

# J. STOLLAR CONSTRUCTION LIMITED

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18-June-2017

To: The Mayor & Members of Council,  
City of Kawartha Lakes

Re: *Proposed Adoption of Amendments to the City of Kawartha Lakes Official Plan at Council's June 27, 2017 Meeting*

As Council is aware, on or about April 20, 2017 Director Marshall issued a *Notice* (pursuant to Sec.26 of the *Planning Act*) of a Special Council Meeting ("SCM") on May 30<sup>th</sup> that was to serve as the launch-point of a public process that the *Notice* identified as intended to result, *inter alia*, in the following outcomes:

- The repeal of:
  - Official Plan Amendment No.15 – being the *Secondary Plan for Fenelon Falls* that was adopted by Council on July 7, 2015 and subsequently appealed to the OMB.
  - Official Plan Amendment No.18 – being the *Secondary Plan for Woodville* that was also adopted by Council on July 7, 2015 and subsequently appealed to the OMB
  - Official Plan Amendment No.17 – being the *Secondary Plan for Omemee* that was adopted by Council on December 8, 2015 and subsequently appealed to the OMB
- To "*implement a new Official Plan Amendment to collectively address growth planning, the hierarchy of the five urban and rural settlement areas, and secondary plans for these settlement areas*".

Thereafter staff confirmed that newly-revised versions of the planning documents that had been considered in 2015 had already been prepared. And Director Marshall's April 20<sup>th</sup> *Notice* indicated that the new versions of these official plan amendments would be brought forward for formal consideration (in accordance and compliance with the requirements of Sec.17 and Sec.22 of the *Planning Act*) at a Statutory Public Meeting to be held on July 12, 2017.

Having waited in vain for the documents that had been promised in that *Notice* to materialize, I ended up having to spend a substantial portion of the May 27-28 weekend composing a last-minute letter to Council (in order to meet the Monday morning deadline for having it considered at the May 30<sup>th</sup> SCM).

As it turned out, however, those last-minute efforts on my part had been a complete waste of time. Less than an hour after I'd forwarded that letter to the Clerk's office, I (along with a limited handful of others) received an email from Ms. Carlson. Therein she advised that staff had decided at the end of the previous week that they were no longer going to proceed along the path outlined in that *Notice*. Instead, rather than giving Council the opportunity to repeal the three secondary plans referenced above and consider the revised new secondary plans for the

five urban areas, staff had decided to leave the three appealed secondary plans in place and have Council, at its June 27<sup>th</sup> meeting, adopt the versions of the “Lindsay Secondary Plan”, the “Bobcaygeon Secondary Plan”, and the so-called “General Amendment” that had been “endorsed” by Council in 2015.

Ms. Carlson's explanation for this last-minute change-of-plan was staff's claimed preference for avoiding being required to have the amendments conform to the new version of the Growth Plan that was scheduled to take effect on July 1<sup>st</sup>. However, she was unable to supply even an ostensible explanation for why she had chosen to withhold this information until Monday morning (given that her email had clearly been composed the prior week).

I've taken the liberty of enclosing (as Attachment #2), Ms. Carlson's Monday morning email, along with some of the subsequent exchanges to which it gave rise. *[At this point I also anticipate submitting accompanying correspondence that would include a copy of the letter that I'd forwarded to the May 30<sup>th</sup> SCM.]*

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Before continuing with this narrative, it is worth taking a moment to ensure that we fully grasp the implications of this last-minute revision to staff's game-plan:

Once must recall, first of all, that Planning staff:

- a. had already publicly acknowledged (via Director Marshall's *Notice*) that it would be their recommendation that the three secondary plans that had been adopted (and appealed) in 2015 be repealed,
- b. had likewise publicly acknowledged that it would also be their recommendation that Council adopt new revised versions of those secondary plans, along with new revised versions of the two proposed amendments that had been considered-but-not-adopted in 2015,
- c. had further acknowledged (via email correspondence) that revised versions of those documents had already been prepared back in April, and
- d. had already established a firm timetable for the airing and consideration of the proposed new revised official plan amendments based on a pre-set targeted date for their adoption by Council.

As seen in this context, the new game-plan announced by Ms. Carlson amounted to the following:

- The three secondary plans that had been adopted (and appealed) in 2015 would be left in place, rather than being replaced by the ones that staff had already indicated they had been intending to recommend.
- The versions of the other two secondary plans (along with the so-called “General Amendment”) that would be presented to Council for adoption would be the ones that had previously been considered-but-not-adopted in 2015 – rather than the new revised versions that staff had already indicated they had been intending to recommend.

In sum: Staff had decided that Council would not be given the option of considering the possible adoption of the new revised official plan amendments that staff had already publicly indicated they were previously planning to recommend.

Not merely does this smack of bad faith. It is also expressive of the sort of cynicism that is at the furthest possible remove from the standard of professional integrity that Council and the public have a right to expect when receiving the recommendations of a department staffed with planning professionals – above all when dealing with something as intrinsically consequential as the adoption of amendments to a municipality's Official Plan.

Put otherwise:

Staff have now decided to bring forward to Council recommendations that run directly contrary to the professional opinions that underlay the recommendations that they had already announced they were intending to make.

Moreover, there was no suggestion that this change had resulted from staff's having rethought those recommendations.

Rather, it was explicitly acknowledged by Ms. Carlson that the sole driving factor behind this change-of-direction was a desire to circumvent the applicability of the new version of the Growth Plan that takes effect on July 1<sup>st</sup>.

Given this, it surely becomes impossible to pretend that the recommendations that will be forthcoming at Council's June 27<sup>th</sup> meeting represent the considered professional opinions of the City's planning professionals – given that it's already been explicitly acknowledged that these recommendations are rooted in nothing more than cynical pragmatism (rather than in generating an official plan framework that best provides for the long-term well-being of the community).

To quote a prominent political figure whose approach to governance and decision-making appears to have been closely modeled on the one employed in the City of Kawartha Lakes: "Sad."

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Alas, it gets worse.

Having been advised that it was staff's intention to present these documents for adoption at Council's June 27<sup>th</sup> meeting, and given that it was already too late to convene a separate Public Meeting beforehand, it was only natural to assume that it was staff's plan to convene that Public Meeting in conjunction with the June 27<sup>th</sup> Council meeting itself. Accordingly, when nothing had materialized on the City's website by June 11<sup>th</sup> I wrote to Mr. Holy and asked him to supply me with a copy of the *Notice* for the upcoming Public Meeting.

In response, he informed me that staff were not in fact intending to hold a Public Meeting either prior to or in conjunction with Council's adoption of the proposed official plan amendments. Instead, staff had decided to take the position that:

- The Public Meetings that had been held on May 27, 2015 and August 5, 2015 already satisfied the preconditions stipulated under the *Planning Act*.
- Accordingly there was no need to hold a new Public Meeting in order for Council to be empowered to adopt the versions of planning documents that had been aired at those meetings and considered-but-not-adopted in 2015.

I then sent an email to Mr. Holy in which I explained in detail:

- a. why neither those earlier Public Meetings nor the *Notices* that had been issued for them could possibly be deemed to be compliant with the *Planning Act's* explicit requirements, and

- b. that accordingly they could not possibly be deemed to satisfy the statutory preconditions for Council's being empowered to lawfully adopt these documents on June 27<sup>th</sup>.

A copy of that detailed explanation, along with the prior exchanges with Mr. Holy, is appended hereto as Attachment #1.

I should mention that neither Mr. Holy nor anyone else has written back to me to suggest that either the facts I'd cited or the reasoning I'd set out in my email were in any way flawed. Rather, the only response was that staff's intention was nevertheless to proceed with having Council adopt these documents on June 27<sup>th</sup>.

To expand on what I'd said in my May 29<sup>th</sup> letter: *"It's like déjà vu all over again ... all over again ... all over again ... all over again."*

At this point in time I obviously have not yet seen the staff Report that will end up being tendered at the June 27<sup>th</sup> Council meeting. At this point, however, I'm obliged to take it for granted that staff will end up bringing forward the recommendations that Ms. Carlson had indicated.

Accordingly my position remains as follows: In the absence of having held a statute-compliant Public Meeting for which a statute-compliant Notice had been properly issued, Council does not have the lawful authority to adopt the proposed amendments (or any other amendments) to the Official Plan at its June 27, 2017 meeting.

As to the rationale for that position: While I'd urge members of Council to have recourse to the fully detailed explanations that I'd supplied in the attached email, I believe that they can be fairly summarized as follows:

- Subsection 17(22) of the *Planning Act* imposes certain very specific pre-conditions to Council's entitlement to adopt either an official plan or (via Sec.22) an amendment to an official plan: Namely, that *"the requirements of subsections (15) to (21), as appropriate, have been met"*.
- Subsection (15)(d), as you know, imposes on Council the obligation to *"ensure that at least one public meeting is held ..."*.
- Staff's currently claimed position is that, in relation to the amendments that they are apparently intending to ask Council to adopt on June 27<sup>th</sup>, the Public Meetings convened on May 27, 2015 and August 5, 2015 satisfy that requirement.
- To be clear: I do not dispute that the currently-proposed planning documents (or at least some version of them) were in fact aired at the meetings held on those dates. Nor do I dispute the claim that members of the public were afforded *"an opportunity to make representations"* in relation to them.
- My claim, however, is that those meetings failed to satisfying the additional explicit requirements set out in subsections (15) to (21) – and that accordingly the pre-condition for adoption set out in subsection 17(22) has not been met.
- For example: Subsection (17) specifies that *"Notice of the public meeting required under clause (15)(d) ... shall ... be accompanied by the prescribed information"*. And one of the things prescribed in subsection 3(15) of *O.Reg 543-06* is that the *Notice* for the public meeting must include the following statement:

*“If a person or public body does not make oral submissions at a public meeting or make written submissions to (name of municipality or planning board) before the proposed official plan (or official plan amendment) is adopted, the person or public body is not entitled to appeal the decision of (reference to council and name of municipality, or name of planning board or approval authority, as the case may be) to the Ontario Municipal Board.”*

It is a matter of record, however, that neither the applicable *Notice* for the May 27, 2015 meeting nor the applicable *Notice* for the August 5, 2015 meeting included that statement. As such, insofar as those *Notices* were statutorily defective, so too were the meetings.

- To take another example: Subsection (19.5) explicitly requires that “*At a public meeting under clause (15)(d), the council shall ensure that information is made available to the public regarding who is entitled to appeal under subsections (24) and (36)*”.

It is again, however, a matter of record that the *Notices* for those meetings had specifically and pointedly indicated that it was not Council's intention to even consider the adoption of the Lindsay and Bobcaygeon Secondary Plans or the so-called “General Amendment”, but rather only their “endorsement”. And both thereby and at the meetings themselves, what the public was told was that no one would have a right of appeal -- since there would be no adoption of an OPA for which an appeal could be filed with the Board under either of the referenced subsections.

- The upshot is that the meetings held on May 27 and August 5, 2015 were neither constituted nor conducted in such a fashion as to satisfy the statutory preconditions for Council's now being empowered to lawfully adopt the contemplated amendments that had been aired at those meetings.

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If past patterns hold, I fully expect that at Council's June 27<sup>th</sup> meeting staff will tell you that I'm wrong. And if those patterns hold, of course, I don't expect them to tell you *how* I'm wrong or *why* I'm wrong – just that I'm wrong. And based on those same past patterns I likewise expect that you will consider yourself obligated to accept staff's word on this, and therefore proceed to do what you've been instructed to do.

Before doing so, however, I'd urge you to take a moment to reflect on those very same past patterns – and more specifically on what you should already have learned from virtually identical past episodes of precisely this same sort. To that end, let me remind you of just a few of them:

#### **OPA 46**

In July of 2013 Council was asked to adopt, as Amendment No. 46 to the Town of Lindsay Official Plan, a set of amendments to the sanitary and stormwater servicing policies in the *Jennings Creek Community Development Plan* (being part of Volume II of the Lindsay Official Plan).

At the Public Meeting I (along with Mr. White) had specifically advised Council that the procedure had been defective insofar as, *inter alia*, no prior notice had been provided of the proposed amendments to the stormwater policies that had been added at the last minute.

Mr. Carroll and then-Director Taylor assured Council that that was irrelevant and that all of the statutory requirements had been properly complied-with. Needless to say, Council took them at their word, and accordingly adopted OPA 46. My company (along with the Orsi Group) of course appealed that adoption.

