



## The Corporation of the Town of Fort Erie By-law 95-2025

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### Being a By-law to Amend By-law 121-2024 to Extend the Time for Interim Control Respecting the Lake Erie Waterfront Residential Area

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**Whereas** the *Planning Act*, R.S.O. 1990, c. P.13 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 (hereinafter referred to as an interim control by-law) to be in effect for a period of time specified in the by-law, which period shall not exceed one 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 Town of Fort Erie directed staff to prepare an interim control by-law to allow for a land use planning study of the Lake Erie Waterfront Residential Area as part of the Town's Official Plan Review; and

**Whereas** By-law 121-2024 was passed by the Municipal Council of the Town of Fort Erie on December 2, 2024 (the "Interim Control By-law"), to effect interim control respecting the Lake Erie Waterfront Residential Area in the Town of Fort Erie for a period of one year from the date of its passage, in accordance with Section 38(1) of the *Planning Act*; and

**Whereas** the Town is undertaking a study to examine appropriate land use, density, and built form policies for the Lake Erie Waterfront Residential Area, to allow the Town to review and, if considered appropriate, implement the findings of the review and study referred to therein; and

**Whereas** subsection 38(2) of the *Planning Act* provides that the council of the municipality may amend an interim control by-law to extend the period of time during which it will be in effect, provided the total period of time does not exceed two years from the date of the passing of the interim control by-law; and

**Whereas** upon approval of the Town's new Official Plan by the Province of Ontario, Section G36 of the Official Plan will provide comprehensive policy direction for the Lake Erie Waterfront Residential Area, thereby replacing the need for the Interim Control By-law;

**Whereas** it is deemed desirable to amend the Interim Control By-law to extend the period of time during which the by-law will be in effect pursuant to subsection 38(2) of the *Planning Act* in order to complete the study and await Provincial approval of the new Official Plan;

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

1. **That** By-law 121-2024 be amended to extend the period of time during which it shall be in effect to December 2, 2026 or until the Province approves the Town's new Official Plan, whichever occurs first.
2. **That** the Clerk be directed to provide the Notice of Passing for the extension of the Interim Control By-law pursuant to the provisions of the *Planning Act* upon passage of this by-law.

3. **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 1<sup>st</sup> day of December 2025.

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Mayor

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Clerk