



The Corporation of the Town of Fort Erie By-law 74-2026

Being a By-law to Amend Zoning By-law 129-90, as amended 848 Garrison Road

Whereas an application was received from the Owner, 2723005 Ontario Inc. (c/o Konstantinos Kentros), to amend the Town's Comprehensive Zoning By-law 129-90, as amended for the lands known as 848 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 April 13, 2026; and

Whereas it is deemed desirable to amend the Comprehensive Zoning By-law 129-90, as amended, pursuant to the recommendations of Report PBBS-41-2026 considered and approved at the Council-in-Committee meeting held on August 24, 2026; and

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

- 1. That** Schedule "A" of Comprehensive Zoning By-law 129-90, as amended, is further amended by changing the zoning of the subject lands known as 848 Garrison Road and shown on the attached Schedule "A" from "Environmental Conservation (EC) Overlay Zone" and "Neighbourhood Development (ND) Zone" to "Core Mixed Use 3 Holding (CMU3-831(H)) Zone," Environmental Protection (EP) Zone" and "Open Space (OS) Zone."
- 2. That** Comprehensive Zoning By-law 129-90, as amended, is further amended by adding to "Section 26C – Core Mixed Use 3 (CMU3) Zone" Subsection "Exceptions to the Core Mixed Use 3 (CMU3)" the following exception:

CMU3-831(H) (74-2026) 848 Garrison Road

These lands are zoned "Core Mixed Use 3 Holding (CMU3-831(H)) Zone" and all of the provisions that relate to lands zoned "Core Mixed Use 3 (CMU3)" by this by-law shall apply to those lands zoned "Core Mixed Use 3 Holding (CMU3-831(H)) Zone" subject to the following special provisions:

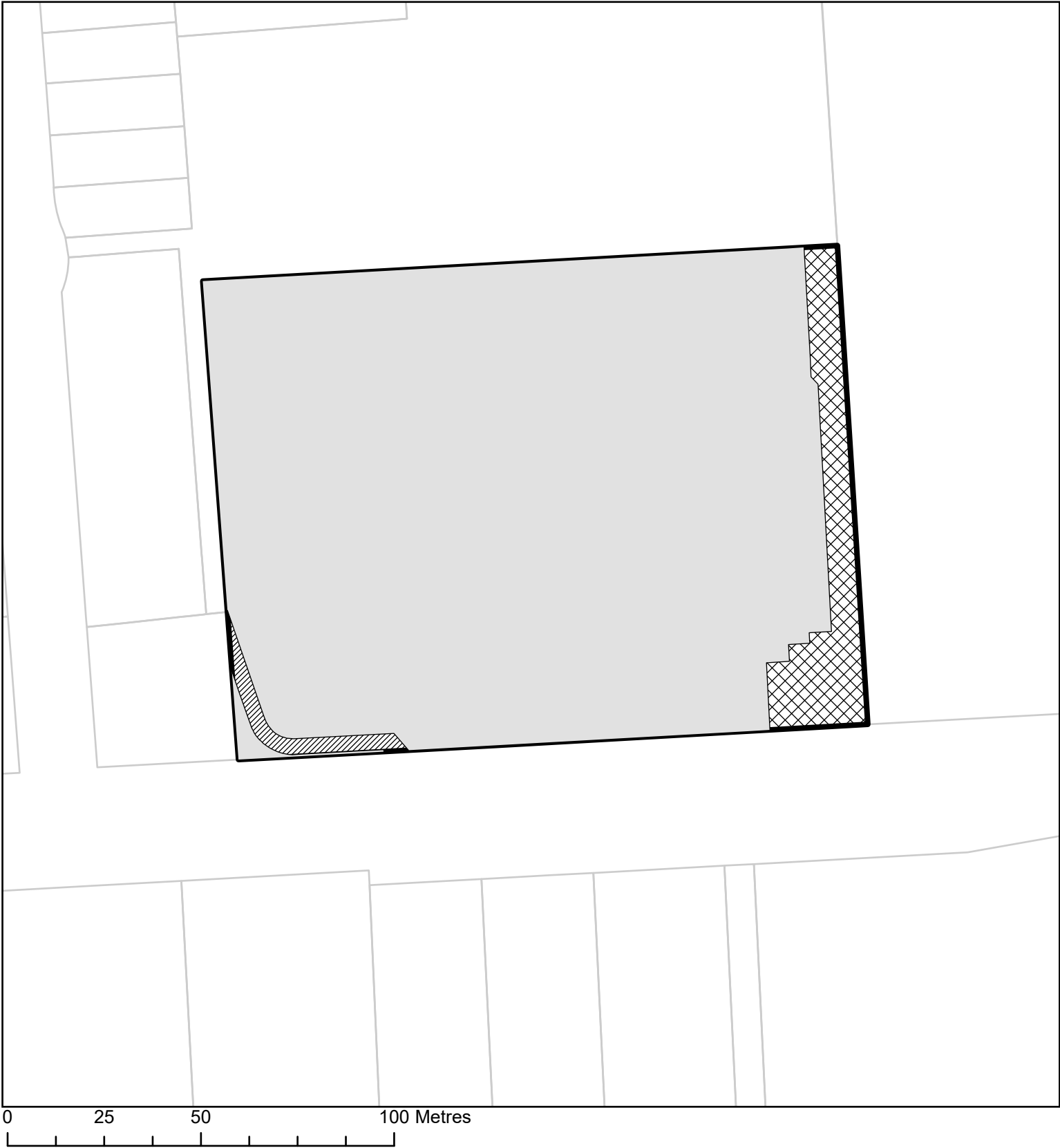
- a) In addition to the "Permitted Uses" in Section 26C.2, the following uses are also permitted:
 - i. Apartment Building Dwellings
 - ii. Banquet Hall
- b) Notwithstanding the "Zone Regulations" in Section 26C.3, Apartment Building Dwellings shall be subject to the regulations of Section 15.3.
- c) Notwithstanding the regulations in Section 15.3, as it relates to Minimum Interior Side Yard, Minimum Rear Yard and Maximum Building Height for Apartment Building Dwellings, the following shall apply:
 - i. Minimum Interior Side Yard – 8.5 m
 - ii. Minimum Rear Yard – 8.5 m
 - iii. Maximum Building Height – 5 storeys and 20.0 m

- d) Notwithstanding the “Parking Area Regulations” in Section 6.20 A., the minimum parking rate for Apartment Building Dwellings shall be 1.25 parking spaces per dwelling unit.
 - e) The “Regulations for Dwelling Units Permitted in Commercial Zones” in Section 18.2 shall not apply to Apartment Building Dwellings, except that Subsection 18.2 (f) Residential Open Space shall apply.
- 3. That** pursuant to Section 36(1) of the *Planning Act*, R.S.O. 1990, c.P.13, a Holding “H” Symbol shall be applied to the subject lands and not be removed until such time as:
- 1. The Owner / Applicant shall demonstrate, to the satisfaction of the Director of Infrastructure Services, that sufficient capacity is available within the Alliston Avenue Sanitary Pumping Station and downstream sanitary sewer system to accommodate the proposed development. Where sufficient capacity is not available, any required infrastructure improvements or mitigation measures shall be identified and implemented, at the Owner's sole cost, to the satisfaction of the Town and Niagara Region, as applicable.
- The “H” Holding Symbol may be removed in phases from any portion of the subject lands where the Owner/Applicant has demonstrated that sufficient sanitary servicing capacity is available to accommodate the development proposed within that phase, to the satisfaction of the Director of Infrastructure Services. The "H" Holding Symbol shall remain applicable to the balance of the subject lands until sufficient sanitary servicing capacity has been demonstrated for any subsequent phase.
- 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 28th day of September 2026.

Mayor

Clerk



BY-LAW 74-2026

**This Sketch Forms Part of Schedule "A" to the By-law 129-90 Passed This 28th
Day of September, 2026**

-  Subject Land - 848 Garrison Road, Fort Erie
-  From Environmental Conservation (EC) Overlay Zone and Neighbourhood Development (ND) Zone to Core Mixed Use 3 Holding (CMU-831(H)) Zone
-  From Environmental Conservation (EC) Overlay Zone and Neighbourhood Development (ND) Zone to Open Space (OS) Zone
-  From Environmental Conservation (EC) Overlay Zone and Neighbourhood Development (ND) Zone to Environmental Protection (EP) Zone