Outcome: Seven (7) months later Council, on staff's recommendation, went through the motions of pretending to repeal OPA 46. When I brought to light the legal ineffectiveness of that ostensible repeal, staff found themselves forced to acknowledge that this was the case; and three (3) months later Council found itself obliged to actually repeal OPA 46. [This outcome is set out in a two-page Board Decision issued on June 25, 2014.]

Upshot: Staff have never brought forward a proposed replacement for OPA 46.

### **OPA 8**

As those of you on the previous Council will perhaps recall, OPA 8 contained the first set of Secondary Plans for Fenelon Falls, Omemee and Woodville. It was adopted on August 12, 2014

Prior to its adoption, in addition to having cited procedural defects, I had detailed the fact that the documents themselves were fundamentally flawed and incoherent. Then-Director Taylor, of course, once again assured Council that I was wrong and that I didn't know what I was talking about. In particular, he repeatedly asserted (in writing) that the process that had been followed was fully statute-compliant.

Once again Council chose to accept the unqualified assurances of Director Taylor; and once again the Council ended up with egg on its face.

Outcome: OPA 8 was appealed by both Ms. Gravely and myself. This time, however, staff decided not to even forward those appeals to the Board (albeit they also chose to withhold that information from both the appellants and Council).

Staff's subsequent explanation for having not having forwarded the appeal file to the Board was that the process whereby OPA 8 had been adopted had not been statute-compliant – and that accordingly OPA 8 was a nullity.

After some extensive back-and-forth correspondence between the Board, the appellants and the City, Council found itself obliged to formally repeal OPA 8 – which it finally did on May 12, 2015.

Upshot: A full nine (9) months – being a period during which productive improvements could have been made to the defective planning documents – had been completely squandered.

### **The 2015 “Endorsement” of the Secondary Plans and so-called “General Amendment”**

I’m sure that staff would prefer that members of Council have forgotten that at the time of its consideration of the Bobcaygeon & Lindsay Secondary Plans and the so-called “General Amendment” in 2014 and 2015 Council was repeatedly told by staff that it did not have the option of actually **adopting** these official plan amendments. According to staff, the only option available to Council was to “**endorse**” these documents and request that the Board take jurisdiction over them.

I, of course, had in turn told Council that not only was this not true, but that it defied common sense to think that the *Planning Act*’s protection of appellant rights could be circumvented in this sort of crude fashion. And I’d further indicated that this cynical maneuver would end up failing and that, accordingly, in the end Council would have no choice but to adopt these documents.

Outcome: Notwithstanding the misleading information currently posted on the City’s website, those “endorsed” documents are not “*before the Board*”. Rather, it is a matter of record that, once its right to do so had been challenged by my company’s legal representative, the Board did not agree to assume jurisdiction over them.

The Board member offered the City’s representatives the option of bringing a *Motion for Direction*. City staff evidently chose not to do so.

Instead staff have now admitted (albeit without actually acknowledging it, of course) the accuracy of what I had repeatedly told Council in 2014 and 2015 -- namely:

that Council was indeed legally entitled to have considered the adoption of these amendments (after complying with the *Planning Act*’s requirements), and

that this attempt to circumvent the *Planning Act* by merely “endorsing” these proposed amendments would not succeed.

In sum: **Staff will now be asking Council to do the very thing that, in 2014 and 2015, staff had insisted Council did not have even the option of doing.**

Upshot: As a result of Council’s having chosen to be guided by staff’s assurances, another year-and-a-half has been squandered – time during which it would have been possible to actually undertake the very sort of meaningful secondary planning exercise (including, of course, meaningful outreach to the public) that we had been led to expect when this project was initiated in 2011.

I have no doubt, however, that on June 27<sup>th</sup> some members of Council will again complain that this process has been “ongoing” for far too long – without, of course, acknowledging where the blame for that properly lies.<sup>1</sup>

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<sup>1</sup> At the risk of beating a dead horse, let me state yet again : “The most effective way of slowing something down is to try to speed it up.”

### **OPAs 15, 17, and 18**

These three official plan amendments, of course, represented Council's second pass at adopting Secondary Plans for Fenelon Falls, Omemee and Woodville (after the repeal of OPA 8).

As had been the case with their predecessors, I had advised Council that the documents, as well as being substantively flawed in numerous respects, were functionally incoherent (in large measure due to Council's having failed to adopt the so-called "General Amendment" in conjunction with them).

Once again, then-Director Taylor assured Council that I was wrong and that the documents were fully ready for adoption on their own. And once again my company (along with not only Ms. Gravely but also the Ministry) found itself obliged to appeal all three OPAs. At this point, those appeals are before the Board awaiting adjudication.

Outcome: It is a matter of record that Director Marshall's *Notice* for the May 30<sup>th</sup> SCM indicates that it was going to be staff's recommendation that all three of these OPAs now be repealed and replaced by revised versions – revised versions that would be adopted, I would note, in conjunction with a likewise-revised version of the so-called "General Amendment".

While it is true that staff are no longer planning to make this recommendation, this is not due to their having changed their planning opinion but rather for the rather cynical reasons explicitly acknowledged in Ms. Carlson's email.

### **The "New Engineering Conditions" introduced in 2011**

In the early spring of 2011 Mr. Rojas had brought forward a new set of conditions that the Engineering Division was requesting be incorporated into the City's boilerplate "Conditions of Draft Approval". Then-Director Taylor agreed to their inclusion.

There had of course been no prior consultation with members of the development industry. As soon as I came to be aware of these new Conditions I had submitted detailed correspondence explaining why certain of them failed to meet the standard of reasonableness required under the *Planning Act* and why others were not only not reasonable but also exceeded the City's lawful authority.

Those submissions were in turn forwarded to Council in conjunction with Council's consideration of the first Draft Approval to which those proposed Conditions ended up being applied (the Dunster subdivision). Council, however, was assured (by both then-Director Taylor and Mr. Rojas, I believe) that I was of course quite incorrect and that the City had full authority under the *Planning Act* to impose those Conditions.

My company then filed an appeal in which it challenged the City's right to have imposed the particular Conditions in question.

Outcome: On October 18, 2014 the parties executed detailed Minutes of Settlement in which the City acknowledged on a Condition-by-Condition basis that each of them, as originally formulated, had not met the Planning Act's standard of reasonableness and/or had exceeded the City's lawful authority.



In most cases, moreover, the alternative formulations to which the City ended up agreeing were the very same ones I had originally proposed in the spring of 2011 (i.e., three-and-a-half years earlier).

Upshot: An enormous waste of time, energies and money on the part of all of the parties – not-to-mention a delay in the approvals for not only the Dunster subdivision but others as well.

To be clear: The above-cited examples represent only a small subset of the instances in which Council's having chosen to rely on senior staff's unsupported assurances in preference to detailed and fully-documented submissions resulted in embarrassing outcomes.<sup>2</sup>

Given the clarity and consistency of this past pattern, the question you surely have to ask yourselves is why you would expect the outcome to be any different this time.

Put otherwise: My respectful submission is that, in the event that Council decides to proceed with the adoption of the currently-proposed versions of the two secondary plans and the so-called "General Amendment" at its June 27<sup>th</sup> meeting, it's overwhelmingly likely that we'll find ourselves back at square one a year or two from now.

Remember: The course-reversal that gave rise to the recommendation that you proceed in this fashion is not rooted in Planning staff's considered professional endorsement of the documents you are being asked to adopt. Rather, as Ms. Carlson's email makes clear, it finds its root solely in expediency – that is, in a desire to accelerate the process so as to avoid being encompassed under the scope of the new Growth Plan.

I know that members of Council have grown tired of hearing me tell them that the most effective way of slowing something down is to try to speed it up. But surely the lessons of the past – including, but not limited to, the ones I have cited above – should have sufficed to drive home that point long before now. The fact that they evidently haven't done so, of course, is what causes me to believe that it is likely that Council will end up agreeing to do as its told and proceed with these self-evidently ill-advised adoptions.

That being said, let me respectfully suggest that you consider whether this is not finally the occasion on which you have no choice but to do what you know is right, rather than simply following instructions once again. As noted, it's already a matter of record that the documents you are going to be asked to adopt are not the ones supported by Planning staff's current professional opinions. It accordingly becomes impossible for you to claim that, in adopting them, you are being guided by those professional opinions.

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Before closing this letter, I would ask you to take special note of the fact that I have chosen (at least for now) to not burden the Clerk's office by sending you any written submissions on the substantive content of the currently-proposed official plan amendments themselves. The reason for this is that there is no need for me to do so at this point.

To explain: Staff's claimed position is that the statutory authority for the proposed adoptions of these documents arises out of the Public Meetings held in 2015. Insofar as I had made fairly voluminous and detailed submissions to Council and Planning Committee, not only in

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<sup>2</sup> For example I could spend dozens of pages pulling examples from the history of the Northwest Trunk Project. Or I could mention the similar instances that have occurred in connection with staff assurances given to the Committee of Adjustment.

conjunction with those Public Meetings but also beforehand (in connection with prior “Public Meetings”) and afterwards, those submissions are already deemed to be before you. Consequently, based on staff’s current “theory”, there is no arguable need for me to re-submit them.

Accordingly, rather than vastly inflating the volume of the current Agenda materials, I am hereby specifically referring you to those prior submissions and requesting that you review them in detail prior to considering the adoption of these documents in their current form. *[Note: Links to most, but not all, of those submissions have been posted to the City’s “Secondary Plans” web-page. The remainder, I’m sure, can be obtained from Mr. Holy.]*

As well, I would refer you to the *Notices of Appeal* filed by my company (as well as by Ms. Gravely and the Ministry) in relation to OPA 8 and OPAs 15, 17, and 18 (being the adopted Secondary Plans for Fenelon Falls, Omemee and Woodville) – insofar as many of the issues raised therein are specifically identified as being equally applicable to the documents that are scheduled to be before you on June 27<sup>th</sup>. *[Note: Copies of those Notices of Appeal should of course have been posted to the “Secondary Plans” web-page under the heading “Documents before the Board”. They haven’t been. Nevertheless copies can be supplied to you either by Mr. Holy or the Clerk’s office.]*

That being said, if there are any applicable documents (of any sort) that members of Council (either individually or collectively) would wish me to supply to them directly, I would be only too happy to do so.

I must advise, however, that there is one particular subset of documents that I cannot supply to Council – precisely because I have not been able to obtain copies of them myself. I am referring, of course, to the current draft versions of the revised secondary plans whose adoption Planning staff had been intending to recommend prior to the reversal-of-course announced by Ms. Carlson.

Both I and my company’s solicitor had in fact been told that we would be receiving those drafts in a timely fashion. To date, however, no such documents have been forthcoming. And the most recent indication from staff suggests that in order to obtain them I likely will need to have recourse to an *FOI Request*.

The question, of course, is why these documents have not been made available – not merely to me, but likewise to the public at large, and above all to Council itself. Director Marshall’s April 20<sup>th</sup> *Notice* indicated that it was those revised versions of the five secondary plans that his department’s professional planning staff would be recommending for adoption at this point in time – in preference presumably to the three secondary plans that staff are now proposing be left in place and the two others that staff are now asking you to adopt. At very minimum, therefore, one would think that members of Council would at least be curious about the differences between them. More to the point: In exercising its delegated *Approval Authority* function Council, before considering the adoption of the documents that are scheduled to be before it on June 27<sup>th</sup>, surely has an obligation to insist that it be given an opportunity to at least review the alternative versions that staff have already publicly acknowledged they had been planning to recommend instead.

Sincerely yours,

*Marty Stollar*

Martyn Stollar  
Managing Director

**Marty****Attachment #1**

**From:** "Marty" <martstol@rogers.com>  
**Date:** Tuesday, June 13, 2017 7:46 AM  
**To:** "Richard Holy" <rholy@city.kawarthalakes.on.ca>  
**Cc:** "Robyn Carlson" <rcl Carlson@city.kawarthalakes.on.ca>; "Chris Marshall" <cmarshall@city.kawarthalakes.on.ca>; "Linda Russell" <lrussell@city.kawarthalakes.on.ca>; <rbaksh@dillon.ca>; "Catherine Gravely" <cmlgravely@yahoo.com>  
**Attach:** Planning Act\_Extracts.pdf; O.Reg 543-06\_Extract.pdf; NOTICE of PUBLIC MEETING\_Bulletin\_15\_05-07.pdf; Notice\_PubMtg\_Omemee\_Website\_15\_07-16.pdf; Notice\_PubMtg\_Caygeon & Lindsay\_WebsiteKTW\_15\_07-16.pdf  
**Subject:** Re: May 30th SCM - Outcome -- Proposed June 27th OPA Adoptions

With all due respect, Richard, it should be clear on its face that your explanation (below) simply does not – and cannot possibly -- pass muster.

