

The Corporation of the City of Kawartha Lakes
Minutes
Committee of the Whole Meeting

COW2024-07

Tuesday, September 10, 2024

Open Session Commencing at 1:00 p.m.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Mayor Doug Elmslie

Deputy Mayor Charlie McDonald

Councillor Ron Ashmore

Councillor Dan Joyce

Councillor Mike Perry

Councillor Tracy Richardson

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 1:00 p.m. Deputy Mayor C. McDonald and Councillors R. Ashmore, D. Joyce, C. McDonald, M. Perry and P. Warren were in attendance in Council Chambers.

Absent: Councillors E. Smeaton and E. Yeo

CAO R. Taylor, Deputy Clerk J. Watts, Deputy Clerk S. O'Connell and Directors L. Barrie, S. Beukeboom, C. Faber, J. Johnson, B. Robinson, J. Rojas, Fire Chief T. Jones, Deputy Paramedic Chief J. Golden, Manager of Municipal Law Enforcement and Licensing A. Sloan and Manager of Housing M. Corley were also in attendance in Council Chambers.

City Solicitor R. Carlson and Economic Development Officer - Agriculture K. Maloney were in attendance electronically.

1.1 Recognition of Big Brothers Big Sisters Day

Mayor Elmslie provided words of recognition in celebration of Big Brothers Big Sisters Month, which is celebrated in September. It was noted that the important work of this organization will be recognized by the City of Kawartha Lakes on September 18th as the exterior lighting at City Hall will be blue to honour the support that Big Brothers Big Sisters provides to the youth in our community.

2. Adoption of Agenda

CW2024-150

Moved By Deputy Mayor McDonald

Seconded By Councillor Richardson

That the Agenda for the Committee of the Whole of Tuesday, September 10, 2024, be adopted as circulated and with the following amendments:

Addition:

Item 5.2 being correspondence from Holly Porter, of Victoria Feeds Horse and Hound Inc., and Charity Porter, of 2799374 Ontario Inc., regarding the proposed surplus declaration, closure and sale of a road allowance identified as Doubletree Road and Willowdale Court, Ops, being Report RS2024-035

Deletion:

Item 4.2 being a deputation by Michael Sloboda and Myrna Sloboda regarding the four-way stop at Riverview Road and Kawartha Lakes Road 36, Lindsay

Carried

3. Disclosure of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

4. Deputations

4.1 COW2024-07.4.1

Proposed Surplus Declaration and Sale of City Owned Land Adjacent to 2 and 4 Gilson Point Place, Little Britain

(Relating to Item 7.1.3 on the Agenda, being Report RS2024-039)

Daniell Babcock

Daniell Babcock spoke on behalf of residents of Gilson Point Place to express concern relating to the proposed surplus declaration and sale of the City owned land adjacent to 2 and 4 Gilson Point Place, Little Britain. She outlined that the land involved in the proposed sale is used by area residents and the proposed sale would have a negative impact on those users. She noted that the lands were conveyed to the municipality for use as a road allowance and as park lands and she ask that the lands be kept within municipal ownership for use by the community.

CW2024-151

Moved By Councillor Joyce

Seconded By Councillor Warren

That the deputation of Daniell Babcock, **regarding the Proposed Surplus Declaration and Sale of City Owned Land Adjacent to 2 and 4 Gilson Point Place, Little Britain**, be received; and

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

Carried

4.2 COW2024-07.4.2

Four-Way Stop at Riverview Road and Kawartha Lakes Road 36, Lindsay

Michael Sloboda

Myrna Sloboda

This deputation was deleted from the Agenda.

4.3 COW2024-07.4.3

Proposed Surplus Declaration and Sale of City Owned Land, being Lot 37 on Plan 139

(Relating to Item 7.1.5 on the Agenda, being Report RS2024-041)

Katie Almond

Kathy Hoffman

Katie Almond and Kathy Hoffman expressed concern regarding the proposed surplus declaration and sale of Lot 37 on Plan 139 (adjacent to the rear lot lines of 40 and 42 Rose Street, Fenelon). They outlined that the parcel of land is adjacent to the rear of their property and they have previously applied to purchase the lands to address encroachment issues. Those encroachment issues have since been resolved but they didn't pursue the purchase at that time. Lot 37, in its entirety, is now being considered for sale to the neighbouring landowner. Katie and Kathy asked Council to consider the division of Lot 37 which would allow a portion of the lot to be sold to them and a portion to be sold to the neighbouring landowner using logical lot lines when making the division of the lot.

CW2024-152

Moved By Councillor Perry

Seconded By Councillor Ashmore

That the deputation of Katie Almond and Kathy Hoffman, **regarding the Proposed Surplus Declaration and Sale of City Owned Land, being Lot 37 on Plan 139**, be received; and

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

Carried

4.4 COW2024-07.4.4

High Water Bill for Property Located at 29 Wellington Street, Lindsay

Shane Sauve

Shane Sauve provided an overview of the personal circumstances that have lead to the occupancy of his property and he noted that a malfunctioning plumbing fixture (i.e. a leaky toilet valve) lead to a high water bill. He asked Council to provide relief for the high water bill. He confirmed that the malfunctioning plumbing fixture that caused the high water bill has been repaired.

CW2024-153

Moved By Councillor Richardson

Seconded By Deputy Mayor McDonald

That the deputation of Shane Sauve, **regarding a High Water Bill for Property Located at 29 Wellington Street, Lindsay**, be received; and

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

Carried

4.5 COW2024-07.4.5

Traffic Control Measures for William Street North, Lindsay

Wylita Clark

Wylita Clark provided an overview of the increased traffic levels that have been experienced on William Street North in Lindsay. She asked Council to consider the installation of a four way stop at the intersection of William Street North and Elgin Street to address the increased traffic speeds which have been witnessed as traffic volumes have increased. She noted that a petition was submitted to Council in 2023, which was supported by area residents, to request the installation of a four way stop at William Street North and Elgin Street.

CW2024-154

Moved By Councillor Perry

Seconded By Councillor Warren

That the deputation of Wylita Clark, regarding Traffic Control Measures for William Street North, Lindsay, be received; and

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

Carried

4.6 COW2024-07.4.6

Request for the Use of the Municipal Facilities that are Available at Garnet Graham Park, Fenelon, for a Fundraising Event

David Robinson

David Robinson provided an overview of the Turkey Trot Fundraising Run that will be held at Garnet Graham Park on Saturday, October 12th. He made note he has submitted a request to Staff for the municipal washroom facilities at Garnet

Graham Park to be opened at 9:00 a.m. on October 12th for use by race participants. He also asked for confirmation that the gates along the Victoria Rail Trail Corridor starting in Garnet Graham Park will be open for the race and asked if Staff could assist with the relocation of picnic tables in Garnet Graham Park for use during the lunch reception following the conclusion of the race event.

CW2024-155

Moved By Councillor Perry

Seconded By Councillor Warren

That the deputation of David Robinson, **regarding a Request for the Use of the Municipal Facilities in Garnet Graham Park, Fenelon, for a Fundraising Event**, be received; and

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

Carried

5. Correspondence

5.1 COW2024-07.5.1

Correspondence Regarding the Housing Shortage

Daniel Segal, Segal Construction

CW2024-156

Moved By Councillor Richardson

Seconded By Councillor Joyce

That the correspondence from Dan Segal, of Segal Construction, **regarding the Housing Shortage**, be received; and

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

Carried

5.2 COW2024-07.5.2

Correspondence Regarding the Proposed Surplus Declaration, Closure and Sale of a Portion Road Allowance Identified as Doubletree Road and Willowdale Court, Geographic Township of Ops, City of Kawartha Lakes (Relating to Item 7.1.2 on the Agenda, being Report RS2024-035)

Holly Porter, Victoria Feeds Horse and Hound Inc.

Charity Porter, 2799374 Ontario Inc.

CW2024-157

Moved By Councillor Ashmore

Seconded By Deputy Mayor McDonald

That the correspondence from Holly Porter, Victoria Feeds Horse and Hound Inc., and Charity Porter, 2799374 Ontario Inc., **regarding Proposed Surplus Declaration, Closure and Sale of a Portion of Road Allowance Identified as Doubletree Road and Willowdale Court, Geographic Township of Ops, City of Kawartha Lakes**, be received; and

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

Carried

6. Presentations

6.1 COW2024-07.6.1

Encampment Response Protocol Overview

Michelle Corley, Manager, Human Services

Aaron Sloan, Manager of Municipal Law Enforcement and Licensing

Michelle Corley, Manager of Housing, and Aaron Sloan, Manager of Municipal Law Enforcement and Licensing, provided an overview of the Encampment Response Protocol that has been developed by Staff to outline a clear, transparent and coordinated process to guide staff in delivering a response to encampments on City-owned spaces. The objectives of the protocol include:

- providing a consistent coordinated approach to encampment response;
- to clarify the role and responsibility of City divisions in addressing encampments;
- to outline how the City will provide supports to those living in encampments; and
- to outline the process for initiating and conducting enforcement, including the potential of removal of an encampment, when needed.

They noted that the theme and guiding principles behind the response protocol use a human rights, needs-based and compassionate approach that will lead through the engagement, connection and support and planning stages of the response protocol.

CW2024-158

Moved By Councillor Richardson

Seconded By Councillor Joyce

That the presentation by Michelle Corley, Manager of Human Services, and Aaron Sloan, Manager of Municipal Law Enforcement and Licensing, **regarding an Overview of the Encampment Response Protocol**, be received; and

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

Carried

7. Consent Matters

That all of the proposed recommendations shown in Section 7.1 of the Agenda be approved by the Committee of the Whole in the order that they appear on the Agenda, sequentially numbered and forwarded to Council for consideration at the next Regular Council Meeting.

Carried

7.1 Reports

7.1.1 RS2024-034

Proposed Surplus Declaration, Closure and Sale of a Portion of Road Allowance Between the Properties Municipally Identified as 18 Golden Road, Somerville, and 10 Griffin Drive, in the Geographic Township of Somerville, in the City of Kawartha Lakes

Christine Oliver, Law Clerk - Realty Services

CW2024-159

That Report RS2024-034, **Proposed Surplus Declaration, Closure and Sale of a Portion of Road Allowance Between the Properties Municipally Identified as 18 Golden Road, Somerville and 10 Griffin Drive, in the Geographic Township of Somerville, in the City of Kawartha Lakes**, be received;

That the subject property, being a portion of road allowance legally described as road allowance between Concession 6 and Concession 7, in the Geographic Township of Somerville; road allowance between Lot 36 and Lot 37, Concession Front Range, in the Geographic Township of Somerville, between Highway 588 and Four Mile Lake, in the City of Kawartha Lakes (between the properties

municipally identified as 18 Golden Road, in the Geographic Township of Somerville and 10 Griffin Drive, in the Geographic Township of Somerville), be declared surplus to municipal needs;

That the closure and sale of the portion of road allowance and sale to the adjoining landowners 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 (including a condition that the subject portion of road allowance merge with the purchaser's adjacent property on closing and a condition requiring the applicant to install drainage infrastructure prior to closing);

That, if one of the adjacent landowners decide that they do not wish to proceed with purchasing their respective portion of the road allowance, the entirety of the road allowance be sold to the remaining purchaser (with the City retaining an easement to preserve the drainage infrastructure, and with the City retaining a 0.3 metre wide reserve across the frontage of the road allowance to be sold, to prevent a driveway access at this location);

That, as a precondition of closing, the purchaser to install drainage infrastructure in the road allowance, at the purchaser's cost, to the satisfaction of the Director of Public Works;

That notwithstanding section 8.01 of By-Law 2018-020, Council direct staff to proceed through the disposition process of the road allowance leading to water;

That Council set the value of the land at the set price of \$2.50 per square foot of interior road allowance;

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

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

7.1.4 RS2024-040

Proposed Surplus Declaration, Closure and Sale of a Portion of Shoreline Road Allowance Known as Grove Road, Geographic Township of Fenelon

Christine Oliver, Law Clerk - Realty Services

CW2024-160

That Report RS2024-040, **Proposed Surplus Declaration, Closure and Sale of a Portion of Shoreline Road Allowance Known as Grove Road, Geographic Township of Fenelon**, be received;

That the subject property, being a portion of shoreline road allowance known as Grove Road, in the Township of Fenelon, in the City of Kawartha Lakes, legally described as McArthur Ave. on Plan 114; Part of Lot 33 on Plan 114 as in F7313 description may not be acceptable in future as in F7313, in the Geographic Township of Fenelon, in the City of Kawartha Lakes (PIN: 63160-0177); and Byrnell Ave. on Plan 166; Brynell Ave. on Plan 121, subject to R142782, except part 6 on plan 57R-9829, in the Geographic Township of Fenelon, in the City of Kawartha Lakes (PIN: 63160-0442), be declared surplus to municipal needs;

That the closure of the portion of shoreline road allowance and sale to the adjoining landowners 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 (including a condition that a merger agreement be registered on title to each of the subject portion of shoreline road allowance and the purchaser's property on closing, requiring that neither be transferred or encumbered without the other and requiring that both be treated together as one parcel for zoning purposes, and including a condition that an easement in gross over the property be registered in priority to any mortgage, allowing the City access to maintain and repair Grove Road and the related drainage infrastructure);

That Council set the value of the land at the set price of \$9.00 per square 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 dispositions shall be passed, if appropriate;

That a deeming by-law be passed contemporaneously with the disposition by-law, if required;

That the Mayor and Clerk be authorized to sign all documents to facilitate the shoreline 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

7.1.6 CS2024-010

Release of Fenelon Falls Legacy C.H.E.S.T. Funds

LeAnn Donnelly, Executive Assistant, Community Services

CW2024-161

That Report CS2024-010, **Release of Fenelon Falls Legacy C.H.E.S.T. Funds**, be received;

That the Fenelon Falls Volunteer Firefighters Association be approved for funding in the amount of \$6,000.00 with the allocation to come from the Fenelon Falls Legacy C.H.E.S.T. Reserve (3.24350); and

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

Carried

7.1.7 ED2024-015

Proposed Heritage Designation of 49 King Street East, Village of Bobcaygeon (Bobcaygeon Schoolhouse)

Emily Turner, Economic Development Officer - Heritage Planning

CW2024-162

That Report ED2024-015, **Proposed Heritage Designation of 49 King Street East, Village of Bobcaygeon (Bobcaygeon Schoolhouse)**, be received;

That the Municipal Heritage Committee's recommendation to designate 49 King Street East under Part IV of the Ontario Heritage Act as being of cultural heritage value or interest be endorsed;

That Staff be authorized to proceed with the process to designate the subject property under Part IV of the Ontario Heritage Act, including the preparation and circulation of Notices of Intention to Designate, initiating formal consultation with stakeholders, including the property owner(s), and preparation of the designating by-laws; and

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

Carried

7.1.8 ED2024-036

Proposed Heritage Designation of 2 King Street West, Village of Omemee (John McCrea Memorial Methodist Parsonage)

Emily Turner, Economic Development Officer - Heritage Planning

CW2024-163

That Report ED2024-036, **Proposed Heritage Designation of 2 King Street West, Village of Omemee (John McCrea Memorial Methodist Parsonage)**, be received;

That the Municipal Heritage Committee's recommendation to designate 2 King Street West under Part IV of the Ontario Heritage Act as being of cultural heritage value or interest be endorsed;

That staff be authorized to proceed with the process to designate the subject property under Part IV of the Ontario Heritage Act, including the preparation and circulation of Notices of Intention to Designate, initiating formal consultation with stakeholders, including the property owner(s), and preparation of the designating by-laws; and

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

Carried

7.2 Items Extracted from Consent

7.1.2 RS2024-035

Proposed Surplus Declaration, Closure and Sale of a Portion of Road Allowance Identified as Doubletree Road and Willowdale Court, Geographic Township of Ops, City of Kawartha Lakes

Christine Oliver, Law Clerk - Realty Services

CW2024-164

Moved By Councillor Perry

Seconded By Deputy Mayor McDonald

That Report RS2024-035, **Proposed Surplus Declaration, Closure and Sale of a Portion of Road Allowance identified as Doubletree Road and Willowdale Court in the Geographic Township of Ops, in the City of Kawartha Lakes**, be received;

That the subject property, being a portion of road allowance identified as Doubletree Road legally described as PCL Streets – 1 Sec on 57M-758; Doubletree Road on plan 57M-758, in the Geographic Township of Ops, in the City of Kawartha Lakes, being Parts 2 and 3 on 57R-9931 (PIN: 63240-0017), be declared surplus to municipal needs;

That the subject property, being a portion of road allowance identified as Willowdale Court legally described as PCL Streets – 1 Sec on 57M-758; Willowdale Court on Plan 57M-758, in the Geographic Township of Ops, in the City of Kawartha Lakes, being Part 1 on 57R-9931 (PIN: 63240-0018), be declared surplus to municipal needs;

That the closure of the portion of road allowance and sale 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 adjacent landowner entering into a conditional Agreement of Purchase and Sale (including a condition that the subject portion of road allowance merge with the purchaser's adjacent property on closing);

That Council set the value of the land at the set price of \$2.50 per square foot of interior road allowance;

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

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

7.1.3 RS2024-039

Proposed Surplus Declaration, Closure and Sale of a Portion of Road Allowance and a Proposed Sale of a City-Owned Property Adjacent to 2 and 4 Gilson Point Place, in the Geographic Township of Mariposa, in the City of Kawartha Lakes

Christine Oliver, Law Clerk - Realty Services

CW2024-165

Moved By Councillor Joyce

Seconded By Councillor Warren

That Report RS2024-039, **Proposed Surplus Declaration, Closure and Sale of a Portion of Road Allowance and a Proposed Sale of City-Owned Property Adjacent to 2 and 4 Gilson Point Place, in the Geographic Township of Mariposa, in the City of Kawartha Lakes**, be received;

That the subject property, being City-owned property legally described as Block B on Plan 509, in the Geographic Township of Mariposa, in the City of Kawartha Lakes (PIN: 63196-0125) (located south of 2 and 4 Gilson Point Place, in the Geographic Township of Mariposa, in the City of Kawartha Lakes), be retained in City ownership;

That the subject property, part of the road allowance described as Part A on Plan 509, in the Geographic Township of Mariposa, in the City of Kawartha Lakes (PIN: 63196-0052) (located south of 2 Gilson Point Place, in the Geographic Township of Mariposa, in the City of Kawartha Lakes), be retained in City ownership; and

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

Carried

7.1.5 RS2024-041

Proposed Surplus Declaration and Sale of Lot 37, Plan 139 (Adjacent to Rear Lot Lines of 40 and 42 Rose Street)

Laura Carnochan, Law Clerk - Realty Services

CW2024-166

Moved By Councillor Ashmore

Seconded By Councillor Richardson

That Report RS2024-041, **Proposed Surplus Declaration and Sale of Lot 37 on Plan 139, Geographic Township of Fenelon (adjacent to the rear Lot Lines of 40 and 42 Rose Street**, be received;

That the subject property, being Lot 37 on Plan 139; Kawartha Lakes (PIN: 63275-0162 (LT)), be declared to be surplus to municipal needs;

That the sale to the adjoining landowner (as historically approved by Council of the former Fenelon Township) 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 (including a condition that the subject property merge with the purchaser's adjacent property on closing);

That Council set the value of the land at the originally accepted price of \$1,750.00, marked up by inflation to today's value, minus \$750.00 to account for the amount paid as a deposit to Fenelon Township in 1991;

That a by-law (with any amendments deemed necessary) to authorize the disposition of the subject property shall be passed, if appropriate;

That a deeming by-law be passed contemporaneously with the disposition by-law, if required;

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

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

Carried

7.1.9 ED2024-039

Kawartha Lakes Membership in Farm 911

Kelly Maloney, Economic Development Officer - Agriculture

Susanne Murchison, Chief Building Official

CW2024-167

Moved By Councillor Richardson

Seconded By Councillor Joyce

That Report ED2024-039, **Kawartha Lakes Membership in Farm 911**, be received;

That the membership of the City of Kawartha Lakes within Farm 911: The Emily Project be endorsed; and

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

Carried

8. Memorandums

8.1 COW2024-07.8.1

Memorandum Regarding Becoming a Willing Host for Solar and Wind Developments

Councillor Warren

Moved By Councillor Warren

Seconded By Councillor Perry

That the Memorandum from Councillor Warren, **regarding the City of Kawartha Lakes Becoming a Willing Host for Solar and Wind Developments**, be received;

That Staff report back, first quarter 2025 on changes to the Provincial Renewable Energy Program and procurement of new projects;

That the report includes information and options for council to reconsider being a “Willing Host” for solar and/or wind developments, natural gas or biomass; and

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

Motion Failed

CW2024-168

Moved By Councillor Warren

Seconded By Councillor Perry

That the Memorandum from Councillor Warren, **regarding the City of Kawartha Lakes Becoming a Willing Host for Solar and Wind Developments**, be received; and

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

Carried

9. Adjournment

CW2024-169

Moved By Deputy Mayor McDonald

Seconded By Councillor Joyce

That the Committee of the Whole Meeting adjourn at 2:56 p.m.

Carried

Doug Elmslie, Mayor

Cathie Ritchie, City Clerk