

The Corporation of the City of Kawartha Lakes

By-Law 2019-

A By-law to Authorize the Sale of the Road Allowances in the Geographic Township of Manvers, City of Kawartha Lakes, Legally Described as Franklin Street and Fallis Street on Plan 9 to the Abutting Owner

Recitals

1. The subject property, being two public highways, were declared to be surplus to municipal needs by City Council on August 13th, 2019 by the passing of CR2019-475, as per Report RS2019-023;
2. By-law 2019-097 stopped up and closed these two properties;
3. A description and map of the subject property can be found in Schedule "A";
4. It is desirable to authorize the sale of the subject property to the abutting owner.
5. 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.
6. The proposed by-law came before Council for consideration at its regular meeting on the 24th day of September, 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.
7. The sale of this land was approved by City Council on the 13th day of August, 2019 by the passing of CR2019-475, as per Report RS2019-023.

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: Sale of Surplus Property

2.01 Sale: That the road allowances described in Schedule “A” attached to this by-law have been declared to be surplus to municipal needs and are hereby authorized to be sold to the abutting owner for nominal consideration plus HST, if applicable, and all additional costs associated with 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.

By-law read a first, second and third time, and finally passed, this 24th day of September, 2019.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule A

Description of Land to be Conveyed to the Abutting Owner

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

