

**THE CORPORATION OF THE TOWNSHIP
OF KILLALOE, HAGARTY AND RICHARDS**

BY-LAW NO. 22 – 2021

(Being a by-law to provide for the closing and stopping up of parts of the original allowance for road along the shore of Round Lake in front of Lot 11, Concession 2 in the geographic Township of Richards, and for the sale thereof to the abutting landowners, and the granting of a flooding easement over parts thereof.)

WHEREAS:

1. The original road allowance laid out by the original Crown survey along the shore of Round Lake is a “highway” by virtue of Section 26 of The *Municipal Act*, 2001, S.O. 2001, c. 25 (the “Act”) as amended; and
2. By Section 9 and Section 11 of the Act, a municipality is empowered to permanently close a highway; and
3. The owners of land abutting part of the said original road allowance have applied to the Municipality to close it and sell it to the owners; and
4. The closure will not result in any person having no motor vehicle access to and from that person’s land over any highway; and
5. Those parts of the said road allowance closed by this By-Law are not covered by water and do not abut any land owned by Crown in the right of Canada or lead to any work owned by the Crown in the right of Canada and, therefore, the consent of neither the Ministry of Natural Resources and Forestry of Ontario nor the Government of Canada to the passing of this By-Law is required by Section 43 or Section 34 (2) respectively of the Act; and
6. Renfrew Power Generation Inc. requires an easement for flooding over parts of the shoreline road allowance to be closed by this By-Law; and
7. Adequate and reasonable public notice of its intention to pass this By-law was given by the Municipality,

NOW THEREFORE the Council of The Corporation of the Township of Killaloe, Hagarty and Richards hereby enacts as follows:

1. That the Municipality grant a flooding easement to Renfrew Power Generation Inc. over those parts of the original shoreline road allowance along Round Lake in front of Lot 11, Concession 2 in the geographic Township of Richards designated as Part 3 on Plan 49R-18863 and Parts 3, 4 and 5 on Plan 49R-18902 in the form and on the terms set out in **Schedule “A”** hereto.
2. That those parts of the original allowance for road along the shore of Round Lake lying in front of Lot 8, Concession 9, in the geographic Township of Richards in the Township of Killaloe, Hagarty and Richards, in the County of Renfrew designated as Parts 3, 4 and 5 on Plan 49R-18902 and Part 3 on Plan 49R-18863, being parts of PIN 57535-0113(LT) be and the same are hereby permanently closed.
3. That those parts of the said road allowance described in paragraph 2 hereof be sold and conveyed to the owners of land abutting same, or their successors in title, subject to the flooding easement to Renfrew Power Generation Inc. for a price of \$ 3,035.00 (calculated at the rate of \$ 5.00 per linear foot for 607 feet (185 m.)) plus HST and all survey, advertising, administrative, legal and other costs and expenses associated with the said closure, sale and conveyance.

4. That the Mayor and the CAO/Clerk-Treasurer of the Municipality be and they are hereby authorized and directed to perform all acts and to take such steps and execute such documents under the seal of the Municipality as are required to transfer the said road allowance permanently closed by this By-law to the owners of the abutting land, subject to the electronic registration of a Transfer (of) Easement and a Transfer in the Land Registry Office for the Land Titles Division of Renfrew (No. 49) in consideration of and upon payment of the sale price and costs and expenses aforesaid.
5. By-law 43-2013 is hereby repealed.
6. That this By-Law shall take effect upon registration of a certified copy in the Land Registry Office for the Land Titles Division of Renfrew (No. 49).

READ a first and second time this day of , 2021.

READ a third time and passed and enacted this day of , 2021.

Mayor

CAO Clerk-Treasurer