



## The Corporation of the Town of Fort Erie By-law 5-2026

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### Being a By-law to Remove Part Lot Control from Lots 220, 221, and 222, Registered Plan 401 Coliseum Paving Limited (Charles Sferrazza)

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**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 Lots 220, 221, and 222 within Registered Plan 401 from part lot control to facilitate the development of two new 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) LT 220 PL 401 BERTIE; LT 221 PL 401 BERTIE; LT 222 PL 401 BERTIE; FORT ERIE  
for the purpose of developing two new residential dwelling units, as follows:
    - i) Part of Lots 220, 221 and 222 PL 401 Bertie designated as Part 1 on Reference 59R-18497; and
    - ii) Part of Lots 220, 221 and 222 PL 401 Bertie designated as Part 2 on Reference 59R-18497.
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 26<sup>th</sup> day of January 2026.

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Mayor

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Clerk