



The Municipal Corporation of the Town of Fort Erie

By-law No. 13-2017

**Being A By-Law To Enact an Amendment to the Official Plan
Adopted by By-law No. 150-06 for the Town of Fort Erie
Planning Area**

**Amendment No. 33
Parking Requirements
Town of Fort Erie**

350302-0095

The Municipal Council of The Corporation of the Town of Fort Erie in accordance with the provisions of Section 17 of the *Planning Act*, R.S.O 1990 enacts as follows:

1. **That** amendment No.33 to the Official Plan for the Town of Fort Erie consisting of the attached explanatory text is adopted and approved.
2. **That** this by-law shall come into force and take effect on the day of the final passing thereof.
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 23rd day of January, 2017.

Mayor

Clerk

I, Laura Bubanko, the Clerk, of The Corporation of the Town of Fort Erie hereby certifies the foregoing to be a true copy of By-law No. 13-2017 of the said Town. Given under my hand and the seal of the said Corporation, this ____ day of _____, 20____

AMENDMENT NO. 33

TO THE

OFFICIAL PLAN

FOR THE

CORPORATION OF THE TOWN OF FORT ERIE

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PART "A" - THE PREAMBLE

SECTION 1

TITLE AND COMPONENTS

This document, when approved in accordance with Sections 17 and 21 of The *Planning Act*, 1990, shall be known as Amendment No. 33 to the Official Plan adopted by By-law No. 150-06 of the Fort Erie Planning Area.

Part "A", the Preamble does not constitute part of this amendment.

Part "B", the Amendment, consisting of the following text and map (designated Schedule "A") constitutes Amendment No. 33 to the Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area.

Also attached is Part "C", the Appendices, which do not constitute part of this amendment. These Appendices (1 through 3 inclusive) contain the background data, planning considerations and public involvement associated with this amendment.

SECTION 2

PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to permit the residential parking requirements in downtown cores to be achieved through the provision of dedicated parking spaces located on a site other than the site where the residential use is located.

SECTION 3

LOCATION OF THIS AMENDMENT

The lands, which are the subject of this amendment, are located in the downtown cores of Bridgeburg, Southend, Ridgeway, Crystal Beach and Stevensville as shown on Schedule "A" attached hereto.

SECTION 4

BASIS OF THIS AMENDMENT

The amendment is to add a general policy to the Section 13.10 Special Zoning Measures and does not involve a change to the Land Use Schedule "A". Accordingly, Subsection 13.7(III) of the Official Plan adopted by By-law No. 150-06 of the Fort Erie planning area does not apply to the amendment.

SECTION 5

IMPLEMENTATION AND INTERPRETATION

The relevant policies of the Official Plan adopted by By-law No. 150-06 of the Fort Erie planning area shall apply to the implementation and interpretation of this Amendment.

PART "B" - THE AMENDMENT

All of this part of the document entitled "Part "B" - "The Amendment" consisting of the following policy constitutes Amendment No. 33 to the Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area. The Official Plan adopted by By-law No. 150-06 for the Fort Erie Planning Area is hereby amended as follows:

1. Policy 13.10.4 Parking Requirements is hereby repealed and replaced with the following:

13.10.4 PARKING REQUIREMENTS

13.10.4.1 Cash in Lieu of Parking

- I. Council may enter into agreements with landowners exempting the owner, to the extent specified in the agreement, from the requirements of providing or maintaining parking facilities.
- II. In accordance with the Planning Act R.S.O. 1990, such an agreement may contain provisions requiring the landowner to make one or more payments to the municipality and establishing a schedule for such payment.
- III. The agreement shall be registered in the Registry Office.
- IV. When all monies agreed upon have been paid to the Town, the landowner may request that the Town Clerk provide a certificate, in registerable form, certifying that all monies have been paid or that the agreement has been terminated.

13.10.4.2 Off-Site Parking

- I. The parking requirements for residential dwellings located in the downtown cores can be achieved through the provision of dedicated parking spaces or permit parking in a public parking lot or dedicated spaces in private parking lots located within a reasonable walking distance of the residential dwelling. Long term access to the parking spaces on private property must be secured through an easement in favour of the residential property owner.

