

# **The Corporation of the City of Kawartha Lakes**

## **Amended Agenda**

### **Regular Council Meeting**

**CC2018-14**

**Tuesday, June 19, 2018**

**Open Session Commencing at 10:00 a.m.**

**Council Chambers**

**City Hall**

**26 Francis Street, Lindsay, Ontario K9V 5R8**

#### **Members:**

**Mayor Andy Letham**  
**Councillor Isaac Breadner**  
**Councillor Pat Dunn**  
**Councillor Doug Elmslie**  
**Councillor Gord James**  
**Councillor Gerard Jilesen**  
**Councillor Brian S. Junkin**  
**Councillor Rob Macklem**  
**Councillor Mary Ann Martin**  
**Councillor Gord Miller**  
**Councillor Patrick O'Reilly**  
**Councillor John Pollard**  
**Councillor Kathleen Seymour-Fagan**  
**Councillor Heather Stauble**  
**Councillor Stephen Strangway**  
**Councillor Andrew Veale**  
**Councillor Emmett Yeo**

Accessible formats and communication supports are available upon request.

|     |  |         |
|-----|--|---------|
| 1.  | <b>Call to Order</b>   |         |
| 2.  | <b>Adoption of Closed Session Agenda</b>   |         |
| 3.  | <b>Disclosure of Pecuniary Interest in Closed Session Items</b>  |         |
| 4.  | <b>Closed Session</b>  |         |
| 5.  | <b>Opening Ceremonies</b>  |         |
| 5.1 | Call Open Session to Order   |         |
| 5.2 | O Canada   |         |
| 5.3 | Moment of Silent Reflection  |         |
| 5.4 | Adoption of Open Session Agenda  |         |
| 6.  | <b>Disclosure of Pecuniary Interest</b>  |         |
| 7.  | <b>Notices and Information by Members of Council and Staff</b>   |         |
| 7.1 | Council  |         |
| 7.2 | Staff  |         |
| 8.  | <b>Matters from Closed Session</b>   |         |
| 9.  | <b>Minutes</b>   |         |
| 9.1 | CC2018-14.9.1  | 20 - 38 |
|     | <b>Regular Council Meeting Minutes of June 5, 2018</b>   |         |
|     | <b>Special Council Meeting Minutes of June 12, 2018</b>  |         |
|     | <b>That</b> the Minutes of the June 5, 2018 Regular Council and June 12, 2018 Special Council Meetings, be received and adopted. |         |
| 9.2 | CC2018-14.9.2  | 39 - 42 |
|     | <b>Executive Committee Meeting Minutes of June 7, 2018</b>   |         |
|     | <b>That</b> the Minutes of the June 7, 2018 Executive Committee Meeting, be received.  |         |



|            |  |          |
|------------|--|----------|
| <b>10.</b> | <b>Presentations and Deputations</b>   |          |
| 10.1       | Presentations with Related Reports and Deputations   |          |
| 10.1.1     | CC2018-14.10.1.1   |          |
|            | <b>Short Term Rentals</b><br>Alix Scarr, Senior Licensing Officer  |          |
| 10.1.1.1   | LIC2018-004  | 43 - 57  |
|            | <b>Short Term Residential Rentals</b><br>Alix Scarr, Senior Licensing Officer<br>Aaron Sloan, Manager Municipal Law Enforcement  |          |
|            | <b>That</b> Report LIC2018-003, <b>Short Term Residential Rentals</b> , be received;<br>and  |          |
|            | <b>That</b> Report LIC2018-003, <b>Short Term Residential Rentals</b> and any<br>additional information be referred to the August 14, 2018 Council<br>Meeting for consideration. |          |
| *10.1.2    | CC2018-14.10.1.2   | 58 - 77  |
|            | <b>Lake Management Implementation Action Plan</b><br>Mark Majchrowski, CAO, Kawartha Conservation<br>Kristie Virgoe, Director, Stewardship and Conservation Lands                |          |
| *10.1.2.1  | CC2018-14.10.1.2.2   | 78 - 79  |
|            | <b>Lake Management Implementation Action Plan</b><br>Deputation - Chris Appleton   |          |
| 10.1.2.2   | PLAN2018-054   | 80 - 150 |
|            | <b>Lake Management Implementation Action Plan</b><br>Chris Marshall, Director of Development Services  |          |
|            | <b>That</b> Report PLAN2018-054, <b>Lake Management Implementation Action Plan</b> , be received;  |          |
|            | <b>That</b> Council adopt the preferred option as outlined in Report<br>PLAN2018-054; and  |          |
|            | <b>That</b> approval of this Plan guides future budget considerations for the<br>Total Municipal Investment portion of the Total Program Value.                                  |          |

|          |  |           |
|----------|--|-----------|
| 10.1.3   | CC2018-14.10.1.3   | 151 - 182 |
|          | <p><b>Conservation Authority Core Service Review</b><br/> Chris Marshall, Director of Development Services<br/> Anna Kalnina, Planner II</p>   |           |
| 10.1.3.1 | PLAN2018-055   | 183 - 222 |
|          | <p><b>Conservation Authorities Core Service Review - Options</b><br/> Anna Kalnina, Planner II<br/> (Note: Attachment A to Report PLAN2018-055 is included on the Agenda under Item 10.1.3)</p> <p><b>That</b> Report PLAN2018-055, <b>Conservation Authorities Core Service Review</b>, be received;</p> <p><b>That</b> the recommendation to continue Conservation Authority services as generally outlined in Option 3 to Report PLAN2018-055, be approved; and</p> <p><b>That</b> staff be directed to negotiate and update the Environmental Planning Services Memorandum of Understanding (MOU) with the four Conservation Authorities with jurisdiction in the City of Kawartha Lakes and bring back a recommended MOU to Council for approval.</p> |           |
| 10.1.4   | CC2018-14.10.1.4   | 223 - 244 |
|          | <p><b>Economic Development Program Update</b><br/> Denise Williams, Acting Manager of Economic Development</p>   |           |
| 10.1.5   | CC2018-14.10.1.5   | 245 - 266 |
|          | <p><b>Kawartha Lakes Healthy Environment Plan Update</b><br/> Denise Williams, Strategy Management and Staff Champion Kawartha Lakes Healthy Environment Plan<br/> Susan Hall, LURA Consulting<br/> Michael Dean, ICLEI Canada</p>   |           |
| 10.2     | Deputations  |           |
| *10.2.1  | CC2018-14.10.2.1   | 267 - 269 |
|          | <p><b>Surplus Declaration and Proposed Sale of City-Owned Property – Portion of Shaft Park, Lindsay</b><br/> (Report RS2018-018, Item 11.1.2 on the Agenda)<br/> John Pearson</p>  |           |

\*10.2.2 CC2018-14.10.2.2 270 - 271

**Telecommunication Facility Endorsement Application, SBA Canada,  
ULC**

(Report PLAN2018-049, Item 11.1.14 on the Agenda)

Brayden Libawski, Planner, The Biglieri Group

\*10.2.3 CC2018-14.10.2.3 272 - 273

**Planning Advisory Committee Recommendation PAC2018-029**

**Zoning By-law Amendment Application D06-2018-016 (2071 CKL Road  
36)**

(Items 12.1 and 15.1.9 on the Agenda)

Doug Carroll, DC Planning Services Inc.

**11. Consent Matters**

**That** all of the proposed resolutions shown in Section 11.1 and 11.2 of the Agenda be approved and adopted by Council in the order that they appear on the agenda and sequentially numbered.

**11.1 Reports**

11.1.1 RS2018-017 274 - 283

**Surplus Declaration and Proposed Disposition by Long Term Lease of  
City-Owned Property**

Robyn Carlson, City Solicitor and Acting Manager of Realty Services

**That** Report RS2018-017, **Surplus Declaration and Proposed  
Disposition by Long Term Lease of City-Owned Property**, be received;

**That** the northern portion of property municipally known as 68 Lindsay Street North and legally described as LT 4 E LINDSAY ST NO RIVER, 5 E LINDSAY ST N RIVER, 6 E LINDSAY ST N RIVER, 7 E LINDSAY ST N RIVER, 8 E LINDSAY ST N RIVER, 9 E LINDSAY ST N RIVER, 10 E LINDSAY ST N RIVER, 11 E LINDSAY ST N RIVER, 12 E LINDSAY ST N RIVER, 13 E LINDSAY ST N RIVER, 14 E LINDSAY ST N RIVER PL 12P; PT LT 15 E LINDSAY ST N RIVER, 16 E LINDSAY ST N RIVER, 17 EAST LINDSAY ST N RIVER PL 12P; PT LT 1 N/S QUEEN ST, 2 N/S QUEEN ST, 3 N/S QUEEN ST, 4 N/S QUEEN ST PL 15P; PT LT 4 W/S CAROLINE ST, 5 W/S CAROLINE ST, 6 W/S CAROLINE ST, 7 W/S CAROLINE ST, 8 W/S CAROLINE ST, 9 W/S CAROLINE ST, 10 W/S CAROLINE ST, 11 W/S CAROLINE ST, 12 W/S CAROLINE ST, 13 W/S CAROLINE ST, 14 W/S CAROLINE ST, 15 W/S CAROLINE ST, 16 W/S CAROLINE ST, 17 W/S CAROLINE ST, 18 W/S

CAROLINE ST PL 12P PT 4, 5 57R5191 & PT 6 57R8136, in the Geographic Town of Lindsay, City of Kawartha Lakes, at the northeast corner of Queen Street and Lindsay Street North, Lindsay, and more specifically identified in Appendix A and Appendix B, be declared surplus to municipal needs and disposed of by long term (40 year) lease to the Kawartha Lakes Haliburton Housing Corporation for affordable housing;

**That** the property be disposed of on the condition that KLHHC undertake all site improvements at its sole cost;

**That** the disposition be on the condition that the Kawartha Lakes Haliburton Housing Corporation incorporate environmentally friendly standards into its construction;

**That** the disposition be on the condition that the Kawartha Lakes Haliburton Housing Corporation obtain, at its cost, a Record of Site Condition pursuant to the Ontario *Environmental Protection Act*, R.S.O. 1990, c. E. 19, as amended.

**That** the property be disposed of on the condition that, at the end of the term of the lease, the parties either enter into a new lease for KLHHC's continued use of the property or the property be returned to the City – at the City's option – as either a vacant site or with the building and/or other site improvements to remain;

**That** By-law 2018-020 be amended to add a further section 3.04(c): "Or (c) The disposition is to the Kawartha Haliburton Housing Corporation for the purpose of providing affordable housing."; and

**That** By-law 2018-020 be amended to add a further section 10.03: "Exception: Section 10.01 does not apply to applications by the Kawartha Lakes Haliburton Housing Corporation, and the City will bear the cost of these transactions."

11.1.2

RS2018-018

284 - 294

**Surplus Declaration and Proposed Sale of City-Owned Property –  
Portion of Shaft Park, Lindsay**

Robyn Carlson, City Solicitor and Acting Manager of Realty Services

**That** Report RS2018-018, **Surplus Declaration and Proposed Sale of City-Owned Property – Portion of Shaft Park, Lindsay**, be received;

**That** a portion of the City-owned property known as Shaft Park and legally described as LT 1 N/S FRANCIS ST, 2 S/S FRANCIS ST, 2 N/S BOND ST PL TOWN PLOT; PT FRANCIS ST PL TOWN PLOT AS CLOSED BY TL15033; PT LT 2 N/S FRANCIS ST, 1 S/S FRANCIS ST, 3 S/S FRANCIS ST, 3 N/S BOND ST PL TOWN PLOT AS IN R225573 EXCEPT PT 1 57R8075, and more specifically identified in Appendix “B”, in the Geographic Town of Lindsay, City of Kawartha Lakes be declared surplus to municipal needs;

**That** on completion of public notice, Council shall consider any deputation or public input in opposition of any sales, if any, and if appropriate, pass a by-law (with any amendments deemed necessary) to authorize the disposition to the Kawartha Lakes Haliburton Housing Corporation for the purpose of affordable housing development, for nominal cost;

**That** the disposition be on the condition that the Kawartha Lakes Haliburton Housing Corporation incorporate environmentally friendly standards into its construction.

**That** the Mayor and Clerk be authorized to execute all legal closing documents required for the sale of the subject property.

\*11.1.3

RS2018-019

295 - 325

**Proposed Lease Agreement between the City of Kawartha Lakes and Kawartha Lakes Haliburton Housing Corporation**  
Robyn Carlson, City Solicitor and Acting Manager of Realty Services

**That Report RS2018-019, Proposed Lease Agreement between the City of Kawartha Lakes and Kawartha Lakes Haliburton Housing Corporation, be received;**

**That** the southern portion of 68 Lindsay Street North, legally described as LT 4 E LINDSAY ST NO RIVER, 5 E LINDSAY ST N RIVER, 6 E LINDSAY ST N RIVER, 7 E LINDSAY ST N RIVER, 8 E LINDSAY ST N RIVER, 9 E LINDSAY ST N RIVER, 10 E LINDSAY ST N RIVER, 11 E LINDSAY ST N RIVER, 12 E LINDSAY ST N RIVER, 13 E LINDSAY ST N RIVER, 14 E LINDSAY ST N RIVER PL 12P; PT LT 15 E LINDSAY ST N RIVER, 16 E LINDSAY ST N RIVER, 17 EAST LINDSAY ST N RIVER PL 12P; PT LT 1 N/S QUEEN ST, 2 N/S QUEEN ST, 3 N/S QUEEN ST, 4 N/S QUEEN ST PL 15P; PT LT 4 W/S CAROLINE ST, 5 W/S CAROLINE ST, 6 W/S CAROLINE ST, 7 W/S CAROLINE ST, 8 W/S CAROLINE ST, 9 W/S CAROLINE ST, 10 W/S CAROLINE ST, 11 W/S CAROLINE ST, 12 W/S CAROLINE ST, 13 W/S CAROLINE ST, 14 W/S CAROLINE ST, 15 W/S CAROLINE ST, 16 W/S CAROLINE ST, 17 W/S CAROLINE ST, 18 W/S CAROLINE ST PL 12P PT 4, 5 57R5191 & PT 6 57R8136, in the Geographic Town of Lindsay, City of Kawartha Lakes, being property proposed to be occupied by an affordable housing development and more particularly illustrated in Appendix A be declared surplus to municipal needs and disposed of by long term lease to the Kawartha Lakes Haliburton Housing Corporation; and

**That** the Mayor and Clerk be authorized to execute the Lease Agreement attached as Appendix B on behalf of the City of Kawartha Lakes, being a Lease Agreement with Kawartha Lakes Haliburton Housing Corporation for the purpose of leasing affordable housing space within City property located at 68 Lindsay Street North, Lindsay.

11.1.4

CS2018-011

326 - 329

**Release of Fenelon Falls Legacy C.H.E.S.T. Funds to Kawartha Works Community Co-Operative Inc.**

Lisa Peimann, Executive Assistant to the Director of Community Services

**That Report CS2018-011, Release of Fenelon Falls Legacy C.H.E.S.T. Funds to Kawartha Works Community Co-operative Inc., be received; and**

**That** the Kawartha Works Community Co-operative Inc. be approved for funding in the amount of \$5,000.00 with the allocation to come from the Fenelon Falls Legacy C.H.E.S.T. Reserve (3.24350).

11.1.5 CS2018-012 330 - 336

**Release of Powerlinks Funds to the Fenelon Theatre Restoration Committee (Maryboro Lodge)**

Lisa Peimann, Executive Assistant to the Director of Community Services

**That** Report CS2018-012, **Release of Powerlinks Funds to the Fenelon Theatre Restoration Committee (Maryboro Lodge)**, be received; and

**That** the Fenelon Theatre Restoration Committee (Maryboro Lodge) be approved for funding in the amount of \$10,000.00 with the allocation to come from the Powerlinks Reserve (1.32065).

11.1.6 PUR2018-026 337 - 341

**Request for Quotation 2018-50-OQ Supply and Operation of Plow Trucks for Winter Maintenance for Arterial Roads**

Marielle van Engelen, Buyer

Oliver Vigelius, Manager Lindsay Maintenance Area and Capital Projects

**That** Report PUR2018-026, **Request for Quotation 2018-50-OQ Supply and Operation of Plow Trucks for Winter Maintenance of Arterial Roads**, be received;

**That** Todd Brothers Contracting Limited of Stouffville, be selected for award of Request for Quotation 2018-50-OQ Supply and Operation of Plow Trucks for Winter Maintenance of Arterial Roads for the quoted estimated winter roads maintenance season cost of \$1,376,415.00 plus HST;

**That** the initial term of the contract, for all depot locations except Lindsay be for ten (10) winter road maintenance seasons (November 1, 2018 to April 15, 2028), and Lindsay Depot be for one (1) winter road maintenance season (November 1, 2018 to April 15, 2019);

**That** Council approve the two (2) - one (1) year winter road maintenance season renewals for all areas included in the quotation, pending budget approval and successful vendor performance review;

**That** subject to receipt of the required documents, the Mayor and City Clerk be authorized to execute the agreement to award Request for Quotation 2018-50-OT Supply and Operation of Plow Trucks for Winter Maintenance for Arterial Roads; and

**That** the Financial Services Division be authorized to issue a purchase order(s) as required.

11.1.7

PUR2018-027

342 - 344

**Request for Quotation 2018-62 CQ Refurbishment of One Landfill Loader**

Marielle van Engelen, Buyer

Todd Bryant, Manager of Fleet and Transit Services

**That** Report PUR2018-027, **Request for Quotation 2018-62-CQ Refurbishment of One Landfill Loader**, be received;

**THAT** Iron Equipment Ltd. of Pontypool, be selected for the award of Quotation 2018-62-CQ Refurbishment of One Landfill Loader for the total quoted price of \$177,500.00 not including HST; and

**THAT** Financial Services be authorized to issue a purchase order.



|         |  |           |
|---------|--|-----------|
| 11.1.8  | <p>PUR2018-028</p> <p><b>PUR2018-028 RFT 2018-006-CT Rehabilitation of the Manvers and Fenelon Depot Sand Domes</b></p> <p>Marielle van Engelen, Buyer</p> <p>Richard Monaghan, Senior Engineering Technician</p> <p><b>That</b> Report PUR2018-028, <b>Additional Funding for Capital Projects Rehabilitation of the Manvers and Fenelon Depot Sand Domes</b>, be received;</p> <p><b>That</b> funds in the amount of \$18,433.00 be released from Capital Reserves and put into the budget for 991180101, Fenelon Falls Salt Dome, and</p> <p><b>That</b> funds in the amount of \$10,609.00 be released from Capital Reserves and put into the budget for 991170201, Manvers Salt Dome.</p> | 345 - 365 |
| 11.1.9  | <p>ED2018-003</p> <p><b>Public Art Policy</b></p> <p>Debra Soule Economic Development Officer – Arts, Culture and Heritage</p> <p><b>That</b> Report ED2018-003, <b>Public Art Policy</b>, be received;</p> <p><b>That</b> the policy entitled Public Art Policy appended to Report ED2018-003 be adopted, numbered and inserted into the Corporate Policy and Procedures Manual; and</p> <p><b>That</b> any unspent funds in the Public Art area be transferred annually to the City's Contingency Reserve for future use in the Public Art initiative. (1.3209).</p>   | 366 - 379 |
| 11.1.10 | <p>ED2018-007</p> <p><b>Ontario's Main Street Revitalization Initiative Funding Agreement</b></p> <p>Denise Williams, Acting Manager of Economic Development</p>   | 380 - 402 |

**That** Report ED2018-007, **Ontario's Main Street Revitalization Initiative Funding Agreement**, be received;

**That** staff be authorized to enter into the agreement in order to participate in Ontario's Main Streets Revitalization Initiative;

**That** the Mayor and Clerk be authorized to execute the Municipal Funding Agreement provided in Appendix A for the transfer of Main Streets Revitalization Initiatives funds in the amount of \$96,311.62 between the Association of Municipalities of Ontario (AMO) and the City of Kawartha Lakes; and

**THAT** the necessary by-law to authorize execution of the agreement be adopted by Council.

11.1.11

ED2018-009

403 - 408

**Amendments to Non-Compliant Heritage Designation By-Laws**

Debra Soule Economic Development Officer – Arts, Culture and Heritage

**That** Report ED2018-009, **Amendments to Non-Compliant Heritage Designation By-Laws**, be received;

**That** staff be authorized to proceed with the process to repeal and replace the heritage designation by-laws that do not comply with the current requirements of the Ontario Heritage Act, according to Section 30 1(2) to (10) of the Act, and to prepare updated heritage by-laws; and

**That** the updated designating by-laws be presented to Council for its consideration after the notification process has been completed.

11.1.12

PLAN2018-047

409 - 424

**Telecommunication Facility Endorsement Application, Metrolinx**

Ian Walker, Planning Officer – Large Developments

**That** Report PLAN2018-047, **Telecommunication Facility Application, Metrolinx – D44-17-001**, be received;

**That** the proposed 80.0 metre self-supporting telecommunication facility proposed by Metrolinx on behalf of the Ministry of Transportation of Ontario, to be sited on lands fronting at 3818 Boundary Road and as generally outlined in Appendices A to D to Report PLAN2018-047, be endorsed by Council, conditional upon the applicant entering into a telecommunication facility development agreement with the City;

**That** Industry Canada, the applicant, and all interested parties be advised of Council's decision; and

**That** the Mayor and Clerk be authorized to execute any documents and agreements required by the endorsement of this application.

