



The Municipal Corporation of the Town of Fort Erie

By-law No. 31-2018

Being a By-law to Amend Zoning By-law No. 129-90 145 Derby (Crystal Beach Public School) District School Board of Niagara – Owner

350309-0451

Whereas an application was initiated by the Town of Fort Erie on behalf of the District School Board of Niagara (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands described as Part Lot 3 to Part Lot 6, Plan 80, and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c.P.13 was held on December 4, 2017, 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-12-2018 considered at the Council-in-Committee meeting of February 12, 2018 and subsequently authorized and approved by Council;

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 "Institutional (I) Zone" to "Residential Multiple 1 (RM1-617) 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 the Residential Multiple 1 (RM1) Zone" the following exception:

"RM1-617 (31-2018) 145 Derby

These lands are zoned "Residential Multiple 1 (RM1-617) 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) Zone RM1-617 Zone" on the attached Appendix "1" shall be subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 14.2, the lands shown on Appendix "1" may only be used for the following:
 - Single detached dwellings
 - Semi-detached dwellings
 - Street and block townhouse dwellings

- apartments
- any institutional purpose permitted by “Section 31.2 Permitted Uses” in the “Institutional I Zone”
- Stormwater Management facilities

b) The provisions of Section 15.3 “Regulations for Apartment Dwellings and Assisted Living House” shall apply to any apartments located on the lands shown on Appendix “1” except that :

- i) the maximum building height of any apartment shall not exceed 4 stories.
- ii) minimum lot area - 75m² per unit.

c) The provisions of Section 31.3 “Regulations” shall apply to the any institutional use permitted in Section 31.2 on the lands shown on Appendix “1”.

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.

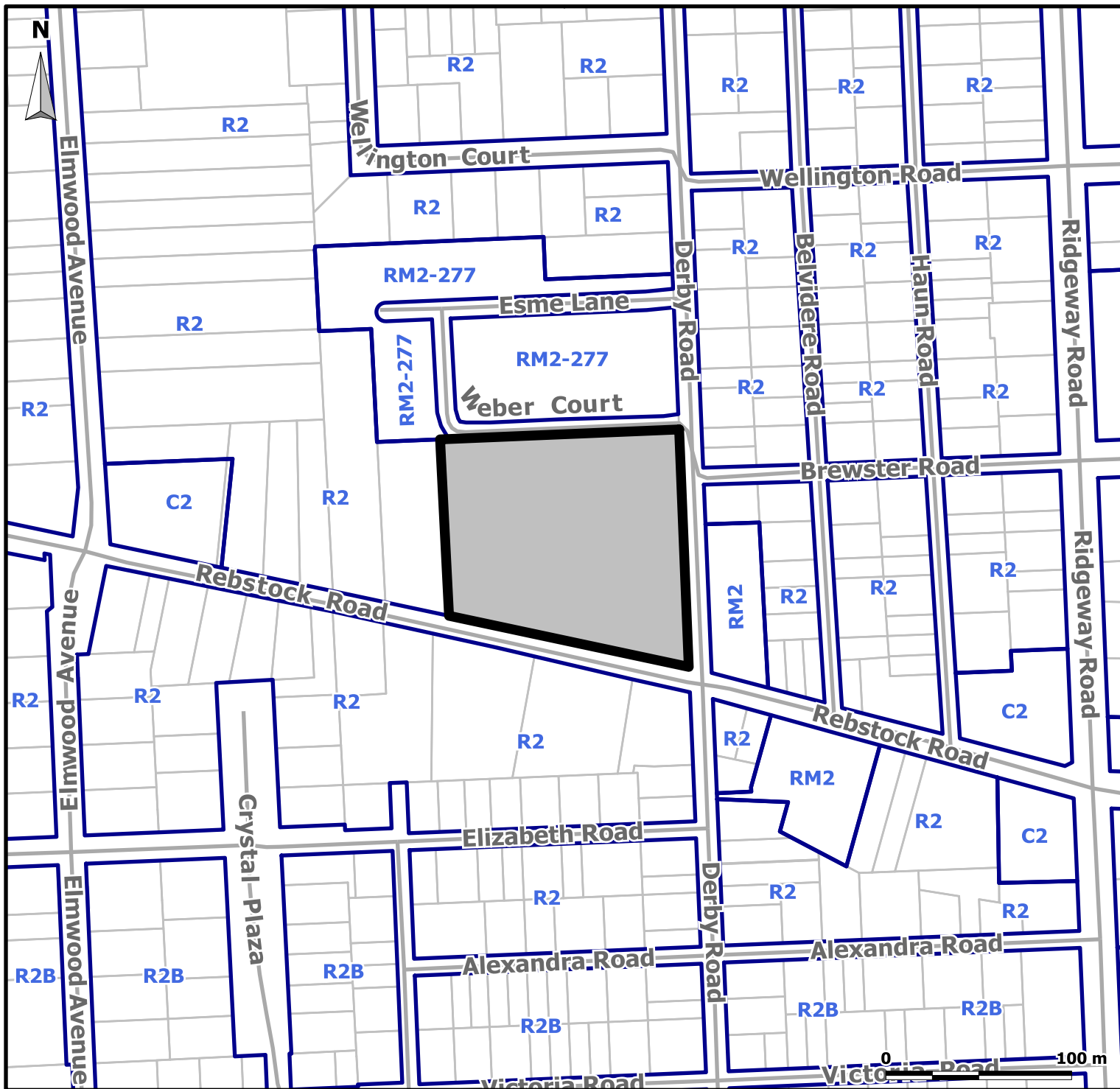
Read a first, second and third time and finally passed this 26th day of February, 2018.

Mayor

Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 31-2018 of the said Town. Given under my hand and the seal of the said Corporation, this day of _____, 20____

APPENDIX "1" TO BY-LAW NO. 31-2018



By-law No. 31-2018

THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90

PASSED THIS 26th DAY OF FEBRUARY, 2018



Subject Lands - 145 Derby Street (former Crystal Beach Public School)



Part 1 - Change from Institutional I Zone to Residential Multiple 1 RM1-617 Zone