



The Corporation of the Town of Fort Erie By-law 138-2024

**Being a By-law to Amend Zoning By-law 129-90, as amended
1023 Arthur Street, Fort Erie
2824116 Ontario Inc. (Frank Deluca) – Owner**

Whereas the Municipal Council of The Corporation of the Town of Fort Erie passed By-law 118-2024 on the 18th day of November 2024, rezoning the lands known municipally as 1023 Arthur Street with a Holding provision, to ensure that the development is not within 75 metres of an active private gas well, archaeological resources are conserved, the existing detached dwelling connects to municipal services, and that sufficient municipal sanitary capacity exists to service the development; and

Whereas the applicant provided information, dated October 15, 2024 and a Letter of Reliance, dated November 7, 2024, to the satisfaction of the Town and Niagara Region, demonstrating that there are no active petroleum wells located within 75 m of the proposed development; and

Whereas a Stage 2 Archaeological Assessment, dated October 20, 2024, and subsequent Letter of Acknowledgement from the Ministry of Citizenship and Multiculturalism, dated October 30, 2024, have been submitted to the satisfaction of the Town of Fort Erie and the Niagara Region; and

Whereas correspondence was received via email from the Niagara Region dated December 5, 2024, stating that decommissioning documents were provided to the satisfaction of the Niagara Region and that the septic requirements for the application have been met; and

Whereas a Wastewater Servicing Review, prepared by GEI Consultants Canada LTD. dated November 4, 2024, was provided to the satisfaction of the Town that confirms that municipal wastewater services are adequate for the proposed development; and

Whereas Urban & Environmental Management Inc., agent for the Owner, requested the Holding provision be removed in email correspondence dated November 21, 2024; and

Whereas it is deemed desirable to authorize and approve the removal of the said Holding provision;

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 on the lands shown on the attached Schedule “A” from “Residential Multiple 2 (RM2-809 (H)) Zone,” Residential Multiple 1 (RM1-810 (H)) Zone,” and “Residential 1 (R1-811(H)) Zone,” to “Residential Multiple 2 (RM2-809) Zone,” “Residential Multiple 1 (RM1-810) Zone,” and “Residential 1 (R1-811) Zone” and
- 2. 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 16th day of December 2024.

Mayor

Clerk



By-law 138-2024

This is Schedule 'A' to By-law No. 129-90 approved on November 4 , 2024

Legend

-  Change from "Neighbourhood Development (ND) Zone" to "Residential Multiple 2 (RM2-809(H)) Zone"
-  Change from "Neighbourhood Development (ND) Zone" to "Residential Multiple 1 (RM1-810(H)) Zone"
-  Change from "Neighbourhood Development (ND) Zone" to "Residential 1 (R1-811(H)) Zone"

