

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

## **By-law 2021-xxx**

**A By-Law to Repeal and Replace By-Law 2021-120, being a By-Law to Assume Birch Crescent, Plan 626, PIN 63135-0230, and Cedartree Lane, Plan 626, PIN 63135-0131, from 300 metres east of Highway 36 and easterly 245 metres respectively, Geographic Village of Bobcaygeon, The Corporation of the City of Kawartha Lakes**

### **Recitals**

1. Subsection 31(4) of the Municipal Act, 2001 authorizes Council to assume unopened road allowances or road allowances shown on registered plans of subdivision for public use, by by-law.
2. By-Law 2021-120 was adopted by Council on August 10, 2021 to assume Birch Crescent and a portion of Cedartree Lane, Geographic Village of Bobcaygeon, the Corporation of the City of Kawartha Lakes as public highways in the City of Kawartha Lakes.
3. By-Law 2021-120 is hereby repealed and replaced to clarify the legal description of Birch Crescent and the portion of Cedartree Lane to be assumed.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-xxx.**

### **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.

**"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, which 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: Assumption of Services**

- 2.01 **Assumption:** The following highways are assumed by the City:
  - a) The road known as Birch Crescent, Plan 626, Birch Crescent, Plan 610, Block 48, Plan 610 North of Cedartree Lane, Geographic Village of Bobcaygeon, City of Kawartha Lakes
  - b) A portion of the road known as Cedartree Lane, Plan 626, Geographic Village of Bobcaygeon, City of Kawartha Lakes

## **Section 3.00: Administration**

- 3.01 **Repeal:** By-Law 2021-120 is hereby repealed.
- 3.02 **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 21<sup>st</sup> day of September, 2021.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk