



Zoning By-law Review

Draft Technical Memo No. 3 – Employment and Commercial
Zoning

September 2026

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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 Commercial Zoning

Across Fort Erie's various settlement areas, there is a wide variety of existing and planned commercial contexts, ranging from small-town main streets to highway service centres, and larger scale commercial and shopping centres. There is a need and opportunity to review the Town's existing commercial zoning regulations to implement the new Official Plan, ensure residents and visitors have access to a broad range of everyday amenities, support local businesses, and promote job growth.

1.1 Current Policy and Zoning

1.1.1 Town of Fort Erie Official Plan

The new Official Plan establishes a Commercial designation which applies to existing and planned commercial sites in Fort Erie (Section D.2.5). The Commercial designation permits a broad range of commercial activities, including retail, office, and service uses. The Official Plan recognizes that the planned function of the Commercial designation varies across the Town, across three broader categories:

- > **General commercial** land uses, such as retail, restaurants, personal service, and office uses
- > **Highway commercial** land uses, including restaurants, hotels, and automobile related uses
- > **Recreational commercial** land uses, including marinas, golf courses, and private clubs

Residential uses are generally restricted within the Commercial zones, such as the C3 – Highway Commercial Zone which only permits dwelling units above the ground floor. Otherwise, mixed residential and commercial uses are largely permitted within Strategic Growth Areas, which are subject to further study through the Community Planning Permit System (CPPS) process. Further, Section D.2.5.7 establishes policies for recreational commercial land uses.

Section D.2.1 of the Official Plan further establishes the Core Mixed-Use designation that applies to areas that have historically functioned as traditional downtowns or areas planned to evolve into a more urban form. While the majority of lands designated Core Mixed-Use will be addressed through the CPPS process, there are some lands outside of Strategic Growth Areas that warrant consideration through the Zoning By-law Review (e.g., in the Stevensville core area). Permitted uses within this designation include mixed-use development, residential, office, and public service facility uses.

Section D.2.2.5.2 of the Official Plan supports small-scale commercial uses within neighbourhoods, which support the daily needs of residents, such as convenience stores, day care centres, and artisan

studios and shops. Small-scale commercial uses may only be permitted in limited circumstances, such as requiring frontage on a street or on corner lots, and are permitted in both standalone and mixed-use buildings.

1.1.2 Secondary Plans

Policy A.3.5 of the Official Plan states that where there are inconsistencies between the Official Plan and Secondary Plans, the policies contained in Secondary Plans take precedence. Policy C.5.7 further clarifies how conflicts between permitted built form and height policies and secondary plans are to be resolved. This means that the policies and designations of the in-effect Secondary Plans needs to be accounted for in the ZBL.

Secondary Plan	Land Use Designations	Zoning Considerations
Bridgeburg	Core Area Mixed-Use *	> Maximum 5 storey height > Ground floor commercial
	Commercial	> Maximum 3-10 storey height
Gateway	Core Mixed-Use *	> Ground floor commercial > Maximum 4 storey height
	Commercial	> Defer to Official Plan
Spears-High Pointe	Core Mixed-Use	<i>To be implemented by CPPS.</i>
	Commercial	<i>To be implemented by CPPS.</i>
Ridgeway / Thunder Bay	Core Mixed-Use	<i>To be implemented by CPPS.</i>
	Commercial	> Defer to Official Plan
Stevensville	Core Mixed-Use	> Reinforce a pedestrian environment > At-grade commercial, with upper-storey office > Residential required above > Existing dwellings permitted, new dwellings prohibited > Enable forward placement of buildings and consider zero front yard setbacks

Secondary Plan	Land Use Designations	Zoning Considerations
		> Minimum 2 storey height and maximum 3 storey (12 m) height > Automotive related uses and drive-throughs not permitted
	Gateway Highway Commercial	> Minimum 15% landscaped open space > Drive-throughs permitted
	Commercial	> Defer to Official Plan
Douglas Town-Black Creek	Commercial	> Several site-specific policies
	Enhanced Commercial	> Enables additional employment uses within the Commercial designation, subject to study
South End	Core Mixed Use Intensification	<i>To be implemented by CPPS.</i>
Crystal Beach	Core Mixed Use	<i>To be implemented by CPPS.</i>
	Commercial	> Defer to Official Plan

*Denotes an area which will be partially implemented by and will require coordination with the CPPS project

1.1.3 Zoning By-law 129-90

Zoning By-law 129-90 establishes a series of 16 Commercial zones, inclusive of 6 Core Mixed Use zones, that apply to a variety of contexts across the Town.

