

Where Does This Permit Apply?

Other Jurisdictions

This permit applies only to driveway entrances built on roads that the Town of Fort Erie owns and operates. **It does not apply** to roads owned by the Regional Municipality of Niagara, the Ministry of Transportation Ontario, or the Niagara Parks Commission. If your proposed driveway entrance will connect to roads owned by any of these other authorities, you must apply to them for the necessary permits.

No Curb & Gutter or Drainage Ditches?

If there is no curb and gutter, or drainage ditch, the Town will still review applications for driveway entrances. As a condition of approval though, stormwater drainage shall be maintained as per existing drainage patterns; applicants must design their driveways in a way that allows for proper drainage. This document serves as a notice that the Town shall not be responsible for any excess water caused by the issuance of a driveway entrance permit.

Installations by the Town

Extending a Driveway with an Existing Culvert

If you want to modify or extend an existing driveway and there is already a culvert (a pipe or drainage system that allows water to flow under the driveway), the property owner may apply directly to the Town. Once the changes are approved:

- The Town will calculate the cost of the work and invoice you before any construction begins.
- The Town will handle the modifications to ensure the culvert remains properly installed and does not interfere with drainage.
- If the existing culvert is within its useful service life, the Town will extend it using new materials, but the original section of the culvert will not be replaced. This may result in a mismatch of materials, but the culvert will remain fully functional and structurally sound.
- If the existing culvert is too old, damaged or beyond its useful life, the Town will replace the entire culvert with a new one. However, the applicant will only be charged for the cost of the extension.
- **The Town does not guarantee a specific timeline for the work**, as it will be scheduled by the Town's Road Department based on operational needs, which take priority. For any inquiries regarding scheduling of installations by the Town, please contact the Road Department at (905) 871-1600, Ext. 2466.

Installation by Private Contractor

New driveway entrances, curb cuts, non-essential upgrades, or –where requested– extensions, the applicant must be a company hired by the property owner. This is because of the work being done in the public Right-of-Way. In these scenarios, Sections 9 through 21 of these guidelines will apply

Non-Essential Upgrades

- If you want your entire culvert to be made from the same material, rather than a mix of old and new materials, this is considered a “non-essential upgrade”.
- In this situation, the process will follow the same guidelines as a *new installation*. You will need to hire a private contractor to install a new culvert at your own expense. The Town will not cover or reimburse any costs associated with this work.

Extensions by Private Contractor

- **If you want to complete the work on your own schedule**, you have the option to hire a private contractor at your own expense. This means you don't have to wait for the Town's schedule.
- If you are *extending* the culvert, your contractor must provide the extension piece to attach to the existing culvert.
- If the existing culvert is too old, damaged or beyond its useful life, the Town will make arrangements to inspect the existing culvert. However, the Town will not cover or refund any costs for private contractor work.
- The Town will still need to inspect the installation to make sure it is done properly.

What Do the Regulations Say?

These regulations come from By-Law 129-90 (Town of Fort Erie Comprehensive Zoning By-Law), as amended. The most up-to-date version of the by-law will be used to confirm the correct driveway size and requirements.

In addition to a driveway entrance permit, your project may require approvals or permits from other municipal departments and external agencies. For example, you might need a tree removal permit from the Town's Planning Department, or you may need to obtain a permit from the Niagara Peninsula Conservation Authority (NPCA) if your project falls within a regulated area. As stated on the NPCA website (<https://npca.ca/services/permits>), it is the responsibility of the applicant to review and follow their guidelines, as well as any fill regulation policies and application procedures that apply.

It is solely your responsibility to ensure you follow all laws and regulations in pursuit of your planned works, whether they originate from internal Town departments or external authorities. The Town of Fort Erie makes no representation regarding the completeness or accuracy of any information provided and shall not be liable for any errors or omissions. Furthermore, the Town will not be held responsible for direct, indirect, special, or consequential damages arising from any failure to comply with all applicable requirements.

Zoning Requirements

1. Driveway Widths

In Commercial and Industrial Zones, a one-way driveway must be **at least 3.0 metres** wide. If two-way traffic is allowed, the driveway must be **at least 7.5 metres wide but no wider than 12 metres**.

In C2A, CMU2, and CMU4 zones, a 3.0-metre-wide access is acceptable if there are five or fewer parking spaces, a 4.5-metre-wide access is acceptable if there are ten or fewer spaces, and a 6.0-metre-wide access is required if there are more than ten spaces.

For Residential Zones, a driveway must be **at least 3.0 metres wide**. A two-way driveway must be **at least 6.0 metres wide and no more than 9.0 metres wide**.

