

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2005-219**

**BEING A BY-LAW TO STOP UP, CLOSE AND CONVEY  
A PORTION OF THE LANEWAY ABUTTING LOTS 1 TO 4 AND 35 TO 39,  
PLAN M-210, BETWEEN LAKESHORE DRIVE AND LEE AVENUE  
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 part of the laneway abutting Lots 1 to 4 (both inclusive) and Lots 35 to 39 (both inclusive), Plan M-210 be closed, stopped up and sold to the abutting owners;

**AND WHEREAS** Council approved the closure of the laneway by Resolution No. 2004-805 passed on the 15<sup>th</sup> day of November, 2004;

**AND WHEREAS** by General Government Committee Report No. 2005-13 passed on the 11<sup>th</sup> day of July, 2005, Council directed that the City of North Bay Procedural By-law No. 2003-139 be amended to permit the sale of the whole of a laneway to one (1) abutting owner fronting on an arterial or collector road at the discretion of the Council and that By-law No. 2005-12 be reenacted to direct that the full width of the lane be conveyed to the abutting owner on the Lakeshore Drive side of the lane, with the usual public notice being given;

**AND WHEREAS** City of North Bay Procedural By-law No. 2003-139 was amended by By-law No. 2005-188 to permit the sale of the whole of a laneway to one (1) abutting owner fronting on an arterial or collector road at the discretion of the Council and further that the transfer of lands for the purpose of a road widening along an arterial or collector road be required prior to, or at the same time as, the transfer of the whole or part of the laneway being transferred to the abutting property owner;

**AND WHEREAS** the laneway abutting Lots 1 to 4 (both inclusive) and Lots 35 to 39 (both inclusive), Plan M-210 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** no person has claimed that his lands will be prejudicially affected by the passing of this by-law nor applied to be heard in person or by his counsel, solicitor, or agent, the Council of the City nor a Committee of said Council;

**NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:**

1. That certain part of the laneway abutting Lots 1 to 4 (both inclusive) and Lots 35 to 39 (both inclusive), Plan M-210 designated as Part 1 on Reference Plan 36R-11801 is hereby closed, stopped up and conveyed.
2. The City shall transfer Part 1, Plan 36R-11801 to the owners of the lands abutting on the Lakeshore Drive side of the lane, their successors or assigns, subject to the prior receipt of a Transfer of a ten (10) foot wide strip of land to The Corporation of the City of North Bay for the purpose of a road widening along Lakeshore Drive.
3. By-law No. 2005-12 is hereby repealed.
4. 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 3<sup>RD</sup> DAY OF OCTOBER, 2005.

READ A SECOND TIME IN OPEN COUNCIL THE 3<sup>RD</sup> DAY OF OCTOBER, 2005.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THE 1<sup>ST</sup> DAY OF NOVEMBER, 2005.

  
MAYOR VIC FEDELIN

  
CITY CLERK CATHERINE CONRAD