Zone	Characterization
Existing Commercial Use (ECU)	This zone recognizes established commercial uses on specific sites and permits those uses, similar uses, and accessory uses, buildings and structures.
Local Commercial (C1)	This zone permits small-scale local retail and service uses (e.g., convenience retail and personal services), and dwelling units, intended to serve nearby neighbourhoods.

Zone	Characterization
General Commercial (C2)	This zone permits a broad range of commercial uses (retail, services, offices, accommodations and related uses) and dwelling units.
Urban Entertainment Centre (UEC)	This zone permits major entertainment- and destination-oriented uses (e.g., amusement/attractions, hospitality, restaurants, and supporting commercial uses), with new development regulations established through a comprehensive development plan and a by-law amendment.
Central Business District Commercial (C2A)	This zone permits a broad mix of downtown commercial uses and dwelling units, with generally no minimum lot frontage/area or front yard requirements.
Highway Commercial (C3)	This zone permits commercial uses oriented to major roads, including retail, services and traveller-serving uses, and dwelling units.
Automobile Service Station (C4)	This zone permits automobile service stations, gasoline bars, car washes, motor vehicle repair shops and commercial refuelling stations, and accessory uses.
Recreational Commercial (C5)	This zone permits recreation- and tourism-related commercial uses (e.g., marinas, lodges, hotels/motels and similar uses), with dwelling units limited to maintenance/security staff.
Shopping Centre Commercial (C6)	This zone permits shopping centre uses and a range of retail and service commercial uses in an integrated shopping-centre format.
Rural Commercial (C7)	This zone permits rural-serving commercial uses (including farm-related sales/service uses) and dwelling units, including an accessory single detached dwelling subject to conditions.

Zone	Characterization
Core Mixed Use 1 (CMU1)	This zone permits a broad mix of commercial/service/office uses and dwelling units in core mixed-use areas with flexible site standards.
Core Mixed Use 2 (CMU2)	This zone permits mixed-use commercial and dwelling units and also permits stand-alone single- and semi-detached dwellings (with one accessory apartment) and home occupations.
Core Mixed Use 3 (CMU3)	This zone permits mixed-use commercial and dwelling units and recognizes existing stand-alone residential uses.
Core Mixed Use 4 (CMU4)	This zone permits mixed-use commercial and dwelling units, requires a minimum two-storey building height, and prohibits drive-thru lanes.
Core Mixed Use 5 (CMU5)	This zone permits mixed-use commercial and dwelling units, limits main-floor residential floor area, and prohibits drive-thru lanes.
Core Mixed Use 6 (CMU6)	This zone permits mixed-use commercial and dwelling units (including private parking lots), limits main-floor residential floor area, and prohibits drive-thru lanes.

- > Section 18 sets out general regulations that apply to Commercial zones.
 - o Section 18.2 and 18.3 establishes regulations for dwelling units permitted in Commercial zones.
 - o Section 18.4 establishes regulations for accessory buildings.
 - o Section 18.5 prohibits outside storage in Commercial zones.
 - o Section 18.6 sets out regulations for drive-throughs.
 - o Additional general provisions may also apply to the commercial zones in some circumstances, such as converted shipping containers as accessory structures, outdoor patios associated with eating establishments and temporary uses.
- > Sections 19 to 26 establish the various Commercial and Core Mixed Use zones

- Local Commercial (C1) – This zone is applied to neighbourhood-scale commercial properties and uses.
- General Commercial (C2) – This zone is applied to smaller-scale commercial properties and uses.
- Urban Entertainment Centre (UEC) – This zone is applied only within the Strategic Economic Area designation.
- Central Business District (C2A) – This zone is applied only within the Bridgeburg Strategic Growth Area (subject to the CPPS).
- Highway Commercial (C3) – This is applied to larger-scale commercial properties and uses and partially addressed by the CPPS.
- Automobile Service Station (C4) – This zone is predominantly applied within Strategic Growth Areas (subject to the CPPS).
- Recreational Commercial (C5) – This zone is applied to two properties in the vicinity of Crystal Beach and the Black Creek Residential Retirement Community.
- Shopping Centre Commercial (C6) – This zone is not applied to any properties.
- Rural Commercial (C7) – This zone is applied to existing commercial properties outside of Settlement Areas.
- Existing Commercial Use (ECU) – This zone is applied to recognize existing commercial uses and buildings.
- Core Mixed Use 1 (CMU1) – This zone is predominantly applied within Strategic Growth Areas, with some limited instances to align with the Core Mixed Use designation.
- Core Mixed Use 2 (CMU2) – This zone is applied within the Crystal Beach Secondary Plan / Strategic Growth Area, subject to the CPPS.
- Core Mixed Use 3 (CMU3) – This zone is applied within the Garrison West and East Strategic Growth Areas, subject to the CPPS.
- Core Mixed Use 4 (CMU4) – This zone is applied within the Ridgeway Strategic Growth Areas, subject to the CPPS.
- Core Mixed Use 5 (CMU5) – This zone is applied within the Stevensville Core Area, identified in the Stevensville Secondary Plan.
- Core Mixed Use 6 (CMU6) – This zone is applied within the Niagara Boulevard Strategic Growth Area, subject to the CPPS.

Overall, there is an opportunity to consolidate several Commercial zones and streamline the number of Core Mixed Use zones, as these areas will be largely addressed through the CPPS.

1.1.4 Minor Variance and Exception Zone Analysis

There are 120 exception zones that apply to Commercial zoned properties. The exceptions are primarily site-specific amendments to enable additional permitted uses (including mixed-use and legacy commercial permissions); allow more permissive building regulations with respect to setbacks, lot coverage, or maximum building height; and amend provisions regarding parking, access, landscaping standards.

Between 2023 and 2025 there were 9 approved minor variances within Commercial zones (excluding Commercial Mixed Use zones). These predominantly related to seeking reduced minimum yard setbacks and landscaping requirements.

1.2 Zoning Directions

Based on a review of the current policy and zoning regulations, the following directions have been established to guide development of the new Zoning By-law.

1.2.1 Zone Structure

A consolidated Commercial zone hierarchy should be established, comprising the following zones:

Proposed New Zone	Existing Zones	Rationale	Notes
Mixed-Use	CMU1, CMU5	Strong alignment between Official Plan and existing zoning. New zone to be applied to Core Mixed Use designation.	To align development standards with CPPS.
Neighbourhood Commercial	C1	Most existing parcels within Community Area designation. New zone to be applied where it exists today and to be reviewed site-by-site.	None.
General Commercial	C2, C4	Mapping to be comprehensively	None.

Proposed New Zone	Existing Zones	Rationale	Notes
		reviewed to address Official Plan conformity. Many instances of C2 zone in Community Area designation.	
Highway Commercial	C3	Strong alignment between Official plan and existing zoning. Some instances to be reviewed site-by-site.	None.
Mobile Home Park	C5	Limited application of zoning to be reviewed site-by-site against site-specific policies.	Predominantly applied to Black Creek Trail Residential Community, Crystal Beach Tennis and Yacht Club, as well as the Buffalo Canoe Club.
Rural Commercial	C7	Discussed further in the Rural Technical Memo.	
To be removed	C6	This zone is not applied to any properties.	
To be addressed by CPPS	C2A, CMU2, CMU3, CMU4, CMU6		
To be addressed on a site-specific basis	ECU	To be integrated through exception zone review to confirm which provisions need to be retained.	
Strategic Economic Zone	UEC	See section 1.2.2.	None.

Implementation of each proposed new zone will require detailed review of mapping to confirm Official Plan and Secondary Plan conformity and confirm any implications on site-specific exceptions.

1.2.2 Urban Entertainment Centre Zone

The Urban Entertainment Centre (UEC) zone should generally be carried forward to recognize the unique function of the Strategic Economic Area as a destination-oriented economic district. Applying the zone to lands designated Strategic Economic Area would maintain continuity with the existing zoning framework while implementing the Official Plan's intent to support a broad mix of compatible employment, commercial, entertainment, office, residential, institutional, public service, parks and open space uses, including the existing horse-racing racetrack and associated uses. Retaining a distinct zone is appropriate because the scale, mix, and potential impacts of entertainment- and destination-oriented uses are not readily addressed through conventional commercial or employment zones.

Land uses permitted in the Strategic Economic Zone should be aligned with the permitted uses and planned function of the Strategic Economic Area designation in the Official Plan. This will ensure that the new zone implements the Official Plan while providing a clear zoning framework for the existing and planned mix of destination-oriented economic, entertainment, commercial, employment, residential and public service uses. The range of permitted uses may evolve through the Zoning By-law Review based on further consultation, technical review, and input from landowners. This approach allows the Town to establish an Official Plan-conforming zone framework while retaining flexibility to address site-specific considerations that reflect the intended form and function of the UEC lands.

1.2.3 Development Standards

Informed by the minor variance analysis and review of current Official Plan and Secondary Plan policies, the following directions should guide development standards within Commercial zones:

- > Adjust development standards across Commercial zones to align with modern development practices, peer municipalities, and recent approved developments, including but not limited to reduced minimum rear yard requirements.
- > Implement a schedule that depicts where site or area-specific height requirements may apply that differ from the requirements of the base zone.
- > Align development permissions within the new Mixed Use zone with those established through the CPPS for overall continuity.
- > Review additional general provisions that may apply to Commercial zones, including converted shipping containers as accessory structures, outdoor patios associated with eating establishments, and temporary uses.

1.2.4 Permitted Uses

To account for new or emerging business types that are not explicitly listed as a permitted use in each zone, the Zoning By-law should define uses more broadly based on their overall function and external impacts. Permitted uses across commercial zones should consider:

- > Use of modern terms to define permitted uses. For example, the C2 zone permits “video outlet sales and rental establishments”.
- > Opportunities to use general terms to describe a use, which supports more streamlined and flexible use permissions. For example, the C2 zone permits both “department stores” and “retail stores” which both function as retail uses.
- > Using consistent terminology for different permitted uses. For example, the C2 zone permits “vehicle sales and rental establishments”, “motor vehicle repair shops”, and “automobile service stations”, each referring to ‘cars’ in different ways.
- > It is proposed that “Mobile Home Parks” will not be carried forward as an as-of-right permission in the base commercial zones. Existing mobile home parks will be moved to an exception zone that recognizes existing land use permissions and applicable development standards, while new mobile home parks will require an amendment to the new Zoning By-law.

1.2.5 Parking and Loading

Section 6.20 of the Zoning By-law establishes parking regulations for a range of commercial uses but does not appear to apply a specific rate to each permitted use in Commercial zones. Loading standards also support commercial businesses by requiring spaces for loading vehicles, which are set out in Section 6.12 of the Zoning By-law. Overall, parking and loading standards in Commercial zones should consider:

- > Updated minimum parking rates that align with each permitted use across all Commercial zones and are benchmarked against current development trends.
- > Modernized loading space requirements that may allow for smaller loading spaces for certain (smaller) sizes of commercial development.
- > Consider a blended parking rate for plazas, malls, and other multi-unit commercial developments to provide flexibility where multiple commercial uses share common parking areas.

2 Employment Zoning

Fort Erie's diverse economy supports a vibrant community and a variety of jobs throughout the Town. Planning for employment areas helps provide opportunities for businesses to grow and diversify, with suitable land made available for investment. There is a need and opportunity to review the Town's existing employment zoning to implement new Provincial direction and the new Official Plan, and to foster economic development and support the long-term protection of employment lands.

2.1 Current Policy and Zoning

2.1.1 Recent Provincial Direction for Employment Areas

(1) Planning Act

On October 20, 2024, amendments to the *Planning Act* and the Provincial Planning Statement (2024) came into effect, changing the Province's approach regulating land use in employment areas. Through Bill 97, the *Helping Homebuyers, Protecting Tenants Act*, a new definition for "area of employment" was introduced as follows:

1. *"The uses consist of business and economic uses, other than uses referred to in paragraph 2, including any of the following:*
 - i. Manufacturing uses.*
 - ii. Uses related to research and development in connection with manufacturing anything.*
 - iii. Warehousing uses, including uses related to the movement of goods.*
 - iv. Retail uses and office uses that are associated with uses mentioned in subparagraphs i to iii.*
 - v. Facilities that are ancillary to the uses mentioned in subparagraphs i to iv.*
 - vi. Any other prescribed business and economic uses.*
2. *The uses are not any of the following uses:*
 - i. Institutional uses.*
 - ii. Commercial uses, including retail and office uses not referred to in subparagraph 1 iv,"*

The *Planning Act* was further amended to provide for a transition clause which enables municipalities to designate lands with non-complying uses as Employment Areas and permit the uses as legally existing. In combination, the new Provincial definitions move from a permissive model for Employment Areas, which protects the lands from conversion but leaves flexibility for a variety of uses, to a prescriptive model which explicitly only permits certain types of uses and prohibits others. The new Provincial legislative and policy context shifts the scope and scale of the protections offered to employment generating industries and will require municipalities to reevaluate the prevalence of Employment Areas in their jurisdiction. Employment Areas can no longer serve as catchments for all industrial activities.

(2) Provincial Planning Statement, 2024

The Provincial Planning Statement, 2024 took effect on October 20, 2024, and includes a definition for “employment area” that aligns with the revised *Planning Act* definition of “area of employment.” The new definition for an employment area is:

“those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An employment area also includes areas of land described by subsection 1(1.1) of the *Planning Act*. Uses that are excluded from employment areas are institutional and commercial, including retail and office not associated with the primary employment use listed above.”

The Town’s new Official Plan is consistent with the Provincial Planning Statement, 2024, including the latest provincial direction for Employment Areas, and the Zoning By-law must now be revised to ensure consistency and alignment with the updated policy framework. Accordingly, economic uses which were recognized as employment uses under the previous policy framework, such as office uses, must be carefully considered in the new Zoning By-law.

2.1.2 Town of Fort Erie Official Plan

The new Official Plan establishes several designations intended to support employment and economic growth in the Town; this includes the Strategic Economic Area designation (Section D.2.3), Employment designation (D.2.4), and Peace Bridge International Gateway designation (Section D.2.8).

Section D.2.3 of the Official Plan establishes that Strategic Economic Area designation is intended to develop as a cluster of heightened economic activity, where a range of compatible uses including employment, residential, commercial, entertainment, and office can be found. Within this designation,

permitted uses include legally existing uses, mixed-use development, residential, major office, institutional, commercial uses, public services facilities, parks and open spaces, as well as the existing horse-racing racetrack and associated uses.

Section D.2.4 of the Official Plan directs that the Employment designation is intended for clusters of industrial related uses and economic activities of strategic importance to the Town. This employment land use designation is consistent with provincial direction in Section 2.8.2 of the Provincial Planning Statement. In the Town's Employment designation, the permitted uses are manufacturing uses; uses related to research and development in connection with manufacturing; warehousing uses, including uses related to the movement of goods; office and retail uses, but only where they are normal, incidental, and accessory to the principal employment use; and, any facility that may be normal, incidental, and ancillary to the permitted uses.

The Peace Bridge International Gateway designation, Section D.2.8 of the Official Plan, applies to the lands owned or leased by the Buffalo and Fort Erie Public Bridge Authority, and are intended to support the function of the Peace Bridge, including the international border customs and inspections, along with accessory and incidental uses.

