

# The Corporation of the Town of Fort Erie By-law 67-2024

## Being a By-law to Amend Zoning By-law 129-90, as amended 576 Ridge Road North

**Whereas** an application was received from William Heikoop of Upper Canada Consultants on behalf of the owner, 2846300 Ontario Inc. (Bryce Ivanchuk), to amend the Town's Comprehensive Zoning By-law 129-90, as amended, for the lands known municipally as 576 Ridge Road North; 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 12, 2024; and

**Whereas** it is deemed desirable to amend the Comprehensive Zoning By-law 129-90, as amended, pursuant to the recommendations of Report PDS-30-2024 considered and approved at the Council meeting held on May 27, 2024,

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

- 1. That Schedule "A" of Comprehensive Zoning By- law 129-90, as amended, is further amended by changing the zoning of the subject lands known municipally as 576 Ridge Road North and shown on the attached Schedule "A" from "Institutional (I) Zone" to "Residential 2A (R2A-800) Zone", "Residential 2A Holding (R2A-800(H)) Zone," "Open Space (OS-801)' Zone," and "Open Space Holding (OS-801(H))' Zone."
- 2. That Comprehensive Zoning By-law 129-90, as amended, is further by adding to "Section 12 Residential 2A (R2A) Zone" Subsection "Exceptions to the Residential 2A (R2A) Zone" the following exceptions:

#### "R2A-800 (67-2024) 576 Ridge Road North

These lands are zoned "Residential 2A (R2A-800) 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-800) Zone" subject to the following special provisions:

- a) Notwithstanding the Regulations in Section 12.3, single-detached dwellings shall be subject to the following special provision:
  - I. Minimum lot area 357.0 sq m

#### R2A-800(H) (67-2024) 576 Ridge Road North

These lands are zoned "Residential 2A Holding (R2A-800(H)) 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 Holding (R2A-800(H)) Zone" subject to the following special provisions:

- Notwithstanding the Regulations in Section 12.3, single-detached dwellings shall be subject to the following special provision:
  - I. Minimum lot area 357.0 sq m"

**3.** That Comprehensive Zoning By-law 129-90, as amended, is further by adding to "Section 33 – Open Space (OS) Zone" Subsection – "Exceptions to the Open Space (OS) Zone" the following exceptions:

#### "OS-801 (67-2024) 576 Ridge Road North

These lands are zoned "Open Space (OS-801) Zone," and all of the provisions that relate to lands zoned "Open Space (OS) Zone" by this by-law shall apply to those lands zoned "Open Space (OS-801) Zone" subject to the following special provisions:

- a) Notwithstanding the "Permitted Uses" in Section 33.2, "stormwater management facilities" shall be a permitted use.
- b) Notwithstanding the Regulations in Section 33.3, the following special provisions shall apply:

I. Minimum lot area 85.0 sq mII. Minimum lot frontage 3.0 m

#### OS-801(H) (67-2024) 576 Ridge Road North

These lands are zoned "Open Space Holding (OS-801(H)) Zone", and all of the provisions that relate to lands zoned "Open Space (OS) Zone" by this by-law shall apply to those lands zoned "Open Space Holding (OS-801(H)) Zone" subject to the following special provisions:

- c) Notwithstanding the "Permitted Uses" in Section 33.2, "stormwater management facilities" shall be a permitted use.
- d) Notwithstanding the Regulations in Section 33.3, the following special provisions shall apply:

I. Minimum lot area 85.0 sq mII. Minimum lot frontage 3.0 m"

- **4.** That pursuant to Section 36(1) of the Planning Act, the "H" Holding Symbol shall not be removed until an Environmental Impact Study is completed confirming that the woodlot does not contain any habitat of an endangered species, to the satisfaction of the Town and Niagara Region.
- **5. That** until such time that the Holding Symbol is removed, the regulations of the "Environmental Protection (EP) Zone" shall apply.
- **6.** 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 24th day of June 2024.

### By-law 67- 2024 - Schedule "A"



