



The Municipal Corporation of the Town of Fort Erie By-law 101-2023

Being a By-law to Authorize the Execution of a Subdivision Agreement with 800460 Ontario Limited (Fred Costabile) Harbourtown Village Plan of Subdivision

Whereas Report No. PDS-45-2023 was considered and approved at the Council-in-Committee meeting held June 12, 2023 to authorize the entry into a Subdivision Agreement with 800460 Ontario Limited for the Harbourtown Village Plan of Subdivision; and

Whereas the Municipal Council of The Corporation of the Town of Fort Erie at its meeting of June 21, 2004 passed Resolution No. 25 to establish a practice whereby the Standard Form of Agreement would not be attached to the By-law and circulated to each Member of Council in advance of the particular Council Meeting, although Council has been informed under Report No. PDS-45-2023 of the Financial Schedule in the Agreement, with the knowledge that the Clerk of the Town of Fort Erie is in possession of the full Agreement at the subject Council Meeting; and

Whereas it is deemed desirable to enter into a Subdivision Agreement with 800460 Ontario Limited for the Harbourtown Village Plan of Subdivision (south of Dominion Road, between Bassett Avenue and Bardol Avenue) in order to control the development of the lands described in Schedule "A" of the Subdivision Agreement attached hereto as Appendix "1" and forming part of this by-law;

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

- 1. That** the entry into a Subdivision Agreement with 800460 Ontario Limited (the "Developer"), substantially in the form attached as Appendix "1" and forming part of this by-law, is authorized and approved, subject to the Developer first satisfying the provisions of the Agreement which are required to be satisfied prior to execution of the Agreement.
- 2. That** subject to Section 1 of this by-law, the Mayor and Clerk are authorized and directed to execute the said Subdivision Agreement and affix the corporate seal thereto, and all other documentation necessary to effect the terms and conditions of the said Agreement.
- 3. That** this by-law shall expire (1) year from the date of passage should 800460 Ontario Limited fail to enter into the Subdivision Agreement with the Town.
- 4. 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 26th day of June, 2023.

Mayor

Deputy Clerk