

SECTION 13 - RESIDENTIAL 3 (R3) ZONE

13.1 Subject to the general provisions of Section 6 and all other applicable requirements of this By-law, the provisions of this section shall apply to all Residential (R3) zones.

13.2 PERMITTED USES

- (a) One single detached dwelling
- (b) Semi-detached dwellings
- (c) Duplex dwellings
- (d) The conversion of a single detached dwelling existing at the date of passing of this By-law to a duplex or semi-detached dwelling
- (e) Uses, buildings and structures accessory to the foregoing permitted uses
- (f) Home occupations

13.3 REGULATIONS FOR ONE SINGLE DETACHED DWELLING

The regulations of Section 12.3 shall apply with respect to single detached dwellings

13.4 REGULATIONS FOR SEMI-DETACHED DWELLINGS

Minimum Unit Frontage	9.5m 10.5m for a corner lot
Minimum Lot Area	305 sq. m.
Maximum Lot Coverage	1 storey – 60 percent 2 storey - 40 percent
Minimum Front Yard	6m to garage 3m to other parts of dwelling
Minimum Interior Side Yard	1.2m plus an additional .5m for every storey or part thereof above the ground floor; except where no private garage or carport is provided a side yard of not less than 3.0m on one side of such semi-detached dwelling is required;
Minimum Exterior Side Yard	3m, except that an attached garage or attached carport which faces the exterior side lot line shall be located no

SECTION 13 – R3 ZONE
TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90
OFFICE CONSOLIDATION

13.2

	closer than 6m to the exterior side lot line.
Minimum Rear Yard	6m
Maximum Height	i) 2.5 storeys ii) 9m

13.5 REGULATIONS FOR DUPLEX DWELLINGS

Minimum Lot Frontage	18m 21m for a corner lot
Minimum Lot Area	580 sq. m.
Maximum Lot Coverage	40 percent
Minimum Front Yard	6m to garage 3m to other parts of dwelling
Minimum Interior Side Yard	2m plus 0.5m for every storey or part thereof above the ground floor except where no attached garage or attached carport is provided the minimum interior side yard on one side shall be 3m
Minimum Exterior Side Yard	3m, except that an attached garage or attached carport which fronts on the exterior side lot line shall be located no closer than 6m to the exterior side lot line.
Minimum Rear Yard	8m
Minimum Floor Area	83.5 sq. m.
Maximum Height	i) 2.5 storeys ii) 9m

13.6 REGULATIONS FOR CONVERTED DWELLINGS

- (a) The dwelling to be converted shall be structurally suitable for the conversion.
- (b) No outside stairway shall be used or erected as an appurtenant structure for the dwelling except an unenclosed fire escape.
- (c) The minimum floor area per dwelling unit shall be as set out in the following table:

<u>Type of Dwelling Unit</u>	<u>Minimum Floor Area</u>
1. Bachelor Unit	40 square metres
2. One-Bedroom Unit	50 square metres
3. Two-Bedroom Unit	60 square metres
4. Unit Comprising three or more bedrooms	70 square metres

- (d) A minimum of one parking space shall be provided for each dwelling unit in the converted dwelling.

EXCEPTIONS TO THE RESIDENTIAL 3 (R3) ZONE

R3-35 (129-1990) 48 Phipps Street

Nothing shall prevent the continued use of the lands indicated as R3-35 on Schedule "A" for a group home and uses, buildings and structures accessory thereto.

R3-42 (45-1991) 47 Idylwyld Place

These lands are zoned "Residential 3 R3-42 Zone" and all of the provisions that relate to lands zoned "Residential 3 R3 Zone" by this by-law shall apply to those lands zoned "Residential 3 R3-42 Zone" except:

- (a) that notwithstanding the provisions of Subsection 13.5, the minimum lot area shall not be less than 464.5 square metres, and;
- (b) that notwithstanding the provisions of Subsection 13.5, the minimum westerly side yard shall not be less than 1.44 metres and the minimum easterly side yard shall not be less than 2.84 metres, and;
- (c) that notwithstanding the requirements of Subsection 13.4, the minimum floor area for the second floor unit shall not be less than 73.5 m²

R3-48 (138-1992) 34 Lewis Street

These lands are zoned "Residential 3 R3-48 Zone" and all of the provisions that relate to lands zoned "Residential 3 R3 Zone" by this by-law shall apply to those lands zoned "Residential 3 R3-48 Zone" except:

- (a) notwithstanding the requirements of Subsection 13.2 - Permitted Uses, these lands shall only be used as a residential emergency hostel with not more than 32 single bedrooms and shall be subject to the following regulations:
 - (i) Minimum lot frontage shall not be less than 5.06 metres;
 - (ii) Minimum lot area shall not be less than .25 hectares;
 - (iii) Maximum lot coverage shall not be greater than 13%;
 - (iv) Minimum front yard shall not be less than 115.8 metres;

SECTION 13 – R3 ZONE
TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90
OFFICE CONSOLIDATION

13.4

- (v) Minimum interior side yard shall not be less than 3.35 metres;
- (vi) Minimum exterior side yard shall not be less than 8.53 metres;
- (vii) Minimum rear yard shall not be less than 21.03 metres;
- (viii) Maximum building height shall not be greater than 2 storeys;
- (ix) Minimum number of parking spaces shall not be less than 1 space for every three bedrooms.

R3-49 (202-1992) Concession Road, west side, south of Gilmore Road

These lands are zoned "Residential 3 R3-49 Zone" and all of the provisions that relate to lands zoned "Residential 3 R3 Zone" by this by-law shall apply to those lands zoned "Residential 3 R3-49 Zone" except:

- (a) notwithstanding the requirements of Subsection 13.4 - Minimum Interior Side Yard, where no private garage or carport is provided, a side yard of not less than 3 metres on one side of a semi detached dwelling is required and all of the other provisions of Subsection 13.4 are applicable, and;
- (b) notwithstanding the requirements of Subsections 13.4 and 13.5, the minimum front yard shall not be less than 9 metres.

R3-52 (129-1990) 279 High Street

Nothing shall prevent the continued use of the lands indicated as R3-52 on Schedule "A" for a professional offices and uses, buildings and structures accessory thereto.

R3-60 (80-1991) 113 Waterloo Street

These lands are zoned "Residential 3 R3-60 Zone" and all of the provisions that relate to lands zoned "Residential 3 R3 Zone" by this by-law shall apply to those lands zoned "Residential 3 R3-60 Zone" except that:

- (a) that notwithstanding the requirements of Subsection 13.5 the minimum interior side yard setback from the north side lot line shall not be less than 1.3 metres and the minimum interior side yard setback from the south side lot line shall not be less than 6 metres, and;
- (b) that notwithstanding the requirements of Subsection 13.6, an enclosed outside stairway may be erected as an appurtenant structure for the dwelling to provide access to the second floor dwelling unit. The enclosed outside stairway shall not be closer than 1.3 m to the north side lot line.

R3-106 (164-1993) 10 George Street

These lands are zoned "Residential 3 R3-106 Zone" and all of the provisions that relate to lands zoned "Residential 3 R3 Zone" by this by-law shall apply to those lands zoned "Residential 3 R3-106 Zone" except that:

- (a) that notwithstanding the requirements of Subsection 13.5, the minimum lot area shall not be less than 477 square metres.

R3-154 (127-1996) Bardol Avenue, west side, north of Lakeshore Road

These lands are zoned "Residential 3 R3-154 Zone" and all of the provisions that relate to lands zoned "Residential 3 R3 Zone" by this by-law shall apply to those lands zoned "Residential 3 R3-154 Zone" except:

