

The Corporation of the City of Port Colborne

By-Law No. _____

Being a By-law to Assume Ownership and Responsibility of the Primary and Secondary Services in Phase 2, Stage 1-3 of the Westwood Estates Subdivision (Plan 59M-428) (Lester Shoalts Limited);

Whereas Section 11 of the *Municipal Act*, 2001, S.O. c.25, as amended, authorizes the Council of a municipality to pass by-laws respecting matters within its jurisdiction, including public services such as water, sewage, stormwater, and roads; and

Whereas the Mayor and Clerk of the Corporation of the City of Port Colborne executed the Subdivision Agreement with Lester Shoalts Limited (the "Owner") pursuant to By-law No. 6366/46/16, to allow for the Westwood Estates Subdivision; and

Whereas Section 11.8a of the Subdivision Agreement provides that municipal services shall be assumed by the City through Council passing an Assumption By-law for Primary and Secondary Services after the City Engineer has approved the Certificate of Final Acceptance for the Services; and

Whereas the City Engineer has approved the Certificates of Final Acceptance for Primary and Secondary Services for Phase 2, Stage 1-3 of the said subdivision, confirming that all such Primary and Secondary Services have been completed and maintained in accordance with the terms of the Subdivision Agreement and the approved servicing plans; and

Whereas pursuant to Section 11.8a of the Subdivision Agreement, upon such approval the City may assume ownership of and responsibility for all Primary and Secondary Services constructed by the Owner; and

Whereas it is deemed appropriate and in the public interest to assume the Primary Services for Phase 2, Stage 1-3 of the said Subdivision; and

Whereas it is deemed appropriate and in the public interest to assume the Secondary Services, including the highways within Phase 2, Stage 1-3 of the said Subdivision; and

Now therefore, the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That the following Primary Services, as defined and constructed in accordance with the Subdivision Agreement between the City and the Owner (Schedule "A"), and shown on the approved servicing plans for Phase 2, Stage 1-3 of the Plan of Subdivision No. 59M-428, Westwood Estates Subdivision are hereby assumed by the City of Port Colborne into its ownership and responsibility, namely:
 - a) Water Distribution System;
 - b) Fire Hydrants;
 - c) Sanitary Sewer System;
 - d) Storm Sewer and Storm Sewer Manholes; and
 - e) Street Lighting

Pursuant to the Certificates of Final Acceptance for Primary Services dated November 21, 2022.

2. That the following Secondary Services, as defined and constructed in accordance with the Subdivision Agreement between the City and the Developer, and shown on the approved servicing plans for Phase 2, Stage 1-3 of the Plan of Subdivision No. 59M-428, Westwood Estates Subdivision are hereby assumed by the City of Port Colborne into its ownership and responsibility, namely:
 - a) Municipal Roads (including boulevards);
 - b) Driveway Aprons; Sidewalks; and;
 - c) Any other works identified as Secondary Services in the Subdivision Agreement and approved by the City Engineer.

Pursuant to the Certificates of Final Acceptance for Secondary Services dated December 16, 2025.

3. That the following parcels of land situated in the City of Port Colborne are assumed as public highways:

| STREET | PLAN NUMBER | PIN NUMBER |
|-------------------------------|-------------|------------|
| 1. Clarence Street (Part of) | 59M-428 | 64403-0576 |
| 2. Renfield Street | 59M-428 | 64403-0578 |
| 3. Limestone Court | 59M-428 | 64403-0580 |
| 4. Landcaster Drive (Part of) | 59M-428 | 64403-0579 |
| 5. Hickory Court | 59M-428 | 64403-0581 |
| 6. Stanley Street (Part of) | 59M-428 | 64403-0577 |

4. That the Clerk of the City of Port Colborne 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.

Enacted and passed this 14th day of April 2026.

William C. Steele
Mayor

Charlotte Madden
City Clerk