

# **The Corporation of the City of Kawartha Lakes**

## **Additional Agenda**

### **Regular Council Meeting**

**CC2020-07**

**Tuesday, July 28, 2020**

**Open Session Commencing at 1:00 p.m. - Electronic Public Participation**

**Council Chambers**

**City Hall**

**26 Francis Street, Lindsay, Ontario K9V 5R8**

#### **Members:**

**Mayor Andy Letham**

**Deputy Mayor Patrick O'Reilly**

**Councillor Ron Ashmore**

**Councillor Pat Dunn**

**Councillor Doug Elmslie**

**Councillor Tracy Richardson**

**Councillor Kathleen Seymour-Fagan**

**Councillor Andrew Veale**

**Councillor Emmett Yeo**

**Note: This will be an electronic participation meeting and public access to Council Chambers will not be available. Please visit the City of Kawartha Lakes Youtube Channel at <https://www.youtube.com/c/CityofKawarthaLakes> to view proceedings.**

**Accessible formats and communication supports are available upon request. The City of Kawartha Lakes is committed to accessibility for persons with disabilities. Please contact [AgendaItems@kawarthalakes.ca](mailto:AgendaItems@kawarthalakes.ca) if you have an accessible accommodation request.**

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# Request to Speak before Council

Request to Make a Deputation/Presentation to  
Council/Committee  
City of Kawartha Lakes  
City Clerk's Office  
26 Francis Street, PO Box 9000  
Lindsay, ON K9V 5R8  
705-324-9411

**Name: \***

Eugene Munson

**Address: \***

28 Gillis Street

**City/Town/Village:**

Cameron

**Province: \***

Ontario

**Postal Code:**

K0M1G0

**Telephone: \***

7058879516

**Email: \***

e.gmunson@gmail.com

There can be a maximum of two speakers for each deputation. Please list the name(s) of the individual(s) who will be speaking. The names that are listed here will be included on the Council Meeting Agenda.

**Deputant One:**

First Name, Last Name

**Deputant Two:**

First Name, Last Name

**Please provide details of the matter to which you wish to speak: \***

Limited Service Agreement Update- Gillis Street

Please attach any additional supporting documents you wish to provide and submit with this completed form.

**Have you discussed this matter with City Staff?**

☒ Yes

☐ No

**If yes, Which department and staff member(s) have you spoken to?**

**What action are you hoping will result from your presentation/deputation? \***

Continued snow plowing and grading on Gillis Street.

By signing this form you are acknowledging that all of the information you are providing on this form is true, and giving the City permission to collect your personal information for the principal purpose of a request to make a deputation to Committee or Council as outlined below.

**Signature:**

Gene Munson

**Date:**

7/23/2020



The personal information is being collected by the City of Kawartha Lakes for the principal purpose of a request to make a deputation to Committee or Council pursuant to the City's procedural by-law. This information, including all attachments submitted may be circulated to members of Council, staff, the general public and posted on the City website. Questions about the collection of this information should be directed to the City Clerk or Deputy Clerk at 705 324-9411 ext. 1295 or 1322.

**Do you understand how your information will be used and agree to allow the City to use your personal information provided on this form, including any attachments for the purposes of requesting to make a deputation to Committee or Council? \***

☒ Yes

Please complete this form and return to the City Clerk's Office by submitting it online or:  
Fax: 705-324-8110 Email: [agendaitems@kawarthalakes.ca](mailto:agendaitems@kawarthalakes.ca)



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705-324-9411

**Name: \***

Michael Brooks

**Address: \***

67 Reeve Drive

**City/Town/Village:**

Markham

**Province: \***

Ontario

**Postal Code:**

L3P 6C2

**Telephone: \***

9052944888

**Email: \***

brooksphd@rogers.com

There can be a maximum of two speakers for each deputation. Please list the name(s) of the individual(s) who will be speaking. The names that are listed here will be included on the Council Meeting Agenda.

**Deputant One:**

Michael Brooks

**Deputant Two:**

First Name, Last Name

**Please provide details of the matter to which you wish to speak: \***

Item 10.1.11 on the July 28th Council Agenda. Limited Service Agreement for Grove Road.

Please attach any additional supporting documents you wish to provide and submit with this completed form.

**Have you discussed this matter with City Staff?**

☐ Yes

☒ No

**If yes, Which department and staff member(s) have you spoken to?**

**What action are you hoping will result from your presentation/deputation? \***

Agreement to continue to provide service under a Limited Service Agreement for Grove Road without conformity with what we believe to be some unrealistic requirements.

By signing this form you are acknowledging that all of the information you are providing on this form is true, and giving the City permission to collect your personal information for the principal purpose of a request to make a deputation to Committee or Council as outlined below.

**Signature:**

michael brooks

**Date:**

7/23/2020



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Cameron Lake South Shore Residents Association  
c/o Michael Brooks  
67 Reeve Drive, Markham Ontario  
L3P 6C2  
July 23<sup>rd</sup>, 2020

Mayor and Councillors  
City of Kawartha Lakes  
322 Kent Street  
Lindsay Ontario

Dear Mayor and Councillors

Re: Grove Road Limited Service Agreement: July 28<sup>th</sup> Council Agenda Item 10.1.11

I am the president of the Cameron Lake South Shore Residents Association. And a resident at 15 Grove Road.

**About Grove Road:** Grove Road is a ~ 100 year old road on the outskirts of Fenelon Falls, off County Road 8. It is a pretty waterfront road, with many century cottages, but also brick homes and many year round residences. Probably over 100 taxpayers. A walk to Sobeys and Tims. It's a class 5 or 6 road under current Municipal Act lexicon.



The City of Kawartha Lakes and its predecessor municipal entities have plowed and graded Grove Road for all of those 100 years I understand, given the long history and generations of families located on the road. It also receives garbage collection weekly. It predates the current Municipal Act standards for class 5 or 6 roads. ***We believe that “grandfathering” should entitle Grove Road to continued limited service.***

**Context:** Discussions about replacing the expired Limited Service Agreement were put on hold several years ago as the City went through its municipal expenditure review. A new narrative emerged 2 years ago from the city Roads Department about the non-compliance of Grove Road with then current Roads Department standards.

I have taken two walking tours of Grove Road with roads officials, mostly concerned about Road encroachments from trees and rocks, and the occasional gate or protective fence, into a 4 m wide notional corridor that apparently a full-size grader requires to plow snow and grade the road. Most of that overgrowth is in the upper part of Grove Road, between County Road 8, and Hughes Point. After that it widens out, and there are few trees and no width issues. We have taken steps as residents to prune trees and bushes to maintain the width of the road as is, particularly upper Grove Road.

Except that now, 100 years later, apparently that's not good enough.



“upper” Grove Road looking westward

**City Roads Report June 30<sup>th</sup> is Inaccurate.** I received the inspection report of the Roads Department dated July 16<sup>th</sup> 2020, reflecting the results of a road inspection of Grove Road on June 30<sup>th</sup>. This document appears to be a clear set up for a denial of further service to Grove Road, imposing standards that are difficult or impossible for the residents to meet, or that are in fact the City's, or Ontario Hydro's,

