

The Corporation of the City of Kawartha Lakes

By-Law 2025-

A By-law to Stop Up, Close, and Sell Part of the Original Road Allowance Along Lake Dalrymple in Front of Lot 35 on Plan 136, Together With R406965, in the Geographic Township of Carden, in the City of Kawartha Lakes, Further Described as Part 1 on 57R-11290

File L06-24-RS034, respecting 315 Avery Point, Carden

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 original shore road allowance along Lake Dalrymple, in front of Lot 35 on Plan 135, Together With R406965, in the Geographic Township of Carden, in the City of Kawartha Lakes, further described as Part 1 on 57R-11290, has been declared to be surplus to municipal needs.
3. It is desirable to stop up close that part of the original shore road allowance along Lake Dalrymple, legally described as part of the original shore road allowance along Lake Dalrymple, in front of Lot 35 on Plan 135, Together With R406965, in the Geographic Township of Carden, in the City of Kawartha Lakes, further described as Part 1 on 57R-11290, and to authorize the sale of the land to the abutting owner.
4. Notice of the intention of City Council to pass this By-Law was given by posting notice on the City of Kawartha Lakes website commencing on the 25th day of November 2024 in accordance with the provisions of the Municipal Act, 2001 and City of Kawartha Lakes By-Law 2018-020, as amended.
5. The sale of this land was recommend by Committee of the Whole on the 14th day of January 2025 by CW2025-012. The recommendation was adopted at the regular Council meeting on the 28th day of January 2025 by CR2025-013.

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 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 original shore road allowance along Lake Dalrymple, in front of Lot 35 on Plan 135, Together With R406965, in the Geographic Township of Carden, in the City of Kawartha Lakes, further described as Part 1 on 57R-11290, has been declared surplus to municipal needs and is hereby stopped up, closed, and authorized to be sold to the abutting owner for Twenty-One Thousand, Two Hundred, Seventy-Six Dollars and Seventy-Two Cents (\$21,276.72), plus HST (if applicable), plus cost of a reference plan, advertising, appraisal, registrations, City staff time fee, 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.

By-law read a first, second and third time, and finally passed, this 26th day of August 2025.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk