

The Corporation of the City of Kawartha Lakes

By-Law 2022-

A By-law to Deem Part of a Plan of Subdivision, Previously Registered for Lands Within the City of Kawartha Lakes, Not to be a Registered Plan of Subdivision in Accordance with the Planning Act, Described as Lot 38 on Plan 223; Together With R350873, in the Geographic Township of Fenelon, City of Kawartha Lakes, being PIN: 63165-0366 (LT)

File L06-20-RS018, Report RS2021-002, respecting 2 Omega Road, Kirkfield

Recitals

1. Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to deem any plan of subdivision, or part of a plan of subdivision, that has been registered for eight years or more, not to be a registered plan of subdivision for the purposes of subsection 50(3) of the Planning Act, R.S.O. 1990, c.P.13.
2. Council has been requested to pass a deeming By-Law for the land described in section 2.01 in order to ensure that the portion of road allowance to be purchased by the property owner merges with the subject property.
3. A duplicate of this By-Law shall be registered in the Land Registry Office in accordance with the Planning Act, R.S.O. 1990, c.P.13.
4. Notice of the passing of this By-Law shall be mailed to the owner of the land described in Section 2.01.
5. Council considers it appropriate to enact the requested By-Law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2022- .

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;

“Manager of Realty Services” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

- 1.02 **Interpretation Rules:** 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: Details

- 2.01 **Property Affected:** The property affected by this By-Law is legally described as Lot 38 on Plan 223; Together With R350873, in the Geographic Township of Fenelon, City of Kawartha Lakes, being PIN: 63165-0366 (LT).
- 2.02 **Deeming Provision:** The property is deemed not to be a part of a Registered Plan of Subdivision for the purposes of subsection 50(3) of the Planning Act, R.S.O. 1990, c.P.13.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Manager of Realty Services is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed, subject to the provisions of Sections 50(26), 50(28), and 50(29) of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this 22nd day of March, 2022.

Andy Letham, Mayor

Cathie Ritchie, City Clerk