

The Municipal Corporation of the Town of Fort Erie

By-law No. 26-2023

Being a By-law to Amend Zoning By-law No. 129-90, as amended 97 Gorham Road Bomofive Inc. (Ross Boncore and Kam Mofid) - Owner

Whereas an application was received from Greg Hyde of Urban Environments on behalf of Ross Boncore and Kam Mofid of Bomofive Inc. (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90, as amended, for the lands known municipally as 97 Gorham 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 May 9th, 2022; 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-04-2023 considered and approved, as amended, at the Regular Council meeting held on January 23rd, 2023;

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 known municipally as 97 Gorham Road as shown on the attached Appendix "1" from "Residential Multiple 1 (RM1-508) Zone" to "Residential Multiple 2 (RM2-767) Zone".
- That By-law No.129-90, as amended, is further amended by adding to "Section 15 Residential Multiple 2 (RM2) Zone" Subsection – "Exceptions to the Residential Multiple 2 (RM2) Zone" the following exceptions:

"RM2-767 (26-2023) 97 Gorham Road

These lands are zoned "Residential Multiple 2 (RM2-767) Zone" and all of the provisions of By-law No. 129-90, as amended, that relate to lands zoned "Residential Multiple 2 (RM2) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 2 (RM2-767) Zone" subject to the following special provisions:

- a) Minimum Lot Area 89.83 sq m per dwelling unit
- b) Prohibited Uses Short Term Rental is prohibited. For the purpose of this provision, "Short Term Rental" means "all or part of a dwelling unit, subject to licencing by the Town, to provide sleeping

accommodation for any period of thirty (30) calendar days at a time or less in exchange for payment, but does not include any type of institutional dwelling, hotels, or other similar uses"

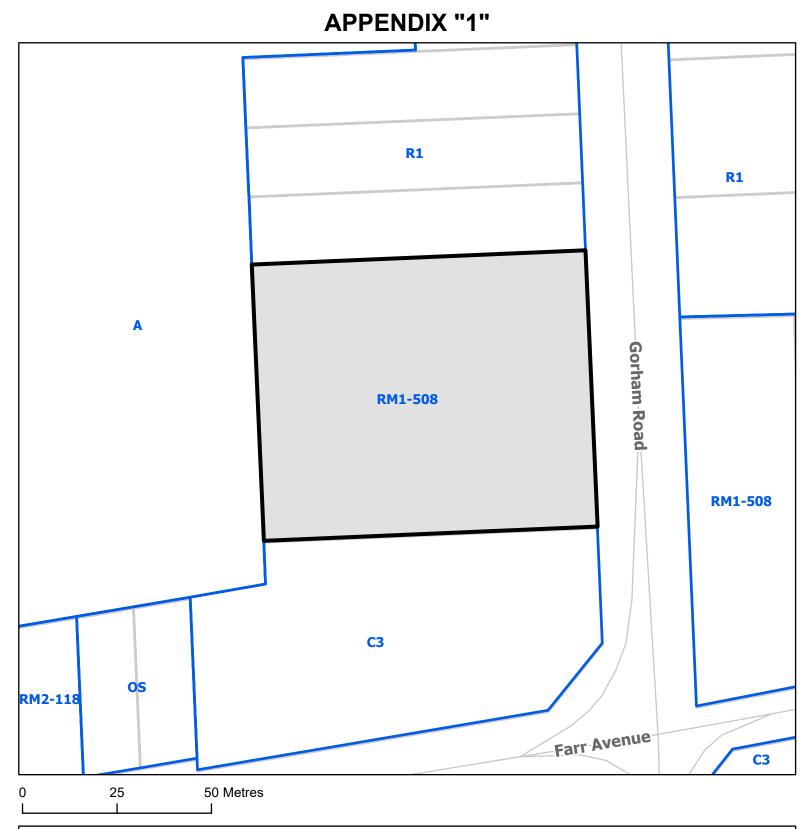
- c) That notwithstanding the Parking Area Regulations in Subsection 6.20 (A) for Apartment Dwellings, the Minimum Parking Requirement shall be 1.25 parking spaces per dwelling unit."
- 3. That the Clerk of the Town is authorized to affect any minor modifications, corrections or omissions solely of an 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 27th day of February, 2023.

Mayor

Clerk

I, Carol Schofield, Clerk of The Corporation of the Town of Fort Erie, certify the foregoing to be a true copy of By-law No. 26-2023 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20



By-law No. 26-2023 THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90 PASSED THIS 27TH DAY OF FEBRUARY, 2023 Subject Lands - 97 Gorham Road Change from Residential Multiple 1 (RM1-508) Zone to Residential Multiple 2 (RM2-767) Zone

Zoning Boundary

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Our Focus: Your Future