

## TOWN OF FORT FRANCES

### BY-LAW NO. \*\*/15

(Being a By-Law to designate Lots 88 and 122, Townplot of Alberton 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 provides that Council may by by-law designate 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 Section 50(3) of the Planning Act, R.S.O. 1990, c.P.13, as amended.

**AND WHEREAS** the Townplot of Alberton plan is considered a registered plan of subdivision and has been registered for more than eight years.

**AND WHEREAS** pursuant to condition imposed relative to Zoning By-Law Amendment 8/98-CC, lots 89 to 94 and lots 115 to 121 were deemed not to be lots on a registered plan of subdivision by By-Law #33/07 enacted June 11, 2007 and registered as RD8494 on July 18, 2007 to accommodate proposed construction on the property owner;

**AND WHEREAS** lots 88 and 122 on the plan were specifically excluded pending completion of construction; execution and registration of Site Plan Control Agreement (the "Agreement") between the property owner and the municipality; and conveyance of specific property as noted in the Agreement to the municipality for purposes of establishing a public parking lot;

**AND WHEREAS** the conveyance of the property having recently been completed, it is now appropriate to deem the remaining lots to not be lots on a plan of subdivision so the lots subject to the Agreement becomes one lot of record and the process is completed.

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

1. That 88 and 122, Townplot of Alberton be hereby designated, under Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13, as amended (the Act), and deemed not to be a registered plan of subdivision for the purposes of Section 50(3) of the Act.
2. And further that the Clerk shall lodge a Certified Copy of this By-Law with the Office of the Minister of Municipal Affairs and Housing, pursuant to the requirements of Section 50(26) of the Act.
3. And further that the Clerk shall register a Certified Copy of this By-Law in the Land Registry Office for the District of Rainy River, pursuant to the requirements of Section 50(28) of the Act.
4. And further that Notice of Passing of this By-Law shall be sent to each person on the last revised assessment roll to be the owner of the said lands, pursuant to the requirements of Section 50(29) of the Act.
5. In accordance with Section 50(27) of the Act, this By-Law shall take effect upon the passing thereof, subject to Section 50(28) of the Act.

READ THREE TIMES AND FINALLY PASSED in open Council this 25<sup>th</sup> day of May 2015.

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R. Avis, MAYOR

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E. Slomke, CLERK