

The Corporation of the City of Kawartha Lakes

By-Law 2019-XXX

A By-Law to Stop Up and Close Part of the Road Allowance in the Geographic Township of Manvers, City of Kawartha Lakes, Legally Described as Franklin Street and Fallis Street on Plan 9

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 land described in Schedule "A" attached form part of the road allowance legally described as Franklin Street and Fallis Street on Plan 9, in the Geographic Township of Manvers, City of Kawartha Lakes.
3. It is desirable to stop up and close that part of the road allowance described in Schedule "A" attached to this by-laws.
4. Notice of intention of City Council to pass this by-law was given by ad notice duly published in the Kawartha Lakes This Week newspaper in the City of Kawartha Lakes on the 2nd, 9th, and 16th days of May, 2019, in accordance with the provisions of the Municipal Act, 2001 and By-law 2018-020, as amended.
5. The proposed by-law came before Council for consideration at its regular meeting on the 18th day of June, 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. The stop up and closure of this land was approved by City Council on the 18th day of June, 2019.

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

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

2.01 **Closure:** By-law 1556-75 deemed all lots on Plan 9 not to be a registered plan of subdivision in 1975. Accordingly, Franklin Street and Fallis Street are not owned by the City. That part of the road allowances described in Schedule “A” attached to this by-law is hereby stopped up and closed .

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 18th day of June, 2019.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule A

Description of Land to be Stopped Up, Closed and Conveyed to the Abutting Owners

Part of the Road Allowance in the Geographic Township of Manvers, City of
Kawartha Lakes, legally described as Franklin Street and Fallis Street on Plan 9