- (a) that notwithstanding the permitted uses set out in Subsection 13.2 (Permitted Uses), these lands may only be used for the construction of a semi-detached dwelling and semi-detached garage, and;
- (b) that notwithstanding the requirements of Subsection 13.4, the minimum lot frontage shall not be less than 22 metres for interior lots and not less than 24 metres for corner lots, and;
- (c) that notwithstanding the requirements of Subsection 13.4, the minimum lot area shall not be less than 613 square metres, and;
- (d) that notwithstanding the requirements of Subsection 13.4, the maximum lot coverage for all buildings and structures located on the lots shall not be greater than 45%, and;
- (e) that notwithstanding the requirements of Subsection 13.4, the minimum front yard shall not be less than 5.8 metres, and;
- (f) that notwithstanding the requirements of Subsection 13.4, the minimum interior side yard shall not be less than 1.29 metres, and;
- (g) that notwithstanding the requirements of Subsection 13.4, the minimum exterior side yard shall not be less than 3.87 metres, and;
- (h) that notwithstanding the requirements of Subsection 13.4, the minimum rear yard shall not be less than 3.67 metres, and;
- (i) that notwithstanding the requirements of Subsection 13.4, the minimum floor area per dwelling unit shall not be less than 100 square metres, and;
- (j) that notwithstanding the requirements of Subsection 13.4, the maximum height shall not be greater than 1 storey, and;
- (k) that notwithstanding the requirements of Subsection 6.1 (b), the following setbacks shall apply to a semi-detached garage:
 - the minimum interior side yard setback shall not be less than 6.7 metres;
 - the minimum exterior side yard setback shall not be less than 8.7 metres;
 - the minimum front yard setback shall not be less than 5.8 metres;
 - the minimum rear yard setback shall not be less than 3.67 metres.
- (l) The erection of boundary fencing will be permitted on the subject lands. The height of the boundary fencing shall not be greater than .92 metres and be of an open-type construction.

R3-316 (111-2003) Lavinia Street, north side, @ Douglas Street

These lands are zoned "Residential 3 R3-316 Zone" and all of the provisions of By-law 129-90 as amended that relate to lands zoned "Residential 3 R3 Zone" by this by-law shall apply to those lands zoned "Residential 3 R3-316 Zone" on Schedule A, except:

SECTION 13 – R3 ZONE
TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90
OFFICE CONSOLIDATION

13.6

(a) that notwithstanding the requirements of Subsections 13.4, the following regulations shall apply:

- Minimum Lot Frontage 20.1 m
- Minimum Front Yard 9.1 m
- Minimum Exterior Side Yard 3 m

(b) and that the driveway access to the westerly semi-detached dwelling unit must be from Douglas Street.

R3-322 (By-law 156-05)
Village Creek Estates, West Main Street, Stevensville

These lands are zoned Residential 3 R3-322 and all of the provisions of By-law 129-90 as amended that relate to lands zoned Residential 3 (R3) Zone by this by-law shall apply to those lands zoned Residential R3-322 on the attached Schedule A subject to the following special provisions:

- a) Permitted Uses:
- One single detached dwelling with attached garage
 - Semi-detached dwellings with attached garages
 - Uses, buildings and structures accessory to the foregoing permitted uses
 - Home occupations
- b) Minimum Lot Frontage
- Single Detached Dwellings
 - 15 m for an Interior lot
 - 17 m for a Corner Lot
 - Semi-Detached Dwellings
 - 18 m for an Interior Lot
 - 20 m for a Corner Lot
- c) Minimum Lot Area
- 450 m² Single detached dwellings
 - 540 m² Semi-detached dwellings
- d) Minimum Landscaped Area - 25% of the total lot area
- e) Maximum Lot Coverage - 50%
- f) Minimum Floor Area - 110 m²

R3-338 (107-05) 56-58 Queen's Circle (RELOCATED TO CMU2-338)

R3-373 (50-07) SS IDYLEWYLDE ST, EAST OF CENTRAL AVENUE

These lands are zoned Residential 3 (R3) 373 Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Residential 3 (R3) Zone by this by-law shall apply to those lands zoned Residential 3 R3-373 Zone on the attached Schedule A subject to the following special provisions:

- a) that notwithstanding Subsection 13.4 – Regulations For Semi-detached Dwellings the minimum front yard setback to the dwelling shall not be less than 4.5 metres and to an attached garage or carport shall not be less than 6 metres.
- b) that notwithstanding Subsection 13.4 – Regulations for Semi-detached Dwellings the minimum lot area shall not be less than 278 square metres.

