

NOTICE OF PASSING

Municipal Address: 4924 Sherkston Road, Fort Erie
Owner: John Day and Barbara Day
Applicant: 1000970828 Ontario Inc. (Mark Fehrman)
File Number(s): ZBA-07-2025

TAKE NOTICE that Council passed By-law 56-2025 to amend Zoning By-law 129-90, as amended, on June 23, under Section 34 of the Planning Act, 1990.

Council considered all written and oral submissions received before the decision.

PURPOSE AND EFFECT

The purpose and effect of the proposed Zoning By-law Amendment is to permit severance of a surplus farm dwelling from the subject lands. The parcel with the surplus farm dwelling is proposing a site-specific Agricultural (A-818) Zone that permits reduced lot area and reduced lot frontage. The retained parcel is proposing a site-specific Agriculture Production Only (APO) zoning (Agricultural (A-819) Zone). This zoning contains a provision that will prohibit future residential use on the retained parcel as well as special provisions to specify the front lot line and to permit the lot area. The Environmental Conservation (EC) Overlay Zone and Environmental Protection (EP) Zone areas on the retained parcel will remain unchanged.

APPEAL INFORMATION

The last day for filing an appeal to the Ontario Land Tribunal (OLT) is July 14, 2025.

Only the Minister, the applicant, specified persons, public bodies, and the registered owner of the land to which the by-law would apply, as defined in the *Planning Act*, may appeal the decision of Council to the OLT.

The notice of appeal must be filed with the Clerk or submitted through the OLT's e-file portal (olt.gov.on.ca/e-file-service), must set out the reasons for the appeal, and be accompanied by the fee required by the OLT. More information on fees can be found on the OLT's website: olt.gov.on.ca/fee-chart

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

The proposed official plan amendment is exempt from approval by the Regional Municipality of Niagara. The decision of the Town of Fort Erie Council is final if a notice of appeal is not received on or before the last day for filing a notice of appeal.

MORE INFORMATION

Complete by-laws are available for inspection on the Town's website (forterie.ca/resource/bylaws.xsp) or during regular office hours in the office of the Town Clerk, 1 Municipal Centre Drive, Fort Erie, ON L2A 2S6

Application materials are available for review on the Town's website: forterie.ca/resource/planningApplications.xsp

CONTACT

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Dated at the Town of Fort Erie on June 24, 2025.

