

NOTICE OF INFORMATION OPEN HOUSE AND PUBLIC MEETING

Application Type: Town-wide Housekeeping Amendments to Zoning By-law 129-90
Applicant: Town of Fort Erie
File Number(s): ZBA-01-2025

PROPOSED CHANGE

The Town of Fort Erie has initiated a Housekeeping Amendment to the Comprehensive Zoning By-law 129-90. The following table summarizes the contemplated changes to the Zoning By-law:

Zoning By-law Section	Topic	Commentary
5 - Definitions	Duplex and Triplex Dwellings	Review and revise definitions to more clearly differentiate them from dwellings with Accessory Dwelling Units.
5 - Definitions	Floor Area	Revise the definition to exclude the thickness of all exterior walls from floor area to make it consistent with the definition of 5.132 "Floor Area, Net".
5 - Definitions	Garage	Remove the minimum internal dimension requirements of 6.00 metres by 3.00 metres and height of 2.40 metres for a parking space in a garage from the definition.
5 - Definitions	Lot Coverage	Revise the definition to clarify when at-grade patios are considered towards lot coverage.
5 - Definitions	Patio, New – Definition for Walkway	Revise the definition of patio to clarify the difference between a patio and a walkway. Consider adding a new definition "Walkway" for clarity.
5 - Definitions	Trailer - Recreational Vehicles and Vehicle, Recreational	Revise these definitions to make them consistent with each other or merge them into a single definition for clarity purposes.
6 - General Provisions	6.1 (b)	Modify the provision to permit projection of eaves and gutters on accessory buildings and structures from 0.25 metres to 0.50 metres.
6 - General Provisions	6.13 (a)	Clarify that unless otherwise permitted one main dwelling shall be permitted on one lot.
6 – General Provisions	6.18 (e)	Revise to permit development on existing lots of record with a minimum of 10.00 metres of lot frontage.
6 - General Provisions	6.20	<ul style="list-style-type: none"> Change the wording of the regulation from "should" to "shall" for the provision requiring setbacks from lot lines for gates and barriers on Regional and Provincial roads. Clarify that Electric Vehicle parking spaces count towards required parking. Clarify that parking requirements for Short Term Rentals are in effect in several Core Mixed Use Zones. Update accessible parking ratios.
6 - General Provisions	6.21 (c)	Delete or revise this regulation as it is unclear what the purpose or intent of this regulation is.

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Zoning By-law Section	Topic	Commentary
6 - General Provisions	6.28, 6.29 and 6.30	Update these subsections to make them compliant with the <i>Planning Act</i> . Case law has established that legal non-conforming buildings and structures may be replaced or reconstructed as-of-right on the same building footprint.
6 - General Provisions	6.35 (a)	Revise the regulations for the location of swimming pools on irregular, corner or through lots for increased flexibility to reduce the need for Minor Variance approvals.
6 - General Provisions	6.38	Revise the section to prohibit the use of any motor vehicles for living, sleeping or eating accommodation.
6 - General Provisions	6.43	Add regulations for additional dwelling units on Agricultural, Rural, Rural Residential and Waterfront Rural Residential Zones.
6 - General Provisions	6.45	Remove the mandatory requirement for development on parcels comprised of two or more contiguous lots to be subject to Site Plan Control.
6 - General Provisions	6.51	Revise section to permit models homes to front on roads that are not yet assumed by the municipality.
6 - General Provisions	6.58	Consider adding provisions to address Short Term Rentals that are impacted by Hazard Areas along the Lake Erie shoreline.
6 - General Provisions	New – Illustration of Lot Frontage on a Lot with a Daylighting Triangle	Add an illustration to General Provisions showing how lot frontage is interpreted on a corner lot with a daylighting triangle for clarity.
Agricultural, Rural, Rural Residential and Waterfront Rural Residential Zones	7.2, 8.2, 9.2, 16A.2	Revise the permitted uses to permit up to three residential dwelling units on one lot. This may consist of up to two dwelling units in the main dwelling and one detached residential dwelling unit in an accessory building on the same parcel, or three dwelling units in the main dwelling.
17 – Neighbourhood Development (ND) Zone	17.1	Add a short description for the ND Zone to Subsection 17.1 that clarifies the intended use and purpose of this zone in accordance with the Town’s Official Plan.
General Provisions for Commercial Zones	18.1 (b) and 18.2 (a)	Revise the text to more clearly state where dwelling units are permitted in commercial zones.
Commercial Zones	21.3, 26B.3, 26D.3, 26E.3, 26F.3	Revise the parking exemption regulation to clarify that it is not applicable to Short Term Rentals.
Various	Numbering, Cross-references and Typos	Various updates will be made to section numbering, incorrect cross-references, typos and grammatical errors as required.

PUBLIC PARTICIPATION

The Town of Fort Erie is seeking your comments on the proposed amendments. The Information Open House Meeting and statutory Public Meeting are opportunities for public input prior to preparing a staff recommendation and Council making a decision.



NOTICE OF INFORMATION OPEN HOUSE AND PUBLIC MEETING

To participate in the process and provide comments, you may:

1. Attend the Information Open House Meeting in-person, as follows:

Date: Thursday, May 1, 2025

Time: 5:00 PM – 5:30 PM

Location: Atrium, Town Hall, 1 Municipal Centre Drive, Fort Erie

2. Attend the Public Meeting in-person in Council Chambers OR virtually as follows:

Date: Monday, May 12, 2025

Time: 6:00 PM

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

Residents can participate in the Public Meeting in-person in the Town Council Chambers, or virtually by registering with Ashlea Carter, Acting Town Clerk by email (clerk@forterie.ca). The Public Meeting is also available to view on live stream at youtube.com/townofforterie, or by clicking on the YouTube icon on the Town's website: forterie.ca

3. Submit written comments/questions to Daryl Vander Veen, Intermediate Development Planner by email or regular mail (1 Municipal Centre Drive, Fort Erie, ON L2A 2S6). All written submissions will become part of the public record and will be provided to Council.

If you wish to be notified of Council's decision on the proposed amendments, you must make a written request to Daryl Vander Veen, Intermediate Development Planner.

APPEAL INFORMATION

Only the Minister, the applicant, specified persons, public bodies, and the registered owner of the land to which the by-law would apply, as defined in the *Planning Act*, may appeal the decision of Council to the Ontario Land Tribunal (OLT).

If a person or public body would otherwise have an ability to appeal the decision of Council to the OLT, but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Fort Erie before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Fort Erie before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the OLT unless, in the opinion of the OLT, there are reasonable grounds to do so.

MORE INFORMATION

A Staff Report accompanying the Public Meeting will be available for review by 5:00 PM on Wednesday, May 7, 2025 by accessing the Council agenda through the Town's Website: forterie.ca/en/town-hall/council-meetings.aspx

Applicable materials are available for review on the Town's website (forterie.ca/resource/planningApplications.xsp), or by contacting Daryl Vander Veen, Intermediate Development Planner by email. New or revised materials will be uploaded to the Town's website at the link above as they become available. Please check the Town's website for updates.

CONTACT

Daryl Vander Veen, Intermediate Development Planner
Planning, Building and By-law Services
dvanderveen@forterie.ca
905-871-1600 x. 2509

Dated at the Town of Fort Erie on Thursday, April 17, 2025.