



The Municipal Corporation of the Town of Fort Erie

By-law No. 112-2021

Being a By-law to Assume Secondary Services in the Spears Road Estates Subdivision – Phase 1 (Plan 59M-419) (Ashton Homes (Western) Limited – Aldo Vercillo)

Whereas By-law No. 52-2015 authorized the Mayor and Clerk to execute the Subdivision Agreement for the Spears Road Estates Subdivision – Phase 1; and

Whereas Section 10.8 of the Subdivision Agreement provides that municipal services shall be assumed by the Town in two stages, namely, by Council first passing an Assumption By-law for Primary Services after the Director of Infrastructure Services approves the Certificate of Final Acceptance for Primary Services, and second, an Assumption By-law for Secondary Services after the Director of Infrastructure Services approves the Certificate of Final Acceptance for Secondary Services; and

Whereas pursuant to the Subdivision Agreement the Secondary Services includes all finished streets and roadways as constructed by the Developer for the Plan of Subdivision; and

Whereas the Director of Infrastructure Services has approved the Certificate of Final Acceptance for Secondary Services for the said subdivision; and

Whereas it is deemed desirable to assume the Secondary Services installed pursuant to the Subdivision Agreement, including certain highways within the Plan of Subdivision;

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

1. **That** the following Secondary Services identified on the approved servicing plans for the Spears Road Estates Subdivision – Phase 1 registered as Plan No. 59M-419 are assumed by the Town of Fort Erie, namely:
 - a) Municipal Roads, including boulevards;
 - b) Driveway Aprons;
 - c) Sidewalks, Pedestrian Walkways and Foot Paths;
 - d) Tree Plantings; and
 - e) Fencing and Landscaping, including Storm Water Management Ponds,

pursuant to the Certificate of Final Acceptance for Secondary Services dated August 30, 2021.

2. **That** the following parcels of land situated in the Town of Fort Erie are assumed as public highway:

<u>Street</u>	<u>Plan Number</u>	<u>PIN Number</u>
<i>Kerby Street</i>	<i>59M-419</i>	<i>64236-0508 (LT)</i>
<i>Meadow Street</i>	<i>59M-419</i>	<i>64236-0507 (LT)</i>

3. **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 20th day of September, 2021.

Mayor

Clerk

I, Carol Schofield, the Clerk of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 112-2021 of the said Town. Given under my hand and the seal of the said Corporation, this _____ day of _____, 20____