



# The Municipal Corporation of the Town of Fort Erie

## By-law No. 8-2016

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### Being A By-Law To Amend Zoning By-Law No. 129-90 Being The Comprehensive Zoning By-Law For All Lands Within The Town Of Fort Erie (Residential Regulations)

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350309-0402

**Whereas** By-law No. 129-90 as amended, being the Comprehensive Zoning By-law for the Town of Fort Erie was passed on May 28, 1990; and

**Whereas** Subsection 34 (1) of the *Planning Act*, R.S.O. 1990, c.P.13, authorizes the Council of the Municipality to regulate the use of lands and the character, location and use of buildings and structures within the Municipality, and

**Whereas** Report No. CDS-59-2015 was considered at the Council-in-Committee Meeting held on July 13, 2015, and subsequently authorized and approved by Council to undertake a housekeeping amendment to Zoning By-law 129-90 as amended, and

**Whereas** Subsection 34 (12) of the *Planning Act*, R.S.O. 1990, c.P.13, provides that the Council, before the passing of a by-law under this section of the Act, shall ensure that sufficient information is made available to the public to generally understand the zoning proposal, to hold an open house and to hold a public meeting, and

**Whereas** in accordance with Subsection 34 (12) of the *Planning Act*, R.S.O. 1990, c.P.13, a Public Meeting was held respecting the proposed amendments to Comprehensive Zoning By-law No. 129-90, as amended on September 8, 2015 and notice of such was published in the Fort Erie Times on August 13, 2015, and

**Whereas** to satisfy the notification requirements for Town initiated amendments approved by Council on May 6, 2013, the following additional measures were undertaken to notify the public of the proposed amendment:

- Notice of the proposed amendments was posted on the Town's website;
- Notice of the proposed changes was posted on the Town's Twitter and Facebook page;
- Notice of the public meeting was sent to the Ridgeway, Bridgeburg and Crystal Beach Business Improvement Associations;
- Notice of the amendments was advertised on the billboard at the corner of Municipal Centre Drive and Garrison Road;
- Notice of the amendments was posted at the Library Branches, Leisureplex, Museum and in the Town Hall Atrium, and

**Whereas** on January 18, 2016, Council determined that in accordance with Section 34(17) of the *Planning Act*, further notice is not required with respect to the deletion of changes to the Residential 1 (R1) Zone and Residential 2 (R2) Zone from the amendment and minor corrections made since the holding of the Public Meeting on September 8, 2015, and

**Whereas** it is deemed desirable to proceed with the amendments to the residential zoning regulations of Comprehensive Zoning By-law No. 129-90 as amended, pursuant to Report No. CDS-83-2015 considered at the Council-in-Committee meeting held on November 2, 2015, and subsequently approved by Council;

**Now therefore** the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** “Section 9.3 of By-law No. 129-90, as amended, is hereby repealed and replaced with the following:

### 9.3 REGULATIONS FOR DWELLINGS

Minimum Lot Frontage	60m
Minimum Lot Area	4000 sq. m.
Maximum Lot Coverage	15 percent
Minimum Front Yard	7.5m
Minimum Interior Side Yard	3m
Minimum Exterior Side Yard	7.5m
Minimum Rear Yard	10m
Maximum Height of Building	i) 2.5 storeys ii) 9m
Minimum Floor Area for Dwelling	(i) 1 storey 140 sq.m. (ii) 1.5 storey or split-level 160 sq.m. (iii) 2 or 2.5 storey 180 sq.m

2. **That** “Section 12 – Residential 2A (R2A) Zone” of Zoning By-law No. 129-90 as amended, is repealed in its entirety and replaced with “Section 12” attached hereto as “Appendix 1”.
3. **That** “Section 13 – Residential 3 (R3) Zone ” of Zoning By-law No. 129-90 as amended, is repealed in its entirety and replaced with “Section 13” attached hereto as “Appendix 2”.
4. **That** “Section 14 – Residential Multiple 1 (RM1) Zone” of Zoning By-law No. 129-90 as amended, is repealed in its entirety and replaced with “Section 14” attached hereto as “Appendix 3”.
5. **That** the Clerk of the Town is authorized to effect any minor modifications, omissions or corrections, 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 18<sup>th</sup> day of January, 2016.

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Mayor

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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. 8-2016 of the said Town. Given under my hand and the seal of the said Corporation, this day of \_\_\_\_\_, 20\_\_\_\_

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**SECTION 12: RESIDENTIAL 2A (R2A) ZONE**

**12.1** 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 (R2A) zones.

**12.2 PERMITTED USES**

- (a) One single detached dwelling and uses, buildings and structures accessory thereto.
- (b) Home Occupations
- (c) Accessory Apartment Dwelling

**12.3 REGULATIONS FOR DWELLINGS**

Minimum Lot Frontage	12m 15m on a corner lot
Minimum Lot Area	375 sq.m
Maximum Lot Coverage	50 percent
Minimum Front Yard	6m to garage 3m to other parts of dwelling
Minimum Interior Side Yard	1.2m however, on an interior lot where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres
Minimum Exterior Side Yard	3m, except that an attached garage or attached carport which faces the exterior side lot line shall be located no closer than 6m to the exterior side lot line.
Minimum Rear Yard	6m
Maximum Height	i) 2.5 storeys ii) 10.5 m

**EXCEPTIONS TO THE RESIDENTIAL 2A (R2A) ZONE****R2A-182 (127-1997) Clarkson Crescent**

These lands are zoned "Residential 2A R2A-182 Zone" and all of the provisions of By-law 129-90 as amended that relate to lands zoned "Residential 2A R2A Zone" by that by-law shall apply to those lands zoned "Residential 2A R2A-182 Zone", except:

- (a) that notwithstanding the requirements of Subsection 12.3 (a) the minimum lot frontage shall not be less than 9.1 metres;

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- (b) that notwithstanding the requirements of Subsection 12.3 (b) the minimum lot area shall not be less than 278 square metres;
- (c) that notwithstanding the requirements of Subsection 12.3 (c) the maximum lot coverage shall not be greater than 40%;
- (d) that notwithstanding the requirements of Subsection 12.3 (e) the minimum interior side yard shall not be less than 1.2 metres except where an attached garage with no rooms above may be erected at a distance of not less than .6 metres from an interior side lot line;
- (e) that notwithstanding the requirements of Subsection 12.3 (f) the minimum exterior side yard setback shall not be less than 4.5 metres;
- (f) that notwithstanding the requirements of Subsection 12.3 (g) the minimum rear yard shall not be less than 7.6 metres;
- (g) that notwithstanding the requirements of Subsection 12.3 (h) the minimum floor area shall not be less than 95 square metres;
- (h) that the minimum ground floor area shall not be less than 60 square metres;
- (i) that the minimum separation distance between single detached dwellings shall not be less 2.4 metres;
- (j) that all single detached dwellings shall be constructed with an attached garage;
- (k) that notwithstanding the requirements of Subsection 6.40 (a), ornamental structures such as sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows or other ornamental structures may project into a front yard, rear yard or exterior side yard a maximum distance of .75 metres and into an interior side yard a maximum distance of not more than 50% of the required interior side yard setback;
- (l) that notwithstanding the requirements of Subsection 6.40 (c) unenclosed porches, balconies, steps and patios, covered or uncovered may project into any front yard, rear yard or exterior side yard a maximum distance 1.5 metres provided that in a case of porches, steps or patios, such uses are not more than 1.3 metres above grade. Patios may project into any required rear yard provided they are not more than .7 metres above grade.

