

SECTION 26B – CORE MIXED USE 2 (CMU2) ZONE

26B.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 2 (CMU2) Zones.

26B.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 Brokers
- Custom Workshops
- Day Nursery
- Department Stores
- Dry Cleaning Outlets
- Eating Establishments
- Fitness Centres
- Garden Centres
- Hotels
- Laundries and Laundromats
- LCBO Outlets
- Motels
- Personal Service Shops
- Pharmacies
- Places of Entertainment, Recreation or Assembly
- Post Offices
- Printing Establishments
- Private parking lots
- Private or Commercial Clubs
- Public Libraries
- Public Parking Garages
- Public Parking Lots
- Public Transportation depots including Bus Stations and Rail Stations
- Religious, Fraternal or Public Institutions
- Retail Stores

- Service Shops
- Short-Term Rental, Dedicated
- Spa Services
- Studios
- Supermarkets
- Taverns
- Video Outlet Sales and Rental Establishments
- Stand alone single detached dwelling units, and one accessory apartment dwelling
- Stand alone semi detached dwelling units, and one accessory apartment dwelling
- Home occupations
- Dwelling Units
- Uses, buildings and structures accessory to any permitted commercial use or single detached or semi detached dwelling use.

26B.3 ZONE REGULATIONS FOR ALL OTHER USES

Minimum Lot Frontage	0m
Minimum Lot Area	0 sq. m.
Minimum Front Yard	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) 12 m
Parking Exceptions	Commercial uses within the CMU2 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 26B.4 (iii) shall apply..
Parking Requirements for Properties with Frontage on Ridgeway Road	See Section 6.20.

26B.4 REGULATIONS FOR DWELLING UNITS

- (i) The regulations of Section 12B.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.

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- (iii) All of the provisions of Subsection 18.3 shall apply to other dwelling units, except that notwithstanding the regulations contained in Section 18.3 (c), a minimum of one (1) 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 licence 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.
- (iv) Notwithstanding the regulations in Section 11.3, 12B.3 or 13.4 the side yard setback from a restaurant or tavern shall be a minimum of 3 m.

EXCEPTIONS TO THE CORE MIXED USE 2 (CMU2) ZONE**CMU2-155 (FORMERLY R2-155) (145-1996) Erie Road, south side, east of Schooley Road**

These lands are zoned "Core Mixed Use CMU2 -155 Zone" and all of the provisions that relate to lands zoned "Core Mixed Use CMU2 Zone" by this by-law shall apply to those lands zoned "Core Mixed Use CMU2-155 Zone" except that notwithstanding the requirements of Subsection 26B.2, this property may continue to be used for the 41 existing cottage dwellings and not more than 2 additional cottage dwellings may be erected on the subject property to replace those destroyed by fire prior to July 25th, 1983; and that notwithstanding the requirements of Subsection 11.3, the 2 additional cottages may be rebuilt in the locations shown as A and B on Schedule A to By-law 145-1996.

CMU2-241(H) (184-2001) 56 Belfast Road South

These lands are zoned "Core Mixed Use Holding 2 CMU2-241(H) Zone" and all of the provisions that relate to lands zoned Core Mixed Use 2 CMU2 Zone by this by-law shall apply to those lands zoned Core Mixed Use Holding 2 CMU2-241(H) Zone on Schedule A. Once the Holding has been removed, after the Town has approved a Site Plan Agreement these lands shall comply to all of the provisions that relate to lands zoned "Core Mixed Use 2 CMU2 Zone " except:

- (a) Notwithstanding the provisions of Subsection 26B.2, the lands may also be used for an apartment building containing not more than four (4) dwelling units subject to the provisions in Subsection 15.3, and;

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- (b) Notwithstanding the provisions of Subsection 15.3, the lot area, lot coverage, landscaped area and yard setbacks for the building shall be as existing on the day of passing of this zoning by-law.

CMU2-250 (FORMERLY R2-250) (143-2001) Lincoln Road East, south side, east of Derby Road

These lands are zoned "Core Mixed Use CMU2 -250 Zone" and all of the provisions that relate to lands zoned "Core Mixed Use CMU2 Zone" by this By-law shall apply to those lands zoned "Core Mixed Use CMU2-250 Zone", except that notwithstanding the provisions of Subsection 11.3(b) the subject parcel shall have a lot area of not less than 409 square metres

CMU2-261 (129-1990, 55-08) 381 Ridgeway Road (FORMERLY R2-261)

Nothing shall prevent the continued use of the lands indicated as Core Mixed Use CMU2 -261 on Schedule "A" for the rental of holiday cottages and uses, buildings and structures accessory thereto, and;

- a) That notwithstanding the requirements of Subsection 11.3, the minimum southerly side yard setback shall not be less than 0.93 metres.

CMU2-272 (FORMERLY R2-272) (236-1991) Erie Road, south side, east of Schooley Road

These lands referred to as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 are zoned "Core Mixed Use 2 CMU2-272 Zone" and all of the provisions that relate to lands zoned "Core Mixed Use 2 CMU2 Zone" by this by-law shall apply to those lands zoned "Core Mixed Use 2 CMU2-272 Zone" except:

- (a) that notwithstanding the requirements of Subsection 11.3, the minimum lot frontage for:
- | | |
|------------|-------------------------------------|
| Part 1 | shall not be less than 10.8 metres; |
| Part 6 | shall not be less than 9.4 metres; |
| Part 7 & 9 | shall not be less than 10.3 metres; |
| Part 8 | shall not be less than 9.9 metres; |
| Part 10 | shall not be less than 12.4 metres; |
- (b) that notwithstanding the requirements of Subsection 11.3, the minimum lot area for:
- | | |
|---------|--|
| Part 9 | shall not be less than 299.4 sq. metres; |
| Part 10 | shall not be less than 384.4 sq. metres |
- (c) that notwithstanding the requirements of Subsection 11.3, the minimum side yard on one side where no attached garage or attached carport is provided for:
- | | |
|------------|------------------------------------|
| Part 1 & 3 | shall not be less than 2.1 metres; |
| Part 2 | shall not be less than 2.4 metres; |
| Part 6 | shall not be less than 1.8 metres; |
- (d) that notwithstanding the requirements of Subsection 11.3, the minimum westerly side yard setback for:
- | | |
|--------|-----------------------------------|
| Part 7 | shall not be less than .3 metres; |
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- | | | |
|-----|--|--|
| | Part 8 | shall not be less than 1.8 metres; |
| | Part 9 | shall not be less than .9 metres; |
| | the minimum easterly side yard setback for | |
| | Part 7 | shall not be less than .9 metres; |
| | Part 8 | shall not be less than .6 metres; |
| | Part 9 | shall not be less than 2.1 metres; |
| (e) | that notwithstanding the requirements of Subsection 11.3, the minimum rear yard for: | |
| | Part 1 | shall not be less than 5.5 metres; |
| | Part 2 | shall not be less than 3.2 metres; |
| | Part 3 | shall not be less than 2.7 metres; |
| | Part 4 | shall not be less than 3.5 metres; |
| | Part 5 | shall not be less than 5.7 metres; |
| | Part 9 | shall not be less than 6.7 metres; |
| | Part 10 | shall not be less than 5.1 metres; |
| | Part 11 | shall not be less than 2.74 metres; |
| (f) | that notwithstanding the requirements of Subsection 11.3, the minimum floor area for a one storey dwelling for: | |
| | Part 1, 2, 3, 9 & 10 | shall not be less than 62 square metres; |
| | Part 6 & 7 | shall not be less than 78 square metres; |
| (g) | that notwithstanding the requirements of Subsection 6.1 (b) for Parts 4 & 5, the existing detached garage shall be permitted to remain in its existing location in the front yard. | |
| (h) | that notwithstanding the requirements of Subsection 6.5 for Part 9 & 10, these lots shall not be required to have frontage on a public highway. | |
| (i) | that notwithstanding the requirements of Subsection 5.151, the northerly lot line of Parts 9 & 10 shall be deemed to be the front lot line. | |

CMU2-274 (FORMERLY C2A-274) (167-1992) 4002 Erie Road

Deleted by Amending By-law No. 127-2021.

CMU2-275 (FORMERLY C2-275) (129-1990) Erie Road (south side) west of Ridgeway Road

In addition to the uses permitted in the CMU2 Zone, the lands indicated as CMU2-275 on Schedule "A" may also be for apartment houses in accordance with the provisions of Section 15 "RM2 Zone" of this By-law and in addition, the following special regulations shall apply:

- (a) More than one apartment building shall be permitted on the same lot.
- (b) The total number of dwelling units of both properties situate on the east and west side of Ridgeway Road shall not exceed 550.
- (c) Maximum building height shall not exceed 3 storeys.

CMU2-321(H) (FORMERLY C2A-321) (22-04) 4020 Erie Road @ Oxford Avenue

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These lands are zoned Core Mixed Use Holding CMU2-321(H) Zone and all of the provisions of By-law 129-90 as amended that relate to lands zoned Core Mixed Use CMU2 Zone by this by-law shall apply to those lands zoned Core Mixed Use Holding CMU2-321(H) Zone on Schedule A subject to the following special provisions.

- a) That notwithstanding the requirements of subsection 26B.2 Permitted Uses the lands shall be limited to a commercial parking lot and an accessory building.
- b) That notwithstanding the requirements of subsection 6.20(I) no part of the parking area other than the point of ingress/egress shall be located closer to any residential zone than 1.8 metres and to any street line closer than 1.0 metres.
- c) That notwithstanding the requirements of subsection 6.20(J) and Schedule D parking stall length shall not be less than 5.8 metres and parking aisle width shall not be less than 5.8 metres.

**CMU2-325 (By-law 188-04, Holding Zone removed by By-law 176-06)
Cambridge Road East NS, east of Derby Road (FORMERLY RM1-325)**

These lands are zoned Core Mixed Use Holding CMU2-325 Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Core Mixed Use Holding CMU2 Zone by this by-law shall apply to those lands zoned Core Mixed Use Holding CMU2-325 Zone on the attached Schedule A subject to the following special provisions:

- a) That notwithstanding the requirements of subsection 26B.2 Permitted Uses the lands may also be used for street townhouses subject to the provisions in 14.3.
- b) Notwithstanding the requirements of Subsection 14.3 – Minimum Ground Floor Area for Dwellings, the minimum ground floor area for two storey dwellings shall not be less than 43 square metres, and;
- c) Notwithstanding the requirements of Subsection 14.3 – Maximum Density, the maximum density shall not be more than 42.7 units per hectare.
- d) Notwithstanding the requirements of Subsection 14.3 - Minimum Front Yard shall not be less than 6.0 metres.

CMU2-338 (FORMERLY R3-338)(107-05) 56-58 Queen's Circle

These lands are zoned "Core Mixed Use 2 CMU2-338 Zone" and all of the provisions of By-law 129-90 as amended that relate to lands zoned "Core Mixed Use 2 CMU2 Zone" by this by-law shall apply to those lands zoned "Core Mixed Use 2 CMU2-338 Zone" on Schedule A, except:

- (a) that notwithstanding the requirements of Subsections 13.4, the following regulations shall apply:

- Minimum Exterior Side Yard 2.13 m

CMU2-388 (55-08) 385 Ridgeway Road (FORMERLY R2-388)

These lands are zoned Core Mixed Use 2 CMU2-388 Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Core Mixed Use 2 CMU2 Zone by this by-law shall apply to those lands zoned Core Mixed Use 2 CMU2-388 Zone on the attached Schedule A except that the minimum northerly interior side yard shall not be less than 0.50 metres.

CMU2-397 (FORMERLY C1-397) (141-08) 74 QUEEN'S CIRCLE

These lands are zoned Core Mixed Use 2 CMU2-397 Zone, and all of the provisions of By-law 129-90 as amended that relate to lands zoned Core Mixed Use 2 CMU2 Zone by this by-law shall apply to those lands zoned Core Mixed Use 2 CMU2-397 Zone on the attached Schedule A subject to the following additional special provisions:

- i) A minimum easterly interior side yard setback shall not be less than 0.64 metres
- ii) A minimum rear yard setback shall not be less than 0.82 metres.
- iii) A minimum front yard setback shall not be less than 2.5 metres.
- iv) A minimum westerly exterior side yard setback shall not be less than 1.08 metres
- v) That in addition to the permitted uses set out in Subsection 26B.2, these lands may also be used for an eating establishment and take-out restaurant.
- vi) That notwithstanding the requirements of Subsection 18.2 General Commercial Provisions, one dwelling unit shall be permitted on the ground floor with a maximum floor area of 176 square metres.
- vii) That notwithstanding the requirements of Subsection 6.20 (I) Parking Area Location on the Lot, the parking area shall not be located closer than 0 metres to the northerly property line and 1.1 metres to the easterly street line.

CMU2-463 (05-12) East side of Ridgeway Road, at Erie Road (South Coast Village at Crystal Beach)

These lands are zoned Core Mixed-Use 2 CMU2 CMU2-463 Zone, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned Core Mixed-Use 2 CMU2 Zone by this by-law shall apply to those lands zoned Core Mixed-Use 2 CMU2- 463 Zone on the attached Appendix 1 shall be subject to the following special provisions:

- a) In addition to the Permitted Uses in Section 26B.2 the lands shown on Appendix 1 shall permit single detached dwellings and uses, buildings and structures accessory thereto subject to the regulations in Section 11.3 and the following special provisions:
- i. Minimum lot frontage -10 metres and 13 metres corner lot.
 - ii. Minimum lot area-290 sq.metres.
 - iii. Maximum lot coverage 50%.
 - iv. Minimum front yard 6.0 metres to the front face of the garage and 4.5 metres to the front face of the dwelling unit.
 - v. Minimum interior side yard setback-1.2 metres anything above one storey.
 - vi. Minimum rear yard setback- 7.0 metres.
 - vii. Minimum floor area for dwellings-0 sq.metres.

CMU2-535(H) (151-2015) South Coast Village Subdivision

These lands are zoned “Core Mixed Use 2 Holding (CMU2-535(H)) Zone”, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 Holding (CMU2-535(H)) Zone” on the attached Appendix “1” and shall be subject to the following special provisions:

- a) Notwithstanding the Zone Regulations in Section 26B.4 i), single detached dwellings shall be subject to the following special provisions:
- i) Minimum lot frontage – 10 metres, 13 metres for a corner lot
 - ii) Minimum lot area-270 sq. metres
 - ii) Maximum lot coverage -50%.
 - iii) Minimum front yard setback-6.0 metres to the front face of garage and 3.2 metres to front face of dwelling.
 - iv) Minimum Interior side yard setback -1.2 metres for dwellings, 0.6 metres for accessory structures.
 - v) Minimum Exterior side yard setback -1.5 metres.
 - vi) Minimum floor area for dwelling – 0 sq. metres.
 - vii) Minimum rear yard setback-5.2 metres.
 - viii) Maximum Building Height- 2.5 storeys, 10.5 metres.

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- ix) Unenclosed porches, decks, steps and risers with maximum height of 1.0 m:
 - a) Unenclosed porches may project a maximum of 2.0 m into the required front yard
 - b) Unenclosed porches must be setback a minimum of 1.0 m from the exterior side lot line
 - c) Steps/risers must be setback a minimum of 1.0 m from any lot line
 - d) Uncovered porches and decks with a maximum area of 20 sq m may project 3.5 m into the required rear yard.
- x) Minimum Setback from Daylighting Triangle – 1.5 metres

CMU2-584 (71-2017) 3823 Terrace Lane

These lands are zoned “Core Mixed Use 2 (CMU2-584) Zone”, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-584) Zone” shown as Part 1 on the attached Appendix “1” and shall be subject to the following provisions:

- a) Maximum height – 5 storeys, 20 metres.
- b) Minimum rear yard – 0 m.
- c) Minimum easterly interior side yard – 1.2 m.
- d) Minimum westerly interior side yard – 0 m.
- e) Notwithstanding the requirements of Section 18.2 (d), a minimum of one parking space per dwelling unit may be provided in a dedicated area in a municipal lot through a long-term lease agreement.
- f) Notwithstanding the requirements of Section 6.20 (D)(i), a parking area may be located in the front yard, 0 m from the front lot line.

CMU2-626 (89-2018) East Side of Ridgeway Road, North of Graeber Avenue

These lands are zoned “Core Mixed Use 2 (CMU2-626) Zone”, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-626) Zone” on the attached Appendix “1” shall be subject to the following special provision:

- a) Notwithstanding the “Regulations for Dwelling Units” in Section 26B.4, the regulations of Section 12B.3 shall apply to single detached dwelling units located on a separate lot

CMU2-636 (93-2019) 63 Belfast Road South

These lands are zoned “Core Mixed Use 2 (CMU2-636) Zone”, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-636) Zone” and shall be subject to the following provisions:

- a) Notwithstanding the “Regulations for Dwelling Units” in Section 26B.4, all of the regulations of Section 12B.3 shall apply to single detached dwelling units located on a separate lot, except the following regulations:
 - i. Maximum lot coverage (2 storey dwelling) – 46%
 - ii. Minimum interior side yard setback – 1.2 m
 - iii. Maximum height – 2 storeys, 7.6 m
- b) Notwithstanding the “Regulations Covered or Uncovered Porches, Balconies, Decks and Patios” in Section 6.40, the minimum front yard setback to a covered porch less than 1.5 m above grade shall be 2.0 m.

CMU2-644 (127-2019) 4130 Erie Road

These lands are zoned “Core Mixed Use 2 (CMU2-644) Zone”, and all of the provisions of By-law No. 129-90 as amended that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-644) Zone” and shall be subject to the following provisions:

- a) Notwithstanding the provisions of “Section 6.50 (a) Outdoor Patios Associated with Eating Establishments and/or Taverns,” an outdoor patio used for the purpose of providing entertainment or amusement is permitted within 22 metres of a Residential Zone.
- b) Notwithstanding the provisions of “Section 6.50 (a) Outdoor Patios Associated with Eating Establishments and/or Taverns,” no part of any outdoor patio shall be used for the amplification of sound for entertainment or amusement created by radio, television or any other musical or sound producing source of whatever kind.
- c) Notwithstanding the provisions of “Section 6.50 (c) Outdoor Patios Associated with Eating Establishments and/or Taverns,” the maximum seating capacity of the outdoor patio shall be 90 persons.

CMU2-693 (144-2021) - Erie Road–North Side–Between 3952 Erie Road (incl.) and Oxford Avenue, up to Cambridge Road West /Park Place /Shannon Road South

These lands are zoned “Core Mixed Use (2-CMU2-693) Zone”, and all of the provisions that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-693) Zone”, subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 26B.2, these lands may only be used for the following:
 - 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 Brokers
Day Nursery
Dry Cleaning Outlets
Eating Establishments
Hotels
Laundries and Laundromats
LCBO Outlets
Personal Service Shops
Pharmacies
Places of Entertainment, Recreation or Assembly
Post Offices
Printing Establishments
Private parking lots
Private or Commercial Clubs
Public Libraries
Public Parking Garages
Public Parking Lots
Religious, Fraternal or Public Institutions
Retail Stores
Service Shops
Spa Services
Studios
Supermarkets
Taverns
Home occupations
Dwelling Units on floors above main floor
Uses, buildings and structures accessory to any permitted commercial use

- b) Regulations as per Section 26B.3 except that:
- i. minimum front yard – 1.0m
 - ii. minimum exterior side yard – 1.0m
 - iii. building height as per paragraph c) herein
 - iv. minimum interior side yard adjacent to a residential zone – 1.5m
- c) Building Heights shall be regulated using a common point for reference in measurement .Heights will vary based on distance from the common or

controlling reference point.(Refer to Schedule “F” of By-law 129-90 for general illustration details)

Measured from the north limit of the Erie Road street allowance at property line for a distance perpendicular of 31m

- i. max.height-3storeys or 12m
 - ii. min. height – 2 storeys or 9m
 - iii. all other lands beyond 31m - maximum 2 storeys or 9m
 - iv. A fourth storey is permitted if the subject parcel or consolidation of parcels are equal or greater that 2304m² and dimensioned at 48m wide and 48m deep. Each individual site or collection of sites must be reviewed independently and structured on the various properties affected by the setback. The submission of an Urban Design study is required.
- d) Notwithstanding requirements Section 6.21, a planting strip is not required between residential and non-residential zones where privacy fencing of not less than 1.8m is erected.
- e) Notwithstanding requirements of 6.20(l) to the contrary, ingress/egress, driveway, drive aisle and parking spaces are permitted within 0.5m of a residential zone
- f) Notwithstanding 18.3(a) to the contrary, new ground floor residential use shall not be permitted.
- g) Notwithstanding the permitted uses of paragraph, a) herein, the lands municipally known as 266 Cambridge Road West (aka Cambridge Lane) may continue to be used for light manufacturing and assembly of rope, twine and other similar products within a fully enclosed building.”

CMU2-694 (144-2021) Erie Road – North Side – east of Town Parking Lot – Between 3902 Erie Road (incl.) and 3916 Erie Road (incl.)

These lands are zoned “Core Mixed Use 2 (CMU2-694) Zone”, and all of the provisions that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-694) Zone”, subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 26B.2, these lands may only be used for the following:

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 Brokers
Day Nursery
Dry Cleaning Outlets
Eating Establishments
Hotels
Laundries and Laundromats
LCBO Outlets
Personal Service Shops
Pharmacies
Places of Entertainment, Recreation or Assembly
Post Offices
Printing Establishments
Private parking lots
Private or Commercial Clubs
Public Libraries
Public Parking Garages
Public Parking Lots
Religious, Fraternal or Public Institutions
Retail Stores
Service Shops
Spa Services
Studios
Supermarkets
Taverns
Home occupations
Dwelling Units on floors above main floor
Uses, buildings and structures accessory to any permitted commercial use

- b) Regulations as per Section 26B.3 except that:
- i. minimum front yard – 1.0m
 - ii. minimum exterior side yard – 1.0m
 - iii. building height as per paragraph c) herein
 - iv. minimum interior side yard adjacent to a residential zone – 1.5m
- c) Building Heights shall be regulated using a common point for reference in measurement. Heights will vary based on distance from the common or controlling reference point.(Refer to Schedule “F” of By-law 129-90 for general illustration details)

Measured from the north limit of the Erie Road street allowance at property line for a distance perpendicular of 24m

- i. maximum height - 3 storeys or 12m
 - ii. minimum height – 2 storeys or 9m
 - iii. all other lands beyond 24m - maximum 2 storeys or 9m
 - iv. A fourth storey is permitted if the subject parcel or consolidation of parcels are equal or greater than 2304m² and dimensioned at 48m wide and 48m deep. Each individual site or collection of sites must be reviewed independently and structured on the various properties affected by the setback. The submission of an Urban Design study is required.
- d) Notwithstanding requirements Section 6.21, a planting strip is not required between residential and non-residential zones where privacy fencing of not less than 1.8m is erected.
- e) Notwithstanding requirements of 6.20(l) to the contrary, ingress/egress, driveway, drive aisle and parking spaces are permitted within 0.5m of a residential zone.
- f) Notwithstanding 18.3(a) to the contrary, new ground floor residential use shall not be permitted.”

CMU2-695 (144-2021) Northwest corner of Erie Road and Belfast Road South–3896 Erie Road

These lands are zoned “Core Mixed Use 2 (CMU2-695)Zone”, and all of the provisions that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-695) Zone” ,subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 26B.2, these lands may only be used for the following:

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 Brokers
Day Nursery

Dry Cleaning Outlets
Eating Establishments
Hotels
Laundries and Laundromats
LCBO Outlets
Personal Service Shops
Pharmacies
Places of Entertainment, Recreation or Assembly
Post Offices
Printing Establishments
Private parking lots
Private or Commercial Clubs
Public Libraries
Public Parking Garages
Public Parking Lots
Religious, Fraternal or Public Institutions
Retail Stores
Service Shops
Spa Services
Studios
Supermarkets
Taverns
Home occupations
Dwelling Units on floors above main floor
Uses, buildings and structures accessory to any permitted commercial use

b) Regulations as per Section 26B.3 except that:

- v. minimum front yard – 1.0m
- vi. minimum exterior side yard – 1.0m
- vii. building height as per paragraph c) herein
- viii. minimum interior side yard adjacent to a residential zone – 1.5m

c) Building Heights shall be regulated using a common point for reference in measurement. Heights will vary based on distance from the common or controlling reference point.(Refer to Schedule “F” of By-law 129-90 for general illustration details)

Measured from the north limit of the Erie Road street allowance at property line for a distance perpendicular of 24m

- i. maximum height - 3 storeys or 12m
- ii. minimum height – 2 storeys or 9m
- iii. all other lands beyond 24m - maximum 2 storeys or 9m
- iv. A fourth storey is permitted if the subject parcel or consolidation of parcels are equal or greater than 2304m² and dimensioned at 48m wide and 48m deep. Each individual site or collection of sites must be reviewed

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independently and structured on the various properties affected by the setback. The submission of an Urban Design study is required.

- d) Notwithstanding requirements Section 6.21, a planting strip is not required between residential and non-residential zones where privacy fencing of not less than 1.8m is erected.
- e) Notwithstanding requirements of 6.20(l) to the contrary, ingress/egress, driveway, drive aisle and parking spaces are permitted within 0.5m of a residential zone.
- f) Notwithstanding 18.3(a) to the contrary, new ground floor residential use shall not be permitted.”

CMU2-696 (144-2021) West side of Ridgeway Road, just north of Erie Road–405 Ridgeway Road

These lands are zoned “Core Mixed Use 2 (CMU2-696) Zone”, and all of the provisions that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2(CMU2-696) Zone”, subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 26B.2, these lands may only be used for the following:

- 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 Brokers
- Day Nursery
- Dry Cleaning Outlets
- Eating Establishments
- Hotels
- Laundries and Laundromats
- LCBO Outlets
- Personal Service Shops
- Pharmacies
- Places of Entertainment, Recreation or Assembly

Post Offices
Printing Establishments
Private parking lots
Private or Commercial Clubs
Public Libraries
Public Parking Garages
Public Parking Lots
Religious, Fraternal or Public Institutions
Retail Stores
Service Shops
Spa Services
Studios
Supermarkets
Taverns
Home occupations
Dwelling Units on floors above main floor
Uses, buildings and structures accessory to any permitted commercial use

- b) Regulations as per Section 26B.3 except that:
- i. minimum front yard – 1.0m
 - ii. minimum exterior side yard – 1.0m
 - iii. building height as per paragraph c) herein
 - iv. minimum interior side yard adjacent to a residential zone – 1.5m
- c) Building Heights shall be regulated using a common point for reference in measurement. Heights will vary based on distance from the common or controlling reference point. (Refer to Schedule “F” of By-law 129-90 for general illustration details)
- Measured from the west limit of the Ridgeway Road street allowance at property line for a distance perpendicular of 20m
- i. maximum height - 4 storeys or 16m
 - ii. minimum height – 2 storeys or 9m
 - iii. all other lands beyond 20m - maximum 2 storeys or 9m
- d) Notwithstanding requirements Section 6.21, a planting strip is not required between residential and non-residential zones where privacy fencing of not less than 1.8m is erected.
- e) Notwithstanding requirements of 6.20(l) to the contrary, ingress/egress, driveway, drive aisle and parking spaces are permitted within 0.5m of a residential zone.
- f) Notwithstanding 18.3(a) to the contrary, new ground floor residential use shall not be permitted.”

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

CMU2-697 (144-2021)–Northwest corner of Erie Road and Ridgeway Road – 3878 Erie Road)

These lands are zoned “Core Mixed Use 2 (CMU2-697)Zone”, and all of the provisions that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-697) Zone”, subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 26B.2, these lands may only be used for the following:

- 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 Brokers
- Day Nursery
- Dry Cleaning Outlets
- Eating Establishments
- Hotels
- Laundries and Laundromats
- LCBO Outlets
- Personal Service Shops
- Pharmacies
- Places of Entertainment, Recreation or Assembly
- Post Offices
- Printing Establishments
- Private parking lots
- Private or Commercial Clubs
- Public Libraries
- Public Parking Garages
- Public Parking Lots
- Religious, Fraternal or Public Institutions
- Retail Stores
- Service Shops
- Spa Services
- Studios
- Supermarkets
- Taverns

Home occupations
Dwelling Units on floors above main floor
Uses, buildings and structures accessory to any permitted commercial use

- b) Regulations as per Section 26B.3 except that:
- i. minimum front yard – 1.0m
 - ii. minimum exterior side yard – 1.0m
 - iii. building height as per paragraph c) herein
 - iv. minimum interior side yard adjacent to a residential zone – 1.5m
- c) Building Heights shall be regulated using a common point for reference in measurement. Heights will vary based on distance from the common or controlling reference point. (Refer to Schedule “F” of By-law 129-90 for general illustration details)

Measured from the west limit of the Ridgeway Road street allowance at property line for a distance perpendicular of 42m

- i. maximum height – 4.5 storeys or 19m
 - ii. minimum height – 2 storeys or 9m
 - iii. all other lands beyond 42m - maximum 3 storeys or 12m
- d) Notwithstanding requirements Section 6.21, a planting strip is not required between residential and non-residential zones where privacy fencing of not less than 1.8m is erected.
- e) Notwithstanding requirements of 6.20(l) to the contrary, ingress/egress, driveway, drive aisle and parking spaces are permitted within 0.5m of a residential zone.
- f) Notwithstanding 18.3(a) to the contrary, new ground floor residential use shall not be permitted.”

CMU2-698 (144-2021)–Northeast corner of Ridgeway Road and Ryan Avenue – 412 Ridgeway Road

These lands are zoned “Core Mixed Use 2 (CMU2-697) Zone”, and all of the provisions that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-697) Zone”, subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 26B.2, these lands may only be used for the following:

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 Brokers
Day Nursery
Dry Cleaning Outlets
Eating Establishments
Hotels
Laundries and Laundromats
LCBO Outlets
Personal Service Shops
Pharmacies
Places of Entertainment, Recreation or Assembly
Post Offices
Printing Establishments
Private parking lots
Private or Commercial Clubs
Public Libraries
Public Parking Garages
Public Parking Lots
Religious, Fraternal or Public Institutions
Retail Stores
Service Shops
Spa Services
Studios
Supermarkets
Taverns
Home occupations
Dwelling Units
Uses, buildings and structures accessory to any permitted commercial use

- b) Notwithstanding the "Zone Regulations" in Section 26B.3, the following special provisions shall apply:
- i. minimum front yard setback – 1.0 m
 - ii. minimum exterior side yard setback – 1.0 m
 - iii. building height as per paragraph c) herein
 - iv. minimum interior side yard setback adjacent to a residential zone – 1.5 m
- c) Building Heights shall be regulated using a common point for reference in measurement. Heights will vary based on distance from the common or

controlling reference point. (Refer to Schedule “F” of By-law 129-90 for general illustration details)

Measured from the east limit of the Ridgeway Road street allowance at property line for a distance perpendicular of 30m

- i. maximum height – 4.5 storeys or 19.0 m
- ii. minimum height – 2 storeys or 9.0 m
- iii. all other lands beyond 30m - maximum 3 storeys or 12.0 m

- d) Notwithstanding requirements Section 6.21(a) and (b), where a lot is used for a non-residential purpose or a residential development consisting of 3 or more 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 with a width of 1.19 m.
- e) Notwithstanding requirements of Section 6.21(a), a planting strip is not required between residential and non-residential zones where privacy fencing of not less than 1.8m is erected.
- f) Notwithstanding requirements of 6.20(l) to the contrary, no part of any ingress/egress, driveway, drive aisle and parking space is permitted closer than 0.5m from a residential zone.
- g) Notwithstanding requirements of 18.3(a) dwelling units are permitted to occupy a maximum of 66% of the ground floor area of buildings.
- h) Notwithstanding requirements of Section 18.3(e), a minimum area of 5.0 sq m shall be provided by way of private open-air balcony space directly adjoining a residential unit.

