

# **THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**

## **BY-LAW NO. 2021-82**

**A BY-LAW TO REVOKE AN AGREEMENT BETWEEN THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN AND ANTHONY SCHIPPER AND LOIS SCHIPPER, AUTHORIZED BY BY-LAW 2017-03, FOR TEMPORARY RESIDENCY DURING CONSTRUCTION OF A REPLACEMENT DWELLING.**

**WHEREAS** the Council of the Corporation of the Township of West Lincoln authorized the entering into of an agreement with Anthony Schipper and Lois Schipper for temporary residency during construction of a replacement dwelling through By-law 2017-03 which was passed on January 23<sup>rd</sup>, 2017;

**AND WHEREAS** the applicants further provided to the Township a performance deposit in the amount of \$5000.00 as security in conjunction with the agreement;

**AND WHEREAS** such agreement is no longer required since the residences situated at 8593 Concession 2 Road and 8592 Concession 3 Road are now recognized to be on separate properties as a result of the Court Order of Justice Braid dated June 27, 2019 declaring that the on-site waterway was navigable at the time of the Crown grant of these lands in 1801, that title to the bed of the waterway did not pass at the time of the original Crown grant in 1801, and that title to the bed of the waterway remains vested in the Crown;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN ENACTS AS FOLLOWS:**

1. That, the Corporation of the Township of West Lincoln hereby revokes the demolition agreement as signed by Anthony Schipper and Lois Schipper with the Township of West Lincoln, for temporary residency during construction of a replacement dwelling; and,
2. That, the Corporation of the Township of West Lincoln shall hereby return the \$5000.00 security deposit to Anthony Schipper and Lois Schipper and no longer require the dwelling to be demolished; and,
3. That, the Mayor and Clerk be authorized to take any further action and sign any related document(s) as necessary to revoke the above mentioned Agreement.

**READ A FIRST, SECOND AND THIRD  
TIME AND FINALLY PASSED THIS  
27<sup>TH</sup> DAY OF SEPTEMBER, 2021.**

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**MAYOR DAVE BYLSMA**

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**JOANNE SCIME, CLERK**