

NOTICE OF PASSING OF AN INTERIM CONTROL BY-LAW EXTENSION 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 1st, 2025, the Council of the Town of Fort Erie passed By-law No. 95-2025, being a by-law to **EXTEND** the Interim Control By-law 121-2024 for an additional 12 months pursuant to Section 38(2) 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"). This notice relates to the **EXTENSION** of the Interim Control By-law.

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 20, 2026 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. 95-2025 is to extend Interim Control By-law No. 121-2024 to allow staff to complete necessary research and consultation regarding the development of land use policies and regulations for the urban waterfront residential lands abutting Lake Erie between Point Abino Road South and Helena Street (shown in yellow). This review will address appropriate land use, density, and building height for these lands. The extension is required to complete the study and to await Provincial approval of the Town's new Official Plan, which will include Section G36 providing comprehensive policy

direction for the Lake Erie Waterfront Residential Area, thereby replacing the need for the Interim Control By-law.

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).

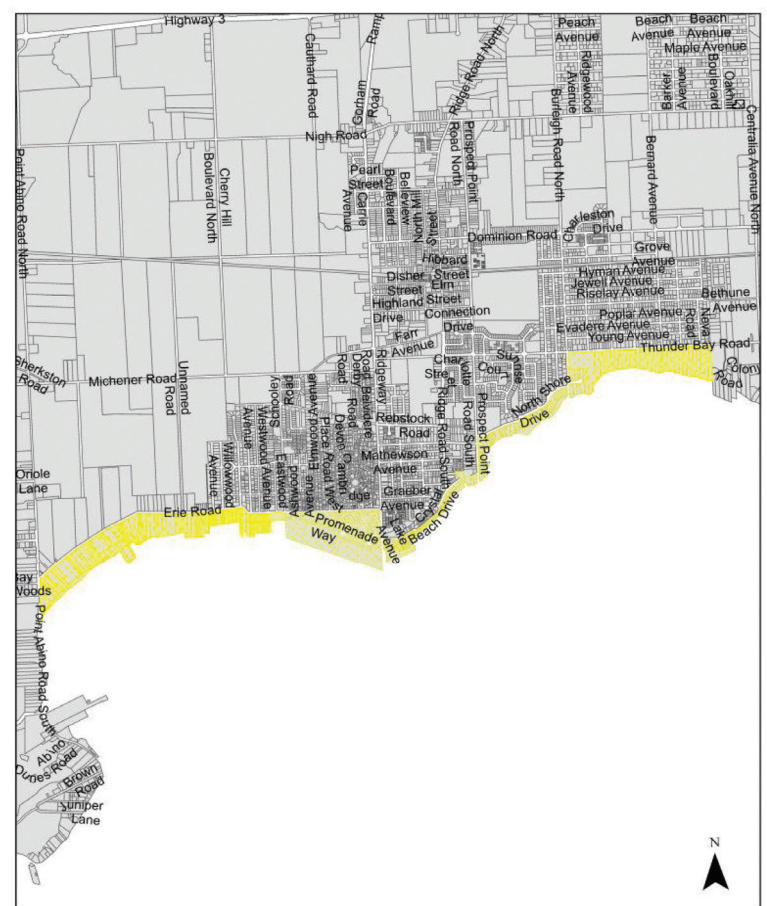
LANDS AFFECTED BY BY-LAW

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, 2026 or until the Province approves the Town's new Official Plan, whichever occurs first.


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

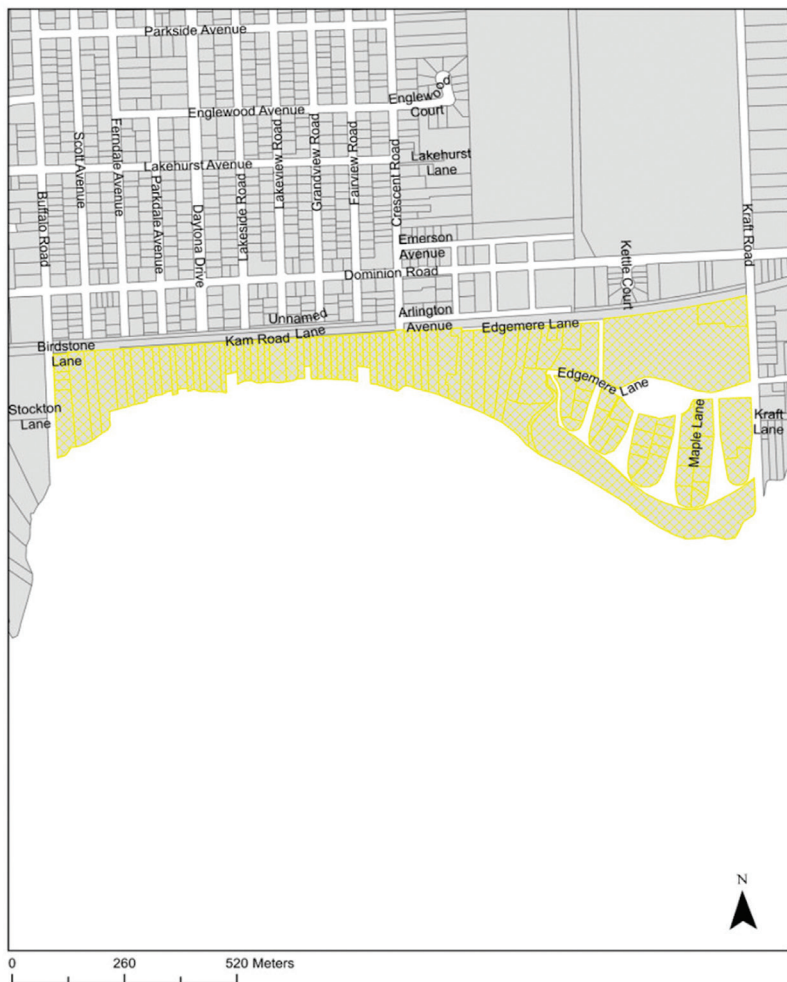
DATED AT THE TOWN OF FORT ERIE THIS 5th DAY OF DECEMBER 2025



By-law 121-2024


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

 Area subject to Interim Control By-law



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)