The Municipal Corporation of the Town of Fort Erie

By-law No. XX-2024

Being a By-law to Amend Zoning By-law No. 129-90 456941 Ontario Ltd. West of Spears Road And East Of Alliston Avenue (Alliston Woods) Part of Lots 1 and 2 Concession 3, Nr; Lots 44,46 to 81 Inclusive 89 to 121 Inclusive, 137 to 164 Inclusive, 182 To 204 Inclusive, 214 to 249 Inclusive, 256 to 269 Inclusive, 278 To 291 Inclusive And Part of Lot 205 All in Plan 459 Town of Fort Erie

350309-0489

Whereas an application has been received from Mountainview Homes (Niagara) Ltd. to amend the Town's Comprehensive Zoning By-law No. 129-90 for the lands shown on Appendix 1, and described as the Alliston Woods

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act*, R.S.O. 1990, c.P.13 was held on XX XX, 202X, 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. X considered and approved at the Regular Council meeting held on X;

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 of the subject lands known as the Alliston Woods Subdivision and shown on the attached Schedule "A" from "Residential Multiple 1 (RM-465) Zone" , "Residential Multiple 1 (RM1-505) Zone" and "Open Space (OS-506) Zone" to a further amended "Residential Multiple 1 (RM-465) Zone" and "Residential Multiple 1 (RM1-505) Zone" and "Open Space (OS-506) Zone".

2. **That** Section 14 – Exceptions to the Residential Multiple 1 (RM1) Zone, of Comprehensive Zoning Bylaw 129-90, as amended, is hereby further amended by adding to the "RM1-465 Zone" the following provisions:

RM1-465 (24-12) Alliston Woods Subdivision

a) Notwithstanding the Regulations in Section 14.4, Zone Regulations, and By-law 24-12, as it relates to Minimum Lot Frontage, Minimum Front Yard, Minimum Rear Yard and Landscaped Area for single detached dwellings, the following shall apply:

i) Lot Frontage (min.) – 10.9 metres
ii) Front yard (min.) - 6 m to garage, 3m to front face of dwelling unit
iii) Read yard (min.) – 6 m

b) Notwithstanding the Regulations in Section 14.3, Zone Regulations, and By-law 24-12, as it relates to Minimum Lot Area for street townhouses, the following shall apply:

i. Lot Area (min.) – 185 m2 and 230 m2 for corner lots
ii. Exterior Side yard (min.) (Blocks 54-59) – 2.18 m

c) Notwithstanding the Regulations in Section 6.21, Landscaping and Planting Strips, the following shall apply:

i. The minimum required landscaped open space area in the front yard of a street townhouse dwelling with a 7.01 metre frontage shall be 22%

3. **That** Section 14.3 – Exceptions to the Residential Multiple 1 (RM1) Zone, of Comprehensive Zoning Bylaw 129-90, as amended, is hereby further amended by adding to the "RM1-505 Zone" the following provisions:

RM1-505 (76-2014) Alliston Woods Subdivision

a) Notwithstanding the "Permitted Uses" of Section 14.2, the lands may also be used for stacked townhouses, a stormwater management pond and open space uses.

b) Notwithstanding the Regulations in Section 14.3, Zone Regulations, and By-law 76-2014, as it relates to Minimum Lot Frontage, Minimum Front Yard, Minimum Rear Yard for single detached dwellings, the following shall apply:

i. Lot Frontage (min.) – 10.9 metres
ii. Front yard (min.) - 6 m to garage, 3m to front face of dwelling unit
iii. Read yard (min.) – 6 m

c) Notwithstanding the Regulations in Section 14.3, Zone Regulations, and By-law 24-12, as it relates to Minimum Lot Area and exterior side-yard for street townhouses, the following shall apply:

i. Lot Area (min.) – 185 m2 and 230 m2 for corner lots

d) Notwithstanding the Regulations in Section 14.3, Zone Regulations, and By-law 76-2014, as it relates to Minimum Front Yard, Minimum Side Yard, Minimum Exterior Side Yard, and Minimum Floor Area Per Dwelling Unit for stacked townhouses, the following shall apply:

i. Front yard (min.) – 3.0 metres
ii. Side yard (min.) – 3.49 metres
iii. Exterior side yard (min.) – 3.49 metres
iv. Minimum Floor Area per Dwelling Unit (Not Applicable)

e) Notwithstanding the Regulations in Section 6.21, Landscaping and Planting Strips, the following shall apply:

i. The minimum required landscaped open space area in the front yard of a street townhouse dwelling with a 7.01 metre frontage shall be 22% (Blocks 65-70 and Blocks 60-64).

4. **That** Schedule "A" of Comprehensive Zoning By-law 129-90, as amended, is further amended by changing the zoning of the subject lands known as the Alliston Woods Subdivision and shown on the attached Schedule "A" from Residential Multiple 1 (RM1-505) to Open Space (OS-506).

5. **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 X day of X, 202X.

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Mayor

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Clerk