

**The Corporation of the City of North Bay**

**By-Law No. 2015-29**

**Being A By-Law To Stop Up, Close and Convey  
a Portion of the Milne Road Allowance  
(Locally Known as West Peninsula Road)  
In the City of North Bay**

Whereas it is deemed expedient and in the interest of The Corporation of the City of North Bay that a portion of the Milne Road Allowance (locally known as West Peninsula Road) abutting Lot 46, Plan M-264 be closed, stopped up and sold to the abutting owners;

And Whereas by Resolution No. 2015-26 passed on the 5<sup>th</sup> day of January 2015, Council approved the closure of a portion of the Milne Road Allowance (locally known as West Peninsula Road);

And Whereas that portion of the Milne Road Allowance (locally known as West Peninsula Road) abutting Lot 46, Plan M-264 is hereby declared to be surplus;

And Whereas notice of this by-law was published once a week for two consecutive weeks in the North Bay Nugget, published in the City of North Bay;

And Whereas the owner of Lot 45, Plan M-264 has claimed that his lands would be prejudicially affected by the passing of a by-law to close those lands described as Part 1 on Reference Plan 36R-13750 and applied to be heard by his agent to the Council;

And Whereas the owners of Lot 45 and the owners of Lot 46, Plan M-264 have agreed that the portion of the Milne Road Allowance (locally known as West Peninsula Road) abutting Lot 46, Plan M-264 being closed, stopped up and sold to the abutting owners shall be reduced;

And Whereas by General Government Committee Report No. 2015-15 adopted by Council at its Regular Meeting held on April 17, 2015 the Council confirmed that the application by Miller & Urso Surveying Inc. on behalf of Gregory and Agnes Ellies to close a portion of the West Peninsula Road Allowance, as shown on the attached Schedule "A" to Report to Council CSBU 2015-21 dated April 14, 2015, be approved;

**Now, Therefore, The Council of The Corporation of the City of North Bay Hereby Enacts as Follows:**

1. That certain portion of the Milne Road Allowance (locally known as West Peninsula Road) abutting Lot 46, Plan M-264 designated as Parts 1 and 2 on Reference Plan 36R-13779 is hereby closed, stopped up and conveyed.
2. The City shall transfer Part 1, Plan 36R-13779 and all of Block C on Plan 36M-264, also described as Part 2, Plan 36R-13779 to the owners of Lot 46, Plan M-264, for the appraised value, subject to the owners entering into an agreement with the City for the construction of a new turn-around circle at the end of West Peninsula Road and transferring additional lands to the City for ditching and stormwater management purposes, should the detailed design of the turn-around circle demonstrate that additional space is required.
3. This by-law comes into force and effect upon a certified copy of the by-law being registered in the Land Titles Office for the District of Nipissing.

Read a First Time in Open Council the 1<sup>st</sup> day of June, 2015.

Read a Second Time in Open Council the 1<sup>st</sup> day of June, 2015.

Read a Third Time in Open Council and Enacted and Passed the 1<sup>st</sup> day of June, 2015.

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Mayor Allan McDonald

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Deputy City Clerk Karen McIsaac