



# **The Municipal Corporation of the Town of Fort Erie**

## **BY-LAW NO. 110-2000**

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**BEING A BY-LAW TO DEEM A CERTAIN REGISTERED PLAN OF SUBDIVISION  
NOT TO BE A REGISTERED PLAN OF SUBDIVISION FOR THE PURPOSES  
OF SECTION 50, SUBSECTION 3 OF THE PLANNING ACT R.S.O. 1990 c.P.13  
INsofar AS IT ONLY APPLIES TO CERTAIN LANDS AS FOLLOWS:**

**CATHERINE J. POKORNY-TOKASZ & ANN POKORNY**

**Lots 46, 47 & 48, Plan 70/410**

**(Roll Nos. 2703 030 001 12500 0000 & 2703 030 001 12400 0000)**

C01-12

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**WHEREAS**, Section 50, Subsection 4 of The Planning Act R.S.O. 1990, c.P.13 authorizes the Council of a municipality to designate by by-law any plan of subdivision or part thereof that has been registered for eight years or more which shall be deemed not to be a registered plan of subdivision for the purposes of Subsection 3 of Section 50 of the said Planning Act, and;

**WHEREAS**, it is proposed to develop the lands described in Section 2 and it is deemed expedient to designate these lands pursuant to the provisions of Section 50, Subsection 4 in order to ensure that all of these lands will be appropriately developed, and;

**WHEREAS**, Subsection 26, Section 50 of the said Planning Act requires that a certified copy or duplicate of the deeming by-law shall be lodged with the Ministry of Municipal Affairs by the Clerk of the Municipality, and;

**WHEREAS**, Subsection 27, Section 50 of the said Planning Act states that the deeming by-law will not be effective until the requirements of Subsection 28, Section 50 have been complied with, and;

**WHEREAS**, Subsection 28, Section 50 of the said Planning Act requires that a certified copy or duplicate of the deeming by-law shall be registered by the Clerk of the Municipality in the Land Registry Office, and;

**WHEREAS**, Subsection 29, Section 50 of the said Planning Act states that no notice or hearing is required prior to the passing of a deeming by-law, but the Council shall give notice of the passing of any such deeming by-law within 30 days of the passing thereof to each person appearing in the last revised assessment roll to be owner of the land to which the by-law applies and which notice shall be sent to the last known address of such person, and;

**WHEREAS**, Subsection 30, Section 50 of the said Planning Act states that Council shall hear in person or by agent, any person to whom notice was sent under Subsection 29, Section 50 of the said Planning Act who within 20 days of the mailing of the notice gives notice to the Clerk of the Municipality that the person desires to make representation respecting the amendment or repeal of the deeming by-law, and;

**WHEREAS**, the registered owners of the lands described in Section 2 have consented to this by-law.

**NOW THEREFORE**, the Council of the Corporation of the Town of Fort Erie enacts as follows:

1. **THAT** those parts of the registered plan of subdivision described in Section 2 of this by-law are hereby deemed not to be a part of a registered plan of subdivision for the purposes of Subsection 3, Section 50 of The Planning Act R.S.O. 1990, c.P. 13.
2. The lands referred to in Section 1 are described as all and singular that certain parcel or tract of land and premises situate along and being in the Town of Fort Erie, in the Regional Municipality of Niagara, formerly in the Township of Bertie, being composed of Lots 46, 47 & 48, Plan 70, NP 410, now in the Town of Fort Erie, in the Regional Municipality of Niagara.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23<sup>RD</sup> DAY OF MAY, 2000.**

  
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MAYOR  
\_\_\_\_\_  
CLERK

I, CAROLYN BOOTH, CLERK OF THE CORPORATION OF THE TOWN OF FORT ERIE HEREBY CERTIFY THE FOREGOING TO BE A TRUE CERTIFIED COPY OF BY-LAW NO. 110-2000 OF THE SAID TOWN. GIVEN UNDER MY HAND AND THE SEAL OF THE SAID CORPORATION THIS \_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_.

  
  
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