



The Municipal Corporation of the Town of Fort Erie

By-law No. 95-2023

Being a By-law to Amend Zoning By-law No. 129-90, as amended 214 Courtwright Street 2550663 Ontario Inc. (Greg Walker) - Owner

Whereas an application was received from Jeremy Tran of NPG Planning Solutions Ltd. on behalf of 2550663 Ontario Inc. (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90, as amended, for the lands known municipally as 214 Courtwright Street; and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c. P.13 was held on February 27th, 2023; 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-37-2023 considered and approved, at the Regular Council meeting held on April 24th, 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 214 Courtwright Street as shown on the attached Schedule "A" from "General Commercial (C2-418) Zone" to "Residential Multiple 2 (RM2-780) Zone".
2. **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 exception:

"RM2-780 (95-2023) 214 Courtwright Street

These lands are zoned "Residential Multiple 2 (RM2-780) 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 (RM2-780) Zone" subject to the following special provisions that apply for the existing apartment dwelling:

- a) Notwithstanding the Parking Area Regulations in Subsection 6.20 (A) for Apartment Dwellings the Minimum Parking Requirement for the subject property shall be four (4) parking spaces for the existing five (5) dwelling units and one (1) home occupation. A maximum of two (2) parking spaces are permitted to encroach onto the road allowance subject to an encroachment agreement with the Town.
- b) Notwithstanding the Ingress and Egress regulations in Subsection 6.20 (D) the requirement for an ingress and egress driveway is deleted (0.00 m driveway).

- c) Notwithstanding the Parking Area Location on Lot regulations in Subsection 6.20 (l) the minimum distance of parking areas shall be 0.00 m from the front street line (Courtwright Street), 2.10 m from the west interior lot line and 0.00 m from the east interior lot line.
- d) Notwithstanding the Landscaping and Planting Strip requirements of Subsection 6.21 (a) and (b) the minimum width of a planting strip along adjacent to a Residential Zone shall be 0.50 m along the west interior lot line and 0.40 m along the rear lot line.
- e) Notwithstanding the Landscaping and Planting Strip requirements of Subsection 6.21 (g) the minimum required open space area in the front yard shall be 20%.
- f) Notwithstanding the Permitted Uses in Subsection 15.2 the existing apartment dwelling with five (5) dwelling units and one (1) home occupation is permitted.
- g) Notwithstanding the Regulations for Apartment Dwellings and Assisted Living House in Subsection 15.3 the following special provisions shall apply:
 - i. Minimum Lot Frontage - 15.24 m
 - ii. Maximum Lot Coverage - 46%
 - iii. Minimum Front Yard - 5.14 m
 - iv. Minimum Side Yard - 0.50 m west side, 5.40 m east side
 - v. Minimum Rear Yard - 0.40 m
 - vi. Minimum Floor Area Per Dwelling Unit - as existing
- h) Notwithstanding the Minimum Distance Between Any Abutting Residential Zone and Driving Lanes or Parking Areas in Subsection 15.4 (a) and (b) the following special provisions shall apply:
 - i. The requirement for a driving lane and the minimum setback from an abutting Residential Zone is deleted.
 - ii. No parking area shall be closer than 2.10 m to the western lot line abutting the Residential Zone to the west."

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 29th day of May, 2023.

Mayor

Deputy Clerk

I, _____, Clerk of The Corporation of the Town of Fort Erie, certify the foregoing to be a true copy of By-law No. 95-2023 of the said Town. Given under my hand and the seal of the said Corporation, this _____ day of _____, 20____,

SCHEDULE "A" TO BY-LAW NO. 95-2023



By-law No. 95-2023

THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90

PASSED THIS 29th DAY OF MAY, 2023