

## **Municipality Of Chatham-Kent**

### **Community Development**

#### **Legal Services**

**To:** Mayor and Members of Council  
**From:** David Taylor, Manager, Legal Services  
**Date:** January 15, 2018  
**Subject:** Dedication By-laws- Repeal and Replace- Front Line

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#### **Recommendations**

It is recommended that:

1. The attached by-law (Appendix A) to dedicate lands as part of Front Line be passed;
2. By-law 39-2017 be repealed.

#### **Background**

Bylaw 39-2017 provided for the designation of certain lands along Front Line as part of the municipal highway. These lands had been transferred to the Municipality as a condition of severance with the intention that they would be dedicated as part of the municipal highway known as Front Line.

Administration was contacted by legal counsel for owners of the properties abutting these lands who advised that By-law 39-2017 had included an incorrect legal description such that the By-law was erroneously registered on his client's property, instead of on the lands transferred to the Municipality for highway dedication.

#### **Comments**

Administration has reviewed this matter and agrees that there was an error in the legal description contained in Bylaw 39-2017. As a result, it is recommended that this By-law be repealed.

Attached as Appendix A is a revised by-law with the correct legal description for highway dedication of the lands transferred to the Municipality. It is recommended that this revised By-law be passed.

### **Areas of Strategic Focus and Critical Success Factors**

The recommendations in this report support the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

### **Consultation**

No consultation was required for this report.

### **Financial Implications**

There are no financial impacts to the Municipality as a result of this report.

Prepared by:

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David Taylor  
Manager, Legal Services

Reviewed by:

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John Norton  
General Manager  
Community Development

Attachment: Bylaw- Dedication of Certain Lands for Highway Purposes as Part of Front Line

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BY-LAW NUMBER 2018  
OF THE CORPORATION  
OF THE MUNICIPALITY OF CHATHAM-KENT

A By-law to dedicate certain lands for Highway Purposes  
as part of Front Line, Geographic Township of Howard,  
now in the Municipality of Chatham-Kent and Repeal  
Bylaw- 39-2017

FINALLY PASSED the        day of        , 2018.

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WHEREAS the hereinafter described land was acquired by the  
Municipality of Chatham-Kent for highway purposes;

AND WHEREAS Council of the Municipality of Chatham-Kent now  
deems it expedient to dedicate the hereinafter described lands for highway  
purposes;

AND WHEREAS By-law 39-2017 had incorrectly dedicated abutting  
lands are part of the municipal highway;

BE IT THEREFORE ENACTED by the Municipal Council of the Municipality of  
Chatham-Kent as follows:

1. That the following lands are hereby dedicated for highway purposes  
as part of Front Line:

Ø PT LT 7 CON 12 HOWARD PT 1; 24R9435; CHATHAM-KENT

Ø PT LT 8 CON 12 HOWARD PT 8; 24R9435; CHATHAM-KENT

2. Bylaw 39-2017 is hereby repealed.

THIS By-law shall come into full force and effect upon the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME this        day of        , 2018

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Mayor – Randy R. Hope

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Clerk - Judy Smith