



**The Municipal Corporation of the Town of Fort Erie  
Committee of Adjustment  
Agenda**

**Thursday, December 19, 2024, 5:00 p.m.  
Council Chambers**

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	<b>Pages</b>
<b>1. Call to Order</b>	
<b>2. Roll Call</b>	
Terry Moore - Chair	
Geena Gambin - Member	
Marie Alexander - Member	
Michael Reles - Member	
Pamela Bunnin - Member	
Jayne Nahachewsky - Secretary Treasurer	
Devon Morton - Supervisor, Development Approvals	
<b>3. Declarations of Pecuniary Interest</b>	
<b>4. Adoption of the Agenda</b>	
<b>5. Request for Withdrawal or Adjournment</b>	
<b>6. Public Hearings</b>	
6.1 Minor Variance File A16/24	4 - 6
Address: 11 Lewis Street, Fort Erie	
Applicant/Owner: 2414920 Ontario Limited	
Agent: Hayat Latif	
6.2 Minor Variance File A50/24	7 - 9
Address: 2491 Windmill Point East Lane	

Committee of Adjustment Meeting - DATE

- Applicant/Owner: Fouad Abdel Malik
- 6.3 Minor Variance File A79/24 10 - 12  
Address: 1716 Rebecca Street  
Applicant/Owner: Brad Brewster
- 6.4 Consent File B50/24  
Address: 3613 and 3607 East Main Street, Fort Erie  
Applicant/Owner: Eric Duerksen  
Agent: Jeremy Brown
- 6.5 Minor Variance File A75/24 13 - 15  
Address: 2034 Jewson, Fort Erie  
Applicant: Jacob Broughton  
Owners: Jacob Broughton and Morgan Tartaglia
- 6.6 Consent File B48/24 16 - 18  
Address: 4924 Sherkston Road, Fort Erie  
Applicant: John and Barbara Day  
Agent: Carol Moroziuk
- 6.7 Minor Variance File A80/24 19 - 21  
Address: 2826 Nigh Road, Fort Erie  
Applicant: Tony Aiello  
Owners: Steve and Sarah James
- 6.8 Consent File B49/24 22 - 24  
Address: 131 and 135 Gilmore Road, Fort Erie  
Applicant: Kyle Mallysh and Kyle Mallysh Personal Real Estate Corporation

**Consent File B49/24 is an application for a perpetual easement required to satisfy a condition of a Zoning By-law Amendment application. If the application is uncontested, the Decision will be made by the Director of Planning in accordance with Delegation By-Law No. 10-2016 and will not be heard by the Committee of Adjustment on December 19, 2024.**

**7. Adoption of Minutes**

November 21, 2024

**8. New Business**

Nil

**9. Next Meeting Date**

January 16, 2025

**10. Adjournment**



# Town of Fort Erie Committee of Adjustment Notice of Public Hearing and Applications for Consent & Minor Variance

## Minor Variance File A16/24 11 Lewis Street, Fort Erie

Legal Description: Lot 4 Plan 887 NP 364

Roll No.: 2703 010 046 123800 0000

Applicant/Owner: 2414920 Ontario Limited

Agent: Hayat Latif

**Notice** is hereby given that the Committee of Adjustment of the Town of Fort Erie will be holding a Public Hearing to consider the matter of a minor variance application, pursuant to the provisions of Sections 45, 50, and 53 of the *Planning Act*, R.S.O. 1990, for the lands described in this Notice. A key plan showing the location of the subject lands and a sketch of the proposal are included in this Notice.

**Date:** The Public Hearing has been scheduled for **Thursday, December 19, 2024 at 5:00 pm**

**Location:** Fort Erie Town Hall Council Chambers, 1 Municipal Centre Drive, Fort Erie, ON

**Purpose and Effect:** The purpose and effect of this application is to reduce the Minimum Side Yard, Parking Stall Length and Planting Strip Width and to vary the location of the Parking Area to facilitate construction of a 6 story apartment building.

### Details of Minor Variance Application:

The Applicant is requesting the following variances to Sections 15.3, 6.20 and 6.21 of the Town of Fort Erie Comprehensive Zoning By-law No. 129-1990, as amended:

1. To permit a reduced Minimum Side Yard of 3.6 metres whereas 5.0 metres is required.
2. To permit a reduced Parking Stall Length of 5.3 metres whereas 6.0 metres is required.
3. To permit the Parking Area, other than the driveway, to be located 1.0 metre from the street line or lot line whereas 3.0 metres is required.
4. To permit a reduced Planting Strip Width of 1.0 metre whereas 3.0 metres is required.

### Current Zoning:

The subject lands are zoned RM2-422 Zone, in accordance with the Town of Fort Erie Comprehensive Zoning By-law No. 129-1990, as amended.

### Current Official Plan Designation:

The subject lands are designated Medium to High Density Residential and OPA#5 – Bridgeburg Secondary Plan.

### Key Map:



## How to Participate:

You are invited to attend the Hearing or provide comments relative to the applications as you are either a property owner located within the 60 metres radius of the subject lands, 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 applications. Please be advised that all written and oral comments received will become part of the applications' record and will be available to the public and Applicant.

If you wish to make a written submission, you may do so by providing your reasons for support or opposition prior to 12:30 PM on **Wednesday, December 18, 2024** via email, mail or drop off in the Town drop off box located at Town Hall to the attention of Jayne Nahachewsky ([JNahachewsky@forterie.ca](mailto:JNahachewsky@forterie.ca)) who will provide them to the Committee of Adjustment.

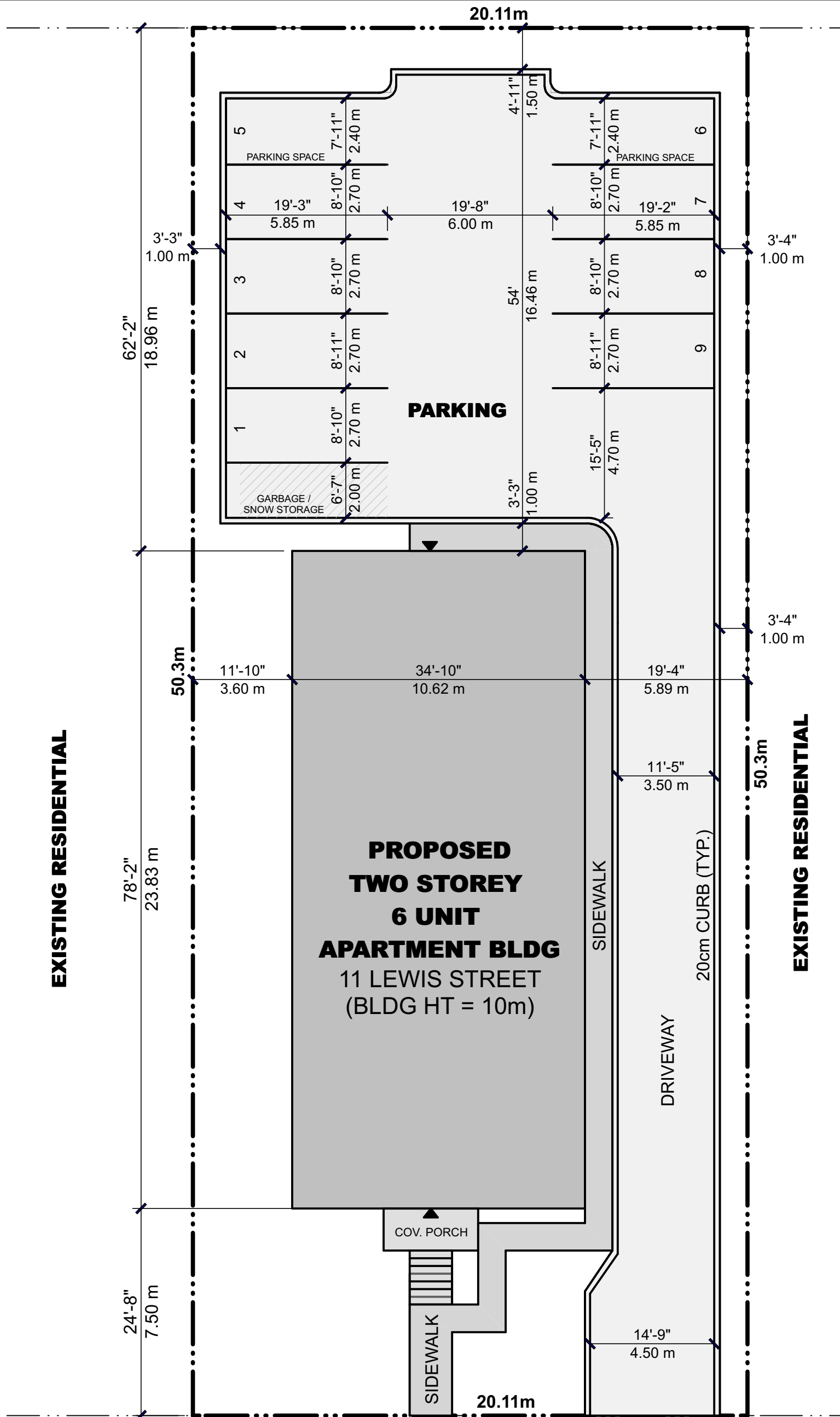
If you wish to be notified of the Committee of Adjustment's decision with respect to the proposed applications, you must make a **Written** submission to the Secretary-Treasurer of the Committee of Adjustment at the address noted below either **prior to, or at the Hearing**.

