

# NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING

**Owner – TRINITYSTAR AQUILA INC. (DUNSTAN PETER)  
Agent – NPG PLANNING SOLUTIONS (AARON BUTLER AND ASAWARI MODAK)**

**1127 GARRISON ROAD**

**Proposed Zoning By-Law Amendment**

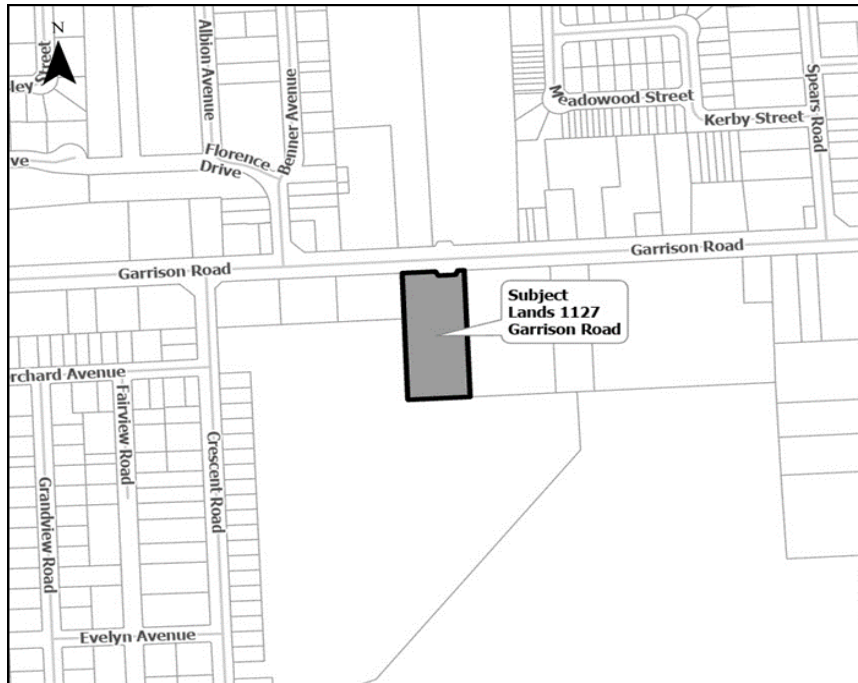
*APPLICATION: 350309-0586 AND ZBA-04-2024*

**DATE: April 9, 2024**

**TIME: 6:00 PM**

**PLACE: This will be a hybrid meeting. Members of the public may attend the meeting in person in Council Chambers, Town Hall, 1 Municipal Centre Drive OR virtually via Zoom.**

**LOCATION OF SUBJECT LANDS**



**WHAT WILL THIS AMENDMENT CHANGE:**



A Zoning By-law Amendment has been submitted for the subject lands in order to facilitate the development of a 3-storey mixed use building on the northern portion of the property with 340.00 sq m of commercial space on the ground floor and 10 residential dwelling units above on the 2nd and 3rd floors. 3-storey stacked townhouses are also proposed at the rear of the property with total of 80 dwelling units. The existing retail store on the property will be demolished. A site plan is attached for review as Schedule “1” to this notice for reference.

The subject lands are designated Commercial, in part, and Urban Residential, in part, in the Town’s Official Plan. The proposed mixed use building will be contained in the portion of the property that is designated Commercial and the proposed stacked townhouse dwellings will be contained in the portion of the property that is designated Urban Residential. An Official Plan Amendment will not be required for this proposal.

The subject property is currently zoned Environmental Conservation (EC) Overlay Zone, in part, Highway Commercial (C3) Zone, in part, and Neighbourhood Development (ND) Zone, in part, in accordance with the Town’s Comprehensive Zoning By-law No. 129-1990.

A Zoning By-law Amendment is required to permit the proposed stacked townhouse dwellings and to change the zoning of the rear portion of the subject lands from Neighbourhood Development (ND) Zone to a site-specific Residential Multiple 2 (RM2) Zone. The site-specific RM2 Zone proposes special provisions to add stacked townhouses as a permitted use and to permit reduced minimum lot area per dwelling unit, encroachment of sunken patios into the required rear yard, reduced distance for some driving lanes to a property line, reduced planting strip width between some driving lanes and a Residential Zone, a reduction in the number of parking spaces required per dwelling unit and shared parking between two zones.

The Zoning By-law Amendment also proposes to change the zoning of the front portion of the subject lands from Highway Commercial (C3) Zone to a site-specific Highway Commercial (C3) Zone for the proposed mixed-use building. The site-specific C3 Zone proposes special provisions to permit a reduced front yard setback and an increase in the maximum building height from 2.5 to 3 storeys.

Finally, the proposed Zoning By-law Amendment proposes to remove a small area of Environmental Conservation (EC) Overlay Zone along the western boundary of the subject lands.

### HAVE YOUR SAY

Input on the proposed Zoning By-law Amendment is welcome and encouraged. You can provide input by speaking at the public meeting or by making a written submission to the Town. Please note that unless you do one of the above now, you may not be able to appeal the decision later.

Residents can participate in the Council meeting in person in Council Chambers, OR virtually via Zoom (audio/video via web or by telephone). The link for the Zoom meeting will be provided on the Town's website an hour before the Council meeting.

The Town of Fort Erie Council meeting live webcast will be streamed at [www.youtube.com/townofforterie](http://www.youtube.com/townofforterie) or click on the YouTube icon on the home page of the Town's website ([www.forterie.ca](http://www.forterie.ca)).

### GETTING MORE INFORMATION

A copy of the Information Report will be available to the public by 5:00 PM on **April 3, 2024**. The information report will be available in the Council agenda portion of the Town's Website: [www.forterie.ca](http://www.forterie.ca) or by contacting Daryl Vander Veen, Intermediate Development Planner.

### CONTACT INFORMATION

**Daryl Vander Veen, Intermediate Development Planner**  
**Planning and Development Services Department**  
**Town Hall, 1 Municipal Centre Drive**  
**Fort Erie, Ontario L2A 2S6**  
**905-871-1600 ext. 2509**

Or by e-mailing your comments to: [dvanderveen@forterie.ca](mailto:dvanderveen@forterie.ca)

### PROVIDING YOUR COMMENTS OR REQUESTING NOTICE OF DECISION

To provide input in writing, or to request written notice of the decision of the Zoning By-law Amendment, please send a letter c/o Peter Todd, Manager, Legislative Services/Clerk, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6 or an email to [ptodd@forterie.ca](mailto:ptodd@forterie.ca)

### PLANNING ACT LEGAL NOTICE REQUIREMENTS

The Town of Fort Erie has not yet made a decision regarding this application. After considering any written comments and the comments from the public meeting, a Recommendation Report will be prepared for a future Council-in-Committee meeting.

If a person or public body would otherwise have an ability to appeal the decision of the Town of Fort Erie's Municipal Council to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written statements to the Town of Fort Erie before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Town of Fort Erie before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information about this matter, including information about appeal rights, please send a letter c/o Peter Todd, Manager, Legislative Services/Clerk, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6 or an email to [ptodd@forterie.ca](mailto:ptodd@forterie.ca)

Notice dated March 18, 2024.



# SCHEDULE "1"

