



The Municipal Corporation of the Town of Fort Erie

BY-LAW NO. 150-06

BEING A BY-LAW TO ADOPT THE OFFICIAL PLAN FOR THE TOWN OF FORT ERIE AND TO REPEAL VARIOUS BY-LAWS

WHEREAS,

1. The Council of the Town of Fort Erie (The Town) commenced the process of updating its current Official Plan by holding a Public Meeting on June 27, 2001 pursuant to Section 17 of the Planning Act to determine the need to update the current Official Plan and to identify issues and topics to be considered as themes in the development of a new Official Plan; and
2. Subsequently, the Town initiated the completion of several background studies relating to a proposed new Official Plan; and
3. The Town adopted a Natural Areas Inventory by By-law No.98-2003, for natural features in the urban and rural areas, after the holding of a Public Open House on September 11, 2002 relating thereto; and
4. The Town adopted a Municipal Housing Statement by By-law No.30-2003 after the holding of a Public Open House held on November 26, 2002 relating thereto; and
5. The Town completed an Archeological Master Plan after the holding of a Public Open House on March 27, 2003 relating thereto; and
6. The Town adopted the recommendations of Report PCS-22-04 regarding the 2004 Urban Land Needs Assessment authorizing the findings and recommendations to be used as a basis for land use designations in the new Official Plan; and
7. The Town authorized the circulation of the First Draft of its proposed new Official Plan (First Draft Official Plan) by the approval of Report PCS- 34 - 2004; and
8. Open Houses on the First Draft Official Plan were held on June 10 and 11th 2004 and it was available for public comment and review on the Town of Fort Erie web site and in the Planning Department at Town Hall; and
9. The First Draft Official Plan was also circulated to and was the subject of comment by the Province, Region and Niagara Peninsula Conservation Authority, as well as public; and

10. The Town adopted a Revised Urban Land Needs Assessment on September 19, 2005 by the approval of Report CDS-119-05; and Council authorized refinements and an expansion to the urban area boundaries and the removal of deferrals; and
11. The Town completed an Agricultural Woodlots Study, for woodlots in the agricultural area, using the same Assessment Criteria as in the Natural Areas inventory to identify significant woodlots and incorporated the identification of these woodlots in the Second Draft of its new Proposed Official Plan (Second Draft Official Plan); and
12. The First Draft of the Official Plan was revised considering public and agency comments, as well as the new Provincial Policy Statement for 2005 and newly evaluated Provincially and Locally Significant Wetlands by the Ministry of Natural Resources; and
13. The Town authorized the formal circulation, in accordance with Section 17 of the Planning Act, of the Second Draft Official Plan by approving Report CDS-021-06; and
14. Prior notice of a Public Meeting and two Proposed Open Houses to be held in April, 2006 regarding the Second Draft Official Plan was provided in the Fort Erie Times and Niagara Falls Review thereby satisfying any requirements of the Planning Act and prior notice was also sent to interested stakeholders; and
15. Open House were held regarding the Second Draft Official Plan on April 11th and April 13th, 2006, and a Public Meeting regarding this Plan was held on April 19, 2006 in accordance with the requirements of the Planning Act; and
16. As a result of the Public Process regarding the Second Draft Official Plan, modifications thereto as identified in Report CDS-061-06 were adopted by the Town on July 10, 2006. Prior Notice of Consideration of these modifications to be considered was provided in the Fort Erie Times and Niagara Falls Review with notices being sent to interested stakeholders; and
17. Subsequently, the Town approved Report CDS-074-06 on September 5, 2006, adopting the final modifications and a Final Draft Official Plan, incorporating said modifications, as recommended by such Report, as well as further modifications to address public input, as being the new Official Plan for the Town of Fort Erie. Prior Notice of Consideration of the final modifications and approval of the Final Draft Official Plan by Town Council, on September 5, 2006 was advertised in the Fort Erie Times and the Niagara Falls Review.


NOW THEREFORE the Municipal Council of The Corporation of the Town of Fort Erie in accordance with Section 17 of the Planning Act, hereby enacts as follows:

1. **THAT** the Town of Fort Erie Official Plan as approved on March 9, 1989, by the Ministry of Municipal Affairs, together with all amendments, thereto, is hereby repealed effective upon the

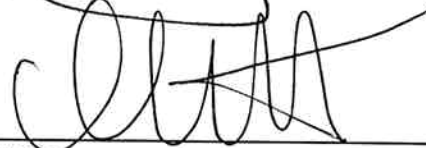
date of approval as amended by the Regional Municipality of Niagara and/or Ontario Municipal Board of the Final Draft Official Plan for the Town of Fort Erie, attached hereto as Schedule "A" to this By-law and forming part thereof.

2. **THAT** Schedule "A" hereto consisting of attached maps and explanatory text, is hereby adopted as the Official Plan for the Town of Fort Erie.
3. **THAT** the Clerk is hereby authorized and directed to make application to the Regional Municipality of Niagara for the approval of Schedule "A" hereto as the Official Plan For The Town of Fort Erie.
4. **THAT** this By-law shall come into force and take effect on the day of final passing there of.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 11th DAY OF SEPTEMBER, 2006.



MAYOR



CLERK

I, Carolyn J. Kett, the Clerk, of The Corporation of the Town of Fort Erie hereby certifies the foregoing to be a true certified copy of By-law No. 150-06 of the said Town. Given under my hand and the seal of the said Corporation this _____ day of _____, 20__.