Section D.2.4.5 of the Official Plan sets out development criteria which apply to the employment land use designation. Employment areas are envisioned as more than just functional spaces for business and industry; they are to be planned and designed as high-quality, attractive, and well-integrated districts. Policies focus on built form and site design that enhance community character, with specific expectations for landscaping, streetscape improvements, buffering, screening, and compatibility with adjacent uses. The Official Plan further encourages the development of employment areas as connected, complete places by prioritizing public realm design, active transportation links, and supportive amenities, while also promoting sustainable and resilient design strategies. Together, these policies seek to transform Fort Erie's employment areas into well-designed environments that fulfill both economic and placemaking objectives.

2.1.3 Secondary Plans

The Secondary Plans need to be carefully considered throughout the Zoning By-law Review. While the Official Plan establishes the overarching policy direction, Secondary Plans provide more detailed, site-specific policies and land use designations that take precedence where applicable (Policy A.3.5). Broadly, the Secondary Plans do not provide detailed permissions or development standards for employment uses that need to be reflected in the Zoning By-law.

Secondary Plan	Land Use Designations	Zoning Considerations
Bridgeburg	Institutional/Government	> Policy Area 6: Mentholatum Adaptive Reuse Site – primary use should be community purposes and events, as well as operations space for community organizations; encourage youth service uses.
	Industrial/Business Employment	> The Secondary Plan defers to the Official Plan policies.
Gateway	The Gateway Secondary Plan does not contain policies or provide direction on Employment Areas and therefore there are no zoning considerations for employment uses.	
Spears-High Pointe	Employment	> Prestige Industrial (Section 4.10 of ZBL) > The Secondary Plan directs that development on lands designated “Employment” will be subject to provincial guidelines for land use compatibility. This is a matter that is addressed through the development review process.
Ridgeway / Thunder Bay	The Ridgeway / Thunder Bay Secondary Plan does not contain policies or provide direction on Employment Areas and therefore there are no zoning considerations for employment uses.	
Stevensville	Employment Lands (Industrial)	> Screening for outdoor storage. > Site-specific policies to be reviewed and carried forward, as needed.
Douglas Town-Black Creek	No zoning considerations for employment uses.	

Secondary Plan	Land Use Designations	Zoning Considerations
South End	Employment Lands (Industrial)	> The Secondary Plan defers to the Official Plan policies.
Crystal Beach	Employment Lands (Industrial)	> The Secondary Plan does not designate any Employment Lands and defers to the Official Plan policies. > Permits legally existing light industrial type uses.

2.1.4 Zoning By-law 129-90

The Zoning By-law 129-90 establishes a total of five (5) zones which relate to employment, including four (4) Industrial zones and the Public Zone (P), that apply to a variety of contexts across the Town. Sections 27 to 30 establish the various Industrial zones,

Zone	Characterization
Industrial Zone (IN)	This zone permits a broad range of general industrial uses, including manufacturing, warehousing, and related employment activities.
Prestige Industrial Zone (PI)	This zone permits light industrial, and office-type uses in a high-quality, campus-style setting with enhanced urban design.
Dry Industrial Zone (DI)	This zone permits industrial uses that do not require significant water servicing or generate wastewater, including warehousing and storage, logistics, and light manufacturing.
Extractive Industrial (EI)	This zone applies to lands used for natural resource extraction activities such as pits and quarries, including associated processing and rehabilitation.

- > Section 32 establishes the Public Zone (P) which applies to lands intended for public uses and operations carried out by, or on behalf of the Town of Fort Erie, Regional Municipality of Niagara, Province of Ontario, Government of Canada or agency thereof, and specifically including the Peace Bridge Authority and The Niagara Parks Commission.

Overall, there is an opportunity to consolidate existing industrial zones to better align with the current provincial direction for employment areas uses; while introducing a separate zone to accommodate other economic and job-generating uses that may not meet the updated definition of Employment Areas.

2.1.5 Minor Variance and Exception Zone Analysis

There are 18 exception zones that apply to Industrial zoned properties. The exceptions are primarily site-specific amendments to allow additional permitted uses, implement site-specific development requirements regarding servicing and access, or development standards such as minimum frontage.

Between 2023 and 2025, there was one minor variance to the Public (P) zone to permit an additional use; there were no minor variances within Industrial zones.

2.2 Zoning Directions

2.2.1 Zone Structure

A new Employment zone hierarchy should be established to support implementation of Provincial policy and legislation and the Fort Erie Official Plan, comprising the following zones:

New Zone Category	Existing Zones	Proposed New Zones	Rationale
Employment Area	Industrial Zone (IN)	General Industrial (GI)	This zone is intended to implement protected employment areas, aligning with the definition for “area of employment” under the Planning Act. Existing uses within the Industrial zones
	Dry Industrial (DI)	Dry Industrial (DI)	

New Zone Category	Existing Zones	Proposed New Zones	Rationale
	Prestige Industrial (PI)	General Industrial (GI)	which do not align with provincial direction will be acknowledged as legally existing, however it is noted that instances of this are understood to be limited. Where permitted uses are restricted to those that rely on partial municipal servicing (e.g., 'dry industrial'), this will be established through an overlay or suffix that is tied to a general provision to establish the appropriate range of permitted uses.
Business Park	N/A	Business Park (BP)	The intent of this zone is to accommodate business park development that is not consistent with the provincial definition of Employment Area and not within lands designated Employment Area by the Official Plan. This new zone would be implemented over time, as needed, through development applications.
Extractive Industrial	Extractive Industrial (EI)	Extractive Industrial (EI)	New zone to be applied where the EI zone exists.
Public Infrastructure	Public Zone (P)	Public Infrastructure (P)	New zone to be applied where the P zone exists.

Implementation of each proposed new zone will require detailed review of mapping to confirm Official Plan and Secondary Plan conformity and confirm any implications on site-specific exceptions.

2.2.2 Development Standards

To support implementation of the updated employment zone structure, the new Zoning By-law presents an opportunity to also review the development standards that apply. Since industrial development may be exempt from site plan control at the discretion of the Town, there is a further

opportunity to explore heightened zoning controls to support building design and site configuration. The new Zoning By-law should explore the following directions:

- > Engaging with landowners and builders to identify provisions that may need refinement.
- > Aligning zoning regulations with the forthcoming Urban Design Guidelines.
- > Reviewing setback requirements between employment zones and non-employment zones to make sure setbacks support land use compatibility.
- > Reviewing requirements for outside storage, alongside the forthcoming Urban Design Guidelines, to establish appropriate expectations for the use.
- > Reviewing lot coverage and height requirements to reflect contemporary development.
- > Introduce regulations for accessory buildings and structures within the proposed industrial zones, including appropriate standards for location, setbacks, height, lot coverage, and relationship to the principal use..

2.2.3 Permitted Uses

A zoning by-law establishes land use permissions by enabling different uses in each zone. To align with Provincial policy and legislation and the Official Plan, the following directions should be considered in developing new employment and business-related zones.

(1) Employment Zone Category

- > In accordance with the Provincial Planning Statement, 2024, the employment zones will permit a range of uses intended to support economic activity and job creation, including: manufacturing, warehousing, logistics and distribution, research and development, and associated ancillary uses.
- > Consistent with provincial direction to protect employment areas for employment uses over the long term, permitted uses will include those recognized by the PPS and lawfully existing uses, while limiting sensitive or non-employment uses that could undermine the areas economic viability.
- > The updated Zoning By-law will:
 - Acknowledge all lawfully established uses;
 - Ensure that permitted uses within employment zones are consistent with the PPS definition of employment areas;
 - Update and consolidate use permissions by adopting modern, generalized land use terminology, such as “manufacturing use,” “warehousing use,” and “logistics use”, to replace outdated or overly specific categories;
 - Implement a consistent terminology framework across all employment zones to:

- Enhance clarity;
- Minimize ambiguity;
- Maintain compliance with provincial policies; and
- Support flexibility as employment trends and emerging industries evolve.

