

The Corporation of the City of Kawartha Lakes

Minutes

Committee of the Whole Meeting

COW2022-01

Tuesday, January 11, 2022

Open Session Commencing at 1:00 p.m. – Full Electronic Participation

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Mayor Andy Letham

Deputy Mayor Tracy Richardson

Councillor Ron Ashmore

Councillor Pat Dunn

Councillor Doug Elmslie

Councillor Patrick O'Reilly

Councillor Kathleen Seymour-Fagan

Councillor Andrew Veale

Councillor Emmett Yeo

Note: This was a fully electronic participation meeting and access to Council Chambers was not available. Please visit the City of Kawartha Lakes YouTube Channel at <https://www.youtube.com/c/CityofKawarthaLakes> to view the proceedings.

Accessible formats and communication supports are available upon request. The City of Kawartha Lakes is committed to accessibility for persons with disabilities. Please contact AgendaItems@kawarthalakes.ca if you have an accessible accommodation request.

1. Call to Order

Mayor Letham called the Meeting to order at 1:00 p.m. from Council Chambers. Deputy Mayor T. Richardson and Councillors R. Ashmore, P. Dunn, D. Elmslie, P. O'Reilly, K. Seymour-Fagan, A. Veale and E. Yeo were in attendance electronically.

CAO R. Taylor, Deputy Clerk S. O'Connell and Deputy Clerk J. Watts were also in attendance in Council Chambers.

City Clerk C. Ritchie, Directors B. Robinson, J. Rojas, R. Sutherland, City Solicitor R. Carlson and Fire Chief T. Jones, Manager of Realty Services S. Dyer, Economic Development Officer – Arts and Culture D. Goodwin, Economic Development Officer - Heritage Planning E. Turner, Manager of Human Services J. Mitchell and Police Chief M. Mitchell were also in attendance electronically.

2. Adoption of Agenda

CW2022-001

Moved By Councillor Elmslie

Seconded By Councillor Yeo

That the Agenda for the Committee of the Whole Meeting of Tuesday, January 11, 2022, be adopted as circulated.

Carried

3. Disclosure of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

4. Deputations

4.1 COW2022-01.4.1

**Request for a Pipe Encroachment within Skyline Road
(Item 7.9 on the Agenda)**

John Devos

John Devos provided an overview of the system that his farming operation uses to spread manure; the system includes the installation of a ten (10) inch pipe underneath Skyline Road to allow manure to travel underneath the traveled road. Mr. Devos requested that Council approve an Encroachment Agreement to allow the pipe to remain in its current location.

CW2022-002

Moved By Councillor Veale

Seconded By Councillor Dunn

That the deputation of John Devos, **regarding a request for a pipe encroachment within Skyline Road**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

Item 7.9 was moved up on the Agenda.

7.9 RS2022-009

Request for License Agreement – Pipe Encroachment within Skyline Road

Laura Carnochan, Law Clerk - Realty Services

CW2022-003

Moved By Councillor Veale

Seconded By Councillor O'Reilly

That Report RS2022-009, **Request for License Agreement – Pipe Encroachment within Skyline Road**, be received;

That Staff be directed to enter into a License Agreement with the applicant to allow a pipe within Skyline Road (connecting 140 Skyline Road and 147 Skyline Road) to remain in its current location; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

5. Correspondence

5.1 COW2022-01.5.1

Request to Waive the Fee to Load Compost at the Lindsay-Ops Landfill

Beth Hendry, Program Coordinator, Kawartha Lakes Food Source

CW2022-004

Moved By Councillor Ashmore

Seconded By Deputy Mayor Richardson

That the correspondence from Beth Hendry, Program Coordinator, Kawartha Lakes Food Source, regarding a request to waive the fee to load compost at the Lindsay-Ops Landfill, be received;

That the fee to load compost at the Lindsay-Ops Landfill be waived for Kawartha Lakes Food Source on an ongoing basis; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

6. Presentations

6.1 COW2022-01.6.1

Film Production and Processes Feasibility Findings Presentation

Donna Goodwin, Economic Development Officer - Arts and Culture

Donna Goodwin, Economic Development Officer - Arts and Culture, provided an overview of the Film Production and Processes Feasibility Study.

CW2022-005

Moved By Councillor Seymour-Fagan

Seconded By Councillor Elmslie

That the presentation by Donna Goodwin, Economic Development Officer - Arts and Culture, **regarding the Film Production and Processes Feasibility Findings**, be received; and

That this recommendation be brought forward to Council at the next Regular Council Meeting.

Carried

6.1.1 Report ED2022-002

Film Production and Processes Feasibility Findings Report

Donna Goodwin, Economic Development Officer - Arts, Culture and Heritage

CW2022-006

Moved By Deputy Mayor Richardson

Seconded By Councillor Elmslie

That Report ED2022-002, **Film Production and Processes Feasibility Findings**, be received;

That Council endorse the findings of the Film Production and Process Study, attached as Appendix A, in principle and direct staff to work to develop a Film and Television Office in the Economic Development Division;

That Council send a Letter of Support for the South Eastern Ontario Production Acceleration Fund to advocate for a Provincial Film Production Incentive Program for southeastern Ontario municipalities, and

That these recommendations be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

6.2 COW2022-01.6.2

Community Safety and Well-Being Plan Presentation

Mark Mitchell, Chief, Kawartha Lakes Police Services

Mark Mitchell, Chief, Kawartha Lakes Police Services, provided an overview of the Community Safety and Well-Being Plan and also outlined the process that was followed by the Community Safety and Well-Being Plan Advisory Committee to compile the Plan.

CW2022-007

Moved By Councillor Dunn

Seconded By Councillor Elmslie

That the presentation by Mark Mitchell, Chief, Kawartha Lakes Police Services, **regarding the Community Safety and Well-Being Plan**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

6.2.1 Report CAO2022-001

Community Safety and Well-Being Plan Report

Rod Sutherland, Director, Human Services

CW2022-008

Moved By Councillor Yeo

Seconded By Councillor O'Reilly

That Report CAO2022-001, **Community Safety and Well-Being Plan**, be received;

That the Community Safety and Well-Being Plan, appended as Attachment A to Report CAO2022-001, be approved;

That the Community Safety and Well-Being Plan Advisory Committee members be thanked for their contributions; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

7. Reports

7.1 CLK2022-004

Code of Conduct and Ethics - Members of Council and Local Boards Policy (CP2020-001) Amendments to Schedules A and B

Cathie Ritchie, City Clerk

CW2022-009

Moved By Councillor Elmslie

Seconded By Councillor O'Reilly

That Report CLK2022-004, **Code of Conduct and Ethics - Members of Council and Local Boards Policy Amendments to Schedules A and B**, be received;

That Council approves the recommended amendments to Schedules A and B of the Code of Conduct and Ethics - Members of Council and Local Boards Policy CP2020-001 attached as Appendix A to Report CLK2021-009, by removing the mandatory Affidavit requirement from the Investigation Protocols; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

7.2 RS2022-001

Proposed Surplus, Declaration, Closure and Sale of a Portion of Road Allowance Adjacent to Aylmer Dr. and 90 East Beehive Rd., Bobcaygeon

Christine Oliver, Law Clerk - Realty Services

CW2022-010

Moved By Councillor Seymour-Fagan

Seconded By Councillor Yeo

That Report RS2022-001, **Proposed Surplus, Declaration, Closure and Sale of a Portion of Road Allowance Adjacent to 26 to 6 Aylmer Drive and 90 East Beehive Road, in the Geographic Village of Bobcaygeon, in The City of Kawartha Lakes**, be received;

That subject property, being the unopened road allowance, legally described as Aylmer Drive on Plan 373, PIN 63126-0484, adjacent to 26, 28, 24, 20, 16, 14, 10, 8, 6 Aylmer Drive and 90 East Beehive Road, in the Geographic Village of Bobcaygeon, in The City of Kawartha Lakes, be declared surplus to municipal needs;

That the closure of the unopened road allowance and sale to each of the adjoining landowners be supported, in principle, in accordance with the provision of By-Law 2018-020, as amended, and the Municipal Act, 2001, and subject to the parties entering into a conditional Agreement of Purchase and Sale;

That Council set the value of the land at the minimum set price of \$15.00 per linear foot of unopened road allowance adjacent to a lake;

That Staff be directed to commence the process to stop up and close the said portion of the unopened road allowance;

That a By-Law (with any amendments deemed necessary) to close the road and authorize its disposition shall be passed if appropriate;

That a Deeming By-Law be passed contemporaneously with the disposition By-Law;

That the Mayor and Clerk be authorized to sign all documents to facilitate the road closing and conveyance of the lands; and

That these recommendations be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

7.3 RS2022-002

Proposed Surplus, Declaration, Closure and Sale of a Portion of Shoreline Road Allowance adjacent to 309 ½ Avery Point Road

Christine Oliver, Law Clerk - Realty Services

CW2022-011

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That Report RS2022-002, **Proposed Surplus, Declaration, Closure and Sale of a Portion of Shoreline Road Allowance adjacent to 309 ½ Avery Point Road, in the Geographic Township of Carden, in The City of Kawartha Lakes**, be received;

That the subject property, being a portion of shoreline road allowance adjacent to 309 ½ Avery Point Road, in the Geographic Township of Carden, in The City of Kawartha Lakes, and legally described as Lots 38-39 on Plan 136, in the Geographic Township of Carden, in The City of Kawartha Lakes;

That the closure of the portion of shoreline road allowance to the adjoining landowner be supported, in principle, in accordance with the provisions of By-Law 2018-020, as amended, and the Municipal Act, 2001, and subject to the parties entering into a conditional Agreement of Purchase and Sale;

That Council set the value of land at the higher of the appraised value of the minimum set price of \$23.00 per linear foot of shoreline road allowance adjacent to a lake;

That Staff be directed to commence the process to stop up and close the said portion of shoreline road allowance;

That a By-Law (with any amendments deemed necessary) to close the road and authorize its disposition shall be passed if appropriate;

That a Deeming By-Law (with any amendments deemed necessary) shall be passed if appropriate;

That the Mayor and Clerk be authorized to sign all documents to facilitate the road closing and conveyance of the lands; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

7.4 RS2022-003

Proposed Surplus, Declaration, Closure and Sale of a Portion of Road Allowance adjacent to 203 Avery Point Road

Christine Oliver, Law Clerk - Realty Services

CW2022-012

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That Report RS2022-003, **Proposed Surplus, Declaration, Closure and Sale of a Portion of Shoreline Road Allowance adjacent to 203 Avery Point Road, in the Geographic Township Carden, in The City of Kawartha Lakes**, be received;

That the subject property, being a portion of shoreline road allowance adjacent to 203 Avery Point Road, in the Geographic Township of Carden, in The City of Kawartha Lakes and legally described as Lot 93 on Plan 150; Part of Lot 92 on Plan 150 as in VT95608, in the Geographic Township of Carden, in The City of Kawartha Lakes, be declared surplus to municipal needs;

That the closure of the portion of shoreline road allowance to the adjoining landowner be supported, in principle, in accordance with the provisions of By-Law 2018-020, as amended, and the Municipal Act, 2001, and subject to the parties entering into a conditional Agreement of Purchase and Sale;

That Council set the value of land at the higher of the appraised value and of the minimum set price of \$23.00 per linear foot of shoreline road allowance adjacent to a lake;

That Staff be directed to commence the process to stop up and close the said portion of shoreline road allowance;

That a By-Law (with any amendments deemed necessary) to close the road and authorize its disposition shall be passed if appropriate;

That a Deeming By-Law (with any amendments deemed necessary) to close the road and authorize its disposition shall be passed if appropriate;

That the Mayor and Clerk be authorized to sign all documents to facilitate the road closing and conveyance of the lands; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

7.5 RS2022-004

Proposed Surplus, Declaration, Closure and Sale of a Portion of Road Allowance adjacent to 89, 90, 95 Fell's Point Road

Christine Oliver, Law Clerk - Realty Services

CW2022-013

Moved By Councillor Seymour-Fagan

Seconded By Deputy Mayor Richardson

That Report RS2022-004, **Proposed Surplus, Declaration, Closure and Sale of Portion of Road Allowance adjacent to 89, 90, 95 Fell's Point Road**, be received;

That subject property, being a portion of opened road allowance, legally described as as Part of Lots 31 and 32, Concession 11, in the Village of Fenelon, Part 2 on 57R-3525 being Fell's Point Road, in The City of Kawartha Lakes, adjacent to 89, 90, 95 Fell's Point Road, be declared surplus to municipal needs;

That the closure of the road allowance and sale to the adjoining landowner be supported, in principle, in accordance with the provision of By-Law 2018-020, as amended, and the Municipal Act, 2001, and subject to the parties entering into a conditional Agreement of Purchase and Sale;

That Council set the value of the land at the higher of the appraised value or the minimum set price of \$15.00 per linear foot of road allowance;

That Staff be directed to commence the process to stop up and close the said portion of the opened road allowance;

That a By-Law (with any amendments deemed necessary) to close a portion of the opened road and authorize its disposition shall be passed if appropriate;

That a Deeming By-Law be passed contemporaneously with the disposition By-Law;

That the Mayor and Clerk be authorized to sign all documents to facilitate the road closing and conveyance of the lands; and

That these recommendations be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

7.6 RS2022-006

Proposed Surplus, Declaration, Closure and Sale of a Portion of Road Allowance adjacent to 243 Avery Point Road

Christine Oliver, Law Clerk - Realty Services

CW2022-014

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That Report RS2022-006, **Proposed Surplus, Declaration, Closure and Sale of a Portion of Shoreline Road Allowance adjacent to 243 Avery Point Road, in the Geographic Township of Carden, in The City of Kawartha Lakes**, be received;

That the subject property, being a portion of shoreline road allowance, adjacent to 243 Avery Point Road, in the Geographic Township of Carden, in The City of Kawartha Lakes, and legally described as Lot 72 on Plan 150, in the Geographic Township of Carden, in The City of Kawartha Lakes, be declared surplus to municipal needs;

That the closure of the portion of shoreline road allowance to the adjoining landowner be supported, in principle, in accordance with the provisions of By-Law 2018-020, as amended, and the Municipal Act, 2001, and subject to the parties entering into a conditional Agreement of Purchase and Sale;

That Council set the value of land at the higher of the appraised value or the minimum set price of \$23.00 per linear foot of shoreline road allowance adjacent to a lake;

That Staff be directed to commence the process to stop up and close the said portion of shoreline road allowance;

That a By-Law (with any amendments deemed necessary) to close the road and authorize its disposition shall be passed if appropriate;

That a Deeming By-Law (with any amendments deemed necessary) be passed contemporaneously with the disposition By-Law, if appropriate;

That the Mayor and Clerk be authorized to sign all documents to facilitate the road closing and conveyance of the lands; and

That these recommendations be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

7.7 RS2022-007

Proposed Surplus Declaration, Closure, and Sale of a Portion of Shoreline Road Allowance adjacent to 307 Avery Point Road

Laura Carnochan, Law Clerk - Realty Services

CW2022-015

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That Report RS2022-007, **Proposed Surplus Declaration, Closure, and Sale of a Portion of Shoreline Road Allowance adjacent to 307 Avery Point Road**, be received;

That the subject property, being a portion of shoreline road allowance adjacent to 307 Avery Point Road, Sebright and legally described as Lot 41 on Plan 150, in the Geographic Township of Carden, City of Kawartha Lakes, be declared surplus to municipal needs;

That the closure of the portion of shoreline road allowance to the adjoining landowner be supported, in principle, in accordance with the provisions of By-Law 2018-020, as amended, and the Municipal Act, 2001, and subject to the parties entering into a conditional Agreement of Purchase and Sale;

That Council set the value of the land at the higher of the appraised value or the minimum set price of \$23.00 per linear foot of shoreline road allowance adjacent to a lake;

That Staff be directed to commence the process to stop up and close the said portion of shoreline road allowance;

That a By-Law (with any amendments deemed necessary) to close the road and authorize its disposition shall be passed, if appropriate;

That a Deeming By-Law be passed contemporaneously with the disposition By-Law, if appropriate;

That the Mayor and Clerk be authorized to sign all documents to facilitate the road closing and conveyance of the lands; and

That these recommendations be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

7.8 RS2022-008

**Request for Removal of the Subject to the Interest of the Municipality
Notation from Property Description – Bertram Street and Ernest Street**

Laura Carnochan, Law Clerk - Realty Services

CW2022-016

Moved By Councillor Yeo

Seconded By Councillor O'Reilly

That Report RS2022-008, **Request for Removal of “Subject to the Interest of the Municipality” Notation from Property Description – Bertram Street and Ernest Street**, be received;

That the subject property, Part of Bertram Street on Plan 44, being Part 8 on Plan 57R-10487 (PIN: 63210-0214 (LT)) and Ernest Street on Plan 44 South of Part 5 on Plan 57R-6784 (PIN: 63210-0194 (R)), in the Geographic Township of Ops, City of Kawartha Lakes be declared surplus to municipal needs;

That Council support the closure of the road allowances and release the City's interest in the balance of the property legally described as Part Lot 22, Concession 7, Lots 49-51, Part Lots 52, Part Lots 61-63, Lots 64-67, Part Lot 48, Part of Bertram Street on Plan 44, being Parts 1 to 8 on Plan 57R-10487; Subject to the Interest of the Municipality over Bertram Street on Plan 44, being Part 8 on Plan 57R-10487; Subject to an Easement in Gross over Part Lot 22, Concession 7, being Part 2 on Plan 57R-10487 as in R295268; Subject to an Easement in Gross over Part Lot 22, Concession 7, being Parts 4 and 5 on Plan 57R-10487 as in R295271; Subject to an Easement in Gross over Part Lot 22, Concession 7, being Parts 5 and 6 on Plan 57R-10487 as in R279520 (PIN: 63210-0214 (LT)) and Ernest Street on Plan 44 South of Part 5 on Plan 57R-6784 (PIN: 63210-0194 (R)), in the Geographic Township of Ops, City of Kawartha Lakes, in accordance with the provisions of By-law 2018-020, as amended, and the Municipal Act, 2001;

That the By-Law attached as Appendix G to close the road and release the City's interest in the property legally described as Part Lot 22, Concession 7, Lots 49-51, Part Lots 52, Part Lots 61-63, Lots 64-67, Part Lot 48, Part of Bertram Street on Plan 44, being Parts 1 to 8 on Plan 57R-10487; Subject to the Interest of the Municipality over Bertram Street on Plan 44, being Part 8 on Plan 57R-10487; Subject to an Easement in Gross over Part Lot 22, Concession 7, being Part 2 on Plan 57R-10487 as in R295268; Subject to an Easement in Gross over Part Lot 22, Concession 7, being Parts 4 and 5 on Plan 57R-10487 as in R295271;

Subject to an Easement in Gross over Part Lot 22, Concession 7, being Parts 5 and 6 on Plan 57R-10487 as in R279520 (PIN: 63210-0214 (LT)) and Ernest Street on Plan 44 South of Part 5 on Plan 57R-6784 (PIN: 63210-0194 (R)), in the Geographic Township of Ops, City of Kawartha Lakes shall be passed; and

That the Mayor and Clerk be authorized to execute any documents to facilitate the road closing and releasing the City's interest in the property legally described as Part Lot 22, Concession 7, Lots 49-51, Part Lots 52, Part Lots 61-63, Lots 64-67, Part Lot 48, Part of Bertram Street on Plan 44, being Parts 1 to 8 on Plan 57R-10487; Subject to the Interest of the Municipality over Bertram Street on Plan 44, being Part 8 on Plan 57R-10487; Subject to an Easement in Gross over Part Lot 22, Concession 7, being Part 2 on Plan 57R-10487 as in R295268; Subject to an Easement in Gross over Part Lot 22, Concession 7, being Parts 4 and 5 on Plan 57R-10487 as in R295271; Subject to an Easement in Gross over Part Lot 22, Concession 7, being Parts 5 and 6 on Plan 57R-10487 as in R279520 (PIN: 63210-0214 (LT)) and Ernest Street on Plan 44 South of Part 5 on Plan 57R-6784 (PIN: 63210-0194 (R)), in the Geographic Township of Ops, City of Kawartha Lakes; and

That these recommendations be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

7.10 ED2022-001

Amendment of the Heritage Delegated Authority By-Law

Emily Turner, Economic Development Officer - Heritage Planning

CW2022-017

Moved By Councillor Seymour-Fagan

Seconded By Councillor Ashmore

That Report ED2022-001, **Amendment of the Heritage Delegated Authority By-Law**, be received;

That By-Law 2019-154 be amended as outlined in Appendix A of this report;

That the necessary amending By-Law be brought forward to Council for adoption; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

7.11 ED2022-004

Feral Pigs in Kawartha Lakes

Kelly Maloney, Economic Development Officer - Agriculture

CW2022-018

Moved By Councillor Veale

Seconded By Councillor O'Reilly

That Report ED2022-004, **Feral Pigs in Kawartha Lakes**, be received;

That Staff initiate public education on the environmental damage and risks of allowing an invasive feral pig population to be established in Kawartha Lakes and the need for public reporting of all sightings;

That sightings of feral pigs reported in the provincial database from within Kawartha Lakes be actively monitored by Staff;

That Staff develop and report back to Council, in Q2 2022, a recommended program to deal with feral pigs in Kawartha Lakes; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

7.12 SOC2022-001

Social Services 2021 Service Plan

Janine Mitchell, Human Services Manager

CW2022-019

Moved By Deputy Mayor Richardson

Seconded By Councillor Elmslie

That Report SOC2022-001, **Social Services 2021 Service Plan**, be received;

That the 2021 Social Services Plan, Appendix A to Report SOC2022-001, be endorsed; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

8. Memorandums

8.1 COW2022-01.8.1

Memorandum Regarding Water Service Capacity for the Village of Woodville

Councillor Veale

CW2022-020

Moved By Councillor Veale

Seconded By Councillor Yeo

That the Memorandum from Councillor Veale, **regarding the Water Service Capacity for the Village of Woodville**, be received;

That Staff report back to Council by Q2, 2022, with an update on water service capacity of the existing system in the Village of Woodville;

That the report include, but not be limited to, existing capacity availability for future development, and the feasibility of service expansion (including existing test well capabilities and use); and

That these recommendations be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

9. Adjournment

CW2022-021

Moved By Councillor Yeo

Seconded By Councillor Dunn

That the Committee of the Whole Meeting adjourn at 2:44 p.m.

Carried

Read and adopted this 25th day of January, 2022.

Andy Letham, Mayor

Cathie Ritchie, City Clerk