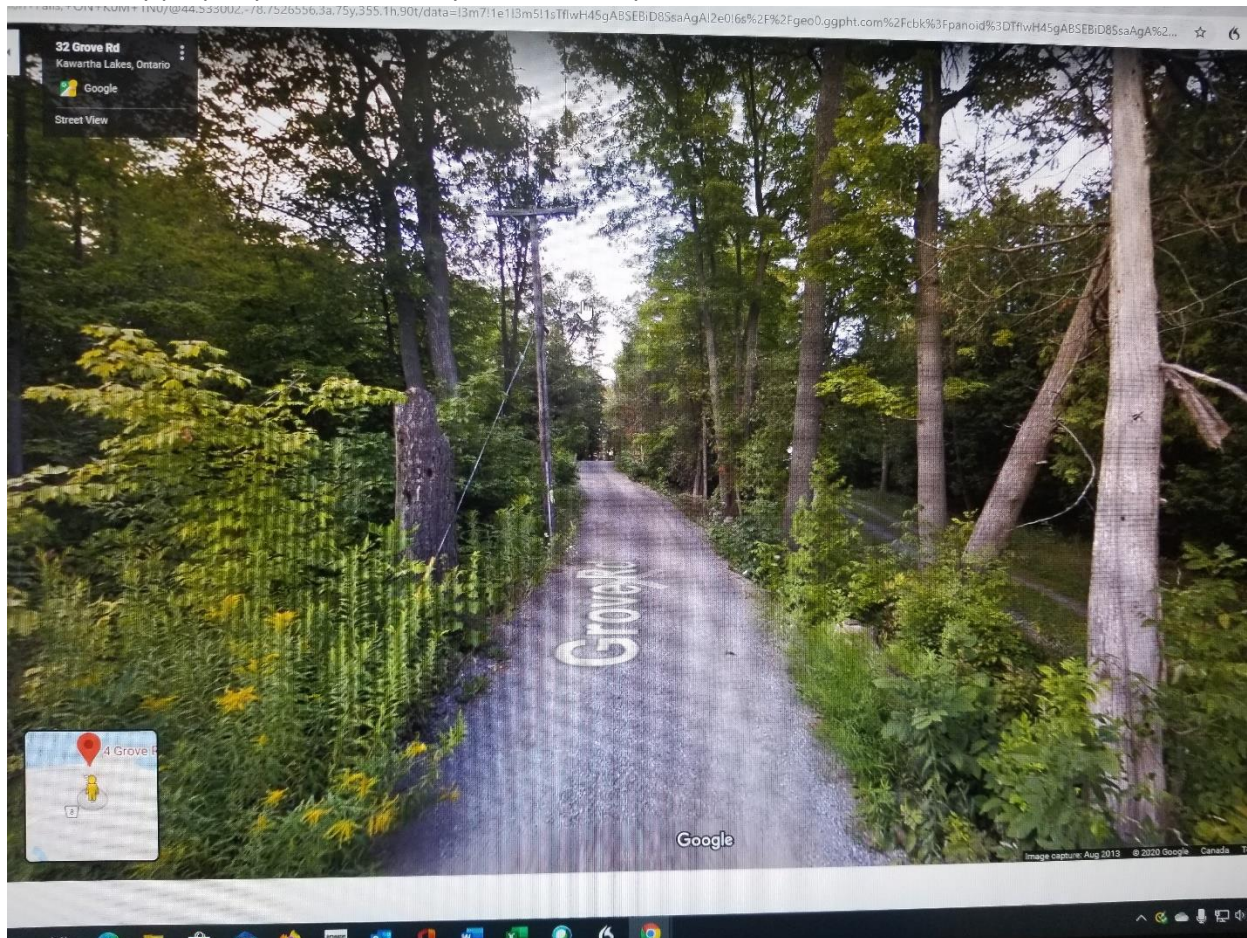


responsibility, with a recommended deadline of September 30th. It will be quite easy for the Roads Department to then claim the deadline has not been met and refuse service.

It's a clear set up.

Some specific inaccuracies in the Roads Department report;

1. **Its not the whole road.** The 4 metre width is only challenged in the upper Grove Road area – maybe 1/3<sup>rd</sup> of the total road length. To meet this requirement may also require healthy trees to be removed, or Hydro holes to be moved, or both. Residents do not have the right to chop down trees on city property, nor to move Hydro holes. Why is the onus on us to do so?



2. **Which encroachments?** Roads staff have failed to properly document exactly which man-made encroachments are an encumbrance to see the machinery, nor stipulate how far they are to be moved in which direction and why. While a few residents have stones identifying the edge of the road (to keep cars and trucks off their properties), these are not generally impediments to a small snowplow or a small grader. The City needs to be much more specific about what the impediments are, where they are, and where they are to be moved to and why. In the age of smart phones this is easy. Take a photograph! Or take a drive through video with annotation. Some of these are lovely gardens and plantings. Which of these are necessary to be destroyed?
3. **Not built to 4m:** Most of the *gravelled* portion of Grove Road was never 4 m wide, and still isn't. If the city is offering to widen the gravelled portion of Grove Road, it should do so by setting

clear boundaries and properly rebuilding the road to that width, including installing culverts where overland drainage tends to wash the road out. There may be survey issues on some spots.

4. **5M overhead brushing?** No resident is able to go down our road and clip tree limbs 15 feet up. I can't reach them. If that is the city's standard, the city should be doing it as it may have the equipment.
5. **No where to push the snow?** This is completely false. There is adequate room to push snow to the waterside the entire length of Grove Road, with only a few feet potentially obstructed by a safety gate (it is steep in some parts down to the water) or safety fence. Walk it and see for yourself.
6. **No time to do it?** Residents are supposed to make an application to trim any brushes on the road, in a room occupancy permit, one month prior to commencement of the work, and have all this done by September 30<sup>th</sup>? In a COVID environment? And with some residents who are not even coming up this year due to COVID concerns?

**Hypocritical Standards:** Recently, I was refused an application to purchase the embankment of the shoreline road allowance on Grove Road in front of my property, on the basis that the city may need access to the embankment to support Grove Road. It seems to be completely hypocritical to on the one hand say you won't sell the steep embankment to a adjacent resident because you need to maintain the road, and at the same time threaten to not maintain the road at all.

**The Negative Policy Message:** This is a bad policy message for the City of Kawartha Lakes. Residents of Grove Road spend a lot of money on local contractors and service providers, and retail and other stores. They are taxpayers. Many are in the process of further winterizing their summer homes, aspiring to the potential year-round residents in the future. Withdrawing municipal services discourages further investment, and sends a message that the future in CKL will be worse than the present. Maintaining roads is a key responsibility for the City. The marginal cost to maintain Grove is not significant.

#### **A Recommended Solution**

1. Contract with a third party to plow and grade the road with a small grader or pickup truck and a blade. That may be what is used now. Enter into a limited service agreement with the residents of Grove Road that is automatically renewable annually, with the specified set of service deliverables.
2. Provide city staff and equipment to make any road adjustments that a normal person wouldn't have the ability or equipment to do themselves, that the Roads Department thinks is necessary.
3. Any man-made obstructions that are not otherwise required for safety, and that actually provide a bona fide obstruction for a small grader, or pickup truck and a blade, or a garbage truck, to be brought to the attention of the particular resident, with the demand to move it within say one year, failing which the City may do so.
4. If the City ever decides they do not want to maintain the road, sell the entire shoreline road allowance to the association for \$1, so we can make it a private road and manage it.

Having the City own Grove Road and not maintain it as threatened, is the worst possible outcome for Grove Road residents.

Respectfully Submitted

A handwritten signature in black ink, consisting of a large, loopy 'M' followed by a horizontal line and a small flourish.

Michael Brooks



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City Clerk's Office  
26 Francis Street, PO Box 9000  
Lindsay, ON K9V 5R8  
705-324-9411

**Name: \***

Barbara Dunn-Prosser

**Address: \***

210 Francis Street East

**City/Town/Village:**

Fenelon Falls

**Province: \***

Ontario

**Postal Code:**

K0M 1N0

**Telephone: \***

519-301-6033 or 705-887-2332 or 519-272-2076

**Email: \***

barbara.dunn-prosser@sympatico.ca

There can be a maximum of two speakers for each deputation. Please list the name(s) of the individual(s) who will be speaking. The names that are listed here will be included on the Council Meeting Agenda.

**Deputant One:**

Barbara Dunn-Prosser

**Deputant Two:**

First Name, Last Name

**Please provide details of the matter to which you wish to speak: \***

I wish to speak to Council's proposal to discontinue services on Francis Street East as described in the agenda item here:

10.1.8 RD2020-002 355 - 362

Maintenance Responsibility - Francis Street East, Fenelon Falls

Bryan Robinson, Director of Public Works

That Report RD2020-002, Maintenance Responsibility – Francis Street, Fenelon, be received;

That Council acknowledges the laneway extending from Francis Street East providing access to 210 Francis St E, 208 Francis St E, 206

Francis St E, and roll number 165124000123000 is a shared driveway for the joint and sole benefit of those private properties; and

That Staff be directed to cease service on the shared driveway and provide notice to the benefitting property owners.