**R2A-186 (127-1997) Clarkson Crescent**

These lands are zoned "Residential 2A R2A-186 Zone" and all of the provisions of By-law 129-90 as amended that relate to lands zoned "Residential 2A R2A Zone" by that by-law shall apply to those lands zoned "Residential 2A R2A-186 Zone", except:

- (a) that notwithstanding the requirements of Subsection 12.3 (a) the minimum lot frontage for an interior lot shall not be less than 10.6 metres, and the minimum lot frontage for a corner lot shall not be less than 12.1 metres;
- (b) that notwithstanding the requirements of Subsection 12.3 (b) the minimum lot area shall not be less than 325 square metres;
- (c) that notwithstanding the requirements of Subsection 12.3 (c) the maximum lot coverage shall not be greater than 40%;

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- (d) that notwithstanding the requirements of Subsection 12.3 (e) the minimum interior side yard shall not be less than 1.2 metres except where an attached garage with no rooms above may be erected at a distance of not less than .6 metres from an interior side lot line;
- (e) that notwithstanding the requirements of Subsection 12.3 (f) the minimum exterior side yard setback shall not be less than 4.5 metres;
- (f) that notwithstanding the requirements of Subsection 12.3 (g) the minimum rear yard shall not be less than 7.6 metres;
- (g) that notwithstanding the requirements of Subsection 12.3 (h) the minimum floor area shall not be less than 95 square metres;
- (h) that the minimum ground floor area shall not be less than 60 square metres;
- (i) that the minimum separation distance between single detached dwellings shall not be less 2.4 metres;
- (j) that all single detached dwellings shall be constructed with an attached garage;
- (k) that notwithstanding the requirements of Subsection 6.40 (a), ornamental structures such as sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows or other ornamental structures may project into a front yard, rear yard or exterior side yard a maximum distance of .75 metres and into an interior side yard a maximum distance of not more than 50% of the required interior side yard setback;
- (l) that notwithstanding the requirements of Subsection 6.40 (c) unenclosed porches, balconies, steps and patios, covered or uncovered may project into any front yard, rear yard or exterior side yard a maximum distance 1.5 metres provided that in a case of porches, steps or patios, such uses are not more than 1.3 metres above grade. Patios may project into any required rear yard provided they are not more than .7 metres above grade.

**R2A-187 (127-1997) Clarkson Crescent**

These lands are zoned "Residential 2A R2A-187 Zone" and all of the provisions of By-law 129-90 as amended that relate to lands zoned "Residential 2A R2A Zone" by that by-law shall apply to those lands zoned "Residential 2A R2A-187 Zone", except:

- (a) that notwithstanding the requirements of Subsection 12.3 (a) the minimum lot frontage shall not be less than 12.1 metres;
- (b) that notwithstanding the requirements of Subsection 12.3 (b) the minimum lot area shall not be less than 371 square metres;
- (c) that notwithstanding the requirements of Subsection 12.3 (c) the maximum lot coverage shall not be greater than 40%;
- (d) that notwithstanding the requirements of Subsection 12.3 (e) the minimum interior side yard shall not be less than 1.2 metres except where an attached garage with no rooms above may be erected at a distance of not less than .6 metres from an interior side lot line;

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- (e) that notwithstanding the requirements of Subsection 12.3 (f) the minimum exterior side yard setback shall not be less than 4.5 metres;
- (f) that notwithstanding the requirements of Subsection 12.3 (g) the minimum rear yard shall not be less than 7.6 metres;
- (g) that notwithstanding the requirements of Subsection 12.3 (h) the minimum floor area shall not be less than 95 square metres;
- (h) that the minimum ground floor area shall not be less than 60 square metres;
- (i) that the minimum separation distance between single detached dwellings shall not be less 2.4 metres;
- (j) that all single detached dwellings shall be constructed with an attached garage;
- (k) that notwithstanding the requirements of Subsection 6.40 (a), ornamental structures such as sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows or other ornamental structures may project into a front yard, rear yard or exterior side yard a maximum distance of .75 metres and into an interior side yard a maximum distance of not more than 50% of the required interior side yard setback;
- (l) that notwithstanding the requirements of Subsection 6.40 (c) unenclosed porches, balconies, steps and patios, covered or uncovered may project into any front yard, rear yard or exterior side yard a maximum distance 1.5 metres provided that in a case of porches, steps or patios, such uses are not more than 1.3 metres above grade. Patios may project into any required rear yard provided they are not more than .7 metres above grade.

**R2A-234 (192-2000, 118-2002) Celebration Drive, Buttonwood Drive, Lakebreeze Court, west of Bardol Avenue**

These lands are zoned “Residential 2A R2A-234 Zone” and all of the provisions that relate to lands zoned “Residential 2A R2A Zone” by this by-law shall apply to those lands zoned “Residential 2A R2A-234 Zone”, except:

- (a) that notwithstanding the provisions of Subsection 12.3 - Regulations for Dwellings, the following regulations shall apply;
  - I. minimum lot frontage .....11.5 m
  - II. minimum lot area ..... 279.5 sq. m
  - III. maximum lot coverage incl. accessory
  - IV. buildings and structures.....39.5%
  - V. minimum front yard.....2.5 m
  - VI. minimum interior side yard.....1.5 m
  - VII. minimum exterior side yard.....3 m
  - VIII. minimum rear yard.....2 m
  - IX. maximum building height .....10.7 m
  - X. minimum outdoor privacy area .....30 sq. m
  - XI. minimum off-street parking requirements ..... 2 spaces/unit
  - XII. minimum floor area

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- 1 storey dwelling..... 60.0 sq. m
- 1½ storey or split level dwelling..... 75.0 sq. m
- 2 or 2½ storey dwelling ..... 80.0 sq. m
- XIII. minimum setback for unenclosed porches, steps or decks .....1 m
- XIV. minimum setback for an attached garage where the overhead garage door faces a public or private street line .....5.8 m
- (b) that notwithstanding the provisions of Subsection 6.1 (b) and 6.1 (c), the following regulations shall apply;
  - I. minimum setback from a side or rear lot line for an accessory building .....0.6 m
  - II. accessory buildings and structures are not permitted in front yards
  - III. building height for an accessory building .....3.5 m
  - IV.
    - minimum setback from a detached garage where the overhead door faces a public street is 5.8m
    - minimum setback for detached garage where the overhead door faces a private laneway is 2.0m, provided that an additional parking space is available on the lot.
  - V. tandem parking shall be permitted to a maximum depth of 1 tandem parking space.
- (c) that notwithstanding the provisions of Subsection 6.40 (c) unenclosed porches, steps and decks may project into a required yard a maximum of 1 metre
- (d) Porch means a roofed, unenclosed structure attached to a building with or without steps consisting of a platform of not greater than .5 metres above grade intended as an outdoor privacy area;
- (e) Deck means an unenclosed structure that may be attached to a building with or without steps consisting of a platform not greater than .5 metres above grade intended as an outdoor privacy area.

**R2A-348(H) (56-06) – DELETED, SEE BY-LAW 127-06**

**R2A-357 (127-06) Crystal Ridge Landing, Northeast Corner of Thunder Bay Road and Ridge Road South**

These lands are zoned Residential 2 R2A-357 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Residential 2A R2A Zone by this by-law shall apply to those lands zoned Residential 2A R2A-357 Zone on the attached Schedule A and subject to the following special provision:

- a) All dwelling units shall have attached garages
- b) The minimum front yard setback shall be 4 metres to the dwelling unit and 6 metres to the garage

**R2A-383 (186-07) Harbourtown at Erie Beach**



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These lands are zoned Residential 2A R2A-383 Zone and all of the provisions of By-law 129-90 is amended that relate to lands zoned Residential 2A R2A Zone by this By-law shall apply to those lands zoned Residential 2A R2A-383 Zone on Schedule A subject to the Special Provisions set out in exception R2A-234 Zone and the following special provisions:

- a) The minimum interior side yard shall not be less than .9 metres

**R2A-384 (186-07) Harbourtown at Erie Beach**

These lands are zoned Residential 2A R2A-384 Zone and all the provisions of By-law 129-90 is amended that relate to lands zoned Residential 2A R2A Zone by this By-law shall apply to those lands zoned Residential 2A R2A-384 Zone on Schedule A subject to the special provisions set out in exception R2A-234 Zone and the following special provisions:

- a) The minimum interior side yard shall not be less than .9 metres
- b) The minimum exterior side yard shall not be less than 2.75 metres
- c) The minimum setback for porches shall not be less than .6 metres.

**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

**APPENDIX "2"****SECTION 13 – R3 ZONE****13.2****TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90  
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	exterior side lot line shall be located no 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:

**Type of Dwelling Unit****Minimum Floor Area**

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| 1. Bachelor Unit                             | 40 square metres |
| 2. One-Bedroom Unit                          | 50 square metres |
| 3. Two-Bedroom Unit                          | 60 square metres |
| 4. Unit Comprising<br>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 m<sup>2</sup>

**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;
  - (v) Minimum interior side yard shall not be less than 3.35 metres;

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- (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.

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**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

**SECTION 13 – R3 ZONE****13.6****TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90  
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this by-law shall apply to those lands zoned "Residential 3 R3-316 Zone" on Schedule A, except:

(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 m<sup>2</sup> Single detached dwellings
- 540 m<sup>2</sup> Semi-detached dwellings

d) Minimum Landscaped Area - 25% of the total lot area

e) Maximum Lot Coverage - 50%

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f) Minimum Floor Area - 110 m<sup>2</sup>

**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:



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- 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 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.

**TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90  
OFFICE CONSOLIDATION****SECTION 14 - RESIDENTIAL MULTIPLE 1 (RM1) ZONE**

**14.1** 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 (RM1) Zones.

**14.2 PERMITTED USES**

- (a) Single detached dwellings
- (b) Semi-detached dwellings
- (c) Duplexes
- (d) Triplexes
- (e) Fourplexes
- (f) Street townhouse dwellings
- (g) Block townhouse dwellings
- (h) Residential uses existing at the date of passing of this by-law
- (i) Uses, buildings and structures accessory to the foregoing permitted uses

**14.3 ZONE REGULATIONS**

Minimum Lot Frontage	50m, except 6m for street townhouse lots and 9m for street townhouse corner lots
Minimum Lot Area	4000 sq.m, except 200 sq.m for a street townhouse lot and 270 sq.m for a street townhouse corner lot
Minimum Front Yard	6m to garage 4m to other parts of dwelling
Minimum Side Yard	1.5m
Minimum Exterior Side Yard	3m, except that an attached garage or attached carport which faces the exterior side lot line shall be located no closer than 6m to the exterior side lot line.
Minimum Rear Yard	6m
Maximum Building Height	i) 3 storeys ii) 12m
Minimum Landscaped Area	50% including Privacy Areas, except 25% for street townhouse lots
Maximum Number of Units in a row	8
Minimum Distance Between Buildings on the Same Lot	15m, except 3m between end walls and 9m between an end wall and a rear wall
Maximum Density	35 units/ha
Maximum Lot Coverage	Block townhouse or exterior street townhouse - 40% Interior street townhouse – 60%
Privacy Area	Notwithstanding the yard requirements above, every dwelling unit shall have at least one area which serves as a privacy

**APPENDIX "3"****SECTION 14 – RM1 ZONE****14.2****TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90  
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	area adjacent to the dwelling unit, having a minimum depth of 4.5m
Distance from building to internal driveways and parking areas	Any front or rear face of any townhouse shall be no closer than 3m to an internal driveway or parking area, and any side of any townhouse shall be no closer than 1.5m to an internal driveway or parking area
Planting Strips	In accordance with Section 6.21 and 4.5m where it abuts a street, except for points of ingress/egress
Driveway Location	No driveway shall be located closer than 3 metres to any lot line abutting any Residential Zone, except this regulation shall not apply to prevent the use of a jointly owned driveway which serves two townhouse dwellings on adjoining lots
Parking Area Location	No parking area shall be located closer than 3.0 metres to any lot line abutting any Residential Zone, except that this regulation shall not apply to prevent the use of a jointly owned parking area which serves two townhouse dwellings on adjoining lots

**14.4 ZONE REGULATIONS FOR SINGLE DETACHED DWELLINGS NOT LOCATED ON THE SAME LOT AS A TOWNHOUSING DEVELOPMENT**

The regulations of Section 12.3 shall apply.

**14.5 ZONE REGULATIONS FOR SEMI-DETACHED DWELLINGS NOT LOCATED ON THE SAME LOT AS A TOWNHOUSING DEVELOPMENT**

The regulations of Section 13.4 shall apply.

**14.6 ZONE REGULATIONS FOR DUPLEX DWELLINGS NOT LOCATED ON THE SAME LOT AS A TOWNHOUSING DEVELOPMENT**

The regulations of Section 13.5 shall apply.

**14.7 ZONE REGULATIONS FOR TRIPLEXES AND FOURPLEXES**

Minimum Lot Frontage	21m, 24m for a corner lot
Minimum Lot Area	665 sq. m
Minimum Front Yard	6m
Minimum Side Yard	1.8m on one side, 3m on the other side
Minimum Exterior Side Yard	The regulations of section 11.3 shall apply
Minimum Rear Yard	9m
Maximum Building Height	2 stories 9.5m

**TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90  
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Minimum Floor Area for Dwellings	65 sq. m
Minimum Landscaped Area	40% including Privacy Areas
Planting Strip	A planting strip 1.5m in width shall be provided where the boundary of an RM1 zone abuts an R1, R2, R2A or R3 zone
Maximum Lot Coverage	40%

**EXCEPTIONS TO THE RESIDENTIAL MULTIPLE 1 (RM1) ZONE****RM1-66 (190-1992) 630 Albert Street**

These lands are zoned "Residential Multiple 1 RM1-66 Zone" and all of the provisions that relate to lands zoned "Residential Multiple 1 RM1 Zone" by this by-law shall apply to those lands zoned "Residential Multiple 1 RM1-66 Zone" except:

- (a) that the total number of dwelling units on this site be no greater than 22 units, and;
- (b) that notwithstanding the requirements of Subsection 14.3 - Minimum Side Yard, the minimum side yard for the one storey townhouse dwelling units shall not be less than 1.524 metres and the minimum side yard abutting an internal roadway for the 2 storey townhouse dwelling units shall not be less than 1.524 metres, and;
- (c) that notwithstanding the requirements of Schedule D to By-law 129-90 (Geometric Design Standard for Parking), the minimum aisle width for internal drives shall not be less than 6.7 metres, and;
- (d) that notwithstanding the requirements of Subsection 14.3 (Minimum Side Yard) and Subsection 14.3 (Minimum Rear Yard), screened porches shall be permitted to extend from the rear face of each townhouse dwelling unit a maximum distance of 3.048 metres.

**RM1-67 (205-1992) Dominion Road, south side @ Bardol Avenue**

These lands are zoned "Residential Multiple 1 RM1-67 Zone" and all of the provisions that relate to lands zoned "Residential Multiple 1 RM1 Zone" by this by-law shall apply to those lands zoned "Residential Multiple 1 RM1-67 Zone" except:

- (a) that notwithstanding the requirements of Subsection 14.3, the maximum density shall not be greater than 26.9 dwelling units per hectare, and;
- (b) that notwithstanding the requirements of Schedule D to By-law 129-90 (Geometric Design Standard for Parking), the minimum aisle width for internal driveways shall not be less than 6.7 metres.

**RM1-211 (153-1999, 57-05) River Trail, north side, east of Black Creek Road**

These lands are zoned "Residential Multiple 1 RM1-211 Zone" and all of the provisions that relate to lands zoned "Residential Multiple 1 RM1 Zone" by this By-law shall apply to those lands zoned "Residential Multiple 1 RM1-211 Zone". Once the has been removed after the owner has finalized the site plan agreement, the development of these lands shall comply with all the provisions that relate to lands zoned "Residential Multiple 1 RM1 Zone" subject to the following special provisions:

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- a) That notwithstanding the permitted uses set out in Subsection 14.2 (Permitted Uses) these lands may be used for not more than 12 block condominium townhouse dwellings.
- b) Minimum lot frontage - 20.5 m;
- c) Minimum lot area - 6,300 sq. m;
- d) Maximum density 18.2 dwelling unit/ha;
- e) Maximum building height - 1 storey;
- f) Minimum landscaped area - 56%;
- g) Minimum distance between driving lane abutting Residential Zone - 1.5 m;
- h) Minimum number of parking spaces – 18

**RM1(H)-260 (129-1990) Ridge Road North, east side, north of Dominion Road**

Nothing shall prevent the use of the lands indicated as RM1(H)-260 on Schedule A for the purpose of permitting not more than 19 block townhouse dwelling units and 2 single detached dwelling units and the following special regulations shall apply thereto:

- |     |  |  |
|-----|--|--|
| (a) | Maximum number of dwelling units   | 19 block townhouse units, 2 single detached dwelling units.  |
| (b) | Minimum parking requirements   | 1.5 spaces/dwelling unit.  |
| (c) | Minimum rear yard setback  | 40 feet (12.2 metres).   |
| (d) | Minimum side yard setback for block townhouse dwellings  | 20 feet (6.1 metres) - northerly<br>34 feet (10.3 metres) - southerly<br>20 feet (6.1 metres) - westerly |
| (e) | Maximum lot coverage   | 17%  |
| (f) | Minimum lot area   | 2.5 acres (1.02 hectares).   |
| (g) | Minimum lot frontage   | 72 feet (21.9 metres).   |
| (h) | Maximum building height  | 2 storeys  |
| (i) | Minimum floor area   | 1,400 sq. ft. (130 sq. m).   |
| (j) | Any side of any block townhouse dwelling shall be no closer than 14 feet (4.2 metres) to any side of another block townhouse dwelling. |  |
| (k) | Minimum side yard setback for single detached dwelling units.  | 8 feet (2.4 metres).   |
| (l) | Minimum front yard setback   | 24.6 feet (7.5 metres).  |

**RM1-263 (49-1992) Farr Avenue, south side, west of Ridge Road**

These lands are zoned "Residential Multiple 1 RM1-5 Zone" and all of the provisions that relate to lands zoned "Residential Multiple 1 RM1 Zone" by this by-law shall apply to those lands zoned "Residential Multiple 1 RM1-263 Zone" except :

- (a) that notwithstanding the requirements of Subsection 14.3, the maximum number of dwelling units shall not be more than 23 dwelling units.

**RM1-273 (139-1992) Ridge Road South, east side, south of Brunswick Avenue**

These lands are zoned "Residential Multiple 1 RM1-17 Zone" and all of the provisions of By-law 129-90 as amended that relate to lands zoned "Residential Multiple 1 RM1 Zone"

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by this by-law shall apply to those lands zoned "Residential Multiple 1 RM1-17 Zone" except that:

- (a) notwithstanding the requirements of Subsection 14.2 - Permitted Uses, these lands shall only be used for block townhouse dwellings with attached garages and uses, buildings and structures accessory to the foregoing permitted use;
- (b) notwithstanding the requirements of Subsection 13.4, the minimum lot frontage shall not be less than 20.26 metres;
- (c) notwithstanding the requirements of Subsection 14.3, the maximum density shall not be greater than 21 dwelling units;
- (d) notwithstanding the requirements of Subsection 14.3, the northerly side yard shall not be less than 10.66 metres, the minimum southerly side yard shall not be less than 10.66 metres, the minimum westerly side yard shall not be less than 6.09 metres;
- (e) notwithstanding the requirements of Subsection 14.3, the minimum rear yard shall not be less than 10.66 metres;
- (f) notwithstanding the requirements of Subsection 13.4, the maximum building height shall not be greater than 2 storeys;
- (g) notwithstanding the requirements of Subsection 14.3, the minimum floor area per dwelling unit shall not be less than 111.4 square metres;
- (j) notwithstanding the requirements of Subsection 6.20 (A)(a) - Residential, the minimum number of parking spaces shall not be less than 42.

**RM1-289 (59-06) Lexington Court (Heinz Hummel) East Side of Albert Street**

These lands are zoned "Residential Multiple 1 RM1-289 Zone" and all of the provisions of By-law 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 RM1-289 Zone" on Schedule A. except:

- a) Notwithstanding the provisions of Subsection 14.3 the maximum density shall not be more than 24 dwelling units.
- b) Notwithstanding the provisions of Subsection 14.3 the minimum rear yard shall not be less than 7.5 metres except where an end wall of a townhouse unit abuts the rear lot line the minimum rear yard shall not be less than 3 metres.
- c) Notwithstanding the provisions of Subsection 14.3 any side of any townhouse on the same lot shall not be closer than 3 metres to any side of another townhouse on the same lot.
- d) Notwithstanding the provisions of subsection 6.20(l) a parking area that abuts a rear lot line shall not be closer than 1.5 metres to the rear lot line.

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**RM1-312 (243-2002, 1-04) Disher Street, north side, west of Ridge Road North**

These lands are zoned "Residential Multiple 1 RM1-312 Zone" and all of the provisions that relate to lands zoned "Residential Multiple 1 RM1 Zone" by this By-law shall apply to those lands zoned "Residential Multiple 1 RM1-312 Zone" except:

- (a) that notwithstanding the requirements of Subsection 14.3, the minimum front yard shall not be less than 6.7m abutting a public street and 4.5m abutting an internal driveway. Where a front wall of a garage with an overhead door faces an internal driveway, the minimum front yard shall not be less than 6.5m, and;
- (b) That notwithstanding the requirements of Subsection 14.3, the minimum side yard shall not be less than 6.7m abutting a public street or side lot line, and 1.5m abutting an internal driveway where an end wall of a unit abuts the internal driveway, and;
- (c) That notwithstanding the requirements of Subsection 14.3, the minimum rear yard shall not be less than 6.0m except than where an end wall of a unit abuts a rear lot line the setback shall not be less than 1.1m, and;
- (d) That notwithstanding the requirements of Subsection 14.3, the minimum distance between the side of one townhouse and the side of another townhouse shall not be less than 5.3m, and;
- (e) That notwithstanding the requirements of Subsection 14.3, a planting strip of not less than 1.1m in width shall be provided along the rear lot line where an end wall of a unit abuts the rear lot line, and;
- (f) That the total number of townhouse units permitted on the subject lands shall not exceed twenty-four (24).

**RM1-324 (156-05) Village Creek Estates, West Main Street**

These lands are zoned Residential Multiple 1 RM1-324 and all of the provisions of By-law 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 RM1-324 Zone on Schedule A subject to the following special provisions:

- a) Permitted Uses
  - Single Detached Dwellings with attached garage
  - Street Townhouse 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
  - Street Townhouses
    - 6 m for an Interior Lot
    - 9 m for a Corner Lot
- c) Minimum Lot Area
  - 450 m<sup>2</sup> Single detached dwellings
  - 200m<sup>2</sup> Street townhouse dwellings



- d) Minimum Front Yard - 6.0 metres
- e) Minimum Side Yard
  - Single Detached Dwellings
    - 1 m for a one-storey dwelling
    - 1.5 m for anything above one-story dwelling
  - Street Townhouses
    - 2 m for an end unit and common walls maybe centred on a lot line
- f) Minimum Rear Yard - 30 metres
- g) Maximum Building Height - 2.5 Storeys
- h) Minimum Landscaped Area - 25% of the total lot area
- i) Maximum Number of Attached Units - 6
- j) Minimum Distance Between Buildings - 4 metres
- k) Maximum Lot Coverage - 50%
- l) Maximum Floor Area for Dwellings – 102 m<sup>2</sup>
- m) The following provisions of the Residential Multiple 1 (RM1) Zone, Section 14.3 Zone Regulations shall not apply:
  - Maximum Density
  - Privacy Area
  - Distance from building to internal driveways and parking areas
  - Planting Strips
  - Driveway Location
  - Parking Area Location

**RM1-325 (By-law 188-04, 176-06) (RELOCATED TO CMU2-325)****RM1-333 (BY-LAW 29-05 AMENDED BY BY-LAW 74-05) 7-9 George Street**

These lands are zoned Residential Multiple 1 RM1-333 Zone, and all of the provisions of By-law 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 RM1-333 Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the requirements of Subsection 14.3 – Minimum Front Yard Setback, the minimum front yard setback shall not be less than 6 metres, and;
- b) Notwithstanding the requirements of Subsection 14.3 – Minimum Interior Side Yard Setback, the minimum interior side yard setback for an end unit shall not be less than 1.5 metres, and;

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- c) Notwithstanding the requirements of Subsection 14.3 – Minimum Interior Side Yard Setback, the minimum interior side yard setback for a common wall between units shall not be less than 0 metres, and;
- d) Notwithstanding the requirements of Subsection 14.3 – Minimum Exterior Side Yard Setback, the minimum side yard setback shall not be less than 3 metres, and;
- e) Notwithstanding the requirements of Subsection 14.3 – Maximum Density, the maximum density shall not be more than 37 units per hectare, and;
- f) Notwithstanding the requirements of Subsection 14.3 – Maximum Lot Coverage, the maximum lot coverage shall not exceed 45 percent; and;
- g) Notwithstanding the requirements of Subsection 14.3 – Driveway Location, the driveway and detached garage of Unit 1 shall not be located closer than 1 metre to any lot line abutting a Residential zone, and;
- h) Notwithstanding the requirements of Subsection 14.3 – Planting Strip, in lieu of the required 1.5 metre planting strip, the applicant will provide privacy fencing, 6 feet in height, along the entire western and northern boundaries.

**RM1-345 (BY-LAW 169-05 AMENDED BY BY-LAW 198-06) 121-129 Albert Street**

These lands are zoned Residential Multiple 1 RM1-345 Zone and all the provisions of By-law 129-90 is amended that relate to lands zoned Residential Multiple 1 RM1 Zone by this By-law shall apply to those lands zoned Residential Multiple 1 RM 1-345 Zone on the attached Schedule A subject to the following provisions:

- a) Notwithstanding the requirements of Subsection 14.3; zoning regulations
  - Maximum building height shall not be greater than 9.8 metres.
  - Maximum density shall not be greater than 9 street townhouse units.

