



# The Municipal Corporation of the Town of Fort Erie

## By-law No. 12-2017

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### Being a By-law to Amend Zoning By-law No. 129-90 Recreational Vehicles

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350309-0425

**Whereas** the Council of the Town of Fort Erie at its meeting of September 6, 2016, authorized staff to undertake an amendment to the recreational vehicles regulations of Zoning By-law No. 129-90 as amended, through Report PDS-83-2016 on October 3, 2016, and

**Whereas** Subsection 34 (12) of the *Planning Act*, R.S.O. 1990, c.P.13, provides that the Council, before the passing of a by-law under this section of the Act, shall ensure that sufficient information is made available to the public to generally understand the zoning proposal, and

**Whereas** in accordance with Council direction from 2005 and subsequently 2011, an Open House was held respecting the proposed recreational vehicle amendments to Comprehensive Zoning By-law No. 129-90 as amended on October 20, 2016 and notice of such was published in the Fort Erie Times on October 13, 2016, and

**Whereas** in accordance with Subsection 34 (12) of the *Planning Act*, R.S.O. 1990, c.P.13 a Public Meeting was held respecting the proposed housekeeping amendments to Comprehensive Zoning By-law No. 129-90 as amended, on November 7, 2016 and notice of such was published in the Fort Erie Times on October 13, 2016, and,

**Whereas** to satisfy the notification requirements for Town initiated amendments approved by Council on May 6, 2013, the following additional measures were undertaken to notify the public of the proposed amendment:

- Notice of the proposed amendments was posted on the Town's website;
- Notice of the proposed changes was posted on the Town's social media;
- Notice of the public meeting was sent to the Ridgeway, Bridgeburg and Crystal Beach Business Improvement Associations;
- Notice of the amendments was advertised on the billboard at the corner of Municipal Centre Drive and Garrison Road; and
- Notice of the amendments was posted at the Library Branches, Leisureplex, Museum and in the Town Hall Atrium.

**Whereas** on January 16, 2017, Council determined that in accordance with Section 34(17) of the *Planning Act*, further notice is not required with respect to the change to the front yard setback requirements for recreational vehicles since the holding of the Public Meeting on November 7, 2016, and

**Whereas** it is deemed desirable to proceed with the amendments to the recreational vehicle regulations of Comprehensive Zoning By-law No. 129-90 as amended, pursuant to Report No.

PDS-05-2017 considered at the Council-in-Committee meeting of January 16, 2017, and subsequently approved by Council;

**Now therefore** the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** Section 6.39 of By-law No. 129-90, as amended, is repealed and replaced with the following:

**“6.39 STORAGE OF RECREATIONAL VEHICLES**

On a lot containing a residential dwelling, no person shall store a recreational vehicle except in accordance with the following provisions:

- (a) where the lot is used for an apartment dwelling or boarding house, the storage of such vehicles shall be enclosed and shall only be permitted in spaces or areas that are in addition to the number of parking spaces required by Section 6.20.
  - (b) where the lot is used for any other residential use, the storage of such vehicles shall be permitted in any yard provided that they are a minimum of 1.0 m from any side or rear lot line and where storage occurs in a front yard or exterior side yard, a minimum setback of 4.5 m from the front lot line and in the case of a corner lot a daylighting triangle in accordance with Section 6.31 of the Comprehensive Zoning By-law 129-90 shall be required in addition to the front yard setback for sight clearance purposes.
  - (c) notwithstanding the requirements of (b) above, the temporary storage of recreational vehicles for a period of up to 72 hours, between May 1st and October 31st, shall be permitted in the front yard. However, temporary storage of recreational vehicles shall not be permitted within the required daylighting triangle in accordance with Section 6.31 on any corner lot.
  - (d) Recreational vehicles may be stored in accordance with (c) above, a maximum of 6 times in a calendar year”
2. **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 23<sup>rd</sup> day of January, 2017.**

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Mayor

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Clerk