

**TOWN OF FORT FRANCES**

**BY-LAW NO. 43/13**

(Being a By-Law to rescind By-Law #10/13 and deem Lots 1, 2, 3 and 5 on Plan SM-122 to no longer be lots on a registered plan of subdivision pursuant to Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13, as amended).

**WHEREAS** Section 50(4) of The Planning Act, R.S.O. 1990, c.P.13 (the "Act") gives Council the authority to pass a by-law to designate any plan of subdivision, or part thereof, that has been registered for eight years or more, to not be a registered plan of subdivision for the purposes of subsection (3) of Section 50 of the Act; and

**AND WHEREAS** Plan SM-122 was registered more than eight years ago; and

**AND WHEREAS** on April 18, 2013 Council enacted By-Law #10/13 deeming lots 1 to 5 on Plan SM-122 not to be lots on a registered plan of subdivision so as to enable a portion of lot 5 to be added to and consolidated with those lots.

**AND WHEREAS** on September 9, 2013, Council approved the recommendation of the Municipal Planner, supported by the Planning and Development Executive Committee, that because the owner of Lot 1 will not be acquiring a portion of Lot 5, By-Law #10/13 be rescinded and a new by-law enacted to deem the other lots that will be acquiring a portion of Lot 5.

**NOW THEREFORE** the Council of the Corporation of the Town of Fort Frances **HEREBY ENACTS** as follows:

1. That lots 1, 2, 3 and 5 on Plan SM-122 are deemed not to be on a registered plan of subdivision for the purposes of subsection 3 of Section 50 of the Act.
2. That previously enacted by-law #10/13 be and is hereby rescinded.
3. That this By-Law shall come into full force and take effect upon the passing thereof, subject to the provisions of Subsections 28, 29 and 30 of the said Section 50 of the Act.

READ THREE TIMES AND FINALLY PASSED in open Council this 9<sup>th</sup> day of September 2013.

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R. Avis, Mayor

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K. Lawson, Deputy Clerk