

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2019-**

### **Stop Up and Close Part of the Original Shore Road Allowance Along Lake Dalrymple Lying in Front of Point A, Concession 1, in the Geographic Township of Carden, City of Kawartha Lakes, designated as Parts 1, 2, and 3 on Reference Plan 57R-10757 and to Authorize the Sale of the Land to the Abutting Owners**

Granting an Easement in Favour of Hydro One Networks Inc. Over Part of the Original Shore Road Allowance Along Lake Dalrymple Lying in Front of Point A, Concession 1, in the Geographic Township of Carden, City of Kawartha Lakes, designated as Parts 1 and 2 on Reference Plan 57R-10757

#### **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 forms part of the original shore road allowance along Lake Dalrymple and has been declared to be surplus to municipal needs.
3. It is desirable to stop up and close that part of the original shore road allowance along Lake Dalrymple described in Schedule "A" attached to this by-law and to authorize the sale of the land to the abutting owner.
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 27<sup>th</sup> day of December, 2018, and the 3<sup>rd</sup> and 10<sup>th</sup> days of January, 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 13<sup>th</sup> day of August, 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 sale of this land was approved by City Council on the 5<sup>th</sup> day of February, 2019 by Council Resolution CR2019-101.

**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, 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: Shoreline Road Closure and Sale**

**2.01 Closure and Sale:** That part of the original shore road allowance described in Schedule “A” attached to this by-law has been declared to be surplus to municipal needs and is hereby stopped up, closed and authorized to be sold to the abutting owner for \$23.00 per linear foot of water frontage adjacent to a lake, being the sum of One Thousand One Hundred Forty-Nine Dollars and Thirty-One Cents (\$1,149.31) plus HST, if applicable, plus the cost of the reference plan, advertising, registrations, City staff time expense, legal fees and disbursements, and any other costs incurred by the City in connection to this transaction.

**1.05 Easements:** Prior to the transfer of that part of the shore road allowance described in Schedule “A” to the abutting owners the City of Kawartha Lakes is authorized to grant an easement in favour of Hydro One Networks Inc. over Part of the Original Shore Road Allowance Along Lake Dalrymple Lying in Front of Point A, Concession 1, in the Geographic Township of Carden, City of Kawartha Lakes, designated as Parts 1 and 2 on Reference Plan 57R-10757.

**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 13<sup>th</sup> day of August, 2019.

---

Andy Letham, Mayor

---

Cathie Ritchie, City Clerk

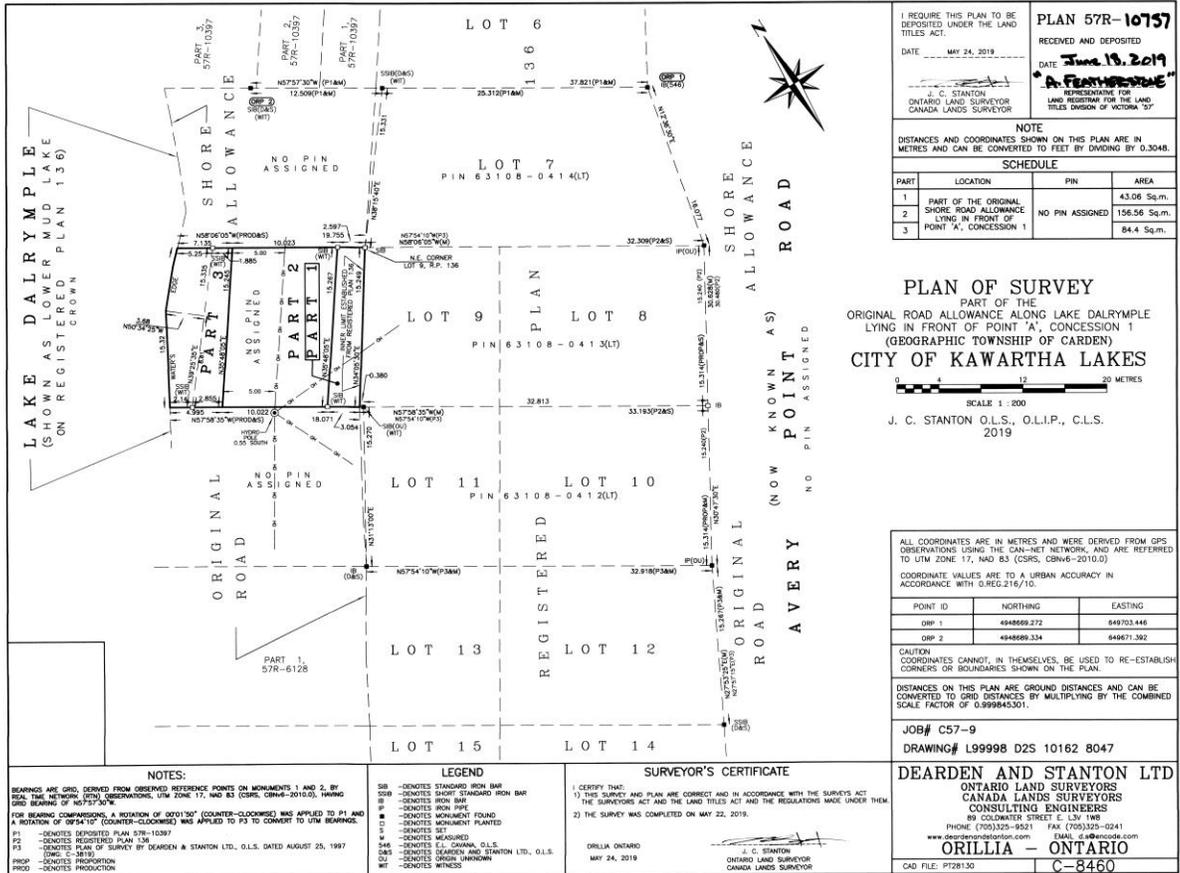
## **Schedule A**

### **Description of Land to be Stopped Up, Closed and Conveyed to the Abutting Owner**

Part of the Original Shore Road Allowance Along Lake Dalrymple Lying in Front of Point A, Concession 1, in the Geographic Township of Carden, City of Kawartha Lakes, designated as Parts 1, 2, and 3 on Reference Plan 57R-10757

# Schedule B

## Reference Plan 57R-10757



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.  
 DATE: MAY 24, 2019  
 RECEIVED AND DEPOSITED  
 DATE: **June 18, 2019**  
**A. FORTIN**  
 J. C. STANTON  
 ONTARIO LAND SURVEYOR  
 CANADA LANDS SURVEYOR  
 REPRESENTATIVE FOR  
 LAND REGISTRAR FOR THE LAND TITLES DIVISION OF VICTORIA 37

NOTE  
 DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SCHEDULE			
PART	LOCATION	PIN	AREA
1	PART OF THE ORIGINAL SHORE ROAD ALLOWANCE LYING IN FRONT OF POINT 'A', CONCESSION 1	NO PIN ASSIGNED	43.06 Sq.m.
2			156.56 Sq.m.
3			84.4 Sq.m.

**PLAN OF SURVEY**  
 PART OF THE ORIGINAL ROAD ALLOWANCE ALONG LAKE DALRYMPLE LYING IN FRONT OF POINT 'A', CONCESSION 1 (GEOGRAPHIC TOWNSHIP OF CARDEN) CITY OF KAWARTHA LAKES  
 SCALE 1 : 200  
 J. C. STANTON O.L.S., O.L.I.P., C.L.S. 2019

ALL COORDINATES ARE IN METRES AND WERE DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET NETWORK, AND ARE REFERRED TO UTM ZONE 17, NAD 83 (CSRS, CSRS-2010.0).  
 COORDINATE VALUES ARE TO A URBAN ACCURACY IN ACCORDANCE WITH 0.REG.216/10.

POINT ID	NORTHING	EASTING
ORP-1	4948669.272	849703.448
ORP-2	4948669.334	849671.392

CAUTION  
 COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THE PLAN.

DISTANCES ON THIS PLAN ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999845301.

JOB# C57-9  
 DRAWING# L99998 D2S 10162 8047

**NOTES:**  
 BEARINGS ARE GRID, DERIVED FROM OBSERVED REFERENCE POINTS ON MONUMENTS 1 AND 2, BY REAL-TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD 83 (CSRS, CSRS-2010.0), HAVING GRID BEARING OF N67°57'30".  
 FOR BEARING COMPARISONS, A ROTATION OF 0°01'28" (COUNTER-CLOCKWISE) WAS APPLIED TO P1 AND A ROTATION OF 0°04'10" (COUNTER-CLOCKWISE) WAS APPLIED TO P3 TO CONVERT TO UTM BEARINGS.  
 P1 - DENOTES DEPOSITED PLAN 57R-10397  
 P2 - DENOTES REGISTERED PLAN 136  
 P3 - DENOTES PLAN OF SURVEY BY DEARDEN & STANTON LTD., O.L.S. DATED AUGUST 25, 1997  
 C.M.S. - DENOTES CHAINAGE  
 PRDP - DENOTES PRODUCTION  
 PROD - DENOTES PRODUCTION

**LEGEND**  
 SIB - DENOTES STANDARD IRON BAR  
 SIBB - DENOTES SHORT STANDARD IRON BAR  
 IB - DENOTES IRON BAR  
 IP - DENOTES IRON PIPE  
 M - DENOTES MONUMENT FOUND  
 MP - DENOTES MONUMENT PLANTED  
 C - DENOTES CHAINAGE  
 M - DENOTES MEASURED  
 S.M.S. - DENOTES CHAINAGE  
 S.M.S. - DENOTES DEARDEN AND STANTON LTD., O.L.S.  
 S.I. - DENOTES CHAINAGE  
 W - DENOTES WITNESS

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE REGULATIONS MADE UNDER THEM.  
 2) THE SURVEY WAS COMPLETED ON MAY 22, 2019.  
 J. C. STANTON  
 ONTARIO LAND SURVEYOR  
 CANADA LANDS SURVEYOR

**DEARDEN AND STANTON LTD**  
 ONTARIO LAND SURVEYORS  
 CANADA LANDS SURVEYORS  
 CONSULTING ENGINEERS  
 89 COLDWATER STREET E. L3V 1W8  
 PHONE: (705)325-1821 FAX: (705)325-0241  
 www.deardenandstanton.com EMAIL: ds@dearden.com  
**ORILLIA - ONTARIO**  
 CAD FILE: PT28130 C-8460

**Schedule C**

Aerial Map



Schedule D

Location Map

