



**TOWN OF FORT ERIE COMMITTEE OF ADJUSTMENT  
NOTICE OF PUBLIC HEARING AND APPLICATION FOR MINOR  
VARIANCE OR PERMISSION**

**FILE NO. A53/19  
1167 NIAGARA RIVER PARKWAY  
LOT 2, PLAN 490**

**ROLL NO. 2703 020 026 03600 0000  
APPLICANT: FAIRCHILD CONCRETE LTD. (GEORGE FAIRCHILD)  
OWNER: LARRY ETHERINGTON**

**NOTICE** is hereby given that the Committee of Adjustment of the Town of Fort Erie will be holding a Public Hearing to consider an application for minor variance or permission pursuant to the provisions of Section 45 of the Planning Act, R.S.O. 1990, for the areas described in this notice. A key map showing location and a sketch of the minor variance proposal appear on this notice.

The Public Hearing has been scheduled for **THURSDAY DECEMBER 19, 2019 at 6:00 p.m.** in Council Chambers, Fort Erie Town Hall, 1 Municipal Centre Drive, Fort Erie, Ontario.

**PURPOSE AND EFFECT:**

The purpose and effect of this application is to reduce the minimum interior side yard setback to construct a one storey attached garage. The existing garage is to be removed.

**DETAILS OF APPLICATION:**

The Applicant requests a reduction in the minimum interior side yard setback to 1.0 metres whereas the Section 16A.4 of the Comprehensive Zoning By-law requires that the minimum interior side yard setback for lots on the Niagara River Parkway of 4.0 metres.

**SECONDARY PLAN DESIGNATION**

The Bridgeburg Secondary Plan for the Town of Fort Erie designates the subject property as Low Density Residential and Site Specific Policy Area 9 – North Bridgeburg/Frenchman's Creek Area.

**CURRENT ZONING BY-LAW DESIGNATION**

The property is zoned "Waterfront Rural Residential (WRR)" Zone in accordance with Zoning By-law 129-90.

**You are invited to attend this hearing since you are either a property owner in the 60 metre vicinity of the subject property, or an agency deemed to have an interest in the proceedings. Any person/agency may attend this Hearing and/or make written or verbal representation either in support of or in opposition to the proposed application for minor variance. Please be advised that comments received will become part of the application record and available to the public and the applicant.**

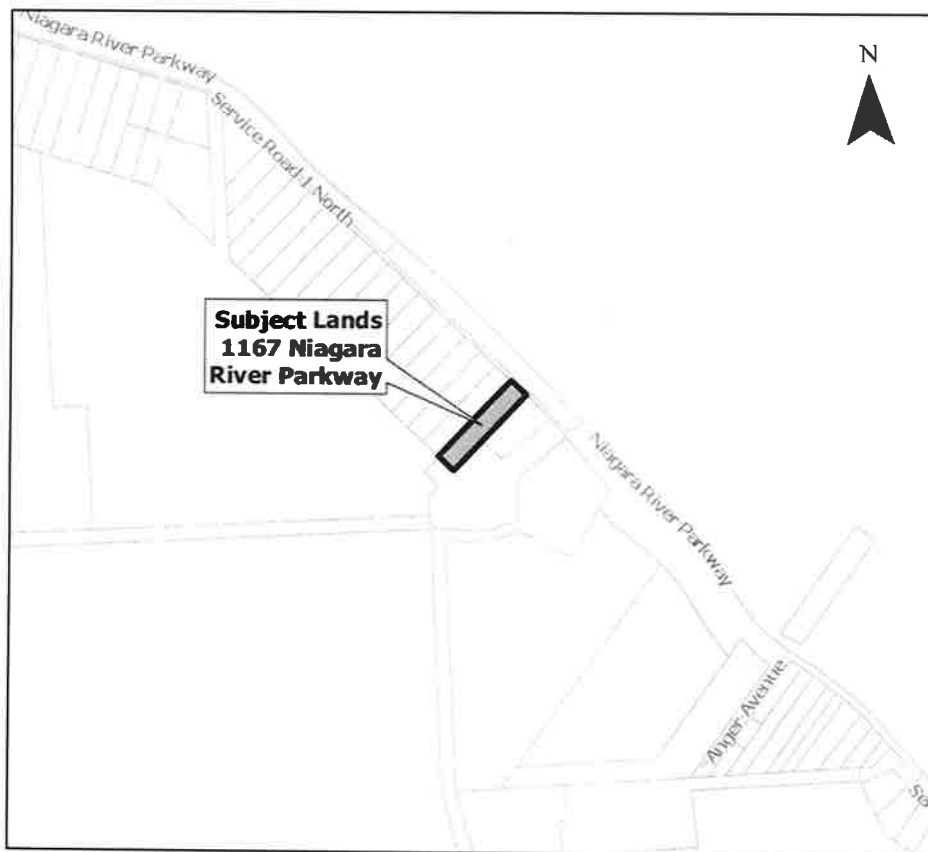
**If you wish to be notified of the decision of the Town of Fort Erie Committee of Adjustment in respect of the proposed application, you must make a WRITTEN submission to the Secretary-Treasurer of the Committee of Adjustment at the address noted below either prior to or at the hearing. This will also entitle you to be advised of a possible Local Planning Appeal Tribunal (LPAT) hearing. Even if you are the successful party, you should request a copy of the Decision since the Town of Fort Erie Committee of Adjustment Decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.**

