

The Corporation of the City of Kawartha Lakes

By-Law 2024-

A By-Law to Amend By-Law 2017-151, being a By-Law to Regulate Access to Municipal Right of Ways in the City of Kawartha Lakes

Recitals

1. By-Law 2017-151, being a By-Law to Regulate Access to Municipal Right of Ways in the City of Kawartha Lakes, was adopted by Council on the 11th day of June, 2017 to regulate the use, construction and alteration of access or other facilities that permit access to City right of ways.
2. At the Regular Council Meeting of June 25, 2024, Council approved resolution CR2024-328 directing that Section 3.00 of By-Law 2017-151 be amended to treat entrance resurfacing requirements the same as “review only”.
3. This By-Law amends By-Law 2017-151 to reflect this decision.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2024-XXX.

Section 1.00: Definitions and Interpretation

1.01 **Definitions:** In this by-law,

All defined terms in the amending by-law take their meaning from By-law 2017-151, as amended, of the City of Kawartha Lakes.

1.02 **Interpretation Rules:**

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

Section 2.00: Amendment Details

2.01 **Amendment:** That Section 3.03 be deleted in its entirety and replaced with the following provision:

3.03 The application covers two processes:

- a. The Applicant may request the City to review a potential Access to confirm suitability of a proposed or revised Access; or
- b. The Applicant may request permission for modification or installation of an Access.

2.02 Amendment: That Section 3.06 be deleted in its entirety and replaced with the following provision:

3.06 Deposit or Payment

Where permitted to do so by the Director, the Applicant shall arrange for and engage a Contractor approved by the City to undertake installation of the Access. Prior to commencement of work the Contractor must provide to and receive acceptance from the City, documentation for insurance, WSIB coverage and a traffic control plan meeting the requirements of the Ontario Traffic Manual.

- a. Work completed by Applicant Hired Contractor:
 - i. For resurfacing of existing driveways only (no other modification other than remove and replace surface asphalt), applicants are required to obtain a permit, but a deposit is not required.
 - ii. For each residential, agricultural, temporary or utility entrance other than resurfacing, applicants are required to pay the prescribed deposit to the City in accordance By-Law 2018-234, as amended, being the Consolidated Fees By-Law.
 - iii. For each Commercial, Industrial, Institutional, emergency or public entrance other than resurfacing, applicants are required to pay a deposit to the City in the amount estimated by the applicant and determined to be appropriate by the Director or in accordance with associated planning approvals.

- b. Work Completed by City Hired Contractor:

The City shall determine an estimate of the costs associated with the entrance construction (including but not limited to the curb cut, sidewalk works, restoration and drainage). The Applicant shall pay to the City the estimated costs plus an appropriate contingency and administration fee prior to commencement of work.

Any deposit received will be returned to the applicant after the City completes a final inspection and approves the entrance modification/installation. Should the applicant not complete the installation and construction of the entrance in accordance with City standards and requirements, the City may at its sole discretion, utilize the deposit monies to complete the work including any required drainage improvements and restoration, to the satisfaction of the Director. Any monies remaining (less administration costs) will be returned to the applicant.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Director of Public Works or their designate 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.

By-law read a first, second and third time, and finally passed, this 23rd day of July, 2024.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk