

The Corporation of the City of Kawartha Lakes

By-Law 2021-

A By-law to Stop Up and Close Part of George Street on Registered Plan 93, in the Geographic Town of Lindsay, City of Kawartha Lakes, described as Parts 5, 6, 7, and 8 on Plan 57R-10783 and to Authorize the Conveyance of the Land to Kawartha Lakes-Haliburton Housing Corporation

And to Authorize the Conveyance of a Portion of Municipally Owned Property Known as Hamilton Park and Legally Described as Part of Park Lot U and Part of George Street on Registered Plan 8P, in the Geographic Town of Lindsay, City of Kawartha Lakes, described as Parts 1, 2, 3, and 4 on Plan 57R-10783, and Part of Park Lots U and L and Part of George Street (Closed by By-Law 24-72, Instrument No. A22760) on Registered Plan 8P, in the Geographic Town of Lindsay, City of Kawartha Lakes, described as Part 1 on Plan 57R-10863 to Kawartha Lakes-Haliburton Housing Corporation.

And to Authorize a Grant of Easement in Favour of Hydro One Networks Inc. over Part of Park Lot U and Part of George Street on Registered Plan 8P, and Part of George Street on Registered Plan 93, in the Geographic Town of Lindsay, City of Kawartha Lakes, designated as Parts 4 and 8 on Plan 57R-10783.

And to Authorize a Grant of Easement in Favour of Cogeco Connexion Inc. over Part of George Street on Registered Plan 93, in the Geographic Town of Lindsay, City of Kawartha Lakes, designated as Part 8 on Plan 57R-10783.

And to Authorize a Grant of Easement in Favour of The Corporation of the City of Kawartha Lakes over Part of Park Lot U and Part of George Street on Registered Plan 8P, and Part of George Street on Registered Plan 93, in the Geographic Town of Lindsay, City of Kawartha Lakes, designated as Parts 2 and 7 on Plan 57R-10783.

Recitals

1. Pursuant to the Municipal Act, 2001, Council is empowered to stop up, close, and convey any part of a highway under its jurisdiction.
2. The land described in Schedule "A" attached forms part of the road allowance known as George Street on Registered Plan 8P, in the Geographic Town of Lindsay, City of Kawartha Lakes, and has been declared to be surplus to municipal needs.
3. It is desirable to stop up and close that part of the road allowance described in Schedule "A" attached to this by-law and to authorize the conveyance of the land to Kawartha Lakes-Haliburton Housing Corporation.

4. The lands described in Schedule “A” and Schedule “B” attached to this by-law were declared surplus to municipal needs by City Council on February 5, 2019 by the adoption of Report RS2019-010 by CR2019-087.
5. Notice of the intention of City Council to pass this by-law was given by ad notice published in the Kawartha Lakes This Week newspaper in the City of Kawartha Lakes on the 27th day of December, 2018 and the 3rd and 10th days of January, 2019, in accordance with By-Law 2018-020, as amended.
6. The proposed by-law came before Council for consideration at its regular meeting on the 23rd day of February, 2021 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.
7. The conveyance of these lands were approved by City Council on February 5, 2019 by the adoption of Report RS2019-010 by CR2019-087.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021- .

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 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: Road Closure

- 2.01 **Closure:** That part of the road allowance described in Schedule “A” attached to this by-law has been declared surplus to municipal needs and is hereby stopped up and closed.

Section 3.00: Sale of Surplus Property

- 3.01 **Sale:** The property described in Schedule “A” and Schedule “B” attached to this by-law is authorized to be conveyed to Kawartha Lakes-Haliburton Housing Corporation for nominal consideration.

Section 4.00: Easements

- 4.01 **Easement in Favour of Hydro One Networks Inc.:** Prior to the transfer of the property described in Schedule “A” and Schedule “B” attached to this by-law, the City of Kawartha Lakes is authorized to grant an easement in favour of Hydro One Networks Inc. over Part of Park Lot U and Part of George Street on Registered Plan 8P, and Part of George Street on Registered Plan 93, in the Geographic Town of Lindsay, City of Kawartha Lakes, designated as Parts 4 and 8 on Plan 57R-10783.
- 4.02 **Easement in Favour of Cogeco Connexion Inc.:** Prior to the transfer of the property described in Schedule “A” and Schedule “B” attached to this by-law, the City of Kawartha Lakes is authorized to grant an easement in favour of Cogeco Connexion Inc. over Part of George Street on Registered Plan 93, in the Geographic Town of Lindsay, City of Kawartha Lakes, designated as Part 8 on Plan 57R-10783.
- 4.03 **Easement in Favour of The Corporation of the City of Kawartha Lakes:** Prior to the transfer of the property described in Schedule “A” and Schedule “B” attached to this by-law, the City of Kawartha Lakes is authorized grant an easement in favour of The Corporation of the City of Kawartha Lakes over Part of Park Lot U and Part of George Street on Registered Plan 8P, and Part of George Street on Registered Plan 93, in the Geographic Town of Lindsay, City of Kawartha Lakes, designated as Parts 2 and 7 on Plan 57R-10783.

Section 5.00: Administration and Effective Date

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

5.02 **Effective Date:** This By-law shall come into force on the date it is finally passed 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 23rd day of February, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule “A”

Description of Land to be Stopped Up, Closed, and Conveyed to Kawartha Lakes-Haliburton Housing Corporation

Part of George Street on Registered Plan 93, in the Geographic Town of Lindsay,
City of Kawartha Lakes, described as Parts 5, 6, 7, and 8 on Plan 57R-10783

Schedule “B”

Description of Land to be Conveyed to Kawartha Lakes-Haliburton Housing Corporation

Part of Park Lot U and Part of George Street on Registered Plan 8P, in the Geographic Town of Lindsay, City of Kawartha Lakes, described as Parts 1, 2, 3, and 4 on Plan 57R-10783, and Part of Park Lots U and L and Part of George Street (Closed by By-Law 24-72, Instrument No. A22760) on Registered Plan 8P, in the Geographic Town of Lindsay, City of Kawartha Lakes, described as Part 1 on Plan 57R-10863