



The Municipal Corporation of the Town of Fort Erie

By-law No. 122-2017

**Being a By-law to Amend Zoning By-law No. 129-90
168 High Street
Jennifer Vida, Upper Canada Consultants - Agent
800547 Ontario Ltd. (Ed Lenchyshyn) – Owner**

350309-0445

Whereas an application was received from Jennifer Vida, Upper Canada Consultants (Agent) on behalf of 800547 Ontario Ltd. (Ed Lenchyshyn) (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands described as Part 2, 59R15389, and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c.P.13 was held on August 21, 2017, and

Whereas it is deemed desirable to amend the Comprehensive Zoning By-law No. 129-90 as amended, pursuant to the amendment to the recommendation contained in of Report No. PDS-77-2017 considered at the Council-in-Committee meeting of November 6, 2017 and subsequently authorized and approved by Council, and

Whereas on November 14, 2017, Council determined that in accordance with Section 34(17) of the *Planning Act*, further notice is not required with respect to rezoning the property located at 168 High Street to permit a duplex;

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 "Residential 2 (R2) Zone" to "Residential Multiple 1 (RM1-590) Zone".
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 Residential Multiple 1 (RM1) Zone" the following exception:

"RM1-590 (122-2017) 168 High Street

These lands are zoned "Residential Multiple 1 (RM1-590) 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 (RM1-590) Zone" shown as Part 1 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 subject lands may only be used for a duplex dwelling or single detached dwelling.

- b) Notwithstanding the “Regulations for Duplexes” in Section 13.5, duplexes shall be subject to the following provisions:
 - i) Minimum southerly side yard setback – 1.5 metres
 - ii) Minimum northerly side yard setback – 3.0 metres
 - c) Notwithstanding the “Ingress and Egress” regulation in Section 6.20 (D), the minimum width of ingress and egress, to and from the required parking spaces where two-way traffic is provided shall be 3.0 metres.”
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 14th day of November, 2017.

Mayor

Clerk


I, Carol Schofield, the Interim Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 122-2017 of the said Town. Given under my hand and the seal of the said Corporation, this day of _____, 20____



By-law No. 122-2017

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90
PASSED THIS 14th DAY OF NOVEMBER, 2017**

 Subject Lands - 168 High Street

 Part 1 - Change from Residential 2 R2 Zone to Residential Multiple 1 RM1-590 Zone