

Municipality of Lakeshore

Regular Council Meeting Addendum



Tuesday, March 9, 2021, 6:00 PM

Electronically hosted from Council Chambers, 419 Notre Dame Street, Belle River

Pages

18. Consideration of By-laws

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| *10. | By-law 26-2021. Being a By-law to Amend By-law 50-2020, Being a By-law to Delegate Authority regarding Execution of Instruments relating to Real Property | 2 |
| *11. | By-law 29-2021, Being a By-law to Delegate Authority regarding Execution of Instruments relating to Real Property relating to the Serenity Bay Subdivision | 3 |

Recommendation:

By-laws 26-2021 and 29-2021 be read and passed in open session on March 9, 2021.

Municipality of Lakeshore

By-law 26-2021

Being a By-law to Amend By-law 50-2020, Being a By-law to Delegate Authority regarding Execution of Instruments relating to Real Property

Whereas section 9 of the *Municipal Act, 2001*, S.O. 1990, c. 25, states that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under that or any other Act;

And whereas subsection 5(3) of the *Municipal Act, 2001*, provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

And whereas section 23.1 of the *Municipal Act, 2001*, authorizes Council to delegate its power and duties;

And whereas it is deemed necessary to amend By-law 50-2020, approved by Council June 29, 2020, which delegates authority regarding execution of instruments relating to real property;

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. By-law 50-2020 shall be amended to add the following delegations of authority to Schedule "A" of By-law 50-2020:
 - a. Delegate authority to the Clerk to execute instruments to permit, consent, agree to or otherwise authorize correction of real property title issues where the Municipality of Lakeshore is not adversely affected.
2. The delegated authorities and approvals described in section 1 include the authority to execute any related amendments or agreements in furtherance of the specified instruments.
3. The delegation in this by-law is subject to any restrictions on such delegation under the *Municipal Act, 2001*, S.O. 2001, c.25 or any other Act.
4. This By-law comes into force and effect upon passage.

Read and passed in open session on March 9, 2021.

**Mayor
Tom Bain**

**Clerk
Kristen Newman**

Municipality of Lakeshore

By-law 29-2021

Being a By-law to Delegate Authority regarding Execution of Instruments relating to Real Property relating to the Serenity Bay Subdivision

Whereas section 9 of the *Municipal Act, 2001*, S.O. 1990, c. 25, states that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under that or any other Act;

And whereas subsection 5(3) of the *Municipal Act, 2001*, provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

And whereas section 23.1 of the *Municipal Act, 2001*, authorizes Council to delegate its power and duties;

And whereas it is deemed necessary to delegate authority regarding the execution of instruments relating to real property relating to the Serenity Bay Subdivision, as described in the report presented at the March 9, 2021 Council meeting;

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. The Clerk is delegated the authority to execute instruments to permit, consent, agree to or otherwise authorize regarding the correction of the real property title issues with the absolute title regarding the Serenity Bay subdivision.
2. The delegated authority and approvals described in section 1 include the authority to execute any related amendments or agreements in furtherance of the specified instruments.
3. The delegation in this by-law is subject to any restrictions on such delegation under the *Municipal Act, 2001*, S.O. 2001, c.25 or any other Act.
4. This By-law comes into force and effect upon passage.

Read and passed in open session on March 9, 2021.

**Mayor
Tom Bain**

**Clerk
Kristen Newman**