

The Corporation of the City of Kawartha Lakes

BY-LAW 2017-

A By-Law to Establish and Assume a Parcel of Land Legally Described as Part Lots 13, 14, 15, 16, 17, and 18 on Registered Plan No. 365 Designated as Parts 1, 2, 3, 4, 5, and 6 on Plan 57R4042; in the Township of Emily, City of Kawartha Lakes, being Part of PIN: 63259-0208 (LT) as Part of Carlton Crescent

Recitals

1. Section 31 of the *Municipal Act, 2001* authorizes Council to establish and assume a highway by by-law.
2. Pursuant to City of Kawartha Lakes By-law 2016-059, authority has been given to the Director of Engineering and Corporate Assets to present highway dedication by-laws directly to Council without separately reporting on the history of the individual parcel of land.
3. The Director of Engineering and Corporate Assets has reviewed the parcel of land acquired for road purposes, as referenced in this by-law, and approves it for assumption as a public highway.
4. That Part of Lot 13 Plan 365, designated as Part 1 on Plan 57R4042 was transferred to the Corporation of the Township of Emily, now the Corporation of the City of Kawartha Lakes for highway purposes. The transfer/deed of land conveying the lands to the Corporation of the Township of Emily, now the Corporation of the City of Kawartha Lakes was registered on July 30, 1985 as R199165.
5. That Part of Lot 14 Plan 365, designated as Part 2 on Plan 57R4042 was transferred to the Corporation of the Township of Emily, now the Corporation of the City of Kawartha Lakes. The transfer/deed of land conveying the lands to the Corporation of the Township of Emily, now the Corporation of the City of Kawartha Lakes was registered on April 11, 1986 as R206362.
6. That Part of Lot 15 Plan 365, designated as Part 3 on Plan 57R4042 was transferred to the Corporation of the Township of Emily, now the Corporation of the City of Kawartha Lakes for highway purposes. The transfer/deed of land conveying the lands to the Corporation of the Township of Emily, now the Corporation of the City of Kawartha Lakes was registered on July 30, 1985 as R199164.
7. That Part of Lot 16 Plan 365, designated as Part 4 on Plan 57R4042 was transferred to the Corporation of the Township of Emily, now the Corporation of the City of Kawartha Lakes for highway purposes. The transfer/deed of land conveying the lands to the Corporation of the Township of Emily, now the Corporation of the City of Kawartha Lakes was registered on March 6, 1986, as R205533.
8. That Part of Lot 15 Plan 365, designated as Part 5 on Plan 57R4042 was transferred to the Corporation of the Township of Emily, now the Corporation of the City of Kawartha Lakes for highway purposes. The transfer/deed of land conveying the lands to the Corporation of the Township of Emily, now the Corporation of the City of Kawartha Lakes was registered on August 2, 1985 as R199345.
9. That Part of Lot 18 Plan 365, designated as Part 6 on Plan 57R4042 was transferred to the Corporation of the Township of Emily, now the Corporation of the City of Kawartha Lakes for highway purposes. The transfer/deed of land conveying the lands to the Corporation of the Township of Emily, now the Corporation of the City of Kawartha Lakes was registered on July 30, 1985 as R199166.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-_____.

Section 1.00: Definitions and Interpretation

1.01 **Definitions:** In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Council” or “City Council” means the municipal council for the City;

“Director of Engineering and Corporate Assets” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 **Interpretation Rules:**

(a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

(b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, which are applicable within the Province of Ontario.

1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Highway Assumption

2.01 **Assumption:** The parcel of land acquired for highway purposes, more particularly described as Part Lots 13, 14, 15, 16, 17, and 18 on Registered Plan No. 365 Designated as Parts 1, 2, 3, 4, 5, and 6 on Plan 57R4042, being Part of PIN: 63259-0208 (LT), is hereby established and assumed as a public highway and part of Carlton Crescent, in the Township of Emily, City of Kawartha Lakes.

Section 3.00: Effective Date

3.01 **Effective Date:** This By-law shall come into force and take effect when it has been finally passed by Council and has been deposited on title in the Registry Office for the Registry Division of Victoria (No. 57).

By-law read a first, second and third time, and finally passed, this 22nd day of August, 2017.

Andy Letham, Mayor

Judy Currins, City Clerk