

The Corporation of the City of Kawartha Lakes

By-Law 2025-

A By-law to Stop Up and Close a Portion of Road Allowance Legally Described as Part of the Road Allowance between Lots 20 and 21, Concession 6, Eldon, City of Kawartha Lakes, designated as Part 3 on Plan 57R-11266 and to Authorize the Conveyance of the Land to the Abutting Owner

File L25-23-RS012, respecting Lot 20, Con 6, Eldon

Recitals

1. Pursuant to the Municipal Act, 2001, Council is empowered to stop, up, close, and to sell any part of a highway under its jurisdiction.
2. The Land legally described as Part of the Road Allowance Between Lots 20 and 21, Concession 6, Eldon; City of Kawartha Lakes, designated as Part 3 on 57R-11266 (Part of PIN: 63167-0052(LT)), forms part of the original road allowance for Eldon Station Road, and has been declared to be surplus to municipal needs.
3. It is desirable to stop up and close part of the road allowance legally described as Part of the Road Allowance Between Lots 20 and 21, Concession 6, Eldon; City of Kawartha Lakes, designated as Part 3 on 57R-11266 (Part of PIN: 63167-0052(LT)), and to authorize the conveyance of the Land to the abutting owner to merge with their existing holdings. This is to facilitate an exchange of land necessitated by the fact that the existing road was constructed outside of the original road allowance.
4. Notice of the intention of City Council to pass this By-law was given by advertising notice on the City of Kawartha Lakes website initiating on the 29th day of May, 2025 in accordance with the provisions of the Municipal Act, 2001 and City of Kawartha Lakes By-law 2018-020, as amended.
5. The conveyance of this land was recommended and adopted by Council at its regular meeting on the 22nd day of July 2025 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 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 her delegate 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 road allowance legally described as Part of the Road Allowance Between Lots 20 and 21, Concession 6, Eldon; City of Kawartha Lakes, designated as Part 3 on 57R-11266 (Part of PIN: 63167-0052(LT)), has been declared surplus to municipal needs and is hereby stopped up, closed, and authorized to be conveyed in order to facilitate a land exchange. The conveyance shall be for nominal consideration. The costs associated with the transaction, including the cost of the reference plan, registration, legal fees and disbursements, and any other costs incurred by the City in connection with this matter, shall be borne by the City as part of its obligations per section 66 of the Municipal Act, 2001, as amended.

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-law read a first, second and third time, and finally passed, this 22nd day of July 2025.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk