

The Municipal Corporation of the Town of Fort Erie

By-law No. 28-2023

**Being a By-law to Amend Zoning By-law No. 129-90,
as amended
271 Ridgeway Road
DCS Niagara Developments Inc. (Rick Boivin) - Owner**

Whereas an application was received from Rick Boivin of DCS Niagara Developments Inc. (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90, as amended, for the lands known municipally as 271 Ridgeway Road; and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c. P.13 was held on February 13th, 2023; and

Whereas it is deemed desirable to amend the Comprehensive Zoning By-law No. 129-90, as amended, pursuant to the recommendations of Report No. PDS-08-2023 considered and approved at the Council-in-Committee meeting held on February 13th, 2023;

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

1. **That** Schedule "A" of By-law No. 129-90, as amended, is further amended by changing the zoning of the lands known municipally as 271 Ridgeway Road and shown on the attached Appendix "1" from "Public (P) Zone" to "General Commercial (C2-764) Zone".
2. **That** By-law No. 129-90, as amended, is further amended by adding to "Section 20 – General Commercial (C2) Zone" Subsection – "Exceptions to the General Commercial (C2) Zone" the following exceptions:

"C2-764 (28-2023) 271 Ridgeway Road

These lands are zoned "General Commercial (C2-764) Zone", and all of the provisions of By-law No. 129-90, as amended, that relate to lands zoned "General Commercial (C2) Zone" by this by-law shall apply to those lands zoned "General Commercial (C2-764) Zone" subject to the following special provisions:

- (a) Notwithstanding the list of Permitted Uses in Subsection 20.2, the lands may also be used for a medical laboratory. A medical laboratory shall be provided incidental to, and in conjunction with a medical clinic.
- (b) Notwithstanding the requirements of Subsection 20.3, the minimum side yard setback shall be no less than:

- 0.4 m between the existing building and Point C along the south property line; and
- 1.5 m between the existing building and Point D along the south property line

(c) Notwithstanding the requirements of Subsection 6.20 (I) - Parking Area Location on Lot, parking areas shall be located no closer than:

- 1.6 m to the Cambridge Road East street line;
- 1.5 m to the Ridgeway Road street line;
- 1.5 m to the north property line; and
- 1.3 m to the south property line

(d) Notwithstanding the requirements of Subsection 6.21 (b) – Landscaping and Planting Strips - Width, planting strips shall have a minimum width of no less than:

- 0 m adjacent to the north property line between Points A and B;
- 1.5 m adjacent to the remainder of the north property line;
- 0.4 m between the existing building and Point C along the south property line; and
- 0.9 m between the existing asphalt area and Point D along the south property line”

3. **That** the Clerk of the Town is authorized to affect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

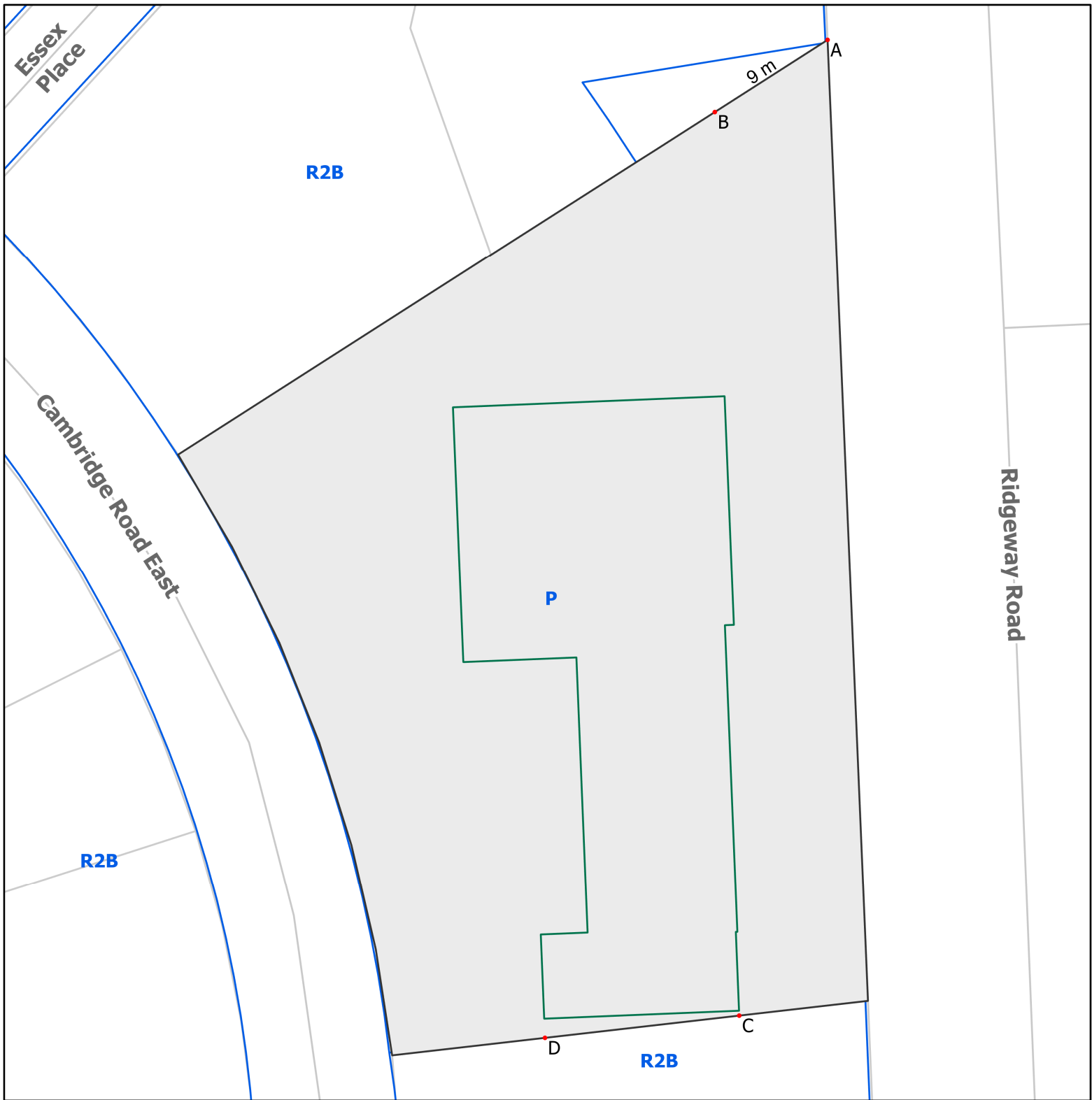
Read a first, second and third time and finally passed this 27th day of February, 2023.

Mayor

Clerk





I, Carol Schofield, Clerk of The Corporation of the Town of Fort Erie, certify the foregoing to be a true copy of By-law No. 28-2023 of the said Town. Given under my hand and the seal of the said Corporation, this day of _____, 20____

APPENDIX "1"



By-law No. 28-2023

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90
PASSED THIS 27TH DAY OF FEBRUARY, 2023**

-  Subject Lands - 271 Ridgeway Road
-  Change from Public (P) Zone to General Commercial (C2-764) Zone
-  Building Envelope
-  Zoning Boundary