**RM1-346(H) (44-06) Willow Trail Homes, 3610 Hibbard Street**

These lands are zoned Residential Multiple 1 Holding RM1-346(H) Zone, and all of the provisions of By-law 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 Holding RM1-346(H) Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the list of permitted uses in Section 14.2 the lands shown on Schedule A shall be limited to a maximum of 8 street townhouse dwellings.
- b) All dwelling units shall have attached garages
- c) The minimum front yard setback shall be 4 metres to the dwelling unit and 6 metres to the garage
- d) The building height shall be limited to 1 ½ storeys to a maximum height of 9 metres
- e) Minimum exterior side yard 5 metres

**RM1-347(H) (44-06) Willow Trail Homes, 3610 Hibbard Street**

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These lands are zoned Residential Multiple 1 Holding RM1-347(H) Zone, and all of the provisions of By-law 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 Holding RM1-347(H) Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the list of permitted uses in Section 14.2 the lands shown on Schedule A shall be limited to a maximum of 8 street townhouse dwellings.
- b) All dwelling units shall have attached garages
- c) The minimum front yard setback shall be 4 metres to the dwelling unit and 6 metres to the garage
- d) The building height shall be limited to 1 ½ storeys to a maximum height of 9 metres
- e) Minimum exterior side yard 5 metres.

**RM1-362(H) (154-06) E/S SCHOOLEY ROAD, SOUTH OF ELIZABETH**

These lands are zoned Residential Multiple 1 Holding RM1-362 (H) Zone, and all of the provisions of By-law 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 Holding RM1-362 (H) Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the list of permitted uses in Section 14.2 the lands shown on Schedule A shall be limited to a maximum of 49 block townhouse dwellings.
- b) All dwelling units shall have attached garages
- c) The minimum lot frontage shall be 17 metres
- d) The minimum front yard setback shall be 6.5 metres
- e) The minimum side yard setback shall be 1.25 metres
- f) The minimum exterior side yard setback shall be 4.5 metres

**RM1-366 (191-06 + 151-08) Ridgeway Estates Phase 2, east side of Prospect Point Road and south side of Thunder Bay Road**

These lands are zoned Residential Multiple 1 RM1-366 Zone, and all of the provisions of By-law 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 RM1-366 Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the list of permitted uses in Section 14.2 the lands shown on Schedule A shall permit street townhouse dwellings with attached garage and uses, buildings and structures accessory thereto subject to the following special provisions:

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- b) Minimum front yard setback shall not be less than 4 metres to the dwelling and 6 metres to the attached garage;
- c) Minimum interior side yard 1.2 metres for end walls, except that common walls may be centred on a side lot line;
- d) Minimum exterior side yard setback shall not be less than 3 metres except where an attached garage faces the exterior side lot line the setback shall not be less than 6 metres;
- e) Maximum lot coverage 55%;
- f) The planting strip requirement is deleted.

**RM1-376 (H) (102-07) 397 GARRISON ROAD**

These lands are zoned Residential Multiple 1 Holding RM1-376 (H) Zone, and all of the provisions of By-law 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 Holding RM1-376 (H) Zone on the attached Schedule A subject to the following special provisions:

- a) A Minimum lot frontage of 20.1 metres.

**RM1-387(H) (31-08) HAZELWOOD AVENUE W/S, ERIE RD N/S**

These lands are zoned Residential Multiple 1 Holding RM1-387 (H) Zone, and all of the provisions of By-law 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 Holding RM1-387 (H) Zone on the attached Schedule A subject to the following special provisions:

- a) A minimum front yard setback shall not be less than 3.05 metres to the dwelling and 6 metres to an attached garage;
- b) A Minimum lot area of 3, 505 square metres.

**RM1-392(H) (121-08) High Pointe, north end of Green Acres Drive**

These lands are zoned Residential Multiple 1 Holding RM1-392 (H) Zone, and all of the provisions of By-law 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 Holding RM1 RM1-392 (H) Zone on the attached Schedule A subject to the following special provisions:

- a) A maximum lot coverage of 55%.
- b) A minimum front yard setback of 6 metres to garage and 4.5 metres to dwelling.
- c) A minimum interior side yard of 1.5 metres for end walls.
- d) A minimum exterior side yard of 3 metres (except where an attached garage or attached carport faces the exterior side lot line, the setback shall not be less than 6 metres.

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**RM1-408 (H) (90-09) Ridgeway By-the-Lake Phase 3**

These lands are zoned Residential Multiple 1 Holding RM1-408 (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 by this by-law shall apply to those lands zoned Residential Multiple 1 Holding RM1- 408 (H) Zone on the attached Schedule A subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 14.2 the lands shown on Schedule A shall permit street townhouse dwellings with attached garage and uses, buildings and structures accessory thereto subject to the following special provisions.
  - i) Minimum front yard setback shall not be less than 4 metres to the dwelling and 6 metres to the attached garage;
  - ii) Minimum interior side yard 1.2 metres for end walls, except that common walls may be centred on a side lot line;
  - iii) Minimum exterior side yard setback shall not be less than 3 metres except where an attached garage faces the exterior side lot line the setback shall not be less than 6 metres;
  - iv) Maximum lot coverage 60%;
  - v) Maximum Building Height 11 metres;
  - vi) The planting strip requirement is deleted.

**RM1-413(H) (107-09) Dominion Woods Phase 2**

These lands are zoned Residential Multiple 1 Holding RM1-413(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 by this by-law shall apply to those lands zoned Residential Multiple 1 Holding RM1- 413 (H) Zone on Schedule A subject to the following special provisions:

- a) that notwithstanding the requirements of Subsection 14.3 the minimum rear yard setback for the entire site shall not be less than 7.2 metres;
- b) that notwithstanding the requirements of Subsection 14.3 the maximum building height shall not be greater than 2 storeys;
- c) that notwithstanding the requirements of Subsection 14.3 the minimum landscape area for the entire site shall not be less than 40%.
- d) The following regulations shall apply to one storey units:
  - i) the minimum front yard setback shall not be less than 1.5 metres;

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- ii) the minimum rear yard setback shall not be less than 3.9 metres;
  - iii) the minimum interior side yard setback shall not be less than 0.5 metres except that no interior side yard setback shall be required for units attached by a common wall;
  - iv) the maximum lot coverage shall not be greater than 78%.
- e) The following regulations shall apply to two storey units:
- i) the minimum front yard setback shall not be less than 1.5 metres;
  - ii) the minimum rear yard setback shall not be less than 3.9 metres;
  - iii) the minimum interior side yard setback shall not be less than 0.5 metres except that no interior side yard setback shall be required for units attached by a common wall;
  - iv) the maximum lot coverage shall not be greater than 75%;
  - v) the distance from the front of the building to an internal driveway or parking area shall be not less than 1.8 metres.
- f) That a 10 metre wide tree protection area be maintained along the entire frontage of Prospect Point Road with the exception of any area necessary for ingress and egress to the property.