PART “C” - THE APPENDICES

- Appendix 1 - Notice of Public Meeting
- Appendix 2 - Public Meeting Minutes
- Appendix 3 - Circulation comments

Appendix "1"

NOTICE OF PUBLIC MEETING

OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT

Town of Fort Erie

Downtown Residential Parking Strategy

APPLICATION 350309-418

DATE:


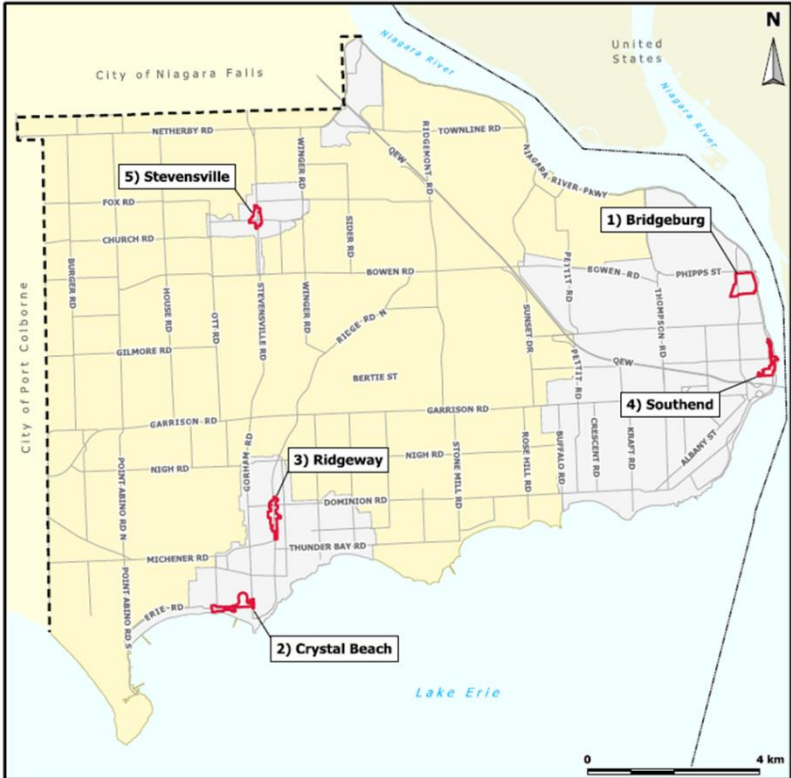


December 5, 2016

TIME:


6:00 PM

LOCATION:

MUNICIPAL TOWN HALL COUNCIL CHAMBERS

	<div> <div>NATURE OF STUDY</div> <div> <p>The Town of Fort Erie has initiated an Amendment to the Official Plan and Zoning By-law 129-90 to make it easier for owners of commercial properties in the downtown cores to provide parking for residential dwelling units located within commercial buildings.</p>  </div> </div>
	<div> <div>WHAT THESE AMENDMENTS ADDRESS:</div> <div> <p>The proposed Official Plan Amendment will allow the parking requirements for residential uses in downtown cores to be met by providing off-site parking in municipal or private lots.</p> <p>The proposed amendment to the Town’s Comprehensive Zoning By-law 129-90 will permit the following:</p> <ul style="list-style-type: none"> Privately owned parking lots to be located in the Central Business District Commercial C2A Zone (Bridgeburg), Core Mixed Use 2 Zone (Crystal Beach), Core Mixed Use 4 Zone (Ridgeway) and Core Mixed Use 5 Zone (Stevensville). Parking for residential units in the core areas of Bridgeburg, Crystal Beach, Ridgeway and Stevensville to be provided off-site in a municipal lot (either in a dedicated area or with a permit) located within 200 m of the property containing the residential use Parking for residential units in the core areas of Bridgeburg, Crystal Beach, Ridgeway and Stevensville to be provided off-site in a private lot located within 200 m of the property containing the residential use provided an easement is obtained. <p>Note that the proposed changes will be applied to the Southend Neighbourhood through the Neighbourhood Planning process.</p> </div> </div>
	<div> <div>GETTING MORE INFORMATION</div> <div> <p>Input on the proposed Official Plan and Zoning By-law Amendment is welcome and encouraged. You can provide input by speaking at the public meeting or by making a written submission to the Town. Please note that unless you do one of the above now, you may not be able to appeal the decision later.</p> <p>A copy of the Information Report will be available to the public by 5:00 PM on November 30, 2016. The information report will be available in the Council agenda portion of the Town’s Web Site: www.forterie.ca or from the Planning and Development Services Department.</p> </div> </div>

