



Zoning By-law Review

Draft Technical Memo No. 4 – Rural and Agricultural Areas

September 2026

Table of Contents

- 1 Zoning for the Countryside..... 1**
 - 1.1 Current Policy and Zoning 1**
 - 1.1.1 Provincial Policy 1
 - 1.1.2 Official Plan 1
 - 1.1.3 Zoning By-law 2
 - 1.2 Zoning Directions 2**
- 2 Supporting the Agricultural Economy..... 4**
 - 2.1 Current Policy and Zoning 4**
 - 2.1.1 Official Plan 4
 - 2.1.2 Zoning By-law 4
 - 2.2 Zoning Directions 4**
- 3 Rural Residential Zoning 6**
 - 3.1 Current Policy and Zoning 6**
 - 3.1.1 Official Plan 6
 - 3.1.2 Zoning By-law 6
 - 3.2 Zoning Directions 6**

What is a Zoning By-law?



Zoning by-laws are a tool that Fort Erie uses to regulate the use and character of land and buildings – from the Town's neighbourhoods to its natural areas, and shopping and employment areas. A zoning by-law is a set of rules that say **what** can be built and **where**. It sets out the rules for where new buildings should go, how existing buildings can change, what types of buildings they can be, and what types of uses, businesses, and activities can happen on a property. Zoning regulations work together with a municipality's Official Plan, secondary plans, and Urban Design Guidelines to shape growth and change in an orderly way.



The Town of Fort Erie is also developing a Community Planning Permit System, which is a tool that streamlines development processes by combining multiple planning approvals into a single approval process. In Fort Erie, this system will specifically target the Town's seven Strategic Growth Areas.

To learn more about the Community Planning Permit System, scan the QR code.

What is the Zoning By-law Review?



Fort Erie's current zoning by-law came into effect in the 1990s and has been updated many times in the years since. In 2025, Town Council adopted a new Official Plan for Fort Erie that sets out the community's vision to 2051. The Zoning By-law Review is an opportunity to make sure that the Town's rules for development align with the most recent Provincial policy and legislation, the Town's new Official Plan, and evolving community needs.

How Does Zoning Impact Residents, Landowners, and Businesses?



Zoning by-law regulations influence what kinds of homes can be built in a neighbourhood, help protect important natural areas, enable where businesses can operate, and even shape how walkable a neighbourhood is. These rules affect things like housing options, access to services, and how your property can be used now and in the future.

What are the Technical Memos?



There are many inputs, considerations, and ideas that inform a new Zoning By-law. To keep the planning process grounded and transparent, a series of Technical Memos is being prepared to help document the issues Fort Erie is trying to solve, provide analysis behind proposed solutions, and set out zoning directions before the By-law is written. They give the community, Council, and agencies a clear window into the rationale behind the By-law and how it aligns with the Town's vision set out in the Official Plan.

How Can I Participate in the Zoning By-law Review?



Visit Let's Talk Fort Erie – Zoning By-law Review (letstalk.forterie.ca/zoning-by-law-review) to learn more and subscribe for updates about upcoming public meetings and ways to share your feedback about this Technical Memo.

1 Zoning for the Countryside

Across the Countryside, the Zoning By-law plays a role in regulating how agricultural and rural lands are used. Supporting vibrant and active uses in the countryside means considering appropriate zoning regulations that are adaptable to the farming community and changing nature of the agricultural economy. The Town's Official Plan sets out policies which envision a sustainable and prosperous agricultural community. There is also a need to explore other development pressures in the countryside, such as farm help dwellings, home industries, and kennels.

1.1 Current Policy and Zoning

1.1.1 Provincial Policy

Provincial policy provides a clear definition of agriculture to ensure that normal farm practices are permitted in agricultural areas. The Provincial Planning Statement, 2024 (PPS, 2024) defines agriculture as *"the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and housing for farm workers, when the size and nature of the operation requires additional employment"*. Notably, this definition of "agriculture" includes associated on-farm buildings and structures.

1.1.2 Official Plan

The Official Plan establishes two primary land use designations within the Countryside. The Agriculture designation applies to lands protected for long-term agricultural uses and normal farm practices on prime agricultural lands. The Rural designation applies to lands outside of settlement and prime agricultural areas that provide opportunities for agriculture, resource-based activities, recreation, and tourism.

The Agriculture and Rural designations permit a range of uses including agricultural uses, home industries, home occupations, conservation and forestry, and low-intensity recreational uses. The Rural designation is more permissive by allowing for lot creation, subject to criteria, whereas the Agriculture designation limits lot creation. It is also recognized that there may be a need to introduce a new rural zone that permits commercial-oriented uses to both recognize existing rural commercial uses, and to apply to future uses.

1.1.3 Zoning By-law

Zoning By-law 129-90 establishes both a Rural (RU) and Agricultural (A) zone that generally aligns with the mapping of the Official Plan.

- > The **Rural** zone establishes a minimum lot area of 6 hectares and permits a range of uses including agriculture, parks and conservation clubs, pet day care establishes, and one single detached dwelling.
- > The **Agricultural** zone establishes a minimum lot area of 20 hectares and permits a range of uses including agriculture, value-added uses, and one seasonal or permanent farm help house.

It is recommended that the existing Rural and Agricultural zones be carried forward into the new Zoning By-law, but that the mapping of these zones be updated to align with the new Official Plan.

1.2 Zoning Directions

Based on a review of the Official Plan and existing zoning there is an opportunity to update permitted uses and lot and building requirements across the Rural and Agricultural zones. Overall, the new Zoning By-law should consider implementing the following directions:

- > Reviewing permissions for farm worker dwellings in the Agricultural zone, including appropriateness of minimum floor area requirements and other specific use regulations that may be required;
- > Updating minimum lot area requirements in the Rural zone which allow for creation of smaller lots, subject to a hydrogeological study that demonstrates private services can be achieved;
- > Carrying forward regulations related to greenhouses and medical marijuana growing and production facilities, while reviewing if zoning needs to distinguish between medical and recreational uses;
- > Reviewing permissions and regulations for veterinary clinics and pet day care establishments in the Rural and Agricultural zones;
- > Carrying forward short-term rental permissions and regulations;
- > Updating the definition of an “agricultural use” to align with the Official Plan and PPS, 2024;
- > Reviewing zoning of existing recreational commercial operations in accordance with Policy D.2.5.7 of the Official Plan;
- > Reviewing regulations outlined in Section 6.17 related to Minimum Distance Separation;
- > Reviewing application of the existing Rural Commercial (C7) zone; and
- > Establishing a new rural zone that would permit commercial-oriented uses that are appropriate for the rural area and character of the Town and can be developed on private servicing. This new zone would recognize both existing commercial uses in the rural zone as well as establish a zone to be applied to future uses. The Official Plan generally contemplates that most of the

Town's commercial activity is to be directed to the Settlement Areas. Therefore, the proposed Rural Commercial zone would permit a limited range of small-scale commercial uses. Existing commercial uses within the Rural area of the Town may be carried forward as a site-specific exception zone depending on the degree to which the existing commercial use conforms to the Official Plan.

- > The proposed Rural Commercial zone may also permit rural recreational uses such as seasonal campgrounds, for example.

2 Supporting the Agricultural Economy

On-farm diversified uses and agriculture-related uses play a role in sustaining the agricultural economy. These uses allow farmers to supplement traditional crop and livestock production, improve long-term farm viability, support local supply chains, and encourage reinvestment in rural areas. New zoning regulations for on-farm diversified uses and agriculture-related uses need to balance the needs of primary agricultural functions.

2.1 Current Policy and Zoning

2.1.1 Official Plan

The Official Plan permits on-farm diversified uses and agriculture-related uses in the Rural and Agricultural land use designations. Sections E.5.4.1 and E.5.4.2 set out the specific criteria that are required to be met to establish an agriculture-related and on-farm diversified uses, respectively.

The policies of the Official Plan implement the policies of the Provincial Planning Statement, 2024 relating to on-farm diversified uses and agriculture-related uses.

