The Township of Tay Act, 1977

Ontario
CHAPTER 107

An Act respecting the Township of Tay

Assented to November 25th, 1977

WHEREAS The Corporation of the Township of Tay hereby represents that by-laws numbers 808, 811, 842 and 1213 of the Township in the County of Simcoe purported to authorize the closing up and sale of certain road allowances and subdivision roads; and whereas pursuant to the aforesaid by-laws, conveyances were made by the said Township and subsequently the said closed roads became parts of residential subdivision lots upon which houses have been erected, mortgaged and sold to many various owners; and whereas the road allowances described in by-laws 808, 811 and 842 lead to the waters of Georgian Bay and therefore required the approval of the Lieutenant Governor of Ontario, which approval was not obtained and all of the aforesaid by-laws 808, 811, 842 and 1213 required approval by by-law of the County of Simcoe within one year of the passing of the said by-laws by the Township of Tay, which approval likewise was not obtained; and whereas the omission by the Township of Tay to obtain such required approval as aforesaid within the requisite periods of time has rendered the aforesaid by-laws of no force and effect and has thereby created a serious cloud upon the titles of the present registered owners of the aforesaid lots; and whereas The Corporation of the Township of Tay hereby applies for special legislation to confirm and validate by-laws numbers 808, 811, 842 and 1213; and whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. By-laws numbers 808, 811, 842 and 1213 of The Corporation of the Township of Tay, set out as the Schedule hereto, are hereby confirmed and declared to be valid and binding from the respective dates of the passing of such by-laws.
2. All conveyances by The Corporation of the Township of Tay pursuant to by-laws numbers 808, 811, 842 and 1213 are hereby ratified, confirmed and declared to be valid and binding.

3. This Act comes into force on the day it receives Royal Assent.

4. The short title of this Act is The Township of Tay Act, 1977.

SCHEDULE

THE CORPORATION OF THE TOWNSHIP OF TAY

BY-LAW No. 808

A By-Law for the purpose of stopping up and closing the original allowance for road across concessions eight and nine if any between lot fifteen and lot sixteen in the said Concession in the Township of Tay, and conveying the same to Daniel Robins.

WHEREAS Daniel Robins is the owner of the lands that will be affected by the passing of this by-law, and proposes to subdivide portions of the same into building lots; and

WHEREAS a plan of the subdivision about to be laid out by the said Daniel Robins, certified by an Ontario Land Surveyor, has been submitted to the Municipal Councils affected thereby within the meaning of section 7 of The Planning and Development Act, and has been approved by said Municipal Councils; and

WHEREAS the proposed subdivision includes a road allowance which will be equal to or greater in area than that to be closed by this By-Law and will be laid out in the immediate vicinity thereof; and

WHEREAS the general public will be served by the new allowance for road equally as well as by the original allowance; and

WHEREAS written notice of the intention to pass this By-Law has been posted up for the period of one month in the most public places in the immediate neighbourhood of the portion of said allowance for road about to be closed and at the various points of access thereto, and published weekly for four consecutive weeks in the Victoria Harbour Era, a newspaper published in the Town of Victoria Harbour; and

WHEREAS the Council of the said Township of Tay has heard in person or by Counsel or Solicitor all persons whose land might be prejudicially affected by the passing of this By-Law, and who petitioned to be heard; and

WHEREAS the said Council and the owner of and the persons interested in the said land have mutually settled all differences between them as to injury caused by the closing of said allowance for road;

NOW THEREFORE the Municipal Council of the Township of Tay enacts as follows:
1. That the portion of the original allowance for road between concessions eight and nine in said Township in front of lot fifteen and lot sixteen, if any, is hereby closed and stopped up.

2. That the Corporation of the Township of Tay is hereby authorized to convey said portion of the original allowance for road between lots fifteen and sixteen, concessions eight and nine to the said Daniel Robins.

3. That the Corporation of the Township of Tay is transferring this property with the understanding that the plans be registered at once.

Signed:

[SEAL]

THE CORPORATION OF THE TOWNSHIP OF TAY

BY-LAW NO. 811

A BY-LAW for the purpose of stopping up and closing the original allowance for road between concessions eight and nine in front of lot fifteen and sixteen, if any, in the Township of Tay, and conveying the same to Daniel Robins.

WHEREAS Daniel Robins is the owner of the lands that will be effected by the passing of this By-Law, and proposes to subdivide portions of the same into building lots, and

WHEREAS a plan of the subdivision about to be laid out by the said Daniel Robins, certified by an Ontario Land Surveyor has been submitted to the Municipal Councils effected thereby within the meaning of Section 7 of The Planning and Development Act and has been approved by the said Municipal Councils; and

WHEREAS the proposed subdivision includes a road allowance which will be equal to or greater in area than that to be closed by this By-Law and will be laid out in the immediate vicinity thereof; and

WHEREAS the general public will be served by the new allowance for road equally as well as by the original allowance; and

WHEREAS written notice of the intention to pass this By-Law has been posted up for the period of one month in the most public places in the immediate neighbourhood of the portion of the said allowance for road about to be closed and at the various points of access thereto, and published weekly for four consecutive weeks in the Victoria Harbour Era, a newspaper published in the Town of Victoria Harbour; and

