

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

## **By-Law 2020-**

### **A By-law to Repeal By-Law 2019-166, Being a By-Law Stop Up and Close Part of the Road Allowance Legally Described as Part of the Road Allowance between Concession 3 and Concession 4, in the Geographic Township of Verulam, City of Kawartha as Parts 1-10 on Plan 57R10775 Being Part of PIN:63123-0413 (LT)**

#### **Recitals**

1. Council adopted By-Law 2019-166 on December 10, 2019 to stop up and close part of the road allowance legally described as Part of the Road Allowance between Concessions 3 and 4, in the Geographic Township of Verulam, City of Kawartha Lakes, designated as Parts 1-10 on Plan 57R-10775 being Part of PIN: 63123-0413 (LT) and to authorize the sale to the abutting landowners.
2. It was subsequently discovered that there was an error in Section 2.00, specifically an error which set out that the subject property was to be sold to the abutting landowners for nominal consideration. This is in contravention of By-Law 2018-020, as amended, which sets out that interior road allowances are to be sold to abutting landowners for \$15.00 per linear foot of road allowance (based on a 66-foot width).
3. Further, By-Law 2019-166 did not contain an authorization for Council to grant easements to Bell Canada and Hydro One Networks Inc.
4. This By-Law repeals the stop up and closure of part of the road allowance legally described as Part of the Road Allowance between Concessions 3 and 4, in the Geographic Township of Verulam, City of Kawartha Lakes, designated as Parts 1-10 on Plan 57R-10775 being Part of PIN: 63123-0413 (LT) and the authorization to sell same to the abutting landowners, until such time as a new By-Law is passed with the above-noted corrections.

**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: Repeal**

**2.01 Repeal:** By-Law 2019-166 is repealed.

**Section 3.00: Effective Date**

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

By-law read a first, second and third time, and finally passed, this 28<sup>th</sup> day of July, 2020.

---

Andy Letham, Mayor

---

Cathie Ritchie, City Clerk