

The Corporation of the City of Kawartha Lakes

By-Law 2021-

A By-law to Stop Up and Close Part of Gilson Street on Plan 343 Except Part 2 on Plan 57R-929; Part of Lot 5, Concession A, being Part 1 57R-929; S/T R407182, R256369, R373813 & R373140, in the Geographic Township of Mariposa, City of Kawartha Lakes, designated as Parts 1 and 2 on Plan 57R-9063 and to Authorize the Sale of Land to the Abutting Landowners

Recitals

1. Pursuant to the Municipal Act, 2001, Council is empowered to stop up, close, and sell any part of a highway under its jurisdiction.
2. The land described in Schedule A forms part of Gilson Street 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 and to authorize the sale of land to the abutting landowners.
4. The requirement to provide notice of City Council's intention to pass this by-law was waived by CR_____.
5. The proposed by-law came before Council for consideration at its regular meeting on the 15th day of June, 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.
6. The sale of this land was approved by Council on the 15th day of June, 2021 by the adoption of Report RS2021-021 by CR_____.

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 and Sale

2.01 Closure and Sale: That part of the 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 landowners for nominal consideration, plus HST, if applicable, plus the costs 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.

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 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 June, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule A

Description of Land to be Stopped Up, Closed, and Conveyed to the Abutting Landowners

Part of Gilson Street on Plan 343 Except Part 2 on Plan 57R-929; Part of Lot 5, Concession A, being Part 1 57R-929; S/T R407182, R256369, R373813 & R373140, in the Geographic Township of Mariposa, City of Kawartha Lakes, designated as Parts 1 and 2 on Plan 57R-9063