



The Municipal Corporation of the Town of Fort Erie

By-law No. 105-2023

Being a By-law to Being a By-law to Amend Zoning By-law No. 129-90, as amended, 613 Helena Street

SS Fort Erie Inc. (Hunaun Siddiqui & Mohammad Feroz) - Owner

Whereas an application was received from Tracy Tucker of IBI Group on behalf of SS Fort Erie Inc. (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90, as amended, for the lands municipally known as 613 Helena 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 13th, 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-39-1-2023 considered and approved at the Regular Council meeting held on June 12, 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 613 Helena Street as shown on the attached Schedule "A" from "Environmental Conservation (EC) Overlay Zone" and "Neighbourhood Development (ND) Zone" to "Environmental Conservation (EC) Overlay Zone" and "Residential Multiple 1 (RM1-784) Zone".
- 2. That** By-law No.129-90, as amended, is further amended by adding to "Section 14 – Residential Multiple 1 (RM1) Zone" Subsection – "Exceptions to the Residential Multiple 1 (RM1) Zone" the following exception:

"RM1-784 (105-2023) 613 Helena Street Plan of Subdivision

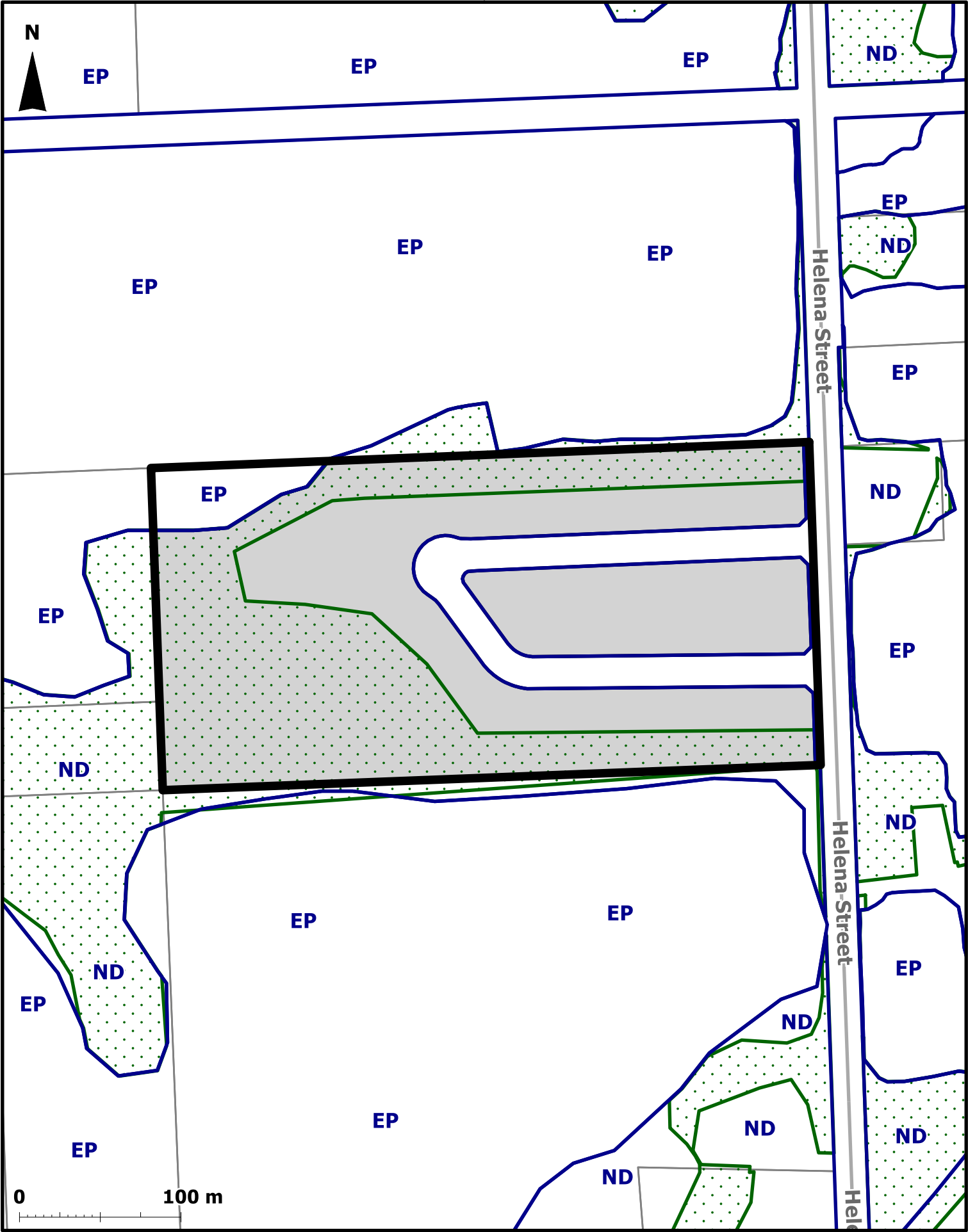
These lands are zoned "Residential Multiple 1 (RM1-784) Zone" and all of the provisions of By-law No. 129-90, as amended, that relate to lands zoned "Residential Multiple 1 (RM1) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 1 (RM1-784) Zone" subject to the following special provisions:

- a) Notwithstanding the list of "Permitted Uses" in Subsection 14.2, the lands may also be used for a stormwater management facility and for open space/park purposes.
- b) Notwithstanding the requirements of Subsection 14.3, street townhouse dwellings shall be subject to the following special provisions:
 - i. Minimum Lot Area - 155.00 sq m for a street townhouse lot
 - ii. Maximum Density - 49.42 units/ha
 - iii. The Planting Strip requirement where it abuts a street is deleted."
- 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 26th day of June, 2023.

Mayor

Deputy Clerk



By-law No. 105-2023
THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90
PASSED THIS 26th DAY OF JUNE, 2023

-  Subject Lands - 613 Helena Street
-  Change from Neighbourhood Development (ND) Zone to Residential Multiple 1 (RM1-784) Zone
-  Environmental Conservation (EC) Overlay Zone