



The Corporation of the Town of Fort Erie By-law 93-2025

Being a By-law to Remove Part Lot Control from Beachwalk Crescent and Loganberry Court, Part of Lots 32, 33, 34, 36, 37 and Lot 35, (Jetmar Subdivision) Marz Homes (Crystal Beach) Inc. (Daniel Gabriele)

Whereas subsection 50(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the "*Planning Act*"), provides that the council of a local municipality may, by by-law, designate lands not subject to the part lot control provisions of subsection 50(5) of the *Planning Act* to facilitate development; and

Whereas subsection 50(7.1) of the *Planning Act* requires that a by-law passed under subsection 50(7) does not take effect until it has been approved by the appropriate approval authority; and

Whereas subsection 50(7.3) of the *Planning Act* permits a by-law under subsection 50(7) to specify an expiration date, after which the by-law ceases to have effect; and

Whereas Town staff have reviewed the proposed development and determined that a one-year time frame is adequate for the owner to complete all necessary transactions to convey the properties subject to this by-law and exempted from the provisions of part lot control; and

Whereas it is deemed desirable to exempt Part of Lot 36, Plan M-65, Part 1 on Plan 59R-17551; Part of Lot 37, Plan M-65, Part 3 on Plan 59R-17551; Part Lots 33 and 34, Plan M-65, Part 24 on Plan 59R-17174; and Lot 35 and Part of Lot 32, Plan M-65, Part 26 on Plan 59R-17174, save and except Part 1 on Plan 59R-17878 to facilitate the development of four residential 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) Part of Lot 36, Plan M-65, Part 1 on Plan 59R-17551, Town of Fort Erie;
 - b) Part of Lot 37, Plan M-65, Part 3 on Plan 59R-17551, Town of Fort Erie;
 - c) Part Lots 33 and 34, Plan M-65, Part 24 on Plan 59R-17174, Fort Erie; and
 - d) Lot 35 and Part of Lot 32, Plan M-65, Part 26 on Plan 59R-17174, save and except Part 1 on Plan 59R-17878;for the purpose of developing four lots for residential development.
2. **That** upon final passage of this by-law, the Town Law Clerk shall cause this by-law to be registered in the local Land Registry Office.
3. **That** in accordance with subsection 50(7.3) of the *Planning Act*, this by-law shall expire one year from the date of 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 described in section 1 of this by-law.

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 17th day of November 2025.

Mayor

Clerk