



The Corporation of the Town of Fort Erie By-law 69-2025

Being a By-law to Amend Zoning By-law 129-90, as amended 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, 44-2022 and 12-2024 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 January 13, 2025, authorized staff to undertake a housekeeping amendment to Zoning By-law 129-90, as amended, through Report PBBS-05-2025; and

Whereas Subsection 34 (12) of the *Planning Act*, R.S.O. 1990, c.P.13, provides that 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 May 1, 2025 and notice of such was published in the Fort Erie Observer and the Town of Fort Erie's website on April 17, 2025; 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 May 12, 2025, and notice of such was published in the Fort Erie Observer and the Town of Fort Erie's website on April 17, 2025; and

Whereas it is deemed desirable to proceed with the housekeeping amendments to the Comprehensive Zoning By-law 129-90, as amended, pursuant to Report PBBS-47-2025, considered and approved by Council at the Council meeting of June 23, 2025;

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

1. **That** Subsection 5.65 of By-law 129-90, as amended, is repealed and replaced with the following:

"5.65 "COMMERCIAL MOTOR VEHICLE" (See 5.385 (a) "VEHICLE, COMMERCIAL")"

2. **That** Subsection 5.102 (f) of By-law 129-90, as amended, is repealed and replaced with the following:

- “(f) **“DWELLING, DUPLEX”** means a dwelling which is divided horizontally into two principal dwelling units, each of which has an independent entrance either directly from a yard or from a common vestibule, but does not contain an Accessory Dwelling Unit. The two principal dwelling units may be equal in floor area.”
3. **That** Subsection 5.102 (k) of By-law 129-90, as amended, is repealed and replaced with the following:
- “(k) **“DWELLING, SEMI-DETACHED”** means a dwelling that is divided vertically into two principal dwellings units attached by a common wall, each with an independent entrance to the exterior. The two dwelling units may be located on separate lots and may be equal in floor area.”
4. **That** Subsection 5.102 (o) of By-law 129-90, as amended, is repealed and replaced with the following:
- “(o) **“DWELLING, TRIPLEX”** means a dwelling that is divided vertically and horizontally, with at least one unit stacked vertically, into three dwelling units on one lot in which each dwelling unit has an independent entrance to the exterior or through a common vestibule, but does not include a Townhouse Dwelling. The three dwelling units may be equal in floor area.”
5. **That** Subsection 5.129 of By-law 129-90, as amended, is repealed and replaced with the following:
- “5.129 “FLOOR AREA”** means the area of a floor or floors in a building exclusive of basements, cellars, attics, garages, carports, sunrooms, verandas, or porches excluding the thickness of all exterior walls.”
6. **That** Subsection 5.144 of By-law 129-90, as amended, is repealed and replaced with the following:
- “5.144 “GARAGE”** means an enclosed or partially enclosed building or structure for the storage of vehicles but does not include a carport.”
7. **That** Subsection 5.217 of By-law 129-90, as amended, is repealed and replaced with the following:
- “5.217 “MOBILE HOME”** (See Section 5.352 Part (2) (b) “Mobile Home”).”
8. **That** Subsection 5.257 of By-law 129-90, as amended, is repealed and replaced with the following:
- “5.257 “PATIO”** means a roofless unenclosed area accessory to a dwelling that is intended for use as amenity area, constructed at finished grade, but does not include a Walkway as defined herein.”
9. **That** Section 5 – Definitions of Comprehensive Zoning By-law 129-90, as amended, is hereby further amended by adding a definition of “Permeable” as follows:
- “5.267 “PERMEABLE”** means a surfaced area that is capable of easily absorbing and draining stormwater runoff into the underlying soil and may include pervious concrete, porous asphalt, permeable pavers or stepping stones.”
10. **That** Subsection 5.286 of By-law 129-90, as amended, is repealed and replaced with the following:
- “5.286 “RECREATIONAL VEHICLE”** (See Section 5.358 (b) **“VEHICLE, RECREATIONAL”**).”
11. **That** Subsection 5.351 (2) (b) of By-law 129-90, as amended, is repealed and replaced with the following:
- ““Mobile Home”** means a factory-built, detached structure designed to be and capable of being transported after fabrication, on its own chassis and wheel system, to a lot or site, and which is suitable for year-round occupancy in a similar fashion as a dwelling unit, except for minor and incidental unpacking and assembly operations, placement on defined supporting structures and connection to utilities. A Mobile Home does not include a Recreational Vehicle or a Detached Accessory Dwelling Unit as defined herein.”