Appendix "1"

	<p><u>CONTACT INFORMATION</u></p> <p>Matt Kernahan, MCIP, RPP, Senior Development Planner Planning and Development Services Department, Town Hall, 1 Municipal Centre Drive, Fort Erie, Ontario L2A 2S6 905-871-1600, ext. 2507 Or by e-mailing your comments to: mkernahan@forterie.ca</p> <p><u>PROVIDING YOUR COMMENTS OR REQUESTING NOTICE OF DECISION</u></p> <p>To provide input in writing, or to request written notice of the decision of the Official Plan and Zoning By-law Amendment, please send a letter c/o Laura Bubanko, Manager, Legislative Services/Clerk, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6 or an email to lbubanko@forterie.ca</p>
	<p>If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Fort Erie in respect of the proposed Official Plan and Zoning By-law amendment before the By-law is passed, the person or public body is not entitled to appeal the decision of the Town of Fort Erie to the Ontario Municipal Board.</p> <p>If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Fort Erie in respect of the proposed Official Plan Amendment and Zoning By-law amendment before the By-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board, unless in the opinion of the Board, there are reasonable grounds to do so.</p> <p>If you wish to be notified of the adoption of the Official Plan and Zoning By-law Amendment, you must make a written request to Laura Bubanko, Manager, Legislative Services/Clerk and such request should include the name and address to which such notice should be sent.</p>

Appendix "2"

the Lake Phase 1 and 2 as both of those parties are clients. She abstained from discussing and voting on the matters.

5. Public Notice of Upcoming Meetings

(a) 2017 Budget Meeting Schedule

Re: Council-in-Budget Committee: #2 - Wednesday, December 7, 2016 – Water and Wastewater Operating Budget and User Fee Analysis; #3 - Wednesday, January 11, 2017 - Library and EDTC; #4 - Wednesday, January 25, 2017 - General Levy Operating Budget and Assessment Analysis; #5 - Wednesday, February 1, 2017. All budget meetings begin at 6:00 p.m. in Town Hall Council Chambers; Council adoption of Budget By-law: Monday, December 5, 2016 – Capital Budget; Monday, January 16, 2017 - Water and Wastewater Budget & Rates; Monday, February 27, 2017 - General Levy Budget.

6. Public Meetings

(a) Official Plan Amendment and Property Rezoning

Re: Town Initiated Amendment to the Official Plan and Zoning By-law - Downtown Residential Parking Strategy (Bridgeburg, Crystal Beach, Ridgeway and Stevensville). The proposed Official Plan Amendment will allow the parking requirements for residential uses in downtown cores and the rezoning will permit privately owned parking lots to be located in the Central Business District; parking for residential units in the core areas to be provided off-site in a municipal lot located within 200 m of the property containing the residential use and parking for residential units in the core areas to be provided off-site in a private lot located within 200 m of the property containing the residential use provided an easement is obtained.

Mayor Redekop announced this is a statutory Public Meeting under the *Planning Act of Ontario*, R.S.O. 1990, Chapter P.13 regarding proposed amendments to the Official Plan and Zoning By-law No. 129-90. He described the meeting process and stated members of the public would be given an opportunity to address Council concerning the proposed amendments.

Mr. Kernahan delivered a power point presentation which is available for viewing on the Town's website.

Mr. Kernahan confirmed the statutory requirements for the public meeting were met, summarized the purpose of the meeting and

Appendix "2"

reviewed the related report.

