



## The Corporation of the Town of Fort Erie By-law 121-2024

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### Being a By-law to Impose Interim Controls on the Use of Land, Buildings, or Structures Within a Certain Area of the Town of Fort Erie (Lake Erie Waterfront Residential Area)

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**Whereas** subsection 38(1) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the "*Planning Act*"), provides that where the council of a local municipality has, by by-law or resolution, directed that a review or study be undertaken in respect of land use planning policies in the municipality or in any defined area or areas thereof, the council of the municipality may pass a by-law to be in effect for a period of time specified in the by-law, which period shall not exceed one (1) year from the date of the passing thereof, prohibiting the use of land, buildings or structures within the municipality or within the defined area or areas thereof for, or except for, such purposes as are set out in the by-law; and

**Whereas** the Council of The Corporation of the Town of Fort Erie (the "Town") directed Staff by resolution, to prepare an interim control by-law for study to be undertaken as part of the Official Plan Review in respect of land use planning policies relating to the urban waterfront residential lands abutting Lake Erie between Point Abino Road South; and Helena Street to determine the appropriate land use, density, and height for this area of Waterfront Residential Area; and

**Whereas** the Council of the Town deems it necessary and appropriate to enact this By-law, being an interim control by-law, to allow the Town to undertake the required study with respect to existing development policies and zoning provisions for the urban waterfront residential lands abutting Lake Erie between Point Abino Road South and Helena Street and, if appropriate, to implement the findings of such study;

**Now therefore** the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** this By-law shall apply to the land located within the Town of Fort Erie identified on Schedules A – C attached hereto and forming part of this By-law.
- 2. That** notwithstanding the provisions set out in the Zoning By-law, no land, buildings, or structures within the areas identified on Schedule A – C to this By-law shall be built upon, enlarged, or expanded beyond the provisions and regulations of the existing Zoning By-law in effect and applying to the lands.
- 3. That** notwithstanding clause 2, the Director of Planning, Building and By-law Services or their designate, at their sole discretion may permit the submission of an application for Minor Variance to be submitted.
- 4. That** an approved Draft Plan of Subdivision or Condominium that are in effect prior to the passing of this By-law, may be permitted to be modified through the Redline of Draft Plan process.
- 5. That** applications for Minor Zoning By-law Amendment to permit a Short-Term Rental may proceed in accordance with clause VIII of By-law 2-2024 (Official Plan Amendment 77).
- 6. That** subject to an amendment of this By-law in accordance with section 38 of the *Planning Act*, to extend the period of time during which it will be in effect, this By-law shall come into full force and effect on the date of final passage hereof and shall remain in full force and effect for a period of one (1) year from the date of final passage.

7. **That** the Clerk of the Town is authorized to affect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

**Read a first, second and third time and finally passed this 2<sup>nd</sup> day of December 2024.**

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Mayor


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Clerk





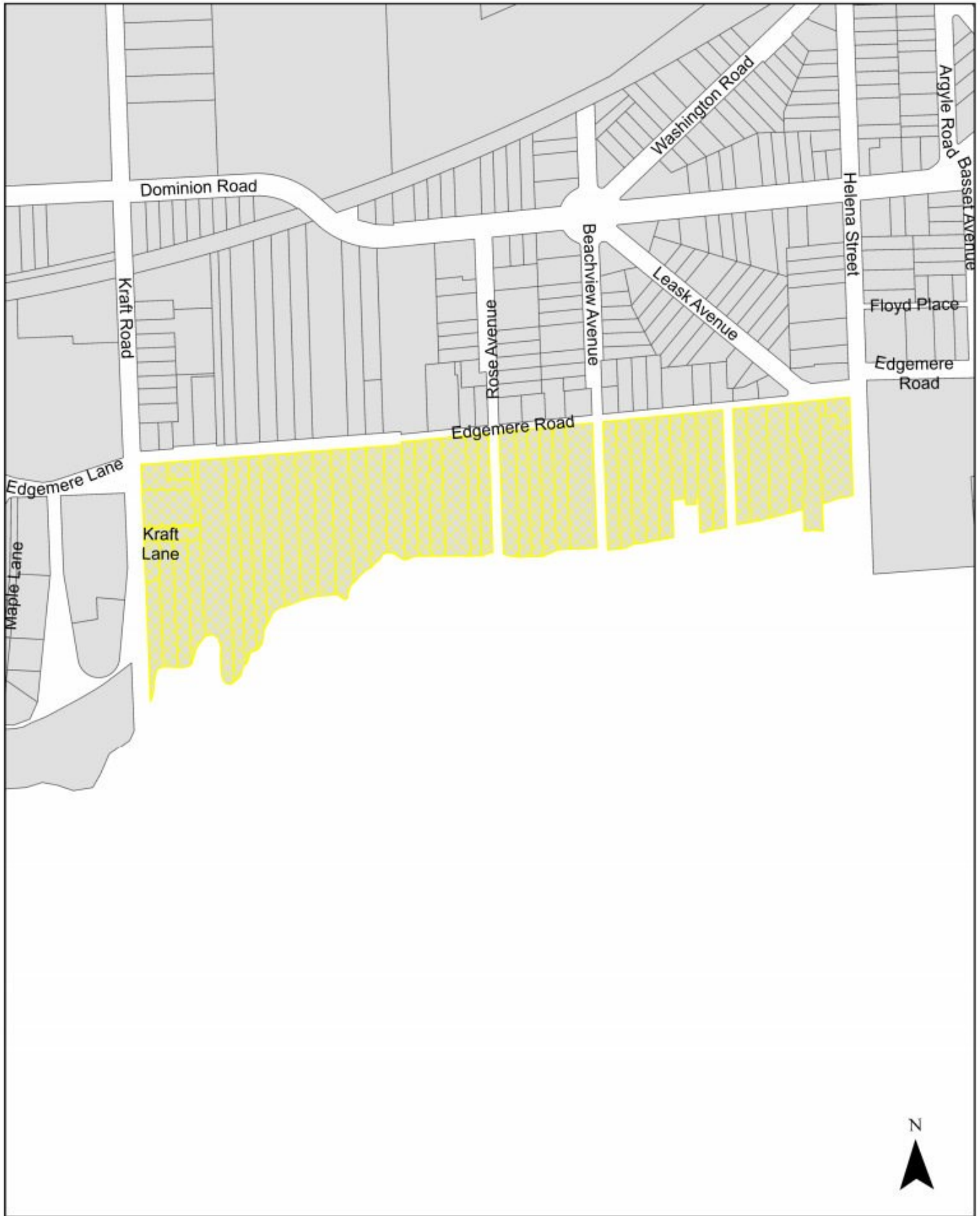
**By-law 121-2024**

**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)