12. That Subsection 5.359 of By-law 129-90, as amended, is repealed and replaced with the following:

“5.359 “VEHICLE” means a passenger automobile or other motor vehicle, which is capable of being drawn, propelled or driven by any kind of power, and includes a “Vehicle, Commercial” and a “Vehicle, Recreational” as defined below:

(a) “VEHICLE, COMMERCIAL” - means a motor vehicle weighing in excess of 3,600 kg used for business, employment or commercial purposes and shall include a tractor trailer or trailer for hauling purposes on the highway, earth moving equipment, backhoes and farm tractors.

(b) “VEHICLE, RECREATIONAL” means a vehicle intended for recreational use such as a boat, all-terrain vehicle, seadoo, snowmobile, motorcycle, or other similar device, and also includes Trailers used for recreational purposes as defined in Section 5.351 Part (1).”

13. That Section 5 – Definitions of Comprehensive Zoning By-law 129-90, as amended, is hereby further amended by adding a definition of “Walkway” as follows:

“5.368 “WALKWAY” means an uncovered, designated path that is intended for pedestrian traffic on a lot that may be hardscaped or permeable, but does not include a Deck, Driveway, Patio or Porch as defined herein.”

14. That Subsection 6.1 Accessory Uses (b) of By-law 129-90, as amended, is repealed and replaced with the following:

“(b) Except as otherwise provided herein, in a Residential Zone any accessory building or structure which is not part of the main building shall be erected in the rear yard or interior side yard, and shall not be located closer to any rear lot line or side lot line than 1.0 m or closer to any street than the required yard therefrom for dwellings, except that a detached garage or carport which faces the exterior side lot line shall be located no closer than 6.0 m to the exterior side lot line. Eaves and gutters may project a maximum of 0.50 m into the required yard except as otherwise provided herein.”

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

“Except as otherwise provided in this By-law only one principal dwelling shall be permitted per lot. A legal single detached dwelling, semi-detached dwelling, street townhouse dwelling and block townhouse dwelling may have up to two (2) Accessory Dwelling Units per lot 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 lot provided the main dwelling does not exceed more than one (1) Accessory Dwelling Unit.”

16. That Subsection 6.18 (e) Lot Area and/or Frontage Less than Required of By-law 129-90, as amended, is repealed and replaced with the following:

“(e) LOT AREA AND/OR FRONTAGE LESS THAN REQUIRED

Where a lot having a lesser lot area or lot frontage than that required herein

(i) is the same as in a deed registered on or prior to the date of passing of this By-law; or

(ii) is a consolidation of adjacent lots described in deeds registered on or prior to the date of passing of this by-law, or

(iii) was subject to a consent approved prior to the date of passing of this By-law, and was subsequently conveyed or is the remnant part of such a lot after such a conveyance and thereafter continuously held in distinct and separate ownership from abutting registered lot; or

(iv) is a whole lot located within a registered plan of subdivision; and

such parcel complies with relevant regulations made under *The Environmental Protection Act, R.S.O. 1990* and all relevant requirements of the Ontario Building Code, and has a minimum lot frontage of 10.00 m; then the said lot shall be deemed to conform to the requirements of this Bylaw with respect to lot area and lot

frontage, and the provisions hereof respecting lot area and lot frontage shall not apply to prevent the use of such lot, or the erection, alteration or use of a permitted building or structure thereupon, in accordance with all other provisions hereof.”

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

“(ii) This provision shall not apply to commercial uses 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. Any Short-Term Rentals in the above zones shall be subject to the parking requirements specified in Subsection 6.58 of Section 6 – General Provisions of the Zoning By-law, as amended.”

18. That Subsection 6.20 Parking Area Regulations (D) (viii) of By-law 129-90, as amended, is repealed and replaced with the following:

“(v) Nothing in this By-law shall prevent the obstruction of a driveway by a gate, a temporary barrier or similar obstruction used solely to restrict access to the said driveway and designed to be otherwise opened or removed when necessary to permit passage of a vehicle. On Regional Roads and Provincial Highways, all such gates and barriers shall be set back from the property line to allow the temporary stopping of a vehicle so that the vehicle while stopped is entirely contained within the property limits and does not overhang the public road allowance.”

19. That Subsection 6.20 Parking Area Regulations (H) of By-law 129-90, as amended, is hereby further amended as follows:

“(v) Parking spaces for Electric Vehicles (EVs) are considered valid parking spaces for the purposes of calculating required parking. EV parking spaces may include signage that restricts their use for EVs only.”

20. That Subsection 6.20 Parking Area Regulations (J) of By-law 129-90, as amended, is hereby further amended as follows:

“(iii) Unless otherwise specified in this By-law, a parking space shall have a minimum height clearance of 2.40 m.”

21. That Subsection 6.20 Parking Area Regulations (M) Accessible Parking Spaces By-law 129-90, as amended, is repealed and replaced with the following:

“Parking spaces designated under Section 6.20 (M) shall include Van Accessible (Type A) and Standard (Type B) Parking Spaces.

(i) Type A parking spaces shall:

- a) Where provided outdoors, have a minimum height clearance of 2.75 m
- b) Where provided indoors, have a minimum height clearance of 2.59 m
- c) Be at least 3.40 m wide
- d) Be at least 6.00 m long
- e) Have an adjacent access isle at least 1.50 m wide by 6.00 m long. They must be marked with high tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface.

(ii) Type B parking spaces shall:

- a) Be at least 2.40 m wide
- b) Be at least 6.00 m long
- c) Have an adjacent access isle at least 1.50 m wide by 6.00 m long. They must be marked with high tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface.

- (iii) Accessible parking spaces shall be provided as close as possible to principal building entrances.
- (iv) Accessible Parking Spaces shall be provided in accordance with the requirements specified hereunder:

Total Number of Parking Spaces	Number of Accessible Parking Spaces
12 or fewer	1 Type A parking space
13 to 100	4% of the total number of parking spaces
101 to 200	1 space + 3% of the total number of parking spaces
201 to 1000	2 spaces + 2% of the total number of parking spaces
1000 or more	11 spaces + 1% of the total number of parking spaces

- (v) Where an even number of accessible parking spaces are required, parking spaces shall be equally divided between Type A and Type B parking spaces. Where an odd number of accessible parking spaces are required, the additional odd numbered parking space may be a Type B parking space.
- (vi) Two adjacent parking spaces may share the same access aisle.
- (vii) Accessible parking spaces shall be distinctly indicated by erecting an accessible permit parking sign in accordance with section 11 of Regulation 581 of the Revised Regulations of Ontario, 1990 (Accessible Parking for Persons with Disabilities) made under the *Highway Traffic Act*. O. Reg. 413/12, s. 6, or any successors thereto.”

22. That Subsection 6.21 Landscaping and Planting Strips (c) Driveways or Walks of By-law 129-90, as amended, is deleted.

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

“(g) MINIMUM LANDSCAPED OPEN SPACE AREA IN A RESIDENTIAL ZONE FOR SINGLE DETACHED, SEMI-DETACHED, DUPLEX, TRIPLEX AND STREET TOWNHOUSE DWELLINGS

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

24. That Subsection 6.33 of By-law 129-90, as amended, is repealed and replaced with the following:

“6.33 ZONING EXCEPTIONS

The special Zoning Exceptions noted in each Zone Section shall have effect in respect of the subject use and the provisions of the respective zone shall be amended insofar as required to give effect to the Zoning Exceptions. All other provisions of the respective zone shall apply, with the necessary changes being made to the subject use.”

25. That Subsection 6.35 Swimming Pools (a) of By-law 129-90, as amended, is repealed and replaced with the following:

“(a) PRIVATE OPEN SWIMMING POOLS:

Notwithstanding any other provision of this By-law to the contrary, the following provisions shall apply with respect to the erection or use of any private open swimming pool not enclosed or otherwise located within a building:

- (i) Notwithstanding any other provisions of this By-law, a private open swimming pool and/or related structures shall be permitted in any interior side yard, exterior side yard or rear yard.

- (ii) No interior wall surface of any open swimming pool, nor any related building or structure other than a fence, shall be located closer than 1.00 m to any interior side or rear lot line or 3.00 m to an exterior side lot line.
- (iii) Any hard surface associated with a swimming pool shall maintain a minimum setback of 0.50 m to the interior side lot line or rear lot line, or 3.00 m to an exterior lot line.
- (iv) No water circulating or treatment equipment, such as pumps or filters shall be located closer than 3.00 m to any side lot line or 1.00 m to any rear lot line when not enclosed within a structure. Water circulating or treatment equipment shall be setback a minimum of 1.00 m from an interior side lot line or rear lot line when enclosed within a structure.”

26. That Subsection 6.38 Travel Trailers, Pick Up Campers, Tent Trailers, Permanently Mounted Campers, Motor Vehicles and Tents (a) of By-law 129-90, as amended, is repealed and replaced with the following:

“(a) ALL ZONES

No person in any zone, shall locate or use any of the following for living, sleeping or eating accommodation unless otherwise specified in this By-law:

- Travel trailer
- Pick up camper
- Tent trailer
- Permanently mounted camper
- Motor vehicle
- Tent”

27. That Subsection 6.40 Covered or Uncovered Porches, Balconies, Decks and Patios (a) Residential Zones of By-law 129-90, as amended, is repealed and replaced with the following:

“(a) Residential Zones

Notwithstanding the yard provisions of this By-law to the contrary, porches, balconies, decks and patios are subject to the following setbacks 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	Required building setback	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

28. That Subsection 6.40 Covered or Uncovered Porches, Balconies, Decks and Patios (b) of By-law 129-90, as amended, is repealed and replaced with the following:

“(b) Notwithstanding part (a) above

- i. Porches, balconies, decks and patios are not permitted to encroach into required swales.
- ii. A Walkway is permitted in an interior side yard, provided a minimum setback of 0.25 m is maintained to the interior side lot line and the Walkway does not interfere with required swales.”

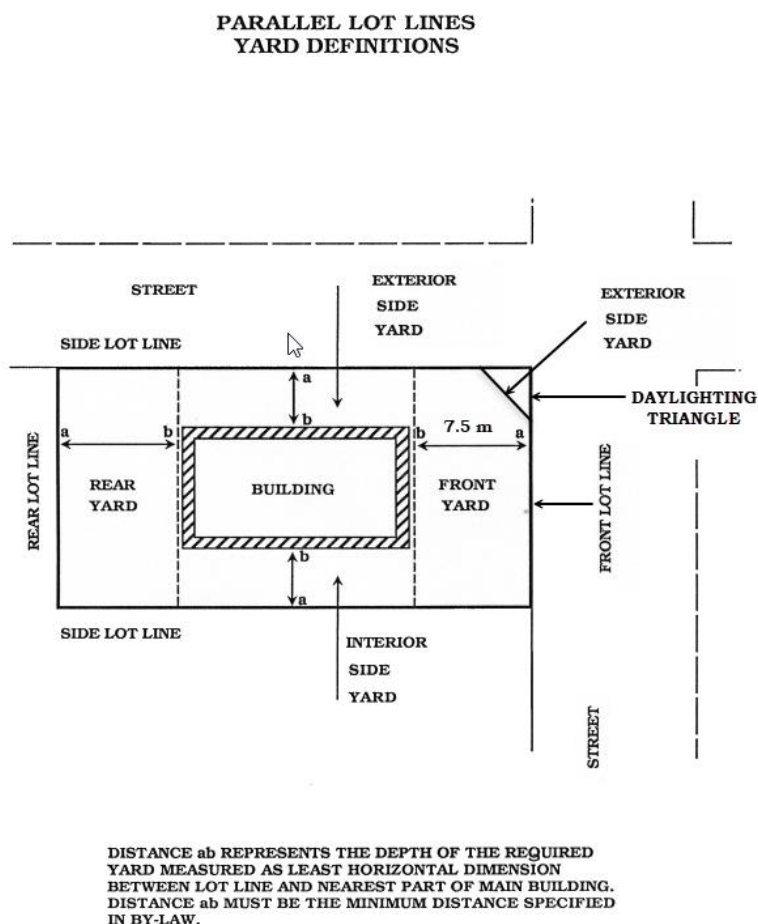
29. That Subsection 6.43 Accessory Dwelling Units of By-law 129-90, as amended, is repealed and replaced with the following:

- “(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 in the Urban Boundary that is contained within or added onto an Accessory Building that existed prior to 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 in the Urban Boundary that is contained within a new Accessory Building shall be subject to the following regulations:
 - a. Maximum Lot Coverage – 15%
 - b. Location on Parcel – Shall be located in an interior side yard or the rear yard only
 - c. Minimum Interior Side Yard and Rear Yard:
 - i. 1 storey – 1.00 m
 - ii. 1.5 storey – 1.50 m
 - iii. 2 storey – 2.00 m
 - d. 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.
 - e. Maximum Building Height
 - i. 2 storeys or the same number of storeys as the main dwelling, whichever is less.
 - ii. 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 100 sq m, whichever is lesser. Where a portion of the basement of the dwelling is occupied by an Accessory Dwelling Unit, the occupied

floor area of the basement shall be included in the calculation of the total floor area. If located in the basement of the main dwelling the Accessory Dwelling Unit may occupy the entire basement area.

- (h) In an Agricultural (A) Zone, a Rural (RU) Zone, a Rural Residential (RR) Zone or a Waterfront Rural Residential (WRR) Zone, up to two (2) Accessory Dwelling Units shall be permitted in a single detached dwelling in addition to the main dwelling unit.
- (i) In an Agricultural (A) Zone, a Rural (RU) Zone, a Rural Residential (RR) Zone or a Waterfront Rural Residential (WRR) Zone one (1) Detached Accessory Dwelling Unit shall be permitted on the same lot. Notwithstanding Subsection 6.43 (h), where a lot contains a permitted Detached Accessory Dwelling Unit, only one (1) Accessory Dwelling Unit shall be permitted in a single detached dwelling in addition to the main dwelling unit.
- (j) Accessory Dwelling Units located in the Agricultural (A) Zone, Rural (RU) Zone, Rural Residential (RR) Zone or the Waterfront Rural Residential (WRR) Zone are subject to the following regulations:
 - i. The dwelling units shall comply with Provincial Minimum Distance Separation (MDS) requirements, or any successors thereto;
 - ii. The dwelling units shall be adequately serviced with private services (private sewage system and water supply);
 - iii. The dwelling units are subject to the respective regulations for dwellings for the Zone they are in.
 - iv. The maximum floor area for each Accessory Dwelling Unit shall not exceed 40% of the total floor area of the main dwelling or 100 sq m, whichever is lesser. Where a portion of the basement of the dwelling is occupied by an Accessory Dwelling Unit, the occupied floor area of the basement shall be included in the calculation of the total floor area. If located in the basement of the main dwelling the Accessory Dwelling Unit may occupy the entire basement area.
- (k) Detached Accessory Dwelling Units located in the Agricultural (A) Zone, Rural (RU) Zone, Rural Residential (RR) Zone or Waterfront Rural Residential (WRR) Zone are subject to the following regulations:
 - i. The Detached Accessory Dwelling shall comply with Provincial Minimum Distance Separation (MDS) requirements, or any successors thereto;
 - ii. The Detached Accessory Dwelling Unit and any other dwelling units shall be adequately serviced with private services (private sewage system and water supply).
 - iii. In the Agricultural (A) Zone and Rural (RU) Zone, Detached Accessory Dwelling units are subject to the regulations of 7.6 and 8.6 Regulations for Buildings Accessory to Dwellings respectively. In the Rural Residential (RR) Zone or the Waterfront Rural Residential (WRR) Zone Detached Accessory Dwellings are subject to the regulations of Section 6.43 (f).
 - iv. In the Agricultural (A) Zone and Rural (RU) Zone a Detached Accessory Dwelling must be located a maximum distance of 15.00 metres from the main dwelling.
 - v. In the Agricultural (A) Zone and Rural (RU) Zone a Detached Accessory Dwelling is not permitted within a building/structure used for any agricultural use.
- (l) 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 the maximum depth of two parking spaces.
- (m) 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 Dwelling Units / a Detached Accessory Dwelling Unit are permitted as per part (a) through (l) above."