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 their absence without further notice.

Further information on the Consent and Minor Variance processes is available at:  
<https://www.forterie.ca/pages/CommitteeofAdjustmentHome>

**For Additional Information Regarding This Application Contact:  
Jayne Nahachewsky, Secretary Treasurer of Committee of Adjustment  
Planning and Development Services Department  
1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6  
905-871-1600 ext. 2534 or [JNahachewsky@forterie.ca](mailto:JNahachewsky@forterie.ca)**

**Posted on Town's Website – November 27, 2024. Not mailed due to ongoing Canada Post strike.**



**EXISTING RESIDENTIAL**

**EXISTING RESIDENTIAL**

**PROPOSED  
TWO STOREY  
6 UNIT  
APARTMENT BLDG**  
11 LEWIS STREET  
(BLDG HT = 10m)

**LEWIS  
STREET**

**SITE STATS - RM2 ZONE  
11 LEWIS STREET, FORT ERIE**

<b>LOT COVERAGE:</b>		
TOTAL LOT AREA	- 1,011.37 sm	100%
<b>TOTAL LOT COVERAGE</b>	<b>- 261.27 sm</b>	<b>25.83%</b>
[LIVING AREA	- 253.04 sm	25.02%
[FRONT COV PORCH	- 5.23 sm	0.52%
[FRONT PORCH STEPS	- 3.01 sm	0.30%
DRIVEWAY/PARKING	- 418.83 sm	41.41%
LANDSCAPE AREA	- 331.32 sm	32.76%

**SITE PLAN  
SCALE: 1:150**



DATE:  
2024-08-23

PAGE:  
1 OF 2  
Page 6 of 24



# Town of Fort Erie Committee of Adjustment Notice of Public Hearing And Applications for Consent & Minor Variance

## Minor Variance File A50/24 2491 Windmill Point East Lane, Fort Erie

Legal Description: Lot 11 PL 67 NP407

Roll No.: 2703 020 010 03200 0000

Applicant/Owner: Fouad Abdel Malik

**Notice** is hereby given that the Committee of Adjustment of the Town of Fort Erie will be holding a Public Hearing to consider the matter of a minor variance application, pursuant to the provisions of Sections 45, 50, and 53 of the *Planning Act*, R.S.O. 1990, for the lands described in this Notice. A key plan showing the location of the subject lands and a sketch of the proposal are included in this Notice.

**Date:** The Public Hearing has been scheduled for **Thursday, December 19, 2024 at 5:00 pm**

**Location:** Fort Erie Town Hall Council Chambers, 1 Municipal Centre Drive, Fort Erie, ON

**Purpose and Effect:** The purpose and effect of this application is to increase the Maximum Building Height to facilitate construction of a detached garage.

### Details of Minor Variance Application:

The Applicant is requesting the following variances to Sections 6 and 16 and of the Town of Fort Erie Comprehensive Zoning By-law No. 129-1990, as amended:

1. To permit an increase to Maximum Lot Coverage of 11% whereas 10% is required.
2. To permit a decrease to the 1 in 100-year flood elevation setback of 22 meters whereas 30 metres is required.

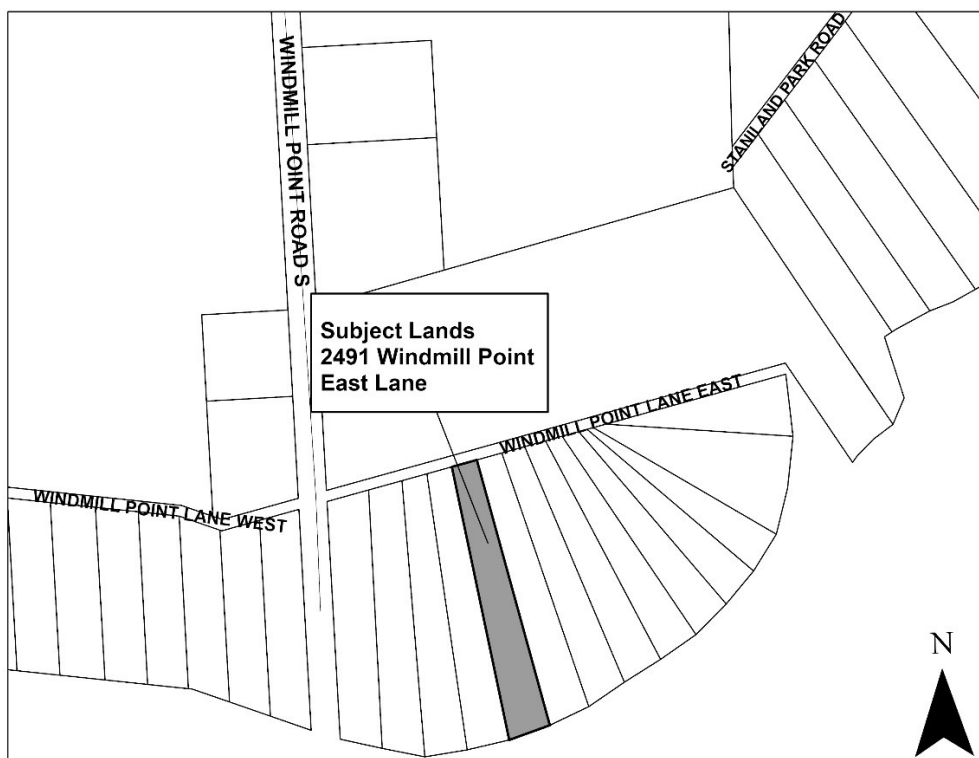
### Current Zoning:

The subject lands are zoned WRR Zone, in accordance with the Town of Fort Erie Comprehensive Zoning By-law No. 129-1990, as amended.

### Current Official Plan Designation:

The subject lands are designated "Rural Residential" in the Town of Fort Erie Official Plan.

### Key Map:



## How to Participate:

You are invited to attend the Hearing or provide comments relative to the applications as you are either a property owner located within the 60 metres radius of the subject lands, 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 applications. Please be advised that all written and oral comments received will become part of the applications' record and will be available to the public and Applicant.

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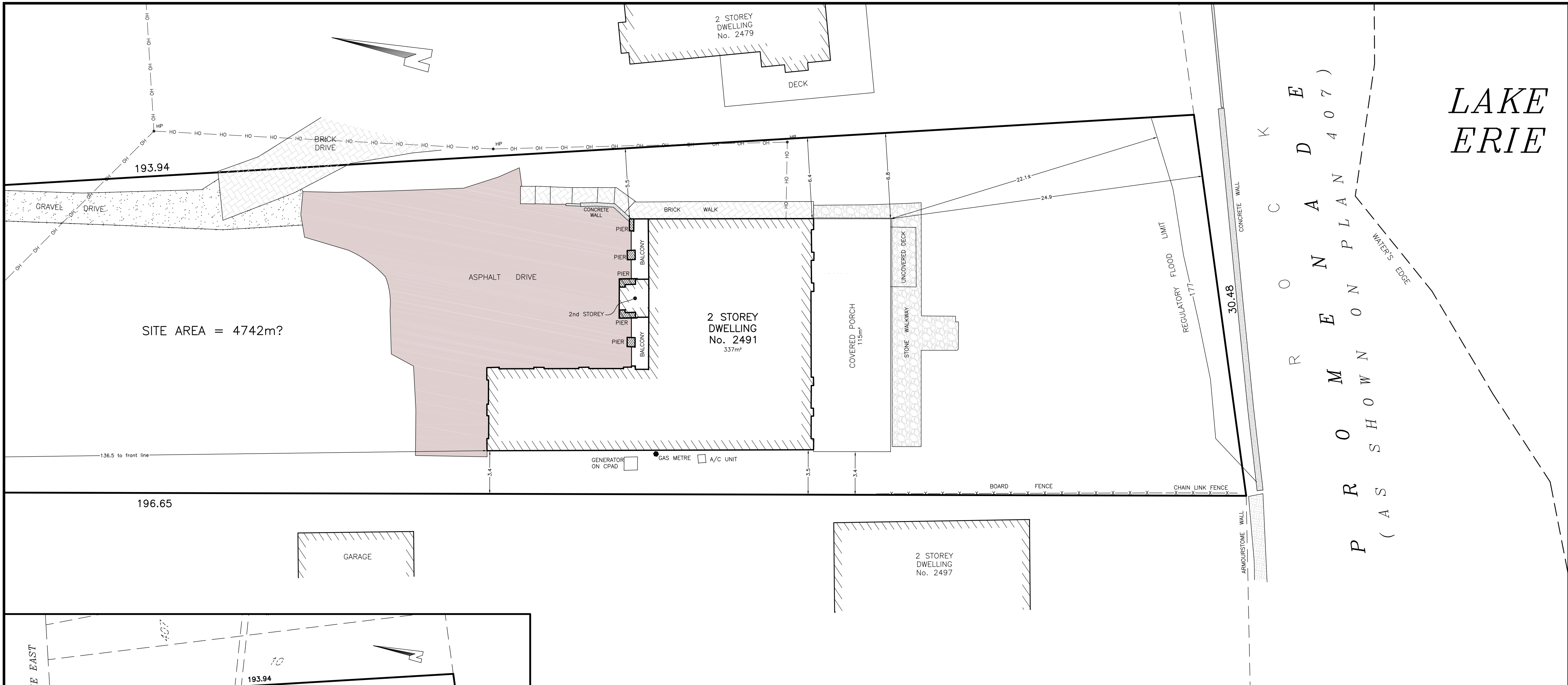
Applicants or their Agents are required to attend the Hearing. If the Applicant or Agent does not attend this Hearing, the Committee may proceed in their absence without further notice.

Further information on the Consent and Minor Variance processes is available at:  
<https://www.forterie.ca/pages/CommitteeofAdjustmentHome>

**For Additional Information Regarding This Application Contact:  
Jayne Nahachewsky, Secretary Treasurer of Committee of Adjustment  
Planning and Development Services Department  
1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6  
905-871-1600 ext. 2534 or [JNahachewsky@forterie.ca](mailto:JNahachewsky@forterie.ca)**

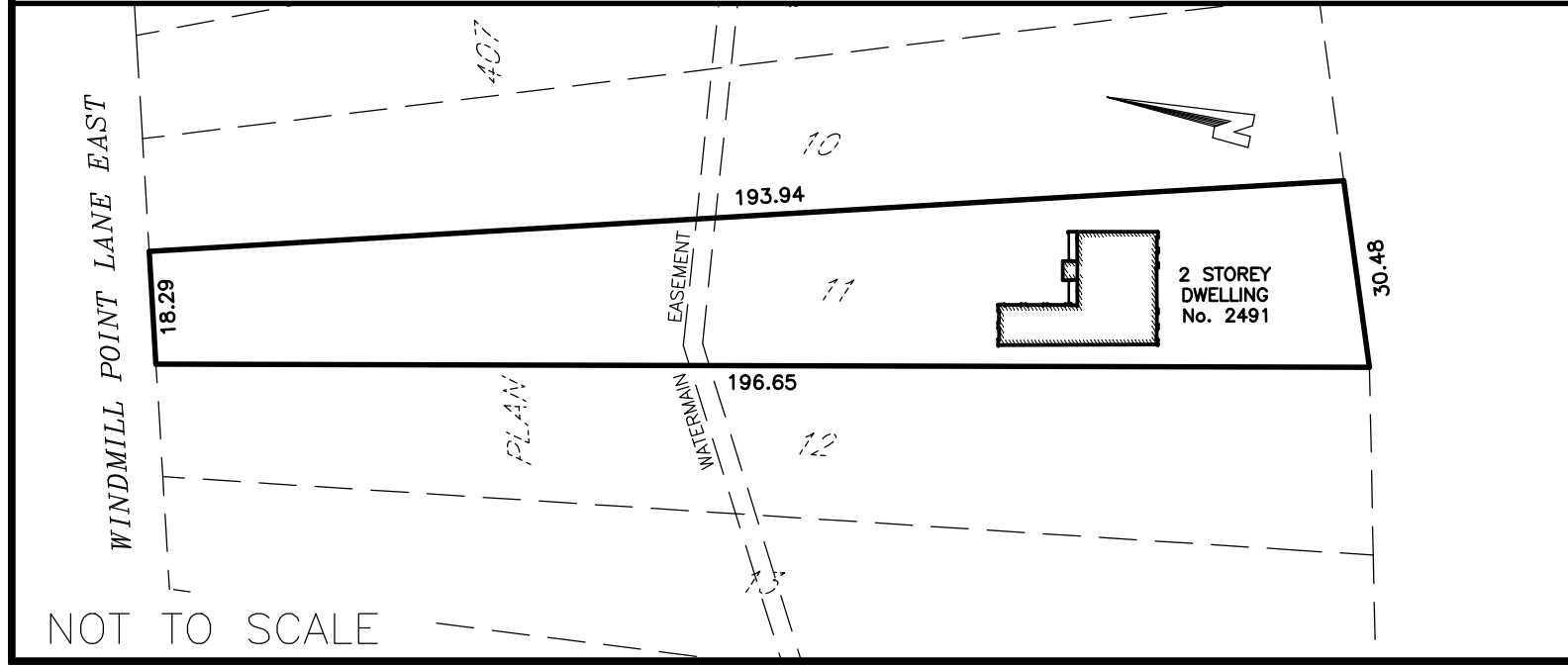
**Posted on Town's Website – November 27, 2024. Not mailed due to ongoing Canada Post strike.**





LAKE  
ERIE

R O M E O N P L A N 4 0 7  
 P R O M E O N P L A N 4 0 7  
 ( P A S S H O W N O N P L A N 4 0 7 )



NOT TO SCALE

**SKETCH**  
 PREPARED FOR MINOR VARIANCE APPLICATION  
 LOT 11  
 REGISTERED PLAN 407  
 IN THE  
**TOWN OF FORT ERIE**  
 REGIONAL MUNICIPALITY OF NIAGARA  
 SCALE 1 = 200

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 NOTE: THIS SKETCH IS PREPARED FROM COMPILED AND CALCULATED INFORMATION, NOT FROM AN ACTUAL SURVEY.  
 ALL MEASUREMENTS ARE +/- MEASUREMENTS.  
 DO NOT SCALE FROM THIS DRAWING.  
 CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.  
 "THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH SEAL"

*Don Chambers*  
 DONALD G. CHAMBERS, B. Sc., O.L.S.

**CHAMBERS AND ASSOCIATES  
 SURVEYING LTD**

12 THOROLD ROAD EAST (905) 735-7841 / 735-7844  
 WELLAND ONTARIO FAX (905) 735-7333  
 L3C 3T2 www.casl-surveying.com

DATE **AUG. 29, 2024** FILE No **98-54-12(98054-12\_MV.DWG)**



# Town of Fort Erie Committee of Adjustment Notice of Public Hearing and Applications for Consent & Minor Variance

## Minor Variance File A79/24

### 1716 Rebecca Street, Fort Erie

Legal Description: Lot 104, Lot 105, Lot 106, Part Lot 107 Plan 456 and  
Part of Lot 8 Concession 2 Lake Erie designated as

Part 3 on 59R16419; Fort Erie

Roll No.: 2703 020 010 80400 0000

Applicant/Owner: Brad Brewster

**Notice** is hereby given that the Committee of Adjustment of the Town of Fort Erie will be holding a Public Hearing to consider the matter of a minor variance application, pursuant to the provisions of Sections 45, 50, and 53 of the *Planning Act*, R.S.O. 1990, for the lands described in this Notice. A key plan showing the location of the subject lands and a sketch of the proposal are included in this Notice.

**Date:** The Public Hearing has been scheduled for **Thursday, December 19, 2024 at 5:00 pm**

**Location:** Fort Erie Town Hall Council Chambers, 1 Municipal Centre Drive, Fort Erie, ON

**Purpose and Effect:** The purpose and effect of this application is to increase the height of a building or structure accessory to a residential use to facilitate a new pool shed.

### Details of Minor Variance Applications:

The Applicant is requesting the following variance to Section 6 of the Town of Fort Erie Comprehensive Zoning By-law No. 129-1990, as amended:

1. To permit a Residential Accessory Structure (Pool Shed) with a Maximum Height of 8.5 metres whereas 4.5 metres is required.

### Current Zoning:

The subject lands are zoned Rural Residential (RR) Zone, in accordance with the Town of Fort Erie Comprehensive Zoning By-law No. 129-1990, as amended.

### Current Official Plan Designation:

The subject lands are designated Rural Residential.

### Key Map:



## How to Participate:

You are invited to attend the Hearing or provide comments relative to the applications as you are either a property owner located within the 60 metres radius of the subject lands, 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 applications. Please be advised that all written and oral comments received will become part of the applications' record and will be available to the public and Applicant.

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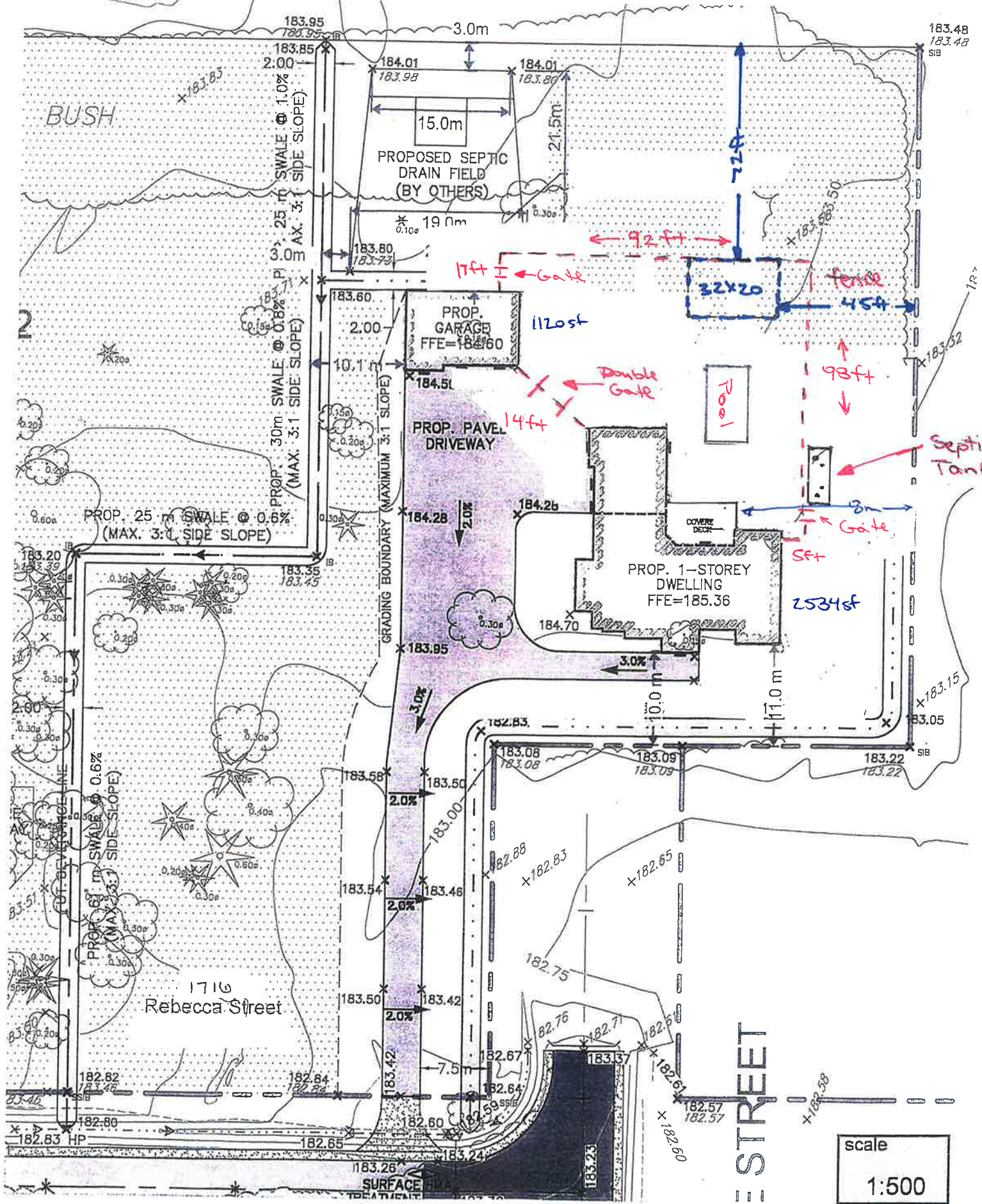
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Further information on the Consent and Minor Variance processes is available at:  
<https://www.forterie.ca/pages/CommitteeofAdjustmentHome>

**For Additional Information Regarding This Application Contact:**  
**Jayne Nahachewsky, Secretary Treasurer of Committee of Adjustment**  
**Planning and Development Services Department**  
**1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6**  
**905-871-1600 ext. 2534 or [JNahachewsky@forterie.ca](mailto:JNahachewsky@forterie.ca)**

**Posted on Town's Website – November 27, 2024. Not mailed due to ongoing Canada Post strike.**



scale  
1:500



# Town of Fort Erie Committee of Adjustment Notice of Public Hearing And Applications for Consent & Minor Variance

## Minor Variance File A75/24

### 2034 Jewson Road, Fort Erie

Legal Description: Lot 130 PL 74 NP414

Roll No.: 2703 020 012 11200 0000

Applicant: Jacob Broughton

Owner: Jacob Broughton and Morgan Tartaglia

**Notice** is hereby given that the Committee of Adjustment of the Town of Fort Erie will be holding a Public Hearing to consider the matter of a minor variance application, pursuant to the provisions of Sections 45, 50, and 53 of the *Planning Act*, R.S.O. 1990, for the lands described in this Notice. A key plan showing the location of the subject lands and a sketch of the proposal are included in this Notice.

**Date:** The Public Hearing has been scheduled for **Thursday, December 19, 2024 @ 5pm**

**Location:** Fort Erie Town Hall Council Chambers, 1 Municipal Centre Drive, Fort Erie, ON

**Purpose and Effect:** The purpose and effect of this application is to increase the Maximum Building Height to facilitate construction of a detached garage.

### Details of Minor Variance Applications:

The Applicant is requesting the following variances to the Town of Fort Erie Comprehensive Zoning By-law No. 129-1990, as amended:

1. To permit a Maximum (Accessory Structure) Building Height of 7.5 metres whereas 4.5 metres is permitted.
2. To permit a 2-story Maximum (Accessory Structure) Building Height whereas 1 story is permitted.
3. To permit a front yard setback of 6.5 metres whereas 7.5 metres is permitted.

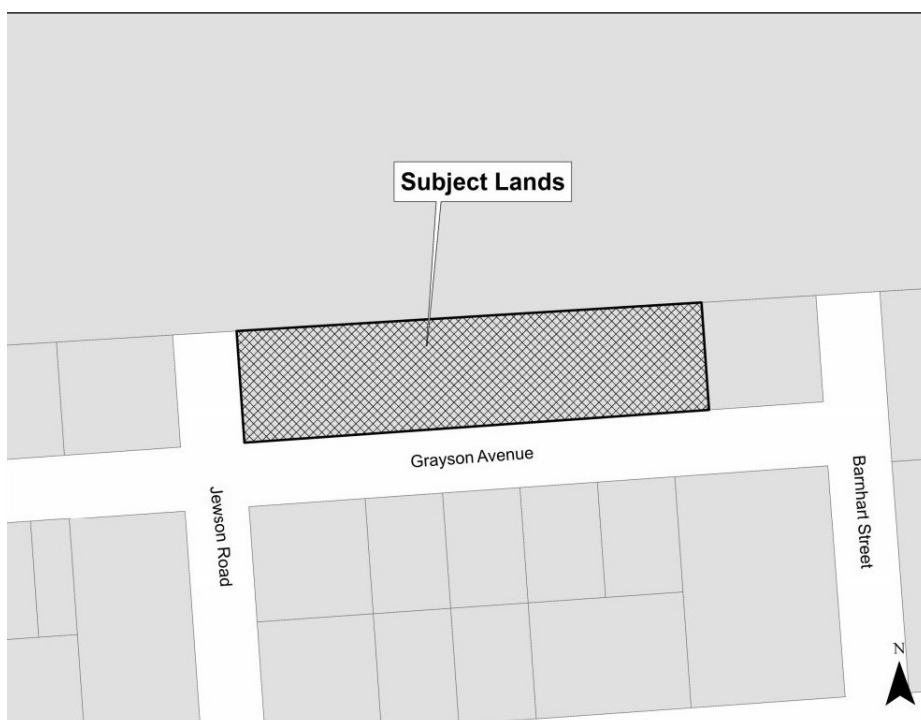
### Current Zoning:

The subject lands are zoned RR Zone, in accordance with the Town of Fort Erie Comprehensive Zoning By-law No. 129-1990, as amended.

### Current Official Plan Designation:

The subject lands are designated "Rural Residential" in the Town of Fort Erie Official Plan.

