



The Corporation of the Town of Fort Erie By-law 22-2025

Being a By-law to Amend Zoning By-law 129-90, as amended Crescent Acres Subdivision (0-10747 Kraft Road)

Whereas Report PDS-38-2023 was considered and approved at the Council-in-Committee meeting held on May 8, 2023, to rezone the lands 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); and

Whereas By-law 91-2023 was passed to amend Zoning By-law 129-90 for Crescent Acres Ltd. (0-10747 Kraft Road, Owner - Mark Basciano) pursuant to Report PDS-38-2023 on May 29, 2023; and

Whereas an application was received and deemed complete on December 5, 2025, from Joseph Tomaino of Upper Canada Consultants on behalf of the owners, Crescent Acres Ltd. (Mathew Vartanian), to amend the Town’s Comprehensive Zoning By-law 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 24, 2025; and

Whereas it is deemed desirable to amend the Comprehensive Zoning By-law 129-90, as amended, pursuant to the recommendations of Report PBBS-14-2025 considered and approved at the Council meeting held on February 24, 2025, and repeal By-law 91-2023;

Now, therefore, the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** Schedule A of Comprehensive Zoning By-law 129-90, as amended, is further amended by changing the zoning on the subject lands, known municipally as 0-10747 Kraft Road, from “Residential Multiple 1 (RM1-779) Zone” to “Residential Multiple 1 (RM1-814) Zone,” and maintaining the “Environmental Protection (EP) Zone” and “Residential Multiple 1 (RM1) Zone,” as shown on the attached Schedule A.
2. **That** Comprehensive Zoning By-law 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:

RM1-814 (22-2025) Crescent Acres Subdivision (0-10747 Kraft Road)

These lands are zoned “Residential Multiple 1 (RM1-814) 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 (RM1-814) Zone” subject to the following special provisions:

- 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 Zone Regulations in Subsection 14.3, as it relates to Minimum Lot Area, Minimum Interior Side Yard, Maximum Lot Coverage, Planting Strips, and the minimum distance between a driveway and an intersection of street lines, the following special provisions shall apply to street townhouse dwellings:

- i. Minimum Lot Area 180.00 sq m for an interior lot
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.
- v. Minimum distance between a driveway and an intersection of street lines measures along the street line intersected by such driveway shall be 6.0 metres

c) Notwithstanding the Regulations for Dwellings in Subsection 12.3, as it related to Minimum Lot Area, Minimum Lot Frontage, Maximum Lot Coverage, and the minimum distance between a driveway and an intersection of street lines, the following special provisions shall apply to single-detached dwellings:

- i. Minimum Lot Area 300.00 sq m
- ii. Minimum Lot Frontage 10.00 m for an interior lot
11.80 m for a corner lot
- iii. The Maximum Lot Coverage requirement is deleted.
- iv. Minimum distance between a driveway and an intersection of street lines measures along the street line intersected by such driveway shall be 6.0 metres.

d) Notwithstanding the Regulations for Semi-Detached Dwellings in Subsection 13.4, as it relates to Minimum Lot Frontage and Minimum Interior Side Yard, the following special provisions shall apply to semi-detached dwellings:

- i. Minimum Lot Frontage 8.00 m for an interior lot
- ii. Minimum Interior Side Yard 1.20 m

3. That By-law 91-2023 is hereby repealed;

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 31 day of March 2025.

Mayor

Clerk