

The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to Stop Up and Close Part of the Road Allowance between Lots 15 and 16 on Plan 10, and Lots 23 and 24 on Plan 33 between Steele Street and Knoll Street.

Whereas at its meeting of April 12, 2022, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of the Office of the Chief Administrative Officer Report No. 2022-34, Subject: Proposed Stop Up and Close By-law for the Borden Avenue Road Allowance; and

Whereas Section 27(1) of the *Municipal Act*, 2001, provides that, except as otherwise provided in the Act, a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway; and

Whereas it is deemed expedient in the interest of The Corporation of the City of Port Colborne that the road allowance set out and described in this by-law be stopped up and closed; and

Whereas in accordance with Section 34(1) of the *Municipal Act*, 2001 and By-law 4339/12/03 of the Corporation of the City of Port Colborne, Being a By-law to Prescribe the Form and Manner and Times for the Provision of Notice in Accordance with the Municipal Act, 2001, public notice of Council's intention to permanently close the highway set out and described in this by-law was provided; and

Whereas no person claiming their lands will be prejudicially affected by the by-law applied to was heard by the Council of the Corporation of the City of Port Colborne at the meeting held by the Council for that purpose on Tuesday, March 15, 2022.

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That upon and after the passing of this by-law that portion of the road allowance described as Part of the road allowance between Lots 15 and 16 on Plan 10, and Lots 23 and 24 on Plan 33 between Steele Street and Knoll Street, part of the original Borden Avenue road allowance, being all of PIN 61410-0163 is hereby stopped up and closed.
2. That the Mayor, the Acting City Clerk be and are hereby authorized to execute any documents that may be required for the purpose of carrying out the intent of this by-law and the Clerk is dully authorized to affix the Corporate Seal thereto.
3. That the City Solicitor be and is hereby directed to prepare and register all such documents in the proper Land Registry Office to effect the closing of the Borden Street road allowance hereinbefore described.
4. This by-law shall take effect on the day that a certified copy of the by-law is registered in the proper land registry office.

Enacted and passed this _____ day of _____, _____.

Eric Beauregard
Deputy Mayor

Nicole Rubli
Acting City Clerk