

The Corporation of the City of Kawartha Lakes

By-Law 2020-

A By-law to Stop Up and Close that Portion of the Road Allowance Set Out as Part of the Road on Plan 152 as in R260900, in the Geographic Township of Fenelon, City of Kawartha Lakes, Being Part of PIN: 63144-0118 (LT)

And To Release the City's Interest in the Property Municipally Known as 44 Manor Road and Legally Described as Part of Block C on Plan 152; Part of the Road on Plan 152; Part Lots 14-15 on Plan 164 as in R260900; Together With R260900; Subject to the Interest of the Municipality, 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 Part of the Road on Plan 152 as in R260900, in the Geographic Township of Fenelon, City of Kawartha Lakes, being Part of PIN: 63144-0118 (LT), and to authorize the release of the City's interest in the property legally described as Part of Block C on Plan 152; Part of the Road on Plan 152; Part Lots 14-15 on Plan 164 as in R260900; Together With R260900; Subject to the Interest of the Municipality, in the Geographic Township of Fenelon, City of Kawartha Lakes, being All of PIN: 63144-0118 (LT);
3. A Transfer/Deed of Land registered as Instrument No. R260900, dated December 14, 1989, confirms that the subject road allowance has been in private ownership since that date.
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 November and the 3rd day of December, 2020. During the three-week newspaper circulation, notice was also posted on the City of Kawartha Lakes website, 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 15th day of December, 2020 at 1:00 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 2020- .

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;

“Manager of Realty Services” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 **Interpretation Rules:**

(a) 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 Release of Interest

2.01 **Road Closure and Release of Interest:** That part of the road allowance described as Part of the Road on Plan 152 as in R260900, in the Geographic Township of Fenelon, City of Kawartha Lakes, being Part of PIN: 63144-0118 (LT), is hereby stopped up and closed. 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: 63144-0118 (LT), for nominal consideration plus all costs incurred by the City, such as advertising costs, legal fees, disbursements and registration costs.

Section 3.00: Administration and Effective Date

3.01 **Administration of the By-law:** The Manager of Realty Services is responsible for the administration of this by-law.

3.02 **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 15th day of December, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk