

The Corporation of the City of Kawartha Lakes

By-Law 2019-

A By-law to Stop Up and Close Various Road Allowances within the Geographic Township of Bexley, in the City of Kawartha Lakes

Recitals

1. Pursuant to the Municipal Act, 2001, Council is empowered to stop up, close and to sell any part of a highway under its jurisdiction;
2. The lands described in Schedule "A" attached have been declared to be surplus to municipal needs.
3. It is desirable to stop up and close those road allowance described in Schedule "A" attached to this by-law and to authorize the sale of the lands to the abutting owner.
4. Notice of the intention of City Council to pass this by-law was given by ad notice duly published in the *Kawartha Lakes This Week* newspaper on the 19th and 26th days of April and the 3rd day of May, 2018, in accordance with the provisions of the Municipal Act, 2001 and City of Kawartha Lakes By-Law 2018-020, as amended.
5. The proposed by-law came before Council for consideration at its regular meeting on the 26th day of March, 2019 at 2:00 p.m. and at that time no person objected to the proposed by-law nor claimed that his land would be prejudicially affected.
6. This matter was approved by City Council on the 22nd day of May, 2018 by the adoption of Report RS2018-014 by CR2018-330.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2019- .

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;

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, that 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: Road Closure and Sale

2.01 **Closure and Sale:** That the road allowances described in Schedule “A” attached have been declared to be surplus to municipal needs and are hereby stopped up, closed and authorized to be sold to the abutting landowner for nominal consideration, plus HST, if applicable, plus the cost of the reference plan, advertising, registrations, City staff time expense, legal fees and disbursement and any other costs incurred by the City in connection to this transaction.

Section 3.00: Effective Date

3.01 **Effective Date:** This By-law shall come into force on the date it is 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 26th day of March, 2019.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

**Schedule "A" To City Of Kawartha Lakes
By-Law Number 2019-
Passed This 26th Day Of March, 2019**

**Description Of Land To Be Stopped Up, Closed
And Conveyed To The Abutting Owners**

John Street on Plan 113, in the Geographic Township of Bexley, City of Kawartha Lakes, being PIN: 63116-0314 (LT);

Richmond Street on Plan 113 East of Grass River, in the Geographic Township of Bexley, City of Kawartha Lakes, being PIN: 63116-0315 (LT);

Albert Street on Plan 113 South of Grass River, in the Geographic Township of Bexley, City of Kawartha Lakes, being PIN: 63116-0318 (LT);

Molson Street on Plan 113 West of Albert Street, in the Geographic Township of Bexley, City of Kawartha Lakes, being PIN: 63116-0319 (LT);

Molson Street on Plan 113 East of Albert Street, in the Geographic Township of Bexley, City of Kawartha Lakes, being PIN: 63116-0320 (LT);

Elm Street on Plan 113, in the Geographic Township of Bexley, City of Kawartha Lakes, being PIN: 63116-0321 (LT); and

Road Allowance between Concession North of Portage Road and Concession South of Portage Road; Bexley (AKA Portage Road) West of R377135, in the Geographic Township of Bexley, City of Kawartha Lakes, being PIN: 63116-0332 (LT)