**Applicants or their agents are required to attend the hearing. If the Applicant or Agent does not attend this hearing, the Committee may proceed in your absence without further notice.**

**ADDITIONAL INFORMATION REGARDING THIS APPLICATION IS AVAILABLE TO THE PUBLIC at the Planning and Development Services Department – Monday to Friday 8:30 AM TO 5:00 P.M.**

**Contact: Cara Raich, Secretary-Treasurer  
Committee of Adjustment,  
Planning and Development Services Department  
1 Municipal Centre Drive, Fort Erie, ON L2A 2S6  
905-871-1600 ext. 2508 or [craich@forterie.ca](mailto:craich@forterie.ca)**

**MAILED – DECEMBER 4, 2019**



ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
2109293

THIS PLAN IS NOT VALID  
UNLESS IT IS AN ENCLOSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
IN ACCORDANCE WITH  
REGULATION 3026, SECTION 29(3.1)



**PARTIAL PLAN OF SURVEY SHOWING TOPOGRAPHICAL INFORMATION  
FOR MINOR VARIANCE APPLICATION  
AND TOWN OF FORT ERIE  
INDIVIDUAL LOT GRADING CERTIFICATE**

LOCATION: LOT 3, PLAN 490 TOWN OF FORT ERIE REGIONAL MUNICIPALITY OF NIAGARA	
OWNER: LARRY E. THORNTON ADDRESS: 1167 NIAGARA PARKWAY	
<b>AS CONSTRUCTED GRADING</b> I HEREBY CERTIFY THAT I HAVE TAKEN THE PROPOSED BUILDINGS SHOWN ( ) INTO RESPECT TO THE GRADING OF THIS LOT. FURTHER, I HEREBY CERTIFY THAT THE LOT GRADING AS CONSTRUCTED SATISFIES THE OBJECTIVES OF THE LOT GRADING AND DRAINAGE POLICY OF THE TOWN OF FORT ERIE, BEAR 102-92-40-00000.	<b>PROPOSED GRADING</b> I HEREBY CERTIFY THAT THE PROPOSED BUILDINGS WILL BE COMPATIBLE WITH THE PROPOSED GRADING AND DRAINAGE POLICY OF THE TOWN OF FORT ERIE. FURTHER, I HEREBY CERTIFY THAT THE EXISTING DRAINAGE ON THIS PROPERTY HAS BEEN ACCOMMODATED AND THAT ALL DRAINAGE SHALL BE DIRECTED TO AN ACCEPTABLE DRAINAGE POINT.
DATE LEVEL TAKEN: _____ NAME: _____ SIGNATURE: _____ DATE: _____ ACCEPTED BY TOWN: _____ DATE: _____	DATE LEVEL TAKEN: SEPTEMBER 12, 2019 NAME: HAROLD D. HYDE OLS SIGNATURE: <i>Harold Hyde</i> DATE: REVISED: NOVEMBER 1, 2019 ACCEPTED BY TOWN: _____ DATE: _____

PIN 64233-0055(LT)