R3-377 (198-07, 103-07) 3817 Terrace Lane (RELOCATED TO WR-377)

R3-379(H) (130-07) REPEALED

R3-379(H) (166-07) NE CORNER OF DOMINION ROAD & ARGYLE ROAD

These lands are zoned Residential 3 Holding R3-379(H) Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Residential 3 R3 Zone by this by-law shall apply to those lands zoned Residential 3 Holding R3-379(H) Zone on Schedule A subject to the following special provisions:

- a) That notwithstanding the requirements of Subsection 13.3, the minimum lot frontage for single detached dwellings shall not be less than 15 metres for an interior lot and 17 metres for a corner lot.
- b) That notwithstanding the requirements of Subsection 13.3, the minimum lot area for single detached dwellings shall not be less than 535 square metres.

R3-385 (186-07) Harbourtown at Erie Beach

These lands are zoned Residential 3 R3-385 Zone and all of the provisions of By-law 129-90 is amended that relate to lands zoned Residential 3 R3 Zone by this By-law shall apply to those lands zoned Residential 3 R3-385 Zone on Schedule A subject to the special provisions set out in exception R3-154 Zone and the following special provisions:

- a) The maximum lot coverage shall not be greater than 53 percent
- b) The maximum building height shall not be greater than 1.5 stories and
- c) The special provisions for the semi detached garages set out in exception R3-154 (k) shall not apply.

R3-396 (123-08) 2494 STEVENSVILLE ROAD

These lands are zoned Residential 3 R3-396 Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Residential 3 R3 Zone by this by-law shall

SECTION 13 – R3 ZONE
TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90
OFFICE CONSOLIDATION

13.8

apply to those lands zoned Residential 3 R3-396 Zone on the attached Schedule A subject to the following special provisions:

- a) A minimum front yard setback of 4.9 metres.
- b) A minimum northerly interior side yard setback of 0.5 metres.

R3-412 (91-09) 168 DOMINION ROAD

These lands are zoned Residential 3 R3-412 Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Residential 3 R3 Zone by this by-law shall apply to those lands zoned Residential 3 R3-412 Zone on the attached Schedule A subject to the following special provision:

- a) Minimum Lot Coverage 49%.

**R3-477(H) (101-12) SOUTH SIDE OF DOMINION ROAD, EAST OF GORDON AVENUE
NORTH WEST OF WELLS AVENUE NORTH**

These lands are zoned Residential 3 Holding (R3)-477(H) Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Residential 3 (R3) Zone by this by-law shall apply to those lands zoned Residential 3 Holding (R3)-477(H) Zone on the attached Appendix 1 subject to the following special provisions:

- a) Notwithstanding the Zone Regulations in Section 13.3, single detached dwellings shall be subject to the following special provisions:
 - i) Minimum front yard – 6 metres to the front of the attached garage and 4 metres to the front face of the dwelling unit.
 - ii) Minimum interior side yard – 1.2 metres for anything above a one-storey dwelling except that on an interior lot where no garage or carport is provided the minimum side yard on one side shall be 3 metres.
- b) Notwithstanding the Zone Regulations in Section 13.4, semi-detached dwellings shall be subject to the following special provisions:
 - i) Minimum front yard – 6 metres to the front of the attached garage and 4 metres to the front face of the dwelling unit.
 - ii) Minimum interior side yard – 1.2 metres for anything above a one-storey dwelling except that on an interior lot where no garage or carport is provided the minimum side yard on one side shall be 3 metres.
 - iii) Minimum exterior side yard – 2.4 metres.

R3-556 (56-2016) 416 Washington Road

These lands are zoned “Residential 3 (R3-556) Zone”, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Residential 3 (R3) Zone” by this by-law shall apply to those lands zoned “Residential 3 (R3-556) Zone” on the attached Appendix “1” and shall be subject to the following provisions:

- i) Minimum lot frontage – 7.62 metres
- ii) Minimum lot area – 259 square metres”