

# The Municipal Corporation of the Town of Fort Erie

## By-law No. 66-2023

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**Being a By-law to Amend Zoning By-law No. 129-90,  
as amended  
644 Garrison Road  
2350048 Ontario Ltd. (Ben Kooh) - Owner**

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**Whereas** an application was received from Candice Micucci of Antech Design and Engineering Group on behalf of 2350048 Ontario Ltd. (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90, as amended, for the lands known municipally as 644 Garrison Road; and

**Whereas** Public Meetings pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c. P.13 were held on August 8<sup>th</sup>, 2022 and March 20<sup>th</sup>, 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-24-2023 considered and approved at the Council-in-Committee meeting held on March 20<sup>th</sup>, 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 644 Garrison Road and shown as Parts 1 and 2 on the attached Appendix "1" from "Residential 2 (R2) Zone" to "Residential Multiple 2 (RM2-776) Zone" (Part 1) and "Highway Commercial (C3) Zone" to "Residential Multiple 2 (RM2-776) Zone" (Part 2).
- 2. That** By-law No. 129-90, as amended, is further amended by adding to "Section 15 – Residential Multiple 2 (RM2) Zone" Subsection – "Exceptions to the Residential Multiple 2 (RM2) Zone" the following exception:

**"RM2-776 (66-2023) 644 Garrison Road (Parts 1 and 2)**

These lands are zoned "Residential Multiple 2 (RM2-776) Zone" and all of the provisions of By-law No. 129-90, as amended, that relate to lands zoned "Residential Multiple 2 (RM2) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 2 (RM2-776) Zone" subject to the following special provisions:

- a) Minimum Lot Area - 79.67 sq m per unit
- b) That notwithstanding the Parking Area Regulations in Subsection 6.20 (A) for Apartment Dwellings in Section 6 - General Provisions the Minimum Parking Requirement shall be 1.25 parking spaces per non-affordable dwelling unit and one (1) parking space per affordable dwelling unit. For the purpose of this provision, an "affordable dwelling unit" is

a dwelling unit that is consistent with the definition of “Affordable Housing” in the Town’s Official Plan.

- c) That notwithstanding the Landscaping and Planting Strips requirements in Subsection 6.21 (b) in Section 6 - General Provisions the minimum width of a planting strip shall be 2.34 m measured perpendicular to the lot line it adjoins.”

**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 24th day of April, 2023.**

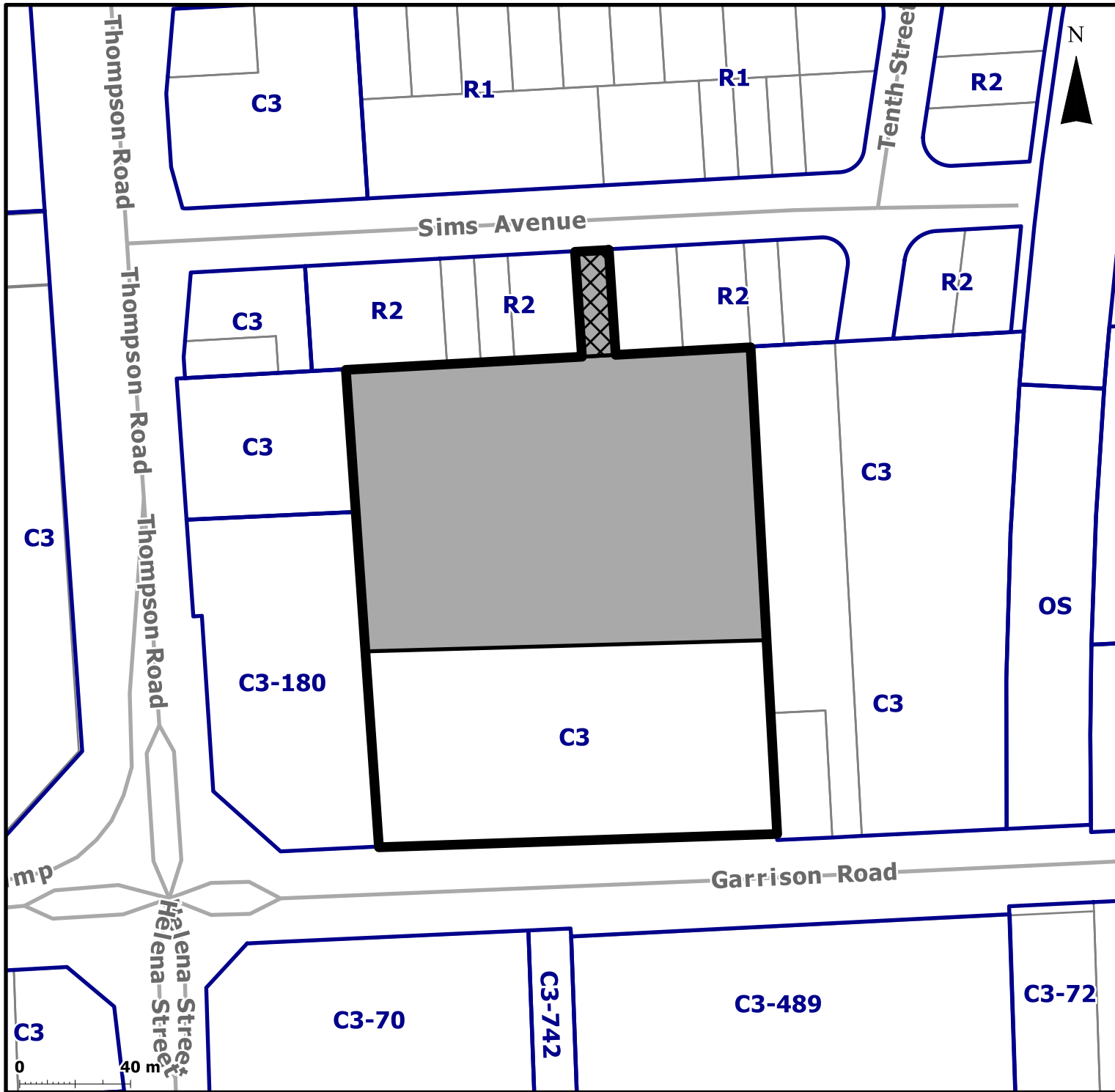
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Mayor

\_\_\_\_\_  
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. 66-2023 of the said Town. Given under my hand and the seal of the said Corporation, this            day of            , 20




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APPENDIX "1"



By-law No. 66-2023

THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90  
 PASSED THIS 24th DAY OF APRIL, 2023

-  Subject Lands - 644 Garrison Road
-  Part 1 - Change from Residential 2 (R2) Zone to Residential Multiple 2 (RM2-776) Zone
-  Part 2 - Change from Highway Commercial (C3) Zone to Residential Multiple 2 (RM2-776) Zone