WHEREAS the Council of the said Township of Tay has heard in person or by counsel or solicitor all persons whose land might be prejudicially effected by the passing of this By-Law and who petitioned so to be heard; and

WHEREAS the said Council and the owner of and the persons interested in the said land have mutually settled all differences between them as to injury caused by the closing of said allowance for road;

NOW THEREFORE the Municipal Council of the Township of Tay enacts as follows:

1. That that portion of the original allowance for road between concessions eight and nine in said Township in front of lot fifteen, and lot sixteen, if any, is hereby closed and stopped up.
2. That the Corporation of the Township of Tay is hereby authorized to convey said portion of the original allowance for road between concessions eight and nine to the said Daniel Robbins.

3. That the Corporation of the Township of Tay is transferring this property with the understanding that the plans be registered at once.

Signed:

Reeve

[SEAL]

Clerk

BY-LAW NO. 842

A BY-LAW to authorize the closing of the Road Allowance between lots Nos. Ten and Eleven in the Eleventh Concession of the Township of Tay, County of Simcoe.

WHEREAS the original allowance for road between lots Ten and Eleven in the Eleventh Concession of the Township of Tay, has never been opened or used as a public highway and no public moneys have been expended thereon.

AND WHEREAS the Township of Tay has consented to the Registration of a certain plan registered in the Registry Office for the County of Simcoe as No. 443 for the Township of Tay which said plan is laid out on part of the original allowance for road between lots Ten and Eleven in the Eleventh Concession of the Township of Tay aforesaid.

AND WHEREAS the Georgian Bay Lumber Company Limited, who were owners of the said land at the time of the Registration of said plan agreed to lay out and dedicate a certain street on said Plan known as Hazel Street, extending to the Georgian Bay in consideration of the Township of Tay, stopping or closing up said road allowance lying between lots Ten and Eleven aforesaid.

AND WHEREAS no formal By-law was passed by the said Township of Tay, and no conveyance was given to the said Company of the said allowance for road.

Therefore be it and it is hereby enacted by the Municipal Council of the Township of Tay as a By-law thereof as follows:

That the original allowance for road between lots Ten and Eleven in the Eleventh Concession of the said Township of Tay is hereby stopped up and closed and that a conveyance thereof under the seal of this Corporation be given pursuant to the agreement hereinbefore referred to, to Georgian Bay Lumber Company Limited, in exchange for Hazel Street and the consideration hereinbefore mentioned.

This By-law shall come into force immediately upon the final passing thereof.

This By-law was read for first, second and third time and duly passed by the Municipal Council of the Township of Tay, at a meeting held on the 15th day of December, 1923.

(SIGNED)

Reeve

[SEAL]

Clerk
A By-law to provide for the closing and sale of part of Montreal, Quebec and Ottawa Streets, in the Township of Tay, in the County of Simcoe, as laid out on registered Plans 467 and 630.

Whereas, the Municipal Council of the Corporation of the Township of Tay, has caused a notice of its intention to close parts of Montreal, Quebec and Ottawa Streets in the Township of Tay to be given in the manner provided for in The Municipal Act.

And Whereas, no objection to the closing of the said parts of Montreal, Quebec and Ottawa Streets has been made by or on behalf of any person.

And Whereas, the Council has agreed to sell the lands to Tiny and Tay Agricultural Society the owner of the adjoining lands on the north and south of the portions of each of the said streets so closed for the sum of $150.00.

Now Therefore the Municipal Council of the Corporation of the Township of Tay enacts and be it enacted as follows:

1. That there shall be stopped up and closed parts of streets in the said Township of Tay as follows:

(a) That part of Montreal Street in the Township of Tay, as shown on a plan registered in the Registry Office for the Registry Division of the County of Simcoe, as Number 467 lying between the production Northerly of the Easterly boundary of Lot Number Three (3) as shown on Range "C" on the said Plan and the Westerly limit of the Corporation.

(b) That portion of Quebec Street, in the Township of Tay, as shown on a plan registered in the Registry Office for the Registry Division of the County of Simcoe, as Number 630, lying between the production Southerly of the Easterly boundary of Lot Number Eight (8) as shown on the said Plan and the Westerly limit of the Corporation.

(c) That part of Ottawa Street in the Township of Tay, as shown on a plan registered in the Registry Office for the Registry Division of the County of Simcoe, as Number 630 lying between the production Southerly of the Easterly limit of Lot Number Seven (7) as shown on the said Plan and the Westerly limit of the Corporation.

2. The lands comprising the portions of the said streets so closed shall be sold to Tiny and Tay Agricultural Society for the sum of $150.00.

3. The Mayor and Clerk are hereby authorized to execute on behalf of the Corporation a conveyance of the said lands to Tiny and Tay Agricultural Society and to attach thereto the Corporate Seal.

This By-law shall come into force and take effect immediately after the final passing hereof.

By-law read a first, second and third time and finally passed at a meeting of the Municipal Council of the Township of Tay held this 30th day of December, A.D. 1953.

Reeve

Clerk