



The Municipal Corporation of the Town of Fort Erie

By-law No. 101-2018

Being a By-law to Declare Lands as Public Highway Road Widening – Part 1 on 59R-16144 (Concession Road - Picard Peanuts Ltd.)

Whereas Section 31(2) of the *Municipal Act, 2001* provides that after January 1, 2003 land may only become a highway by virtue of a by-law establishing the highway and not by the activities of the municipality or any other person in relation to the land, including the spending of public money; and

Whereas Section 31(6) of the *Municipal Act, 2001* provides 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 Picard Peanuts Ltd., is the owner of lands known municipally as 1100 Concession Road, more particularly described as Part of Block 5, North Side of Garrison Road, Plan 505, Village of Fort Erie, being Parts 1 and 3 on 59R-11074 being all of PIN 64220-0309 (LT), in the Town of Fort Erie (the "Lands"); and

Whereas Picard Peanuts Ltd. applied for Site Plan Approval in relation to the Lands; and

Whereas the Director, Planning and Development granted Site Plan Approval, subject to conditions, to Picard Peanuts Ltd. on June 6, 2018; and

Whereas pursuant to the conditions of Site Plan Approval, Picard Peanuts Ltd. conveyed Part of Block 5, North Side of Garrison Road, Plan 505, Village of Fort Erie, designated as Part 1 on Plan 59R-16144; Fort Erie, being all of PIN 64220-0308 (LT) to The Corporation of the Town of Fort Erie for road widening purposes; and

Whereas it is deemed desirable to declare and assume same as public highway forming part of Concession Road;

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

- 1. That** Part of Block 5, North Side of Garrison Road, Plan 505, Village of Fort Erie, designated as Part 1 on Plan 59R-16144; Fort Erie being all of PIN 64220-0308 (LT) is established, laid out, declared and assumed as public highway forming part of Concession Road, for public use.
- 2. That** upon final passage of this by-law, the Town Solicitor shall cause same to be registered in the Land Registry Office.
- 3. That** the Mayor and Clerk are authorized and directed to execute all documentation necessary to complete the registration.

- Read a first, second and third time and finally passed this 27th day of August, 2018.**

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. 101-2018 of the said Town. Given under my hand and the seal of the said Corporation,
this day of , 20