

# **THE CORPORATION OF THE MUNICIPALITY OF EAST FERRIS**

## **BY-LAW NO. 2022-51**

**BEING A BY-LAW TO CLOSE AND CONVEY A PART OF THE ROAD ALLOWANCE AND SHORELINE ROAD ALLOWANCE, DESCRIBED AS PARTS 1, 2, 3, 4, & 11 PLAN 36R-14940, BEING PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 2 AND 3 LYING BETWEEN LOTS 13 AND 17 AND PART OF THE ORIGINAL SHORELINE ROAD ALLOWANCE IN FRONT OF LOT 14, CON 2, TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING.**

**WHEREAS** Section 26 of the Municipal Act, S.O. 2001, C.25, defines all road allowances, highways, streets and lands shown on a registered plan of subdivision as a public highway;

**AND WHEREAS** Sections 27 and 34 of the Municipal Act, S.O. 2001, C.25, authorizes the Council of a Municipality to pass by-laws with respect to a highway over which it has jurisdiction;

**AND WHEREAS** the Council of the Corporation of the Municipality of East Ferris is the owner of the road allowance identified as PART OF THE ROAD ALLOWANCE AND SHORELINE ROAD ALLOWANCE, DESCRIBED AS PARTS 1, 2, 3, 4, & 11 PLAN 36R-14940, BEING PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 2 AND 3 LYING BETWEEN LOTS 13 AND 17 AND PART OF THE ORIGINAL SHORELINE ROAD ALLOWANCE IN FRONT OF LOT 14, CON 2, TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING.

**AND WHEREAS** the Council of the Corporation of the Municipality of East Ferris declared part of the road allowance identified as PART OF THE ROAD ALLOWANCE AND SHORELINE ROAD ALLOWANCE, DESCRIBED AS PARTS 1, 2, 3, 4, & 11 PLAN 36R-14940, BEING PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 2 AND 3 LYING BETWEEN LOTS 13 AND 17 AND PART OF THE ORIGINAL SHORELINE ROAD ALLOWANCE IN FRONT OF LOT 14, CON 2, TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING, to be surplus;

**AND WHEREAS** the sale of the said lands is in accordance with By-law No. 2218 of the Municipality of East Ferris;

**AND WHEREAS** Council of the Corporation of the Municipality of East Ferris has agreed to convey said PART OF THE ROAD ALLOWANCE AND SHORELINE ROAD ALLOWANCE, DESCRIBED AS PARTS 2, 3, 4, & 11 PLAN 36R-14940, BEING PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 2 AND 3 LYING BETWEEN LOTS 13 AND 17 AND PART OF THE ORIGINAL SHORELINE ROAD ALLOWANCE IN FRONT OF LOT 14, CON 2, TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING; as part of a land swap agreement for PART 5 PLAN 36R-14940, TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING.

**NOW THEREFORE**, the Council of the Corporation of the Municipality of East Ferris hereby enacts as follows:

1. That upon and after passage of this By-law, that portion of the road allowance identified as PART OF THE ROAD ALLOWANCE AND SHORELINE ROAD ALLOWANCE, DESCRIBED AS PARTS 1, 2, 3, 4, & 11 PLAN 36R-14940, BEING PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 2 AND 3 LYING BETWEEN LOTS 13 AND

17 AND PART OF THE ORIGINAL SHORELINE ROAD ALLOWANCE IN FRONT OF LOT 14, CON 2, TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING, is stopped up and closed.

- 2. That Part 2, Plan 36R-14940 hereinbefore described and closed will be conveyed for addition to the adjacent lands being CON 2 LOT 14 PART 7 PLAN 36R-14940; TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING, locally found on South Shore Road and is to be consolidated with the said lands;
- 3. That Part 3, Plan 36R-14940 hereinbefore described and closed will be conveyed for addition to the adjacent lands being CON 2 LOT 14 PART 8 PLAN 36R-14940; TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING, locally found on South Shore Road and is to be consolidated with the said lands;
- 4. That Part 4 and Part 11, Plan 36R-14940 hereinbefore described and closed will be conveyed for addition to the adjacent lands being CON 2 LOT 14 PART 9 PLAN 36R-14940; TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING, locally found on South Shore Road and is to be consolidated with the said lands;
- 5. That Part 1, Plan 36R-14940 hereinbefore described and closed will be kept in municipal ownership merged to the adjacent lands being CON 2 LOT 14 PART 6 PLAN 36R-14940; TOWNSHIP OF EAST FERRIS, DISTRICT OF NIPISSING, locally found on South Shore Road and is to be consolidated with the said lands. Part 6 is to be acquired by the municipality as part of a related transaction;
- 6. That the Council of the Corporation of the Municipality of East Ferris does not set a sale price for the lands to be closed and transferred but acknowledges an agreement to swap Parts 2, 3, 4, and 11, hereinbefore described for Part 5, all reflected on Plan 36R-14940. Legal costs for the transaction shall be shared equally between The Municipality of East Ferris and Mr. Anthony Rota or his representative.
- 7. That the Mayor and Clerk are hereby authorized to sign and execute such deeds or other documents as may be necessary to effect the conveyance and merger of the described lands.
- 8. This By-law shall take effect upon the final day of passing.

**READ A FIRST AND SECOND** time this 8th day of November, 2022;

**READ A THIRD TIME AND FINALLY** passed this 8th day of November, 2022.

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Mayor  
Pauline Rochefort

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Clerk  
Monica L. Hawkins