CMU2-699 (144-2021) Southeast corner of Ridgeway Road and Graeber Avenue – 404 Ridgeway Road

These lands are zoned “Core Mixed Use 2 (CMU2-699) Zone”, and all of the provisions that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-699) Zone”, subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 26B.2, these lands may only be used for the following:
 - 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 Brokers
Day Nursery
Dry Cleaning Outlets
Eating Establishments
Hotels
Laundries and Laundromats
LCBO Outlets
Personal Service Shops
Pharmacies
Places of Entertainment, Recreation or Assembly
Post Offices
Printing Establishments
Private parking lots
Private or Commercial Clubs
Public Libraries
Public Parking Garages
Public Parking Lots
Religious, Fraternal or Public Institutions
Retail Stores
Service Shops
Spa Services
Studios
Supermarkets
Taverns
Home occupations
Dwelling Units on floors above main floor
Uses, buildings and structures accessory to any permitted commercial use

- b) Regulations as per Section 26B.3 except that:
- i. minimum front yard – 1.0m
 - ii. minimum exterior side yard – 1.0m
 - iii. building height as per paragraph c) herein
 - iv. minimum interior side yard adjacent to a residential zone – 1.5m
- c) Building Heights shall be regulated using a common point for reference in measurement. Heights will vary based on distance from the common or controlling reference point.(Refer to Schedule “F” of By-law 129-90 for general illustration details)

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

Measured from the east limit of the Ridgeway Road street allowance at property line for a distance perpendicular of 24.4m

- i. maximum height – 3 storeys or 12m
- ii. minimum height – 2 storeys or 9m
- iii. all other lands beyond 24.4m - maximum 2 storeys or 9m

- d) Notwithstanding requirements Section 6.21, a planting strip is not required between residential and non-residential zones where privacy fencing of not less than 1.8m is erected.
- e) Notwithstanding requirements of 6.20(l) to the contrary, ingress/egress, driveway, drive aisle and parking spaces are permitted within 0.5m of a residential zone.
- f) Notwithstanding 18.3(a) to the contrary, new ground floor residential use shall not be permitted.”

CMU2-700 (144-2021) East side of Belfast Road South between Erie Road and Cambridge Road East – 12, 16 & 18 Belfast Road South

These lands are zoned “Core Mixed Use 2 (CMU2-700) Zone”, and all of the provisions that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-700) Zone”, subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 26B.2, these lands may only be used for the following:

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 Brokers
Day Nursery
Dry Cleaning Outlets
Eating Establishments
Hotels
Laundries and Laundromats
LCBO Outlets
Personal Service Shops

Pharmacies
Places of Entertainment, Recreation or Assembly
Post Offices
Printing Establishments
Private parking lots
Private or Commercial Clubs
Public Libraries
Public Parking Garages
Public Parking Lots
Religious, Fraternal or Public Institutions
Retail Stores
Service Shops
Spa Services
Studios
Supermarkets
Taverns
Home occupations
Dwelling Units on floors above main floor
Uses, buildings and structures accessory to any permitted commercial use

- b) Regulations as per Section 26B.3 except that:
- i. minimum front yard – 1.0m
 - ii. minimum exterior side yard – 1.0m
 - iii. building height as per paragraph c) herein
 - iv. minimum interior side yard adjacent to a residential zone – 1.5m
- c) Building Heights shall be regulated using a common point for reference in measurement. Heights will vary based on distance from the common or controlling reference point.(Refer to Schedule “F” of By-law 129-90 for general illustration details)
- i. maximum height - 3 storeys or 12m
 - ii. minimum height - 2 storeys or 9m
- d) Notwithstanding requirements Section 6.21, a planting strip is not required between residential and non-residential zones where privacy fencing of not less than 1.8m is erected.
- e) Notwithstanding requirements of 6.20(I) to the contrary, ingress/egress, driveway, drive aisle and parking spaces are permitted within 0.5m of a residential zone.
- f) Notwithstanding 18.3(a) to the contrary, new ground floor residential use shall not be permitted.”

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

CMU2-701 (144-2021) West side of Derby Road between Erie Road and Queens Circle

These lands are zoned “Core Mixed Use 2 (CMU2-701) Zone”, and all of the provisions that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-701) Zone”, subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 26B.2, these lands may only be used for the following:

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 Brokers
Day Nursery
Dry Cleaning Outlets
Eating Establishments
Hotels
Laundries and Laundromats
LCBO Outlets
Personal Service Shops
Pharmacies
Places of Entertainment, Recreation or Assembly
Post Offices
Printing Establishments
Private parking lots
Private or Commercial Clubs
Public Libraries
Public Parking Garages
Public Parking Lots
Religious, Fraternal or Public Institutions
Retail Stores
Service Shops
Spa Services
Studios
Supermarkets
Taverns

Home occupations

Dwelling Units on floors above main floor

Uses, buildings and structures accessory to any permitted commercial use

- b) Regulations as per Section 26B.3 except that:
 - i. minimum front yard – 1.0m
 - ii. minimum exterior side yard – 1.0m
 - iii. building height as per paragraph c) herein
 - iv. minimum interior side yard adjacent to a residential zone – 1.5m
- c) Building Heights shall be regulated using a common point for reference in measurement. Heights will vary based on distance from the common or controlling reference point. (Refer to Schedule “F” of By-law 129-90 for general illustration details)

Measured from the west limit of Derby Road street allowance at property line for a distance perpendicular of 24m

 - i. maximum height – 3 storeys or 12m
 - ii. minimum height – 2 storeys or 9m
 - iii. all other lands beyond 24m - maximum 2 storeys or 9m
- d) Notwithstanding requirements Section 6.21, a planting strip is not required between residential and non-residential zones where privacy fencing of not less than 1.8m is erected.
- e) Notwithstanding requirements of 6.20(l) to the contrary, ingress/egress, driveway, drive aisle and parking spaces are permitted within 0.5m of a residential zone.
- f) Notwithstanding 18.3(a) to the contrary, new ground floor residential use shall not be permitted.”
- g) Notwithstanding the permitted uses of paragraph, a) herein, the lands municipally known as 145 Lincoln Road West may continue to be used for light manufacturing /prefabrication and assembly of building/home renovation related materials for contractor use with materials storage fully contained within the existing building.”

CMU2-702 (144-2021) East side of Derby Road between Erie Road and Queens Circle

These lands are zoned “Core Mixed Use 2 (CMU2-702) Zone”, and all of the provisions that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-702) Zone”, subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 26B.2, these lands may only be used for the following:

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 Brokers
Day Nursery
Dry Cleaning Outlets
Eating Establishments
Hotels
Laundries and Laundromats
LCBO Outlets
Personal Service Shops
Pharmacies
Places of Entertainment, Recreation or Assembly
Post Offices
Printing Establishments
Private parking lots
Private or Commercial Clubs
Public Libraries
Public Parking Garages
Public Parking Lots
Religious, Fraternal or Public Institutions
Retail Stores
Service Shops
Spa Services
Studios
Supermarkets
Taverns
Home occupations
Dwelling Units on floors above main floor
Uses, buildings and structures accessory to any permitted commercial use

- b) Regulations as per Section 26B.3 except that:
- i. minimum front yard – 1.0m
 - ii. minimum exterior side yard – 1.0m

TOWN OF FORT ERIE COMPREHENSIVE ZONING BY-LAW 129-90
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- iii. building height as per paragraph c) herein
 - iv. minimum interior side yard adjacent to a residential zone – 1.5m
- c) Building Heights shall be regulated using a common point for reference in measurement. Heights will vary based on distance from the common or controlling reference point.(Refer to Schedule “F” of By-law 129-90 for general illustration details)

Measured from the east limit of Derby Road street allowance at property line for a distance perpendicular of 24m

- i. maximum height – 3 storeys or 12m
- ii. minimum height – 2 storeys or 9m
- iii. all other lands beyond 24m - maximum 2 storeys or 9m

CMU2-703 (144-2021) West end - Erie Road Corridor

These lands are zoned “Core Mixed Use 2 (CMU2-703) Zone”, and all of the provisions that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2(CMU2-703) Zone”, subject to the following special provisions:

- a) Notwithstanding the list of Permitted Uses in Section 26B.2, these lands may only be used for the following:

Bake shops
 Brewer’s Retail Outlets
 Candy Kitchen
 Day Nursery
 Eating Establishments
 Hotels
 Laundries and Laundromats
 LCBO Outlets
 Personal Service Shops
 Pharmacies
 Places of Entertainment, Recreation or Assembly
 Private parking lots
 Private or Commercial Clubs
 Public Parking Garages
 Public Parking Lots
 Retail Stores
 Service Shops
 Spa Services
 Taverns
 Home occupations
 Dwelling Units on floors above main floor

Stand-alone commercial buildings

Uses, buildings and structures accessory to any permitted commercial use

b) Regulations as per Section 26B.3 except that:

- i. minimum front yard – 1.0m
- ii. minimum exterior side yard – 1.0m
- iii. building height - measured from the north limit of the Erie Road street allowance at property line for a distance perpendicular of 31m (Refer to Schedule “F” of By-law 129-90 for illustration details)

- 1) maximum height – 3 storeys or 12m
- 2) minimum height - 2 storeys or 9m – except standalone commercial which shall be permitted as 1 storey or 7.5 m
- 3) all other lands beyond 31m - maximum 2 storeys or 9m

- iv. minimum interior side yard adjacent to a residential zone – 1.5m
- v. A fourth storey is permitted if the subject parcel or consolidation of parcels are equal or greater than 2304m² and dimensioned at 48m wide and 48m deep. Each individual site or collection of sites must be reviewed independently and structured on the various properties affected by the setback. The submission of an Urban Design study is required.

c) Notwithstanding requirements Section 6.21, a planting strip is not required between residential and non-residential zones where privacy fencing of not less than 1.8m is erected.

d) Notwithstanding requirements of 6.20(I) to the contrary, ingress/egress, driveway, drive aisle and parking spaces are permitted within 0.5m of a residential zone.

e) Notwithstanding 18.3(a) to the contrary, new ground floor residential use shall not be permitted.

f) Notwithstanding Section 6.50 a) and c), the property at 4130 Erie Road shall be subject to the following additional regulations:

- i. an outdoor patio used for the purpose of providing entertainment or amusement is permitted within 22 metres of a Residential Zone.
- ii. no part of any outdoor patio shall be used for the amplification of sound for entertainment or amusement created by radio, television or any other musical or sound producing source of whatever kind.
- iii. the maximum seating capacity of the outdoor patio shall be 90 persons.”

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

CMU2-704 (144-2021) 4152 Erie Road

These lands are zoned “Core Mixed Use 2 (CMU2-704) Zone”, and all of the provisions that relate to lands zoned “Core Mixed Use 2 (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-704) Zone”, subject to the following special provisions:

- a) Notwithstanding the Zone Regulations in Section 26B.3, the mixed uses shall be subject to the following provisions:
 - i. Maximum lot coverage – No maximum
 - ii. Minimum Yard
 - 1. Where the yard abuts a Commercial Zone and access is available to the rear yard by a public or private lane, minimum nil;
 - 2. Where the yard abuts a Commercial Zone and no access is available to the rear yard except by means of the side yard, one yard shall have a minimum width of 4.0m, the other yard shall have a minimum width of nil;
 - 3. Where the yard abuts a street minimum 0.5 m; and
 - 4. Where a yard abuts any residential zone minimum 7.5 m.
 - iii. Minimum Rear Yard
 - 1. Where the yard abuts a Commercial or Industrial Zone and access is available to the rear of the building on the said lot by means of a public or private lane, minimum nil.
Where the building contains residential accommodation of one or more storeys in height, minimum 0.5m.
 - 2. Where the yard abuts any Residential Zone, minimum 7.5m.
 - 3. Where the yard abuts a street, minimum 0.5m.
 - iv. Maximum Building Height - 4 storeys
 - v. Minimum Landscaped Open Space-10%
 - vi. Parking and Parking Garage
 - 1. To be located and accessed behind the front face of the building (Erie Road and Eastwood Avenue).
 - 2. On and off-site parking permitted.
 - 3. No parking required for commercial uses.
 - vii. Minimum Setback for covered parking structure under occupied structure - 0.5m
 - viii. Roof Pitch - 1 m in height to every 5m in depth.
 - ix. Urban Design
 - 1. Porches/Balconies to be provided on the front face of Erie Road.
 - 2. An entry feature is required to the building. A main front door is required along Erie Road.
 - 3. Windows and doors must be arranged symmetrically along the front façade.

4. The entry must be raised above grade.
 5. Upper Level windows should be embedded in the roof slope in the form of dormers.
- b) Notwithstanding the General Commercial Zone Regulations in Section 18.2 (b) and (f), the subject lands shall be subject to the following provisions:
 - b. Location-In the same building as the permitted commercial use(s) and in other than the basement or cellar. Dwelling units shall be permitted to occupy a maximum of 49% of the ground floor area of buildings, provided that no part of such dwelling unit, except for the entranceway has frontage onto a public street.
 - f. Residential Open Space-A minimum of 3 sq. m. of open area by way of private open-air balconies shall be provided on-site for the exclusive use of each dwelling unit.
- c) Notwithstanding the requirements of Subsection 6.20 D (i), 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 6 m but not more than 12m in perpendicular width where two-way traffic is permitted.
- d) Notwithstanding the Permitted Uses in Section 26B.2, these lands may also be used for apartment dwellings subject to the zone regulations in Section 15.3 and shall be subject to the following provisions:
 - i. Minimum Lot Area - 40 sq.m per unit
 - ii. Minimum Lot Coverage - No maximum
 - iii. Minimum Front Yard Setback - 0.5 m from Schooley Road
 - iv. Minimum Side Yard Setback - 7.5 m from northerly residential zone
 - v. Minimum Exterior Side Yard Setback - 0.5 m from Erie Road
 - vi. Minimum Rear Yard - 0.5 m from Eastwood Avenue
 - vii. Maximum Building Height - 4 storeys
 - viii. Landscaped Area-For every lot on which the buildings or structures are situated, there shall be provided and maintained on the lot at least 10 percent of the lot area as a landscaped area unused for access or maneuvering space or parking space or any other purpose other than landscaped area and playground
 - ix. Roof Pitch - 1 m in height to every 5m in depth.
 - x. Parking and Parking Garages
 1. Parking on the lot permitted in side yard only behind the front face of the building fronting onto Erie Road.
 2. On and off-site parking permitted.
 - xi. Minimum Setback for covered parking under occupied structure - 0.5 m
 - xii. Urban Design

1. Porches/Balconies to be provided on the front face of Erie Road.
 2. An entry feature is required to the building. A main front door is required along Erie Road.
 3. Windows and doors must be arranged symmetrically along the front façade.
 4. The entry must be raised above grade.
 5. Upper Level windows should be embedded in the roof slope in the form of dormers.
 - 6.
- e) Notwithstanding the Zone provisions in Section 15.4 (a) the Minimum Distance between any abutting residential zone and driving lanes or parking areas, no driving lane shall be closer than 1.5 metres to any lot line abutting any Residential Zone.
- f) Notwithstanding the Permitted Uses in Section 26B.2, these lands may also be used for townhouse dwellings subject to the zone regulations in Section 14.3 and the following provisions:
- i. Minimum Front Yard - 0.5 m from Schooley Road
 - ii. Minimum Exterior Side Yard - 0.5 metres from Erie Road
 - iii. Minimum Setback from Residential Zone - 3m
 - iv. Minimum Rear Yard - 7.5 m for units fronting onto Eastwood Avenue and 0.5 m from Eastwood Avenue for units fronting onto Erie Road
 - v. Maximum Building Height - 3 stories fronting onto Erie Road and 3 storeys fronting onto Eastwood Avenue
 - vi. Minimum Distance between buildings on same lot - 6m, except 3m between end walls and 6m between an end wall and a rear wall
 - vii. Maximum Density - 60 units/ha (viii) Maximum Lot Coverage - 70%
 - viii. Minimum Landscaped Area - 5% for block townhouses and 30% for street townhouses
 - ix. Privacy Areas – Notwithstanding the yard requirements above, every dwelling unit shall have at least one area which serves as a privacy area adjacent to the dwelling unit, having a minimum depth of 3m or by way of open-air balcony or patio.
 - x. Parking and Parking Garage1. located behind the front face of the building for units fronting onto Erie Road. 2. 6 m to the garage for lots fronting onto Eastwood Avenue.
 - xi. Minimum Setback covered parking under occupied structure - 0.5m
 - xii. Roof Pitch - 1 m in height to every 5m in depth.
 - xiii. Distance from building to internal driveways and parking areas-Any front or rear face of any townhouse shall be no closer than 0m to an internal driveway or parking area, and any side of any townhouse shall be no closer than 0m to an internal driveway or parking area
 - xiv. Planting strips - 0m
 - xv. Urban Design
 1. Porches/Balconies to be provided on the front face of Erie Road.

2. An entry feature is required to the building. A main front door is required along Erie Road.
 3. Windows and doors must be arranged symmetrically along the front façade.
 4. The entry must be raised above grade.
 5. Upper Level windows should be embedded in the roof slope in the form of dormers.
- g) Notwithstanding the provisions in Section 6.40, the subject lands shall be subject to the following special provisions:

Notwithstanding the yard provisions of this By-law to the contrary, porches, balconies, 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 or covered 0 m to 0.5 m above grade	Above 1.5 m above grade
Minimum setback to exterior side lot line	0 m	0 m	0 m
Minimum setback to interior side lot line	Required building setback		
Minimum setback to rear lot line	0 m	0 m	0 m
Minimum setback to front lot line	0 m	0 m	0 m

CMU2-717 (127-2021) 4002 Erie Road

These lands are zoned “Core Mixed Use 2 (CMU2-717) Zone”, and all of the provisions that relate to lands zoned “Core Mixed Use (CMU2) Zone” by this by-law shall apply to those lands zoned “Core Mixed Use 2 (CMU2-717) Zone”, subject to the following special provisions:

- a) In addition to subsection 26B) the following additional use shall be permitted subject to additional regulatory compliance and approval where required.
 - i) Microbrewery
- b) Minimum Rear Yard 1.5 m
- c) Maximum Building Height
 - i) 4 storey
 - ii) 15 m

- d) Notwithstanding the provisions of “Section 6.50 (a) Outdoor Patios associated with Eating Establishments and/or Taverns”, an outdoor patio used for the purpose of providing entertainment or amusement is permitted within 40 metres of a Residential zone.
- e) Notwithstanding the provisions of “Section 6.50 (c) Outdoor Patios associated with Eating Establishments and/or Taverns”, the maximum seating capacity of the outdoor patio shall be 75% of the seating capacity of the eating establishment and/or tavern with which the patio is associated