Please attach any additional supporting documents you wish to provide and submit with this completed form.

**Have you discussed this matter with City Staff?**

☐ Yes

☒ No

**If yes, Which department and staff member(s) have you spoken to?**

**What action are you hoping will result from your presentation/deputation? \***

I am hoping Council will abandon this proposal and continue to maintain this road.

By signing this form you are acknowledging that all of the information you are providing on this form is true, and giving the City permission to collect your personal information for the principal purpose of a request to make a deputation to Committee or Council as outlined below.

**Signature:**

Barbara Dunn-Prosser

**Date:**

7/24/2020



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☒ Yes

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City Clerk's Office  
26 Francis Street, PO Box 9000  
Lindsay, ON K9V 5R8  
705-324-9411

**Name: \***

jim armstrong

**Address: \***

2 Cedar Point Road

**City/Town/Village:**

Cameron

**Province: \***

ON

**Postal Code:**

K0M 1G0

**Telephone: \***

7058879755

**Email: \***

jimarmstrong@xplornet.com

There can be a maximum of two speakers for each deputation. Please list the name(s) of the individual(s) who will be speaking. The names that are listed here will be included on the Council Meeting Agenda.

**Deputant One:**

Rob Sproat

**Deputant Two:**

Bill Ballinger

**Please provide details of the matter to which you wish to speak: \***

Council agenda item 10.1.10 July 28, 2020: RD2020-005 Limited Service Agreement Update--  
Killarney Bay Road

Please attach any additional supporting documents you wish to provide and submit with this completed form.

**Have you discussed this matter with City Staff?**

☐ Yes

☒ No

**If yes, Which department and staff member(s) have you spoken to?**

**What action are you hoping will result from your presentation/deputation? \***

deferral pending further discussions with City staff

By signing this form you are acknowledging that all of the information you are providing on this form is true, and giving the City permission to collect your personal information for the principal purpose of a request to make a deputation to Committee or Council as outlined below.

**Signature:**

Jim Armstrong

**Date:**

7/24/2020



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# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2020-**

### **A By-Law to Amend the City of Kawartha Lakes Official Plan to Re-designate Land within the City of Kawartha Lakes**

[File D01-2020-002, Report PLAN2020-023, respecting 57R-7429 Parts 1 and 2; Part of Lot 16, Concession 4, Geographic Township of Ops, 2133 Little Britain Road – 2548346 Ontario Inc.]

#### **Recitals:**

1. Sections 17 and 22 of the Planning Act, R.S.O. 1990, c. P.13, authorize Council to consider the adoption of an amendment to an Official Plan.
2. Council has received an application to amend the City of Kawartha Lakes Official Plan to change the land use designation from the 'Industrial' designation to the 'Highway Commercial' designation, to facilitate new development on the property known municipally as 2133 Little Britain Road. The lot will be subject to site plan control.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 38.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-\*\*\*.

#### **Section 1:00 Official Plan Amendment Details**

- 1.01 **Property Affected:** The property affected by this By-law is described as 57R-7429 Parts 1 and 2; Part of Lot 16, Concession 4, Geographic Township of Ops, now in the City of Kawartha Lakes, 2133 Little Britain Road.
- 1.02 **Amendment:** Amendment No. 38 to the City of Kawartha Lakes Official Plan, attached hereto as Schedule 'A' and forming a part of this By-law is hereby adopted.

#### **Section 2:00 Effective Date**

- 2.01 **Force and Effect:** This By-law shall come into force and take effect on the date it is finally passed, subject to the approval of the City of Kawartha Lakes in accordance with the provisions of Section 17 and 22 of the Planning Act, R. S. O. 1990, c. P.13.

By-law read a first, second and third time, and finally passed, this \*\* day of \_\_\_\_\_, 2020.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

## **Schedule 'A' to By-law No. 2020-\*\*\***

The Corporation of the City of Kawartha Lakes

### **Amendment No. 38 To The Official Plan – The City of Kawartha Lakes**

#### **Part A – The Preamble**

##### **A. Purpose**

The purpose of the official plan amendment is to re-designate the property identified as 2133 Little Britain Road, from the 'Industrial' designation to the 'Highway Commercial' designation of the City of Kawartha Lakes Official Plan. The land is also subject to an application for zoning by-law amendment.

The effect of the change would permit a range of highway commercial uses on the subject property.

##### **B. Location**

The subject land has a lot area of approximately 5.26 hectares and is located between Angeline Street South and Bridle Road, to the southwest of Lindsay, in the geographic Township of Ops. The property is legally described as 57R-7429 Parts 1 and 2; Part of Lot 16, Concession 4, Geographic Township of Ops, now City of Kawartha Lakes and identified as 2133 Little Britain Road.

##### **C. Basis**

Council has enacted this official plan amendment in response to an application submitted by Kevin M. Duguay, Community Planning and Consulting Inc. on behalf of the owner to permit a range of highway commercial uses on the subject land. It is intended that the land use designation change from the 'Industrial' designation to the 'Highway Commercial' designation for the subject land known municipally as 2133 Little Britain Road.

The land is designated "Industrial" as shown on Schedule "A-3" of the City of Kawartha Lakes Official Plan. The land is also subject to an application for zoning by-law amendment.

The proposed use and amendment to the City of Kawartha Lakes Official Plan are justified and represent good planning for the following reasons:

1. The proposed development conforms to relevant provincial policy documents being the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.
2. The proposed development conforms to the goals and objectives of the "Highway Commercial" designation as set out in the City of Kawartha Lakes Official Plan.
3. The site concept is compatible and integrates well with the surrounding area.

4. The applicant has submitted background reports to demonstrate the appropriateness of the proposed uses with respect to servicing and the protection of the environment.

## **Part B - The Amendment**

### **D. Introductory Statement**

All of this part of the document entitled Part B – The Amendment, consisting of the following text and the attached map constitutes Amendment No. 38 to the City of Kawartha Lakes Official Plan.

### **E. Details of the Amendment**

1. Schedule 'A-3' of the City of Kawartha Lakes Official Plan is hereby amended by changing the land use designation from 'Industrial' to 'Highway Commercial', as shown on Map 'A' as 'Land to be Re-Designated Highway Commercial'.

### **F. Implementation and Interpretation**

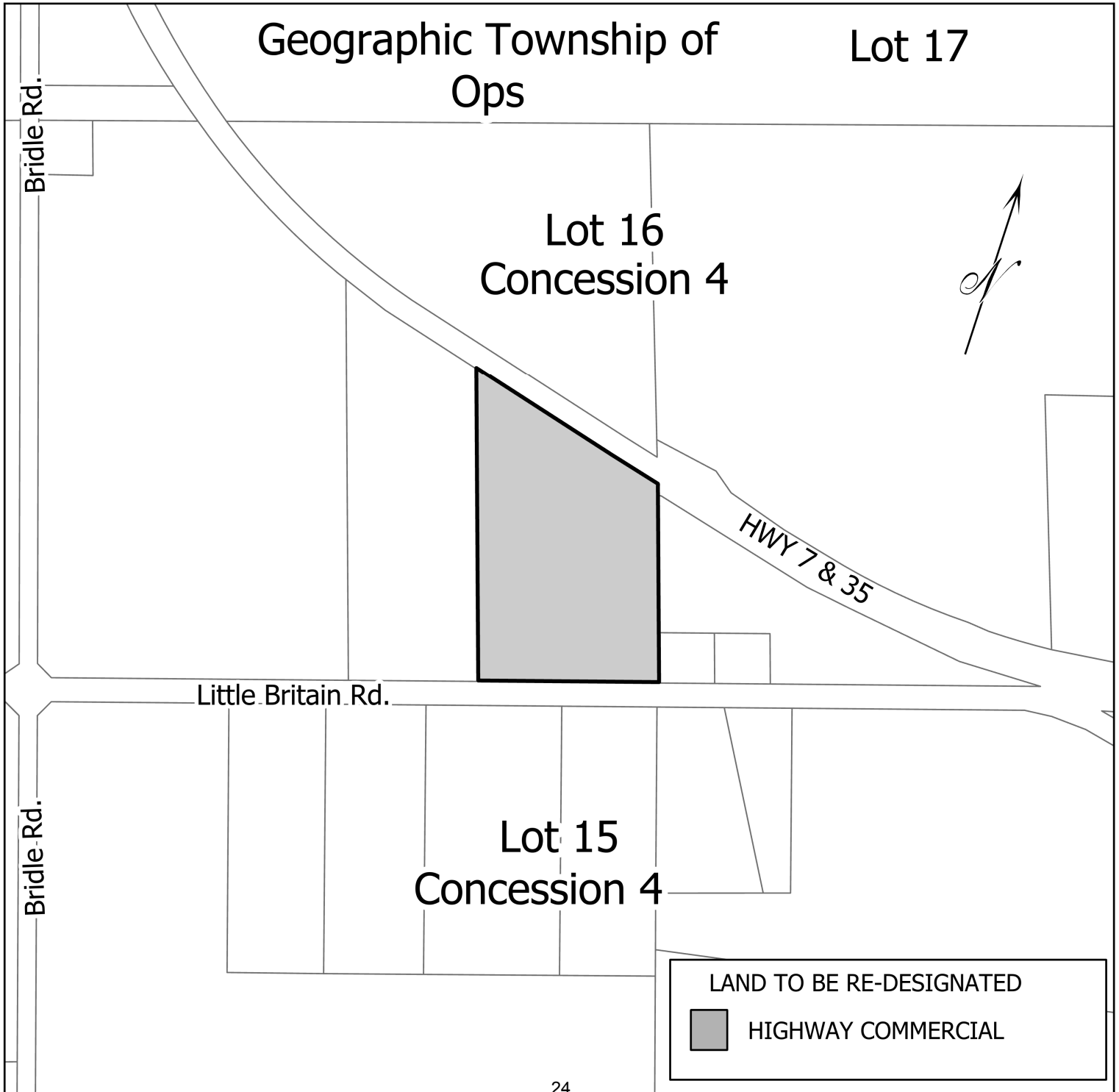
The implementation and interpretation of this amendment shall be in accordance with the relevant policies of the Official Plan.

THE CORPORATION OF THE CITY OF

# KAWARTHA LAKES

Map 'A' to Amendment No. 38

To the City of Kawartha Lakes Official Plan





# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2020 -**

### **A By-law to Amend the Township of Ops Zoning By-law No. 93-30 to Rezone Land within the City Of Kawartha Lakes**

[File D06-2020-007, Report PLAN2020-023, respecting 57R-7429 Parts 1 and 2; Part of Lot 16, Concession 4, Geographic Township of Ops, identified as 2133 Little Britain Road – 2548346 Ontario Inc.]

#### **Recitals:**

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit highway commercial uses, and continue recognizing permission for the existing abattoir use on the subject land.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-\_\_.**

#### **Section 1:00 Zoning Details**

1.01 **Property Affected:** The Property affected by this by-law is described as 57R-7429 Parts 1 and 2; Part of Lot 16, Concession 4, Geographic Township of Ops, City of Kawartha Lakes.

1.02 **Textual Amendment:** By-law No. 93-30 of the Township of Ops is further amended to add the following section to Section 10.3:

“10.3.18 Highway Commercial Exception Seventeen (CH-17) Zone

Notwithstanding the permitted uses for the Highway Commercial (CH) Zone to the contrary, on land zoned CH-17, the following shall also apply:

Non Residential Uses:

- an abattoir

In all other respects, the provisions of the Highway Commercial (CH) Zone shall apply”

1.03 **Schedule Amendment:** Schedule ‘A’ to By-law No. 93-30 of the Township of Ops is further amended to change the zone category from the ‘Agricultural

Support (AS) Zone' to the 'Highway Commercial Exception Seventeen (CH-17) Zone' for the land referred to as 'CH-17', as shown on Schedule 'A' attached to this By-law.

## **Section 2:00      Effective Date**

- 2.01    **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this \*\* day of \*\*\*, 2020.

---

Andy Letham, Mayor

---

Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF

# KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW \_\_\_\_\_ PASSED

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.

MAYOR \_\_\_\_\_ CLERK \_\_\_\_\_

