



The Municipal Corporation of the Town of Fort Erie

By-law No. 133-2021

**Being a By-law to Amend Zoning By-law No. 129-90,
as amended
3719 Highland Drive
Upper Canada Consultants (Ethan Laman) - Agent
Susan Leslie - Owner**

350309-0521

Whereas an application was received from Ethan Laman of Upper Canada Consultants (Agent) on behalf of Susan Leslie (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90 as amended, for the lands described as 3719 Highland Drive; 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 9, 2021; 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-66-2021 considered and approved at the Council-in-Committee meeting held on October 18, 2021;

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 3719 Highland Drive and shown on the attached Appendix "1" from "Residential 1 (R1) Zone" to "Residential 1 (R1-671) Zone" (Part 1) and "Residential 2 (R2-672) Zone" (Part 2).
2. **That** By-law No. 129-90 as amended, is further amended by adding to "Section 10 – Residential 1 (R1) Zone" Subsection – "Exceptions to the Residential 1 (R1) Zone" the following exceptions:

"R1-671 (133-2021) 3719 Highland Drive (Part 1)

These lands are zoned "Residential 1 (R1-671) Zone" (Part 1), and all of the provisions that relate to lands zoned "Residential 1 (R1) Zone" by this by-law shall apply to those lands zoned "Residential 1 (R1-671) Zone", subject to the following special provisions:

- a) Minimum Rear Yard to Dwelling – 2.00 m
- b) Minimum Rear Yard to Existing Deck – 1.90 m
- c) Minimum Exterior Side Yard to Existing Garage Face – 0.82 m
- d) Minimum Interior Side Yard Setback on East Side of Dwelling - 10.00 m

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

R2-672 (133-2021) 3719 Highland Drive (Part 2)

These lands are zoned “Residential 2 (R2-672) Zone” (Part 2), and all of the provisions that relate to lands zoned “Residential 2 (R2) Zone” by this by-law shall apply to those lands zoned “Residential 2 (R2-672) Zone”, subject to the following special provision:

- a) Minimum Lot Area – 490.30 sq m
- 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”

4. **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 25th day of October, 2021.

Mayor

Clerk

I, Carol Schofield, Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 133-2021 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20

APPENDIX "1"



By-law No. 133-2021

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90
PASSED THIS 25th DAY OF OCTOBER 25, 2021**



Subject Property - 3719 Highland Drive



Part 1 - Change from Residential 1 (R1) Zone to Residential 1 (R1-671) Zone



Part 2 - Change from Residential 1 (R1) Zone to Residential 2 (R2-672) Zone