



# The Municipal Corporation of the Town of Fort Erie

## BY-LAW NO. 192-2000

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### BEING A BY-LAW TO AMEND ZONING BY-LAW 129-90

FORDEMA HOLDINGS INC.

West Side of Bardol Avenue, North Side of Lake Erie, South of Dominion Road

Roll No. 2703 020 006 01700 0000

350309-0201

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### THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF FORT ERIE HEREBY ENACTS AS FOLLOWS:

1. Schedule A13 of By-law 129-90 is amended by changing the zoning of the lands shown as Part 1 on the attached Schedule A from "Residential 3 R3-154 Zone" to "Residential 2A R2A-234 Zone" and by changing of the lands shown as Part 2 on the attached Schedule A from "Residential Development RD Zone" to "Residential 2A R2A-234 Zone" and by changing the zoning of Part 3 on the attached Schedule A from "Residential Development RD Zone" to "Residential 2 R2-235 Zone" which attached Schedule A is hereby declared to form part of this by-law.
2. By-law 129-90 is further amended by adding to Subsection Schedule A13 of Section 35 (Exceptions) thereto the following exceptions:

- "R2A-234      These lands are zoned "Residential 2A R2A-234 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-234 Zone" on Schedule A13 except:
- (a) that notwithstanding the provisions of Subsection 6.5, the lots shall not be required to have frontage on a public street;
  - (b) that notwithstanding the provisions of Subsection 5.151, the front lot line shall be the lot line that divides a lot from the private street, but in the case of a corner lot, the shorter lot line abutting the private street shall be deemed to be the front lot line and the longer lot line abutting the private street will be deemed to be an exterior side lot line;
  - (c) that notwithstanding the provisions of Subsection 11.3 - 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 buildings and structures .....39.5%
    - iv) minimum front yard .....2.5 m
    - v) minimum interior side yard .....1.5 m
    - vi) minimum exterior side yard .....3 m

- vii) minimum rear yard .....2 m
- viii) maximum building height .....10.7 m
- ix) minimum outdoor privacy area.....30 sq. m
- x) minimum off-street parking requirements .....2 spaces/unit
- xi) minimum floor area
  - ⇒ 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
- xii) minimum setback for unenclosed porches,  
steps or decks.....1 m
- xiii) minimum setback for an attached garage where  
the overhead garage door faces a public or  
private street line.....5.8 m
- (d) 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 garage door faces a public or  
private street line.....5.8 m
- (e) tandem parking shall be permitted to a maximum depth of 1  
tandem parking space.
- (f) 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
- (g) 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;
- (h) 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-235

These lands are zoned “Residential 2 R2-235 Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential 2 R2 Zone” by that By-law shall apply to those lands zoned “Residential 2 R2-235 Zone” on Schedule A13 except:

- (a) that notwithstanding the requirements of Subsection 6.5, the lots shall not be required to have frontage on a public street;
- (b) that notwithstanding the requirements of Subsection 5.151, the front lot line shall be the lot line that divides a lot from the private street, but in the case of a corner lot, the shorter lot line abutting the private street shall be deemed to be the front lot line and the longer lot line abutting the private street will be deemed to be an exterior side lot line;

- (c) that notwithstanding the provisions of Subsection 10.3 (g), the minimum rear yard shall not be less than 15 metres from the 100 year floodline for Lake Erie of 177.2 metres referenced to the Geodetic Survey of Canada datum.
3. The lands referred to in Sections 1 & 2 are situated on the west side of Bardol Avenue, south of Dominion Road (formerly Victoria Street) and consist of Lots 4-6, in Plan 59M-263 and Part of Lot 6 on the south side of Victoria Avenue, Part of the A. Woodlot, Part of the Lakeshore Road on Registered Plan 2371, now known as Plan 990, 991 and 992 and Part of the 11 acre parcel lying along the north shore of Lake Erie, on the south side of Lakeshore Road, in front of the Garrison Reserve in the former Township of Bertie, now in the Town of Fort Erie, in the Regional Municipality of Niagara.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23<sup>RD</sup> DAY OF OCTOBER, 2000.**

