

**THE CORPORATION OF THE TOWNSHIP OF  
SOUTH ALGONQUIN**

**By-law No. 2011-415**

(being a by-law to permanently close parts of original shore road allowances)

**WHEREAS:**

1. The road allowances laid out in the original Crown surveys along the shores of lakes within the Municipality are "highways" by virtue of Section 26 of the *Municipal Act, 2001, S.O. 2001, c. 25* (the "Act"); and
2. By virtue of Sections 9, 11, 27(1) and 34 of the Act, a municipality is empowered to permanently close highways; and
3. Owners of parcels of land abutting certain original shore road allowances have applied to the Municipality to close parts thereof and to sell them to the said owners; and
4. The said parts of the said original shore road allowances are surplus to the requirements of the Municipality; and
5. Closure thereof will not result in any person having no motor vehicle access to and from that person's land over any highway; and
6. The said parts of the said original shore road allowances are not covered with water and do not abut any land owned by the Crown in right of Canada or lead to or abut any work owned by the Crown in Right of Canada, and therefore, the consent of neither of the Ministry of Natural Resources of Ontario nor the Government of Canada to the passing of this By-law is required by Section 43 or Subsection 34(2) respectively of the Act; and
7. Adequate and reasonable public notice of its intention to pass this By-law was given by the Municipality, as required by its By-law No. 04-222 ; and
8. It is desirable and in the interests of the Municipality that this By-law be passed;

**NOW THEREFORE** the Council of The Corporation of the Township of South Algonquin enacts as follows:

1. That those parts of original shore road allowances within the Municipality more particularly described in Schedule "A" hereto and forming part of this By-law be and the same are hereby permanently closed.
2. That the said parts of the said shore road allowances be and the same are hereby declared surplus in accordance with By-law No. 2011-415 of the Municipality.
3. That the said parts of the said shore road allowances described in Schedule "A" hereto be sold and conveyed to the owners identified in Schedule "A" hereto of the parcels of land abutting same, for a price calculated at the rate of \$2.00 per linear foot measured along the high water mark, plus all survey, advertising, administrative, legal and other costs and expenses associated with the said closure, sale and conveyance.

4. That the Mayor and the Clerk-Treasurer be and they are hereby authorized and directed to sign and to affix the seal of the Municipality to Transfers to the said owners of the parcels of land abutting the said parts of the said shore road allowances permanently closed by this By-law, and to authorize their registration in the Land Registry Office for the Land Titles Division of Nipissing (No. 36) in consideration for and upon payment of the said price and costs and expenses aforesaid.
5. That the Clerk-Treasurer be and he is hereby authorized and directed to prepare a certified copy of this By-law as enacted and to arrange for its registration in the Land Registry Office for the Land Titles Division of Nipissing (No. 36).
- 6.
7. That this By-law shall take effect upon registration of a certified copy hereof in the said Land Registry Office, in accordance with Subsection 34(1) of the Act.

READ a first and second time this 1st day of December, 2011

Jane A E Dumas  
Mayor

[Signature]  
Clerk-Treasurer

READ a third time and passed and enacted this 1 day of December, 2011.

Jane A E Dumas  
Mayor

[Signature]  
Clerk-Treasurer

SCHEDULE " A "

Parts of the Original Road Allowance along the shore of Hay Lake in the Geographic Township of Sabine in the Municipality of South Algonquin in the District of Nipissing in the Province of Ontario.

<u>Applicant</u>	<u>Lying in front of</u>	<u>Abutting Property</u>	<u>Road Allowance Description</u> <u>Part(s) Plan</u>
Dwight and Annick Bennett	Lot 10 Concession 7	Lot 5 Plan M-325	Parts 1 and 3 Plan 36R-13134
John Stoppenbrink	Lot 6 Concession 7	Part 1 Plan 36R-3175	Part 2 Plan 36R-13046
Dale Elizabeth Northcote	Lot 9 Concession 8	Lot 6 Plan M-292	Parts 2,3,4 Plan 36R-13114

Part of the Original Road Allowance along the shore of Cross Lake in the Geographic Township of Lyell in the Municipality of South Algonquin in the District of Nipissing, in the Province of Ontario.

Wendy Jewell	Lot 17 Concession 3	Lot 17 Plan M-382	Part 4 Plan 36R-12464
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Parts of the Original Road Allowance along the shore of McKenize Lake in the Geographic Township of Sabine in the Municipality of South Algonquin in the District of Nipissing in the Province of Ontario.

Mark and Jane Foster	Lot 12 West Hasting Road	Block C Plan M-345	Part 1 Plan 36R-12917
Larry Kielbowich	Lot 14 East Hasting Road	Part 1 Plan 36R-13018	Part 2 Plan 36R-13018