



# **The Municipal Corporation of the Town of Fort Erie**

## **By-law 127-2023**

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### **Being a By-law to Assume Secondary Services in the South Coast Village - Phase 2 Subdivision (Plan 59M-430) Marz Homes (Crystal Beach) Inc. – Dan Gabriele**

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**Whereas** By-law No. 26-2016 authorized the Mayor and Clerk to execute the Subdivision Agreement for the South Coast Village – Phase 2 Subdivision; 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 Phase 2 of the said subdivision; and

**Whereas** it is deemed desirable to assume the Secondary Services for Phase 2 of the said subdivision;

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

- 1. That** the following Secondary Services identified on the approved servicing plans for the South Coast Village – Phase 2 Subdivision registered as Plan No. 59M-430 are assumed by the Town of Fort Erie, namely:
  - a.** Municipal Roads as Public Highway *Ryan Avenue* & 0.30m Reserve *Block 52* and *Block 53*, including boulevards, sidewalks, boulevard trees, and driveway aprons; and
  - b.** Fencing surrounding *Block 1*, excluding the Stormwater Management Facility;

pursuant to the Certificate of Final Acceptance for Secondary Services dated March 20, 2023.

- 2. That** the Clerk of the Town is authorized to affect 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 28<sup>th</sup> day of August, 2023.**

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Mayor

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Deputy Clerk