



# The Municipal Corporation of the Town of Fort Erie

## By-law No. 2-2018

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### Being a By-law to amend Zoning By-law No. 129-90 to implement Official Plan Amendment No. 37, being the Southend Secondary Plan

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350309-0455 & 350313-005

**Whereas** By-law No. 129-90 as amended, being the Comprehensive Zoning By-law for the Town of Fort Erie was passed on May 28, 1990, and

**Whereas** Report No. PDS-32-2016 was considered at the Council-in-Committee meeting held on April 2, 2016, and subsequently authorized and approved by Council to initiate Official Plan Amendment No.37 and necessary amendments to Zoning By-law No. 129-90 as amended, and

**Whereas** Subsection 34 (12) of the *Planning Act*, R.S.O. 1990, c.P.13, provides that the Council, before the passing of a by-law under this section of the Act, shall ensure that sufficient information is made available to the public to generally understand the zoning proposal, to hold an open house and to hold a public meeting, and

**Whereas** in accordance with Subsection 34 (12) of the *Planning Act*, R.S.O. 1990, c.P.13, an Open House was held respecting the proposed implementing amendments to Comprehensive Zoning By-law No. 129-90 as amended on October 19, 2017 and notice of such was published in the Fort Erie Times on October 5, 2017, together with comprehensive circulation of the notice as per municipal notification policy, and

**Whereas** in accordance with Subsection 34 (12) of the *Planning Act*, R.S.O. 1990, c.P.13 a Public Meeting was held respecting the proposed implementing amendments to Comprehensive Zoning By-law No. 129-90 as amended, on November 6, 2017, and notice of such was published in the Fort Erie Times on October 5, 2017, together with comprehensive circulation of the notice as per municipal notification policy, and

**Whereas** Report No. PDS-95-2017 was considered at the Council-in-Committee meeting held on December 4, 2017, and subsequently authorized and approved by Council to approve Official Plan Amendment No. 37 (Southend Secondary Plan) and related amendments to Zoning By-law No. 129-90 as amended, and

**Whereas** Subsection 24 (2) and 24 (2.1) of the *Planning Act*, R.S.O. 1990, c.P.13, provides that the Council may pass a by-law that does not conform to the Official Plan on lands that are the subject of an adopted amendment, and that once the amendment comes into effect, the by-law shall then conform, and

**Whereas** Subsection 26 (9) of the *Planning Act*, R.S.O. 1990, c.P.13, requires the Council of the Municipality to amend all zoning by-laws that are in effect in the municipality to ensure they conform with the official plan revisions within three years, and

**Whereas** it is deemed desirable to proceed with the implementing amendments to the Comprehensive Zoning By-law 129-90 as amended, pursuant to Section 24(2) and 26(9) of the *Planning Act*, R.S.O. 1990, c.P.13.

**Now therefore** the Council of the Town of Fort Erie enacts as follows:

1. **That** Zoning By-law No.129-90 as amended, is further amended by adding thereto, immediately after “Section 26E” a new section entitled “Section 26F– Core Mixed Use 6 (CMU6) Zone” attached hereto as “Schedule “A””.
2. **That** Zoning By-law No.129-90 as amended, is further amended by changing the zoning of certain properties as follows:

**R3 (2-2018) – 53 & 57 Queen St.**

These lands are zoned “Residential 3 (R3) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential 3 (R3) Zone” by this by-law shall apply to those lands zoned “Residential 3 (R2) Zone”

**RM1 (2-2018) – 15, Queen St., 20, 24, 28, 32, 38-40, 42, 44 and 45 Princess Street, 22 Forsythe Street and 139 & 145 Waterloo Street**

These lands are zoned “Residential Multiple 1 (RM1) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 1 (RM1) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 1 (RM1) Zone”

**RM2 (2-2018) - 323 Niagara Boulevard**

These lands are zoned “Residential Multiple 2 (RM2) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2) Zone”.

**P (2-2018) – 100 Queen Street (Northwest corner of Queen and Niagara Boulevard)**

These lands are zoned “Public (P) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Public (P) Zone” by this by-law shall apply to those lands zoned “Public (P) Zone”.

3. **That** Zoning 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 exceptions:

**RM1-595 (2-2018) – 61 Queen St.**

These lands are zoned “Residential Multiple 1 (RM1-595) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 1 (RM1) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 1 (RM1-595) Zone” subject to the following provisions:

Notwithstanding Subsection 14.2, the follow use may also be permitted:

- Take-out Restaurant use up to 17% (300 sq.ft.) of ground floor fronting Queen Street only; and

In addition to Subsection 5.295, the use as a Take-out Restaurant shall be limited in to offering edible / consumable items to those which do not require commercial kitchen

fixtures and apparatus for preparation. Such items may include coffee, tea and other items such as ice cream, muffins, cookies, etc; prepared off-site for resale on the premises.

#### **RM1-596 (2-2018) – 70 Princess St.**

These lands are zoned “Residential Multiple 1 (RM1-596) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 1 (RM1) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 1 (RM1-596) Zone” subject to the following provisions:

Notwithstanding Subsection 14.2, the follow use may also be permitted:

- Office Commercial use up to 25% of main floor only

#### **RM1-597 (2-2018) – 213 Niagara Boulevard**

These lands are zoned “Residential Multiple 1 (RM1-597) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 1 (RM1) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 1 (RM1-597) Zone” subject to the following provisions:

Notwithstanding Subsection 14.3 the following shall apply:

- |                     |                    |
|---------------------|--------------------|
| a) Minimum Lot Area | 130 sq.m. per unit |
| b) Maximum Height   | 2 storeys          |

Notwithstanding Subsection 6.20 the following shall apply:

- |                     |  |
|---------------------|--|
| c) Resident Parking | 1 space per unit (permitted in front yard) |
|---------------------|--|

4. **That** Zoning By-law No.129-90 as amended, is further amended by adding to “Section 15– Residential Multiple 2 (RM2) Zone” Subsection – “Exceptions to the Residential Multiple 2 (RM2) Zone” the following exceptions:

#### **RM2-598 (2-2018) – 0 Gilmore Road (Southwest corner of Concession Rd. at Gilmore Rd.)**

These lands are zoned “Residential Multiple 2 (RM2-598) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-598) Zone” subject to the following provisions:

Notwithstanding Subsection 15.3 the following shall apply:

- |                           |                                  |
|---------------------------|----------------------------------|
| a) Minimum Lot Area       | 290 sq.m. per unit               |
| b) Minimum Front Yard     | 15m (to Gilmore)                 |
| c) Minimum Side Yard      | 15m (to Rail ROW)                |
| d) Minimum Ext. Side Yard | 6m (to Concession)               |
| e) Minimum Rear Yard      | 30m (to southerly Property Line) |
| f) Maximum Height         | 3 storeys                        |

Notwithstanding Subsection 15.2, Street Townhouses and Block Townhouses may also be permitted subject to regulations of Subsection 14.3, except that:

- |   |                    |
|---|--------------------|
| g) Maximum Lot Area                       | 580 sq.m. per unit |
| h) Minimum Setback to West Property Limit | 15m                |

#### **RM2-599 (2-2018) – 0 Lavinia St. and Southeast corner of Lavinia St. and Aberdeen St. (also a 0 Lavinia St. address)**

These lands are zoned “Residential Multiple 2 (RM2-599) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-599) Zone” subject to the following provisions:

Notwithstanding Subsection 15.3 the following shall apply:

- a) Minimum Frontage 21m
- b) Maximum Height 3 storeys

Notwithstanding Subsection 15.2, the follow uses may also be permitted:

- Fourplexes
- Street Townhouses
- Block Townhouses

Subject to regulations of Subsection 14.3, except that:

- g) Maximum Lot Area 290 sq.m. per unit
- h) Minimum Setback to West Property Limit 15m

#### **RM2-600 (2-2018) – 190, 194, 198 and 202 Bertie St.**

These lands are zoned “Residential Multiple 2 (RM2-600) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-600) Zone” subject to the following provisions:

Notwithstanding Subsection 15.3 the following shall apply:

- a) Maximum Lot Area 316 sq.m. per unit
- b) Maximum Height 3 storeys

Notwithstanding Subsection 15.2, the follow uses may also be permitted:

- Street Townhouses
- Block Townhouses

Subject to regulations of Subsection 14.3, except that:

- c) Minimum Lot Area 220 sq.m. per unit
- d) Maximum Lot Area 240 sq.m. per unit

Notwithstanding Subsection 15.2, the follow uses may also be permitted:

- Single Detached
- Semi-Detached

Singles Subject to regulations of Subsection 13.4, except that:

- e) Minimum Lot Area for singles on a private road 290 sq.m.
- f) Minimum Rear Yard setback for singles on private road 6m

Semis Subject to regulations of Subsection 12.3, except that:

- g) Minimum Lot Area for semi-detached on a private road 220 sq.m.
- h) Minimum Rear Yard setback for singles on private road 6m

#### **RM2-601 (2-2018) – 223 Stanton St.**

These lands are zoned “Residential Multiple 2 (RM2-601) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-601) Zone” subject to the following provisions:

Notwithstanding Subsection 15.3 the following shall apply:

- a) Minimum Lot Frontage 30m



- |                     |                    |
|---------------------|--------------------|
| b) Maximum Height   | 2 storeys          |
| c) Minimum Lot Area | 195 sq.m. per unit |

Notwithstanding Subsection 15.2, Street Townhouses and Block Townhouses may also be permitted subject to regulations of Subsection 14.3, except that:

- |   |                    |
|---|--------------------|
| d) Maximum Height                                   | 2 storeys          |
| e) Minimum Lot Area for Townhouse on a private road | 275 sq.m. per unit |

**RM2-602 (2-2018) – 0 Goderich St. (n/w corner of Goderich St. and Queen St.)**

These lands are zoned “Residential Multiple 2 (RM2-602) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-602) Zone” subject to the following provisions:

Notwithstanding Subsection 15.3 the following shall apply:

- |                           |                                |
|---------------------------|--------------------------------|
| a) Minimum Lot Area       | 140 sq.m.per unit              |
| b) Minimum Front Yard     | 3.0m (to Goderich St.)         |
| c) Minimum Side Yard      | 16m (from North Property Line) |
| d) Minimum Ext. Side Yard | 4.5m (to Queen St.)            |
| e) Minimum Rear Yard      | 9m (to westerly Property Line) |
| f) Maximum Height         | 3 storeys                      |

Notwithstanding Subsection 6.20 the following shall apply:

- |                     |  |
|---------------------|--|
| g) Resident Parking | 1 space per unit (permitted in side or rear yard only) |
|---------------------|--|

**RM2-603 (2-2018) – 25 Forsythe Street**

These lands are zoned “Residential Multiple 2 (RM2-603) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-603) Zone” subject to the following provisions:

Notwithstanding Subsection 15.3 the following shall apply:

- |                           |                        |
|---------------------------|------------------------|
| a) Minimum Lot Area       | 120 sq.m. per unit     |
| b) Minimum Front Yard     | 1.2m (to Forsythe St.) |
| c) Minimum Ext. Side Yard | 3.0m (to Waterloo St.) |
| d) Maximum Height         | 3 storeys              |

**RM2-604 (2-2018) – 215-219, 221-229, 237, 253 and 263 Niagara Boulevard and 22 Lavinia**

These lands are zoned “Residential Multiple 2 (RM2-604) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Residential Multiple 2 (RM2) Zone” by this by-law shall apply to those lands zoned “Residential Multiple 2 (RM2-604) Zone” subject to the following provisions:

In addition to Subsection 15.2, the follow use may also be permitted:

- Private Parking Lot subject to the following:
  - a) Residential parking in an area of a private parking lot immediately adjacent or across the street from the dwelling unit, that contains an easement in favour of the owner of the dwelling unit registered on title.
  - b) minimum landscape buffer of 3 m across the Niagara Boulevard frontage

Notwithstanding Subsection 15.3 the following shall apply:

- |  |  |
|--|--|
| a) Minimum Frontage  | 18m  |
| b) Maximum Height  | 5 storeys (16m)                                  |
| c) Minimum Lot Area  | 120 sq.m. per unit                               |
| d) Maximum Lot Area  | 165 sq.m. per unit                               |
| c) Minimum Front Yard  | 3m or half building height, whichever is greater |
| d) Minimum Ext. Side Yard  | 4m or half building height, whichever is greater |
| e) Minimum Side Yard   | 4m or half building height, whichever is greater |
| f) Minimum distance to driveway<br>and drive aisle from R1, R2,<br>R2A, R2B or R3 Zone | 1.5m   |

5. **That** Zoning By-law No.129-90 as amended, is further amended by adding to “Section 20 – General Commercial (C2) Zone” Subsection – “Exceptions to the General Commercial (C2) Zone” the following exceptions:

**C2-605 (2-2018) – 256 Bertie Street**

These lands are zoned “General Commercial 2 (C2-605) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “General Commercial 2 (C2) Zone” by this by-law shall apply to those lands zoned “General Commercial 2 (C2-605) Zone” except for the following provisions:

**Developed as Commercial Only:**

All regulations and permitted uses of General Commercial C2 Zone shall apply.

**Developed Commercially with Residential Component:**

Notwithstanding Subsection 20.2 of the General Commercial C2 Zone the following permitted uses are those which are compatible with residential use of the site:

a) Permitted Uses

- Assisted Living House
- Bake shops
- Banks and Financial Institutions
- Brewers' Retail outlets
- Business or professional offices
- Candy kitchens
- Catering establishments
- Clinics
- Commercial schools
- Custom brokers
- Day Nursery
- Department stores
- Dry Cleaning Outlets
- Eating Establishments
- Laundries and Laundromats
- Liquor Control Board of Ontario outlets
- Nursing Home
- Personal service shops
- Pet Day Care Establishments
- Pharmacies
- Places of entertainment or recreation or assembly
- Post offices

- Printing establishments
- Private or commercial clubs
- Public Libraries
- Religious, fraternal or public institutions
- Residential Apartment Dwellings
- Retail stores
- Service shops
- Spa Services
- Studios
- Supermarkets
- Taverns
- Video Outlet Sales and Rental Establishments

Notwithstanding Subsection 20.3 of the General Commercial C2 Zone the following regulations shall apply with building height in excess of 2.5 (12m) storeys:

- |                               |                             |
|-------------------------------|-----------------------------|
| b) Minimum Front Yard         | 19m (Bertie Street)         |
| c) Minimum Exterior Side Yard | 19m (Concession Street)     |
| d) Minimum Interior Side Yard | 40m (East Property Line)    |
| e) Minimum Rear Yard          | 30m (South Property Line)   |
| f) Maximum Height             | 9 storeys (26m)             |
| g) Minimum Lot Area           | 97 sq.m. per dwelling unit  |
| h) Maximum Lot Area           | 210 sq.m. per dwelling unit |

Regulations for Dwelling Units as per Subsection 18.2

Regulations for Accessory Buildings as per Subsection 18.3

**Developed as Residential Only:**

All regulations and permitted uses of Residential Multiple 2 RM2 Zone shall apply except for the following:

Notwithstanding Subsection 15.3 of the Residential Multiple 2 RM2 Zone the following regulations shall apply:

- |                               |                             |
|-------------------------------|-----------------------------|
| i) Minimum Front Yard         | 19m (Bertie Street)         |
| j) Minimum Exterior Side Yard | 19m (Concession Street)     |
| k) Minimum Interior Side Yard | 40m (East Property Line)    |
| l) Minimum Rear Yard          | 30m (South Property Line)   |
| m) Maximum Height             | 9 storeys (26m)             |
| n) Minimum Lot Area           | 86 sq.m. per dwelling unit  |
| o) Maximum Lot Area           | 115 sq.m. per dwelling unit |

Regulations for Dwelling Units as per Subsection 18.2

Regulations for Accessory Buildings as per Subsection 18.3

- 6. That** Zoning By-law No.129-90 as amended, is further amended by adding to “Section 33 – Open Space (OS) Zone” Subsection – “Exceptions to the Open Space (OS) Zone” the following exceptions:

**OS-606 (2-2018) – 22 Goderich Street (Goderich Street Park)**

These lands are zoned “Open Space (OS-606) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law

shall apply to those lands zoned “Open Space (OS-606) Zone” subject to the following provisions:

Notwithstanding Subsection 33.3 the following shall apply:

- |                     |            |
|---------------------|------------|
| a) Minimum Lot Area | 2300 sq.m. |
|---------------------|------------|

**OS-607 (2-2018) – 120 Niagara Boulevard (Riverwalk Access)**

These lands are zoned “Open Space (OS-607) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space (OS-607) Zone” subject to the following provisions:

Notwithstanding Subsection 33.3 the following shall apply:

- |  |           |
|--|-----------|
| a) Minimum Lot Area                                | 150 sq.m. |
| b) Minimum Lot Frontage                            | 11m       |
| c) Minimum Lot Coverage                            | 0%        |
| d) Minimum Interior, exterior, front and rear yard | n/a       |
| e) Maximum Building Height                         | n/a       |

**OS-608 (2-2018) – 113-117 Niagara Boulevard (Private Open Space)**

These lands are zoned “Open Space (OS-608) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space (OS-608) Zone” subject to the following provisions:

Notwithstanding Subsection 33.3 the following shall apply:

- |  |            |
|--|------------|
| a) Minimum Lot Area                                | 1480 sq.m. |
| b) Minimum Lot Coverage                            | 0%         |
| c) Minimum Interior, exterior, front and rear yard | n/a        |
| d) Maximum Building Height                         | n/a        |

**OS-609 (2-2018) – 123 Niagara Boulevard (Private Open Space)**

These lands are zoned “Open Space (OS-609) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space (OS-609) Zone” subject to the following provisions:

Notwithstanding Subsection 33.3 the following shall apply:

- |  |           |
|--|-----------|
| a) Minimum Lot Area                                | 940 sq.m. |
| b) Minimum Lot Coverage                            | 0%        |
| c) Minimum Interior, exterior, front and rear yard | n/a       |
| d) Maximum Building Height                         | n/a       |

**OS-610 (2-2018) – 126 Niagara Boulevard (Private Open Space)**

These lands are zoned “Open Space (OS-610) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space (OS-610) Zone” subject to the following provisions:

Notwithstanding Subsection 33.3 the following shall apply:

- |                         |           |
|-------------------------|-----------|
| a) Minimum Lot Area     | 770 sq.m. |
| b) Minimum Lot Frontage | 0m        |

- c) Minimum Lot Coverage 0%
- d) Minimum Interior, exterior, front and rear yard n/a
- e) Maximum Building Height n/a

Notwithstanding Subsection 6.5 to the contrary, minimum frontage on a public road allowance shall be 0m.

### **OS-611 (2-2018) – 162 Niagara Boulevard (Private Open Space)**

These lands are zoned “Open Space (OS-611) Zone” and all of the provisions of By-law 129-90 as amended that relate to lands zoned “Open Space (OS) Zone” by this by-law shall apply to those lands zoned “Open Space (OS-611) Zone” subject to the following provisions:

Notwithstanding Subsection 33.3 the following shall apply:

- a) Minimum Lot Area 1500 sq.m.
- b) Minimum Lot Frontage 0m
- c) Minimum Lot Coverage 0%
- d) Minimum Interior, exterior, front and rear yard n/a
- e) Maximum Building Height n/a

Notwithstanding Subsection 6.5 to the contrary, minimum frontage on a public road allowance shall be 0m.

7. **That** “Map 32”, “Map 33”, “Map 35”, Map 36, Map D3 and Map D-4 of Schedule “A” to Zoning By-law No. 129-90 as amended, are repealed and replaced with “Map 32”, “Map 33”, “Map 35”, Map 36, Map D3 and Map D-4 attached hereto as “Appendix “1””.
8. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or the schedules after the passage of this by-law.

**Read a first, second and third time and finally passed this 22<sup>nd</sup> day of January, 2018.**

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Mayor

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Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie hereby certifies the foregoing to be a true certified copy of By-law No. 2-2018 of the said Town. Given under my hand and the seal of the said Corporation, this day of \_\_\_\_\_, 20\_\_\_\_

**SECTION 26F – CORE MIXED USE 6 (CMU6) ZONE**

**26F.1** Subject to the General Provisions of Section 6 and all other applicable requirements of this By-law, the provisions of this section shall apply to all Core Mixed-Use 6 (CMU6) Zones.

**26F.2 PERMITTED USES**

- Animal Hospital
- Bake shops
- Banks and Financial Institutions
- Brewer's Retail Outlets
- Business or Professional Offices
- Building Supply and Sales
- Candy Kitchen
- Catering Establishment
- Clinics
- Commercial Schools
- Custom Workshops
- Day Nursery
- Department Stores
- Dry Cleaning Outlets
- Eating Establishments
- Florist
- Hotels
- Laundries and Laundromats
- LCBO Outlets
- Motels
- Personal Service Shops
- Pharmacies
- Places of Entertainment, Recreation or Assembly
- Printing Establishments
- Private or Commercial Clubs
- Public Parking Garages
- Public Parking Lots
- Private Parking Lots
- Public Transportation depots including Bus Stations and Rail Stations
- Religious, Fraternal or Public Institutions
- Retail Stores
- Service Shops
- Spa Services
- Studios
- Supermarkets
- Taverns

**TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90**  
**OFFICE CONSOLIDATION**


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- Video Outlet Sales and Rental Establishments
- Existing stand-alone residential uses
- Dwelling Units
- Uses, buildings and structures accessory to any permitted commercial or residential use

**26F.3 ZONE REGULATIONS**

Minimum Lot Frontage	0m
Minimum Lot Area	0 sq. m.
Minimum Front Yard Setback	0m
Minimum Interior Side Yard	0m, except the minimum side yard abutting a residential zone shall be 2.5m
Minimum Exterior Side Yard	0m
Minimum Rear Yard	4.5m except the minimum rear yard abutting a residential zone shall be 10m
Maximum Building Height	i) 3 storeys ii) 12m
Required Parking	Commercial uses within the CMU6 Zone shall be exempted from the parking and loading requirements of this By-law with the exception of buildings containing dwelling units where the provisions of Subsection 26F.4 shall apply.
Maximum Main Floor GFA permitted for Residential use	49%

**26F.4 REGULATIONS FOR DWELLING UNITS**

All of the provisions of Subsection 18.3 shall apply, except that notwithstanding the regulations contained in Section 18.3 (d), a minimum of one parking space shall be provided for each dwelling unit via one, or a combination of the following means:

- a) On the same lot as the dwelling unit, or
- b) In a dedicated area within a municipal parking lot through a licensing agreement or paid permitting system for a municipal parking lot that is located within 200 m of the property containing the dwelling unit, or
- c) In an area of a private parking lot that contains an easement in favour of the owner of the dwelling unit that is located within 200 m of the property containing the dwelling unit.

**26F.5 REGULATIONS FOR DWELLING UNITS IN CMU6 ZONE**

- (i) The provisions of Subsection 18.3 shall apply to dwelling units in the Core Mixed Use 6 (CMU6) Zone.

**26F.6 REGULATIONS FOR EXISTING STAND ALONE DWELLING UNITS**

- (i) The regulations of Section 11.3 shall apply to single detached dwelling units located on a separate lot.
- (ii) The regulations of Section 13.4 shall apply to semi-detached dwelling units located on a separate lot.
- (iii) The regulations of Section 13.5 shall apply to duplex dwelling units located on a separate lot.

**26F.7 DRIVE-THRU LANES**

- (i) Notwithstanding the regulations of Subsection 18.6, Drive-Thru Lanes are prohibited in the Core Mixed Use 6 CMU6 Zone.

**EXCEPTIONS TO CORE MIXED USE 6 (CMU6) ZONE**

**CMU6-612 (2-2018) - 85, 91-93, 95, 103, 109, 111, 129, 131-139, 0, 155, 161, 169 and 177 Niagara Boulevard**

These lands are zoned "Core Mixed Use 6 (CMU6-612) Zone" and all of the provisions that relate to lands zoned " Core Mixed Use 6 CMU6 Zone " by this By-law shall apply to those lands zoned " Core Mixed Use 6 (CMU6-612) Zone ", except:

Notwithstanding the provisions of Subsection 26F.3:

- a) Maximum Height 5 storeys (16m)
- b) Setback from any Residential Zone 15m

**CMU6-613 (2-2018) - 78, 80, 90, 98, 108-112 and 114 Niagara Boulevard**

These lands are zoned "Core Mixed Use 6 (CMU6-613) Zone" and all of the provisions that relate to lands zoned " Core Mixed Use 6 CMU6 Zone " by this By-law shall apply to those lands zoned " Core Mixed Use 6 (CMU6-613) Zone ", except:

Notwithstanding the provisions of Subsection 26F.3:

- a) Maximum Height 5 storeys (16m)
- b) Maximum Main Floor GFA permitted 0% (Prohibited)  
for Residential use



**TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90  
OFFICE CONSOLIDATION**

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**CMU6-614 (2-2018) – 126 and 162 Niagara Boulevard**

These lands are zoned "Core Mixed Use 6 (CMU6-614) Zone" and all of the provisions that relate to lands zoned " Core Mixed Use 6 CMU6 Zone " by this By-law shall apply to those lands zoned " Core Mixed Use 6 (CMU6-614) Zone ", except:

Notwithstanding the provisions of Subsection 26F.3:

- a) Minimum Rear Yard from OS Zone           7.5m
- b) Maximum Height                               5 storeys (16m)
- c) Maximum Main Floor GFA permitted       0% (Prohibited)  
for Residential use

**CMU6-615 (2-2018) - 207 Niagara Boulevard**

These lands are zoned "Core Mixed Use 6 (CMU6-615) Zone" and all of the provisions that relate to lands zoned " Core Mixed Use 6 CMU6 Zone " by this By-law shall apply to those lands zoned " Core Mixed Use 6 (CMU6-615) Zone ", except:

Notwithstanding the provisions of Subsection 26F.3:






- a) Maximum Main Floor GFA permitted       75%  
for Residential use

# Appendix "1" to By-law No. 2-2018

## TOWN OF FORT ERIE ZONING BY-LAW 129-90

### SCHEDULE 'A' - MAP 32

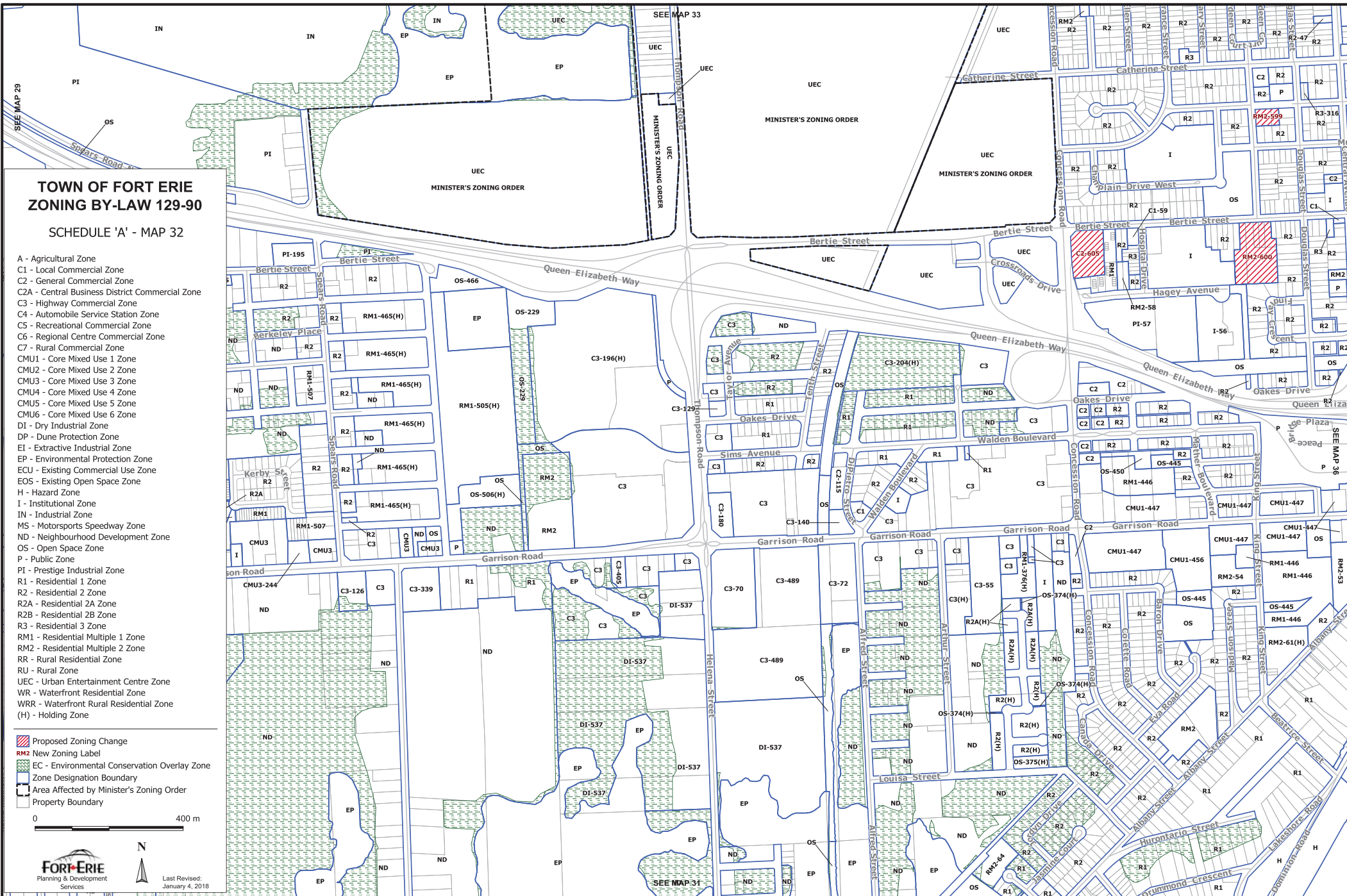
- A - Agricultural Zone
- C1 - Local Commercial Zone
- C2 - General Commercial Zone
- C2A - Central Business District Commercial Zone
- C3 - Highway Commercial Zone
- C4 - Automobile Service Station Zone
- C5 - Recreational Commercial Zone
- C6 - Regional Centre Commercial Zone
- C7 - Rural Commercial Zone
- CMU1 - Core Mixed Use 1 Zone
- CMU2 - Core Mixed Use 2 Zone
- CMU3 - Core Mixed Use 3 Zone
- CMU4 - Core Mixed Use 4 Zone
- CMU5 - Core Mixed Use 5 Zone
- CMU6 - Core Mixed Use 6 Zone
- D1 - Dry Industrial Zone
- DP - Dune Protection Zone
- EI - Extractive Industrial Zone
- EP - Environmental Protection Zone
- ECU - Existing Commercial Use Zone
- EOS - Existing Open Space Zone
- H - Hazard Zone
- I - Institutional Zone
- IN - Industrial Zone
- MS - Motorsports Speedway Zone
- ND - Neighbourhood Development Zone
- OS - Open Space Zone
- P - Public Zone
- PI - Prestige Industrial Zone
- R1 - Residential 1 Zone
- R2 - Residential 2 Zone
- R2A - Residential 2A Zone
- R2B - Residential 2B Zone
- R3 - Residential 3 Zone
- RM1 - Residential Multiple 1 Zone
- RM2 - Residential Multiple 2 Zone
- RR - Rural Residential Zone
- RU - Rural Zone
- UEC - Urban Entertainment Centre Zone
- WR - Waterfront Residential Zone
- WRR - Waterfront Rural Residential Zone
- (H) - Holding Zone

-  Proposed Zoning Change
-  New Zoning Label
-  EC - Environmental Conservation Overlay Zone
-  Zone Designation Boundary
-  Area Affected by Minister's Zoning Order
-  Property Boundary

