

# **The Corporation Of The Township Of South Algonquin**

## **BY-LAW NO. 08-316**

**(being a by-law to permanently close highways, being parts of the road allowance along the shore of Lyell Lake)**

### **Whereas:**

1. By virtue of Subsection 34(1) of the Act, a municipality is empowered to permanently close a highway; and
2. The original allowance laid out in the original Crown surveys along the shore of Lyell Lake are "highways" by virtue of Section 26 of the *Municipal Act*, 2001, S.O. 2001, c. 25 (the "Act"); and
3. The owners of the land abutting parts of the said original road allowance have applied to the Municipality to close them and sell them to the said owners; and
4. The parts of the shoreline road allowance described in Schedule "A" have been declared surplus to the requirements of the Municipality; and
5. The closure will not result in any person having no motor vehicle access to and from that person's land over any highway; and
6. Adequate and reasonable public notice of its intention to pass this By Law was given by the Municipality, as required by Subsection 34(1) of the Act and in accordance with Section 251 of the Act; and
7. The parts of the road allowance closed by this By-Law are not covered with water and do not abut any land owned by the Crown in right of Canada or lead to any work owned by the Crown in right of Canada, and, therefore, the consent of the Ministry of Natural Resources of Ontario or the Government of Canada to the passing of this by-law is not required by Subsection 34(6) or Section 43 respectively of the Act; 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 the road allowance along the shore of Lyell Lake

within the Municipality more particularly described in Schedule "A" hereto and forming part of this by-law be and the same and are hereby permanently closed as highways.

2. That those parts of the said road allowance described in Schedule "A" hereof be sold and conveyed to the owners of the land abutting same for the price of ( \$2.00 per linear foot calculated along the high water mark) plus all survey, advertising, administrative, legal and other costs and expenses associated with the said closure, sale and conveyance.
3. That the Mayor and Clerk-Treasurer be and they are hereby authorized and directed to sign and to affix the seal of the Municipality to Transfer/Deeds to the said owners of the land abutting the road allowance permanently closed by this By-Law, and to authorize there registration in the Land Registry Office for the Land Titles Division of Nipissing (No. 36) in consideration for and upon payment of the sale price and costs and expenses aforesaid.

READ a first and second time this      day of                      , 2008

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MAYOR

\_\_\_\_\_  
CLERK-TREASURER

READ a third time and passed this      day of                      , 2008

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MAYOR

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CLERK-TREASURER

## SCHEDULE "A"

Parts of the Original 66ft. Shoreline Road Allowance along the shore of Lyell Lake in the Geographic Township of Lyell in the Municipality of the Township of South Algonquin, in the District of Nipissing, in the Province of Ontario.

Applicant	In Front of.	Designated as Abutting	Part	Reference Plan
Ian Argue	Lot 16 Con 3	Lot 1 Plan M-349	1	12455
Doug Jamieson	Lot 17 Con 3	Lot 13 Plan M-382	1	12464
Graham Lafontaine	Lot 17 Con 3	Lot 14 Plan M-382	2	12464
Doug Yandala	Lot 17 Con 3	Lot 15 Plan M-382	3	12464
Frank DeGenova	Lot 17 Con 3	Lot 18 Plan M-382	5	12464
Joan &Greg Tuer	Lot 16 Con 3	Lot 8 Plan M-381	4	12465
Rick Young	Lot 16 Con 3	Lot 9 Plan M-381	3	12465
Bob Jamieson	Lot 16 Con 3	Lot 10 Plan M-381	2	12465
Margaret Strickland	Lot16&17 Con 3	Lot 11 Plan M-381	1	12465
Brian Storey	Lot 17 Con 3	Lot 19 Plan M-382	1	12466
Max Vernet	Lot 17 Con 3	Lot 20 Plan M-382	2	12466
Gary Little	Lot 17 Con 3	Lot 23 Plan M-382	4	12466
Allen Blaettler	Lot 16 Con 3	Lot 1 Plan M-381	1	12467

**COPIES** of the proposed By-law and Reference Plans are available for inspection at the Municipal Office, Whitney, Ontario during the Clerk's normal working hours.