

The Corporation of the City of Kawartha Lakes

BY-LAW 2017-XXX

A By-law to Create a Downtown Lindsay Heritage Conservation District in the City of Kawartha Lakes

Recitals

1. Section 41(1) of the Ontario Heritage Act, R.S.O. 1990 c. O.18 authorizes the Council of a Municipality to enact By-laws to designate a defined area, including all buildings and structures thereon, as a heritage conservation district;
2. Council intends to designate the Downtown Lindsay area defined by this by-law as a heritage conservation district;
3. Council has adopted a heritage conservation district plan for the district that is designated in the by-law, as required under Section 41.1 (1) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
4. Council has made available to the public the "Downtown Lindsay Heritage Conservation District Plan" and held a public meeting on April 13, 2017 with appropriate notice given in accordance with the Act as required by Section 41.1(6) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
5. Council has consulted with Heritage Victoria, its Municipal Heritage Committee as required under Section 41.1(6) (c) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
6. The Official Plan for the City of Kawartha Lakes contains policies pertaining to the establishment of heritage conservation districts.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-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 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;

“Director of Development 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:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) 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.

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| Section 2.00: Designation |
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- 2.01 The area shown on Schedule “A” attached to and forming part of this by-law is designated as a Heritage Conservation District, known as the Downtown Lindsay Heritage Conservation District.
- 2.02 The plan shown in Schedule “B” attached to and forming part of this by-law is adopted as a Heritage Conservation District Plan for the Downtown Lindsay Heritage Conservation District.
- 2.03 The City is authorized to cause a copy of this by-law to be registered against all properties located within the heritage conservation district boundaries described above in the proper Land Registry Office.
- 2.04 The City Clerk is authorized to cause a copy of this by-law to be served upon each owner of property located in the Downtown Lindsay Heritage Conservation District and upon the Ontario Heritage Trust, and to cause notice of the passing of this by-law to be published in the newspaper as required by the Ontario Heritage Act, R.S.O. 1990, c.O.18.

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| Section 3.00: Administration and Effective Date |
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- 3.01 **Administration of the By-law:** The Director of Development Services is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force either on the day following the last day of the prescribed appeal period or as otherwise provided by subsection 41(10) of the Ontario Heritage Act, R.S.O. 1990, c.O.18.

By-law read a first, second and third time, and finally passed, this 24th day of October, 2017.

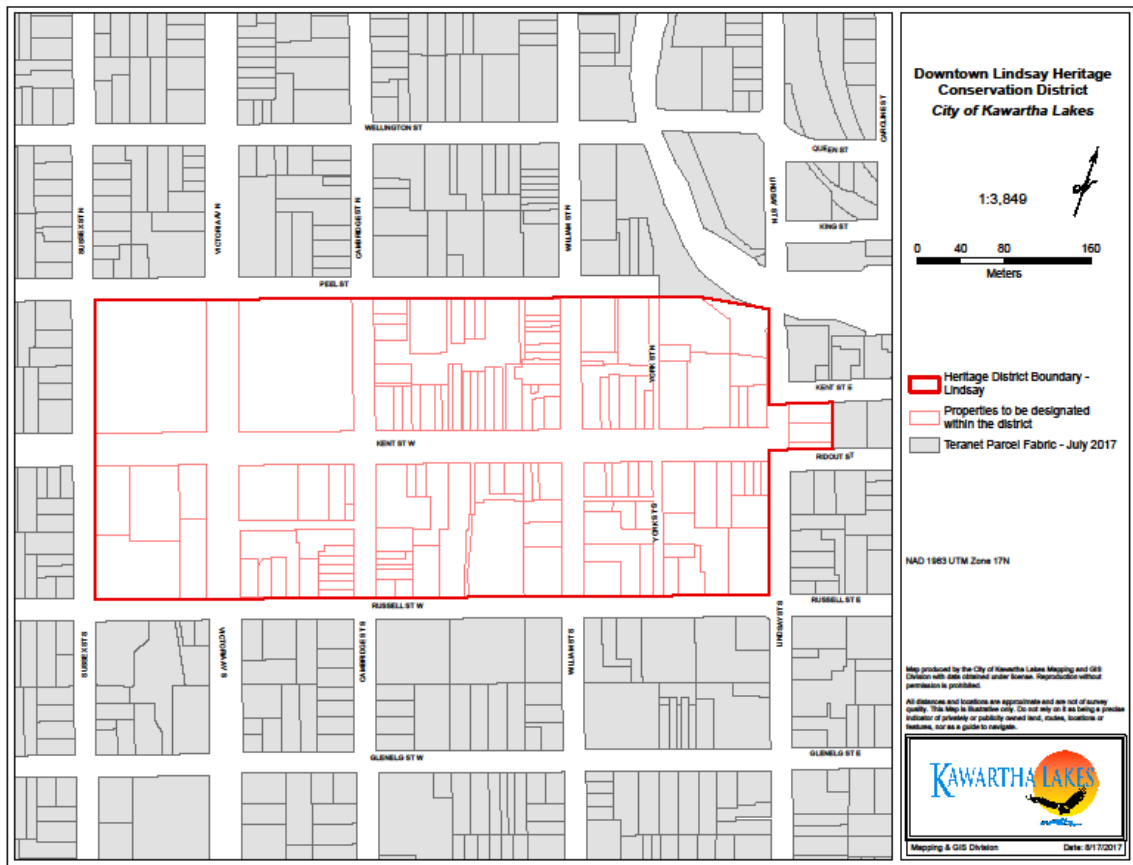
Andy Letham, Mayor

City Clerk

Schedule "A" – Downtown Lindsay Heritage Conservation District



Heritage District
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Schedule "B" – Downtown Lindsay Heritage Conservation District Plan



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