



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

## **By-law 164-2023**

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### **Being a By-law to Exempt a Certain Block in Plan 59M-438 from Part Lot Control Village Creek Drive**

### **Block 56 (Village Creek Subdivision) Park Lane Home Builders Limited (Cathy Lenchyshyn) – Owner**

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**Whereas** the Municipal Council of The Corporation of the Town of Fort Erie deems that the lands described in section 1 of this by-law should be exempted from the provisions of subsection 50(5) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the "*Planning Act*"), since such lands are to be used for dwelling units as permitted by Zoning By-law 129-90, as amended;

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

- 1. That** the provisions of subsection 50(5) of the *Planning Act* shall not apply to the lands described as follows:

- (a) Block 56, Plan 59M-438, Fort Erie  
Being all of PIN 64175-0680 (LT)

for the purpose of creating 3 lots for residential development, subject to easements, as follows:

- i) Part 1 on Reference Plan 59R-17866;
- ii) Part 2 on Reference Plan 59R-17866; and
- iii) Part 3 on Reference Plan 59R-17866.

- 2. That** in accordance with subsection 50(7.3) of the *Planning Act*, this by-law shall expire one year from the date of the registration of this by-law in the Land Registry Office at which time subsection 50(5) of the *Planning Act* shall apply to those lands in the reference plan described in Section 1 of this by-law.
- 3. That** upon final passage of the by-law, the Town Law Clerk shall cause this by-law to be registered in the local Land Registry Office.
- 4. 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 27<sup>th</sup> day of November 2023.**

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Mayor

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Clerk

# PLAN 59M- 438

I CERTIFY THAT THIS PLAN 59M-438 IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF NIAGARA SOUTH (59) AT 9:23 O'CLOCK ON THE 17th DAY OF MAY, 2017 AND ENTERED IN THE REGISTER FOR PIN 64175-0614, AND REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT No SN-51019

C. NADALIN

REPRESENTATIVE FOR LAND REGISTRAR

THIS PLAN COMPRISES ALL OF PIN 64175-0614(LT)

-ALL LOTS, BLOCKS, STREETS AND RESERVES SUBJECT TO EASEMENT AS IN SN498425

-PART OF LOTS 1 AND 2: SUBJECT TO EASEMENT OVER PART 2 ON PLAN 59M-15454 AS IN SN458471.

-PART OF LOTS 34 AND 35: SUBJECT TO EASEMENT OVER PART 3 ON PLAN 59M-15454 AS IN SN458471.

Approved under Section 51 of THE PLANNING ACT

This 3rd day of May, 2017

Authorized Signature

MAYOR, TOWN OF FORT ERIE

PLAN OF SUBDIVISION OF PART OF LOT 11 CONCESSION 12 NIAGARA RIVER GEOGRAPHIC TOWNSHIP OF BERTIE

IN THE TOWN OF FORT ERIE REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 750 (METRIC)

DONALD G. CHAMBERS  
ONTARIO LAND SURVEYOR

## BEARING NOTE

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (1997.0)

## DISTANCE NOTE

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999907.

OBSERVED REFERENCE POINTS (ORP): UTM ZONE 17, NAD 83 (CSRS) (1997.0). CO-ORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF OREG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4756396.05	657876.93
ORP B	4756108.93	657891.89

CO-ORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

## LEGEND

—	DENOTES	SURVEY MONUMENT FOUND
—	"	STANDARD IRON BAR SET
—	"	IRON BAR SET
—	"	SHORT STANDARD IRON BAR
SSIB	"	MEASURED
IB	"	IRON BAR
MEAS	"	MEASURED
N/S/E/W	"	NORTH/SOUTH/EAST/WEST
PIN	"	PROPERTY IDENTIFICATION NUMBER
P1	"	REGISTERED PLAN 59M-390
P2	"	DEPOSITED PLAN 59M-8346
P3	"	DEPOSITED PLAN 59M-15454
1654	"	D. G. CHAMBERS, O.L.S.
JEL	"	J. E. LANTHIER, O.L.S.

## METRIC NOTE

MEASUREMENTS AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

## OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:

- LOTS 1 TO 53, INCLUSIVE, BLOCKS 54 TO 59, INCLUSIVE, THE RESERVES NAMED BLOCKS 60 TO 68, INCLUSIVE, AND THE STREETS NAMED "VILLAGE CREEK DRIVE" AND "EDSALL DRIVE" HAVE BEEN LAID OUT IN ACCORDANCE WITH MY INSTRUCTIONS.
- THE STREETS ARE HEREBY DEDICATED TO THE CORPORATION OF THE TOWN OF FORT ERIE AS PUBLIC HIGHWAYS.

I HAVE AUTHORITY TO BIND THE CORPORATION.

DATE: 04/24/17  
EDWARD N. LENCHYSHYN  
PRESIDENT  
800547 ONTARIO LIMITED

## SURVEYOR'S CERTIFICATE

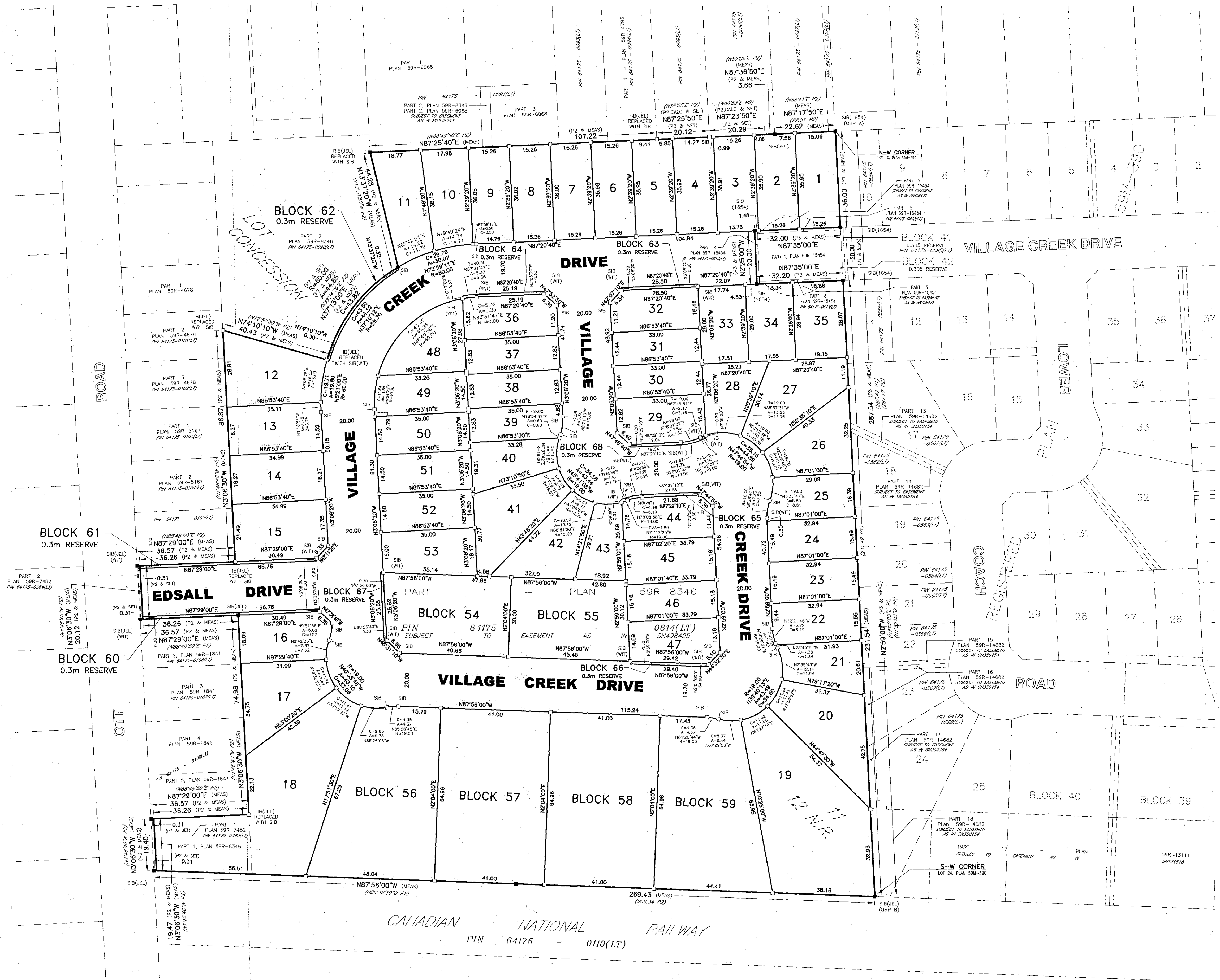
- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM;
  - THE SURVEY WAS COMPLETED ON THE 3rd DAY OF MARCH, 2017.

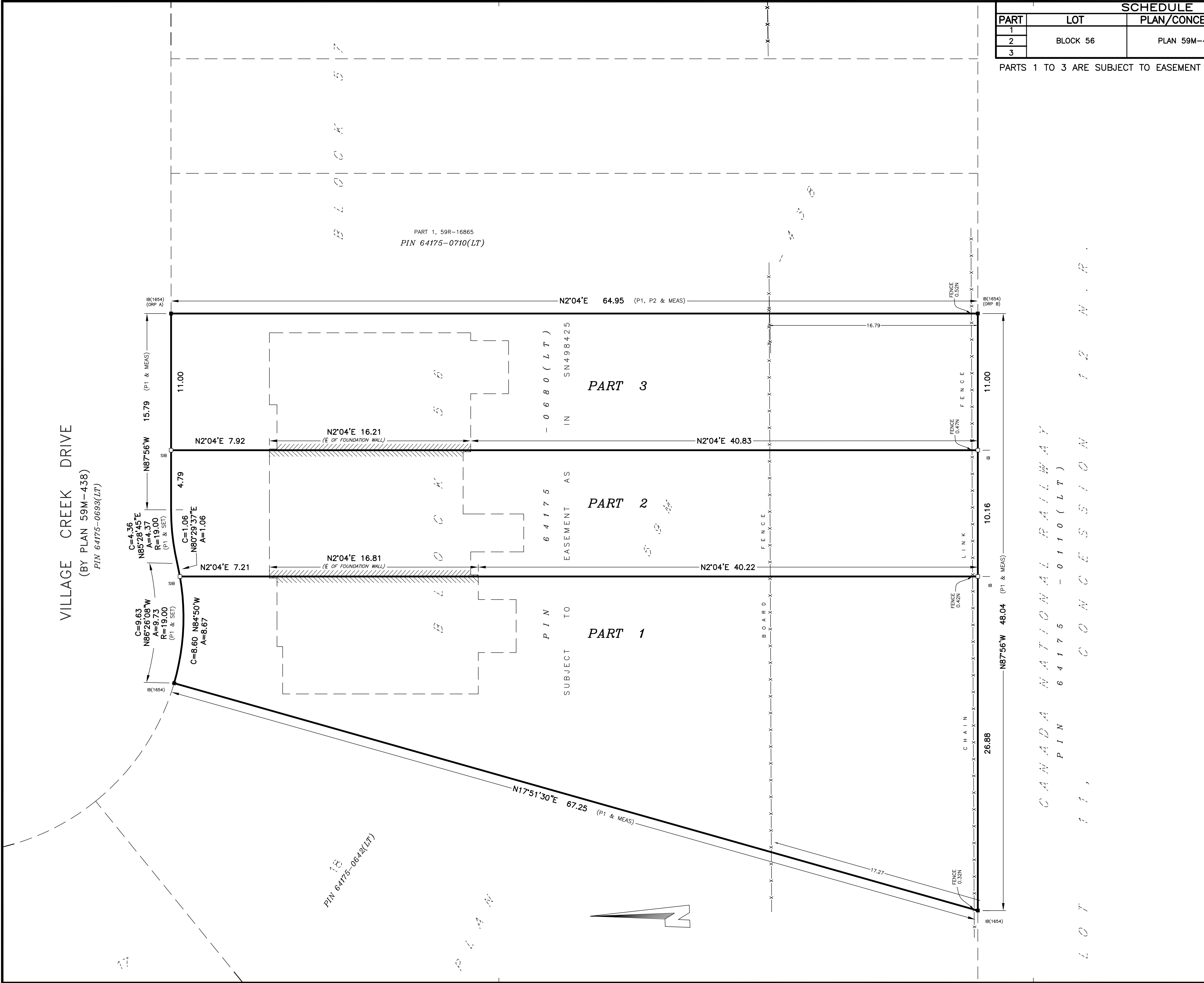
DATE: APRIL 24, 2017  
DONALD G. CHAMBERS, B. Sc., O.L.S.

CHAMBERS AND ASSOCIATES  
SURVEYING LTD

12 THOROLD ROAD EAST  
WELLAND, ONTARIO  
L3C 3T2  
(905) 735-7841 / 735-7844  
FAX (905) 735-7333  
www.cosal-surveying.com

DRAWN BY: D.H.T. MISC: 03046-7\_MS CWD: 03046-7MP\_FEB 16-17 FILE NO: 03-46-7





SCHEDULE			
PART	LOT	PLAN/CONCESSION	PIN
1	BLOCK 56	PLAN 59M-438	ALL OF PIN 64175-0680(LT)
2			
3			
PARTS 1 TO 3 ARE SUBJECT TO EASEMENT AS IN SN498425			

PLAN 59R-17866

Received and deposited

October 27<sup>th</sup>, 2023

Elaine Hallowell

Representative for the  
Land Registrar for the  
Land Titles Division of  
Niagara South (No.59)

PLAN OF SURVEY OF

BLOCK 56  
PLAN 59M-438

TOWN OF FORT ERIE  
REGIONAL MUNICIPALITY OF NIAGARA  
SCALE 1 : 200



DONALD G. CHAMBERS  
ONTARIO LAND SURVEYOR

THE INTENDED PLOT SIZE OF THIS PLAN IS 645mm IN WIDTH BY  
424mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200

LEGEND

	DENOTES	SURVEY MONUMENT FOUND
—■—	"	SURVEY MONUMENT SET
SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
IB	"	IRON BAR
MEAS	"	MEASURED
WIT	"	WITNESS
OU	"	ORIGIN UNKNOWN
N/S/E/W	"	NORTH/SOUTH/EAST/WEST
PIN	"	PROPERTY IDENTIFICATION NUMBER
P1	"	REGISTERED PLAN 59M-438
P2	"	DEPOSITED PLAN 59R-16865
1654	"	D. G. CHAMBERS, O.L.S.

METRIC NOTE

DISTANCES & COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARING NOTE

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A  
AND B BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83  
(CSRS) (2010.0)

DISTANCE NOTE

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING  
BY THE COMBINED SCALE FACTOR OF 0.999906

OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD 83 (CSRS) (2010.0). CO-ORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10		
POINT ID	NORTHING	EASTING
A	4756178.29	657770.74
B	4756110.29	657853.76
CO-ORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:  
1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE  
SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE  
REGULATIONS MADE UNDER THEM;  
2) THE SURVEY WAS COMPLETED ON THE 26<sup>st</sup> DAY OF SEPTEMBER, 2023.

OCTOBER 2, 2023  
DATE  
DONALD G. CHAMBERS, B. Sc., O.L.S.

THIS PLAN OF SURVEY RELATES TO A.O.L.S. PLAN SUBMISSION FORM NUMBER V-52224

**CHAMBERS AND ASSOCIATES  
SURVEYING LTD**  
12 THOROLD ROAD EAST  
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DWG: 17010-56\_RP  
FILE No: 17-10-56