



The Municipal Corporation of the Town of Fort Erie

By-law No. 9-2019

Being a By-law to Assume Secondary Services in the Beaver Creek Estates – Phase 1, Plan 59M-330 (1372708 Ontario Inc. – Vaughn Gibbons)

Whereas By-law No. 85-04 authorized the Mayor and Clerk to execute the Subdivision Agreement for the Beaver Creek 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 the 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 Beaver Creek Estates Subdivision – Phase 1 registered as Plan No. 59M-330 are assumed by the Town of Fort Erie, namely:
 - a) Municipal Roads (including boulevards);
 - b) Driveway Aprons;
 - c) Sidewalks;
 - d) Pedestrian Walkways;
 - e) Tree Plantings;
 - f) Fencing; and
 - g) Landscaping (including SWM Ponds),

pursuant to the Certificate of Final Acceptance for Secondary Services dated January 10, 2019.

- | Street | <u>Plan Number</u> | <u>PIN Number</u> |
|---------------|---------------------------|--------------------------|
| Hazel Street | Plan 59M-330 | 64176-0411 (LT) |
| Carrie Avenue | Plan 59M-330 | 64176-0414 (LT) |
| Summit Avenue | Plan 59M-330 | 64176-0412(LT) |

- Read a first, second and third time and finally passed this 21st day of January, 2019.**

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. 9-2019 of the said Town. Given under my hand and the seal of the said Corporation, this _____ day of _____, 20_____.