlot”