

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

## **Committee of the Whole Report**

**Report Number LGL2020-005**

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**Meeting Date:** March 10, 2020

**Title:** Rescind Council Policy C169-CAO-041

**Description:** Protocol to Address Dormant Outstanding Council Resolutions for the Land Management Department

**Ward Number:** All

**Author and Title:** Robyn Carlson – City Solicitor

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### **Recommendations:**

**That** Report RS2020-005 Rescind Council Policy C169-CAO-041, be received;

**That** Council rescind the Council Policy C169-CAO-041: “Protocol to Address Dormant Outstanding Council Resolutions for the Land Management Department”; and

**That** these recommendations be forwarded to the agenda for the next Council meeting for adoption.

**Department Head:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

By way of Council Resolution CR2009-1394, Council on December 8, 2009 passed the following resolution:

RESOLVED THAT Report LMC2009-047, "Land Management Dormant Resolutions Proposed Policy", be received; and

THAT the policy entitled "Land Management Dormant Resolutions Policy" appended to Report LMC2009-047 be adopted, numbered and inserted in the Corporate Policy and Procedures Manual.

Staff in the Realty Services Division have been asked by the CAO to review all Council Policies pertaining to the Realty Services Division.

Policy C169-CAO-041 addresses dormant outstanding Council resolutions for Land Management Division (now "Realty Services Division") matters. The aim of the policy was to ensure consistency and accountability pertaining to the closure of the files relating to dormant Council Resolutions through proper notification to relevant parties and final reporting to Council.

The Policy provides that, when there is a council resolution on a matter that has been inactive for a 6 month period due to the inactivity of the applicant, the Realty Services Division will notify the individual by registered mail that the file will be closed for inactivity. If the individual does not receive the registered mail for any reason, including failure of the applicant to advise the Realty Services Division of a change in address, then the Realty Services Division will attempt to locate the person through MPAC (tax roll) and Teranet (provincial database of land ownership), and make a second attempt at service.

If the person does not respond or cannot be located within 2 months of service of notice of file closure, the file will be closed, the resolution of Council considered completed, and the closure will be reported to Council as part of a quarterly report to Council. Any attempt to reactivate the file post this time will result in the matter being treated as a new application.

The CAO no longer reports quarterly to Council on the activities of the various departments of the City, rather, this is done annually.

## **Rationale:**

Staff reviewed the policy and recommend that it be rescinded. In accordance with the new structure for Policies, Management Directives and Standard Operating Procedures, the existing policy is no longer required as it is operational by nature and – if required – would be addressed in a Management Directive. However, the procedure set out is unnecessarily procedurally complicated for a common sense process. Although it streamlines the closing down of files, it does not allow for staff to make decisions on all of the information afforded to them. For example, if staff have information that an individual is out of the country for an extended period of time or is dealing with significant health complications, staff would like to take this into consideration. Pressing an individual to move forward in these circumstances would be unkind. Closing a file in the case of a death, for example, would not provide efficient service delivery to an estate trustee that would wish to continue the application, but may require some time to come to such a determination. Accordingly, the policy, which will be rescinded, should not be replaced by a Management Directive.

It is the current practice of the Realty Services Division to continuously monitor its files for activity, so as to act on Council resolutions in a timely manner. The practices of the Realty Services Division will be transcribed into written Standard Operating Procedures by the end of 2021.

## **Other Alternatives Considered:**

No other alternatives have been considered.

## **Financial/Operation Impacts:**

With reduced procedural requirements, specifically, the requirement to send documentation by way of registered mail and to search for current addresses for applicants, this will enable the Realty Services Division to operate more efficiently and cost-effectively.

## **Relationship of Recommendations to the 2020-2023 Strategic Plan:**

This report and recommended resolutions aligns with the Guiding Principle of fiscally responsible core service delivery, while still maintaining service excellence. Moreover, this report and recommendations support the strategic priority of good government.

## **Review of Accessibility Implications of Any Development or Policy:**

N/A

## **Consultations:**

None.

## **Attachments:**

Appendix A –  
Council Policy C169-CAO-041 – Protocol to Address Dorman Outstanding  
Council Resolutions for the Land Management Department C169-CAO-041



LGL2020-005  
Appendix A.pdf

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**Department Head: Robyn Carlson**