

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

## **By-Law 2017-**

### **A By-law to Stop Up and Close that Portion of the Road Allowance Set Out as PT RD PLAN 152, Fenelon as in R465190, Being Part of PIN: 63144-0116 (LT), in the Geographic Township of Fenelon, City of Kawartha Lakes**

#### **Recitals**

1. Pursuant to the Municipal Act 2001, Council is empowered to stop up and close any part of a highway;
2. It is desirable to stop up and close that part of the Road on Plan 152, more particularly described as PT RD PLAN 152, Fenelon as in R465190, being part of PIN: 63144-0116 (LT), and to authorize the conveyance of the land to the abutting owner.
3. 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 on the 17<sup>th</sup>, 24<sup>th</sup>, and 31<sup>st</sup> days of August, 2017, in accordance with the provisions of the Municipal Act, 2001 and By-law 2008-065, as amended.
4. The proposed By-law came before Council for consideration at its regular meeting on the 12<sup>th</sup> day of September, 2017 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.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-\_\_\_\_.**

#### **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:** That part of the road allowance described PT RD PLAN 152, Fenelon as in R465190, Being Part of PIN: 63144-0116 (LT), is hereby stopped up and closed, and the Mayor and Clerk are authorized to execute all instruments necessary to effect a release of any right, title or

interest in such lands on behalf of the City in order to correctly establish the parcel description of PIN: 63144-0116 (LT), for nominal consideration plus all costs incurred by the City, such as advertising costs, legal fees, disbursements and registration costs.

### **Section 3.00:     Effective Date**

- 3.01    **Effective Date:** This By-law shall come into force and take effect when it has finally been 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 12<sup>th</sup> day of September, 2017.

---

Andy Letham, Mayor

---

Ron Taylor, Acting City Clerk