



The Municipal Corporation of the Town of Fort Erie

By-law No. 108-2017

Being a By-law to Amend Zoning By-law No. 129-90 185 Catherine Jennifer Vida, Upper Canada Consultants - Agent 800547 Ontario Ltd. (Ed Lenchyshyn) – Owner

350309-0445

Whereas an application was received from Jennifer Vida, Upper Canada Consultants (Agent) on behalf of 800547 Ontario Ltd. (Ed Lenchyshyn) (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands described as Lot 168, Plan 5, NP 536, and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c.P.13 was held on August 21, 2017, 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-52-2017 considered at the Council-in-Committee meeting of August 21, 2017 and subsequently authorized and approved by Council;

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 2 (R2) Zone" to "Residential 2 (R2-586) Zone".
2. **That** By-law No. 129-90 as amended, is further amended by adding to "Section 11– Residential 2 (R2) Zone" Subsection – "Exceptions to Residential 2 (R2) Zone" the following exception:

"R2-586 (108-2017) 185 Catherine Street

These lands are zoned "Residential 2 (R2-586) Zone", and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned "Residential 2 (R2) Zone" by this by-law shall apply to those lands zoned "Residential 2 (R2-586) Zone" shown as Part 1 on the attached Appendix "1" and shall be subject to the following provisions:

- a) Notwithstanding the list of "Permitted Uses" in Section 11.2, the subject lands may also be used for a duplex dwelling.
- b) Notwithstanding the "Regulations for Dwellings" in Section 11.3, the permitted uses shall be subject to the following provisions:
 - i) Minimum westerly side yard – 0.9 metres

- ii) Notwithstanding the requirements of Section 6.1 (b), an accessory structure may be located 0.3 metres from the easterly side lot line and the eaves may be located 0 metres from the westerly side lot line.”

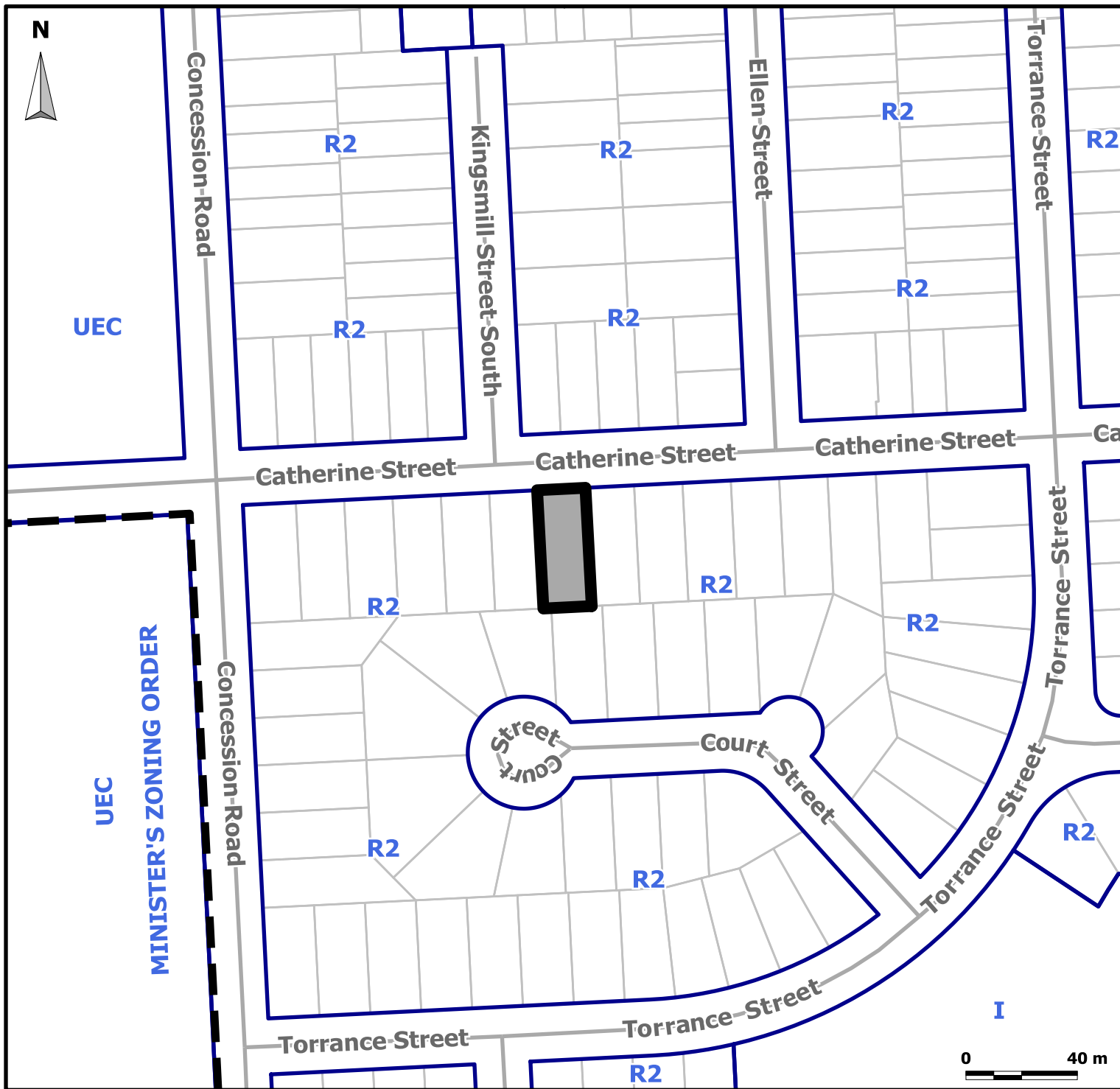
3. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 11th day of September, 2017.

Mayor





Clerk

I, Donna Delvecchio, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 108-2017 of the said Town. Given under my hand and the seal of the said Corporation, this day of _____, 20____



By-law No. 108-2017

THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90
PASSED THIS 11th DAY OF SEPTEMBER, 2017

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|---|--|
|  Subject Lands - 185 Catherine Street |  Zone Boundary |
|  Part 1 - Change from Residential 2 R2
Zone to Residential 2 R2-586 Zone |  Area under Minister's Zoning Order |