(2) Business Park Zone

The Business Park (BP) Zone is intended to accommodate prestige employment uses in a high-quality campus or office-industrial setting, supporting job creation, innovation, and economic competitiveness. Office and retail uses are to be limited to those that are normal, incidental, and accessory to the principal employment use, and uses that could undermine the long-term viability of employment areas (e.g., residential, non-associated retail/office and other sensitive land uses) are to be restricted.

Permitted uses may include:

- > Office, administrative, and professional/business functions
- > Research, laboratories, communications, and related employment services
- > Industrial production and related operations
- > Warehousing, distribution, transportation, and goods movement
- > Trades, services, and employment-supporting shops
- > Education and childcare
- > Specialized uses (Factory outlets, public uses/operations, etc.)
- > Health- and animal-related uses

(3) Public Zone

The Public (P) Zone is intended to accommodate lands used for public purposes and operations carried out by, or on behalf of, public agencies (e.g., the Town, the Region, the Province, the Federal Government and their agencies, and other public authorities). Permitted uses may include:

- > Uses and operations carried out by, or on behalf of, public agencies.
- > Public service facilities and other public uses intended to serve the community, where necessary/essential and designed to be compatible with adjacent properties and surrounding land use contexts.
- > Public services/facilities essential to a public service, where in substantial compliance with the by-law and not adversely affecting neighbourhood character or amenity.

(4) Extractive Industrial

The Extractive Industrial (EI) Zone is intended to accommodate natural resource extraction activities (e.g., pits and quarries) and related on-site operations while protecting mineral aggregate resources from incompatible land uses. Extraction, processing, and transportation are intended to occur in a manner that minimizes social, economic, and environmental impacts (including haul routes/truck traffic management), and supports compatible, sustainable rehabilitation outcomes over the long term. Development and activities that could preclude or hinder the continued operation or expansion of extractive uses are intended to be restricted.

Permitted uses may include:

- > Pits and quarries for the purpose of extracting natural materials from the earth, including soil, sand, gravel, stone, rock, shale, and minerals.
- > Processing of natural materials including screening, sorting, washing, crushing, storing, and other similar operations allied to an extractive industrial operation, and uses, buildings and structures accessory thereto, except any building used for human habitation.
- > Agricultural uses, except intensive animal operations, and uses, buildings and structures accessory thereto, except any building used for human habitation.

2.2.4 Parking and Loading

Section 6.20 of the Zoning By-law establishes parking regulations for Industrial Uses. For an Industrial Establishment, the minimum parking requirement is 1 parking space for every 180 sq. m. of gross floor area or every 2 employees, whichever is the greater. In addition to parking standards, Section 6.12 of the Zoning By-law establishes loading space regulations for Industrial uses. Where the total gross floor area of a building and structure is less than 1,400 sq. m there is no minimum loading requirement, where a building is over 1,400 sq. m there is a minimum of 1 loading space required (Section 6.12 (a)).

For loading, Fort Erie applies a single industrial threshold (0 below 1,400 m²; 1 above 1,400 m²). Ottawa uses a multi-tier loading schedule for industrial/warehouse-type uses (e.g., 0 loading spaces at 350–999 m², 1 at 1,000–9,999 m², 2 at 10,000–24,999 m², and 3 at 25,000+ m²). Brampton requires loading for industrial-type uses starting at smaller sizes, using two loading space types (e.g., 1 Type 1 loading space at >500–2,000 m², and 1 Type 2 loading space at >2,000 m²).

Overall, parking and loading standards in Industrial zones should consider:

- > Updated minimum parking rates that align with each permitted use across all Industrial zones and are benchmarked against current development trends.
- > Modernized loading space requirements that may allow for smaller loading spaces for certain (smaller) sizes of industrial development, or reduced loading requirements for “Prestige Industrial” uses, such as animal hospitals, bakeries, business offices, or day nurseries, which may not have traditional loading needs.