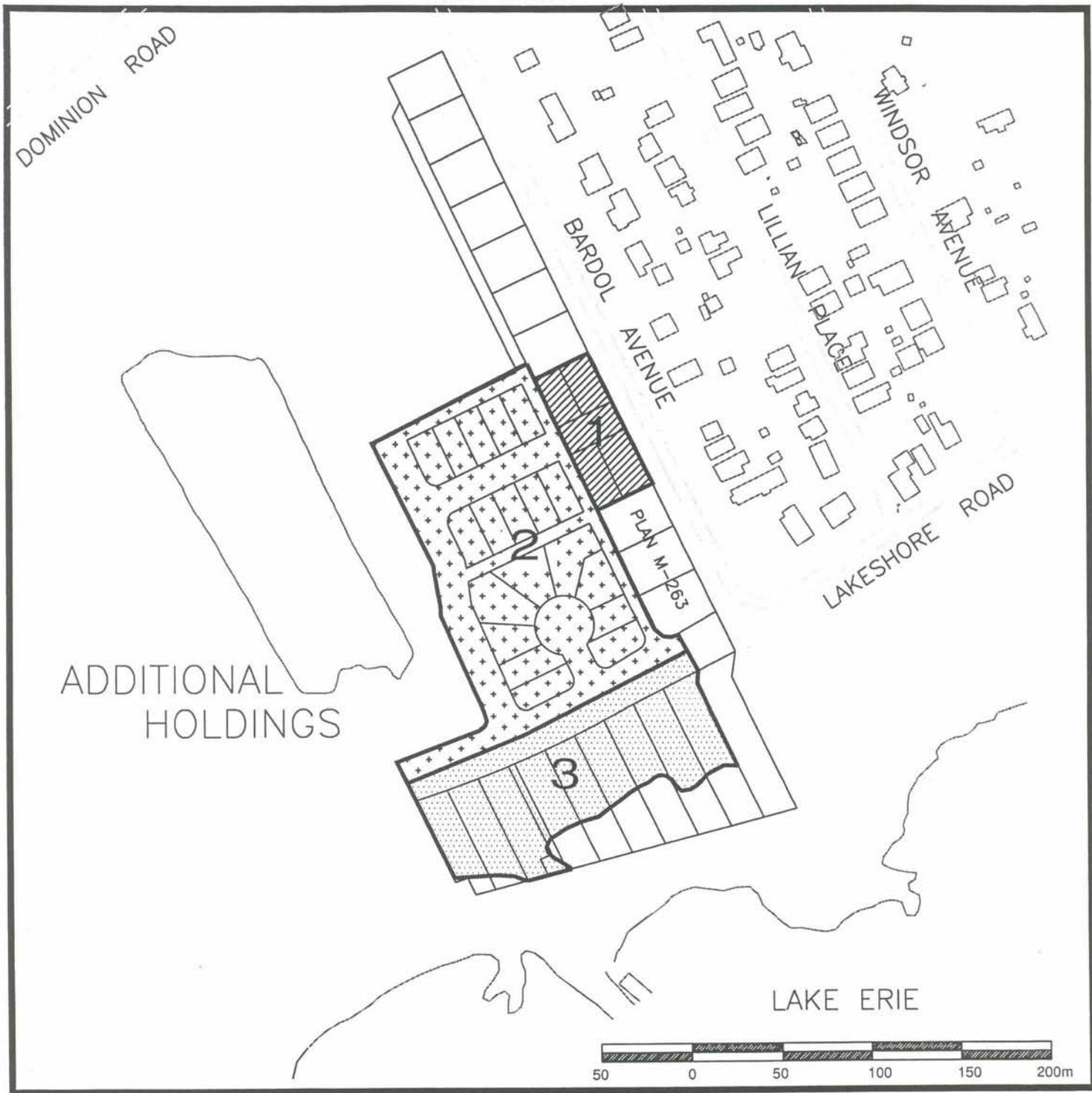
  
MAYOR

  
CLERK

I, CAROLYN BOOTH, CLERK OF THE CORPORATION OF THE TOWN OF FORT ERIE HEREBY CERTIFY THE FOREGOING TO BE A TRUE CERTIFIED COPY OF BY-LAW NO. 191-2000 OF THE SAID TOWN. GIVEN UNDER MY HAND AND THE SEAL OF THE SAID CORPORATION THIS \_\_\_\_ DAY OF \_\_\_\_  
\_\_\_\_\_, 2000.

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SCHEDULE A



# BY-LAW NO. 192-2000

THIS SKETCH FORMS PART OF SCHEDULE 'A13'  
TO BY-LAW 129-90

PASSED THIS 23RD DAY OF OCTOBER 2000



-  CHANGE PT 1 FROM "RESIDENTIAL 3 R3-154 ZONE" TO "RESIDENTIAL 2A R2A-234 ZONE"
-  CHANGE PT 2 FROM "RESIDENTIAL DEVELOPMENT RD ZONE" TO "RESIDENTIAL 2A R2A-234 ZONE"
-  CHANGE PT 3 FROM "RESIDENTIAL DEVELOPMENT RD ZONE" TO "RESIDENTIAL 2 R2-235 ZONE"

SKETCH OF LOTS 4-6 PLAN 59M-263, PART OF LOT 6 SS VICTORIA AVENUE, PART A, WOOD LOT AND PART OF THE LAKESHORE ROAD, PLAN 990, 991, 992 NOW KNOWN AS PLAN 2371 AND PART OF THE 11 ACRE PARCEL LYING ALONG THE NORTHERLY SHORE OF LAKE ERIE ON THE SOUTH SIDE OF LAKESHORE ROAD IN FRONT OF THE GARRISON RESERVE FORMER TOWNSHIP OF BERTIE, NOW IN THE TOWN OF FORT ERIE, REGIONAL MUNICIPALITY OF NIAGARA