2.1.2 Zoning By-law

Zoning By-law 129-90 permits a limited range of on-farm diversified uses and agriculture-related uses in the Rural and Agricultural zones, as follows:

- > The **Agricultural zone** permits value-added uses, home occupations, and kennels as permitted principal uses. Farm product outlets, farm wineries, and greenhouse product outlets are permitted as “secondary uses”. The By-law establishes specific regulations for different uses, such as a maximum gross floor area of 500 square metres for value-added uses.
- > The **Rural zone** permits agriculturally related uses and value-added uses. The By-law establishes specific regulations for value-added uses.

2.2 Zoning Directions

Based on a review of the new Official Plan and existing zoning, there is an opportunity to implement a refreshed zoning framework for on-farm diversified uses and agriculture-related uses that supports the agricultural economy and provides a clear framework to guide the planning and development process. Overall, the new Zoning By-law should consider implementing the following directions:

- > Enabling agriculture-related uses in the rural area and establishing criteria to guide the use, including lot size, lot coverage, and environmental protection requirements;
- > Creating a dedicated zone that could be applied on a site-specific basis through a zoning by-law amendment process that seeks to establish an agriculture-related use within the Agricultural designation of the Official Plan, subject to criteria;
- > Enabling on-farm diversified uses across the countryside, in both the Rural and Agricultural zones; and
- > Establishing comprehensive criteria for on-farm diversified uses to ensure that these uses remain secondary to the principal agricultural use. These criteria should include, at a minimum:
 - A maximum total lot area used by an on-farm diversified use
 - Application of the Minimum Distance Separation Formulae, where applicable
 - A maximum gross floor area of all buildings and structures
 - Minimum parking requirements, and optionally minimum bicycle parking requirements in support of agri-tourism
 - Regulations related to agricultural event venues (e.g., wedding venues), including both permanent and temporary venues

To enable on-farm diversified uses and provide a degree of flexibility for emerging types of uses, it is recommended that the Zoning By-law implement a dual approach by defining both “on-farm diversified use” but also specific types of uses that would qualify, such as agri-tourism, farm produce outlets, and farm shop or café. This approach could allow for a pathway through a minor variance process for emerging types of businesses that could qualify as on-farm diversified but not specifically listed.

3 Rural Residential Zoning

Outside of settlement areas, Fort Erie has many clusters and strips of rural residential lots, such as those along the Niagara River and Lake Erie, east of Crystal Beach, and along Ridge Road. Rural residential lots are principally used for low-rise residential dwellings on larger lots and are used on both a permanent and seasonal basis.

3.1 Current Policy and Zoning

3.1.1 Official Plan

The Official Plan recognizes existing rural residential development on existing lots under the Rural Residential designation (Section D.3.3). This designation permits legally existing development, development on existing lots of record, home occupations, and additional residential units.

3.1.2 Zoning By-law

Zoning By-law 129-90 establishes 2 zones that implement the Rural Residential designation of the Official Plan.

- > The **Rural Residential** zone applies to rural residential properties. It permits a limited range of uses including a detached dwelling, home occupation, short-term rental, and accessory buildings and structures.
- > The **Waterfront Rural Residential** zone applies to rural residential properties along the waterfront. It permits a very limited range of uses, including detached dwellings and home occupations.

The minimum lot area requirements established by By-law 129-90 are calibrated to enable on-site private services, including septic systems, on rural residential lots.

3.2 Zoning Directions

Based on a review of the new Official Plan and existing zoning, there is an opportunity carry forward much of the existing zoning framework for rural residential properties in Fort Erie. Overall, the new Zoning By-law should consider implementing the following directions:

- > Merging the existing Rural Residential and Waterfront Rural Residential zones into one consolidated zone that implements the policies of the Official Plan;

- > Exploring opportunities to permit accessory structures in the front yard of parcels along the Lake Erie shoreline;
- > Exploring opportunities to broaden the range of permitted home occupations in the Rural Residential designation;
- > Reviewing the need to need carry forward or modify the provisions of Section 6.53 – Existing Lots of Record, that allows development on existing undersized lots outside of the urban area boundary subject to a Regional septic system permit;
- > Maintaining the existing lot area requirements which are tied to servicing requirements; and
- > Carrying forward the mapping of Rural Residential and Waterfront Rural Residential properties as shown in By-law 129-90