



The Corporation of the Town of Fort Erie
By-law 47-2025

Being a By-law to Amend Zoning By-129-90, as amended
3741 Nigh Road

Whereas an application was received from Rachelle Laroque of The Biglieri Group Ltd. on behalf of the owner, Brent King of Royal Oak Property Development, to amend the Town’s Comprehensive Zoning By-law 129-90, as amended, for the lands known municipally as 3741 Nigh 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 March 17, 2025; and

Whereas it is deemed desirable to amend the Comprehensive Zoning By-law 129-90, as amended, pursuant to the recommendations of Report PBBS-28-2025 considered and approved at the Council meeting held on April 14, 2025;

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 3741 Nigh Road as shown on the attached Schedule A from “Residential 1 (R1) Zone” to “Residential Multiple 1 (RM1-815) Zone.”
- 2. **That** Comprehensive Zoning By-law 129-90, as amended, is further amended by adding to “Section 14 – Residential Multiple 1 (RM1) Zone” Subsection – “Exceptions to the Residential Multiple 1 (RM1) Zone” the following exceptions:

“RM1-815 (37-2025) 3741 Nigh Road”

These lands are zoned “Residential Multiple 1 (RM1-815) 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 (RM1-815) Zone” subject to the following special provisions:

- a) Notwithstanding the “Zone Regulations” in Section 14.3, related to Minimum Lot Frontage, Minimum Lot Area, Minimum Landscaped Open Area, Maximum Building Height, and Planting Strips, the following special provisions shall apply to townhouse dwellings:
 - i. Minimum Lot Frontage 28.0 m
 - ii. Minimum Lot Area 280.0 sq m per dwellings unit
 - iii. Minimum Landscaped Area 40%
 - iv. Maximum Building Height 2.5 Storeys, 9m
 - v. Planting Strips 3.0 m, except the minimum Planting Strip width along the westerly lot line measuring 30.15 m shall be 1.5 m

- vi. Maximum Number of Townhouse Units 7 units

b) In addition to the “Prohibited Uses” in Section 6.22, rooftop patios shall also be prohibited.

- 3. **That** if a building permit has not been issued in accordance with the *Building Code Act*, 1992, S.O. 1992, c.23, as amended, within three (3) years of the enactment of this By-law, then this By-law shall be deemed to be repealed, and the zoning of the subject lands shall revert to the zoning in effect immediately prior to the passing of this By-law.
- 4. **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 26th day of May 2025.

Mayor

Clerk

SCHEDULE "A"



0 12.5 25 50 Meters

By-law No. 47-2025

THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90 PASSED THIS 28TH DAY OF APRIL 2025.



Subject land- 3741 Nigh Road, Fort Erie



From Residential 1 (R1) Zone to Residential Multiple (RM1-815) Zone