



The Corporation of the Town of Fort Erie By-law 8-2025

Being a By-law to Stop Up, Close and Convey Part of the Albany Street Road Allowance – 2824116 Ontario Inc. (Terence Davids)

Whereas Subsection 34(1) of the *Municipal Act*, 2001, as amended, authorizes a municipality to pass by-laws to permanently close highways; and

Whereas it is deemed necessary and expedient to stop up, close and convey a portion of the Albany Street road allowance designated as Parts 1-6 on Reference Plan 30R-16357, being a remnant parcel created as part of the Albany Street road realignment project; and

Whereas the subject Lands are surplus to the Town's needs and their conveyance complies with the Town's Sale of Land Policy (By-law 60-2017); and

Whereas easements over the subject Lands in favour of Canadian Niagara Power, Bell Canada and Enbridge Gas have been identified and will be secured in accordance with the deposited Reference Plan; and

Whereas it is deemed desirable to enter into Agreement of Purchase and Sale with 2824116 Ontario Inc. for the conveyance of the Lands;

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

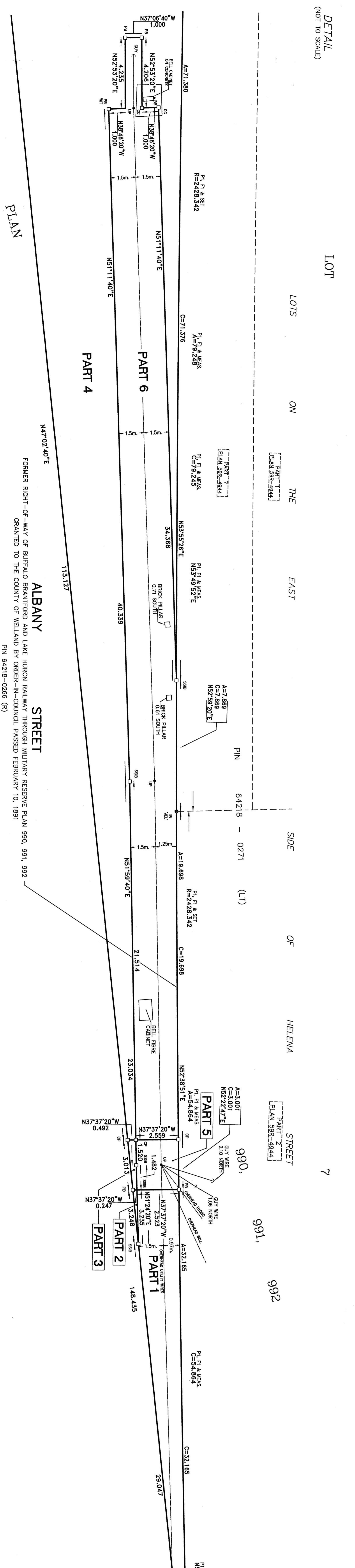
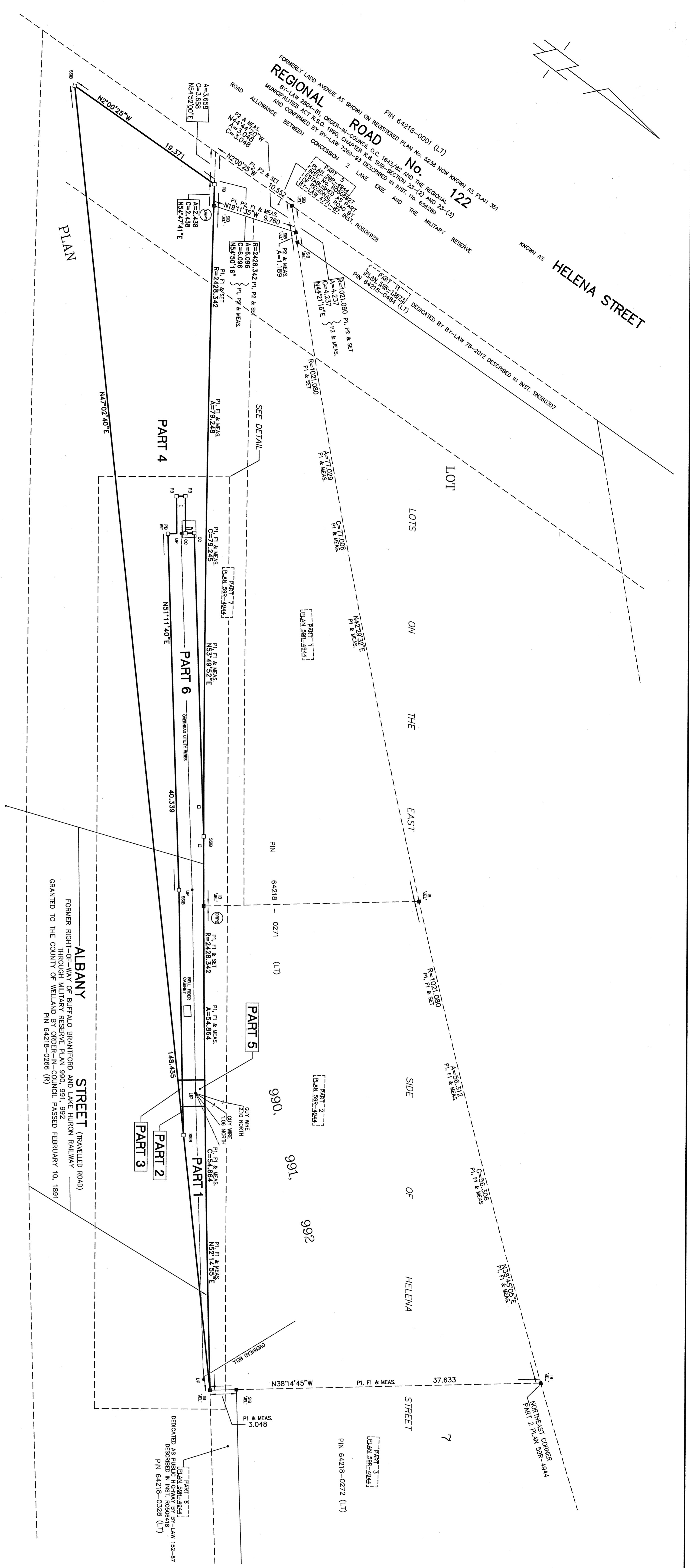
1. **That** the portion of the Albany Street road allowance legally described as Part of the former Right-of-Way of the Buffalo, Brantford and Lake Huron Railway through Military Reserve, Plan 990, 991 and 992, designated as Parts 1-6 on Reference Plan 30R-16357 being part of PIN 64218-0266 (R) (the "Lands") is hereby stopped up and closed.
2. **That** the Lands are hereby declared surplus to the Town's needs and shall be conveyed to 2824116 Ontario Inc., the abutting owner of 751 Albany Street (the "Abutting Lands"), for the purchase price of \$50,000, plus applicable taxes and associated costs, subject to the Lands legally merging in title with the Abutting Lands in accordance with the Sale of Land Policy.
3. **That** easements in favour of Canadian Niagara Power, Bell Canada and Enbridge Gas shall be reserved over the Lands, as identified in Reference Plan 30R-16357, to ensure continued access to utilities.
4. **That** the entry into Agreement of Purchase and Sale for the conveyance of the Lands, in a form satisfactory to the Town Solicitor, is authorized and approved.
5. **That** the Town Solicitor is authorized and directed to execute the Agreement of Purchase and Sale and all other documentation necessary to complete the transaction and to affix the corporate seal thereto.
6. **That** the proceeds from the sale shall be credited to the Major Capital Expenditure Reserve Fund of The Corporation of the Town of Fort Erie.
7. **That** concurrently with the completion of the transfer of the Lands, the Town Solicitor or designate shall cause this by-law to be registered in the local Land Registry Office.
8. **That** this by-law shall expire one year from the date of passage if the purchaser has not completed the transaction.

9. **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 27th day of January 2025.

Mayor

Clerk



PLAN 308-16353

RECORD AND DEPOSITED DATE: 2.02.24 / 08

DATE: DECEMBER 17, 2024

PLANNED BY: *Blanner & Quire*

FOR THE CLIENT: *Blanner & Quire*

FOR THE RESERVATION OF REGISTERED OWNERS AND SURVEYOR

SCHEDULE		
PART	LOT	PIN
1		
2		
3		
4		
5		
6		

PLAN OF SURVEY OF PART OF THE FORMER RIGHT-OF-WAY OF BUFFALO, BRANTFORD AND LAKE HURON RAILWAY THROUGH MILITARY RESERVE PLAN 990, 991, 992 IN THE TOWN OF FORT ERIE REGIONAL MUNICIPALITY OF NIAGARA

LEGEND

1. PART DONATES TO NIAGARA REGIONAL MUNICIPALITY OF FORT ERIE

2. PART DONATES TO NIAGARA REGIONAL MUNICIPALITY OF FORT ERIE

3. PART DONATES TO NIAGARA REGIONAL MUNICIPALITY OF FORT ERIE

4. PART DONATES TO NIAGARA REGIONAL MUNICIPALITY OF FORT ERIE

5. PART DONATES TO NIAGARA REGIONAL MUNICIPALITY OF FORT ERIE

6. PART DONATES TO NIAGARA REGIONAL MUNICIPALITY OF FORT ERIE

INTEGRATION DATA

COORDINATES TO UTM ZONE 18Q UTM ZONE 18Q UTM ZONE 18Q

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BEARING NOTE

BEARINGS ARE GIVEN, DERIVED FROM SMALL-SCALE GPS OBSERVATIONS FROM MONUMENTS OR TO OTHER MONUMENTS, HAVING A BEARING OF ASSURANCE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (NAD 83) (EARTH) (NO. 15) (2011) (1997)

FOR BEARING CONVERSIONS, A ROTATION OF 1° 27' 00" N. A CORRECTED CLOCK-WISE DIRECTION WAS APPLIED TO BEARINGS ON PLAN 598-494.

DISTANCE NOTES

METRIC CONVERSION

ALL DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

GRID SCALE CONVERSION

GRID COORDINATES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE USED TO COMPUTE DISTANCES AND BEARINGS TO MONUMENTS AND TO OTHER MONUMENTS SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THE PLAN AND THE SURVEY DATA AND INSTRUMENTS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A MEMBER OF THE PROFESSION OF SURVEYORS OF ONTARIO.
2. THE SURVEY WAS COMPLETED ON DECEMBER 16, 2024.

DATE: DECEMBER 17, 2024

PLANNED BY: *Blanner & Quire*

FOR THE CLIENT: *Blanner & Quire*

SCALE: 1:200

DATE: DECEMBER 17, 2024

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0 10 20 40 Meters

ALBANY STREET REALIGNMENT

-  Part of Road Allowance for Disposal(0.27 acre)
-  Applicant's Lands - 751 Albany Street

Planning, Building and By-law Services, Map Created January 22, 2025

