

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

## **By-Law 2025-**

### **A By-law to Stop Up and Close Part of the Original Shore Road Allowance Lying in Front of Lot 23, Concession 3 Along Lake Dalrymple, Carden; City of Kawartha Lakes, Further Described as Part 1 on Plan 57R-11197 and to Authorize the Sale of the Land to the Abutting Owner**

File L06-23-RS060, respecting 183 McCrackin Avenue

#### **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 as Part of the Original Shore Road Allowance Lying in Front of Lot 23, Concession 3 Along Lake Dalrymple, Carden; City of Kawartha Lakes, further described as Part 1 on Plan 57R-11197, forms part of the original shore road allowance along Lake Dalrymple, and has been declared to be surplus to municipal needs.
3. It is desirable to stop up and close Part of the Original Shore Road Allowance Lying in Front of Lot 23, Concession 3 Along Lake Dalrymple, Carden; City of Kawartha Lakes, further described as Part 1 on Plan 57R-11197, and to authorize the sale of the Land to the abutting owner to merge with their existing holdings.
4. Notice of the intention of City Council to pass this by-law was given by advertising notice posted on the City of Kawartha Lakes website commencing February 5, 2024, 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 March 18, 2025 at 1:00 p.m. and at that time no person objected to the proposed by-law nor claimed that their land would be prejudicially affected.
6. The sale of this land was recommended by the Committee of the Whole on March 5, 2024 by CW2024-058. The recommendation was adopted at the Regular Council meeting on March 19, 2024 by CR2024-119.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2025- .**

#### **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:** 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 shoreline road allowance legally described as Part of the Original Shore Road Allowance Lying in Front of Lot 23, Concession 3 Along Lake Dalrymple, Carden; City of Kawartha Lakes, further described as Part 1 on Plan 57R-11197 has been declared to be surplus to municipal needs and is hereby stopped up, closed, and authorized to be sold to the abutting owner for Twenty Thousand Dollars (\$20,000.00), plus HST (if applicable), plus the costs of the Reference Plan, advertising, registrations, City staff time fee, legal fees and disbursements, and any other costs incurred by the City in connection to the transaction. It is a condition of the sale that the purchased property merge with the purchaser's adjacent property.

## **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 of Victoria (No. 57).

By-law read a first, second and third time, and finally passed, this 18<sup>th</sup> day of March, 2025.

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Doug Elmslie, Mayor

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Cathie Ritchie, City Clerk