

The Municipal Corporation of the Town of Fort Erie

By-law No. 92-2023

**Being a By-law to Amend Zoning By-law No. 129-90,
as amended**

**3624 Hazel Street
S.R. Niagara Investments Inc.
(Rita and Salvatore Visca) - Owner**

Whereas an application was received from S.R. Niagara Investments Inc. (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90, as amended, for the lands known municipally as 3624 Hazel 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 April 3rd, 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-40-2023 considered and approved at the Council-in-Committee meeting held on May 8th, 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 3624 Hazel Street and shown as Parts 1 and 2 on the attached Schedule "A" from "Residential 1 (R1) Zone" to "Residential 2A (R2A-781) Zone" (Part 1), and "Residential 1 (R1) Zone" to "Residential 3 (R3-782) Zone" (Part 2).
2. **That** By-law No. 129-90, as amended, is further amended by adding to "Section 12 – Residential 2A (R2A) Zone" Subsection – "Exceptions to the Residential 2A (R2A) Zone" the following exceptions:

"R2A-781 (92-2023) 3624 Hazel Street (Part 1)

These lands are zoned "Residential 2A (R2A-781) Zone", and all of the provisions of By-law No. 129-90, as amended, that relate to lands zoned "Residential 2A (R2A) Zone" by this by-law shall apply to those lands zoned "Residential 2A (R2A-781) Zone" subject to the following special provisions:

- i. Minimum Front Yard Setback (Lot 6) – 21.3 m
- ii. Minimum Setback Between Driveway and East Lot Line (Lot 6) – 4.4 m
- iii. Minimum Rear Yard Setback – 10.0 m"

3. **That** By-law No.129-90, as amended, is further amended by adding to “Section 13 – Residential 3 (R3) Zone” Subsection – “Exceptions to the Residential 3 (R3) Zone” the following exceptions:

“R3-782 (92-2023) 3624 Hazel Street (Part 2)

These lands are zoned “Residential 3 (R3-782) Zone”, and all of the provisions of By-law No. 129-90, as amended, that relate to lands zoned “Residential 3 (R3) Zone” by this by-law shall apply to those lands zoned “Residential 3 (R3-782) Zone” subject to the following special provisions:

- i. Notwithstanding the list of Permitted Uses in Subsection 13.2, the lands may only be used for the construction of a semi-detached dwelling
 - ii. Minimum Unit Frontage – 9.4 m
 - iii. Minimum Interior Side Yard Setback – 1.57 m, except where no private garage or carport is provided, a minimum side yard setback of 3.0 m is required
 - iv. Minimum Rear Yard Setback – 10.0 m”
4. **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.

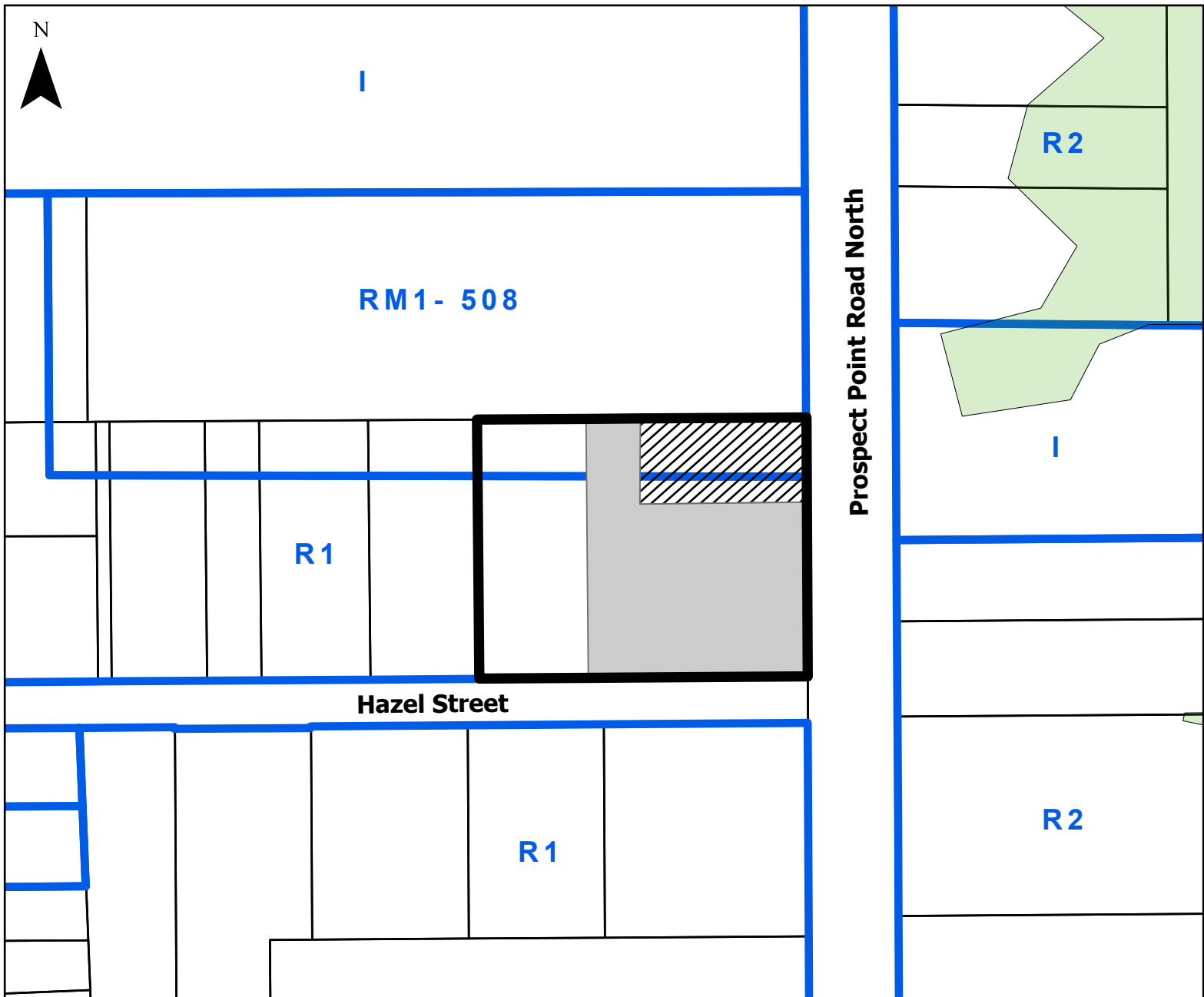
Read a first, second and third time and finally passed this 29th day of May, 2023.

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. 92-2023 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. 92-2023



By-law No. 92-2023

**THIS SKETCH FORMS PART OF SCHEDULE "A" TO BY-LAW NO. 129-90
PASSED THIS 29th DAY OF MAY, 2023**

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Meters



Subject Lands - 3624 Hazel Street



Part 1 - Change from Residential 1 (R1) Zone to Residential 2A (R2A-781) Zone



Part 2 - Change from Residential 1 (R1) Zone to Residential 3 (R3-782) Zone