For both commercial and residential zones, **the maximum combined width for a joint (shared) driveway is 9.0 metres**.

A driveway must be at least 7.5 metres away from a street intersection, measured at the property line – not the curb edge. If there are two separate driveways on the same property, they must be at least 7.5 metres apart (except where the residential rules allow otherwise). In all cases, the vertical angle where the driveway meets the street should be at least 60 degrees.

2. Driveway Limits Per Lot

If your lot has a frontage of 30 metres, you can have up to two driveways. For every additional 30 metres of frontage, you may add one extra driveway.

3. Front Yard Lot Coverage

In any residential area at least 30% of the front yard must be landscaped (grass, plants, or other greenery).

4. Driveway Applications That Do Not Comply with By-Law 129-90

If any part of your proposed plan **does not** conform to the most current requirements of the Town's Zoning By-law, you may need an approved Minor Variance **before you can apply**. A Minor Variance is a formal request to deviate from the by-law, and this process is managed by the Town's **Committee of Adjustment**.

For more information and to access application forms, please visit the Town of Fort Erie's Minor Variances page: <https://www.forterie.ca/en/build-and-invest/minor-variances.aspx>

5. Trees in the Right-of-Way

When a tree is in the public right-of-way:

- If the tree is fully grown, it must be at least 1 metre away from any driveway entrance, measured from the widest part of the trunk.
- If the tree is young, it must be at least 1.5 metres away to allow space for future growth.

6. Clearance Requirements for Utilities

- If a hydro pole, pad-mounted transformer, pedestal, utility cabinet, or any other infrastructure owned or operated by a public utility, Canada Post, or Enbridge Gas is located near a proposed driveway entrance, the applicant must:
- Mark the location of the infrastructure on their drawing and show a minimum clearance of 1 metre, or any greater distance required by law; or
- If the required clearance cannot be met, the applicant must provide a letter of non-objection from the owner of the infrastructure as part of their application.

Driveway Drawing and Fees

7. Driveway Entrance Drawing

You must provide a plan that shows the details of your proposed driveway entrance. This plan should also indicate the location of any services, such as water and sanitary services. It is important to use metric measurements from a fixed point, like a sanitary manhole or a fire hydrant, so that dimensions can be easily verified in the field. Drawings marked from Property Lines will not be accepted.

In your plan, you must also **show the zoning** and the **percentage (%) of the front yard that will be covered** (not landscaped). If you are unsure about your properties zoning, please contact the Town's Building & Planning Department. Your drawing should be clear, properly scaled, and detailed, including all relevant sizes, materials, and other important information; see example.

8. Permit Fees

Fees for your driveway entrance permit will be calculated before the permit is issued. These fees can change at any time. To see the current schedule of fees, visit the Town of Fort Erie Fees and Charges website and select the latest year.

Works Conducted by Private Contractor

9. Accessibility for Ontarians with Disabilities Act

Work cannot begin until the Town has provided any required notices of service disruption under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA). This law and its regulations can be updated over time, and you must follow the most recent version.

10. Installation Guidelines

All new driveway entrances shall be provided by private contractor. Construction and materials must follow the Town of Fort Erie's specifications, as set out in the Ontario Provincial Standard (O.P.S.) Specifications and Drawings. If you wish to use different materials or methods, you must first get written approval from the Town. The Town of Fort Erie will not provide materials or equipment for your project.

11. Notification to Emergency Services & Public Transit

Before you begin work, and on each day, you are blocking any part of the road, you must notify these services:

Service	Phone Number
Fort Erie Fire Department	(905) 871-1600 Ext. 5600
Niagara Regional Police Service (NRPS)	(905) 871-2300
Emergency Medical Services (EMS)	(905) 984-5050
Niagara Student Transportation Services	(905) 357-6787
Fort Erie Transit	1-833-287-5463
Fort Erie Accessible Specialized Transit	1-833-933-3278
Town of Fort Erie: Road Operations	(905) 871-1600 Ext. 2466
Niagara Regional Waste Management	(905) 356-4141

12. Workplace Safety & Insurance Board (WSIB)

You must provide a valid WSIB Certificate of Clearance to prove that you (or your contractor) are in good standing with the WSIB. This certificate must remain valid during the construction period.

13. Insurance Requirements

At all times while you are working, you must have Commercial General Liability insurance for at least two million dollars (\$2,000,000) per event. This policy must cover bodily injury (including death), property damage, personal injury, and tenant legal liability. It must name the Town of Fort Erie as an Additional Insured, and your insurance must be primary, not relying on any insurance the Town may have.

You will need to show a valid insurance certificate to prove you meet the Town's insurance requirements, and the policy must give the Town at least 30 days' notice before it can be cancelled. If the policy ends or is cancelled, you must stop work immediately.

14. Health & Safety

All work must follow the Town of Fort Erie's Health and Safety Policy and the Occupational Health and Safety Act (OHSA). You can review the Town's policy on the Town of Fort Erie website and read the OHSA on the Ontario government's website.

Town of Fort Erie Health & Safety Policy: <https://www.forterie.ca/pages/ContractorSafetyProgram>

The Occupational Health & Safety Act: <https://www.ontario.ca/laws/statute/90o01>

15. Ontario OneCall (1-800-400-2255)

Before you begin any digging, drilling, blasting, or auguring, you must request utility locates from Ontario OneCall. This step is required by the Ontario Occupational Health and Safety Act to prevent accidents and avoid cutting underground services. Make sure all underground lines are marked accurately before starting any excavation.

16. Traffic Control

If your work impacts the use of a road under the Town's control, you must supply a Traffic Control Plan at your own cost. This plan must follow the latest Ontario Traffic Manual, Book 7 (Temporary Conditions), which you can find online on the Ministry of Transportation's website.

When you prepare your plan, you should identify whether the road is a two-lane, two-way road or a multi-lane undivided road, estimate how long your work will last, and show the correct traffic control layout based on the posted speed. The Town will only approve a road closure if you can prove there is no other way to complete the work safely. If you are asking for a closure, you must explain why it is necessary in your Traffic Control Plan.

17. Culvert Sizing and Calculation

Where a culvert is needed, its size shall be determined based on existing installations on neighbouring properties. If there are no culverts in the immediate area, the size shall be at least 300 mm. If the required minimum coverage can be met, the culvert must be made of High-Density Polyethylene (HDPE). However, if minimum coverage cannot be achieved, the Town may approve an alternative size or an alternative material, such as Corrugated Steel Pipe (CSP), provided it meets structural and drainage requirements.

The culvert must be able to handle water flow from a 1-in-5-year storm. If the culvert is not sufficient to carry the expected water flow, a larger culvert must be used, sized according to the *rational design method*. To ensure proper design and compliance, drawings and calculations must be submitted to the Town for approval before installation.

The culvert must be long enough to extend from ditch centre to ditch centre, with side slopes no steeper than 3:1. There must be at least 300 mm of cover over all culverts, unless the Town approves otherwise.

All culverts must be installed with granular bedding and backfill, following OPSD 802.014 or 802.034.

18. Curb Cutting

Curbs that are cut and require some form of reinstatement must be repaired according to the following specifications or the most recent Ontario Provincial Standards (OPS).

The repair must include epoxy-coated 15M reinforcing bars, drilled 200 mm into the existing curb and extending 200 mm into the new curb, making a total bar length of 400 mm. Full curb and gutter repairs require three reinforcing bars, while semi-mountable and barrier curbs require two reinforcing bars.

Additionally, for curb repairs at catch basin sections, three 15M epoxy-coated rebars must be placed throughout the entire proposed curb restoration length. The ends of the rebar must be drilled at least 200 mm into the existing curb and may be lapped as needed to ensure structural integrity. Details must be included in your submitted drawing.

19. Backfilling of Excavations

When you fill any holes or trenches, backfill in the travelled parts of the road, asphalt areas, and shoulders must use Granular 'A' compacted to 100% standard proctor density. In boulevards and grassed areas, you may use select native materials if approved, compacted to 95% standard proctor density.

