



# The Municipal Corporation of the Town of Fort Erie

## By-law No. 64-2020

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### Being a By-law to Accept and Declare Lands as Public Highway on the South Side of Walden Boulevard (450 Garrison Road – 9310924 Canada Inc. – Glenn D'Silva)

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**Whereas** 9310924 Canada Inc. (the "Owner") has made a Site Plan application for the construction of a new building in the retail plaza located at 450 Garrison Road, known as International Gateway Centre; and

**Whereas** the lands on which the plaza is situated is made up of a number of parcels of land, of which one parcel was the subject of a previous Consent and as such cannot legally merge with the remaining parcels; and

**Whereas** in order to approve the Site Plan Application and the proposed location of the new building on the property, the parcels must legally merge; and

**Whereas** it is necessary for the Owner to convey Part 1 on 59R-16721 to The Corporation of the Town of Fort Erie, gratuitously, free and clear of all encumbrances, on the south side of Walden Boulevard for road widening purposes, in order for the merger of the parcels to be effected; and

**Whereas** the *Municipal Act, 2001*, as amended, provides that if a municipality acquires land for the purpose of widening a highway, the land acquired forms part of the highway to the extent of the designated widening; and

**Whereas** it is deemed desirable to authorize the acceptance of lands for road widening purposes, and declare and assume same as public highway forming part of Walden Boulevard;

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

1. **That** the acceptance of land from 9310924 Canada Inc. legally described as Part of Eighth Street, Plan 453, Bertie, now Hospitality Drive, designated as Part 1 on Reference Plan 59R-16721; Fort Erie, being part of PIN 64219-0198 (LT) (the "Lands") for road widening purposes, free and clear of all encumbrances, is authorized and approved.
2. **That** the Lands are established, laid out, declared and assumed as public highway forming part of Walden Boulevard, for public use.
3. **That** upon final passage of this by-law, the Law Clerk shall cause same to be registered in the Land Registry Office.
4. **That** the Mayor and Clerk are authorized and directed to execute all documentation necessary to complete this transaction.

5. **That** the Clerk of the Town is authorized to effect 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 20<sup>th</sup> day of July, 2020.**

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Mayor

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Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie hereby certifies the foregoing to be a true copy of By-law No. 64-2020 of the said Town. Given under my hand and the seal of the said Corporation, this            day of            , 20

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