General Committee Minutes

Council Chambers, City Hall

January 6, 2025

Present: Councillor Baldwin
Councillor Beamer, Chair
Councillor Bierk
Councillor Crowley
Councillor Duguay
Councillor Haacke
Councillor Lachica
Mayor Leal
Councillor Parnell
Councillor Riel
Councillor Vassiliadis

Staff: Jocelyn Blazey, Homelessness Program Manager
Richard Freymond, Commissioner, Finance and Corporate Support Services
Greg Giles, Director, Engineering and Capital Works (Acting)
John Kennedy, City Clerk
Sheldon Laidman, Commissioner, Community Services
Sarah McDougall Perrin, Advisor, Government Relations
Blair Nelson, Commissioner, Infrastructure, Planning & Growth Management
David Potts, Commissioner, Legislative Services, City Solicitor
Jasbir Raina, Chief Administrative Officer
Kendra Sedgwick, Committee Support Specialist
Ilmar Simanovskis, Commissioner, Municipal Operations
Jeeniraj Thevasagayam, Housing Manager
Brendan Wedley, Director, Strategic Communications & Service Peterborough

Closed Session

Moved by Councillor Parnell

That Committee enter closed session to discuss one item under 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose and one item under Section 239(2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board and one item under 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or

local board and 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

Open Session

The open meeting was called to order at 6:42 p.m.

Adoption of Minutes

Moved by Mayor Leal

That the General Committee meeting minutes of October 28, November 4, November 12, November 18 and 19 and December 2, 2024 be approved.

For (11): Councillor Baldwin, Councillor Beamer, Chair, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

Disclosure of Pecuniary Interest

There were no disclosures of Pecuniary Interest.

Report of Closed Session

Provincial Legislation

Moved by Councillor Crowley

That Council approve the recommendation outlined in Report LSOCS25-002 dated January 6, 2025 of the City Solicitor as follows:

That Council consider Closed Session Report LSOCS25-002 dated January 6, 2025 of the City Solicitor respecting Bill 242, Safer Municipalities Act, 2024.

For (11): Councillor Baldwin, Councillor Beamer, Chair, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

Agreement

Moved by Councillor Haacke

That Council approve the recommendation outlined in Report FCSFS25-002, dated January 6, 2025 of the Commissioner, Finance and Corporate Support Services as follows:

That Council authorize staff to proceed as outlined in Closed Session Report FCSFS25-002 dated January 6, 2025, of the Commissioner, Finance and Corporate Support Services, respecting an agreement between the City of Peterborough and the County of Peterborough for consolidated municipal services.

For (11): Councillor Baldwin, Councillor Beamer, Chair, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

Proposed Property Acquisition

Moved by Councillor Haacke

That the information provided by the Commissioner of Community Services and the City Solicitor respecting a proposed property acquisition be received.

For (11): Councillor Baldwin, Councillor Beamer, Chair, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

Consent Items

Moved by Councillor Vassiliadis

That Report FCSFS25-001 – Tax Adjustments under Section 356 and Tax Appeals under Sections 357, 358 and 359 of the Municipal Act, 2001 be approved on Consent.

For (11): Councillor Baldwin, Councillor Beamer, Chair, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

Tax Adjustments under Section 356 and Tax Appeals under Sections 357, 358 and 359 of the Municipal Act, 2001, Report FCSFS25-001

That Council approve the recommendations outlined in Report FCSFS25-001, dated January 6, 2025 of the Commissioner, Finance & Corporate Support Services as follows:

a) That tax reductions in the amount of $187,971.83 calculated in accordance with Sections 357, 358 and 359 of the Municipal Act, 2001 and attached to report FCSFS25-001 as Appendix A be received.

b) That land apportionments under Section 356 of the Municipal Act, 2001 be received.

Presentations

Nine Ships 1825 Presentation, Report LSCLK25-001

Moved by Councillor Crowley

That Council approve the recommendation outlined in Report LSCLK25-001, dated January 6, 2025, of the City Clerk as follows:

That the presentation by Nine Ships 1825, the Peter Robinson Irish Emigration 200th Anniversary Commemoration Committee be received for information.

For (11): Councillor Baldwin, Councillor Beamer, Chair, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

Incorporation of a Municipal Services Corporation as an Eligible Tourism Entity, Report LSOCS25-001

Moved by Councillor Riel

That Council approve the recommendation outlined in Report LSOCS25-001 dated January 6, 2025 of the Commissioner, Legislative Services as follows:

That Council adopt the proposed business case study in the form comprising Appendix A to Report LSOCS25-001 respecting the establishment of a municipal services corporation as an eligible tourism entity.

For (11): Councillor Baldwin, Councillor Beamer, Chair, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

Service Manager Consents for Community Housing Amalgamation, Report CSSS25-001

Moved by Councillor Riel

That Council approve the recommendations outlined in Report CSSS25-001, dated January 6, 2025 of the Commissioner of Community Services as follows:

a) That Council, acting as the Service Manager under the Housing Services Act, S.O. 2011, c. 6, Sched. 1, approve the amalgamation of Thrive Housing and

Support with Northminster Court under the name of Thrive Housing and Support; and

b) That Council, acting as Service Manager, delegate to the Commissioner of Community Services authority to give consent for future amalgamations of community housing providers, under the Housing Services Act, 2011, and that the Commissioner of Community Services be delegated authority to execute such documents as are necessary to give effect to the foregoing terms and in forms acceptable to the City Solicitor.

For (11): Councillor Baldwin, Councillor Beamer, Chair, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

Provincial Funding for Homelessness Response, Report CSSS25-004

Moved by Councillor Bierk

That Council approve the recommendations outlined in Report CSSS25-004, dated January 6, 2025 of the Commissioner of Community Services as follows:

a) That Council approve the addition of up to 16 modular housing units at the Modular Bridge Housing Community on Wolfe Street, subject to the successful approval of the Encampment Response Initiative application and/or the Last Mile Funding.

b) That subject to a successful funding application, staff be directed to proceed with the purchase and installation of the units as an exempt expenditure under authority of the Procurement Bylaw 24-077, Section 4.4-(g).

c) That the Commissioner of Community Services be authorized to do such things and to execute such documents for the Modular Bridge Housing Community program for the duration of the program, on terms satisfactory to the said Commissioner and in forms acceptable to the City Solicitor.

For (6): Councillor Baldwin, Councillor Bierk, Councillor Crowley, Councillor Duguay, Mayor Leal, and Councillor Riel

Against (5): Councillor Beamer, Chair, Councillor Haacke, Councillor Lachica, Councillor Parnell, and Councillor Vassiliadis

Carried (6 to 5)

Other Business

Motion re Bill 242

Moved by Councillor Crowley

Whereas:

1. **A municipality's parks and open spaces are critical infrastructure that support a strong community, and the public's shared and safe use of the municipality's parks and open spaces is integral to ensuring that support.**

2. **Ontario's municipalities are struggling to maintain their parks and open spaces for their shared and safe use by the public as a result of the increasing proliferation of encampments and illicit activities related thereto.**

3. **Municipalities that enforce their standards regulating or prohibiting encampments in their parks and open spaces must have regard to the availability of shelter space for those who need shelter.**

4. **On January 27, 2023, Justice Valente of the Ontario Superior Court of Justice rendered his judgment in *Waterloo (Regional Municipality) v. Persons Unknown and to be Ascertained* (2023), [2023] O.J. No. 417 (Waterloo Decision) which declared that the municipality's by-law violated section 7 of the *Charter* and was therefore inoperative insofar as it applied to prevent encampment residents from erecting temporary shelters on a site when the number of homeless individuals in the region exceeded the number of accessible shelter beds.**

5. **The Waterloo Decision's analysis of the adequacy of shelter beds suggests an unworkable and unclear standard that goes beyond the number of shelter spaces and that includes the requirement to provide shelter spaces that must accommodate illicit drug use and other activities that could put shelter residents, workers and volunteers at risk. The result is that municipalities are impaired in their enforcement of their standards and have lost or are losing control of their parks and open spaces.**

6. **On December 12, 2024, the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, introduced Bill 242, Safer Municipalities Act, 2024. Among its various initiatives, Bill 242 proposes to amend section 2 of the Trespass to Property Act by adding aggravating factors that must be considered in the court's determination of a penalty under that section. However, the key challenge is that a municipality's exercise of its rights at common law and under section 9 of the Trespass to Property Act to remove encampments from the municipality's parks and open spaces remains potentially subject to the unworkable and unclear standard for the adequacy of shelter space suggested by the Waterloo Decision.**

7. **In these circumstances, municipalities need provincial legislation that clearly defines a workable standard for shelter space for the purposes of a municipality's jurisdiction to enforce its standards regulating or prohibiting encampments in its parks and open spaces.**

Now therefore, be it resolved:

1. **That the provincial government be respectfully requested to amend Bill 242 to clearly define a workable standard for shelter space for the purposes of a municipality's jurisdiction to enforce its standards regulating or prohibiting encampments in its parks and open spaces.**

2. **That, without limitation, Bill 242 provides that a municipality will have met the standard for shelter space for the purposes of the municipality's jurisdiction to enforce its standards regulating or prohibiting encampments in its parks and open spaces:**

    a) **despite the establishment and enforcement of shelter rules including rules that prohibit drug use and other activities that could put shelter residents, workers and volunteers at risk; and**

    b) **if an official designated by the municipality is satisfied that the number of available shelter spaces is at least equal to the aggregate of the number of individuals actually seeking shelter and the number of individuals against whom the municipality is planning to enforce its standards regulating or prohibiting encampments in its parks and open spaces.**

3. **That a copy of this resolution be sent to:**

    a) Peterborough - Kawartha MPP Dave Smith;

    b) Honourable Doug Ford, Premier;

    c) Honourable Paul Calandra, Minister of Municipal Affairs and Housing;

    d) Honourable Doug Downey, Attorney General;

    e) Association of Municipalities of Ontario; and to

    f) Councils of each of Ontario's municipalities.

For (9): Councillor Baldwin, Councillor Beamer, Chair, Councillor Crowley, Councillor Duguay, Councillor Haacke, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Against (2): Councillor Bierk, and Councillor Lachica

Carried (9 to 2)

Adjournment

Moved by Councillor Parnell

That this meeting be adjourned at 8:14 p.m.

For (11): Councillor Baldwin, Councillor Beamer, Chair, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

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John Kennedy

City Clerk

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Councillor Beamer

Chair