



The Municipal Corporation of the Town of Fort Erie

By-law 12-2024

Being a By-law to Amend Zoning By-law 129-90, as amended Town-Initiated Housekeeping Amendment

Whereas By-law 129-90, as amended, being the Comprehensive Zoning By-law for the Town of Fort Erie was passed on May 28, 1990; and

Whereas By-laws 48-97, 34-98, 44-98, 03-02, 123-03, 10-04, 90-04, 152-04, 100-05, 57-06, 199-07, 56-08, 120-11, 130-11, 110-12, 38-13, 65-13, 94-2014, 133-2014, 152-2015, 123-2016, 14-2018, 128-2018, 124-2020, 42-2021 and 44-2022 are previous housekeeping amendments to Zoning By-law 129-90, as amended; and

Whereas since that time municipal staff have been compiling a record of proposed improvements to the Zoning By-law; and

Whereas Subsection 34 (1) of the *Planning Act*, R.S.O. 1990, c. P.13, authorizes the Council of a municipality to regulate the use of lands and the character, location and use of buildings and structures within the municipality; and

Whereas the Council of the Town of Fort Erie at its meeting of June 26, 2023, authorized staff to undertake a housekeeping amendment to Zoning By-law 129-90, as amended, through Report PDS-49-2023; 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 housekeeping amendments to Comprehensive Zoning By-law 129-90, as amended on August 17, 2023 and notice of such was published in the Fort Erie Post on July 27, 2023; 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 housekeeping amendments to Comprehensive Zoning By-law 129-90, as amended, on September 18, 2023 and notice of such was published in the Fort Erie Post on August 24, 2023; and

Whereas to satisfy the notification requirements for Town initiated amendments approved by Council on May 6, 2013, the following additional measures were undertaken to notify the public of the proposed amendment:

- Notice of the proposed amendments was posted on the Town's website;
- Notice of the proposed amendments was posted on the Town's social media;
- Notice of the public meeting was sent to the Ridgeway, Bridgeburg and Crystal Beach Business Improvement Associations.

Whereas it is deemed desirable to proceed with the housekeeping amendments to the Comprehensive Zoning By-law 129-90, as amended, pursuant to Report PDS-81-2023 considered and approved by Council at the Council-in-Committee meeting of December 11, 2023;

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

1. That Subsection 5.2 “ACCESSORY APARTMENT DWELLING” of By-law 129-90, as amended, is repealed and replaced with the following:

 “5.2 “ACCESSORY APARTMENT DWELLING” see section 5.102 (a) **“Dwelling, Accessory Unit”**
2. That Subsection 5.13 of By-law 129-90, as amended, is repealed and replaced with the following:

 5.13 “APARTMENT BUILDING DWELLING” see section 5.101 (a) “DWELLING, APARTMENT BUILDING”
3. That Subsection 5.101 (a) of By-law 129-90, as amended, is repealed and replaced with the following:

 “(a) **“DWELLING, ACCESSORY UNIT”** means a self-contained Dwelling Unit created through converting of or adding onto a single detached, semi-detached or rowhouse/townhouse dwelling.”
4. That Subsection 5.101 of By-law 129-90, as amended, is further amended by adding thereto, the following:

 “(b) **“DWELLING, DETACHED ACCESSORY UNIT”** means a separate accessory building on a lot which is ancillary to a single detached, semi-detached or rowhouse/townhouse dwelling and contains a Dwelling Unit.”
5. That Subsection 5.101 (c) of By-law 129-90, as amended, is repealed and replaced with the following:

 “(c) **“DWELLING, APARTMENT BUILDING”** means a dwelling containing 4 or more dwelling units accessible from a corridor system connecting with a common entrance from outside the dwelling, where the occupants of such units have the common right to use halls, stairs, elevators and yards, the said dwellings being located on a single lot with or without other dwellings, such lot being held and maintained under one ownership or under condominium ownership pursuant to The Condominium Act, 1998 as amended, or any successor legislation.”
6. That Subsection 5.101 “DWELLING, CONVERTED” of By-law 129-90, as amended, is deleted.
7. That Subsection 5.101 (h) of By-law 129-90, as amended, is further amended by adding thereto, the following:

 ““DWELLING, ROWHOUSE” for the purposes of this by-law a rowhouse dwelling shall be considered to be interchangeable with “DWELLING, BLOCK TOWNHOUSE” and/or DWELLING, STREET TOWNHOUSE”.
8. That Subsection 5.101 (h) “DWELLING, SECOND UNIT” of By-law 129-90, as amended, is deleted.
9. That Subsection 5 of By-law 129-90, as amended, is further amended by adding thereto, the following:

 5.156 “GREEN ROOF” means an engineered roofing system that permits the planting and growth of permanent vegetation on a rooftop. Green roofs may act as a common amenity area provided the primary functions for stormwater management and environmental benefits are maintained.”
10. That Subsection 5.179 of By-law 129-90, as amended, is repealed and replaced with the following:

 “5.179 “LANDSCAPED OPEN SPACE” means a non-hardscape open area on a lot which is:

 (i) unoccupied by any building with the exception of a building with a green roof;

 (ii) used or intended to be used for the growth and maintenance of grass, flowers, shrubs, bushes, trees and other vegetation, and for the provision of other landscaping features including, but not limited to, planting strips, facilities for outdoor recreation, play areas, and surfaced walks and patios if they are permeable;

(iii) but does not include any part of a non-permeable hardscape driveway or parking area, curbs, or any retaining wall, roof-top terrace, balcony, swimming pool or space enclosed within a building.”

11. That Subsection 5.195 of By-law 129-90, as amended, is repealed and replaced with the following:

“5.195 “LOT COVERAGE” means that percentage of the lot area covered by all buildings and structures above ground level; but does not include that portion of the lot area which is occupied by a building, structure or a portion thereof and which building, structure or portion thereof is completely below ground level; and does not include uncovered and unenclosed steps, decks or patios of permeable construction that are less than 2.0 m above grade. For the purpose of this Section, the lot coverage in each zone applies and shall be deemed to apply only to that portion of such lot that is located within said zone.”

12. That Subsection 5.254 of By-law 129-90, as amended, is repealed and replaced with the following:

“5.255 “PARKING SPACE, TANDEM” means one parking space located immediately behind another parking space, leaving one parking space without direct access to a parking aisle or street.”

13. That Subsection 5.263 of By-law 129-90, as amended, is repealed and replaced with the following:

“5.263 “PLANTING STRIP” means an area of landscaped open space located immediately adjacent to a lot line or portion thereof and may include the following:

- (i) grass;
- (ii) flower beds or decorative gardens;
- (iii) a continuous row of trees;
- (iv) a continuous hedgerow of evergreens or shrubs;
- (vii) a landscaped berm;
- (vi) a wall; or
- (vii) an opaque fence.”

14. That Subsection 5.309 of By-law 129-90, as amended, is repealed and replaced with the following:

“5.310 “SETBACK” means the shortest distance from a building or structure on a lot and the front, side, and rear lot lines, including any street lines. Setbacks are also measured to zone boundary lines on a parcel with more than one zone subject to the regulations of Subsection 6.15 (b).”

15. That Subsection 5.350 of By-law 129-90, as amended, is repealed and replaced with the following:

“5.350 “U-BREW-YOUR-OWN ESTABLISHMENT” means a commercial premises where the public can prepare their own beer and/or wine in a controlled setting and may include a small scale retail component related to the U-Brew-Your-Own Establishment operation.”

16. That Subsection 5.360 of By-law 129-90, as amended, is repealed and replaced with the following:

“5.360 “WALL, BUILDING” means any part of a building or structure which is designed to support a roof over a fully or partly enclosed space but does not include pillars and columns.”

17. That Subsection 6.1 (a) of By-law 129-90, as amended, is repealed and replaced with the following:

“(a) GENERAL

Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use, but shall not include any building used for sleeping or eating accommodations, human habitation except as otherwise permitted in this By-law or in Subsection 6.1 (c) below.”

18. That Subsection 6.1 of By-law 129-90, as amended, is further amended by adding thereto, the following:

‘(c) Except as otherwise provided herein, in a Residential Zone an accessory building may be used for or contain a maximum of one (1) Detached Accessory Dwelling Unit on the same parcel provided there are not more than two (2) dwelling units in the main dwelling. If located in an accessory building that existed prior to By-law 12-2024 being approved on January 29, 2024 the Detached Accessory Dwelling Unit is subject to the regulations of Subsection 6.1 (b), (d) and (e). If located in an accessory building constructed after By-law 12-2024, being approved on January 29, 2024 the Detached Accessory Building is subject to the regulations of Subsection 6.43 (g).”

19. That Subsection 6.1 (d) “LOT COVERAGE” of By-law 129-90, as amended, is repealed and replaced with the following:

“(e) LOT COVERAGE

The total lot coverage of all accessory buildings on a lot shall not exceed 10% of the lot area, except as otherwise permitted in this By-law.

20. That Subsection 6.3 (b) “LOCATION ABOVE PRIVATE GARAGE” of By-law 129-90, as amended, is deleted.

21. That Subsection 6.13 (a) “DWELLINGS” of By-law 129-90, as amended, is repealed and replaced with the following:

“(a) A legal single detached dwelling, semi-detached dwelling, street townhouse dwelling and block townhouse dwelling may have up to two (2) Accessory Dwelling Units that are added onto or contained within the main dwelling. One Detached Accessory Dwelling Unit may be permitted in an accessory building on the same parcel provided the main dwelling does not exceed more than one (1) Accessory Dwelling Unit.”

22. That Subsection 6.20 (A) (ii) of By-law 129-90, as amended, is repealed and replaced with the following:

“(ii) except that this provision shall not apply within the “Central Business District Commercial (C2A) Zone”, “Core Mixed Use 2 (CMU2) Zone”, “Core Mixed Use 4 (CMU4) Zone”, Core Mixed Use 5 (CMU5) Zone” or “Core Mixed Use 6 (CMU6) Zone” as designated on Schedule “A” attached hereto or shall be exempt from the provision of parking spaces in accordance with an agreement with Council pursuant to Section 39 of *The Planning Act, S.O. 1990;*”

23. That the parking area requirements for Residential Uses in Subsection 6.20 (A) of By-law 129-90, as amended, is repealed and replaced with the following:

TYPE OF USE	MINIMUM PARKING REQUIREMENT
RESIDENTIAL USES	
Residential (other than listed herein)	1 parking space per dwelling unit
Apartment Buildings	1.5 parking spaces per dwelling unit
Block Townhouse Dwellings	1.5 parking spaces per main dwelling unit. 1 parking space per dwelling unit for any Accessory Dwelling Units/Detached Accessory Dwelling Units.
Assisted Living House and Homes for the Aged	0.5 parking space per resident

24. That the parking area requirements for Residential Uses in Subsection 6.20 (D) (i) of By-law 129-90, as amended, is repealed and replaced with the following:

“(i) Requirements by Zone

1. In Commercial and Industrial Zones, ingress and egress, to and from the required

parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3.0 m, where only one-way traffic is permitted and have a minimum width of 7.5 m but not more than 12m in perpendicular width where two-way traffic is permitted.

- 2. In C2A, CMU2 and CMU4 Zones an access drive width of 3.0 metres to a rear parking lot that has 5 or less spaces, a 4.5 metre access drive width where 10 or less parking spaces are required and 6.0 metres where more than 10 spaces are required.
- 3. In Residential Zones, ingress and egress, to and from the required parking spaces and areas, shall be provided by means of unobstructed driveways or passageways at least 3.0 metres, where only one-way traffic is permitted and have a minimum width of 6.0 m but not more than 9.0 metres in perpendicular width where two-way traffic is permitted.”

25. That the parking area location on lot requirements in Subsection 6.20 (I) of By-law 129-90, as amended, is repealed and replaced with the following:

ZONE	YARD IN WHICH REQUIRED PARKING AREA PERMITTED
R1, R2, R3, A, RU, RR, WR, WRR	All yards. A Parking Area for a residential use containing more than 3 dwelling units shall be located in the rear yard only.
RM1, RM2	All yards provided that no part of any parking area, other than a driveway, is located closer than 3.0 m to any street line and any lot line.
C1, C2, C2A, C3, C4, C5, C6, C7, CMU1, CMU2, CMU3, CMU4, I, OS, P	All yards provided that no part of any parking area, other than a point of ingress/egress, is located closer than 3.0 m to any street line or to any residential zone, except a parking area may be located 0 m from a rear access laneway in C2A, CMU2 and CMU4 Zone.
IN, DI, PI	All yards, provided that no part of any parking area, other than a point of ingress/egress, is located closer than 4.5 m to any street line or to any residential zone.

26. That Subsection 6.21 (a) of By-law 129-90, as amended, is repealed and replaced with the following:

‘a) REQUIREMENTS FOR USES ABUTTING RESIDENTIAL ZONES

Where a lot is used for a non-residential purpose or a residential development consisting of more than 3 dwelling units, and the interior side or rear lot line or portion thereof abuts a Residential zone, then a strip of land adjoining such abutting lot line, or portion thereof, shall be used for no other purpose than a planting strip in accordance with the provisions of this subsection.”

27. That Subsection 6.21 (f) of By-law 129-90, as amended, is repealed and replaced with the following:

“f) PLANTING STRIPS REQUIRED ADJACENT TO QUEEN ELIZABETH WAY

Notwithstanding any other requirements of this by-law, a planting strip having a minimum width of 9.0m shall be provided adjacent to the Queen Elizabeth Way or any service road or other municipal road running parallel and adjacent to the Queen Elizabeth Way, and such planting strip shall be used for no other purposes than landscaped open space and/or a noise attenuation feature.”

28. That Subsection 6.21 (g) of By-law 129-90, as amended, is repealed and replaced with the following:

“(g) MINIMUM LANDSCAPED OPEN SPACE AREA IN A RESIDENTIAL ZONE

- i. The minimum required landscaped open space area in the front yard of any dwelling in any residential zone shall be 30%.
- ii. The minimum required landscaped open space area in the rear yard of any dwelling in any residential zone shall be 40%.
- iii. The overall minimum required landscaped open space area on a lot in a residential zone shall be 20%”

29. That Subsection 6.24 (a) of By-law 129-90, as amended, is repealed and replaced with the following:

“(a) Prevent the use of any land for the erection of buildings or structures, or the installation of any sewage and water works or other facilities essential to the operation of a Public Service, provided that any such use, building or structure shall be in substantial compliance with relevant provisions of this By-law and shall not adversely affect the character or amenity of the neighbourhood in which same is located; however, offices, maintenance/repair yards and institutional uses for public agencies and public utilities are not permitted in any Agricultural or Rural zone.”

30. That Subsection 6.38 (a) of By-law 129-90, as amended, is repealed and replaced with the following:

“(a) ALL ZONES

No person shall in any zone, locate or use any travel trailer, pick up camper, tent trailer, permanently mounted camper, motor vehicle or tent on any lot for living, sleeping or eating accommodation.”

31. That Subsection 6.39 of By-law 129-90, as amended, is repealed and replaced with the following:

“6.39 STORAGE OF RECREATIONAL VEHICLES

On a lot containing a residential dwelling, no person shall store a recreational vehicle except in accordance with the following provisions:

- (a) where the lot is used for an apartment dwelling or boarding house, the storage of such vehicles shall be enclosed and shall only be permitted in spaces or areas that are in addition to the number of parking spaces required by Section 6.20.
- (b) where the lot is used for any other residential use, the storage of such vehicles shall be permitted in any yard provided that they are a minimum of 1.0 m from any side or rear lot line and where storage occurs in a front yard or exterior side yard, a minimum setback of 4.5 m from the front lot line and in the case of a corner lot a daylighting triangle in accordance with Section 6.31 of the Comprehensive Zoning By-law 129-90 shall be required in addition to the front yard setback for sight clearance purposes.
- (c) notwithstanding the requirements of (b) above, a Recreational Vehicle shall not be located in the front yard between the main dwelling and the front lot line in such a manner that the front face of the dwelling is blocked or obscured in an unsightly manner.
- (d) notwithstanding the requirements of (b) and (c) above, the temporary storage of recreational vehicles for a period of up to 72 hours, between May 1st and October 31st, shall be permitted in the front yard. However, temporary storage of recreational vehicles shall not be permitted within the required daylighting triangle in accordance with Section 6.31 on any corner lot.
- (e) Recreational vehicles may be stored in accordance with (d) above, a maximum of 6 times in a calendar year”

32. That Subsection 6.40 (a) of By-law 129-90, as amended, is repealed and replaced with the following:

(b) Residential Zones

Notwithstanding the yard provisions of this By-law to the contrary, porches, balconies, decks and patios may project into required yards in residential zones as follows:

Height of Platform

	0 m to 0.5 m Above grade (uncovered)	Between 0.5 m and 1.5 m (uncovered) or 0 m to 1.5 m above grade (covered)	Above 1.5 m above grade (covered or uncovered)
Minimum setback to exterior side lot line	0.25 m, if permeable and drainage is not adversely impacted; 1.50 m if non- permeable	1.5 m	Required building setback
Minimum setback to interior side lot line	0.25 m, if permeable and drainage is not adversely impacted; Required building setback if non- permeable	Required building setback	Required building setback
Minimum setback to rear lot line	0.25 m, if permeable and drainage is not adversely impacted; 3 m if non- permeable	3 m	Required building setback
Minimum setback to front lot line	3 m	3 m	Required building setback

32. That Subsection 6.40 of By-law 129-90, as amended, is further amended by adding thereto, the following:

(b) Notwithstanding part (a) above, porches, balconies, decks and patios are not permitted to encroach into required swales.”

33. That Subsection 6.41 (a) of By-law 129-90, as amended, is repealed and replaced with the following:

“(a) **ORNAMENTAL STRUCTURES**

Notwithstanding the yard provisions of this By-law to the contrary, sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows, bow windows, window wells or other ornamental structures may project into any required yard a maximum distance of 0.5m but shall not be closer than 0.5m to any lot line.”

34. That Subsection 6.41 (d) of By-law 129-90, as amended, is repealed and replaced with the following:

“(d) **STEPS AND BARRIER FREE RAMP STRUCTURES**

Notwithstanding the yard provisions in this by-law to the contrary, steps and barrier free ramp structures may project into the front, rear and interior side yards and shall be setback a minimum of 1 m from exterior side lot lines.

Landings

For the purposes of this provision a landing is considered to be part of steps or barrier free ramp structures.

Steps/Barrier Free Ramp Structures with Foundations

Notwithstanding the yard provisions in this by-law to the contrary, steps and barrier free ramp structures with foundations may project into the front, rear and interior side yards and shall be setback a minimum of 1 m from exterior side lot lines provided it is demonstrated that drainage is not adversely impacted.”

35. That Subsection 6.43 of By-law 129-90, as amended, is repealed and replaced with the following:

“6.43 **ACCESSORY DWELLING UNITS**

- (a) In a Residential Zone in the Urban Boundary that has access to full municipal water and sanitary sewer service, up to two (2) Accessory Dwelling Units shall be permitted in any single detached, semi-detached or rowhouse/townhouse dwelling in addition to the main dwelling unit.
- (b) In a Residential Zone in the Urban Boundary that has access to full municipal water and sanitary sewer service, one (1) Detached Accessory Dwelling Unit shall be permitted on the same lot. Notwithstanding Subsection 6.43 (a), where a lot contains a permitted Detached Accessory Dwelling Unit, only one (1) Accessory Dwelling Unit shall be permitted in any single detached, semi-detached or rowhouse/townhouse dwelling in addition to the main dwelling unit.
- (c) In a Neighbourhood Development (ND) Zone in the Urban Boundary that has access to full municipal water and sanitary sewer service, up to two (2) Accessory Dwelling Units shall be permitted in an existing single detached, semi-detached or rowhouse/townhouse dwelling.
- (d) In a Neighbourhood Development (ND) Zone in the Urban Boundary that has access to full municipal water and sanitary sewer service, one (1) Detached Accessory Dwelling Unit shall be permitted on the same lot. Notwithstanding Subsection 6.43 (c), where a lot contains a permitted Detached Accessory Dwelling Unit, only one (1) Accessory Dwelling Unit shall be permitted in any single detached, semi-detached or rowhouse/townhouse dwelling in addition to the main dwelling unit
- (e) A Detached Accessory Dwelling Unit that is contained within or added onto an Accessory Building that existed prior to the By-law 12-2024 being approved on January 29, 2024 shall be subject to the regulations of Subsection 6.1 (b), (d) and (e).
- (f) A Detached Accessory Dwelling Unit that is contained within a new Accessory Building shall be subject to the following regulations:
 - i. Maximum Lot Coverage - 15% for all accessory buildings
 - ii. Location on Parcel - Shall be located in an interior side yard or the rear yard only.
 - iii. Minimum Interior Side Yard and Rear Yard:
 - a. 1 storey - 1.00 m
 - b. 1.5 storey - 1.50 m
 - c. 2 storey - 2.00 m
 - iv. Minimum Exterior Side Yard - 3.00 m, except that an attached garage or carport which faces the exterior side lot line shall be located no closer than 6.00 m to the exterior side lot line.
 - v. Maximum Building Height
 - a. 2 storeys or the same number of storeys as the main dwelling, whichever is less.
 - b. The maximum height shall be the same as the main dwelling or 8.00 m, whichever is less.
- (g) The maximum floor area for each Accessory Dwelling Unit shall not exceed 40% of the total floor area of the main dwelling or 120 sq m, whichever is lesser. Where a portion of the basement of the dwelling is occupied by an Accessory Dwelling Unit, the floor area of the basement shall be included in the calculation of the total floor area. If located in the basement of the principal dwelling the Accessory Dwelling Unit may occupy the entire basement area.
- (h) One parking space must be provided on site for each Accessory Dwelling Unit and Detached Accessory Dwelling Unit. Tandem parking is permitted for Accessory Dwelling Units and Detached Accessory Dwelling Units to maximum depth of two parking spaces.
- (i) If a single detached dwelling, semi-detached dwelling or townhouse dwelling is permitted in a non-Residential Zone by way of site-specific Zoning Exception, Accessory Dwellings Units / a Detached Accessory Dwelling Unit are permitted as per part (a) through (h) above.”

36. That Subsection 10.2 of By-law 129-90, as amended, is repealed and replaced with the following:

“10.2 PERMITTED USES

- (a) One single detached dwelling and uses, buildings and structures accessory thereto
- (b) Home Occupations
- (c) Two (2) Accessory Dwelling Units, or one (1) Accessory Dwelling Unit and one (1) Detached Accessory Dwelling Unit as per the regulations of Subsection 6.43”

37. That Subsection 11.2 of By-law 129-90, as amended, is repealed and replaced with the following:

“11.2 PERMITTED USES

- (a) One single detached dwelling and uses, buildings and structures accessory thereto
- (b) Home Occupations
- (c) Two (2) Accessory Dwelling Units, or one (1) Accessory Dwelling Unit and one (1) Detached Accessory Dwelling Unit as per the regulations of Subsection 6.43”

38. That Subsection 12.2 of By-law 129-90, as amended, is repealed and replaced with the following:

“12.2 PERMITTED USES

- (a) One single detached dwelling and uses, buildings and structures accessory thereto
- (b) Home Occupations
- (c) Two (2) Accessory Dwelling Units, or one (1) Accessory Dwelling Unit and one (1) Detached Accessory Dwelling Unit as per the regulations of Subsection 6.43”

39. That Subsection 12B.2 of By-law 129-90, as amended, is repealed and replaced with the following:

“12B.2 PERMITTED USES

- (a) One single detached dwelling and uses, buildings and structures accessory thereto
- (b) Home Occupations
- (c) Two (2) Accessory Dwelling Units, or one (1) Accessory Dwelling Unit and one (1) Detached Accessory Dwelling Unit as per the regulations of Subsection 6.43”

40. That Subsection 13.2 of By-law 129-90, as amended, is repealed and replaced with the following:

“13.2 PERMITTED USES

- (a) One single detached dwelling
- (b) Semi-detached dwellings
- (c) Duplex Dwellings
- (d) Uses, buildings and structures accessory to the foregoing permitted uses
- (e) Home occupations
- (f) Two (2) Accessory Dwelling Units, or one (1) Accessory Dwelling Unit and one (1) Detached Accessory Dwelling Unit as per the regulations of Subsection 6.43”

41. That Subsection 13.6 of By-law 129-90, as amended, is deleted.

42. That Subsection 14.2 of By-law 129-90, as amended, is repealed and replaced with the following:

“14.2 PERMITTED USES

- (a) Single detached dwellings
- (b) Semi-detached dwellings
- (c) Duplexes
- (d) Triplexes
- (e) Fourplexes
- (f) Street townhouse dwellings
- (g) Block townhouse dwellings
- (h) Residential uses existing at the date of passing of this by-law
- (i) Uses, buildings and structures accessory to the foregoing permitted uses
- (j) Two (2) Accessory Dwelling Units, or one (1) Accessory Dwelling Unit and one (1) Detached Accessory Dwelling Unit as per the regulations of Subsection 6.43”

43. That the provision for Planting Strips in Subsection 14.3 of By-law 129-90, as amended, is repealed and replaced with the following:

Planting Strips	In accordance with Section 6.21.
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44. That the provision for Minimum Floor Area for Dwellings in Subsection 14.7 of By-law 129-90, as amended, is deleted.

45. That Subsection 16.2 of By-law 129-90, as amended, is repealed and replaced with the following:

“16.2 PERMITTED USES

- (a) One single detached dwelling and uses, buildings and structures accessory thereto
- (b) Home Occupations
- (c) Two (2) Accessory Dwelling Units, or one (1) Accessory Dwelling Unit and one (1) Detached Accessory Dwelling Unit as per the regulations of Subsection 6.43”

46. That Section 16 of By-law 129-90, as amended, is further amended by adding thereto, the following:

“16.5 REGULATIONS FOR DETACHED ACCESSORY DWELLING UNITS ALONG LAKE ERIE

- a) Notwithstanding the provisions of Section 6.1 or Section 6.43 (f), a Detached Accessory Dwelling Unit may be permitted in the front yard in the Waterfront Residential (WR) Zone with a minimum front yard setback of 7.5 m.”

47. That Subsection 17.2 of By-law 129-90, as amended, is repealed and replaced with the following:

“17.2 PERMITTED USES

- (a) One single detached dwelling and uses, buildings and structures accessory thereto
- (b) Home Occupations
- (c) Two (2) Accessory Dwelling Units, or one (1) Accessory Dwelling Unit and one (1) Detached Accessory Dwelling Unit as per the regulations of Subsection 6.43”

48. That Subsection 27.3 of By-law 129-90, as amended, is further amended by adding thereto, the following:

Accessory Buildings or Structures to a Permitted Industrial Use	<p>The following Accessory Buildings or Structures that are ancillary to a permitted Industrial use may encroach into required yards:</p> <ul style="list-style-type: none"> • Gatehouses • Water Meter Buildings
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49. That Subsection 27.5 of By-law 129-90, as amended, is further amended by adding thereto, the following:

Building Façade Regulations for QEW Exposure	Walls must consist of brick or decorative masonry units or are surfaced with stucco. For the purposes of this provision buildings with exposure to the QEW are those that are directly adjacent to the QEW right of way.
Accessory Buildings or Structures to a Permitted Industrial Use	<p>The following Accessory Buildings or Structures that are ancillary to a permitted Industrial use may encroach into required yards:</p> <ul style="list-style-type: none"> • Gatehouses • Water Meter Buildings

50. That Subsection 28.3 of By-law 129-90, as amended, is further amended by adding thereto, the following:

Accessory Buildings or Structures to a Permitted Industrial Use	<p>The following Accessory Buildings or Structures that are ancillary to a permitted Industrial use may encroach into required yards:</p> <ul style="list-style-type: none"> • Gatehouses • Water Meter Buildings
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51. That Subsection 28.4 of By-law 129-90, as amended, is further amended by adding thereto, the following:

Building Façade Regulations for QEW Exposure	Walls must consist of brick or decorative masonry units or are surfaced with stucco. For the purposes of this provision buildings with exposure to the QEW are those that are directly adjacent to the QEW right of way.
Accessory Buildings or Structures to a Permitted Industrial Use	<p>The following Accessory Buildings or Structures that are ancillary to a permitted Industrial use may encroach into required yards:</p> <ul style="list-style-type: none"> • Gatehouses • Water Meter Buildings

52. That Subsection 29.3 of By-law 129-90, as amended, is further amended by adding thereto, the following:

Accessory Buildings or Structures to a Permitted Industrial Use	<p>The following Accessory Buildings or Structures that are ancillary to a permitted Industrial use may encroach into required yards:</p> <ul style="list-style-type: none"> • Gatehouses • Water Meter Buildings
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53. That Subsection 29.4 of By-law 129-90, as amended, is further amended by adding thereto, the following:

Building Façade Regulations for QEW Exposure	Walls must consist of brick or decorative masonry units or are surfaced with stucco. For the purposes of this provision buildings with exposure
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	to the QEW are those that are directly adjacent to the QEW right of way.
Accessory Buildings or Structures to a Permitted Industrial Use	<p>The following Accessory Buildings or Structures that are ancillary to a permitted Industrial use may encroach into required yards:</p> <ul style="list-style-type: none">• Gatehouses• Water Meter Buildings

54. 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 January, 2024.

Mayor

Clerk