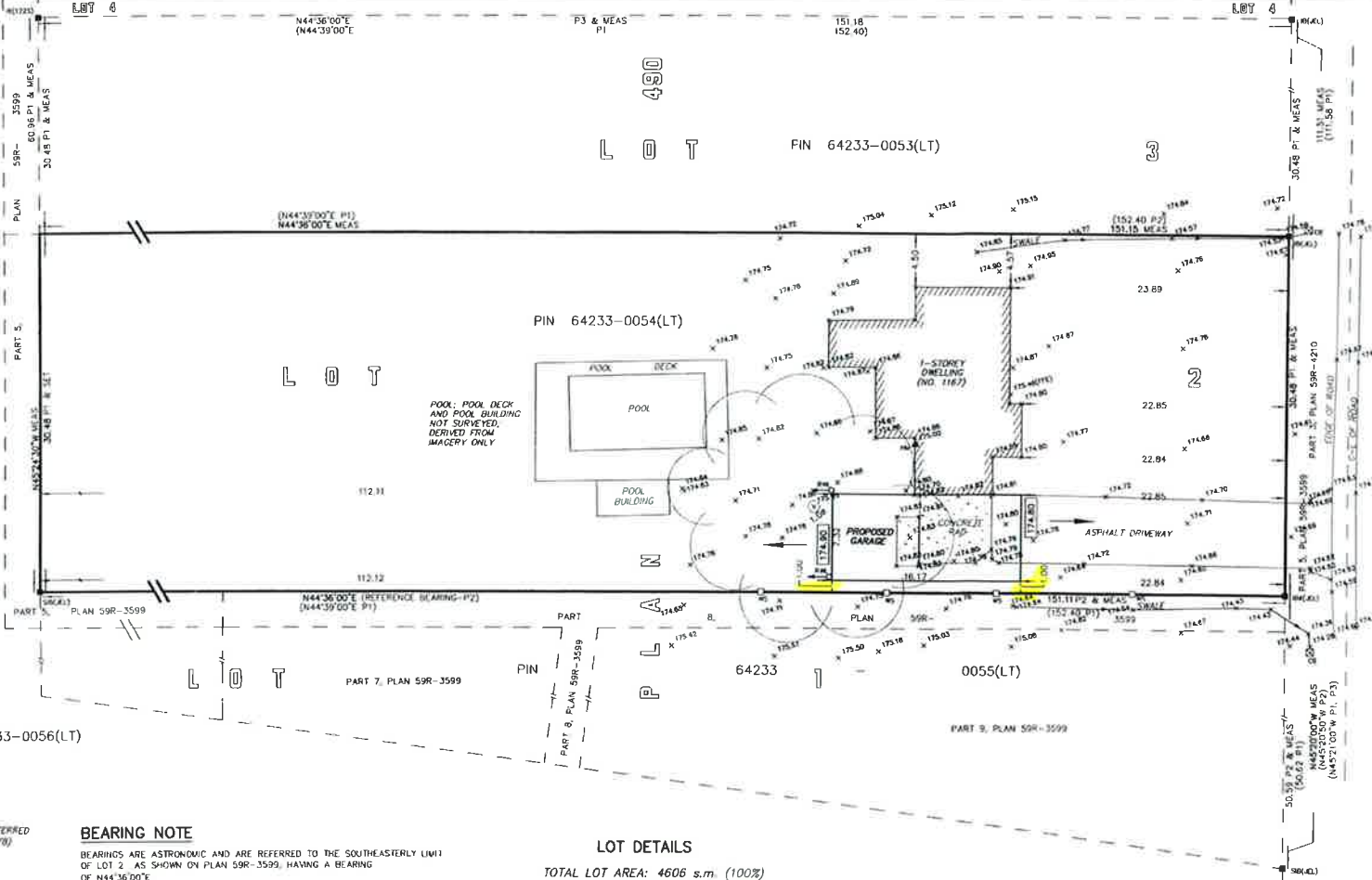
PIN 64233-0056(LT)

PIN 64233-0054(LT)

64233

0055(LT)

NIAGARA RIVER PARKWAY  
PIN 64233-0004(LT)