Mayor Redekop asked if anyone was present to speak to the proposed amendments.

No person came forward to speak.

Mayor Redekop closed the public meeting.

(b) Draft Plan of Subdivision (revision)

Re: 1639875 Ontario Ltd. (Frank Qui, Owner); James Hebb (Agent) - 2-6 and 0 King Street. The applicant is proposing to revise the plan to include 3 lots for townhouses, 1 block of 7 townhouse units, 1 block of 6 townhouse units and 1 block for a future condominium development. The total number of townhouses will be reduced from 17 to 16, other elements of the Plan remain the same.

Mayor Redekop announced this is a statutory Public Meeting under the *Planning Act of Ontario*, R.S.O. 1990, Chapter P.13 regarding a revised amendment to the Draft Plan of Subdivision. He described the meeting process and stated members of the public would be given an opportunity to address Council concerning the proposed amendment.

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Jim Puhl, 3811 Rebstock Road, Crystal Beach advised that he is happy to see this going forward and enquired about whether or not new rules apply to which Mr. Kernahan responded that the

Appendix "3"



Interoffice Memorandum

January 3, 2017
File No. 350309-0427

To: Matt Kernahan, Senior Development Planner

From: Jeremy Korevaar, Coordinator, Development Approvals

Subject: **OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT
DOWNTOWN PARKING STRATEGY – TOWN INITIATED AMENDMENT**

On behalf of the Infrastructure Services department, Engineering division I have reviewed the above application and have no objections to the proposed amendments to the Official Plan and the Zoning By-law.

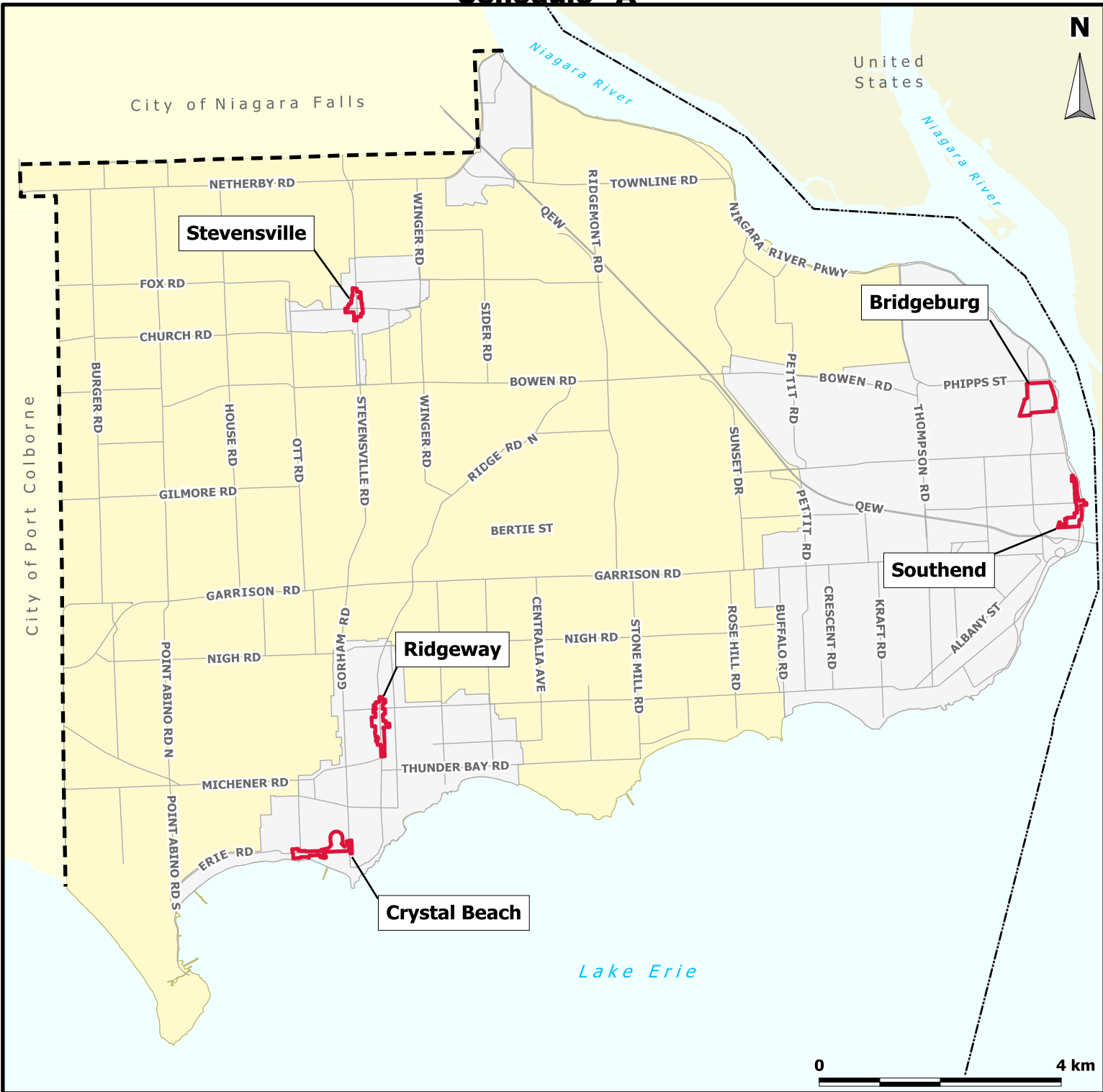
If you have any questions with regard to these comments, please contact me.

