

# The Municipal Corporation of the Town of Fort Erie

## By-law No. 91-2023

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### Being a By-law to Amend Zoning By-law No. 129-90, as amended Crescent Acres Subdivision (0-10747 Kraft Road) Crescent Acres Ltd. (Mark Basciano) - Owner

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**Whereas** an application was received from Matt Kernahan of Upper Canada Consultants on behalf of Crescent Acres Ltd. (Owner) to amend the Town's Comprehensive Zoning By-law No. 129-90, as amended, for the lands known municipally as 0-10747 Kraft Road; 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 27, 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-38-2023 considered and approved at the Council-in-Committee meeting held on May 8, 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 0-10747 Kraft Road and shown as Parts 1 and 2 on the attached Schedule "A" from "Open Space (OS) Zone", "Residential 2 (R2) Zone", "Residential Multiple 1 (RM1) Zone" and Environmental Conservation (EC) Overlay Zone" to "Residential Multiple 1 (RM1-779) Zone" (Part 1) and from "Residential Multiple 1 (RM1) Zone" and Environmental Conservation (EC) Overlay Zone" to "Environmental Protection (EP) Zone" (Part 2).
- 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:

**"RM1-779 (91-2023) 0-10747 Kraft Road, Crescent Acres (Part 1)**

These lands are zoned "Residential Multiple 1 (RM1-779) Zone", and all of the provisions that relate to lands zoned "Residential Multiple 1 (RM1) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 1 (RM1-779) Zone" subject to the following special provision:

- a) Notwithstanding the list of "Permitted Uses" in Subsection 14.2, the lands may also be used for a stormwater management facility.

- b) Notwithstanding the requirements of Subsection 14.3, street townhouse dwellings shall be subject to the following special provisions:
  - i. Minimum Lot Area - 180.00 sq m for an interior lot and 215.00 sq m for a corner lot.
  - ii. Minimum Interior Side Yard - 1.20 m.
  - iii. The Maximum Lot Coverage requirement is deleted.
  - iv. The Planting Strip requirement where it abuts a street is deleted.
  
- c) Notwithstanding the requirements of Subsection 12.3, single detached dwellings shall be subject to the following special provisions:
  - i. The Maximum Lot Coverage requirement is deleted.
  
- d) Notwithstanding the requirements of Subsection 13.4, semi-detached dwellings shall be subject to the following special provisions:
  - i. Minimum Lot Frontage - 8.00 m for an interior lot.
  - ii. Minimum Interior Side Yard - 1.20 m.”

**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 29th day of May, 2023.**

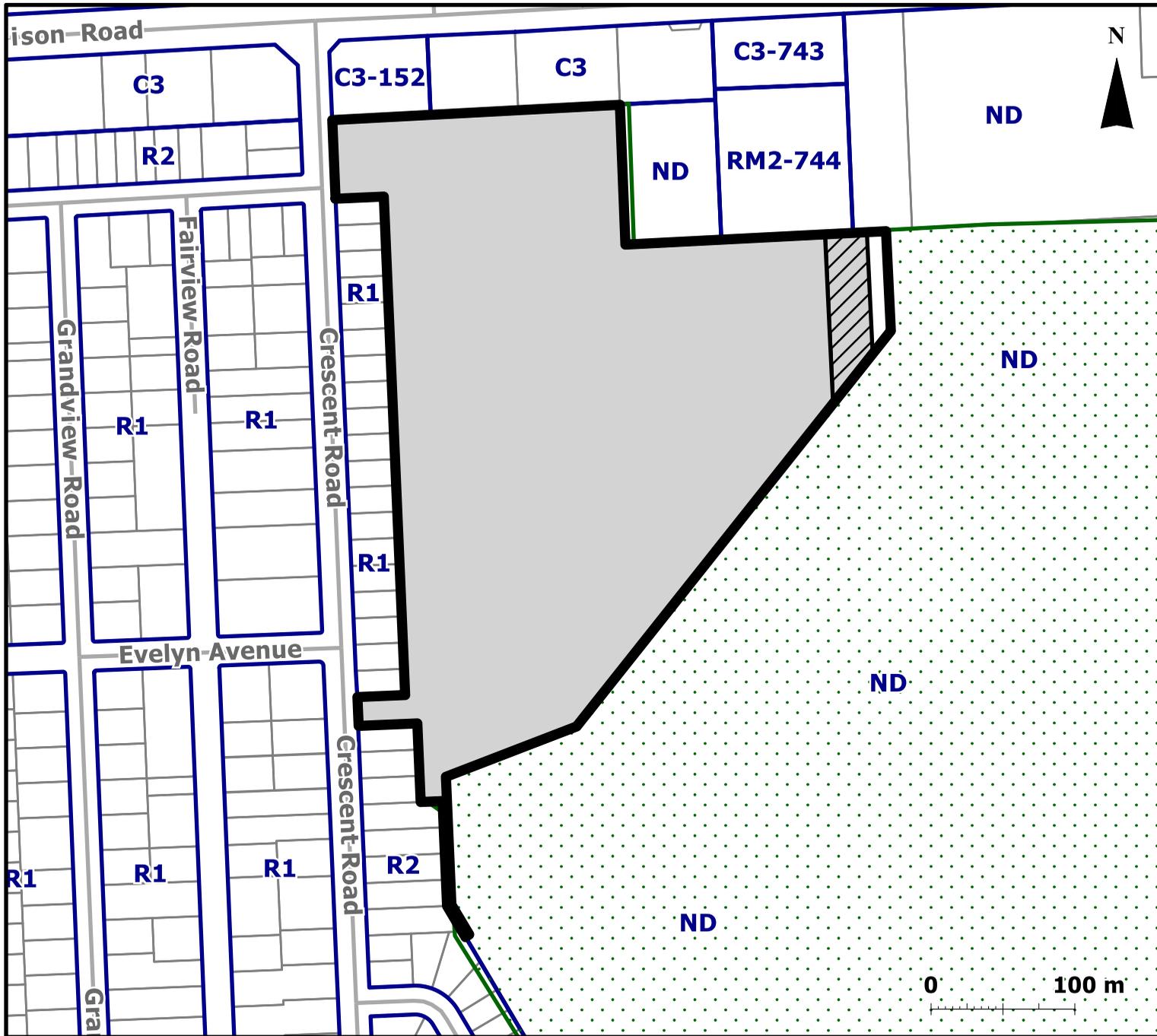
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
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. 91-2023 of the said Town. Given under my hand and the seal of the said Corporation, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

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SCHEDULE "A"



By-law No. 91-2023

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

-  Subject Lands - Crescent Acres Subdivision (0-10747 Kraft Road)
-  Part 1 - Change from Open Space (OS) Zone, Residential 2 (R2) Zone, Residential Multiple 1 (RM1) Zone and Environmental Conservation (EC) Overlay Zone to Residential Multiple 1 (RM1-779) Zone
-  Part 2 - Change from Residential Multiple 1 (RM1) Zone and Environmental Conservation (EC) Overlay Zone to Environmental Protection (EP) Zone