



The Corporation of the Town of Fort Erie

By-law 40-2024

Being a By-law to Amend Zoning By-law 129-90, as amended 409 and 423 Walden Boulevard

Whereas an application was received from Greg Hynde of Urban Environments on behalf of the owner, Michael Stepien, to amend the Town's Comprehensive Zoning By-law 129-90, as amended, for the lands known municipally as 409 and 423 Walden Boulevard; 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 4, 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-08-2024 considered and approved at the Council-in-Committee meeting held on March 4, 2024;

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

- 1. That** Schedule "A" of By-law 129-90, as amended, is further amended by changing the zoning of the lands known municipally as 409 and 423 Walden Boulevard and shown on the attached Schedule "A" from "Highway Commercial (C3) Zone" to "Residential Multiple 1 Holding (RM1-794 (H)) Zone".
- 2. That** 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 exception:

"RM1-794 (H) (40-2024) 409 and 423 Walden Boulevard

These lands are zoned "Residential Multiple 1 Holding (RM1-794 (H)) 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 Holding (RM1-794 (H)) Zone" subject to the following special provisions:

- a) Notwithstanding the "Zone Regulations" in Section 14.3, street townhouse dwellings shall be subject to the following special provisions:

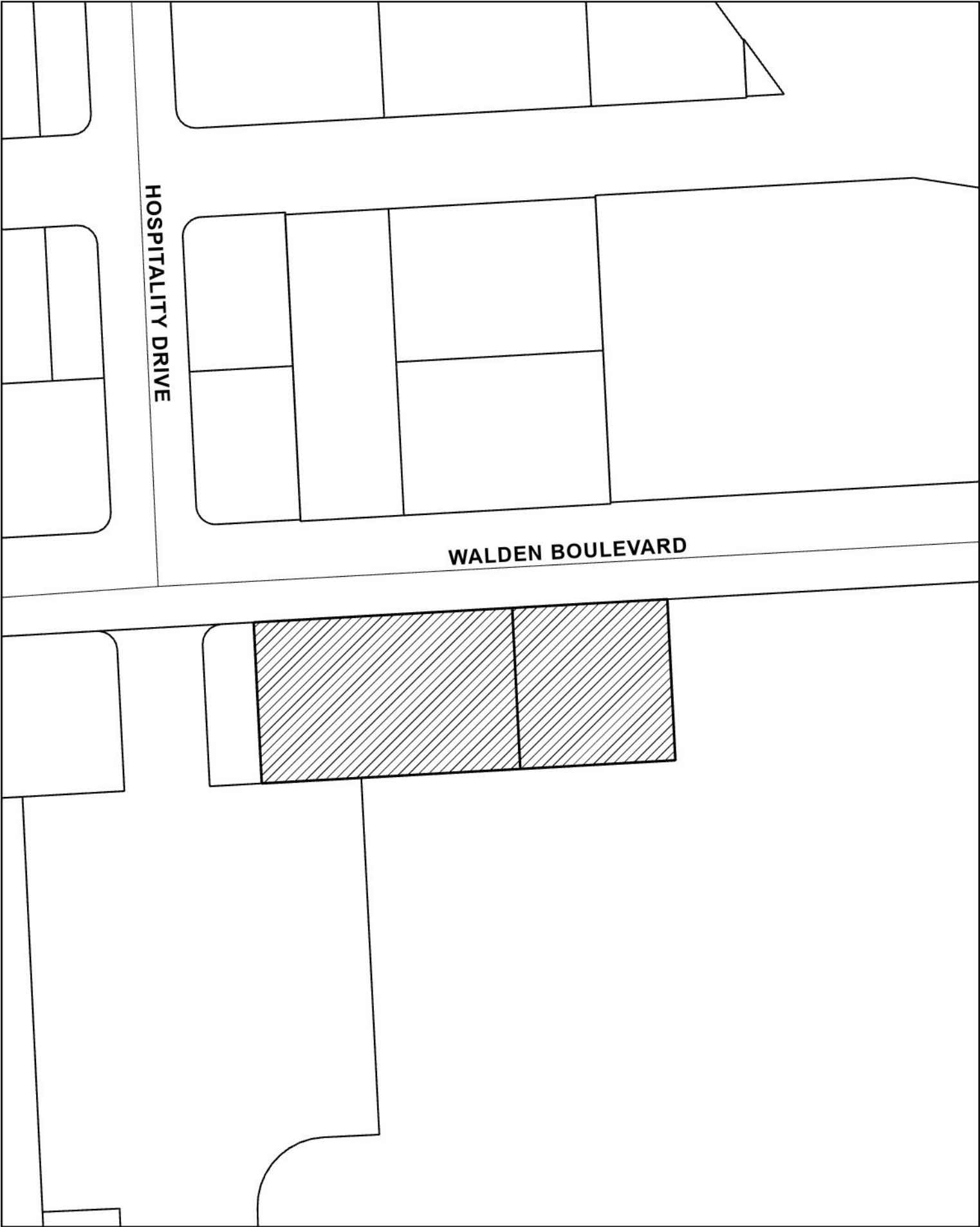
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|---------------------------------------|------------------------------------|
| I. Minimum Interior Side Yard Setback | 1.19 m from the east property line |
| II. Maximum Density | 38 units/ha" |

- 3. That** pursuant to Section 36(1) of the *Planning Act*, the "H" Holding Symbol shall be removed upon proof of adequate sanitary sewer conveyance capacity for the subject lands, to the satisfaction of the Town.
- 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 22nd day of April, 2024.

Mayor

Clerk



BY-LAW 40-2024
THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW 129-90
PASSED THIS 22ND DAY OF APRIL 2024

-  Subject lands - 409 and 423 Walden Boulevard
-  Change from Highway Commercial (C3) Zone to Residential Multiple 1 Holding (RM1-794 (H)) Zone