**RM1-446 (58-11) Gateway Secondary Plan Area**

These lands are zoned "Residential Multiple 1 RM1-446 Zone" and all of the provisions that relate to lands zoned "Residential Multiple 1 Zone" by this by-law shall apply to those lands zoned "Residential Multiple 1 RM1-446 Zone" on the attached Schedule A subject to the following special provisions:

- a) The overall residential density for this district shall be a minimum of 25 units per gross hectare and a maximum of 50 units/gross hectare.
- b) Apartment houses to a maximum height of three (3) stories shall also be permitted in this zone and shall be developed in accordance with the provisions of Section 15 of this By-law, provided that the density is in accordance with subsection a) above.

**RM1-451(H) (23-11) Deerwood Lane Subdivision, 352 Prospect Point Road**

These lands are zoned Residential Multiple 1 Holding RM1-451(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 by this by-law shall apply to those lands zoned Residential Multiple 1 Holding RM1- 451 (H) Zone on Schedule A subject to the following special provisions:

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- a) Notwithstanding the list of Permitted Uses in Section 14.2 the lands shown on Appendix 1 shall permit street townhouse dwellings with attached garages and uses, buildings and structures accessory thereto subject to the following special provisions.
  - i) Minimum front yard setback shall not be less than 6 metres;
  - ii) Minimum interior side yard setback shall not be less than 1.7 metres for end walls, except that common walls may be centred on a side lot line;
  - iii) Minimum exterior side yard setback shall not be less than 3 metres except where an attached garage faces the exterior side lot line the setback shall not be less than 6 metres;
  - iv) Maximum lot coverage 55%.

**RM1-452(H) (23-11) Deerwood Lane Subdivision, 352 Prospect Point Road**

These lands are zoned Residential Multiple 1 Holding RM1-452 (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 by this by-law shall apply to those lands zoned Residential Multiple 1 Holding RM1- 452 (H) Zone on the attached Appendix 1 subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 14.2 the lands shown on Appendix 1 shall permit block townhouse dwellings with attached garages and uses, buildings and structures accessory thereto subject to the following special provisions.
  - i) Minimum front yard setback shall not be less than 4.5 metres;
  - ii) Maximum Lot Coverage 65%;
  - iii) Minimum Side Yard Setback 1.8 metres; and
  - iv) Distance from building to internal driveway and parking areas shall not be less than 4 metres to the townhouse, 6 metres to the attached garage and 1.5 metres to any side of any townhouse.
- b) Notwithstanding Section 6.20 (I) any parking area abutting a street line or lot line shall have a minimum setback of 1.0 metre.

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**RM1-462(H) (05-12) East side of Ridgeway Road, at Erie Road (South Coast Village at Crystal Beach)**

These lands are zoned Residential Multiple 1 Holding (RM1)-462(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 by this by-law shall apply to those lands zoned Residential Multiple 1 Holding (RM1)-462(H) Zone on the attached Appendix 1 subject to the following special provisions:

- a) In addition to the list of Permitted Uses in Section 14.2 the lands shown on Appendix 1 shall also permit Stacked Townhouse Dwellings.
- b) Notwithstanding the Zone Regulations in Section 14.3, stacked and block townhouse dwellings shall be subject to the following special provisions:
  - i) Minimum lot frontage 10 metres.
  - ii) Minimum lot coverage - 45%.
  - iii) Minimum Interior side yard setback -1.5 metres.
  - iv) Maximum Building Height- 10.5 metres.
  - v) Minimum Landscape strip -40% including privacy areas.
  - vi) Minimum Distance between buildings on same lot- 12m except 3m between end walls and 9m between end wall and rear wall.
  - vii) Privacy Area- No privacy area for upper floor units.
  - viii) Distance from building to internal driveways and parking areas-Any front or rear face of any townhouse shall be no closer than 2.48 metres to an internal driveway or parking area and any side of a townhouse shall be no closer than 1.5 metres to an internal driveway or parking area.
  - ix) Driveway Location- No driveway shall be located closer than 1.30 metres to any lot line abutting any Residential Zone, except this regulation shall not apply to prevent the use of a jointly owned driveway which serves two townhouse dwellings on adjoining lots;
  - x) Parking Areas Location- No parking area shall be located closer than 2.0 metres to any lot line abutting any Residential Zone, except that this regulation shall not apply to prevent the use of a jointly owned parking area which serves two townhouse dwellings on adjoining lots.
- c) Notwithstanding the Zone Regulations in Section 14.3, street townhouses shall be subject to the following special provisions.



- ii) Minimum lot area-190 sq. metres for a street townhouse lot and 250 sq.metres for a street townhouse corner lot.
  - iii) Minimum lot coverage -74.2%.
  - iv) Minimum front yard setback-6.0 metres to the front face of the dwelling.
  - v) Minimum Interior side yard setback -1.2 metres.
  - vi) Minimum Exterior side yard setback -2.8 metres.
  - vii) Minimum rear yard setback-7.0 metres.
  - viii) Maximum Building Height-10.5 metres.
  - ix) Planting Strip- A planting strip 1.2 metres in width shall be provided where the boundary of the RM1 Zone abuts an R1, R2 or R3 Zone.
  - x) Minimum Distance between buildings on same lot- 15 metres except 3 metres between end walls and 8.5 metres between end wall and rear wall.
  - xi) Maximum Density – 45 units per hectare.
  - xii) Planting Strips- A planting strip having a minimum width of 1.2 metres shall be provided and thereafter maintained where the lot line of any lot abuts a residential zone and 3.5 metres where it abuts a street, except points of ingress/ egress.
  - xiii) Driveway Location- No driveway shall be located closer than 0.5 metres to any lot line abutting any Residential Zone, except this regulation shall not apply to prevent the use of a jointly owned driveway which serves two townhouse dwellings on adjoining lots.
  - xiv) Parking Areas Location- No parking area shall be located closer than 0.5 metres to any lot line abutting any Residential Zone, except that this regulation shall not apply to prevent the use of a jointly owned parking area which serves two townhouse dwellings on adjoining lots.
- d) Notwithstanding the Zone Regulations in Section 14.4, single detached dwellings shall be subject to the following special provisions:
- ii) Minimum lot frontage -10 metres and 13 metres corner lot.
  - iii) Minimum lot area-290 sq.metres.

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- iv) Maximum lot coverage 50%.
- v) Minimum front yard 6.0 metres to the front face of the garage and 4.5 metres to the front face of the dwelling unit.
- vi) Minimum interior side yard setback-1.2 metres anything above one storey.
- vii) Minimum rear yard setback- 7.0 metres.
- vi) Minimum floor area for dwellings-0 sq.metres.
- e) Notwithstanding the General Provisions – Parking Area Regulations in Section 6.20 (I) any parking area abutting a street line or lot line shall have a minimum setback of 2.0 metres.

**RM1-465(H) (24-12) West of Spears Road, East of Alliston Avenue (Alliston Woods)**

These lands are zoned Residential Multiple 1 Holding (RM1)-465(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 by this by-law shall apply to those lands zoned Residential Multiple 1 Holding (RM1)-465(H) Zone on Schedule A subject to the following special provisions:

- a) Notwithstanding the Zone Regulations in Section 14.3, block and street townhouse dwellings shall be subject to the following special provisions:
  - i) Minimum lot frontage - 40 metres except 6 metres for street townhouse lots and 9 metres for street townhouse corner lots.
  - ii) Minimum lot area – 1400 square metres except 200 square metres for street townhouse lots and 270 square metres for street townhouse corner lots.
  - iii) Minimum front yard – 6 metres to the front of the garage and 4 metres to the front face of the dwelling unit and 6 metres to the front of the garage.
  - iv) Minimum interior side yard – 1.2 metres for end walls, except that common walls may be centred on a side lot line.
  - v) Minimum exterior side yard – 3 metres.
  - vi) Maximum building height – 11 metres.
  - vii) Maximum lot coverage - 55%.
  - viii) Planting strip – not required where the boundary of an RM1 zone abuts an R1, R2 or R3 zone.

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- b) Notwithstanding the Zone Regulations in Section 14.4, single detached dwellings not located on the same lot as townhouse development shall be subject to the following special provisions:
  - i) Minimum lot frontage - 12 metres except 15 metres for corner lots.
  - ii) Minimum lot area – 300 square metres.
  - iii) Minimum front yard – 4 metres to the front face of the dwelling unit and 6 metres to the garage.
  - iv) Minimum interior side yard – 1.2 metres for anything above a one-storey dwelling.
  - v) Minimum rear yard – 7.5 metres.
  - vi) Minimum lot coverage - 55%.
- c) Notwithstanding the Zone Regulations in Section 14.5, semi-detached dwellings not located on the same lot as townhouse development shall be subject to the following special provisions:
  - i) Minimum lot frontage - 9 metres except 10 metres for corner lots.
  - ii) Minimum lot area – 280 square metres.
  - iii) Minimum front yard – 4 metres to the front face of the dwelling unit and 6 metres to the garage.
  - iv) Minimum interior side yard – 1.2 metres for anything above a one-storey dwelling.
  - v) Maximum lot coverage – 55%.

**RM1-497 (21-2014) North Side of Catherine, East of Central Avenue**

These lands are zoned “Residential Multiple 1 (RM1) Zone RM1-497 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 RM1-497 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 also be used for any purpose permitted by “Section 31.2 Permitted Uses” in the “Institutional I Zone”
- b) The provisions of “Section 31.3 Regulations for Institutional Uses” shall apply to any Institutional use located on the lands shown on Appendix “1”.

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**RM1-501 (28-2014) 255 Emerick Avenue**

These lands are zoned "Residential Multiple 1 (RM1) Zone RM1-501 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 RM1-501 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 townhouse dwellings
  - apartment house
  - assisted living house
  - any purpose permitted by "Section 31.2 Permitted Uses" in the "Institutional I Zone"
- b) Notwithstanding the provisions of "Section 14.3 Zone Regulations" in the "Residential Multiple 1 RM1 Zone", the maximum building height of street townhouse dwellings and block townhouse dwellings shall be 1.5 storeys.
- c) The provisions of "Section 15.3 Regulations for Apartment Dwellings and Second Level Lodging Houses" shall apply to the any apartment house or assisted living house located on the lands shown on Appendix "1".
- d) The provisions of "Section 31.3 Regulations for Institutional Uses" shall apply to any Institutional use located on the lands shown on Appendix "1".

**RM1-505(H) (76-2014) Alliston Woods Subdivision**

These lands are zoned Residential Multiple 1 Holding (RM1)-505(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 by this by-law shall apply to those lands zoned Residential Multiple 1 Holding RM1-505(H) Zone on the attached Appendix 1 subject to the following special provisions:

- a) Notwithstanding the Zone Regulations in Section 14.3, block and street townhouse dwellings shall be subject to the following special provisions:
  - i) Minimum lot area – 1400 square metres except 200 square metres for street townhouse lots and 270 square metres for street townhouse corner lots.
  - ii) Minimum front yard – 6 metres to the front of the garage and 4 metres to the front face of the dwelling unit

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- iii) Minimum interior side yard – 1.2 metres for end walls, except that common walls may be centred on a side lot line.
  - iv) Minimum exterior side yard – 3 metres.
  - v) Minimum landscaped area – 25% for block and street townhouses
  - vi) Maximum Density- provision deleted
  - vii) Maximum Lot Coverage-55% for block and street townhouse units
  - viii) Planting strip – not required where the boundary of an RM1 zone abuts an R1, R2, R3 or OS zone.
- b) Notwithstanding the Zone Regulations in Section 14.4, single detached dwellings not located on the same lot as townhouse development shall be subject to the following special provisions:
- i) Minimum front yard –4 metres to the front face of the dwelling unit and 6 metres to the garage.
  - ii) Minimum rear yard – 7.5 metres.
  - iii) Minimum lot coverage - 55%."

**RM1-507 (94-2014) Spears/High Pointe Medium Density Areas**

These lands are zoned "Residential Multiple 1 (RM1) Zone RM1-5XX 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 RM1-5XX 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:
  - Block townhouse dwellings
  - Street townhouse dwellings
  - Apartment house
- b) The provisions of "Section 15.3 Regulations for Apartment Dwellings and Second Level Lodging Houses" shall apply to the any apartment house located on the lands shown on Appendix "1"
- c) Notwithstanding the provisions of "Section 15.3 Regulations for Apartment Dwellings and Second Level Lodging Houses", the maximum height of any

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apartment house located on the lands shown on Appendix "1" shall be 3 storeys.

**RM1-508 (94-2014) Ridgeway / Thunder Bay Medium Density Areas**

These lands are zoned "Residential Multiple 1 (RM1) Zone RM1-5XX 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 RM1-5XX 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:
  - Block townhouse dwellings
  - Street townhouse dwellings
  - Apartment house
- b) The provisions of "Section 15.3 Regulations for Apartment Dwellings and Second Level Lodging Houses" shall apply to the any apartment house located on the lands shown on Appendix "1"
- c) Notwithstanding the provisions of "Section 15.3 Regulations for Apartment Dwellings and Second Level Lodging Houses", the maximum height of any apartment house located on the lands shown on Appendix "1" shall be 4 storeys.