The question, of course, is not whether you've had (what you term) "public engagement" in relation to the draft official plan amendments that staff are proposing to have Council adopt at its June 27<sup>th</sup> meeting – but rather whether proceeding with the adoption of those documents without convening a statutory Public Meeting would comply with the statutory preconditions imposed by the *Planning Act*.

What you are in effect telling me is that, despite the documented failure of the City's numerous past attempts to circumvent the requirements of the *Planning Act*, staff remain determined to try it one more time. Do we really have to go through this again? Has nothing been learned from those numerous past failures? What is possibly to be gained from this (other than putting me to additional inconvenience and expense)?

[Deep, deep sigh.]

While there obviously should be no need for me to do so, I am nevertheless taking the liberty of appending hereto extracts from Section 17 of the *Planning Act* and O.Reg.543-06 on which I have highlighted the provisions that are applicable to the case at hand.

Let me first of all recap the *Planning Act* provisions:

**Discretionary adoption**

17(14) The council of a municipality not prescribed under subsection (13) may prepare and adopt a plan and, unless the plan is exempt from approval, submit it for approval.

**Adoption of plan**

17(22) When the requirements of subsections (15) to (21), as appropriate, have been met and the council is satisfied that the plan as finally prepared is suitable for adoption, the council may by by-law adopt all or part of the plan and, unless the plan is exempt from approval, submit it for approval.

**Consultation and public meeting**

17(15) In the course of the preparation of a plan, the council shall ensure that,

...

(d) at least one public meeting is held for the purpose of giving the public an opportunity to make representations in respect of the current proposed plan.

**Notice**

17(17) Notice of the public meeting required under clause (15) (d) and of the open house, if any, required under subsection (16) shall,

(a) be given to the prescribed persons and public bodies, in the prescribed manner; and

(b) be accompanied by the prescribed information.

**Timing of public meeting**

17(19) The public meeting required under clause (15) (d) shall be held no earlier than 20 days after the

requirements for giving notice have been complied with.

### Information

17(19.5) At a public meeting under clause (15)(d), the council shall ensure that information is made available to the public regarding who is entitled to appeal under subsections (24) and (36).

As to the “*prescribed information*” referenced in subsection 17(17): Subsection 3(15) of O.Reg.543-06 specifies as follows:

3(15) A notice, other than a notice that is given by posting as described in clause (4) (b) or by publishing in a newspaper as described in subsection (7), shall include the following:

6. The following statements:

- i. If a person or public body does not make oral submissions at a public meeting or make written submissions to (name of municipality or planning board) before the proposed official plan (or official plan amendment) is adopted, the person or public body is not entitled to appeal the decision of (reference to council and name of municipality, or name of planning board or approval authority, as the case may be) to the Ontario Municipal Board.
- ii. If a person or public body does not make oral submissions at a public meeting or make written submissions to (name of municipality or planning board) before the proposed official plan (or official plan amendment) is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

I would have thought that it would be self-evident to you that neither the Notices nor, accordingly, the Public Meetings to which you refer in your email below satisfy the stipulated preconditions for Council to be able to now proceed with the adoption of the proposed Secondary Plans for Lindsay and Bobcaygeon or the so-called “General Amendment”. Nevertheless, at the risk of belabouring the obvious, let me point out the following:

- There was a single Notice issued for the May 27, 2015 Public Meeting posted on the City website (a copy of which I am enclosing).
  - That Notice had of course specified that the Purpose of the May 27<sup>th</sup> Meeting was, *inter alia*, “to present and consider ... Adoption of three Secondary Plans for the urban settlement areas [of] Fenelon Falls, Omemee, and Woodville”.
  - In the case of the “Secondary Plans for the urban settlement areas of Bobcaygeon and Lindsay together with the General Amendment”, however, that same Notice had stated that the Purpose of the Meeting was to consider only their “endorsement”.
- In the case of the August 5, 2015 Public Meeting, there were in fact two separate Notices posted on the City’s website on the same date (copies of both of which I am enclosing):
  - One of these gave Notice of a Public Meeting whose Purpose was identified as being “to present and consider adoption of the Secondary Plans for the urban settlement area of Omemee”.
  - By contrast, the other Notice identified the Purpose of the Public Meeting as being “to present and consider endorsement of Secondary plans for the urban settlement areas of Bobcaygeon and Lindsay together with mapping modifications to the General Amendment”.

Let me also point out that the clear distinction articulated in these Notices was made in an even more pointed fashion both at the Public Meetings themselves and in the staff submissions made to Planning Committee and Council: Not merely was it never suggested that there was any possibility that the Bobcaygeon and Lindsay Secondary Plans or the so-called “General Amendment” could end up being

adopted. In point of fact, both the public and members of Council were explicitly told that Council did not even have the option of adopting these documents.

Turning to what you've identified as being the staff's current intention:

- You've indicated that staff's plan is to have Council adopt the Lindsay and Bobcaygeon Secondary Plans and the so-called "General Amendment" on June 27<sup>th</sup> without holding any sort of Public Meeting, but instead relying on the Meetings held in 2015 as satisfying the *Planning Act's* requirements.
- As cited above, Subsection 17(22) stipulates that Council may only proceed with the adoption of all or part of a proposed plan once "the requirements of subsections (15) to (21) ... have been met".
- One of those stipulated requirements, of course, is to be found in Subsection 17(19.5) , which stipulates that at the Public Meeting held pursuant to the requirements of Subsection 17(15)(d), *"the council shall ensure that information is made available to the public **regarding who is entitled to appeal under subsections (24) and (36)**"*. In this regard it is therefore to be noted that:
  - The information given to the public at the two Public Meetings in question was that **no one** would be allowed to appeal either the Bobcaygeon and Lindsay Secondary Plans or the "General Amendment".
  - Instead, the information supplied was that the only recourse available to members of the public would be to ask to be added as parties in the event that those documents came to be considered in the context of an actual Board hearing.
- Another of those stipulated requirements is the specification in Subsection 17(17) that the Notice of the Public Meeting *"be accompanied by the prescribed information"* – which of course includes the above-cited Statement mandated under sub-paragraph 6.i of Subsection 3(15) of O.Reg.543-06. In this regard, it is to be noted that:
  - That particular Statement was indeed included in the Notice of Council's intention to consider the adoption of the Fenelon Falls, Omemee and Woodville Secondary Plans.
  - It was pointedly not included, however, in relation to Council's consideration of the Lindsay and Bobcaygeon Secondary Plans and the "General Amendment".
  - The latter omission was obviously not due to any sort of oversight; indeed, the fact that it was intentional is made evident in City staff's having undertaken to create its own text so as to make the modified statement applicable to the proposed "endorsement" of the three documents in question.

In sum:

- Staff's stated plan is to have Council adopt the Lindsay and Bobcaygeon Secondary Plans and the so-called "General Amendment" on June 27<sup>th</sup> without holding any sort of Public Meeting (and therefore, obviously, without issuing a statute-compliant Notice for such a Public Meeting).
- In furtherance of the plan, it is apparently staff's intention to claim that the Public Meetings cited in your email below, along with the Notices issued for them, suffice to deem the requirements of Subsections (15) to (21) as having been met – which, as stipulated in Subsection 17(22), is a precondition to Council's being entitled to adopt these particular Official Plan Amendments.

- It is evident on its face, however, that the information they disseminated and/or contained precludes those Public Meetings and Notices from serving the statutory function that staff are now attempting to attribute to them.

The upshot is that staff are once again proposing to have Council circumvent the clear and explicit requirements of the *Planning Act*. Given that prior attempts of this sort have all ended up failing, I can't imagine why staff would even want to try this again. (Certainly staff can't be so naïve as to think that Council's undertaking such an adoption in this fashion won't inevitably end up being challenged.)

Again I'd remind you of the commitment made by Mr. Koughan in his correspondence to the Board – which was in turn reflected in the Board's January 1, 2017 Decision – namely, that the City would be *"complying with the statutory requirements under the Planning Act"*.

I realize, of course, that the City hasn't exactly made a practice of living up to the commitments it makes to the Board. Nevertheless, I'd respectfully suggest that staff's willful decision to thumb its nose at this particular commitment can only end up highlighting the comprehensive lack of *bona fides* with which the City has pursued this entire secondary planning exercise. And, in the end, the only purpose that will have been served by proceeding as you've indicated is to squander yet another year or two before the matter inevitably ends up returning to Council again.

*[Deep, deep sigh.]*

Marty Stollar

**From:** [Richard Holy](#)  
**Sent:** Monday, June 12, 2017 1:42 PM  
**To:** [Marty](#)  
**Cc:** [Robyn Carlson](#) ; [Chris Marshall](#) ; [Linda Russell](#) ; [rbaksh@dillon.ca](mailto:rbaksh@dillon.ca)  
**Subject:** Re: May 30th SCM - Outcome

Hi Marty,

We are planning on having Council adopt the General Amendment and Lindsay and Bobcaygeon Secondary Plans that we're previously endorsed by Council. These documents have been subject the following public process:

April 29, 2015:	An Open House was scheduled for the proposed Secondary Plans to solicit public input.
May 27, 2015:	A Statutory Public Meeting was held at a Special Planning Committee Meeting for the General Amendment and the Secondary Plans.
June 30, 2015:	A Special Council Meeting was held to explain the General Amendment and the Secondary Plans to Council.
July 7, 2015:	The General Amendment was endorsed and Fenelon Falls and Woodville Secondary Plans were adopted.
August 5, 2015:	A Statutory Public Meeting was held to receive input on proposed revisions to Bobcaygeon, Lindsay, and Omemee Secondary Plans.

October 27, 2015: An update report was provided to Council on the Secondary Plans.  
 December 8, 2015: Council endorsed Bobcaygeon and Lindsay Secondary Plans and adopted Omeme Secondary Plan.

Since we are not proposing to change anything in these documents, other than converting them into an accessible format, we have had our public engagement process for these versions of these documents.

Thanks

Richard

Sent from my iPhone

On Jun 11, 2017, at 5:20 AM, Marty <[martstol@rogers.com](mailto:martstol@rogers.com)> wrote:

Richard,

With respect to the proposed adoption of the Secondary Plans and "General Amendment" as outlined in your email below:

Given the tightness of the proposed timing, I am of course assuming that the intention is to hold the statutory Public Meeting in conjunction with the June 27th Council meeting (insofar as there is no Planning Committee meeting between now and then).

However to this point I've been unable to locate the Notice for that Public Meeting on the City's website.

I'd therefore ask that you please provide me with the link to that Notice or email me a copy of it.

Thanks

Marty Stollar

**From:** [Richard Holy](#)  
**Sent:** Friday, June 09, 2017 9:18 AM  
**To:** 'Marty'  
**Cc:** [Robyn Carlson](#) ; [Chris Marshall](#)  
**Subject:** RE: May 30th SCM - Outcome

Hi Marty:

I am aware of the commitments that were made both through the Board and from me to you on bringing forward revised versions of the documents. We had every intension of doing this and then having Council adopt the revised documents for appeal purposes to the Board.

What will be presented to Council for adoption are the General Amendment and the Lindsay and Bobcaygeon Secondary Plans as they were endorsed in 2015 to get a decision of Council under the 2006 Growth Plan.

What has changed is that the 2017 Growth Plan has been approved by the Province sooner than anticipated through our discussions with the Province. We will be making changes to the documents (both text and mapping) but won't be able to present them in advance of the June 27<sup>th</sup> Council meeting. We will still be sending the changes to stakeholders for review and then scheduling meetings to discuss the changes if needed.

Thank you

Richard Holy, MCIP, RPP  
 Manager of Policy Planning  
 Development Services - Planning Division  
 City of Kawartha Lakes  
 180 Kent Street West  
 Lindsay, ON K9V 2Y6  
 Tel 705.324.9411 ext. 1246  
 Fax 705.324.4027  
 Toll Free 888.822.2225 ext. 1246

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**From:** Marty [<mailto:martstol@rogers.com>]  
**Sent:** Tuesday, June 06, 2017 8:51 AM  
**To:** Richard Holy  
**Subject:** Re: May 30th SCM - Outcome

Richard,

In my earlier email to Ms. Carlson I reminded her both of the commitments that the City had made to the Board and of the commitment you had made to me – both of which clearly stated that City staff would be consulting with “the stakeholders” and with parties to the OPA Appeals “before bringing the plans back to Council”.

But now you appear to be telling me that I will not even get to see the black-lined amended versions of the planning documents that staff have prepared until they are already *en route* to Council. Is that correct? If so, is that in any way consistent with the commitments that the City made to the Board and you made to me?

Marty Stollar

Marty Stollar

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**From:** [Richard Holy](#)  
**Sent:** Tuesday, June 06, 2017 6:29 AM  
**To:** 'Marty'  
**Subject:** RE: May 30th SCM - Outcome

Hi Marty:

Once these documents are ready for release, they will be shared with you. As



usual, we will do a blackline and a track changes versions so that you can view the changes easily.

I will follow up with Clerks again on the resolution.

Thanks

Richard

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**From:** Marty [<mailto:martstol@rogers.com>]  
**Sent:** Tuesday, June 06, 2017 4:16 AM  
**To:** Richard Holy  
**Subject:** Re: May 30th SCM - Outcome

Richard,

In addition to following up on the inquiry below, I now have a further request ...

In Report PLAN2017-036, as presented to the May 30th SCM, you'd indicated that *"Staff had originally set this meeting for the purpose of providing Council and the Public with updated Secondary Plans for consideration"*. And of course the *Notice* that had been issued for the May 30th SCM had already set out a timetable whereby those "updated Secondary Plans" would be aired at an Open House scarcely three weeks later.

The clear implication, accordingly, is that "updated" versions of the proposed Official Plan Amendments must already exist -- at least in draft form.

Consequently, insofar as those "updated" versions now form part of the *Secondary Planning Exercise* file, I'd ask to be supplied with PDF copies of them. [Note: I'd suggest that you also consider posting copies to the City's "Secondary Plan" web-page, so that they are thereby made available both to the public at large and to members of Council and City staff.]

As always, your assistance in this regard is greatly appreciated.

Marty Stollar

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**From:** [Richard Holy](#)  
**Sent:** Thursday, June 01, 2017 9:16 PM  
**To:** 'Marty'  
**Subject:** RE: May 30th SCM - Outcome

Hi Marty:

I'll try to get you something from Clerk's tomorrow.

Richard

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**From:** Marty [<mailto:martstol@rogers.com>]  
**Sent:** Wednesday, May 31, 2017 8:29 AM  
**To:** Richard Holy  
**Subject:** May 30th SCM - Outcome

Richard,

Are you able to advise as to what, of anything, was the outcome from yesterday morning's "public meeting"?

Marty Stollar

(b) exempting a plan or proposed official plan amendment from its approval under this section. 1996, c. 4, s. 9.

## Conditions

(11) An exemption under subsection (9) or (10) or an authorization under subsection (10) may be subject to such conditions as the Minister or the approval authority may provide in the order or by-law. 1996, c. 4, s. 9.

## Removal of exemption or authorization

(12) The Minister may by order or an approval authority may by by-law, accompanied by a written explanation for it, remove any exemption made under subsection (9) or (10) or any authorization made under subsection (10). 1996, c. 4, s. 9.

## Mandatory adoption

(13) A plan shall be prepared and adopted and, unless exempt from approval, submitted for approval by the council of a prescribed municipality. 2002, c. 17, Sched. B, s. 5 (6).

## Discretionary adoption

(14) The council of a municipality not prescribed under subsection (13) may prepare and adopt a plan and, unless the plan is exempt from approval, submit it for approval. 2002, c. 17, Sched. B, s. 5 (7).

## Consultation and public meeting

(15) In the course of the preparation of a plan, the council shall ensure that,

- (a) the appropriate approval authority is consulted on the preparation of the plan and given an opportunity to review all supporting information and material and any other prescribed information and material, even if the plan is exempt from approval;
- (b) the prescribed public bodies are consulted on the preparation of the plan and given an opportunity to review all supporting information and material and any other prescribed information and material;
- (c) adequate information and material, including a copy of the current proposed plan, is made available to the public, in the prescribed manner, if any; and
- (d) at least one public meeting is held for the purpose of giving the public an opportunity to make representations in respect of the current proposed plan. 2006, c. 23, s. 9 (2).

## Open house

(16) If the plan is being revised under section 26 or amended in relation to a development permit system, the council shall ensure that at least one open house is held for the purpose of giving the public an opportunity to review and ask questions about the information and material made available under clause (15) (c). 2006, c. 23, s. 9 (2).

## Notice

(17) Notice of the public meeting required under clause (15) (d) and of the open house, if any, required under subsection (16) shall,

- (a) be given to the prescribed persons and public bodies, in the prescribed manner; and
- (b) be accompanied by the prescribed information. 2006, c. 23, s. 9 (2).

**Note: On a day to be named by proclamation of the Lieutenant Governor, section 17 of the Act is amended by adding the following subsections: (See: 2015, c. 26, s. 18 (1))**

### Time for provision of copy to Minister

(17.1) A copy of the current proposed plan or official plan amendment shall be submitted to the Minister at least 90 days before the municipality gives notice under subsection (17) if,

- (a) the Minister is the approval authority in respect of the plan or amendment; and
- (b) the plan or amendment is not exempt from approval. 2015, c. 26, s. 18 (1).

### Transition

(17.2) Subsection (17.1) does not apply if the notice is given within 120 days after subsection 18 (1) of the *Smart Growth for Our Communities Act, 2015* comes into force. 2015, c. 26, s. 18 (1).

**Note: On the day that is 121 days after the day subsection 18 (1) of the *Smart Growth for Our Communities Act, 2015* comes into force, subsection 17 (17.2) of the Act is repealed. (See: 2015, c. 26, s. 18 (2))**

## Timing of open house

(18) If an open house is required under subsection (16), it shall be held no later than seven days before the public meeting required under clause (15) (d) is held. 2006, c. 23, s. 9 (2).

## Timing of public meeting

(19) The public meeting required under clause (15) (d) shall be held no earlier than 20 days after the requirements for giving notice have been complied with. 2006, c. 23, s. 9 (2).

## Information and material

(19.1) The information and material referred to in clause (15) (c), including a copy of the current proposed plan, shall be made available to the public at least 20 days before the public meeting required under clause (15) (d) is held. 2006, c. 23, s. 9 (2).

## Participation in public meeting

(19.2) Every person who attends a public meeting required under clause (15) (d) shall be given an opportunity to make representations in respect of the current proposed plan. 2006, c. 23, s. 9 (2).

## Alternative procedure

(19.3) If an official plan sets out alternative measures for informing and obtaining the views of the public in respect of amendments that may be proposed for the plan and if the measures are complied with, subsections (15) to (19.2) do not apply to the proposed amendments, but subsections (19.4) and (19.6) do apply. 2006, c. 23, s. 9 (2).

**Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 17 (19.3) of the Act is repealed and the following substituted: (See: 2015, c. 26, s. 18 (3))**

### Alternative measures

(19.3) If an official plan sets out alternative measures for informing and obtaining the views of the public in respect of amendments that may be proposed for the plan and if the measures are complied with, subsections (15) to (19.2) and clause 22 (6.4) (a) do not apply to the proposed amendments, but subsection (19.6) does apply. 2015, c. 26, s. 18 (3).

## Open house

(19.4) If subsection (19.3) applies and the plan is being revised under section 26 or amended in relation to a development permit system,

- (a) the council shall ensure that at least one open house is held for the purpose of giving the public an opportunity to review and ask questions about the proposed amendments; and
  - (b) if a public meeting is also held, the open house shall be held no later than seven days before the public meeting.
- 2006, c. 23, s. 9 (2).

**Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 17 (19.4) of the Act is repealed and the following substituted: (See: 2015, c. 26, s. 18 (3))**

### Same

(19.4) In the course of preparing the official plan, before including alternative measures described in subsection (19.3), the council shall consider whether it would be desirable for the measures to allow for notice of the proposed amendments to the prescribed persons and public bodies mentioned in clause (17) (a). 2015, c. 26, s. 18 (3).

### Transition

(19.4.1) For greater certainty, subsection (19.4) does not apply with respect to alternative measures that are included in an official plan before the day subsection 18 (3) of the *Smart Growth for Our Communities Act, 2015* comes into force. 2015, c. 26, s. 18 (3).

## Information

(19.5) At a public meeting under clause (15) (d), the council shall ensure that information is made available to the public regarding who is entitled to appeal under subsections (24) and (36). 2006, c. 23, s. 9 (2).

## Where alternative procedures followed

(19.6) If subsection (19.3) applies, the information required under subsection (19.5) shall be made available to the public at a public meeting or in the manner set out in the official plan for informing and obtaining the views of the public in respect of the proposed amendments. 2006, c. 23, s. 9 (2).

## Submissions

(20) Any person or public body may make written submissions to the council before a plan is adopted. 1996, c. 4, s. 9.

## Comments

(21) The council shall provide to any person or public body that the council considers may have an interest in the plan adequate information and material, including a copy of the plan and, before adopting the plan, shall give them an opportunity to submit comments on it up to the time specified by the council. 1996, c. 4, s. 9; 2006, c. 23, s. 9 (3).

## Adoption of plan

(22) When the requirements of subsections (15) to (21), as appropriate, have been met and the council is satisfied that the plan as finally prepared is suitable for adoption, the council may by by-law adopt all or part of the plan and, unless the plan is exempt from approval, submit it for approval. 1996, c. 4, s. 9.

## Notice

(23) The council shall, not later than 15 days after the day the plan was adopted, ensure that written notice is given of its adoption containing the prescribed information to,

- (a) the appropriate approval authority, whether or not the plan is exempt from approval, unless the approval authority has notified the municipality that it does not wish to receive copies of the notices of adoption;
- (b) each person or public body that filed with the clerk of the municipality a written request to be notified if the plan is adopted; and
- (c) any other person or public body prescribed. 1996, c. 4, s. 9.

**Note: On a day to be named by proclamation of the Lieutenant Governor, subsection 17 (23) of the Act is repealed and the following substituted: (See: 2015, c. 26, s. 18 (4))**

### Notice

(23) The council shall ensure that written notice of the adoption of the plan is given in the prescribed manner, no later than 15 days after the day it was adopted,

- (a) to the appropriate approval authority, whether or not the plan is exempt from approval, unless the approval authority has notified the municipality that it does not wish to receive copies of the notices of adoption;
- (b) to each person or public body that filed with the clerk of the municipality a written request to be notified if the plan is adopted; and
- (c) to any other person or public body that is prescribed. 2015, c. 26, s. 18 (4).

### Contents

(23.1) The notice under subsection (23) shall contain,

- (a) a brief explanation of the effect, if any, that the written and oral submissions mentioned in subsection (23.2) had on the decision; and

to the regional director of the Ministry of Municipal Affairs and Housing Municipal Services Office responsible for the region that includes the municipality or planning area where the subject land is located, unless the regional director has notified the clerk of the municipality or the secretary-treasurer of the planning board that he or she does not wish to receive such notices. O. Reg. 543/06, s. 3 (11); O. Reg. 180/16, s. 1 (4).

(12) If the approval authority of a proposed official plan or plan amendment is not the Minister, notice shall be given, by personal service, ordinary mail, fax or email, to the regional director of the Ministry of Municipal Affairs and Housing Municipal Services Office responsible for the region that includes the municipality or planning area where the subject land is located, if the regional director has given the clerk of the municipality or the secretary-treasurer of the planning board a written request to be given such notices. O. Reg. 543/06, s. 3 (12); O. Reg. 180/16, s. 1 (5).

(13) Subsections (11) and (12) apply whether or not the proposed official plan or plan amendment is exempt from approval under subsection 17 (9) or (10) of the Act. O. Reg. 543/06, s. 3 (13).

(14) A notice given under subsection (11) or (12) shall also include a copy of the proposed official plan or plan amendment. O. Reg. 543/06, s. 3 (14).

(15) A notice, other than a notice that is given by posting as described in clause (4) (b) or by publishing in a newspaper as described in subsection (7), shall include the following:

1. The date, time and location of the public meeting or open house.
2. An explanation of the purpose and effect of the proposed official plan or plan amendment.
3. A description of the subject land, a key map showing the subject land, or an explanation why no description or key map is provided.
4. Where and when a copy of the proposed official plan or plan amendment and information and material will be available to the public for inspection.
5. The following statement:

If you wish to be notified of the decision of (*name of municipality or planning board*) on the proposed official plan (*or official plan amendment*), you must make a written request to (*name and address of municipality or planning board*).

6. The following statements:

- i. If a person or public body does not make oral submissions at a public meeting or make written submissions to (*name of municipality or planning board*) before the proposed official plan (*or official plan amendment*) is adopted, the person or public body is not entitled to appeal the decision of (*reference to council and name of municipality, or name of planning board or approval authority, as the case may be*) to the Ontario Municipal Board.
- ii. If a person or public body does not make oral submissions at a public meeting or make written submissions to (*name of municipality or planning board*) before the proposed official plan (*or official plan amendment*) is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

7. If it is known that the subject land is the subject of an application under the Act for a minor variance or a consent, for an amendment to a zoning by-law or a Minister's zoning order or for approval of a plan of subdivision, a statement of that fact and the file number of the application.
8. If applicable, a request that the notice be posted by the owner of any land that contains seven or more residential units in a location that is visible to all of the residents. O. Reg. 543/06, s. 3 (15); O. Reg. 180/16, s. 1 (6-8).

(16) A notice that is given by posting as described in clause (4) (b) shall include the following:

1. The date, time and location of the public meeting or open house.
2. An explanation of the purpose and effect of the proposed official plan or plan amendment.
3. Where and when a copy of the proposed official plan or plan amendment and information and material will be available to the public for inspection.
4. The following statement:

For more information about this matter, including information about preserving your appeal rights, contact (*address, email address, website or other location or means by which information may be obtained from the municipality or planning board*).

O. Reg. 543/06, s. 3 (16); O. Reg. 180/16, s. 1 (9).

(17) A notice that is given by publishing in a newspaper as described in subsection (7) shall include the following:

1. The date, time and location of the public meeting or open house.
2. An explanation of the purpose and effect of the proposed official plan or plan amendment.
3. A description of the subject land, a key map showing the subject land, or an explanation why no description or key map is provided.
4. Where and when a copy of the proposed official plan or plan amendment and information and material will be available to the public for inspection.
5. The following statement:

For more information about this matter, including information about preserving your appeal rights, contact (*address, email address, website or other location or means by which information may be obtained from the municipality or planning board*).

O. Reg. 180/16, s. 1 (10).

## Public Notice

### NOTICE OF A PUBLIC MEETING TO CONSIDER AMENDMENTS TO THE CITY OF KAWARTHA LAKES OFFICIAL PLAN

#### General Amendment to City of Kawartha Lakes Official Plan, Urban Settlement Area Boundary Refinements, and Secondary Plans for Bobcaygeon, Fenelon Falls, Lindsay, Omemee, and Woodville

**TAKE NOTICE THAT** the Planning Committee, on behalf of the Council of the City of Kawartha Lakes, will hold a  
**Public Meeting**  
**on Wednesday, May 27, 2015 at 1:00 p.m.**  
**in the Council Chamber, City Hall, 26 Francis Street, Lindsay, Ontario**

**THE PURPOSE OF THIS MEETING** is to present and consider:

1. Endorsement of Secondary Plans for the urban settlement areas of Bobcaygeon and Lindsay together with the General Amendment to the City of Kawartha Lakes Official Plan. If the Secondary Plans are endorsed by Council, it is intended that the endorsed Secondary Plans be referred to the Ontario Municipal Board for consolidation with the Hearing of the outstanding appeals of the City of Kawartha Lakes Official Plan. The updated land use policies and schedules will provide guidance and direction in the management of land and the environment within the urban settlement areas of Bobcaygeon and Lindsay.
2. Adoption of three Secondary Plans for the urban settlement areas Fenelon Falls, Omemee, and Woodville. Policies contained in the General Amendment to the City of Kawartha Lakes Official Plan described above would apply to Secondary Plans for Fenelon Falls, Omemee, and Woodville. The updated land use policies and schedules will provide guidance and direction in the management of land and the environment within the urban settlement areas of Fenelon Falls, Omemee, and Woodville.

**THE PURPOSE OF THIS AMENDMENT** is to:

1. Introduce a General Amendment that amends Section 18 – Urban Settlement Designation and other policies in the City of Kawartha Lakes Official Plan regarding development in the urban settlement areas of Bobcaygeon, Fenelon Falls, Lindsay, Omemee and Woodville;
2. Introduce future development areas adjacent to the urban settlement areas of Fenelon Falls and Lindsay through the General Amendment;
3. Include new Secondary Plan policies for the urban settlement areas of Bobcaygeon, Fenelon Falls, Lindsay, Omemee and Woodville in the City of Kawartha Lakes Official Plan. The Secondary Plans include:
  - guiding policies for growth management, intensification and housing, economic development, community facilities, parks and open spaces and trail systems, downtown development, sustainable development, urban design, natural heritage, cultural heritage, transportation and parking, servicing, environmental constraints, and land use;
  - new and updated land use designations and policies to guide growth for residential, commercial, employment, institutional, community facility, and park development and protect environmental features;
  - land use, environmental constraints, and transportation schedules;
  - identification of future development areas within the urban settlement areas of Bobcaygeon and Fenelon Falls; and,
  - identification of Intake Protection Zone areas for the urban settlement areas of Lindsay, Bobcaygeon, and Fenelon Falls.
4. To revise the urban settlement area boundaries based on the results of the Secondary Plan review for Bobcaygeon, Fenelon Falls, Lindsay, Omemee, and Woodville where appropriate; and,
5. To repeal the Town of Lindsay Official Plan, Village of Fenelon Falls Official Plan, and the County of Victoria Official Plan for Bobcaygeon and replace these areas with Secondary Plans that reflect current planning policy.

The General Amendment and five Secondary Plans have been prepared to meet a number of key Provincial and local policies, including the 2014 Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the City of Kawartha Lakes Official Plan.

**INFORMATION** relating to the proposed amendments is available on May 7th, 2015, from the City of Kawartha Lakes Development Services Department – Planning Division, Lindsay Service Centre, 180 Kent Street West, Lindsay, during regular office hours; AND at the City of Kawartha Lakes website: [www.city.kawarthalakes.on.ca/property-development-by-law/planning/secondary-plans](http://www.city.kawarthalakes.on.ca/property-development-by-law/planning/secondary-plans).

**ANY PERSON** may attend the Public Meeting and/or make written or verbal representation either in support of, in opposition to, or in respect of the proposed amendments. At the public meeting presentations that would take longer than ten minutes should be presented in written form and summarized verbally. All submissions will be considered.

If You Wish to Be Notified of the adoption of the proposed official plan amendments, or of the refusal of a request to amend the official plan, you must make a written request to by providing your name and address on the appropriate form at the Public Meeting, or by sending such request to the address provided below.

If a person or public body does not make oral submissions at the public meeting or make written submissions to the City before the proposed amendments are adopted, the person or public body is not entitled to appeal the decision of the Council of the City of Kawartha Lakes to the Ontario Municipal Board.

If a person or public body does not make oral submissions at the public meeting or make written submissions to the City of Kawartha Lakes before the proposed amendments are adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

If a person or public body does not make oral submissions at the public meeting or make written submissions to the City of Kawartha Lakes before the applicable proposed amendments are endorsed, as noted above, the person or public body may not be added as a party to the Hearing in connection with the endorsed amendments before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

DATED AT THE CITY OF KAWARTHA LAKES THIS 7th DAY OF MAY, 2015.

Ron Taylor  
Director of Development Services  
180 Kent Street West  
Lindsay, ON K9V 2Y6  
[rtaylor@city.kawarthalakes.on.ca](mailto:rtaylor@city.kawarthalakes.on.ca)  
705-324-9411 Ext. 1239

Richard Holy  
Manager of Policy Planning  
180 Kent Street West  
Lindsay, ON K9V2Y6  
[rholy@city.kawarthalakes.on.ca](mailto:rholy@city.kawarthalakes.on.ca)  
705-324-9411 Ext. 1246

## Employment Opportunities

We currently have the following position available. If you are interested in pursuing this opportunity, we invite you to visit our website at [www.city.kawarthalakes.on.ca](http://www.city.kawarthalakes.on.ca) for a more comprehensive job description.

**Planner II, Job 15-060**

Please forward your resume quoting the position title and job number, to Human Resources Officer, City of Kawartha Lakes, P.O. Box 9000, 28 Francis Street, Lindsay, Ontario, K9V 5R8, or email to [jobs@city.kawarthalakes.on.ca](mailto:jobs@city.kawarthalakes.on.ca)





## Public Notice

Municipal Act, 2001, c. 25, s. 379(2)  
O. Reg. 181/03, s. 5(1), Form 6

### NOTICE OF A PUBLIC MEETING TO CONSIDER AMENDMENTS TO THE CITY OF KAWARTHA LAKES OFFICIAL PLAN

**Amendment to City of Kawartha Lakes Official Plan to  
Consider a Secondary Plan for Omemee,  
including Policy Modifications**

**TAKE NOTICE THAT** the Planning Committee, on behalf of the Council of the City of Kawartha Lakes, will hold a

**Public Meeting**  
**on Wednesday, August 5, 2015 at 1:00 p.m.**  
**in the Council Chamber, City Hall, 26 Francis Street, Lindsay,**  
**Ontario**

**THE PURPOSE OF THIS MEETING** is to present and consider adoption of the Secondary Plan for the urban settlement area of Omemee. The updated land use policies and schedules will provide guidance and direction in the management of land and the environment within the urban settlement areas of Omemee.

**THE PURPOSE OF THIS AMENDMENT** is to, further to the Public Meeting held on May 27, 2015, introduce policy revisions to the Secondary Plan as considered at the May 27, 2015 Public Meeting based on direction from Council for the urban settlement area of Omemee in the City of Kawartha Lakes Official Plan.

The Omemee Secondary Plan would be revised to include an amendment to change the designation from highway commercial to retail commercial on lands located on the north side of Highway 7 at the eastern gateway to Omemee.

The Secondary Plan has been prepared to meet a number of key Provincial and local policies, including the *2014 Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe* and the *City of Kawartha Lakes Official Plan*.

**INFORMATION** relating to the proposed amendment is available on July 17th, 2015, from the City of Kawartha Lakes Development Services Department – Planning Division, Lindsay Service Centre, 180 Kent Street West, Lindsay, during regular office hours; AND at the City of Kawartha Lakes website: [www.city.kawarthalakes.on.ca/property-development-by-law/planning/secondary-plans](http://www.city.kawarthalakes.on.ca/property-development-by-law/planning/secondary-plans).

**ANY PERSON** may attend the Public Meeting and/or make written or verbal representation either in support of, in opposition to, or in respect of the proposed amendment. At the public meeting presentations that would take longer than ten minutes should be presented in written form and summarized verbally. All submissions will be considered.

**If You Wish to Be Notified** of the adoption of the proposed official plan amendment, or of the refusal of a request to amend the official plan, you must make a written request to the City of Kawartha Lakes by providing your name and address on the appropriate form at the Public Meeting, or by sending such request to the address provided below.

If a person or public body does not make oral submissions at the public meeting or make written submissions to the City of Kawartha Lakes before the proposed amendment is adopted, the person or public body is not entitled to appeal the decision of the Council of the City of Kawartha Lakes to the Ontario Municipal Board.

If a person or public body does not make oral submissions at the public meeting or make written submissions to the City of Kawartha Lakes before the proposed amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

DATED AT THE CITY OF KAWARTHA LAKES THIS 17th DAY  
OF JULY, 2015.

Ron Taylor  
Acting Chief Administrative Officer  
180 Kent Street West  
Lindsay, ON K9V 2Y6  
[rtaylor@city.kawarthalakes.on.ca](mailto:rtaylor@city.kawarthalakes.on.ca)  
705-324-9411 Ext. 1239

Richard Holy  
Manager of Policy Planning  
180 Kent Street West  
Lindsay, ON K9V 2Y6  
[rholy@city.kawarthalakes.on.ca](mailto:rholy@city.kawarthalakes.on.ca)  
705-324-9411 Ext. 1246

### FORM 6 SALE OF LAND BY PUBLIC TENDER

The Corporation of the City of Kawartha Lakes

**TAKE NOTICE** that tenders are invited for the purchase of the land(s) described below and will be received until 3:00 p.m. local time on Tuesday, August 18, 2015 at the office of the Manager of Revenue & Taxation/Deputy Treasurer, City Hall, 26 Francis Street, Lindsay, Ontario, K9V 4W9. The tenders will then be opened in public on the same day at 3:15 p.m. at City Hall, 26 Francis Street, Lindsay, Ontario, K9V 4W9.

Description of Land(s)	Minimum Tender Amount
1. Lot 39, Plan 321, City of Kawartha Lakes, being PIN 63108-0667 (LT) 37 Park Lane, Sebright, ON Roll No. 1651 036 00305600.0000.....	\$12,982.30
2. Part of Lot 2, Concession 14, geographic Township of Somerville, aka Lot 2A South of Crego Street as in SV4011, City of Kawartha Lakes, being PIN 63120-1350 (LT) Roll No. 1651 310 03113401.0000 .....	\$4,048.81
3. Block C, Plan 507, City of Kawartha Lakes, being PIN 63252-0841 (LT) Roll No. 1651 001 00707327.0000.....	\$5,551.41
4. Lots 3-12, 15-17, Block 9, Plan 109; Part of Lot 14, 18 Block 9, Plan 109 as in R285016, subject to interest in R285016, City of Kawartha Lakes, being PIN 63255-0265 (LT) Roll No. 1651 004 00020100.0000 .....	\$5,805.22
5. Lots 35-36, Plan 210, subject to execution 05-0000399, if enforceable, subject to execution 09-0000583, if enforceable, subject to execution 92-0000155, if enforceable, City of Kawartha Lakes, being PIN 63143-0150 (LT) 64 Birchcliff Avenue, Dunsford, ON Roll No. 1651 026 01104100.0000.....	\$8,884.32
6. Part of Lot 73, Registrar's Compiled Plan 551, designated Part 27, Plan 57R3203, subject to R173635, R173623, R172730, R175274, R190258, R173626, R173629, R332621, R266847, R438425, R172727, R172741, R274921 and R172722, City of Kawartha Lakes, being part of PIN 63125-0493 (LT) Roll No. 1651 026 03031606.0000.....	\$4,679.67
7. Lot 24 west side Lindsay Street, Plan 108, Part Lot 34 south side Oak Street, Plan 108, Part 1, Plan 57R5645, City of Kawartha Lakes, being PIN 63164-0366 (LT) 2295 Elm Tree Road, Little Britain, ON Roll No. 1651 210 01102700.0000.....	\$15,475.16
8. Part of Lot 16, Concession 4, geographic Township of Somerville, Part 2, Plan 57R6864, together with R403533, City of Kawartha Lakes, being part of PIN 63119-0472 (LT). 18 Wildflower Road, Cobocok, ON Roll No. 1651 310 02005820.0000.....	\$12,381.98
9. Lot 3, Plan 452, City of Kawartha Lakes, being PIN 63119-0123 (LT) 339 Southam Drive, Fenelon Falls, ON Roll No. 1651 310 06011100.0000 .....	\$20,425.18
10. Part of Lot 18, Concession 6, geographic Township of Fenelon, as in A6601, City of Kawartha Lakes, being PIN 63162-0417 (LT) Roll No. 1651 210 02020000.0000.....	\$6,239.22

Tenders must be submitted in the prescribed form and must be accompanied by a deposit in the form of a money order or of a bank draft or cheque certified by a bank or trust corporation payable to the municipality (or board) and representing at least 20 per cent of the tender amount.

Except as follows, the municipality makes no representation regarding the title to or any other matters relating to the land to be sold. Responsibility for ascertaining these matters rests with the potential purchasers.

This sale is governed by the Municipal Act, 2001 and the Municipal Tax Sales Rules made under that Act. The successful purchaser will be required to pay the amount tendered plus accumulated taxes and the relevant land transfer tax.

The municipality has no obligation to provide vacant possession to the successful purchaser.

Note: HST may be payable by successful purchaser.

Tender package is available on our website [www.city.kawarthalakes.on.ca](http://www.city.kawarthalakes.on.ca) (Tax Sales).

For further information regarding this sale and a copy of the prescribed form of tender, contact:

Title CHRISTINE NORRIS, MANAGER OF REVENUE & TAXATION/DEPUTY TREASURER	Name of Municipality or Board THE CORPORATION OF THE CITY OF KAWARTHA LAKES
Address of Municipality or Board 26 FRANCIS STREET, P. O. BOX 696, LINDSAY, ONTARIO, K9V 4W9 Telephone: (705) 324-9411 Fax: (705) 328-2620	

Note: This document need not be registered.





## Public Notice

### NOTICE OF A PUBLIC MEETING TO CONSIDER AMENDMENTS TO THE CITY OF KAWARTHA LAKES OFFICIAL PLAN

General Amendment to City of Kawartha Lakes Official Plan and Secondary Plans for Bobcaygeon and Lindsay, including Urban Settlement Area Boundary Refinements and Policy Modifications

TAKE NOTICE THAT the Planning Committee, on behalf of the Council of the City of Kawartha Lakes, will hold a

Public Meeting  
on Wednesday, August 5, 2015 at 1:00 p.m.  
in the Council Chamber, City Hall, 26 Francis Street, Lindsay, Ontario

THE PURPOSE OF THIS MEETING is to present and consider endorsement of Secondary Plans for the urban settlement areas of Bobcaygeon and Lindsay together with mapping modifications to the General Amendment to the City of Kawartha Lakes Official Plan. If the Secondary Plans and mapping modifications to the General Amendment are endorsed by Council, it is intended that the endorsed Secondary Plans and mapping modifications to the General Amendment be referred to the Ontario Municipal Board for consolidation with the Hearing of the outstanding appeals of the City of Kawartha Lakes Official Plan. The updated land use policies and schedules will provide guidance and direction in the management of land and the environment within the urban settlement areas of Bobcaygeon and Lindsay.

THE PURPOSE OF THESE AMENDMENTS is to:

1. Further to the endorsement of the General Amendment by Council on July 7, 2015, introduce mapping modifications based on direction from Council to the General Amendment that amends the City of Kawartha Lakes Official Plan regarding the urban settlement area boundary of Bobcaygeon;
2. Further to the Public Meeting held on May 27, 2015, introduce policy revisions to the Secondary Plans as considered at the May 27, 2015 Public Meeting based on direction from Council for the urban settlement areas of Bobcaygeon and Lindsay in the City of Kawartha Lakes Official Plan.

The Bobcaygeon Secondary Plan would be revised to consider:

- an amendment to change the highway commercial designation to the employment designation on lands in the East Street North and Main Street area of Bobcaygeon; and,
- a settlement boundary expansion to include the Comhold Investments lands in the southeast portion of Bobcaygeon for residential uses.

The Lindsay Secondary Plan would be revised to consider an amendment to add retail commercial uses to the Mixed-Use Gateway land use designation contained within the Special Policy #2 (Gateway Area) to be considered for the Bromont Homes lands located at the northeast corner of Lindsay Street and Highway 7; and,

3. Repeal the Town of Lindsay Official Plan, Township of Ops Official Plan, and the County of Victoria Official Plan for Bobcaygeon and replace these areas with Secondary Plans that reflect current planning policy.

The General Amendment and two Secondary Plans have been prepared to meet a number of key Provincial and local policies, including the 2014 *Provincial Policy Statement*, the *Growth Plan for the Greater Golden Horseshoe*, and the *City of Kawartha Lakes Official Plan*.

INFORMATION relating to the proposed amendments is available on July 17th, 2015, from the City of Kawartha Lakes Development Services Department – Planning Division, Lindsay Service Centre, 180 Kent Street West, Lindsay, during regular office hours; AND at the City of Kawartha Lakes website: [www.city.kawarthalakes.on.ca/property-development-by-law/planning/secondary-plans](http://www.city.kawarthalakes.on.ca/property-development-by-law/planning/secondary-plans).

ANY PERSON may attend the Public Meeting and/or make written or verbal representation either in support of, in opposition to, or in respect of the proposed amendments. At the public meeting presentations that would take longer than ten minutes should be presented in written form and summarized verbally. All submissions will be considered.

If You Wish to Be Notified of the endorsement of the proposed official plan amendments, or of the refusal of a request to amend the official plan, you must make a written request to the City of Kawartha Lakes by providing your name and address on the appropriate form at the Public Meeting, or by sending such request to the address provided below.

If a person or public body does not make oral submissions at the public meeting or make written submissions to the City of Kawartha Lakes before the applicable proposed amendments are endorsed, as noted above, the person or public body may not be added as a party to the Hearing in connection with the endorsed amendments before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

DATED AT THE CITY OF KAWARTHA LAKES THIS 17th DAY OF JULY, 2015.

Ron Taylor  
Acting Chief Administrative Officer  
180 Kent Street West  
Lindsay, ON K9V 2Y6  
[rtaylor@city.kawarthalakes.on.ca](mailto:rtaylor@city.kawarthalakes.on.ca)  
705-324-9411 Ext. 1239

Richard Holy  
Manager of Policy Planning  
180 Kent Street West  
Lindsay, ON K9V 2Y6  
[rholy@city.kawarthalakes.on.ca](mailto:rholy@city.kawarthalakes.on.ca)  
705-324-9411 Ext. 1246

### NOTICE OF WATERMAIN FLUSHING

The City of Kawartha Lakes wishes to inform residents that the Ontario Clean Water Agency (OCWA) will be undertaking their annual spring watermain flushing during the time period of end of May 29th to July 20th 2015. Flushing will take place Monday through Friday between the hours of 8:00 am and 4:00 pm.

Scheduled locations to be flushed during this period:

Location	Projected Completion Date*	Location	Projected Completion Date*
Western Trent	COMPLETE	Mariposa Estates	COMPLETE
Kinmount	COMPLETE	Janetville	23-Jul-15
Norland	COMPLETE	Kings Bay	COMPLETE
Bobcaygeon	50% COMPLETE	Pleasant Point	COMPLETE
Woodfield	COMPLETE	Southview	13-Jul-15
Pinewood	COMPLETE	Fenelon Falls	14-Jul-15
Omeme	COMPLETE	Sonya	14-Jul-15
Birch Point	COMPLETE	Manilla	16-Jul-15
Victoria Place	COMPLETE	Canadiana Shores	COMPLETE
Woodville	COMPLETE		
Manorview	COMPLETE		

\* Please Note: - specified dates may change due to weather or other unforeseen circumstances.

The flushing of water mains is necessary to remove sediment that gradually deposit in the pipes over time. During the flushing period residents are advised to avoid using water and place their filters, softeners and other water treatment equipment in 'by-pass' mode. During the flushing period the water will remain safe and potable however, there may be brief periods of discoloration, cloudiness and temporary pressure fluctuations.

After the flushing is completed we advise residents to clear their water lines. To do this simply let your cold water tap(remove screens/aerators on tap) closest to the incoming water line, run until the water flows clear prior to returning the water treatment equipment back on line.

#### WATER AND WASTEWATER DIVISION

12 Peel Street, Lindsay, Ontario  
Phone 705.324-9411 – 888.822.2225 – [www.city.kawarthalakes.on.ca](http://www.city.kawarthalakes.on.ca)

### CITY OF KAWARTHA LAKES PUBLIC NOTICE OF PESTICIDE USE

The City of Kawartha Lakes intends to apply the herbicide Estaprop XT, registered under the *Pest Control Products Act* (Canada) as PCP No. 29660; and Glyphos Soluble Concentrate, registered under the *Pest Control Products Act* (Canada) as PCP 24359, to control weeds along the roadsides and various locations on City Property throughout the City of Kawartha Lakes.

The City of Kawartha Lakes will post proposed weed control locations and proposed application dates to the City's web site at [www.city.kawarthalakes.on.ca](http://www.city.kawarthalakes.on.ca) under Public Works Roads Operations.

The active ingredients in Estaprop XT are 2,4-D and Dichlorprop-P. The active ingredient in Glyphos is glyphosate (present as isopropylamine salt). Pesticide applications will commence **May 25, 2015**, weather permitting and end **September 30, 2015**.

The application of the herbicides is being done under the Weed Control Act R.S.O. 1990. The primary use for which the herbicides will be used is for agricultural and horticultural purposes to control Poison Ivy and other noxious weeds on roadsides in the City Of Kawartha Lakes.

For further information contact:

Weed Administration  
City of Kawartha Lakes  
89 St. David St., PO Box 9000  
Lindsay, ON K9V 5R8

Phone: 1-888-822-2225



**Marty****Attachment #2**

---

**From:** Robyn Carlson [mailto:rcarlson@city.kawarthalakes.on.ca]  
**Sent:** Monday, June 05, 2017 12:33 PM  
**To:** Denise Baker  
**Subject:** City of Kawartha Lakes Official Plan - General Amendment (OPA #13) and Secondary Plans (OPA #14-OPA #18) OMB Case Nos.: PL120217, PL151086, PL151087, PL160076 - confidential - without prejudice

Denise,

Happy to do so. The invitation, copied to you, was intended to include you both and my apologies for not making that very clear.

In reading the appeal documentation submitted by your client, I think we got a very good understanding of what he was looking for. Back in mid-April, Staff blacklined some of the Secondary Plans to send to you for consideration. I'll check in with Planning Staff and get these to you shortly.

Regards,

**Robyn Carlson**  
*City Solicitor*  
City of Kawartha Lakes  
P.O. Box 9000, 26 Francis St.  
Lindsay, ON K9V 5R8  
Tel: (705) 324-9411, ext. 1298  
Fax: (705) 324-5417

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**From:** Denise Baker [mailto:dbaker@weirfoulds.com]  
**Sent:** Monday, June 05, 2017 12:06 PM  
**To:** Robyn Carlson  
**Cc:** Marty  
**Subject:** RE: City of Kawartha Lakes Official Plan - General Amendment (OPA #13) and Secondary Plans (OPA #14-OPA #18) OMB Case Nos.: PL120217, PL151086, PL151087, PL160076

Thank you for the clarification below. In that instance, please direct all your correspondence to me, as legal counsel to J. Stollar Construction Limited, and not extend any invitations to meet with Mr. Stollar, as required under the LSUC Rules of Professional Conduct.

It would however be appropriate for Mr. Stollar to meet with staff regarding the proposed Official Plan amendments. Please advise as soon as possible if those meetings will be set up. As you will recall, Mr. Koughan,

6/17/2017

in representing CKL, made specific representations to the Ontario Municipal Board that those interested in the proposed secondary plans would be consulted prior to the documents heading back to Council. I know that neither my client, nor I, have been consulted, so please advise how those representations to the Board are being honoured.

Sincerely,

**DENISE BAKER** | Partner | T. 416-947-5090 | [dbaker@weirfoulds.com](mailto:dbaker@weirfoulds.com)

**WeirFoulds LLP**

Suite 10, 1525 Cornwall Road, Oakville, Ontario, Canada. L6J 0B2 | T. 905-829-8600 | F. 905-829-2035 | [www.weirfoulds.com](http://www.weirfoulds.com)

*Voted #1 in the Canadian Lawyer 2015 Survey for the Top 10 Ontario Regional Firms.*

This e-mail contains information from the law firm of WeirFoulds LLP which may be confidential or privileged. This e-mail is intended initially for the information of only the person to whom it is addressed. Be aware that any disclosure, copying, distribution or use of the contents of this e-mail, without the consent of such person, is prohibited.

---

**From:** Robyn Carlson [<mailto:rcarlson@city.kawarthalakes.on.ca>]

**Sent:** Monday, June 05, 2017 11:58 AM

**To:** Denise Baker; [Janice.Page@ontario.ca](mailto:Janice.Page@ontario.ca); [Claire.Young@ontario.ca](mailto:Claire.Young@ontario.ca); M. John Ewart; Tom Halinski; [richardtaylorlaw@cogeco.net](mailto:richardtaylorlaw@cogeco.net); [david.white@devrylaw.ca](mailto:david.white@devrylaw.ca); [GPetch@mlawc.com](mailto:GPetch@mlawc.com); [nmacos@blacksutherland.com](mailto:nmacos@blacksutherland.com); [pharrington@airdberlis.com](mailto:pharrington@airdberlis.com); [isaiahb@davieshowe.com](mailto:isaiahb@davieshowe.com); [meaghanm@davieshowe.com](mailto:meaghanm@davieshowe.com)

**Cc:** Richard Holy; Loiacono, Johnpaul (MAG); Catherine Gravely; Bill Koughan; 'Marty'

**Subject:** RE: City of Kawartha Lakes Official Plan - General Amendment (OPA #13) and Secondary Plans (OPA #14-OPA #18) OMB Case Nos.: PL120217, PL151086, PL151087, PL160076

All,

Mr. Koughan remains legal counsel for the City with respect to outstanding appeals to the 2012 Official Plan. Mr. Koughan is no longer retained on the Secondary Plan appeals. I am legal counsel on these matters.

Regards,

**Robyn Carlson**

*City Solicitor*

City of Kawartha Lakes

P.O. Box 9000, 26 Francis St.

Lindsay, ON K9V 5R8

Tel: (705) 324-9411, ext. 1298

Fax: (705) 324-5417

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---

**From:** Marty [<mailto:martstol@rogers.com>]

**Sent:** Monday, June 05, 2017 4:40 AM

**To:** Robyn Carlson; [Janice.Page@ontario.ca](mailto:Janice.Page@ontario.ca); [Claire.Young@ontario.ca](mailto:Claire.Young@ontario.ca)

**Cc:** M. John Ewart; Denise Baker; Tom Halinski; [richardtaylorlaw@cogeco.net](mailto:richardtaylorlaw@cogeco.net); Richard Holy; Loiacono, Johnpaul (MAG); [david.white@devrylaw.ca](mailto:david.white@devrylaw.ca); [GPetch@mlawc.com](mailto:GPetch@mlawc.com); [nmacos@blacksutherland.com](mailto:nmacos@blacksutherland.com); [pharrington@airdberlis.com](mailto:pharrington@airdberlis.com); [isaiahb@davieshowe.com](mailto:isaiahb@davieshowe.com); [meaghanm@davieshowe.com](mailto:meaghanm@davieshowe.com); Catherine Gravely; Andy Letham

**Subject:** Re: City of Kawartha Lakes Official Plan - General Amendment (OPA #13) and Secondary Plans (OPA #14-OPA #18) OMB Case Nos.: PL120217, PL151086, PL151087, PL160076

Ms. Carlson,

Following up on the email below, I'd remind you of the clarification requested in the antepenultimate paragraph, namely:

*"Have you replaced Mr. Koughan on the existing CKLOP file? Alternatively, are you working with him as co-counsel? Or perhaps he is handling the appeals to the parent OP while you look after the subsequent amendments? Or are you in fact merely serving as a conduit for disseminating information from Planning staff?"*

Needless to say, your providing that clarification would not only be appreciated but is actually essential.

Marty Stollar

**From:** [Marty](#)

**Sent:** Tuesday, May 30, 2017 7:55 AM

**To:** [Robyn Carlson](#) ; [Janice.Page@ontario.ca](#) ; [Claire.Young@ontario.ca](#)

**Cc:** [M. John Ewart](#) ; [Denise Baker](#) ; [Wayne Fairbrother](#) ; [jsavini@tmlegal.ca](#) ; [westech@sympatico.ca](#) ; [robert.spittel@sympatico.ca](#) ; [Tom Halinski](#) ; [forrentbobcaygeonont@gmail.com](#) ; [jellevisstall@gmail.com](#) ; [richardtaylorlaw@cogeco.net](#) ; [jwebster@i-zoom.net](#) ; [chris@handleylumber.ca](#) ; [mjbarkwell@sympatico.ca](#) ; [allmangrant@gmail.com](#) ; [peter22@i-zoom.net](#) ; [alan@engelstad.ca](#) ; [murdoch.financialconsultin@bellnet.ca](#) ; [Richard Holy](#) ; [Loiacono, Johnpaul \(MAG\)](#) ; [david.white@devrylaw.ca](#) ; [GPetch@mlawc.com](#) ; [nmacos@blacksutherland.com](#) ; [gborean@parenteborean.com](#) ; [pharrington@airdberlis.com](#) ; [isaiahb@davieshowe.com](#) ; [meaghanm@davieshowe.com](#) ; [Catherine Gravely](#) ; [\(KL\) Mayor Andy Letham](#)

**Subject:** Re: City of Kawartha Lakes Official Plan - General Amendment (OPA #13) and Secondary Plans (OPA #14-OPA #18) OMB Case Nos.: PL120217, PL151086, PL151087, PL160076

Ms. Carlson,

With respect to your responses below:

- You end your third bullet with the claim: *"This is the earliest that notice could have been provided."* But you yourself have made it clear that that is simply not true. After all, you've now explicitly acknowledged that staff reached consensus on the new path-forward "late last week". And no less to the point: The email you ended up sending us – as well as the announcement on the City's website – were clearly composed last week. (The give-away, of course, was the reference to "next Tuesday".) So the question remains as to why you/staff decided to withhold this information until mid-morning yesterday. *[To repeat: I wasted a good part of the weekend on this matter – a burden I would have been spared had your email been issued on Friday.]*
- You've indicated that the *Special Council Meeting* will be proceeding as scheduled. I would remind you, however, that according to the *Notice* that was issued by the City this is a public meeting being specifically convened pursuant to the provisions of Section 26 of the *Planning Act*. Let me also remind you that Section 26, as well as providing that Council hold *"a special meeting of council, open to the public, to discuss the revisions that may be required"*, also includes the following explicit specification:
 

(5) The council shall have regard to any written submissions about what revisions may be required and shall give any person who attends the special meeting an opportunity to be heard on that subject."

What you are now telling us, however, is:

- that City staff have already decided what their recommendations will end up being, and therefore
- that, whether explicitly or by implication, staff will be recommending that

Council disregard any submissions made at the public meeting (or in writing) that deviate from those recommendations.

Put otherwise: What you've now told us is that the consensus reached last week is that staff will not only be asking, but actually expecting, Council to disregard its obligation under Section 26(5) of the *Planning Act* – and that staff have made that decision before even hearing for themselves what those submissions might end up being.

Let me repeat the question I asked in the letter I already submitted to Council: Why bother going ahead with this Potemkin-Village-like charade of pretending that this “public meeting” constitutes a *bone fides* attempt to obtain input from the public?

- I deeply resent your attempt (not only in your response below but equally in your correspondence with Mr. Petch and in the staff Report that finally materialized late yesterday afternoon) to characterize staff's recommendation that Council now adopt the previously endorsed planning documents as reflecting a desire on the City's part to be accommodating (eg., so as to afford appeal rights to parties who object to the proposed official plan amendments).

The fact is that – as you well know – in 2014 and 2015 staff repeatedly told Council that it did not have the authority to actually adopt the proposed Lindsay & Bobcaygeon Secondary Plans (along with the so-called “General Amendment”) ... and that all it could do was “endorse” them and refer them to them Board. I, in turn, had repeatedly advised Council that this was not true. More to the point: I advised Council that this blatant attempt by staff to circumvent the *Planning Act* would not work.

The upshot is that the reason that staff are now proposing the actual adoption of the planning documents in question is not in any way motivated by a desire to accommodate appeal rights – but rather due to the fact that the Board has not accepted jurisdiction over the “endorsed” versions that were referred to it.

No less to the point: What is pointedly missing at this point is an acknowledgement that staff are now recommending that Council do the very thing that staff had earlier misled Council into believing it lacked the authority to do.

In sum: Insofar as the original game-plan had been predicated on an overt attempt to deprive potentially-aggrieved parties of their appeal-rights, it wrecks of bad faith to now pretend that City staff are motivated by a desire to ensure that those appeal-rights are accommodated.

- You state that “*Staff have had productive discussions with appellants to date and will continue to do so in the context of appeals before the Board, with a view to resolving the outstanding appeals*”. I have no doubt that this is true. Let me point out, however, that the list of appellants with whom staff have had these discussions does not include me; and Ms. Gravely has confirmed that she too has been locked out of this process.

Why is this pertinent? In response, I'd refer you to the 2 emails and the Board Decision that I'm appending hereto – with all three of which I know you are already fully familiar.

Let's turn to paragraphs [6] & [7] of the Board Decision, which states:

[6] Since the PHC, Mr. Koughan has advised the Board that as a result of comments received from the various stakeholders, it is the City's intent to reconsider these OPAs. The City also intends to engage in negotiations with the various stakeholders in an effort to resolve outstanding concerns with respect to these OPAs.

[7] Once that exercise is completed, and after complying with the statutory requirements under the *Planning Act*, R.S.O. 1990, City Council is expected to consider and adopt revised versions of these OPA's.

Even more to the point, of course, is the email to me from Mr. Holy (copied to you) in which he makes the following commitment on both your behalves:

“We will be consulting with parties this time before bringing the plans back to Council. Robyn and I are developing a workplan to this effect.”



Let me state the obvious:

- With respect to the three Secondary Plans that were previously adopted:
  - So far as I'm aware, Ms. Gravely, the Ministry and my company were the only three appellants. Accordingly, we three are the parties with whom the Board indicated the City was intending to *"engage in negotiations ... in an effort to resolve outstanding concerns with respect to these OPAs"*
  - The Notice for the May 30<sup>th</sup> meeting (as well as the recent staff Report) indicates that staff were already proposing to repeal and replace those three OPAs on an accelerated time-table – notwithstanding that there has been no out-reach of any sort to either Ms. Gravely or myself.
  - Accordingly, even before yesterday's change-of-course, the City had already chosen to by-pass the commitments that it had made to the Board and that Mr. Holy (with your evident concurrence) had made to me.
- With respect to the so-called "General Amendment":
  - I was the only stakeholder who submitted extensive and extremely detailed comments (as well as having expressed profound concerns) in relation to this particular document.
  - The Notice for the May 30<sup>th</sup> meeting (as well as the recent staff Report) indicates that staff were already proposing to bring forward a revised version for adoption on an accelerated time-table – notwithstanding that no one has even attempted to engage me in discussions.
  - Your current proposal to simply adopt the same document that was previously endorsed is directly contrary to the assurances that had been provided to the Board – all the more-so insofar as the indicated "exercise" has not even begun, much less been "completed".
- With respect to the previously-proposed "Lindsay Secondary Plan":
  - I was obviously not the only stakeholder who submitted comments and concerns. But it is self-evident that my submissions were far more detailed and comprehensive than those made by any other party'.
  - As I subsequently learned, those submissions were not even reviewed by staff ... but simply passed on to the consultant (who evidently chose to also ignore them).
  - The Notice for the May 30<sup>th</sup> meeting (as well as the recent staff Report) indicates that staff were already proposing to bring forward a revised version for adoption on an accelerated time-table – notwithstanding that no one has even attempted to engage me in discussions
  - Your current proposal to simply adopt the same document that was previously endorsed is directly contrary to the assurances that had been provided to the Board – all the more-so insofar as the indicated "exercise" has not even begun, much less been "completed".