Jeremy Korevaar C.E.T.
Coordinator, Development Approvals

ecc. Kira Dolch, Manager, Development Approvals
George Stojanovic, Manager, Engineering Division

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Schedule "A"



By-law No. X-2017

THIS SKETCH FORMS PART OF SCHEDULE "A" TO THE OFFICIAL PLAN
PASSED THIS 23rd DAY OF JANUARY, 2017



Downtown areas affected by OPA Amendment No. 33

Schedule "A"



By-law No. X-2017

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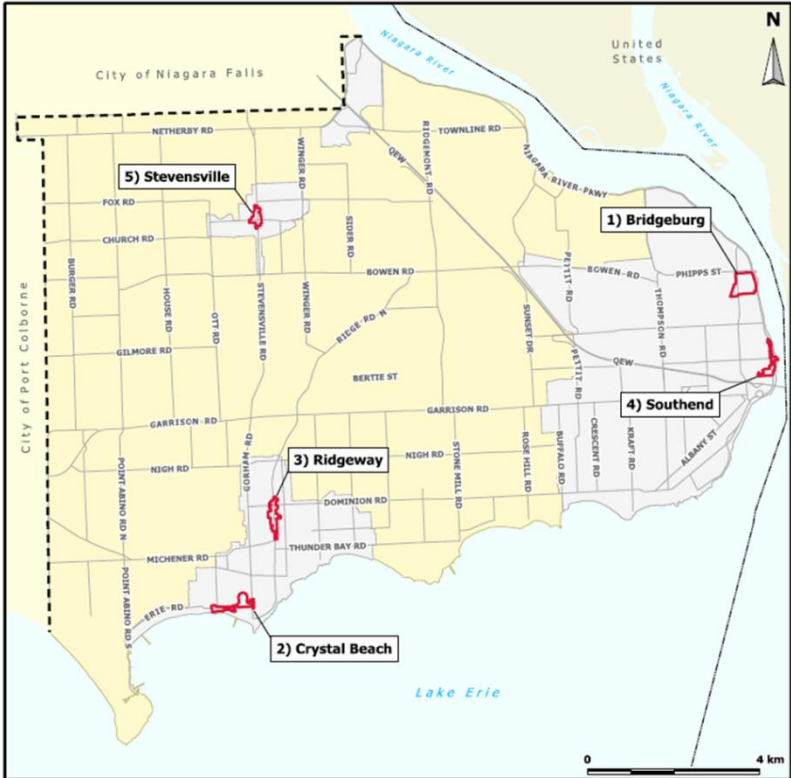


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ecc. Kira Dolch, Manager, Development Approvals
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