### Key Map:



## How to Participate:

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Further information on the Consent and Minor Variance processes is available at:  
<https://www.forterie.ca/pages/CommitteeofAdjustmentHome>

**For Additional Information Regarding This Application Contact:**  
**Jayne Nahachewsky, Secretary Treasurer of Committee of Adjustment**  
**Planning and Development Services Department**  
**1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6**  
**905-871-1600 ext. 2534 or [JNahachewsky@forterie.ca](mailto:JNahachewsky@forterie.ca)**

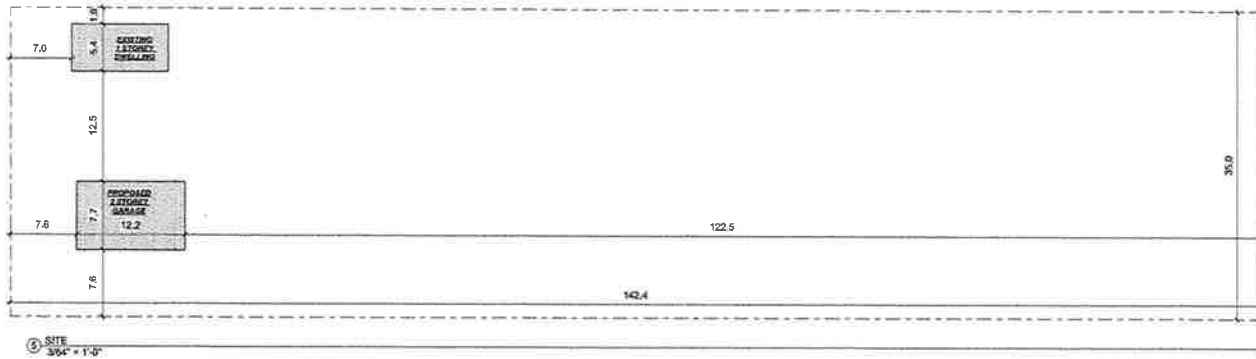
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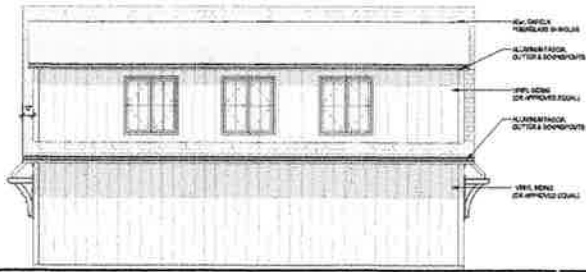
6 3D View (NORTH)



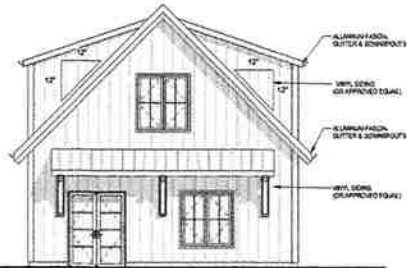
7 3D View (SOUTH)



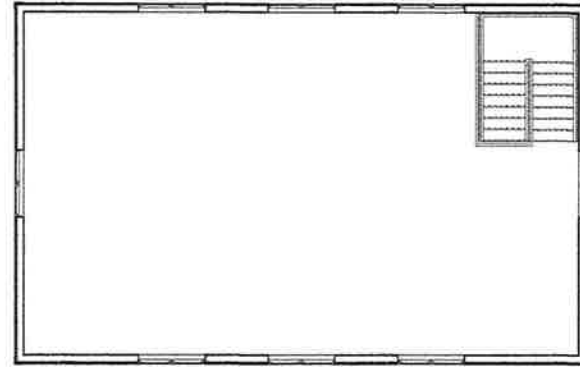
5 SITE  
3/16" = 1'-0"



1 NORTH ELEVATION  
3/16" = 1'-0"



2 EAST ELEVATION  
3/16" = 1'-0"



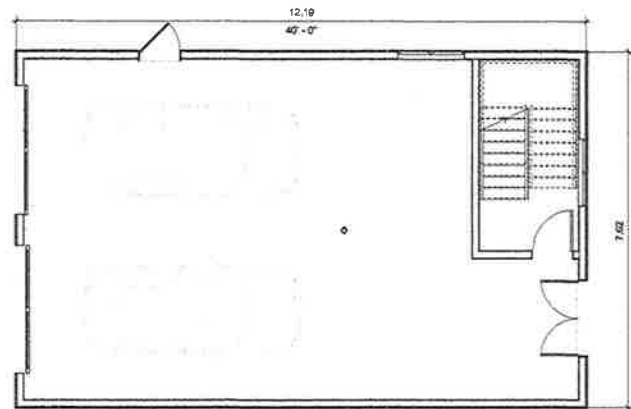
6 CONCEPT - SECOND FLOOR PLAN  
1/4" = 1'-0"



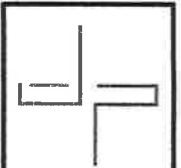
3 SOUTH ELEVATION  
3/16" = 1'-0"



4 WEST ELEVATION 1  
3/16" = 1'-0"



8 CONCEPT - MAIN FLOOR PLAN  
1/4" = 1'-0"



JASON PIZZICAROLA GERRON - ARCHITECTS INC.  
705 RIDGE ROAD N  
REDSEAWAY, ONTARIO, L0S 1A0  
T: 508-84-0000  
e-mail: jgerron@design.ca  
ESTABLISHED IN PRACTICE: # 4987

2094 JEWISON STREET, FORT ERIE, ON

No.	Description	Date

PRELIMINARY DRAWINGS

SHEET TITLE:

GARAGE PLANS

DRAWN BY: J.G. DATE: 13/06/21  
SCALE: As Indicated JOB #: 10045  
SHEET NO: A01

Client: [Redacted] Project: [Redacted] Date: [Redacted] Scale: [Redacted]



# Town of Fort Erie Committee of Adjustment Notice of Public Hearing and Applications for Consent & Minor Variance

**Consent File No. B48/24  
4924 Sherkston Road, Fort Erie**

Legal Description: Part Lot 32 Concession 1 Lake Erie, designated as Parts 1 & 2 on Reference Plan 59R7034; Fort Erie  
Roll No. 2703 020 018 03000 0000  
Applicant: John and Barbara Day  
Agent: Carol Moroziuk

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**Date:** The Public Hearing has been scheduled for **Thursday, December 19, 2024 at 5:00 PM**

**Location:** Fort Erie Town Hall Council Chambers, 1 Municipal Centre Drive, Fort Erie, ON

**Purpose and Effect:** The purpose and effect of the application is to sever and convey a surplus farm dwelling.

The Applicant seeks to convey Parcel 1 from Parcel 2 as shown on the Consent Sketch. Parcel 2 will be retained.

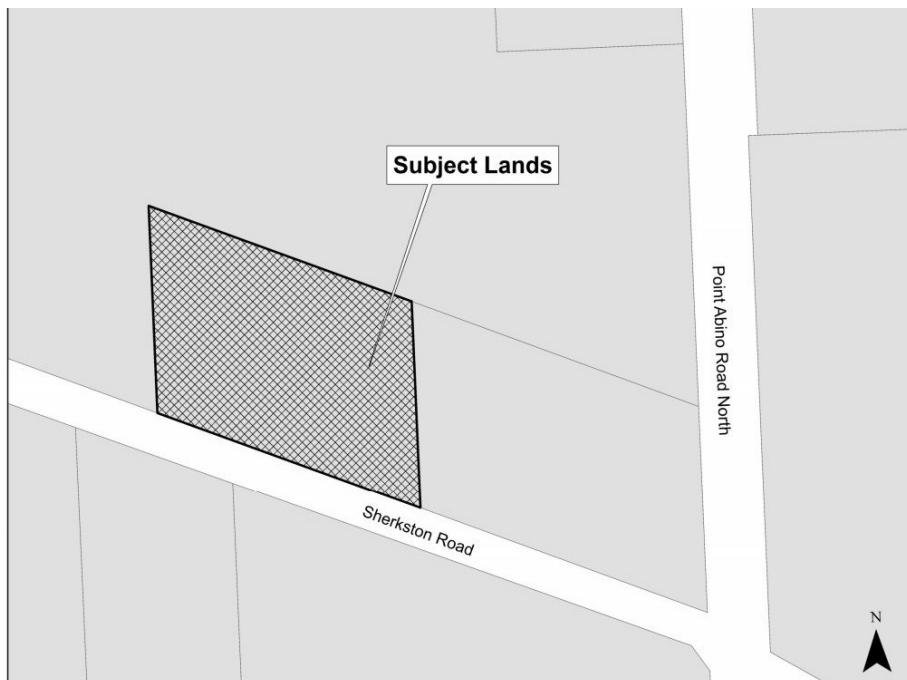
**Current Zoning:**

The subject lands are zoned Agricultural (A) Zone, in accordance with the Town of Fort Erie Comprehensive Zoning By-law No. 129-1990, as amended.

**Current Official Plan Designation:**

The subject lands are designated Agricultural in the Town's Official Plan.

**Key Map:**





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**905-871-1600 ext. 2534 or [JNahachewsky@forterie.ca](mailto:JNahachewsky@forterie.ca)**

**Posted on Town's Website – November 27, 2024. Not mailed due to ongoing Canada Post strike.**

SKETCH PREPARED FOR SEVERANCE APPLICATION  
 THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN  
 CURRENT SEVERANCE APPLICATION. © THIS SKETCH IS PROTECTED BY COPYRIGHT.

UNOPNED ROAD ALLOWANCE BETWEEN CONCESSIONS 1 & 2 LE  
 $\pm 406.85$



33

32

$\pm 546.04$

PART 2  
 PLAN 59R-7034  
 SUBJECT TO AN EASEMENT  
 IN FAVOUR OF THE PROVINCIAL  
 GAS COMPANY

PART 1  
 PLAN 59R-7034

PART 2  
 $\pm 28.09$  ha.

$\pm 701.31$

POINT ABINO ROAD  
 ROAD ALLOWANCE BETWEEN LOTS 31 & 32

LOT

$\pm 198.12$

$\pm 19.52$

$\pm 143.23$

LOT

DETAIL  
 SCALE 1:1500

PART 2  
 $\pm 28.09$  ha.

