

**THE CORPORATION OF THE TOWN OF LASALLE**

**BY-LAW NO. 8236**

A By-law to stop up, close and sell an alley lying adjacent to Lots 14 to 24 both inclusive, Registered Plan 921 and to Lot 78, Registered Plan 834.

**WHEREAS** the registered owners of Lots 14 to 24 both inclusive and Lots 37, 38, 39, Registered Plan 921, and of Lot 78, Registered Plan 834, have made an application to the Corporation to close and purchase an alley lying adjacent to their lands;

**AND WHEREAS** the Council of the Corporation deems it expedient to grant this request;

**AND WHEREAS** by virtue of the provisions of Section 34 of the *Municipal Act, 2001*, R.S.O. 2001, c. 25, as amended, a by-law permanently closing a highway, including a lane on a registered plan of subdivision, does not take effect until a certified copy of the by-law is registered in the appropriate Land Registry Office;

**NOW THEREFORE the Council of the Corporation of the Town of LaSalle hereby enacts as follows:**

1. (1) That the alley on Registered Plan 921 lying to the west of Lots 14 to 21 both inclusive, Registered Plan 921, and lying to the west of Lot 78, Registered Plan 834, in the Town of LaSalle, in the County of Essex be and the same is hereby stopped up and closed.  
(2) That part of an alley on Registered Plan 921 lying to the south of Lots 22, 23 and 24, Registered Plan 921, in the Town of LaSalle in the County of Essex, now designated as Parts 2 and 5 on Reference Plan 12R-27519 be and the same is hereby stopped up and closed.

**PROVIDED** that all costs and expenses incurred in connection with this matter be borne by the applicant/ratepayers concerned.

2. Upon completion of the closing of those alleys more particularly described in Section 1 herein, that the said alleys so closed may be sold to the owners of the lands abutting same, at a sale price of \$1.50 per square foot plus H.S.T., plus any and all costs incurred by the Corporation in completing the said sale.
3. It is hereby confirmed the lands described in Section 1 of this By-law are surplus to the needs of the Corporation.
4. (1) In the event any owner of land abutting the said alley does not purchase their proportionate share of the said alley so closed within the time frame as determined by the Chief Administrative Officer of the Corporation, the Corporation may issue an Order to the said owner:
  - (a) to stop using any portion of the Corporation's alleys; and
  - (b) to remove any and all structures or other items that may be on the Corporation's alleys; and

- (c) to install a fence or erect some other physical barrier along the limit of the said alleys to delineate the boundary limit between the private property and the property of the Corporation, which barrier shall be of a sufficient type and size to prevent the use of the Corporation's property by the said property owner.
- (2)** Any Order issued by the Corporation may also provide that in the event any property owner fails to comply with the provisions of the Order, the Corporation may remove the structures or other items from the Corporation's alleys, and may erect a fence along the limits of the Corporation's alleys that are abutting the adjacent property, at that property owner's expense.
- (3)** The Corporation may also then sell the said portion of the alleys to any person who may be interested in purchasing same.
5. The Mayor and the Deputy-Clerk of the Corporation be and they are hereby authorized to do all acts and sign all documents which may be necessary to complete the sale of the said alleys so closed as provided herein, and to otherwise carry out the intent of this By-law.
6. This By-law shall come into force and take effect after the final passing thereof on the date upon which this By-law is registered in the Land Registry Office for the County of Essex (No.12).

**Read** a first and second time and finally passed this 13<sup>th</sup> day of November, 2018.

1st Reading – November 13, 2018

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Mayor

2nd Reading – November 13, 2018

3rd Reading – November 13, 2018

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Deputy Clerk