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c 115 The Town of Kincardine Act, 1972

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An Act respecting the Town of Kincardine

Assented to June 30th, 1972
Session Prorogued December 15th, 1972

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

(a) "Corporation" means The Corporation of the Town of Kincardine;

(b) "Location Plan" means the plan of survey of part of Saugeen Street in the Town of Kincardine in the County of Bruce and the public lands lying westerly thereof, prepared by C. M. McKay, Ontario Land Surveyor, dated the 19th day of August, 1971, and of record in the Ministry of Natural Resources in Toronto;

(c) "Plan 4" means the plan of subdivision recorded in the registry office on the 29th day of August, 1856, and indexed as No. 4;

(d) "Plan 270" means the plan of subdivision registered in the registry office as No. 270;

(e) "Plan 315" means the plan of subdivision registered in the registry office as No. 315;

(f) "registry office" means the Registry Office for the Registry Division of Bruce.

2. The Location Plan shall be deposited in the registry office and upon such deposit the lands shown as Parts 1 to 15, both inclusive, thereon are designated as Location 1233 and the Location Plan supersedes Plan 315 and the portion of Plan 270 included in the Location Plan.

3. A copy of this Act, certified by the Clerk of the Legislature, shall be registered in the registry office.
1. Upon deposit of the Location Plan in the registry office the part of,

(a) the original road allowance;

(b) Saugeen Street shown on Plan 4;

(c) Saugeen Street shown on Plan 270; and

(d) Saugeen Street shown on Plan 315,

included in the Location Plan are stopped up and closed.

5. Upon deposit of the Location Plan in the registry office, the lands designated on the Plan,

(a) as Parts 1, 3, 5, 7, 9 and 12 are vested in the Corporation;

(b) as Parts 2, 4, 6, 8, 13 and 14 are vested in the Corporation and are public highways;

(c) as Parts 10 and 11 are vested in the Corporation and are public walkways; and

(d) as Part 15 are public lands within the meaning of The Public Lands Act.

6.-(1) Forthwith after the deposit of the Location Plan in the registry office, the Corporation shall register a plan of subdivision of the Parts mentioned in clause a of section 5 and offer to sell at such prices and subject to such terms and conditions as the council of the Corporation determines, but including a time for acceptance of sixty days, to a lessee or the heirs, executors or assigns of a lessee of the Corporation, the part or parts thereof more or less occupied by such person or persons, as the case may be, under a lease granted by the Corporation.

(2) Section 33 of The Planning Act does not apply in respect of the plan of subdivision required by subsection 1 to be registered by the Corporation.

(3) Subject to subsection 4, where a person to whom land is offered for sale under subsection 1 fails to accept the offer within sixty days or accepts the offer and fails within one year thereafter to complete the purchase, the Corporation may sell the land to any person at such price and subject to such terms and conditions as the council of the Corporation determines.
(4) The Corporation shall not sell land under subsection 3 at a lower price or with more favourable conditions than those offered to a person under subsection 1 without first offering that person the first right of refusal to purchase at the lower price or with the more favourable conditions.

(5) The Corporation has authority hereunder to make grants in fee simple of the land sold under this section.

7. The Corporation is responsible for settling the claims of any person who establishes that his right, title or interest is affected by this Act or anything done under the authority of this Act, and shall bear the cost thereof.

8. Section 2 of An Act respecting the Town of Kincardine, being chapter 72 of the Statutes of Ontario, 1907, is repealed.

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

10. This Act may be cited as The Town of Kincardine Act, 1972.