

NOTICE OF PASSING OF AN INTERIM CONTROL BY-LAW
THE CORPORATION OF THE TOWN OF FORT ERIE

BEING A BY-LAW UNDER THE PROVISIONS OF SECTION 38 OF THE PLANNING ACT, 1990, C.P. 13, AS AMENDED, TO ESTABLISH INTERIM CONTROL PROVISIONS TO LIMIT DEVELOPMENT AND REDEVELOPMENT TO WHAT IS PERMITTED UNDER THE ZONING BY-LAW FOR THE URBAN WATERFRONT RESIDENTIAL LANDS ABUTTING LAKE ERIE BETWEEN POINT ABINO ROAD SOUTH AND HELENA STREET FOR A PERIOD OF 12 MONTHS IN ORDER TO ALLOW FOR THE COMPLETION OF A STUDY TO DETERMINE THE APPROPRIATE LAND USE DENSITY AND HEIGHT FOR THE AREA, WHICH MAY INCLUDE CONSULTATION AND CHANGES TO THE OFFICIAL PLAN AND/OR ZONING BY-LAW.

TAKE NOTICE that on December 2nd, 2024, the Council of the Town of Fort Erie passed **By-law No. 121-2024** an Interim Control By-law, pursuant to Section 38(1) of the *Planning Act*, R.S.O., 1990, C.P.13

TAKE NOTICE that an Interim Control By-law is a planning instrument that can be unilaterally invoked by municipalities to temporarily suspend existing zoning rights and restrict land use while the municipality conducts a land use planning study or review. An Interim Control By-law lasts for 1 year, but it can be extended for one additional year. There is no right of appeal for a landowner during the first year, but an Interim Control By-law that is extended for a second year can be appealed. Once an Interim Control By-law ceases to be in effect, a municipality cannot impose another Interim Control By-law on the same lands until 3 years later (known as the “3-year cooling off period”).

TAKE NOTICE that any person or agency may appeal to the Ontario Land Tribunal in respect of the by-law by filing with the Clerk (clerk@forterie.ca) of the Town of Fort Erie no later than the close of business on **January 2, 2025** a Notice of Appeal, setting out the objection to the By-law under section 38(4) of the *Planning Act* and the reasons in support of the objection must be accompanied by the fee required by the Ontario Land Tribunal payable to the Minister of Finance.

Only individuals, corporations and public bodies may appeal an interim control by-law to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

The complete By-law and map are available on the **Town of Fort Erie Website: www.forterie.ca**.

PURPOSE AND EFFECT

The purpose and effect of By-law No. 121-2024: An Interim Control Bylaw (By-law Number 121-2024) was passed to allow staff to review with necessary research and consultation with respect to developing land use policies and regulations regarding what the appropriate land use, density, and height for the urban waterfront residential lands abutting Lake Erie between Point Abino Road South to Helena Street (shown in yellow).

Interim Control By-law 121-2024 limits development to what is currently permitted as of right in the Zoning By-law and allows for the following exceptions:

- existing draft plan of subdivisions to make minor revisions through the Redline process
- Minor Variances at the discretion of the Director of Planning and Development Services.
- Short Term Rentals to proceed as per Official Plan Amendment 77 (By-law 02-2024) and Zoning By-law Amendment (By-law 01-2024).

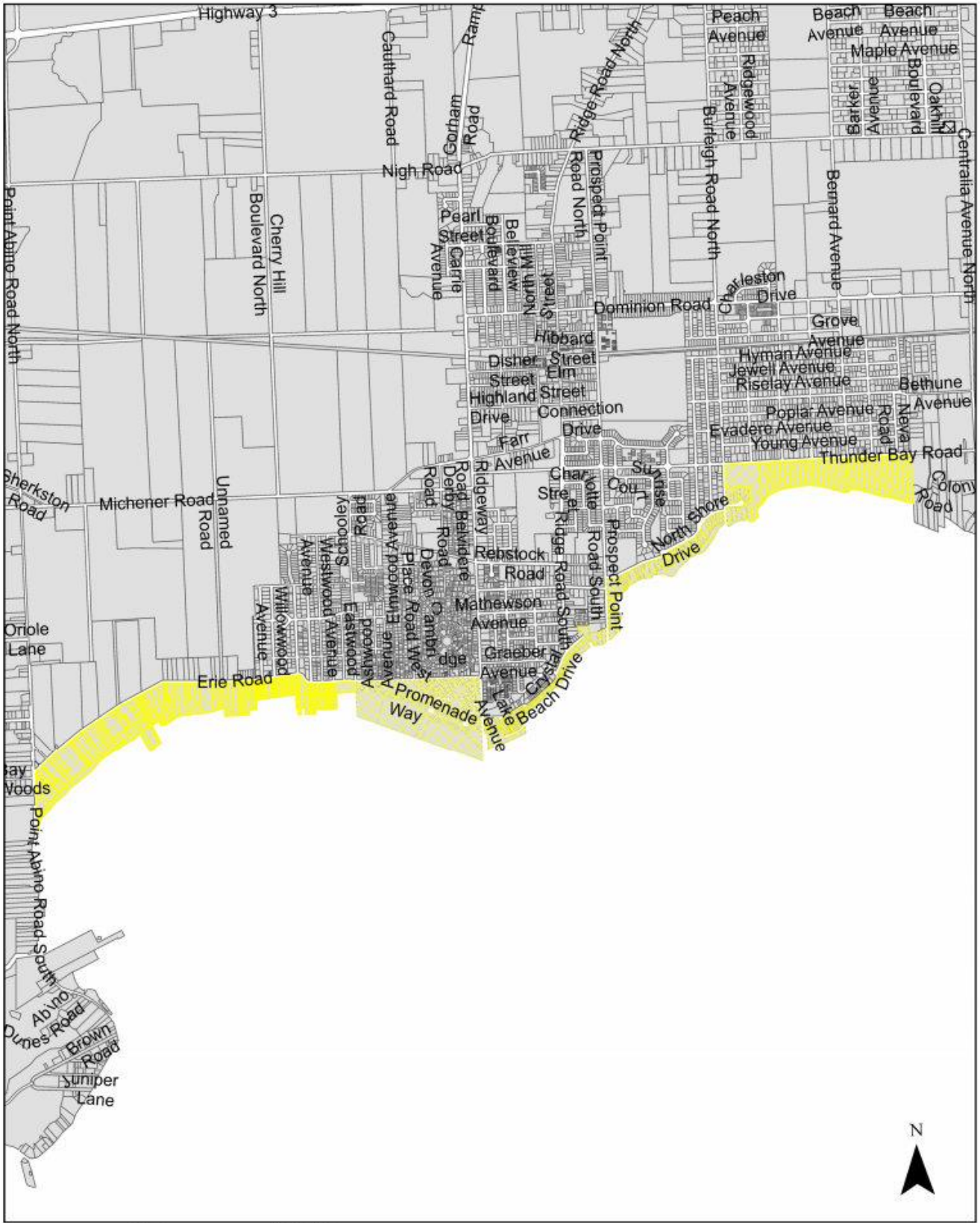
LANDS AFFECTED BY BY-LAW

The lands affected by this by-law are shown on Schedule A, B & C of By-law 121-2024 and attached to this notice.


The Interim Control By-law will remain in effect until December 2, 2025, unless otherwise extended in accordance with Section 38(2) of the *Planning Act* or repealed by Council at an earlier date.


For more information regarding this matter, please contact: Town of Fort Erie Planning and Development Services, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6, 905-871-1600

DATED AT THE TOWN OF FORT ERIE THIS 13th DAY OF DECEMBER 2024



By-law 121-2024
This sketch forms part of Schedule 'A' passed on December 2, 2024


 Area subject to Interim Control By-law


 Our Focus: Your Future
 Planning & Development Services
 Map Date: 11.2024 (RS)



By-law 121-2024

This sketch forms part of Schedule 'B' passed on December 2, 2024

 Area subject to Interim Control By-law




Planning & Development Services
Map Date: 11.2024 (RS)



By-law 121-2024

This sketch forms part of Schedule 'C' passed on December 2, 2024

 Area subject to Interim Control By-law



Planning & Development Services
Map Date: 11.2024 (RS)