0 400 m



Last Revised:  
January 4, 2018










# Appendix "1" to By-law No. 2-2018

## TOWN OF FORT ERIE ZONING BY-LAW 129-90

### SCHEDULE 'A' - MAP 33

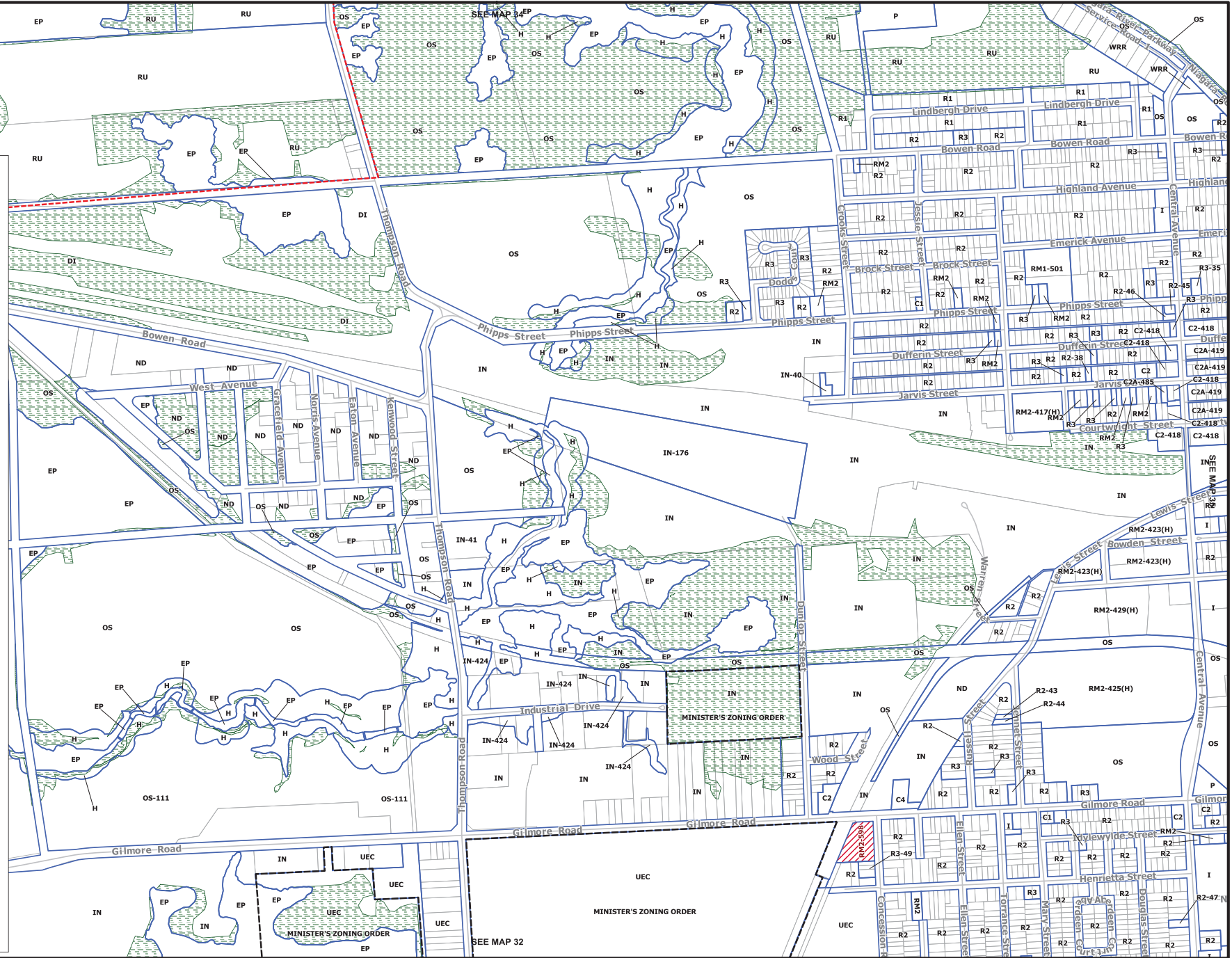
- A - Agricultural Zone
- C1 - Local Commercial Zone
- C2 - General Commercial Zone
- C2A - Central Business District Commercial Zone
- C3 - Highway Commercial Zone
- C4 - Automobile Service Station Zone
- C5 - Recreational Commercial Zone
- C6 - Regional Centre Commercial Zone
- C7 - Rural Commercial Zone
- CMU1 - Core Mixed Use 1 Zone
- CMU2 - Core Mixed Use 2 Zone
- CMU3 - Core Mixed Use 3 Zone
- CMU4 - Core Mixed Use 4 Zone
- CMU5 - Core Mixed Use 5 Zone
- CMU6 - Core Mixed Use 6 Zone
- DI - Dry Industrial Zone
- DP - Dune Protection Zone
- EI - Extractive Industrial Zone
- EP - Environmental Protection Zone
- ECU - Existing Commercial Use Zone
- EOS - Existing Open Space Zone
- H - Hazard Zone
- I - Institutional Zone
- IN - Industrial Zone
- MS - Motorsports Speedway Zone
- ND - Neighbourhood Development Zone
- OS - Open Space Zone
- P - Public Zone
- PI - Prestige Industrial Zone
- R1 - Residential 1 Zone
- R2 - Residential 2 Zone
- R2A - Residential 2A Zone
- R2B - Residential 2B Zone
- R3 - Residential 3 Zone
- RM1 - Residential Multiple 1 Zone
- RM2 - Residential Multiple 2 Zone
- RR - Rural Residential Zone
- RU - Rural Zone
- UEC - Urban Entertainment Centre Zone
- WR - Waterfront Residential Zone
- WRR - Waterfront Rural Residential Zone
- (H) - Holding Zone

-  Proposed Zoning Change
-  RM2 New Zoning Label
-  EC - Environmental Conservation Zone
-  Zone Designation Boundary
-  Area Affected by Minister's Zoning Order
-  Property Boundary
-  Urban Boundary

0 400 m



Last Revised:  
January 4, 2018







# Appendix "1" to By-law No. 2-2018

## TOWN OF FORT ERIE ZONING BY-LAW 129-90

### SCHEDULE 'A' - MAP 35

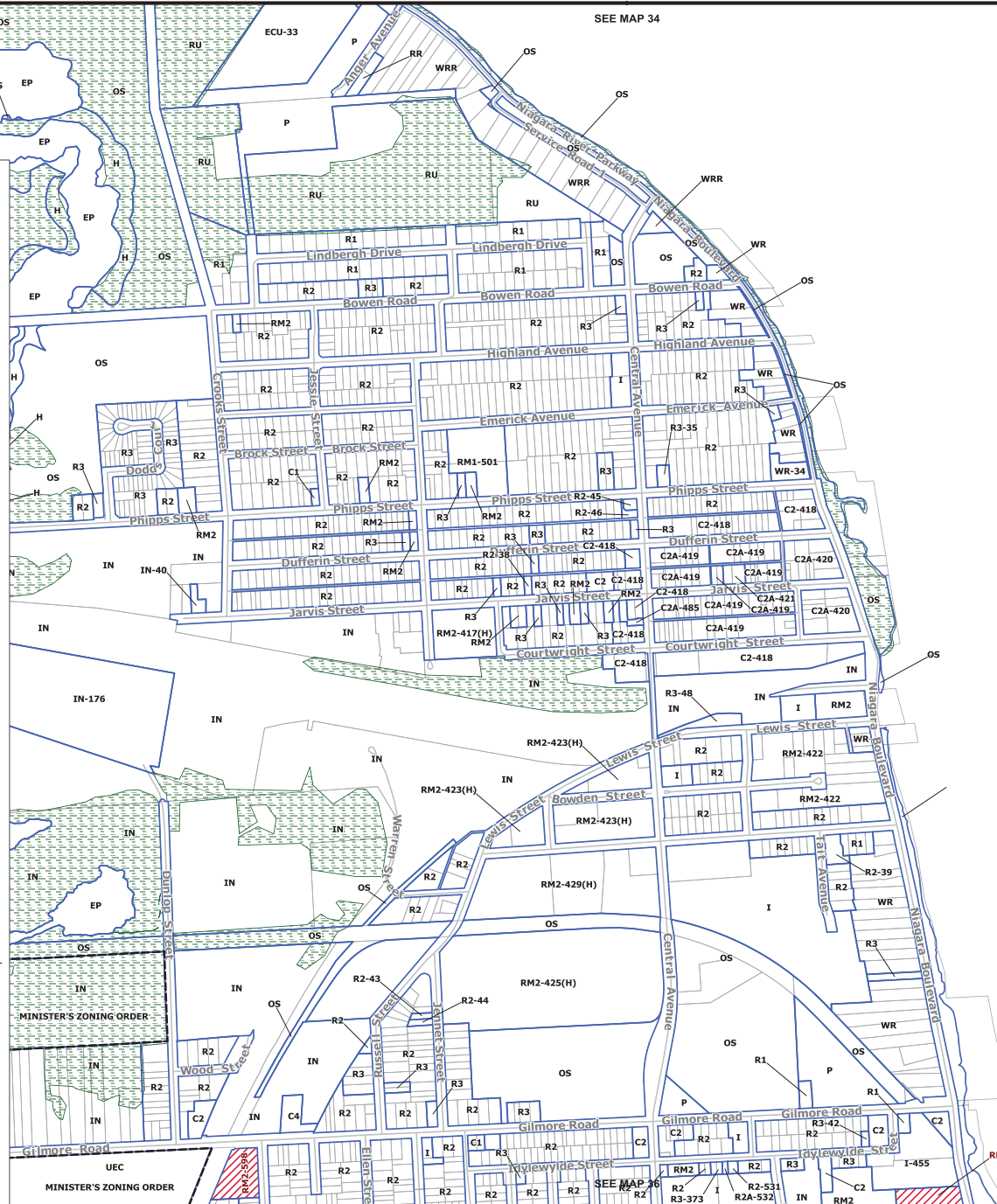
- A - Agricultural Zone  
C1 - Local Commercial Zone  
C2 - General Commercial Zone  
C2A - Central Business District Commercial Zone  
C3 - Highway Commercial Zone  
C4 - Automobile Service Station Zone  
C5 - Recreational Commercial Zone  
C6 - Regional Centre Commercial Zone  
C7 - Rural Commercial Zone  
CMU1 - Core Mixed Use 1 Zone  
CMU2 - Core Mixed Use 2 Zone  
CMU3 - Core Mixed Use 3 Zone  
CMU4 - Core Mixed Use 4 Zone  
CMU5 - Core Mixed Use 5 Zone  
CMU6 - Core Mixed Use 6 Zone  
DI - Dry Industrial Zone  
DP - Dune Protection Zone  
EI - Extractive Industrial Zone  
EP - Environmental Protection Zone  
ECU - Existing Commercial Use Zone  
EOS - Existing Open Space Zone  
H - Hazard Zone  
I - Institutional Zone  
IN - Industrial Zone  
MS - Motorsports Speedway Zone  
ND - Neighbourhood Development Zone  
OS - Open Space Zone  
P - Public Zone  
PI - Prestige Industrial Zone  
R1 - Residential 1 Zone  
R2 - Residential 2 Zone  
R2A - Residential 2A Zone  
R2B - Residential 2B Zone  
R3 - Residential 3 Zone  
RM1 - Residential Multiple 1 Zone  
RM2 - Residential Multiple 2 Zone  
RR - Rural Residential Zone  
RU - Rural Zone  
UEC - Urban Entertainment Centre Zone  
WR - Waterfront Residential Zone  
WRR - Waterfront Rural Residential Zone  
(H) - Holding Zone

-  Proposed Zoning Change  
 RM2 New Zoning Label  
 EC - Environmental Conservation Overlay Zone  
 Zone Designation Boundary  
 Area Affected by Minister's Zoning Order  
 Property Boundary

0 400 m

**FORT ERIE**  
Planning & Development  
Services

Last Revised:  
January 4, 2018









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## TOWN OF FORT ERIE ZONING BY-LAW 129-90

### SCHEDULE 'A' - MAP 36

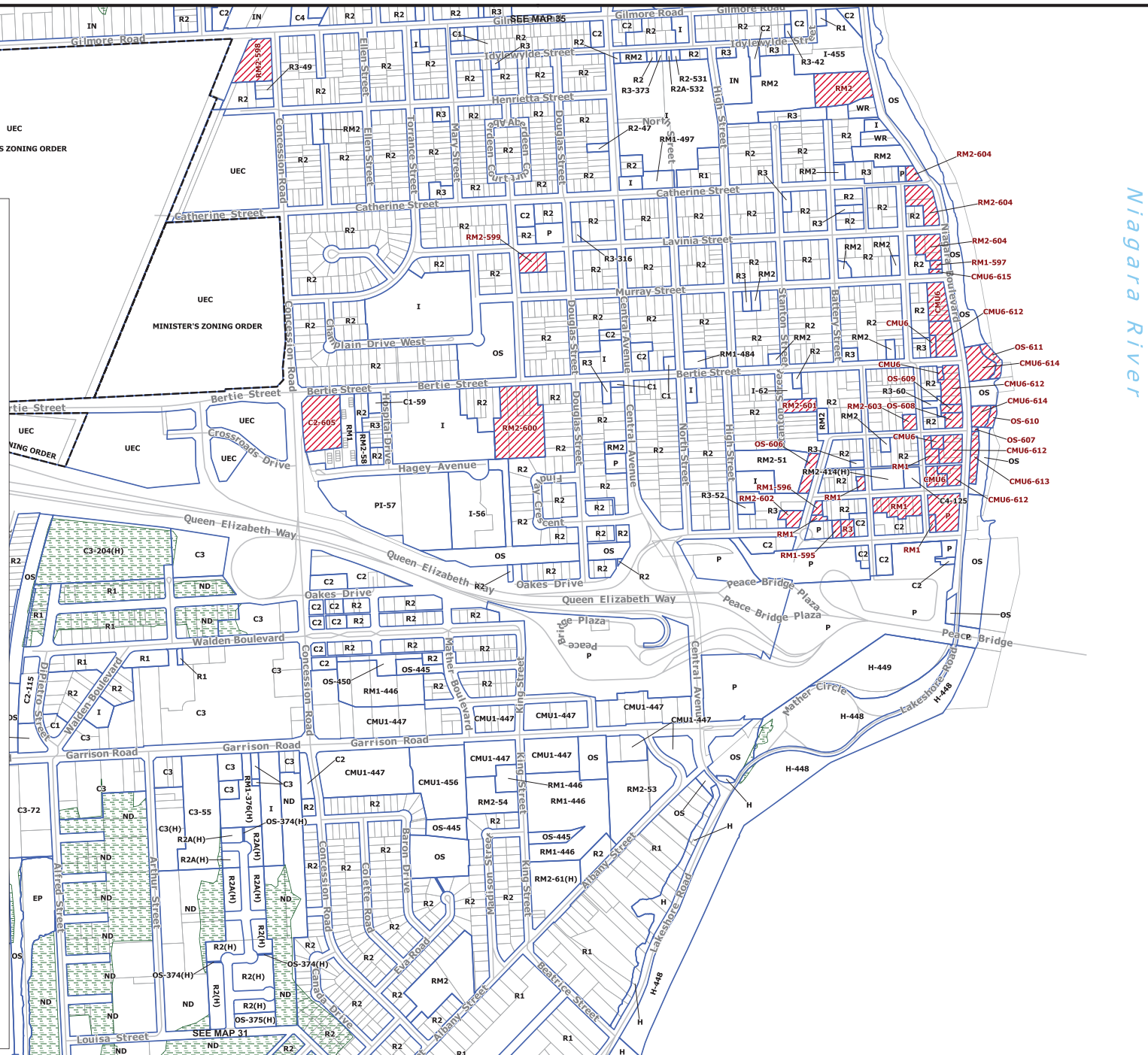
- A - Agricultural Zone
- C1 - Local Commercial Zone
- C2 - General Commercial Zone
- C2A - Central Business District Commercial Zone
- C3 - Highway Commercial Zone
- C4 - Automobile Service Station Zone
- C5 - Recreational Commercial Zone
- C6 - Regional Centre Commercial Zone
- C7 - Rural Commercial Zone
- CMU1 - Core Mixed Use 1 Zone
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- CMU3 - Core Mixed Use 3 Zone
- CMU4 - Core Mixed Use 4 Zone
- CMU5 - Core Mixed Use 5 Zone
- CMU6 - Core Mixed Use 6 Zone
- DI - Dry Industrial Zone
- DP - Dune Protection Zone
- EI - Extractive Industrial Zone
- EP - Environmental Protection Zone
- ECU - Existing Commercial Use Zone
- EOS - Existing Open Space Zone
- H - Hazard Zone
- I - Institutional Zone
- IN - Industrial Zone
- MS - Motorsports Speedway Zone
- ND - Neighbourhood Development Zone
- OS - Open Space Zone
- P - Public Zone
- PI - Prestige Industrial Zone
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- R2A - Residential 2A Zone
- R2B - Residential 2B Zone
- R3 - Residential 3 Zone
- RM1 - Residential Multiple 1 Zone
- RM2 - Residential Multiple 2 Zone
- RR - Rural Residential Zone
- RU - Rural Zone
- UEC - Urban Entertainment Centre Zone
- WR - Waterfront Residential Zone
- WRR - Waterfront Rural Residential Zone
- (H) - Holding Zone

-  Proposed Change in Zoning
-  RM2 New Zone Label
-  EC - Environmental Conservation Overlay Zone
-  Zone Designation Boundary
-  Area Affected by Minister's Zoning Order
-  Property Boundary

0 400 m



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Niagara River

# Appendix "1" to By-law No. 2-2018

## TOWN OF FORT ERIE ZONING BY-LAW 129-90

### SCHEDULE 'A' - MAP D-3 FORT ERIE DETAIL MAP

- A - Agricultural Zone
- C1 - Local Commercial Zone
- C2 - General Commercial Zone
- C2A - Central Business District Commercial Zone
- C3 - Highway Commercial Zone
- C4 - Automobile Service Station Zone
- C5 - Recreational Commercial Zone
- C6 - Regional Centre Commercial Zone
- C7 - Rural Commercial Zone
- CMU1 - Core Mixed Use 1 Zone
- CMU2 - Core Mixed Use 2 Zone
- CMU3 - Core Mixed Use 3 Zone
- CMU4 - Core Mixed Use 4 Zone
- CMU5 - Core Mixed Use 5 Zone
- CMU6 - Core Mixed Use 6 Zone
- DI - Dry Industrial Zone
- DP - Dune Protection Zone
- EI - Extractive Industrial Zone
- EP - Environmental Protection Zone
- ECU - Existing Commercial Use Zone
- EOS - Existing Open Space Zone
- H - Hazard Zone
- I - Institutional Zone
- IN - Industrial Zone
- MS - Motorsports Speedway Zone
- ND - Neighbourhood Development Zone
- OS - Open Space Zone
- P - Public Zone
- PI - Prestige Industrial Zone
- R1 - Residential 1 Zone
- R2 - Residential 2 Zone
- R2A - Residential 2A Zone
- R2B - Residential 2B Zone
- R3 - Residential 3 Zone
- RM1 - Residential Multiple 1 Zone
- RM2 - Residential Multiple 2 Zone
- RR - Rural Residential Zone
- RU - Rural Zone
- UEC - Urban Entertainment Centre Zone
- WR - Waterfront Residential Zone
- WRR - Waterfront Rural Residential Zone
- (H) - Holding Zone

- Proposed Zoning Change
- RM2 New Zone Label
- EC - Environmental Conservation Overlay Zone
- Area Affected by Minister's Zoning Order
- Zone Designation Boundary
- Property Boundary

0 150 m



Niagara River