- LEGEND** SCALE 1 : 250
- DENOTES SURVEY MONUMENT PLANTED
  - DENOTES SURVEY MONUMENT FOUND
  - S9R DENOTES STANDARD IRON BAR (25mmx220mmx120cm)
  - S9B DENOTES SHORT STANDARD IRON BAR (25mmx250mmx60cm)
  - IB DENOTES IRON BAR (15mmx150mmx60cm)
  - IBR DENOTES ROUNDED IRON BAR (20mm DIA x 60cm)
  - IP DENOTES IRON PIPE
  - CM DENOTES CONCRETE MONUMENT
  - CC DENOTES CUT CROSS
  - WS DENOTES WOOD STAKE
  - WT DENOTES WITNESS
  - OU DENOTES ORIGIN UNKNOWN
  - FW DENOTES PROPERTY IDENTIFIER NUMBER
  - (225) DENOTES D. B. SEARLES, OLS
  - (JEL) DENOTES J. E. LANTHIER, OLS
  - P1 DENOTES PLAN S9R-480
  - P2 DENOTES PLAN S9R-3599
  - P3 DENOTES PLAN OF SURVEY BY RASCH & HYDE LTD., DATED JULY 24, 2019 (FILE: 17F066-2)
  - TBM DENOTES TEMPORARY BENCHMARK
  - C-L DENOTES CENTERLINE
  - HP DENOTES HYDRO UTILITY POLE
  - OUH DENOTES OVERHEAD UTILITY/HYDRO LINE
  - FTE DENOTES FINISHED FLOOR ELEVATION
  - M DENOTES METER
  - φ DENOTES DIAMETER
  - CB DENOTES CATCH BASIN
  - +100.00 DENOTES EXISTING GROUND ELEVATION
  - 100.00 DENOTES PROPOSED FINISHED GRADE
  - DENOTES PROPOSED SURFACE RUN-OFF
  - RM/O DENOTES RAIN WATER LEADER

**SITE BENCHMARK (TBM)**  
SPIKE IN TREE  
ELEV : 174.88m

**SURVEYOR'S CERTIFICATE**

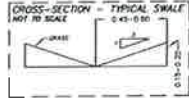
I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THIS SURVEY WAS COMPLETED ON THE 12TH DAY OF SEPTEMBER 2019.  
 REVISED: NOVEMBER 1, 2019  
 DATE: *Harold Hyde*  
 HAROLD D. HYDE  
 ONTARIO LAND SURVEYOR

**RASCH + HYDE LTD.**  
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #1 East, Unit B  
SCHEWILL, ONT. N0A 2N1  
905-774-7188  
(FAX 905-774-4000)

P.O. Box 350, 74 Albert Street  
FORT ERIE, ONT. L2A 5Y1  
905-871-8757  
(FAX 905-871-8748)

HAROLD D. HYDE OLS  
SCALE 1 : 250 FILE NAME 19F055 DRAWN BY: J. H.



**ELEVATION NOTE**  
ELEVATIONS ARE GEODETIC, DERIVED BY TRIGONOMETRIC OBSERVATIONS, REFERRED TO GEODETIC SURVEY OF CANADA BENCHMARK 001192202576 (AKA 22142576) HAVING AN ELEVATION OF 175.705m (CGVD-1928:1978)

LOCATION: FORT ERIE INTERNATIONAL BOUNDARY COMMISSION CONCRETE REFERENCE MONUMENT NO. 31, 2.9 KM NORTHWEST OF CNR STATION, 7.3 M NORTHWEST OF NORTHEAST EDGE OF NIAGARA BOULEVARD PAVEMENT, 60 M SOUTHWEST OF A LARGE SIGNBOARD ADVERTISING FORD HOTEL, BUFFALO, BOLT FACING ROADWAY.

ALL FUTURE GRADE WORK ON SITE TO BE BASED ON SITE BENCHMARK. ANY ELEVATION DISCREPANCIES TO BE REPORTED TO RASCH & HYDE LTD.

**BEARING NOTE**  
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHEASTERLY LIMIT OF LOT 2 AS SHOWN ON PLAN S9R-3599, HAVING A BEARING OF N44°36'00"E

**METRIC NOTE**  
DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**LOT DETAILS**

TOTAL LOT AREA: 4606 s.m. (100%)  
 EXISTING HOUSE: 192.7 s.m. (4.2%)  
 PROPOSED GARAGE: 118.5 s.m. (2.6%)  
 POOL DECK AND BUILDING: 190 s.m. (4.2%) (APPROXIMATE)  
 TOTAL LOT COVERAGE: 501 s.m. (11%)