NOTICE OF PASSING OF A ZONING BY-LAW

APPLICANT: Town of Fort Erie **File No. 350309-457**

TAKE NOTICE that the Council of the Town of Fort Erie passed **By-law No. 139-2019** on the 21st day of October, 2019 under section 34 (18) of The Planning Act, 1990.

AND TAKE NOTICE that any person or agency may appeal to the Local Planning Appeals Tribunal in respect of the by-law by filing with the Clerk of the Town of Fort Erie not later than the **14th day of November**, **2019**, a notice of the appeal setting out the objection to the by-law and the reasons in support of the objection. Any appeal must be accompanied by the Tribunal's fee of $300.00. A certified cheque or money order in this amount made payable to the Minister of Finance must accompany the Notice of Appeal.

Only individuals, corporations and public bodies may appeal a zoning by-law to the Local Planning Appeals 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.

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 Municipal Board, there are reasonable grounds to add the person or public body as a party.

The complete By-law is available for inspection in the Clerk's office during regular office hours and can also be found on the **Town of Fort Erie Website: www.forterie.ca.**

PURPOSE AND EFFECT

The purpose and effect of By-law No. 139-2019 is to amend Town of Fort Erie Comprehensive Zoning By-law No. 129-90 to add provisions and definitions for temporary and converted shipping/cargo containers:

Section	Proposed Change
5.0 Definitions	Change definition of building by adding that a vehicle body is not considered a building. Add definition of charitable institution Add definition of converted shipping/cargo container Add definition of shipping/cargo container Add definition of vehicle body
6.22 Prohibited Uses	Changes to (xx) by replacing truck body with vehicle body, adding shipping to cargo containers, adding if not used for its intended purpose and adding reference to new section 6.54 and 6.55. Add new section (xxvii) detailing that converted shipping/cargo containers and shipping/cargo containers are not permitted in hazard, environmental or dune protection zones and on property designated under the Ontario Heritage Act.
6.36 Temporary Uses-Cargo Containers	Rename and replace entire section to permit and define temporary shipping/cargo containers in Industrial Zones, Institutional Zones, and Residential Zones subject to special provisions such as limit on number of containers, the use, stacking, screening, setbacks, the meaning of temporary etc.
New Section 6.54 Converted Shipping/ Cargo Containers as Accessory Uses	Permits converted containers of a maximum size in Agricultural, Rural, Residential, Institutional, Public, Commercial and Open Space Zones subject to specific provisions such as no stacking, limits on number of containers, setbacks etc.
New Section 6.55 Shipping/Cargo Containers in Agricultural, Rural and Industrial Zones	Permits shipping/cargo containers subject to special provisions such as limits number of containers based on lot area in Agricultural and Rural Zones, restrictions on stacking, containers must be screened from view, no limits on number of containers in Industrial zones etc.

Written and oral submissions received from the public and agencies were detailed in report PDS-45-2019 and considered by Council before rendering a decision on the matter at the Council-in-Committee meeting of October 7, 2019.

DATED AT THE TOWN OF FORT ERIE THIS 24th DAY OF OCTOBER, 2019

CAROL SCHOFIELD, CLERK