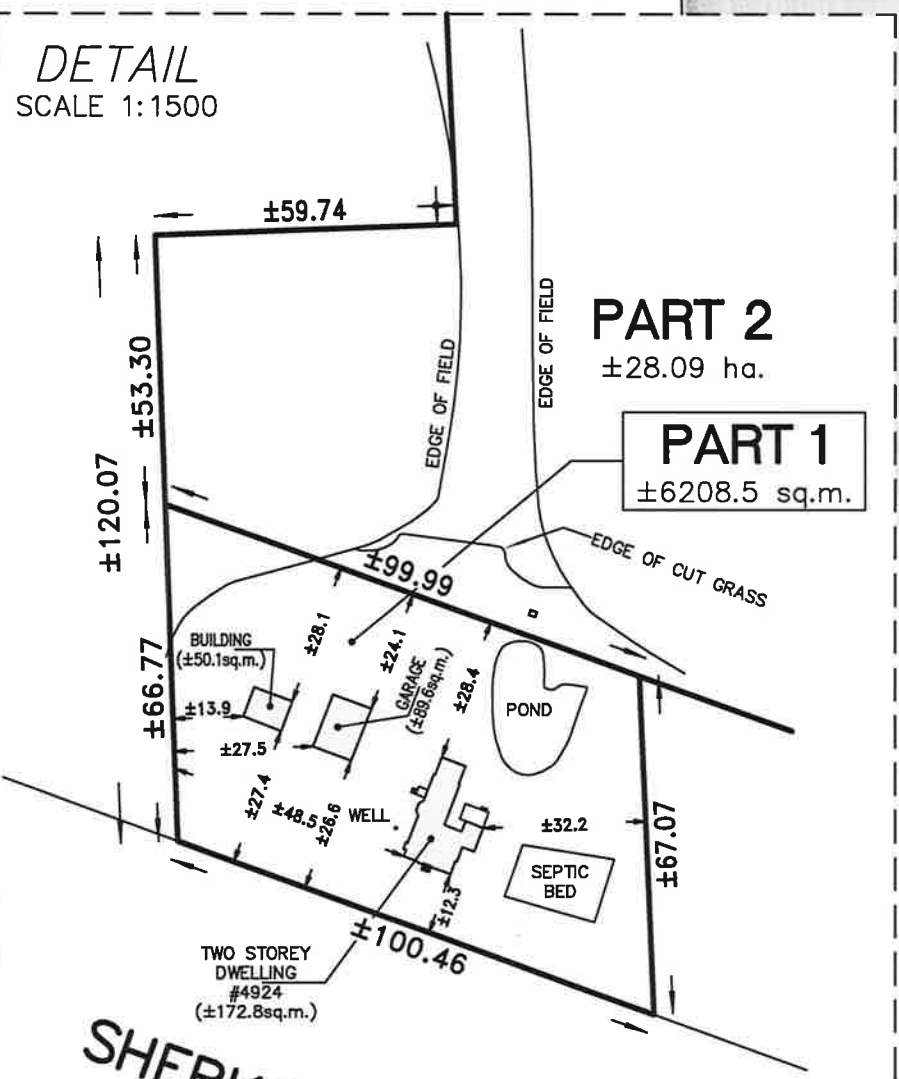
PART 1  
 $\pm 6208.5$  sq.m.

PART 1  
 $\pm 6208.5$  sq.m.

$\pm 60.35$

$\pm 60.35$

$\pm 117.34$



SHERKSTON ROAD  
 (TRAVELLED ROAD)

SHERKSTON ROAD  
 (TRAVELLED ROAD)

LOT COVERAGE  
 DWELLING:  $\pm 2.8\%$   
 ACCESSORY USE:  $\pm 2.3\%$

**VOID**

IF USED FOR ANY OTHER  
 PURPOSE THAN THIS  
 CURRENT SEVERANCE  
 APPLICATION

PRELIMINARY  
 ONLY

SEPT. 25, 2024  
 DATE

MARK GILMORE  
 Ontario Land Surveyor

LANTHIER & GILMORE SURVEYING LTD. 173 CLARENCE ST. PORT COLBORNE, ONT. (905) 835-5477	
SKETCH OF PROPOSED SEVERANCE PART OF LOT 32 CONCESSION 1 LAKE ERIE GEOGRAPHIC TOWNSHIP OF BERTIE, NOW IN THE TOWN OF FORT ERIE REGIONAL MUNICIPALITY OF NIAGARA	
DRAWN BY: CM	CHECKED BY: MG
SCALE: 1:3000	SURVEY 22-939



# Town of Fort Erie Committee of Adjustment Notice of Public Hearing and Applications for Consent & Minor Variance

## Minor Variance File No. A80/24 2826 Nigh Road, Fort Erie

Legal Description: Lot 819 to Lot 823, Lots 831 to Lot 837 Plan 475; Fort Erie  
Roll No.: 2703 020 023 18700 0000  
Applicant: Tony Aiello  
Owners: Steve and Sarah James

**Notice** is hereby given that the Committee of Adjustment of the Town of Fort Erie will be holding a Public Hearing to consider the matter of a minor variance application, pursuant to the provisions of Sections 45, 50, and 53 of the *Planning Act*, R.S.O. 1990, for the lands described in this Notice. A key plan showing the location of the subject lands and a sketch of the proposal are included in this Notice.

**Date:** The Public Hearing has been scheduled for **Thursday, December 19, 2024 at 5:00 pm**

**Location:** Fort Erie Town Hall Council Chambers, 1 Municipal Centre Drive, Fort Erie, ON

**Purpose and Effect:** The purpose and effect of this application is to reduce the Minimum Interior Side Yard to facilitate enclosure of the existing garage for additional living space.

### Details of Minor Variance Application:

The Applicant is requesting the following variance to Section 9.3 of the Town of Fort Erie Comprehensive Zoning By-law No. 129-1990, as amended:

#### File A80/24:

1. To permit a Minimum Interior Side Yard of 1.8 metres whereas 3.0 metres is required.

#### Current Zoning:

The subject lands are zoned Rural Residential (RR) Zone, in accordance with the Town of Fort Erie Comprehensive Zoning By-law No. 129-1990, as amended.

#### Current Official Plan Designation:

The subject lands are designated Rural Residential.

#### Key Map:



## How to Participate:

You are invited to attend the Hearing or provide comments relative to the applications as you are either a property owner located within the 60 metres radius of the subject lands, 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 applications. Please be advised that all written and oral comments received will become part of the applications' record and will be available to the public and Applicant.

If you wish to make a written submission, you may do so by providing your reasons for support or opposition prior to 12:30 PM on **Wednesday, December 18, 2024** via email, mail or drop off in the Town drop off box located at Town Hall to the attention of Jayne Nahachewsky ([JNahachewsky@forterie.ca](mailto:JNahachewsky@forterie.ca)) who will provide them to the Committee of Adjustment.

If you wish to be notified of the Committee of Adjustment's decision with respect to the proposed applications, 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**.


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 their absence without further notice.

Further information on the Consent and Minor Variance processes is available at:  
<https://www.forterie.ca/pages/CommitteeofAdjustmentHome>

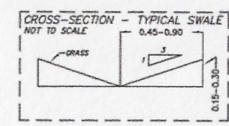
**For Additional Information Regarding This Application Contact:**  
**Jayne Nahachewsky, Secretary Treasurer of Committee of Adjustment**  
**Planning and Development Services Department**  
**1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6**  
**905-871-1600 ext. 2534 or [JNahachewsky@forterie.ca](mailto:JNahachewsky@forterie.ca)**

**Posted on Town's Website – November 27, 2024. Not mailed due to ongoing Canada Post strike.**

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
2210057



THIS PLAN IS NOT VALID  
UNLESS IT IS AN EMBOSSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
IN ACCORDANCE WITH  
REGULATION 1026, SECTION 29(3).

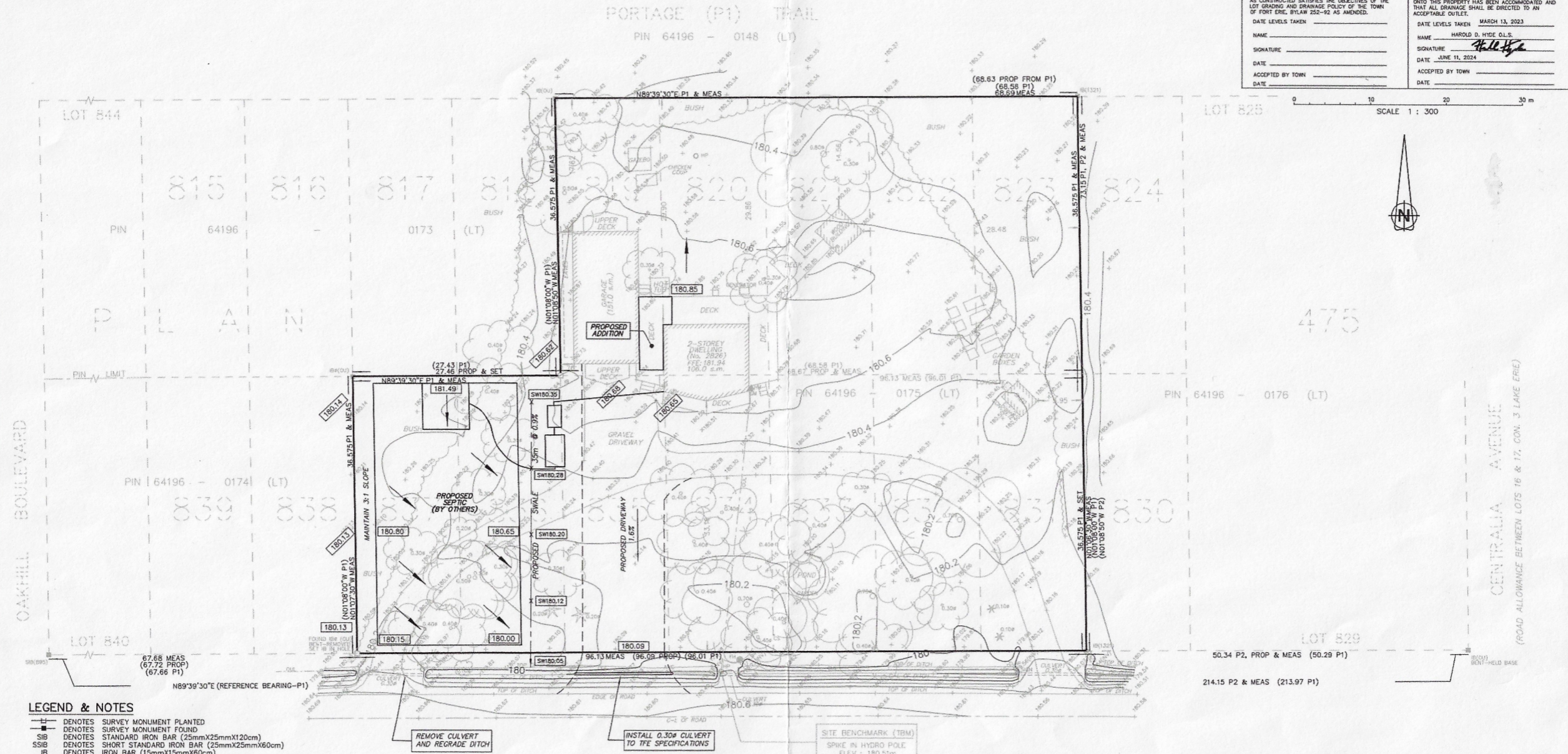


PLAN OF SURVEY SHOWING TOPOGRAPHICAL INFORMATION  
AND  
TOWN OF FORT ERIE  
INDIVIDUAL LOT GRADING CERTIFICATE

LOCATION LOTS B19 TO B23 AND LOTS B31-B37, PLAN 475  
TOWN OF FORT ERIE, REGIONAL MUNICIPALITY OF NIAGARA

OWNER SARAH & STEVE JAMES ADDRESS 2826 HIGH ROAD

AS CONSTRUCTED GRADING	PROPOSED GRADING
I HEREBY CERTIFY THAT I HAVE TAKEN THE FINISHED ELEVATIONS SHOWN ( ) WITH 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, BY-LAW 252-92 AS AMENDED.	I HEREBY CERTIFY THAT THE PROPOSED BUILDING WILL BE COMPATIBLE WITH THE PROPOSED GRADING AND THE OBJECTIVES OF THE LOT GRADING AND DRAINAGE POLICY. FURTHER, I CERTIFY THAT THE EXISTING DRAINAGE ONTO THIS PROPERTY HAS BEEN ACCOMMODATED AND THAT ALL DRAINAGE SHALL BE DICTATED TO AN ACCEPTABLE OUTLET.
DATE LEVELS TAKEN _____	DATE LEVELS TAKEN MARCH 13, 2023
NAME _____	NAME HAROLD D. HYDE O.L.S.
SIGNATURE _____	SIGNATURE <i>Harold Hyde</i>
DATE _____	DATE JUNE 11, 2024
ACCEPTED BY TOWN _____	ACCEPTED BY TOWN _____
DATE _____	DATE _____



- LEGEND & NOTES**
- +— DENOTES SURVEY MONUMENT PLANTED
  - DENOTES SURVEY MONUMENT FOUND
  - SIB DENOTES STANDARD IRON BAR (25mmX25mmX120cm)
  - SSIB DENOTES SHORT STANDARD IRON BAR (25mmX25mmX60cm)
  - IB DENOTES IRON BAR (15mmX15mmX60cm)
  - IB# DENOTES ROUND IRON BAR (20mm DIA X 60cm)
  - CP DENOTES CONCRETE PIN & WASHER
  - CC DENOTES CUT CROSS
  - PB DENOTES PLASTIC BAR
  - WT DENOTES WITNESS
  - OJ DENOTES ORIGIN UNKNOWN
  - PIN DENOTES PROPERTY IDENTIFIER NUMBER
  - (895) DENOTES O. A. LANE, O.L.S.
  - (JEL) DENOTES J. E. LANTHIER, O.L.S.
  - P1 DENOTES PLAN 475
  - P2 DENOTES PLAN OF SURVEY BY R. D. RASCH, O.L.S., DATED JULY 24, 1984 (FILE: 64-151; H-352)
  - PROP DENOTES PROPORTION
  - C-L DENOTES CENTRELINE
  - HP DENOTES HYDRO/UTILITY POLE
  - OUL DENOTES OVERHEAD UTILITY/HYDRO LINE
  - ANC DENOTES CUY ANCHOR
  - PED DENOTES COMMUNICATION PEDESTAL
  - CS DENOTES CURB STOP
  - HM DENOTES HYDRO METER
  - GM DENOTES GAS METER
  - FH DENOTES FIRE HYDRANT
  - TFE DENOTES TOWN OF FORT ERIE
  - Ø DENOTES DIAMETER
  - (INV) DENOTES INVERT OF CURVE
  - ⊗ DENOTES CONIFEROUS TREE (TREE CANOPY NOT TO SCALE)
  - ⊘ DENOTES DECIDUOUS TREE (TREE CANOPY NOT TO SCALE)
  - +100.00 DENOTES EXISTING GROUND ELEVATION
  - 100.00 DENOTES FINISHED FLOOR ELEVATION
  - 100.00 DENOTES PROPOSED FINISHED GRADE
  - SW180.00 DENOTES PROPOSED SWALE GRADE
  - — — DENOTES PROPOSED SURFACE RUN-OFF
- CONTOUR INTERVAL: 0.20m  
N-NORTH; S-SOUTH; W-WEST; E-EAST

**ELEVATION NOTE**

ELEVATIONS ARE GEODETIC, DERIVED BY GPS OBSERVATIONS, REFERRED TO GEODETIC SURVEY OF CANADA BENCHMARK 00119710037 (AKA 71U037) HAVING AN ELEVATION OF 200.338m (CGVD-1928-1978)

LOCATION : RIDGWAY WATER TOWER (BERTIE TOWNSHIP) AT INTERSECTION OF GORHAM AND FAN STREETS, IMMEDIATELY NORTHEAST OF A CEMETERY, 1.2 KM SOUTHWEST OF POST OFFICE, TABLET IN TOP OF CONCRETE BASE, 30.5 m SOUTHWEST OF ENTRANCE GATE TO CEMETERY, 19.5 m FROM CENTRE LINE OF GORHAM STREET, 4.87 m FROM EAST EDGE OF BASE 1.82 m NORTH OF LADDER TO TOP OF TOWER.

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 NORTH LIMIT OF HIGH ROAD AS SHOWN ON P1 AND HAVING A BEARING OF N89°39'30"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 COVERAGE**

TOTAL LOT AREA: 6028.7 s.m. (100%)  
EXISTING DWELLING: 106.0 s.m. (1.8%)  
EXISTING GARAGE: 151.0 s.m. (2.5%)  
WOOD BUILDING: 19.2 s.m. (0.3%)  
SHED: 11.0 s.m. (0.2%)  
PROPOSED ADDITION: 35.2 s.m. (0.6%)

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THIS SURVEY WAS COMPLETED ON THE 13th DAY OF MARCH, 2023.

NOVEMBER 15, 2023  
DATE

*Harold Hyde*  
HAROLD D. HYDE  
ONTARIO LAND SURVEYOR

© COPYRIGHT, Rasch & Hyde Ltd., O.L.S.'s, 2024

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

P.O. Box 6, 1333 Highway #3 East, Unit B  
DUNVILLE, ONT, N1A 2X1  
905-774-7188  
(FAX 905-774-4000)

P.O. Box 550, 74 Jarvis Street  
FORT ERIE, ONT, L2A 5T1  
905-871-9757  
(FAX 905-871-9748)

HAROLD D. HYDE O.L.S.

SCALE 1 : 300 SURVEY : 23F016 DRWN BY : J.H.



