

The Municipal Corporation of the Town of Fort Erie

By-law No. 9-2023

**Being a By-law to Amend Zoning By-law No. 129-90,
as amended
315 and 0-350 Garrison Road
2717041 Ontario Inc. (Vijaykumar Patel) - Owner**

Whereas an application was received from Vijaykumar Patel of 2717041 Ontario Inc. (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90, as amended, for the lands known municipally as 315 and 0-350 Garrison 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 August 8th, 2022; 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-79-2022 considered and approved at the Regular Council meeting held on December 12th, 2022;

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 315 and 0-350 Garrison Road and shown as Parts 1 and 2 on the attached Appendix "1" from "Residential Multiple 1 (RM1-446) Zone" to "Residential Multiple 1 Holding (RM1-761(H)) Zone" (Part 1), and from "Open Space (OS-450) Zone" to "Residential Multiple 1 Holding (RM1-761(H)) Zone" (Part 2).
- 2. That** By-law No. 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:

"RM1-761 (H) (9-2023) 315 & 0-350 Garrison Road (Parts 1 and 2)

These lands are zoned "Residential Multiple 1 Holding (RM1-761(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 (RM1-761(H)) Zone" subject to the following special provisions:

(a) Notwithstanding the requirements of Subsection 14.3, the following shall apply:

- I. Minimum Lot Frontage – 20.22 m
 - II. The overall residential density shall be a minimum of 25 units per gross hectare and a maximum of 50 units per gross hectare
3. **That** pursuant to Section 36(1) of the *Planning Act* the “H” Holding Symbol shall be removed upon the Owner completing the transaction to purchase part of the adjacent Town-owned lane, Plan 519; Fort Erie, being Part 1, Reference Plan 59R-17514, and being part of PIN 64220-0120 (LT), and the entirety of the Sixth Street road allowance, Plan 519; Fort Erie, being all of PIN 64220-0126 (LT).
 4. **That** the Clerk of the Town is authorized to effect 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.

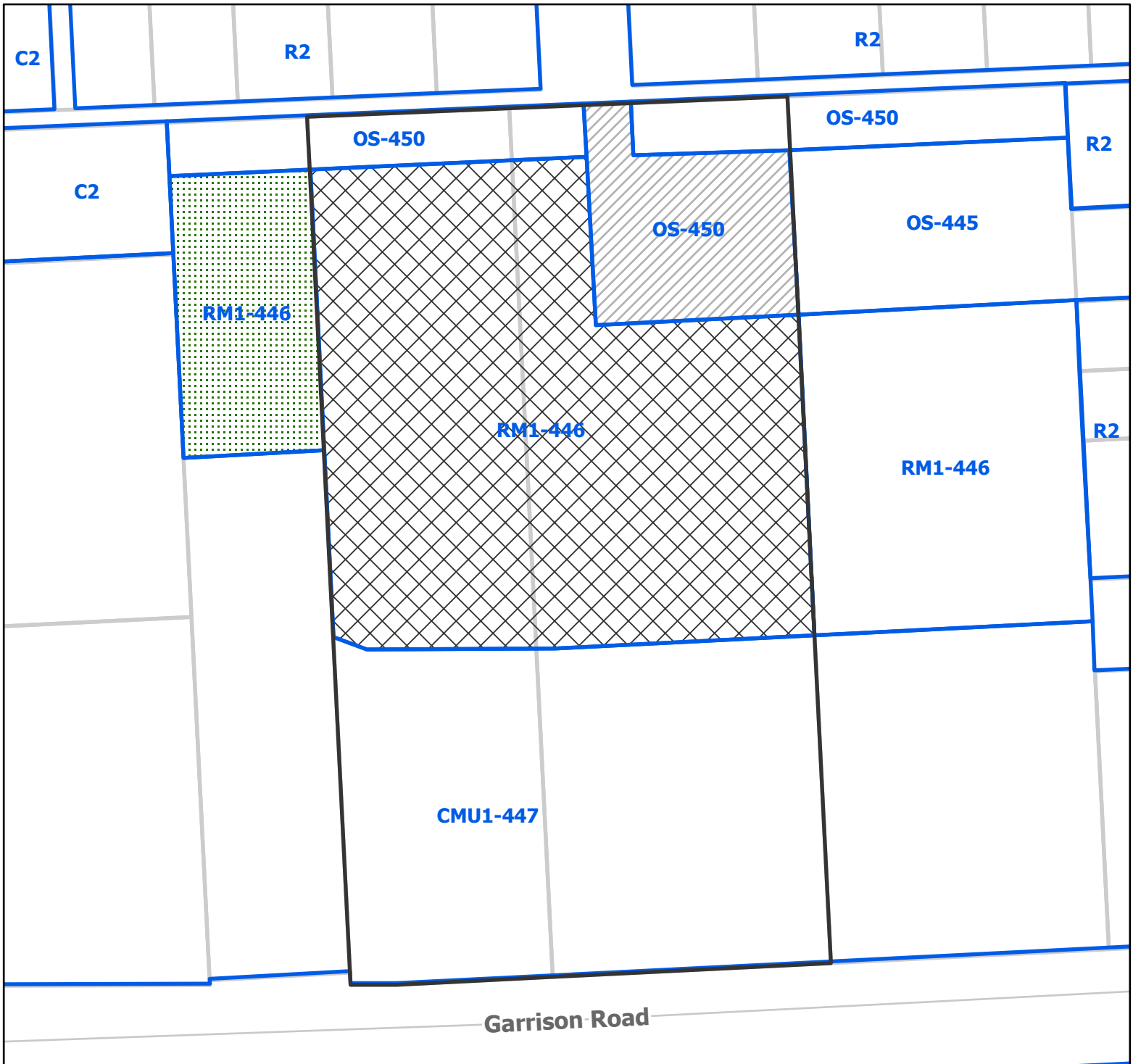
Read a first, second and third time and finally passed this 23rd day of January, 2023.

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. 9-2023 of the said Town. Given under my hand and the seal of the said Corporation, this day of _____, 20____

APPENDIX "1"



By-law No. 9-2023
THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90
PASSED THIS 23rd DAY OF JANUARY, 2023

-  Subject Lands - 315 & 0-350 Garrison Road
-  Part 1 - Change from Residential Multiple 1 (RM1-446) Zone to Residential Multiple 1 Holding (RM1-761(H)) Zone
-  Part 2 - Change from Open Space (OS-450) Zone to Residential Multiple 1 Holding (RM1-761(H)) Zone
-  Zoning Boundary
-  Environmental Conservation (EC) Overlay Zone