- 30. That** Subsection 6.45 Lots Comprised of Two or More Lots of By-law 129-90, as amended, is hereby repealed and replaced with the following:
- “Nothing in this by-law shall prevent the erection, alteration, extension or enlargement of a building or structure on lands composed of two or more contiguous lots, and such lots may be treated as one lot when calculating lot coverage and yard setback requirements, provided all of the requirements of the appropriate zone are complied with.”
- 31. That** Subsection 6.51 Model Homes in Draft Approved Plans of Subdivision of By-law 129-90, as amended, is hereby further amended by adding the following:
- “(f) Model homes are exempted the regulations of Section 6.5 until such time as the roads and municipal services have been constructed to municipal standards and assumed by the Town.”
- 32. That** the Illustrations in Section 6 – General Provisions of By-law 129-90 be amended to add the following diagram:



- 33. That** Subsection 6.58 Short Term Rentals (a) General Regulations for Short Term Rentals of By-law 129-90, as amended, is hereby further amended by adding the following:
- “(v) Short-Term Rentals are permitted in legal non-conforming buildings that are partially or fully impacted by Hazard (H) Zone. The type of Short-Term Rental operation (Dedicated and/or Owner-Occupied) shall comply with the associated zone category that would exist if the Hazard (H) Zone was not in place.”
- 34. That** Section 7.2 (c) of By-law 129-90, as amended, is repealed and replaced with the following:
- “(b) One (1) single detached dwelling on one lot and up to two (2) Accessory Dwelling Units, or one (1) single detached dwelling on one lot with one (1) Accessory Dwelling Unit and one (1) Detached Accessory Dwelling Unit as per the regulations of Section 6.43.”
- 35. That** Section 8.2 (f) of By-law 129-90, as amended, is repealed and replaced with the following:

“(f) One (1) single detached dwelling on one lot and up to two (2) Accessory Dwelling Units, or one (1) single detached dwelling on one lot with one (1) Accessory Dwelling Unit and one (1) Detached Accessory Dwelling Unit as per the regulations of Section 6.43.”

36. That Section 9.2 (a) of By-law 129-90, as amended, is repealed and replaced with the following:

“(a) One (1) single detached dwelling on one lot and up to two (2) Accessory Dwelling Units, or one (1) single detached dwelling on one lot with one (1) Accessory Dwelling Unit and one (1) Detached Accessory Dwelling Unit as per the regulations of Section 6.43.”

