

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 Corporation of the City of Kawartha Lakes

Recitals

1. The Corporation of 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 disposing of City-owned property.
2. Several sections of the By-Law require amendments in order to clarify the intent of the direction.
3. Section 3.03 currently states that an appraisal is required “prior to the acquisition or disposition of any real property...”. As By-Law 2018-020 deals specifically with disposition of property, and Council Policy 205 CAO 044, being the “Real Property Acquisition Policy”, already requires an appraisal upon acquisition, an amendment is required to remove “acquisition or” from By-law 2018-020.
4. By-Law 2020-025 was passed on March 19, 2020, amending By-Law 2018-020 to change the set pricing for road allowances and shoreline road allowances to the minimum price that must be recovered on sale. The purpose of the amendment was to allow for negotiation of a higher price for road allowance and shoreline road allowance parcels, if deemed appropriate (i.e. in a situation where purchasing the road allowance or shoreline road allowance will result in a significant financial benefit to the purchaser), as long as the minimum price as determined by the set pricing would be recovered, and without requiring an appraisal to determine the value of the land. Amendments are required to Section 4.04 and Schedule “C” to make this intent clearer.
5. These changes require amendments to the original By-Law.

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

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Council” or “City Council” means the municipal council for the City;

1.02 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.

1.03 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.

1.04 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.

Section 2.00: Amendments to By-Law 2018-020

2.01 Amendment to Section 3.03: Section 3.03 is amended to remove “acquisition or” from the first sentence of the paragraph.

2.02 Amendments to Section 4.04: Section 4.04 is amended by adding “Minimum” after “Certain” to the title of the section.

Section 4.04 is amended to remove “Minimum” after “certain” in the first sentence of the section.

Section 4.04 is amended to add the following sentence to the end of the paragraph:

“If these minimum prices are achieved, an appraisal is not required.”

2.04 Amendments to Schedule C: Schedule “C”, paragraph 2(a) is amended to add “a minimum of” before each of the following prices: \$15.00, \$20.00, and \$23.00.

Section 3.00: Administration and 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 20th day of August, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk