

**The Corporation of the City of
Kawartha Lakes By-Law 2020-____**

**A By-law to Amend By-law 2018-020, Being the
City Lands Disposition By-law for the City of
Kawartha Lakes**

Recitals:

Whereas the City of Kawartha Lakes passed By-law 2018-020 on February 13, 2018, setting out the procedure to be followed by City Staff when selling City-owned property.

Whereas section 3.05 sets out the nature of the notice to be provided to the public prior to any declaration of surplus property.

Whereas section 3.08 sets out the timing of the public notice in the newspaper, on the City website and on the site to be sold as follows:

“...shall be provided at least three weeks and no more than twelve months prior to any Council meeting at which the disposition of the surplus real property may be confirmed.”

Whereas section 7.04 provides that, following a declaration by Council that a property is surplus and will be sold, a final disposition by-law is to return to Council prior to the sale.

Whereas it is the intent of Council that the twelve month period at section 3.08 of the By-law was to prevent land sales in instances where public notice had occurred historically (and perhaps was no longer effective notice, with intervening private land sales in the area affected)

Whereas twelve months is too restrictive, and eighteen months would achieve Council's goal without triggering unnecessary subsequent rounds of advertising.

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

Section 1.00: Interpretation

1.1 Interpretation Rules:

- (a) The words "include" and "including" are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.2 Severability:

If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

This by-law shall not exempt any person from the requirement to comply with any other City by-law. In the event of conflict between the provisions of this by-law, of any encroachment agreement approved after the passing of this by-law, and of any other City by-law, the more restrictive provisions shall apply.

Section 2.00: Amendment to Section 3.08 of By-law 2018-020

- 2.01 Section 3.08 in By-law 2018-020 is amended by replacing "twelve" with "eighteen".

Section 3.00: Effective Date

3.01 Effective Date: This By-law shall come into force on the date it is finally passed.

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

Andy Letham, Mayor

Cathie Ritchie, Clerk