37. That Section 16A.2 of By-law 129-90, as amended, is repealed and replaced with the following:

“(a) One (1) single detached dwelling on one lot and up to two (2) Accessory Dwelling Units, or one (1) single detached dwelling on one lot with one (1) Accessory Dwelling Unit and one (1) Detached Accessory Dwelling Unit as per the regulations of Section 6.43.

(b) Home occupations

(c) Buildings and structures accessory to the above uses”

38. That Section 17.1 of By-law 129-90, as amended, is repealed and replaced with the following:

“Subject to the General Provisions of Section 6 and all other applicable requirements of this By-law, the provisions of this Section shall apply in all Neighbourhood Development (ND) Zones for existing uses. New uses or lot creation in the Neighbourhood Development (ND) Zone shall be established through a development plan and at minimum a Zoning By-law Amendment.”

39. That Section 18.2 (b) of By-law 129-90, as amended, is repealed and replaced with the following:

“(b) Location – Dwelling units are permitted in a building with commercial use(s) provided the dwelling units are located on the second floor or higher and may occupy 100% of the floor area of those floors. Dwelling units are prohibited in the basement, cellar or ground floor of a commercial building. Exceptions:

(i) an accessory dwelling unit may be located on the ground floor of a motel, hotel or motor hotel.

(ii) a dwelling unit is not permitted in combination with one or more of the following commercial uses:

- car wash
- automobile service station
- public garage
- bingo hall
- taxi establishment
- dry cleaning plants
- motor vehicle sales rooms and car sales lots”

40. That Section 18.3 (a) of By-law 129-90, as amended, is repealed and replaced with the following:

“(a) Location – Dwelling units are prohibited to be located on the basement or cellar of a commercial building. Dwelling units shall be permitted to occupy a maximum of 49% of the ground floor area of buildings with commercial use(s), provided that no part of such dwelling unit, except for the entranceway, has frontage onto a public street. Dwelling units are also permitted to be located on the second floor or higher where they may occupy up to 100% of the floor area of those floors. Dwelling units may not be located in combination with one or more of the following uses:

- car wash
- automobile service station
- public garage

- bingo hall
- taxi establishment
- dry cleaning plants
- motor vehicle sales rooms and car sales lots”

41. That Section 21.3 Parking Exemptions of By-law 129-90, as amended, is repealed and replaced with the following:

“Parking Requirements	Commercial uses within the C2A Zone shall be exempted from the parking and loading requirements of this By-law.
	Buildings containing Short-Term Rentals subject to the provisions of Section 6.58.”

42. That Section 26B.3 Parking Exemptions of By-law 129-90, as amended, is repealed and replaced with the following:

“Parking Requirements	Notwithstanding any other provisions of this By-law, commercial uses within the CMU2 Zone shall be exempted from the parking and loading requirements of this By-law.
	Buildings containing Short-Term Rentals subject to the provisions of Section 6.58.”

43. That Section 26D.3 Parking Exemptions of By-law 129-90, as amended, is repealed and replaced with the following:

“Parking Requirements	Commercial uses within the CMU4 Zone shall be exempted from the parking and loading requirements of this By-law.
	Buildings containing Short-Term Rentals subject to the provisions of Section 6.58.”

44. That Section 26E.3 Parking Exemptions of By-law 129-90, as amended, is repealed and replaced with the following:

“Parking Requirements	Commercial uses within the CMU5 Zone shall be exempted from the parking and loading requirements of this By-law.
	Buildings containing Short-Term Rentals subject to the provisions of Section 6.58.”

45. That Section 26F.3 Parking Exemptions of By-law 129-90, as amended, is repealed and replaced with the following:

“Parking Requirements	Commercial uses within the CMU6 Zone shall be exempted from the parking and loading requirements of this By-law.
	Buildings containing Short-Term Rentals subject to the provisions of Section 6.58.”

46. 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 21st day of July 2025.

Mayor

Clerk