# Town of Fort Erie Committee of Adjustment Notice of Public Hearing And Applications for Consent & Minor Variance

## Consent File B49/24

### 131 & 135 Gilmore Road, Fort Erie

Legal Description: Lot 51, Lot 52 and Part of Lot 53 Plan 17 NP511; Fort Erie  
and Lot 54 and Part Lot 53 Plan 17 NP511; Fort Erie

Roll No. 2703 010 043 11600 0000

Roll No. 2703 010 043 11500 0000

Applicant: Kyle Mallysh and Kyle Mallysh Personal Real Estate Corporation

**Notice** is hereby given that the Committee of Adjustment of the Town of Fort Erie will be holding a Public Hearing to consider the matter of a consent application for a perpetual easement, pursuant to the provisions of Sections 45, 50, and 53 of the *Planning Act*, R.S.O. 1990, for the lands described in this Notice. A key plan showing the location of the subject lands and a sketch of the proposal are included in this Notice.

**Date:** The Public Hearing has been scheduled for **Thursday, December 19, 2024 at 5:00 PM**

**Location:** Fort Erie Town Hall Council Chambers, 1 Municipal Centre Drive, Fort Erie, ON

**Purpose and Effect:** The purpose and effect of this application is to obtain an easement to facilitate access to shared parking.

The Applicant seeks a mutual easement in perpetuity over Part 1 and Part 2 in favour of the Owners from time to time of Part 3 and Part 4 for ingress and egress for pedestrian and vehicular traffic to facilitate the shared parking at the rear of the properties shown as Part 3 and Part 4.

**Current Zoning:**

The subject lands are zoned RM1-752 Zone in accordance with the Town of Fort Erie Comprehensive Zoning By-law No. 129-1990, as amended.

**Current Official Plan Designation:**

The subject lands are designated Commercial in the Town’s Official Plan and Part of OPA#37 – Southend Secondary Plan.

**Key Map:**



## How to Participate:

You are invited to attend the Hearing or provide comments relative to the applications as you are either a property owner located within the 60 m radius of the subject lands, 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 applications. Please be advised that all written and oral comments received will become part of the applications' record and will be available to the public and Applicant.

If you wish to make a written submission, you may do so by providing your reasons for support or opposition prior to 12:30 PM on **Wednesday, December 18, 2024** via email, mail or drop off in the Town drop off box located at Town Hall to the attention of Jayne Nahachewsky ([JNahachewsky@forterie.ca](mailto:JNahachewsky@forterie.ca)) who will provide them to the Committee of Adjustment.

If you wish to be notified of the Committee of Adjustment's decision with respect to the proposed applications, 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**.

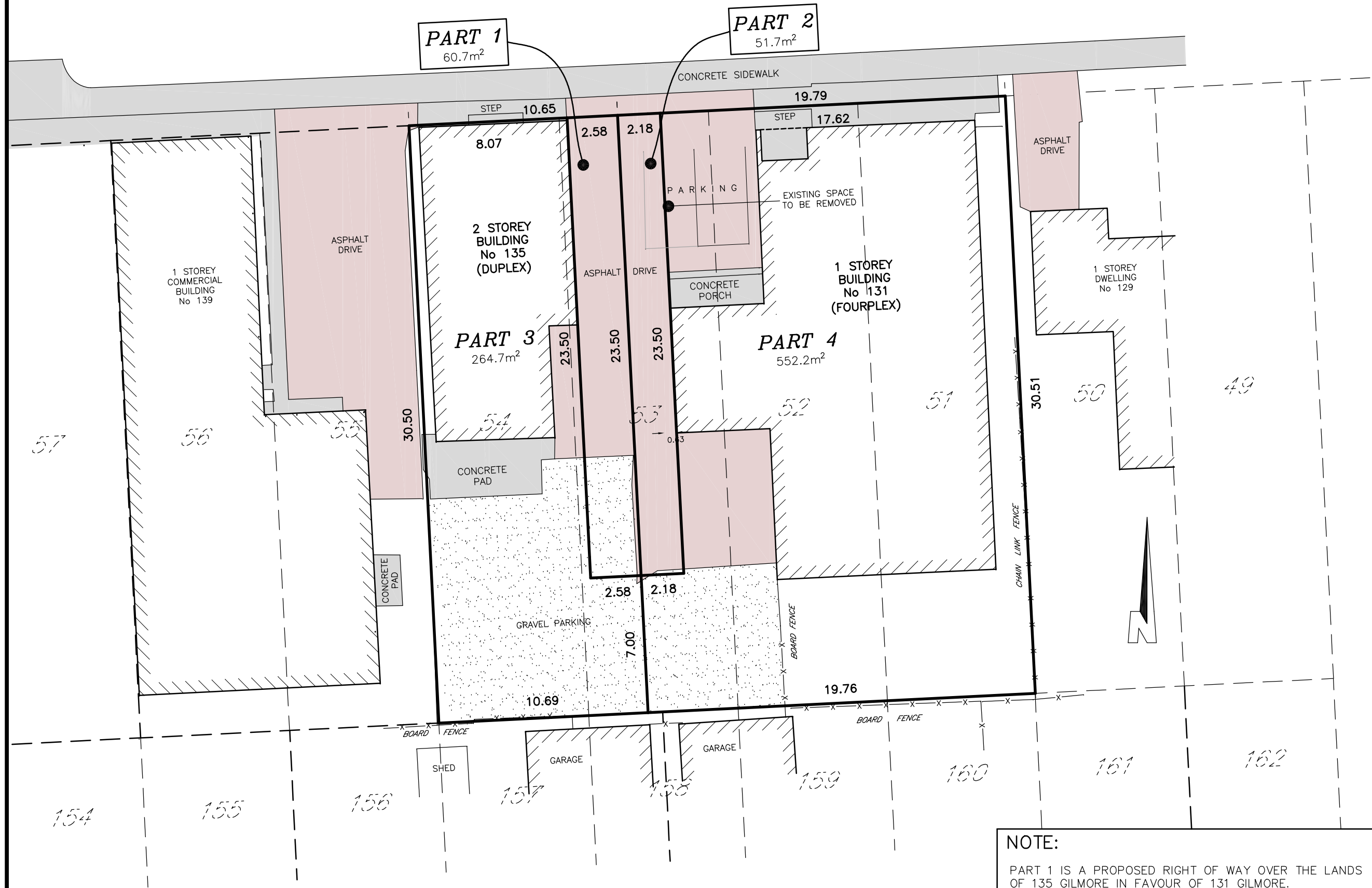
Applicants or their Agents are required to attend the Hearing. If the Applicant or Agent does not attend this Hearing, the Committee may proceed in their absence without further notice.

Further information on the Consent and Minor Variance processes is available at:  
<https://www.forterie.ca/pages/CommitteeofAdjustmentHome>

**For Additional Information Regarding This Application Contact:**  
**Jayne Nahachewsky, Secretary Treasurer of Committee of Adjustment**  
**Planning and Development Services Department**  
**1 Municipal Centre Drive, Fort Erie, ON, L2A 2S6**  
**905-871-1600 ext. 2534 or [JNahachewsky@forterie.ca](mailto:JNahachewsky@forterie.ca)**

**Posted on Town's Website – November 27, 2024. Not mailed due to ongoing Canada Post strike.**

# GILMORE ROAD



**SKETCH**  
 PREPARED FOR EASEMENT APPLICATION  
**LOTS 51, 52, 53 & 54**  
**PLAN 511**  
 IN THE  
**TOWN OF FORT ERIE**  
 REGIONAL MUNICIPALITY OF NIAGARA  
 SCALE 1 : 200 (METRIC)

**NOTE:** THIS SKETCH IS PREPARED FROM COMPILED AND CALCULATED INFORMATION, NOT FROM AN ACTUAL SURVEY. DO NOT SCALE FROM THIS DRAWING. ALL MEASUREMENTS ARE +/- MEASUREMENTS.

**CAUTION:** THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

"THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH SEAL"

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 THE REPRODUCTION, ALTERATION OR USE OF THIS SKETCH, IN WHOLE OR IN PART WITHOUT THE EXPRESS WRITTEN PERMISSION OF CHAMBERS AND ASSOCIATES SURVEYING LTD. IS STRICTLY PROHIBITED.

OCTOBER 25, 2024  
 DATE

*Donald G. Chambers*  
 DONALD G. CHAMBERS, B. Sc., O.L.S.

**CHAMBERS AND ASSOCIATES SURVEYING LTD**

12 THOROLD ROAD EAST (905) 735-7841 / 735-7844  
 WELLAND ONTARIO L3C 3T2 FAX (905) 735-7333  
 www.cas-surveying.com

DWG 10020-6\_SK FILE 10020-6-24 Page 24 of 24

**NOTE:**  
 PART 1 IS A PROPOSED RIGHT OF WAY OVER THE LANDS OF 135 GILMORE IN FAVOUR OF 131 GILMORE.  
 PART 2 IS A PROPOSED RIGHT OF WAY OVER THE LANDS OF 131 GILMORE IN FAVOUR OF 135 GILMORE.