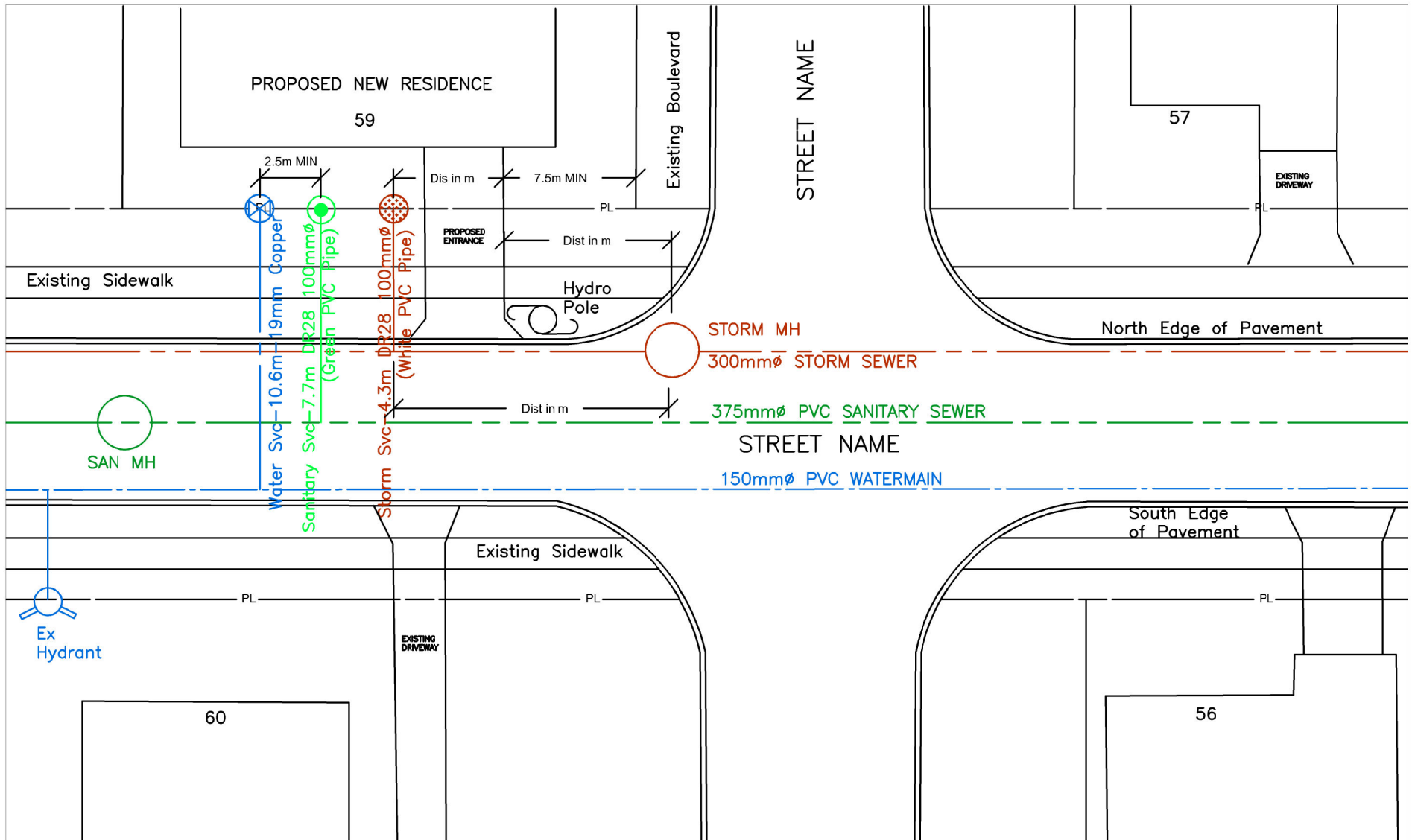
20. Reinstatement of Damaged and Disturbed Areas

You must restore the site to either the same condition it was in before work began or to the Town's standards—whichever is higher. The work must be guaranteed for one year from the date the Town accepts it. If problems arise, you must fix them within 48 hours. If the Town must make emergency repairs during this one-year period, you will be responsible for the associated costs.

For sidewalks, you must follow the most current Niagara Peninsula Standard Contract Document specifications, especially Sections B9 and B10.

21. Scheduling Inspection(s) of work by Private Contractor

We strongly encourage you not to rent equipment or take any actions that cannot be reversed until you have your permit. Once you have your permit, you must notify the Town at least two business days before you begin any work, so the Town can schedule inspections. Inspections will be limited to works within the Right-of-Way and will not constitute approval or compliance for any regulations applicable to private property. To request an inspection or ask about scheduling, please call (905) 871-1600, Ext. 2404.



NOTES:

ENTRANCE DETAILS:

1. CURB CUT (LENGTH IN METERS)
2. CULVERT MATERIAL, SIZE , TYPE
3. CULVERT END TREATMENT
4. CULVERT BEDDING, DEPTH & MATERIAL
5. SIDEWALK REMOVALS AND REINSTATEMENTS
6. ZONING

**INFRASTRUCTURE SERVICES
ENGINEERING DIVISION**

TOWN OF FORT ERIE
ENTRANCE DRAWING EXAMPLE

SCALE	NOT TO SCALE	DRAWN BY	SLB
DATE	FEBRUARY 2025	DWG. No.	