

# The Municipal Corporation of the Town of Fort Erie

## By-law No. 96-2021

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**Being a By-law to Amend Zoning By-law No. 129-90  
397 Garrison Road  
Peace Bridge Village Phase-3  
William Heikoop - Agent  
Ashton Homes (Western) Ltd. - Owner**

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350309-0512

**Whereas** an application was received from William Heikoop, (Agent) and Ashton Homes (Western) Ltd. (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands described as 397 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 November 9, 2020, 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- 74-2021 considered and approved at the Council-in-Committee meeting of August 9, 2021;

**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 as described above and shown on the attached Appendix "1" from "Residential Multiple 1 (RM1-376) (H) Zone" to "Residential Multiple 1 (RM1-662) (H) Zone".
2. **That** By-law No. 129-90 as amended, is further amended by deleting Exception RM1-397(H) in "Section 14 – "Residential Multiple 1 Zone" Subsection – "Exceptions to the Residential Multiple 1 Zone" and replacing it with the following exception:

**"RM1-662 (96-2021) 397 Garrison Road**

These lands are zoned "Residential Multiple 1 (RM1-662) 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 (RM1-662) (H) Zone" subject to the following special regulations:

- |    |                         |                                  |
|----|-------------------------|----------------------------------|
| a) | Minimum lot frontage    | 20.1 m                           |
| b) | Minimum Side Yard       | 1.2 m (1 southeasterly unit)     |
| c) | Maximum Building Height | 2 storeys                        |
|    |                         | 7.5 m (along east property line) |

- |                            |   |
|----------------------------|---|
|                            | 8.5 m (along north, south and west property lines)                  |
| d) Minimum Landscaped Area | 40% Including Privacy Areas   |
| e) Privacy Area            | Minimum depth of 3.5 m (4 units on the north side of the driveway)" |

3. **That** pursuant to Section 36(1) of the Planning Act the "H" Holding Symbol shall be removed upon the approval by the Town of Fort Erie of a Site Plan Agreement for the lands shown on the attached Schedule A as "RM1-662 (H) Zone".
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 23<sup>rd</sup> day of August, 2021.**

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Mayor

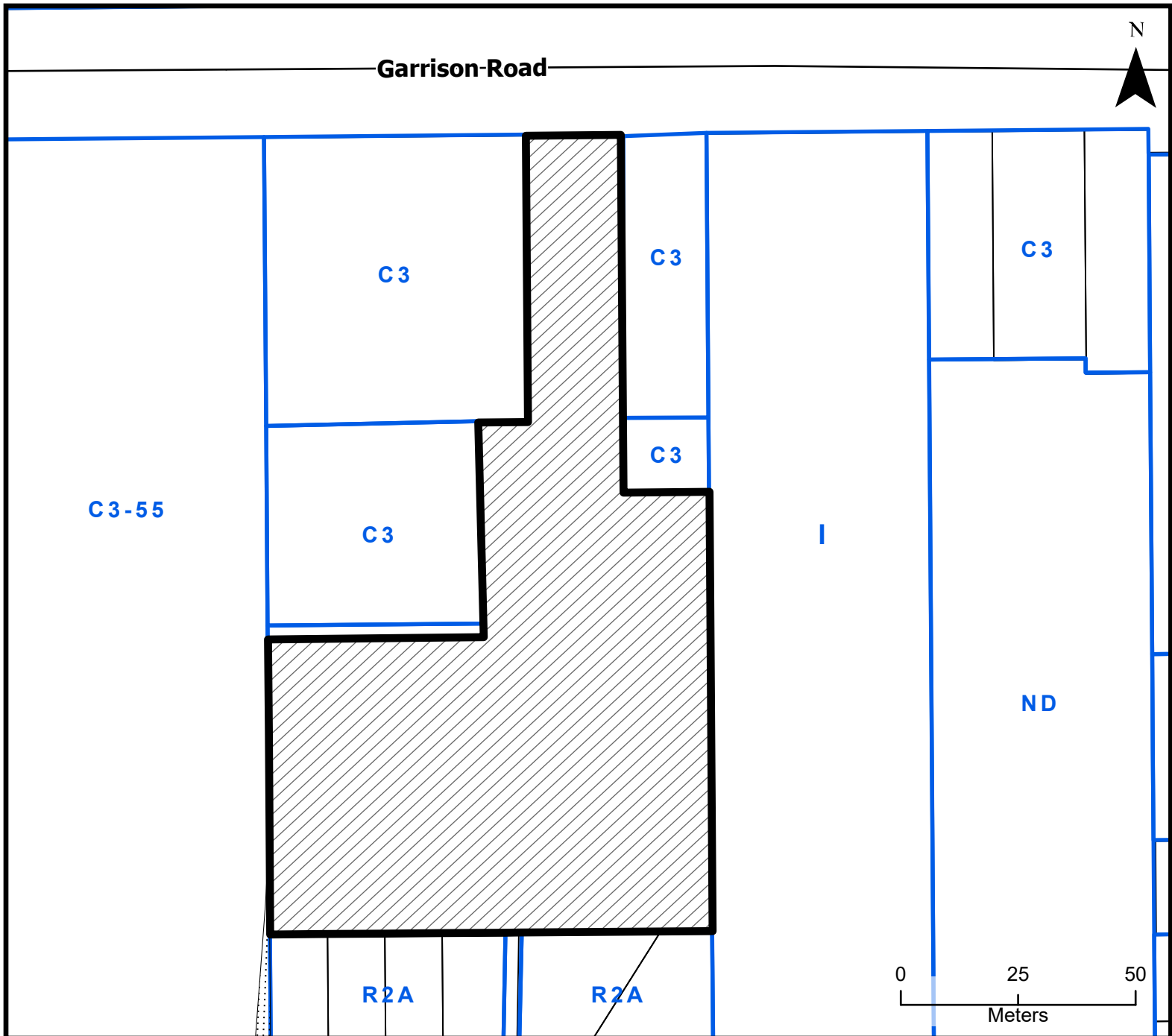
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Clerk

I, Carol Schofield, Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 96-2021 of the said Town. Given under my hand and the seal of the said Corporation, this day of \_\_\_\_\_, 2021

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# APPENDIX "1"



## By-law No. 96-2021

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90  
PASSED THIS 23rd DAY OF AUGUST, 2021**



Subject Lands - 397 Garrison Road (Peace Bridge Village Phase 3)



Change from Residential Multiple 1 RM1-376(H) Zone to Residential Multiple 1 RM1-662(H) Zone