



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF DEVELOPMENT SERVICES

MISSION STATEMENT: *Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.*

Author's Name: Christopher Aspila	Report Date: August 4, 2022
Author's Phone: 519 735-5408 ext. 2124	Date to Council: August 15, 2022
Author's E-mail: caspila@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Road Dedication of Lot 44, 12M-373 (southerly extension of Kingsbridge Drive) as a Public Highway

1. **RECOMMENDATION:**

It is recommended that:

1. The dedication of Lot 44 on Plan 12M-373 (southerly extension of Kingsbridge Drive) as a Public Highway **BE APPROVED**; and,
2. **By-law 2022-084** being a by-law to dedicate Lot 44 on Plan 12M-373 as a Public Highway be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

EXECUTIVE SUMMARY:

N/A

2. **BACKGROUND:**

There is a lot on the south side of Whelan Avenue in Phase 3 of Kingsbridge Subdivision, described as Lot 44, Plan 12M-373, which must be crossed to reach the southerly portion of Kingsbridge Drive. This can be seen on the attached aerial. This Lot was reserved pending completion of Phase 10 development plans. On October 25, 2021 Council passed a resolution to put the services in Kingsbridge Phase 10 B-D on maintenance for one year. Dedicating the Lot as a public highway will provide legal access for this next phase of the development.

3. DISCUSSION:

The foregoing Lot was recently transferred to the Town from 1078217 Ontario Limited (the Developer). The Developer arranged for transfer of the Lot to the Town, which requires the passage and registration of a By-law designating it as a public highway.

A By-law dedicating Lot 44 on Plan 12M-373 as a Public Highway is being presented for Council's consideration. The Municipal Act, R.S.O. 2001, c.25 Sections 24-68 authorizes the Council of every municipality to pass a By-law for establishing, laying out, acquiring, assuming, or naming a highway.

Administration is recommending the passage and registration of a By-law designating the Lot as a public highway. It is appropriate at this point to dedicate this lot as a public highway to continue to facilitate the subdivision development.

4. RISK ANALYSIS:

The recommendations in this report represent a typical level of risk associated with municipal liability for public services. Maintenance and repair of municipal infrastructure will continue to be the responsibility of the Town of Amherstburg.

5. FINANCIAL MATTERS:

The Developer is responsible for costs related to the land transfer and registration.

Land assets transferred to the Town will be added to the Town's tangible capital asset inventory.

6. CONSULTATIONS:

The Engineering and Infrastructure Department was consulted and confirmed no concerns with the road dedication. The Engineering and Infrastructure Department confirmed that it is appropriate to dedicate this portion of the right-of-way as a public highway in keeping with the road layout and abutting parcels.

7. CONCLUSION:

The Municipal Act, R.S.O. 2001, c 25 Sections 24-68 provides specific municipal powers regarding highways. It is appropriate to dedicate this Part as a public highway at this time.



Christopher Aspila
Manager, Planning Services

JM

DEPARTMENTS/OTHERS CONSULTED:

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Phone #: 519 736-3664 ext. 2313

Report Approval Details

Document Title:	Road Dedication of Lot 44, 12M-373 (southerly extension of Kingsbridge Drive) as a Public Highway.docx
Attachments:	- 2022 08 15- Road Dedication of Lot 44, 12M-373 (southerly extension of Kingsbridge Drive) as a Public Highway- ATTACHMENTS.pdf
Final Approval Date:	Aug 10, 2022

This report and all of its attachments were approved and signed as outlined below:



Melissa Osborne – Director of Development Services



Tracy Prince - CFO



Valerie Critchley – CAO/Clerk