I must confess that the fact that the City would end up reneging on the consultation commitments it made in the communications I've enclosed comes as no particular surprise. After all, precisely the same thing happened in relation to the virtually-identical commitments that the City made to the Board in conjunction with the repeal of OPA 8 – as well as, of course, throughout the secondary planning exercise itself.

With respect to this: I do take note of your having offered, at the end of your email, *"to meet and discuss this with [me] at [my] convenience"*. That being said, I find your decision to make such a proposal quite troubling.

To begin with, of course, it's self-evident that, at this stage, there would be no real point to such a meeting – given that you've advised us that staff have already decided on what their recommendation will be to Council on June 27<sup>th</sup>. At this point, accordingly, the only possible purpose to such a meeting would be to provide the City with "cover" – i.e., by enabling it to claim that staff had met with me prior to the plans' having been brought back to Council for adoption on the 27<sup>th</sup>. Obviously I have no interest in facilitating such a charade.

More to the point, however, is the problem posed by the inherent ambiguity surrounding your own current role/function in this process. To explain:

1. The parties with whom I would have expected to be having substantive discussions about these matters are Mr. Holy and the consultant – not you.
2. To be clear: Your email identifies you as being the “City Solicitor”; and I note that Closed Session Item 6.1 on this morning’s Agenda identifies the briefing that you will be giving to Council in relation to these matters as being “Advice that is subject to Solicitor-Client Privilege”. Accordingly, absent a clear disclaimer to the contrary, it would appear on its face that your role in relation to these matters is in your capacity as the City’s legal representative.
3. I need hardly remind you, of course, that in connection with its appeals of the three adopted Secondary Plans my company is represented by legal counsel. Accordingly it is obviously inappropriate (*sc.* improper) for the City’s legal representative to be proposing to meet with me to discuss matters relating to those appeals.

I’d therefore respectfully suggest that you need to put your mind to and define what your role actually is at this point – and then clearly disclose that to us.

Included among the questions to which an answer would be in order are the following: Have you replaced Mr. Koughan on the existing CKLOP file? Alternatively, are you working with him as co-counsel? Or perhaps he is handling the appeals to the parent OP while you look after the subsequent amendments? Or are you in fact merely serving as a conduit for disseminating information from Planning staff?

In sum: In the absence of your providing the needed clarifications, you would be the last person with whom I would be agreeing to meet and discuss these matters.

That being said, I would of course be not only be willing but actually eager to finally be accorded an opportunity to meet with Planning staff and/or the consultant in order to engage in constructive discussions about these matters – just as I have been eager to do so since the inception of the secondary planning exercise dating back to 2011

Marty Stollar

**From:** [Robyn Carlson](#)

**Sent:** Monday, May 29, 2017 11:15 AM

**To:** 'Marty'; [Janice.Page@ontario.ca](#); [Claire.Young@ontario.ca](#)

**Cc:** [M. John Ewart](#); [Denise Baker](#); [Wayne Fairbrother](#); [jsavini@tmlegal.ca](#); [westech@sympatico.ca](#); [robert.spittel@sympatico.ca](#); [Tom Halinski](#); [forrentbobcaygeonont@gmail.com](#); [jellevisstall@gmail.com](#); [richardtaylorlaw@cogeco.net](#); [jwebster@i-zoom.net](#); [chris@handleylumber.ca](#); [mjbarkwell@sympatico.ca](#); [allmangrant@gmail.com](#); [peter22@i-zoom.net](#); [alan@engelstad.ca](#); [murdoch.financialconsultin@bellnet.ca](#); [Richard Holy](#); [Loiacono, Johnpaul \(MAG\)](#); [david.white@devrylaw.ca](#); [GPetch@mlawc.com](#); [nmacos@blacksutherland.com](#); [gborean@parenteborean.com](#); [pharrington@airdberlis.com](#); [isaiahb@davieshowe.com](#); [meaghanm@davieshowe.com](#); [Catherine Gravely](#)

**Subject:** RE: City of Kawartha Lakes Official Plan - General Amendment (OPA #13) and Secondary Plans (OPA #14-OPA #18) OMB Case Nos.: PL120217, PL151086, PL151087, PL160076

Mr. Stollar,

For clarification:

- The Special Council meeting is not cancelled and will proceed tomorrow at 10:00 am. However, the nature of the meeting has fundamentally changed. Due to the May 18 2017 release of the Growth Plan 2017, the City is frustrated in adopting new Secondary Plans August 23, 2017, as originally contemplated and as communicated to all parties

and the Board.

- To be responsive to the concern of yourself and others, Staff are recommending that the City adopt those plans which were originally endorsed, thus providing appeal rights.
- My apologies for the last-minute notice; in light of the recent change to the Planning framework, Staff have been working furiously to determine the best course of action and have only come to consensus late last week. This is the earliest that notice could have been provided.
- Staff have had productive discussions with appellants to date and will continue to do so in the context of the appeals before the Board, with a view to resolving the outstanding appeals. However, the 2017 Growth Plan will now need to be taken into consideration for Board decisions on or after July 1, 2017.

I am happy to meet and discuss this with you at your convenience.

Regards,

**Robyn Carlson**

*City Solicitor*

City of Kawartha Lakes  
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**From:** Marty [<mailto:martstol@rogers.com>]

**Sent:** Monday, May 29, 2017 11:02 AM

**To:** Robyn Carlson; [Janice.Page@ontario.ca](mailto:Janice.Page@ontario.ca); [Claire.Young@ontario.ca](mailto:Claire.Young@ontario.ca)

**Cc:** M. John Ewart; Denise Baker; Wayne Fairbrother; [jsavini@tmlegal.ca](mailto:jsavini@tmlegal.ca); [westech@sympatico.ca](mailto:westech@sympatico.ca); [robert.spittel@sympatico.ca](mailto:robert.spittel@sympatico.ca); Tom Halinski; [forrentbobcaygeonont@gmail.com](mailto:forrentbobcaygeonont@gmail.com); [jellevisser@tmlegal.ca](mailto:jellevisser@tmlegal.ca); [richardtaylorlaw@cogeco.net](mailto:richardtaylorlaw@cogeco.net); [jwebster@i-zoom.net](mailto:jwebster@i-zoom.net); [chris@handleylumber.ca](mailto:chris@handleylumber.ca); [mjbarkwell@sympatico.ca](mailto:mjbarkwell@sympatico.ca); [allmangrant@gmail.com](mailto:allmangrant@gmail.com); [peter22@i-zoom.net](mailto:peter22@i-zoom.net); [alan@engelstad.ca](mailto:alan@engelstad.ca); [murdoch.financialconsultin@bellnet.ca](mailto:murdoch.financialconsultin@bellnet.ca); Richard Holy; Loiacono, Johnpaul (MAG); [david.white@devrylaw.ca](mailto:david.white@devrylaw.ca); [GPetch@mlawc.com](mailto:GPetch@mlawc.com); [nmacos@blacksutherland.com](mailto:nmacos@blacksutherland.com); [gborean@parenteborean.com](mailto:gborean@parenteborean.com); [pharrington@airdberlis.com](mailto:pharrington@airdberlis.com); [isaiahb@davieshowe.com](mailto:isaiahb@davieshowe.com); [meaghanm@davieshowe.com](mailto:meaghanm@davieshowe.com); Catherine Gravely; Andy Letham

**Subject:** Re: City of Kawartha Lakes Official Plan - General Amendment (OPA #13) and Secondary Plans (OPA #14-OPA #18) OMB Case Nos.: PL120217, PL151086, PL151087, PL160076

Ms. Carlson,

Setting aside the self-evident absurdity of the path you've indicated staff are proposing to follow, I believe that some of us may require some additional short-term clarification. For example:

- Does this mean that the 10am Tuesday, May 30th Special Council Meeting is now cancelled? (For the record: That meeting has not been scheduled for "next Tuesday" – but rather for less than 24 hours from now.)
- 
- If it's not being cancelled, does this mean that its Agenda has changed? (And is this in fact permitted under Council's Procedural By-law?)
- 
- If it is being cancelled, might not the City have considered displaying the simple courtesy of apologizing to those of us who have invested (sc. wasted) considerable time and effort over the



course of this past weekend as a result of your not having informed us of this sooner????

- 
- Has the City decided to forego its Section 26 initiative entirely? Or, alternatively, does this mean that the City is intending to move forward on both fronts?
- 
- What happened to the assurances that the City's legal representative had given the Board that City staff would be engaging in direct discussions with the appellants to the previously-adopted Secondary Plans before undertaking any further secondary plan adoptions?
- 
- In sum: Would it be possible for someone to explain how the decision you're reporting is not rooted in self-evident bad faith?

Marty Stollar

**From:** [Robyn Carlson](#)

**Sent:** Monday, May 29, 2017 10:24 AM

**To:** <mailto:Janice.Page@ontario.ca> ; <mailto:Claire.Young@ontario.ca>

**Cc:** [M. John Ewart](#) ; [Denise Baker](#) ; [Wayne Fairbrother](#) ; [jsavini@tmlegal.ca](mailto:jsavini@tmlegal.ca) ; [westech@sympatico.ca](mailto:westech@sympatico.ca) ; [robert.spittel@sympatico.ca](mailto:robert.spittel@sympatico.ca) ; [Tom Halinski](#) ; [forrentbobcaygeonont@gmail.com](mailto:forrentbobcaygeonont@gmail.com) ; [jellevisstertall@gmail.com](mailto:jellevisstertall@gmail.com) ; <mailto:richardtaylorlaw@cogeco.net> ; [jwebster@i-zoom.net](mailto:jwebster@i-zoom.net) ; [chris@handleylumber.ca](mailto:chris@handleylumber.ca) ; [mjbarkwell@sympatico.ca](mailto:mjbarkwell@sympatico.ca) ; [allmangrant@gmail.com](mailto:allmangrant@gmail.com) ; [peter22@i-zoom.net](mailto:peter22@i-zoom.net) ; [alan@engelstad.ca](mailto:alan@engelstad.ca) ; [murdoch.financialconsultin@bellnet.ca](mailto:murdoch.financialconsultin@bellnet.ca) ; [Richard Holy](#) ; [Loiacono, Johnpaul \(MAG\)](#) ; <mailto:david.white@devrylaw.ca> ; <mailto:GPetch@mlawc.com> ; [Marty](#) ; <mailto:nmacos@blacksutherland.com> ; <mailto:gborean@parenteborean.com> ; <mailto:pharrington@airdberlis.com> ; <mailto:isaiahb@davieshowe.com> ; <mailto:meaghanm@davieshowe.com>

**Subject:** City of Kawartha Lakes Official Plan - General Amendment (OPA #13) and Secondary Plans (OPA #14-OPA #18) OMB Case Nos.: PL120217, PL151086, PL151087, PL160076

### **Impact of the release of the Growth Plan for the Greater Golden Horseshoe on the City of Kawartha Lake's Secondary Plans:**

Staff have scheduled a Special Meeting of Council for the purpose of receiving public comments to proposed amended Secondary Plans. This Special Meeting has been scheduled for next Tuesday (May 30, 2017) at 10:00 am. However, last Thursday (May 18, 2017) the Province released a new 2017 Growth Plan for the Greater Golden Horseshoe. Council decisions made on or after July 1, 2017 will need to conform to the new Plan. Accordingly, Staff's plan to present Council with new Secondary Plans for consideration on August 23, 2017 has been frustrated. Instead, Staff propose to put the Lindsay Secondary Plan, the Bobcaygeon Secondary Plan and the General Amendment to Official Plan 2012 as they were endorsed by Council in 2015 before Council before July 1, 2017 for adoption.

**Robyn Carlson**

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