

The Corporation of the City of Kawartha Lakes

Minutes

Special Council Meeting

CC2023-17

Tuesday, August 29, 2023

Open Session Commencing at 10:00 a.m.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Mayor Doug Elmslie

Deputy Mayor Tracy Richardson

Councillor Ron Ashmore

Councillor Dan Joyce

Councillor Charlie McDonald

Councillor Mike Perry

Councillor Eric Smeaton

Councillor Pat Warren

Councillor Emmett Yeo

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1. Call to Order

Mayor Elmslie called the Meeting to order at 10:00 a.m. Deputy Mayor T. Richardson and Councillors R. Ashmore, C. McDonald, E. Smeaton, and P. Warren were in attendance in Council Chambers.

Councillors D. Joyce and M. Perry were in attendance electronically.

Councillor E. Yeo was absent.

CAO R. Taylor, City Clerk C. Ritchie, Deputy Clerk S. O'Connell Director R. Holy and Manager of Planning L. Barrie were also in attendance in Council Chambers.

2. Adoption of Agenda

CR2023-382

Moved By Deputy Mayor Richardson

Seconded By Councillor Warren

That the Agenda for the Open Session of the Special Council Meeting of Tuesday, August 29, 2023, be adopted as circulated.

Carried

3. Disclosure of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

4. PLAN2023-040

Repeal of Official Plan (OP) Adopting By-Laws - Housekeeping Matters Arising Out of Ontario Land Tribunal (OLT) Orders Pertaining to City of Kawartha Lakes Official Plan Appeals and Related Appeals (OLT-22-002091 formerly PL210217, et al.)

Leah Barrie, Manager of Planning

4.1 Public Meeting

Mayor Elmslie stated that, as required under the Planning Act, a Public Meeting is being held prior to the City of Kawartha Lakes Council making a decision on Report PLAN2023-040, being the Repeal of the Official Plans for Lindsay and Fenelon Falls.

Mayor Elmslie asked Staff to provide an overview of Report PLAN2023-040.

L. Barrie, Manager of Planning, outlined that Report PLAN2023-040 is being presented to Council to request that the Official Plan for the Town of Lindsay and

the Official Plan for the Village of Fenelon Falls be repealed. Repealing said Official Plans will address administrative matters arising out of the Ontario Land Tribunal (OLT) Orders pertaining to the appeal of the Secondary Plans.

The Secondary Plans were initiated in 2011 and include both maps and 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 and land use. The overall purpose of the Secondary Plans is to provide a long term vision that will provide guidance and direction in the management of land and the environment within the urban settlement areas. The Secondary Plans were subsequently appealed to the then Ontario Municipal Board, now Ontario Land Tribunal (OLT).

A recent decision of the OLT has approved, with modifications, the Lindsay Secondary Plan; the existing Town of Lindsay Official Plan is to be repealed and replaced with the Tribunal approved Lindsay Secondary Plan. The OLT is withholding its final approval Order for the modified Lindsay Secondary Plan until it receives confirmation that the Minister has approved the repeal of the Town of Lindsay Official Plan. If and when Ministerial approval for the repeal is granted, the Lindsay Secondary Plan will be in effect.

The Fenelon Falls Secondary Plan had also been appealed to the then Ontario Municipal Board, now Ontario Land Tribunal (OLT). The appeals of the Fenelon Falls Secondary Plan have been withdrawn and the OLT has closed its file on the matter through written confirmation. As such the Fenelon Falls Secondary Plan, as approved by Council in 2015, has come into effect by virtue of the withdrawal. Ministerial approval for the repeal of the Official Plan for the Village of Fenelon Falls is required and will be requested following the City's confirmation that the Official Plan for the Village of Fenelon Falls has been repealed.

Notice of this public meeting was published in the Kawartha Lakes This Week Municipal Bulletin on August 3, 2023 and no written comments were received in response to that notice at the time of writing the staff report.

Mayor Elmslie inquired if anyone wished to speak to Report PLAN2023-040.

Ryan Windle, of Digram Development, spoke in support of Report PLAN2023-040. Mr. Windle outlined that repealing the Official Plan for the Village of Fenelon Falls paves the way for future development.

Mayor Elmslie inquired if anyone else wished to speak to Report PLAN2023-040 for a second time.

Dave Johnston spoke in support of Report PLAN2023-040. Mr. Johnston encouraged Council to adopt the by-laws that are necessary to repeal the Official Plan for the Town of Lindsay and the Official Plan for the Village of Fenelon Falls. Mr. Johnston noted that he looks forward to working with Council and staff on a potential development project in Fenelon Falls.

Mayor Elmslie inquired if anyone else wished to speak to Report PLAN2023-040 for a third and final time.

There were no additional speakers at the Statutory Public Meeting.

The Public Meeting concluded.

- 4.2 Closed Session (if required)
- 4.3 Business Arising from the Public Meeting

CR2023-383

Moved By Deputy Mayor Richardson

Seconded By Councillor Warren

That Report PLAN2023-040, **Repeal of Official Plans for Lindsay and Fenelon Falls**, be received;

That in accordance with Sections 17 and 21 of the Planning Act, Council having considered the matters deem no further public notice to be necessary;

That a By-Law to repeal the Official Plan of the Town of Lindsay and a By-Law to repeal the Official Plan of the Village of Fenelon Falls, as outlined in Appendix A and Appendix B to Report PLAN2023-040 be brought forward for adoption; and

That the Mayor and Clerk be authorized to execute any documents required by the repeal of these documents, and forward the repeals to the Minister of Municipal Affairs and Housing for approval.

Carried

5. By-Laws

CR2023-384

Moved By Councillor Warren

Seconded By Councillor McDonald

That the By-Laws shown in Section 5.1 of the Agenda, namely: Items 5.1.1 to and including 5.1.2 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

5.1 By-Laws by Consent

5.1.1 By-Law 2023-135

By-Law to Repeal By-Law 2000-11 for the Town of Lindsay, being a By-Law to Adopt the Official Plan of the Town of Lindsay

5.1.2 By-Law 2023-136

By-Law to Repeal By-Law 88-20 for the Village of Fenelon Falls, being a By-Law to Adopt the Official Plan of the Village of Fenelon Falls

6. Confirming By-Law

By-Law to Confirm the Proceedings of the Special Council Meeting of August 29, 2023

CR2023-385

Moved By Councillor Ashmore

Seconded By Councillor Perry

That a by-law to confirm the proceedings of a Special Council Meeting held Tuesday, August 29, 2023 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

7. Adjournment

CR2023-386

Moved By Councillor Smeaton

Seconded By Councillor Joyce

That the Council Meeting adjourn at 10:29 a.m.

Carried

Read and adopted this 26th day of September, 2023.

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk