



**The Municipal Corporation of the  
Town of Fort Erie**

**By-law No. 38-2020**

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**Being a By-law to Amend Zoning By-law No. 129-90  
South Coast Village Phase 3 Condominium  
East side of Ridgeway Road, at Erie Road  
Block 2 – Registered Plan No. 59M-430  
Marz Homes (Crystal Beach) Inc.**

350309-494

**Whereas** an application was received from Stephen Fraser of A.J. Clarke and Associates Ltd. (Agent) on behalf of Marz Homes (Crystal Beach) Inc. to further amend the Town of Fort Erie's Comprehensive Zoning By-law No. 129-90, as amended, for the South Coast Village Phase 3 Condominium, and

**Whereas** a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c.P.13 was held on February 18, 2020, 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-16-2020 considered and approved at the Council-in-Committee meeting held on March 9, 2020;

**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 described above and shown on the attached Appendix "1" from "Residential Multiple 1 Holding RM1-462(H) Zone" to "Residential Multiple 1 Holding RM1-649(H) Zone".
2. **THAT** By-law No. 129-90 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:

**"RM1-649(H)(38-2020) South Coast Village Phase 3 Condominium**

These lands are zoned "Residential Multiple 1 Holding RM1-649(H) Zone" and all of the provisions of By-law No. 129-90, as amended, that relate to lands zoned "Residential Multiple 1 (RM1) Zone" shown on the attached Schedule "A", subject to the following provisions:

- a) In addition to the list of Permitted Uses in Section 14.2, the lands shown on Appendix 1 shall also permit the following uses:
  - i. Stacked Townhouse Dwellings.
  - ii. Recreational Amenities, including, but not limited to, multi-use courts, swimming pools, and a clubhouse. A clubhouse may include 4 dwelling units above the ground floor.
- b) A short-term rental use shall not be permitted.
- c) Location of clubhouse dwelling units – Permitted above the ground floor

Notwithstanding the requirements of Section 14.3 the following shall apply:

- d) Minimum lot frontage – 18 m
- e) Minimum lot area for entire Block 2, Plan 59M430 – 24,000 sq. m
- f) Minimum landscaped area for entire Block 2, Plan 59M430 – 37%
- g) Maximum lot coverage for entire Block 2, Plan 59M-430– 34%
- h) Minimum setback from northerly lot line from Blocks 3, 4, 5 & 6 (Front) – 6.5m
- i) Minimum setback to easterly lot line from Block 6 (Side) – 2m
- j) Minimum setback from easterly lot line from Block 7 (Side) – 5m
- k) Minimum setback from southerly block limit (Rear) – 6.5m
- l) Minimum setback to westerly block limit from Block 1 and 2 (Side) – 7m
- m) Minimum setback from clubhouse to easterly lot line – 1.5m
- n) Maximum building height for dwellings – 10.5m
- o) Maximum building height for club house – 3 storeys and 12m
- p) Minimum setback from a private street(pavement face)/or sidewalk (whichever is closer) to the face of an attached garage – 6m
- q) Minimum setback from a private street pavement face to other parts of the dwelling, save and except for any projections, including, but not limited to, balconies, porches, and verandas – 3m
- r) Minimum setback from a parking area to adjacent Residential Zones – 2m
- s) Minimum setback from a parking area to an Open Space Zone – 0.9m
- t) Minimum setback from a parking area to a Public Zone – 1m
- u) Minimum distance between buildings on same lot/block– 2.5m between end walls, 12.7m between rear walls, and 7.0m between garages and rear walls
- v) Privacy area – Every dwelling unit shall have at least one area which serves as a privacy area adjacent to the dwelling unit, having a minimum depth of 3.4m except that no privacy area is required for upper floor units

Notwithstanding the requirements of Section 14.3 and Section 6.21 the following shall apply:

- w) Planting strips – 0.9m except 1.5m abutting a Residential Zone south of the clubhouse

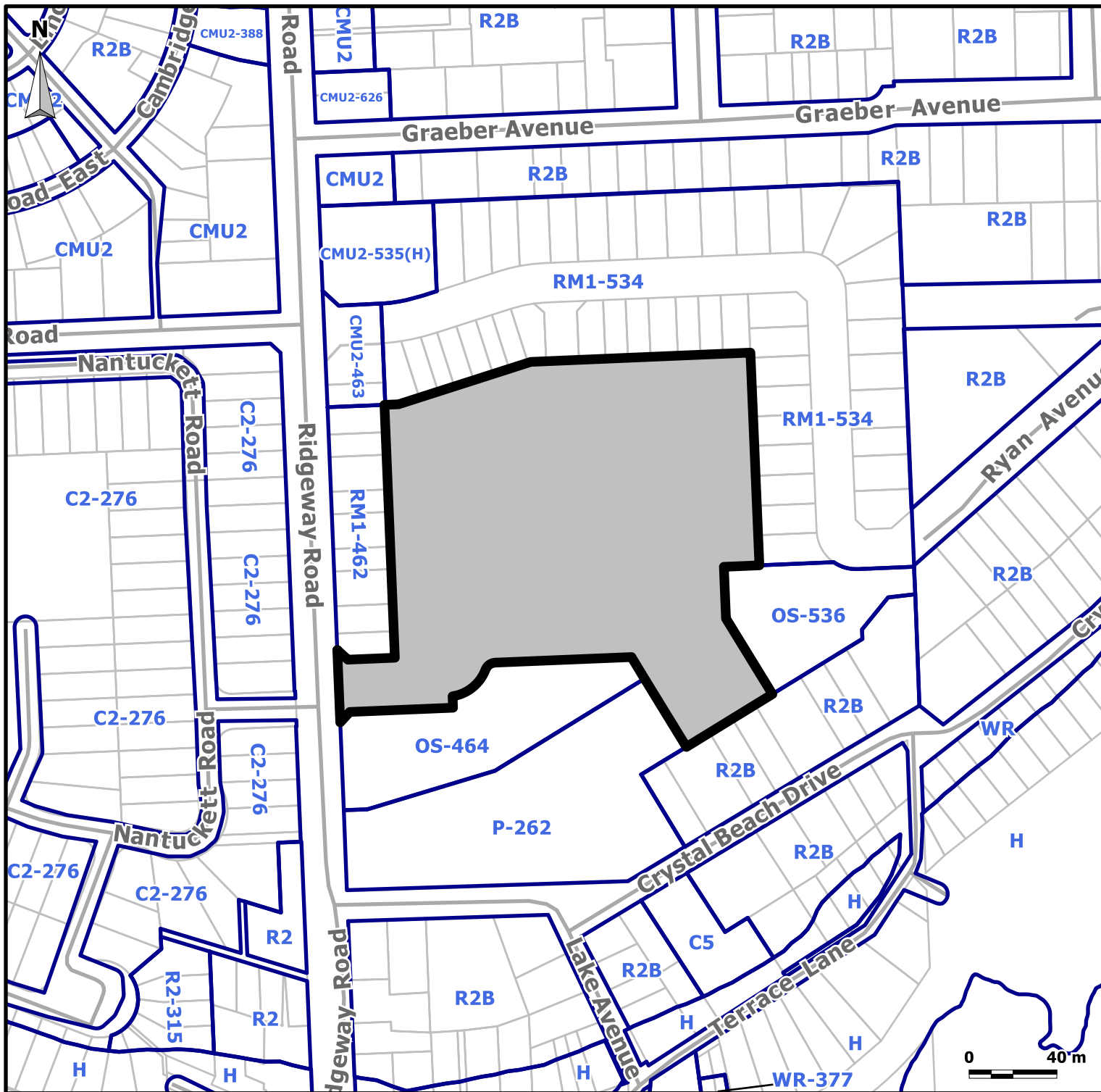
Notwithstanding the requirements of Section 6.20 the following shall apply:

- x) Parking for clubhouse – 7 spaces plus one space per dwelling unit above the clubhouse

Notwithstanding the requirements of Section 6.40 the following shall apply:

- y) Permitted encroachments for uncovered platforms from 0.0m to 0.5m above grade:
  - i. Minimum Front setback from a private street – 1m
  - ii. Minimum Side Yard Setback from a private street pavement face– 1.25m
- z) Permitted encroachments for platforms between 0.5m and 1.5m (uncovered) or 0.0m to 1.5m above grade (covered):
  - i. Minimum Front setback from a private street – 1m
  - ii. Minimum Side Yard Setback from a private street pavement face –






**By-law No. 38-2020**

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90  
PASSED THIS 23rd DAY OF MARCH, 2020**

 Subject Lands - Southcoast Village Phase 3 Condominium

 Part 1 - Change from Residential Multiple 1 Holding (RM1-462(H)) Zone to Residential Multiple 1 Holding (RM1-649(H)) Zone