

Kawartha Lakes



Request to Speak before Council

Request to Make a Deputation/Presentation to Council/Committee

City of Kawartha Lakes

City Clerk's Office

26 Francis Street, PO Box 9000

Lindsay, ON K9V 5R8

705-324-9411

Name:

Address:

City/Town/Village:

Province:

Postal Code:

Telephone:

Email:

There can be a maximum of two speakers for each deputation. Please list the name(s) of the individual(s) who will be speaking. The names that are listed here will be included on the Council Meeting Agenda.

Deputant One:

Deputant Two:

First Name, Last
Name

The matter of a Severance with entrance to Hwy 121 granted in 1977. Property was sold in the fall of 2021, and the deal fell thru because the CKL refused to allow the agreed upon entrance to Hwy 121 citing changes to zoning in 2017. Alternative entrance suggestions have proved to be impractical, and expensive to the point they make the lot worthless. The proceeds from the sale were supposed to cover the repayment of the CEBA loan due this year, as losses for two years of Covid totaled \$160,000.00. If this decision is allowed to stand it questions the value of any Severance granted if it can be undone in the future by other Councils!

Please provide details of the matter to which you wish to speak:

Please attach any additional supporting documents you wish to provide and submit with this completed form.

Have you discussed this matter with City Staff?

Yes

No

If yes, Which department and staff member(s) have you spoken to?

THAT THE COUNCIL
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WORTHLESS.

What action are you hoping will result from your presentation/deputation?

How would you like to complete your deputation?

By signing this form you are acknowledging that all of the information you are providing on this form is true, and giving the City permission to collect your personal information for the principal purpose of a request to make a deputation to Committee or Council as outlined below.

Signature:

Date:



The personal information is being collected by the City of Kawartha Lakes for the principal purpose of a request to make a deputation to Committee or Council pursuant to the City's procedural by-law. This information, including all attachments submitted may be circulated to members of Council, staff, the general public and posted on the City website. Questions about the collection of this information should be directed to the City Clerk or Deputy Clerk at clerks@kawarthalakes.ca.

Do you agree to the publication of your contact information (including your address, telephone number and email) on the City's website as part of a meeting agenda?

Yes

No

Please complete this form and return to the City Clerk's Office by submitting it online or:

Fax: 705-324-8110 Email: agendaitems@kawarthalakes.ca

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To the attention of:

Doug Elmslie Mayor,

& Members of Council of Kawartha Lakes

I am sending you information on this issue for consideration, which has been ongoing since 2021. PROPERTY ROLL 165131003108501

First let me say I fondly remember Victoria Council & Somerville Township when one could drop into the Township office in the afternoon and make an appointment with Mike to speak to Council that evening, and see positive results within days. Definitely not the case today.

On Dec 7th, 1977 Somerville granted me a severance of a good building lot on Hwy. 121, in the village of Kinmount, described as Block R Plan 105, Pt. 1 Ref Plan 57R-2151. The lot had Health Unit approval, and an entrance to the Hwy. It was sold on Jan. 16th 1978. About a decade later I bought the property back and have paid taxes on the same ever since.

When Covid came the Theatre (Highlands Cinemas) which I own, was forced to close for 2 years, and during that time incurred losses of about \$80,000.00 a year. Like other businesses I secured a CEBA loan \$40,000.00 of which has to be paid back this year. In consideration of same I decided to sell the lot and set aside the money to pay off the loan. To prepare the lot for sale I had to spend \$3,000.00 because in 2009 the City did major work on the main street and I allowed their contractor to bring some 100 plus loads of fill and debris to block R.

Unfortunately one driver got lost and dumped a considerable amount of concrete debris on the wrong lot before I caught up to him. This all had to be removed.

The lot sold for \$45,000.00 and the deal was ready to close in November 2021, when the City made it clear they would not allow the previous agreed upon entrance, citing the new By-Law 2017-151.

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Then began almost a years worth of discussions re the same with Chris Porter, and eventually Mayor Latham, and after the purchaser waited for months for some conclusion the sale was cancelled.

In initial discussions with the City Bureaucracy there seemed to be confusion that, even though the lot is on City Mapping, that it even existed. I was required to supply proof of the Severance, and Entrance Permit, which I did. Next they tried to say the lot wasn't sold within the prescribed time, which it was! They suggested I supply access thru my property to the lot, well by the time it would be surveyed, severed, re-zoned, and a massive causeway constructed over the ravine the cost would have topped \$50,000.00 and not to mention all the time this would take.

Second suggestion come off my existing driveway, across City property and build an engineered causeway across the ravine, cost for this option was around \$45,000.00, and approval would be on the condition they agreed with what was engineered?

Third suggestion I looked into was build the causeway on the bank of Hwy 121 to the lot. Getting a price took 6 months and rang in between \$45,000.00 to \$65,000.00 because no one wants to deal with the City, and their 36" culvert under the Hwy. in this location which is crumbling, as I told them numerous times a decade ago.

I further looked into providing access thru Block R which could go to Paul Street on the North, this would only be practical if I could sever 4, 200 Ft. lots off the North area of the property. At the time I had a Real Estate Agent with a builder who wanted to buy it and put houses on all 5 lots. Five houses for the City to tax, and 5 customers for the Water Plant which is across the street. I had a retired Planner look at it, and he said unless I was willing to develop all 13 possible Lots which the property is currently slated for, it would be too expensive and a waste of time.

As it now stands the lot is worthless, and several lawyers I have spoken with have advised there are verifiable damages owing to the City's actions.

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There have been driveways on the corner for a century, and during my 76 years I am not aware of any accidents involving traffic on the Hwy, and someone entering or exiting a driveway. The Theatre driveway has existed for 44 years and currently sees tens of thousands of cars entering and exiting every season, and again I am not aware of any accidents. The proposed driveway has the best view of oncoming traffic of any existing driveway and is the safest. Further the cost of a culvert and driveway at this location is around \$3,000.00. Best yet the final reasoning of the Bureaucrats for not allowing the driveway, is it doesn't have enough frontage on the Highway, because of the Railway Corridor...Problem is the Railway Corridor and the Highway are both owned by the CITY!!!

The real reason the Bureaucrats don't want the entrance there is the Guardrails. For a decade I chased the City to put proper guardrails on the River side as over one 4 year period the guardrails were down and not fixed and a van load of kids went off the highway and almost wound up in the river. This occurs when a vehicle enters the curve from the North at a high rate of speed, swerves and crosses the highway toward the River. I was almost killed 4 years ago in a similar incident, as I went to cross the Highway, and a speeding driver swerved in the corner and headed right for me. This problem is compounded because the City is not cutting the trees and brush growing on the Hwy. & RR. Property at the corner. As a result if you are in the turning lane at the Theatre your view of speeding traffic coming down the hill into the corner from the North is obscured until they are about 60 feet from you. When the DHO & CNR managed the location nothing was ever allowed to grown there.

Imagine my surprise when several years ago a contractor for the City arrived one morning and built a monolithic guardrail on the wrong side of the Hwy. on the Curve. Problem is people who are speeding do miss the corner, but no one to my knowledge has ever gone into the Ravine which is what the guardrail is guarding against. Now that Guardrail is right across the area the Entrance to my lot should be put. Similar to the one they put on a farm gate near Dudmans, and would up having to cut.

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This whole issue questions the value of any severance granted by the City if some time in the future a bureaucrat thinks it is a bad idea and denies the earlier decision.

As I see it you have two options. Grant the entrance where and as it was originally given, and cut the guardrail that should never have been there in the first place, or pay me the \$45,000.00 for the lot and plant flowers on it or something! In the meantime I have plans for a lovely Billboard on the corner extolling the virtues of the City of Kawartha Lakes. Let me know what you decide.

While we are on the subject of Bureaucratic requirements. Some years ago I was told I needed an entrance permit to access Block R from the North Street across from the Water Plant. Problem is the driveway as been there from the 1930's. In 1973 I paid Harry Austin to do a considerable amount of work on it, and it was in constant use from 1973 to 1997, when I stopped using it on a regular basis. In 2009 the City's contractor hauled hundreds of loads of fill over it into the property. I have aerial photographs of in taken in 1978. I have re-opened the drive and installed a new gate and barriers to prevent access to the drive from the neighbors lot. I also noted the water people managed to plunk a water valve dead centre in the drive. Great planning!!!

Keith Stata,

Highlands Cinemas



CLARE MCKAY, A.M.C.T.
SECRETARY TREASURER

GEORGE BROWN
DEPUTY SECRETARY



LAND DIVISION COMMITTEE

COURT HOUSE
LINDSAY, ONTARIO
K9V 3R9

Phone 324-9411

Mr. Keith W. Stata,
Box # 85,
KINMOUNT, Ontario.

DECEMBER 7, 19 77
FILE NO. B/ 191/77
PT. LOT 1 CON. 14
PLAN 105, BLOCK "R"
TOWNSHIP ~~XXXXXX~~ SOMERVILLE

Dear Sir(or Madam):

We wish to advise in connection with your application to the Victoria County Land Division Committee for a consent to SEVERANCE, that as 21 days have elapsed since notification of the decision of the Victoria County Land Division Committee without Notice of Appeal having been received, the Decision of the said Land Division Committee as rendered at their meeting held on NOVEMBER 14, 1977 is now final and binding.

Please submit Deed in triplicate with a registerable description and R. D. Plan, if applicable, in keeping with current requirements under the Registry Act. The Committee's consent will be inserted when any requirements contained in the decision have been fulfilled, and two copies will be returned to you for registration. Third copy will be retained for our files.

We would also advise that the consent granted in connection with this application will lapse at the expiration of two years from the date on which it was granted unless the sale, mortgage, agreement or other charge, as the case may be, is proceeded with during that time.

Yours truly

Deputy Secretary,
Land Division Committee,
County of Victoria.

GB/ms.