11.1.13

PLAN2018-048

425 - 450

**Telecommunication Facility Endorsement Application, Shared Network Canada**

Ian Walker, Planning Officer – Large Developments

**That** Report PLAN2018-048, **Telecommunication Facility Application, Shared Network Canada – D44-17-002**, be received;

**That** the proposed 65.0 metre self-supported telecommunication facility proposed by Shared Network Canada on behalf of 2324784 Ontario Limited, to be sited on lands fronting at 388 Angeline Street North and as generally outlined in Appendices A to D to Report PLAN2018-048, be endorsed by Council, conditional upon the applicant entering into a telecommunication facility development agreement with the City;

**That** Industry Canada, the applicant, and all interested parties be advised of Council's decision; and

**That** the Mayor and Clerk be authorized to execute any documents and agreements required by the endorsement of this application.

11.1.14

PLAN2018-049

451 - 482

**Telecommunication Facility Endorsement Application, SBA Canada, ULC**

Ian Walker, Planning Officer – Large Developments

**That** Report PLAN2018-049, **Telecommunication Facility Application, SBA Canada, ULC – D44-2018-001**, be received;

**That** the proposed 75.0 metre guyed wire telecommunication facility proposed by The Biglieri Group Ltd. on behalf of SBA Canada, ULC, to be sited on lands fronting at 2876 CKL Road 121 and as generally outlined in Appendices A to D to Report PLAN2018-049, be endorsed by Council, conditional upon the applicant entering into a telecommunication facility development agreement with the City;

**That** Industry Canada, the applicant, and all interested parties be advised of Council's decision; and

**That** the Mayor and Clerk be authorized to execute any documents and agreements required by the endorsement of this application.

11.1.15      EA2018-014      483 - 500

**Implications of Lowering the Traffic Volume Threshold for the Paving of Gravel Roads**

Adam Found, Manager of Corporate Assets

**That** Report EA2018-014, **Implications of Lowering the Traffic Volume Threshold for the Paving of Gravel Roads**, be received.

11.1.16      ENG2018-007      501 - 534

**LAS Proposal, LED Streetlight Replacement Program (Lindsay)**

Mike Farquhar, Supervisor, Technical Services

**That** Report ENG2018-007, **LAS Proposal, LED Streetlight Replacement Program (Lindsay)**, be received;

**That** staff be directed to enter into a contract with LAS and Realterm Energy to implement a staged LED streetlight replacement program in Lindsay in the amount of \$335,394.00 with options for the 2<sup>nd</sup> and 3<sup>rd</sup> phases of the project; and

**That** the Mayor and Clerk be authorized to sign the agreement.

11.1.17      HH2018-004      535 - 565

**KLH Housing Corporation: New Communities through Leveraging Older Homes – Part 3**

Hope Lee, Administrator/Manager of Housing

**That Report HH2018-004, KLH Housing Corporation: New Communities through Leveraging Older Homes – Part 3, be received;**

**That** subject to the necessary by-laws and agreements being forwarded to Council for approval, and the successful completion of such planning and development processes as the City may require, the proposed “New Communities through Leveraging Older Homes – Part 3” provided as Attachment A to Report HH2018-004 be approved, including the following project characteristics:

**Phase 2 – Bond Street East, Lindsay**

1. approval for the sale of eleven (11) single and semi-detached KLH Housing Corporation units transferred by the Province to KLH in 2001, specific properties as identified in Attachment A, and their replacement with eleven (11) newly constructed housing unit to be rented as Rent Geared to Income (RGI) units through a rent supplement agreement between the City and KLH;
2. approval for the completion of financing for cash flow and borrowing facilities in the City’s own name, with the City then lending the funds to KLH;
3. approval for the transfer of land to KLH;
4. approval that any and all fees, charges, levies or securities imposed or controlled by the City be waived or provided to KLH as municipal incentives as identified in Attachment A of Report HH2018-004 to support the development of the eleven (11) reconstructed and the five (5) additional units that will be created; and

**Phase 2 – Lindsay Street North, Lindsay**

1. approval for the sale of sixteen (16) single and semi-detached KLH Housing Corporation units transferred by the Province to KLH in 2001, specific properties as identified in Attachment A, and their replacement with sixteen (16) newly constructed housing unit to be rented as Rent Geared to Income (RGI) units through a rent supplement agreement between the City and KLH;
2. approval for the completion of financing for cash flow and borrowing facilities in the City’s own name, with the City then lending the funds to KLH;
3. approval to provide the land through a 40 year lease between

the City and KLH;

4. approval that any and all fees, charges, levies or securities imposed or controlled by the City be provided to KLH as municipal incentives as identified in Attachment A of Report HH2018-004 to support the development of the sixteen (16) reconstructed and the eight (8) additional units that will be created; and

**That** the CAO be authorized to approve any of the required municipal incentives needed to implement the projects outlined in Attachment A of Report HH2018-004.

11.1.18      HH2018-005      566 - 589

**2017 Annual Housing and Homelessness Plan (HHP) Report**  
Hope Lee, Administrator/Manager of Housing

**That** Report HH2018-005, **2017 Annual Housing and Homelessness Plan (HHP) Report**, be received for information purposes.

11.2      Correspondence

\*11.2.1      CC2018-14.11.2.1      590 - 590

**Request for Noise By-law Exemption**  
Joshua Fawcett, Vertical Horizons Aggregates

**That** the June 11, 2018 correspondence from Joshua Fawcett of Vertical Horizons Aggregates regarding **Request for Noise By-law Exemption**, be received; and

**That** the exemption from the City's Noise By-law 2005-025, as amended, for the loading and transportation of material to a Department of Highways project in Manchester, Ontario, during the hours of 7:00 p.m. to 7:00 a.m. from June 19, 2018 to December 31, 2018, be approved.

11.3      Items Extracted from Consent

12.      **Committee of the Whole and Planning Committee Minutes**

12.1      CC2018-14.12.1      591 - 600

**Planning Advisory Committee Meeting Minutes of June 6, 2018**

**That** the Minutes of the June 6, 2018 Planning Advisory Committee Meeting be received and the recommendations be adopted.

|            |  |           |
|------------|--|-----------|
| <b>13.</b> | <b>Petitions</b>   |           |
| <b>14.</b> | <b>Other or New Business</b>   |           |
| <b>15.</b> | <b>By-Laws</b>   |           |
|            | <b>That the By-Laws shown in Section 15.1 of the Agenda, namely: Items 15.1.1 to and including 15.1.14 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.</b>   |           |
| 15.1       | By-Laws by Consent   |           |
| 15.1.1     | CC2018-14.15.1.1   | 601 - 602 |
|            | <b>A By-law to Appoint a Municipal Law Enforcement Officer for the City of Kawartha Lakes (D. Camplin)</b>   |           |
| 15.1.2     | CC2018-14.15.1.2   | 603 - 604 |
|            | <b>A By-law to Appoint an Area Weed Inspector for the City of Kawartha Lakes (D. Camplin)</b>  |           |
| 15.1.3     | CC2018-14.15.1.3   | 605 - 606 |
|            | <b>A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (J. LaPointe)</b>   |           |
| 15.1.4     | CC2018-14.15.1.4   | 607 - 608 |
|            | <b>A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (D. Lavallee)</b>   |           |
| 15.1.5     | CC2018-14.15.1.5   | 609 - 610 |
|            | <b>A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (J. McIntyre)</b>   |           |
| 15.1.6     | CC2018-14.15.1.6   | 611 - 613 |
|            | <b>A By-Law to Stop Up and Close Part of the Original Shore Road Allowance Lying in Front of Lot 23, Concession 3 Along Lake Dalrymple, in the Geographic Township of Carden, City of Kawartha Lakes, Designated as Part 1 on Reference Plan 57R-10672, and to Authorize the Sale of the Land to the Abutting Owners</b> |           |

|         |   |           |
|---------|---|-----------|
| 15.1.7  | CC2018-14.15.1.7  | 614 - 615 |
|         | <b>A By-law to Amend By-Law 2018-020, A By-Law to Regulate the Disposition of Municipal Real Property in and for the Corporation of the City of Kawartha Lakes</b>  |           |
| 15.1.8  | CC2018-14.15.1.8  | 616 - 635 |
|         | <b>A By-law to Authorize the Execution of an Agreement between The Association of Municipalities of Ontario (AMO) and The Corporation of the City of Kawartha Lakes for Funding Under the Main Street Revitalization Initiative</b> |           |
| 15.1.9  | CC2018-14.15.1.9  | 636 - 637 |
|         | <b>A By-Law to Amend the Township of Verulam Zoning By-Law No. 6-87 To Rezone Land within the City of Kawartha Lakes (2017 CKL Road 36)</b>   |           |
| 15.1.10 | CC2018-14.15.1.10   | 638 - 642 |
|         | <b>A By-Law to Amend the Town Of Lindsay Official Plan To Re-Designate Land within the City of Kawartha Lakes (21 Victoria Avenue North – Carter)</b>   |           |
| 15.1.11 | CC2018-14.15.1.11   | 643 - 645 |
|         | <b>A By-Law to Amend the Town of Lindsay Zoning By-Law No. 2000-75 To Rezone Land within the City of Kawartha Lakes (21 Victoria Avenue North – Carter)</b>   |           |
| 15.1.12 | CC2018-14.15.1.12   | 646 - 650 |
|         | <b>A By-Law to Amend the Town of Lindsay Official Plan to Re-designate Land within the City of Kawartha Lakes (Vacant Land on Angeline Street North – CIC Developments Inc.)</b>  |           |
| 15.1.13 | CC2018-14.15.1.13   | 651 - 653 |
|         | <b>A By-Law to Amend the Town of Lindsay Zoning By-Law No. 2000-75 to Rezone Land within the City of Kawartha Lakes (Vacant Land on Angeline Street North – CIC Developments Inc.)</b>  |           |
| 15.1.14 | CC2018-14.15.1.14   | 654 - 655 |
|         | <b>A By-law to Amend By-law 2005-328 being A By-law to Establish Speed Limits (Pigeon Lake Road)</b>  |           |



15.2 By-Laws Extracted from Consent

16. Notice of Motion

17. Closed Session (If Not Completed Prior to Open Session)

18. Matters from Closed Session

19. Confirming By-Law

19.1 CC2018-14.19.1

656 - 656

**A By-law to Confirm the Proceedings of a Regular Meeting of Council,  
Tuesday, June 19, 2018**

**That** a by-law to confirm the proceedings of a Regular Council Meeting held Tuesday, June 19, 2018 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

20. Adjournment

# **The Corporation of the City of Kawartha Lakes**

## **Minutes**

### **Regular Council Meeting**

**CC2018-12**

**Tuesday, June 5, 2018**

**Open Session Commencing at 2:00 p.m.**

**Council Chambers**

**City Hall**

**26 Francis Street, Lindsay, Ontario K9V 5R8**

#### **Members:**

**Mayor Andy Letham**

**Councillor Isaac Breadner**

**Councillor Pat Dunn**

**Councillor Doug Elmslie**

**Councillor Gord James**

**Councillor Gerard Jilesen**

**Councillor Brian S. Junkin**

**Councillor Rob Macklem**

**Councillor Mary Ann Martin**

**Councillor Gord Miller**

**Councillor Patrick O'Reilly**

**Councillor John Pollard**

**Councillor Kathleen Seymour-Fagan**

**Councillor Heather Stauble**

**Councillor Stephen Strangway**

**Councillor Andrew Veale**

**Councillor Emmett Yeo**

**Accessible formats and communication supports are available upon request.**

1. **Call to Order**
2. **Adoption of Closed Session Agenda**
3. **Disclosure of Pecuniary Interest in Closed Session Items**
4. **Closed Session**
5. **Opening Ceremonies**

5.1 Call Open Session to Order

Mayor Letham called the Open Session of the Meeting to order at 2:00 p.m. Councillors I. Breadner, P. Dunn, D. Elmslie, G. James, G. Jilesen, B. Junkin, R. Macklem, M.A. Martin, G. Miller, P. O'Reilly, J. Pollard, K. Seymour-Fagan, H. Stauble, S. Strangway and A. Veale were in attendance.

Late Arrival: Councillor E. Yeo 3:05 p.m.

CAO R. Taylor, City Clerk C. Ritchie and Administrative Assistant N. Sinopoli were also in attendance.

5.2 O Canada

The Meeting was opened with the singing of 'O Canada'.

5.3 Moment of Silent Reflection

The Mayor asked those in attendance to observe a Moment of Silent Reflection.

5.4 Adoption of Open Session Agenda

**CR2018-350**

**Moved By** Councillor Veale

**Seconded By** Councillor O'Reilly

**That** the Agenda for the Open Session of the Regular Council Meeting of Tuesday, June 5, 2018, be adopted as circulated.

**Carried**

6. **Disclosure of Pecuniary Interest**

There were no declarations of pecuniary interest noted.

7. **Notices and Information by Members of Council and Staff**

7.1 Council

Councillor Elmslie:

- The Kawartha Yarn and Fibre Festival is being held at Maryboro Lodge on Saturday, June 9th starting at 10:00 a.m.

Councillor Stauble:

- The Cham Shan Temple in Bethany is hosting an Open House on Sunday, June 24th from 10:00 a.m. to 1:00 p.m. The Open House is free but bus tours of the grounds are being organized by the Manvers Historical Society at a cost of \$11.00 per person. Visitors who choose to walk should wear sturdy shoes.

Councillor Seymour-Fagan:

- The Weather Network broadcasted their morning television show at Lock 32 in Bobcaygeon from 6:00 a.m. to 9:00 a.m. on Tuesday, June 5th.

Councillor Junkin:

- Unlock the Summer Event is being held at Lock 32 in Bobcaygeon on Saturday, June 9th starting at 11:00 a.m. As part of the event the Soul Brothers will be performing at 7:00 p.m. at the Bobcaygeon Community Centre.
- Settlers' Village in Bobcaygeon is hosting Settlers' Day on Sunday June 10th starting at 10:00 a.m.

Councillor O'Reilly:

- June 5th - 9th is Family Doctor Appreciation Week.
- The 1st Annual Willy Staples Memorial Golf Tournament is being held on Saturday June 9th at 2:00 p.m. at the Crestwood Golf Club in Little Britain.
- The Downtown Dreams Business Showcase is being held on Wednesday, June 6th at 5:30 p.m. at the Academy Theatre.
- Kawartha Lakes Haliburton Housing Corporation is hosting a ground breaking ceremony for a new 12 unit housing development at Whispering Pines in Haliburton on Wednesday, June 6th at 10:15 a.m.
- The Open House regarding the reconstruction of downtown Lindsay that was held on May 31st at the Academy Theatre was very well attended.
- The Lindsay and District Chamber of Commerce hosted the 2018 Evening of Excellence on Friday, June 1st at the Lakeview Arts Barn. Award winners included Chris Karkabasis (Long Time Achievement Award), Adam Hayward (Business Leader of the Year) and Robyn McNabb (Citizen of the Year).
- A reminder that Thursday, June 7th is election day in Ontario.

## 7.2 Staff

Mayor Letham:

- The Annual Ceremonial Review of the 314 Royal Canadian Sea Cadets Corps Hood was held on Saturday, June 2nd at the Coboconk Legion. The group is actively recruiting young people between the ages of 12 and 18 who are looking to develop their leadership skills.

Rod Sutherland:

- Registry Week debriefing sessions are being held on Tuesday, June 5th at 10:00 a.m. in Lindsay and 3:00 p.m. in Minden.
- Victoria Manor is hosting a classic car show on Friday, June 15th from 4:30 p.m. to 7:00 p.m.

Keith Kirkpatrick:

- The Paramedics in the Park event, which was held on Thursday, May 31st, was a great success, raising \$3000 in support of the Tema Conter Memorial Trust

## 8. Matters from Closed Session

## 9. Minutes

### 9.1 CC2018-12.9.1

Regular Council Meeting Minutes of May 22, 2018

**CR2018-351**

**Moved By** Councillor Strangway

**Seconded By** Councillor Miller

**That** the Minutes of the May 22, 2018 Regular Council Meeting, be received and adopted.

**Carried**

## 10. Presentations and Deputations

### 10.1 CC2018-12.10.1

**Request for Fence Encroachment Licence Agreement - 59 Cambridge Street North, Lindsay**

(Items 11.1.3 and 11.2.2 on the Agenda)

Jordan Bress

Jordan Bress attended Council to request a fence encroachment Licence Agreement for 59 Cambridge Street North, Lindsay.

**CR2018-352**

**Moved By** Councillor Martin

**Seconded By** Councillor Strangway

**That** the deputation of Jordan Bress, regarding **Request for Fence Encroachment Licence Agreement - 59 Cambridge Street North, Lindsay** (Report RS2018-016, Item 11.13 on the Agenda), be received.

**Carried**

10.2 CC2018-12.1.2

**Municipal Accessibility Master Plan 2018-2023**

(Item 11.1.1 on the Agenda)

Barbara Condie, Accessibility Officer

Accessibility Officer Condie highlighted the City's accessibility accomplishments and presented an overview of the Municipal Accessibility Master Plan 2018-2023.

**CR2018-353**

**Moved By** Councillor Strangway

**Seconded By** Councillor Stauble

**That** the deputation of Barbara Condie, Accessibility Officer, regarding the **Municipal Accessibility Master Plan 2018-2023**, (Item 11.1.1 on the Agenda), be received.

**Carried**

**11. Consent Matters**

The following items were requested to be extracted from the Consent Agenda:

Item 11.1.3 - Councillor Dunn

Item 11.1.7 - Councillor Junkin

**Moved By** Councillor Martin

**Seconded By** Councillor Stauble

**That** all of the proposed resolutions shown in Section 11.1 and 11.2 of the Agenda be approved and adopted by Council in the order that they appear on the agenda and sequentially numbered, save and except Items 11.1.3 and 11.1.7

Carried

## 11.1 Reports

### 11.1.1 CLK2018-005

#### **Municipal Accessibility Master Plan 2018-2023**

Barbara Condie, Accessibility Officer

#### **CR2018-354**

**That** Report CLK2018-005, **Municipal Accessibility Master Plan 2018-2023**, be received;

**That** the **Municipal Accessibility Master Plan 2018-2023**, be approved; and

**That** the necessary by-law be brought forward for adoption.

Carried

### 11.1.2 CLK2018-006

#### **Accessibility Policy Update**

Barbara Condie, Accessibility Officer

#### **CR2018-355**

**That** Report CLK2018-006, **Accessibility Policy Update**, be received; and

**That** the amended **Accessibility Policy** provided in **Appendix A** to Report CLK2018-006, be approved.

Carried

### 11.1.4 CS2018-010

#### **Emergency Repairs to Murphy Barn (Settler's Village, Bobcaygeon)**

Craig Shanks, Director of Community Services

#### **CR2018-356**

**That** Report CS2018-010 **Emergency Repairs to Murphy Barn (Settler's Village, Bobcaygeon)**, be received; and

**That** the emergency repairs to the Murphy Barn at Kawartha's Settler's Village be funded to a maximum amount of \$156,200.00 from the Contingency Reserve Fund; and

**That** a Change Order to the current Purchasing Orders to Terraspec Engineering and Woodrow Contracting to perform design of Phase 1 repair and construction work at the Murphy Barn, be approved to an upset limit of \$156,200.00.

**Carried**

#### 11.1.5 CEM2018-002

**Janetville Presbyterian Cemetery, 595 Janetville Road**

Cathy Sleep, Cemetery Administrator

**CR2018-357**

**That** Report CEM2018-002, **Janetville Presbyterian Cemetery, 595 Janetville Road**, be received;

**That** staff take the necessary action to transfer ownership of Janetville Presbyterian Cemetery as set out in the Funeral, Burial and Cremation Services Act, 2002, Section 101.1 Subsections 1 to 8; and

**That** the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application/agreement/decision.

**Carried**

#### 11.1.6 PUR2018-023

**Quotation 2018-52-OQ Removal, Haulage and Disposal of Biosolids at the Fenelon Falls and Bobcaygeon WPCP**

Marielle van Engelen, Buyer

Robert MacPherson, Water/Wastewater Technician

**CR2018-358**

**That** Report PUR2018-023, **Quotation 2018-52-OQ Removal, Haulage and Disposal of Biosolids at the Fenelon Falls and Bobcaygeon WPCP** (Water Pollution Control Plant), be received;

**That** Shepherd Enterprises Inc. (Shepherd Environmental Services) of Coboconk be selected for the award for the removal, haulage, storage and spreading of biosolids from the Bobcaygeon Water Pollution Control Plant (WPCP) and the Fenelon Falls WPCP for an initial two year term, for a total quoted estimated amount of \$497,466.00, not including HST;



**That** Council approve the three (3) – one (1) year renewal periods included in the quotation, with a unit price increase according to the Canadian Consumer Price Index percentage change, pending successful vendor performance review and annual budget approval;

**That** subject to receipt of the required documents, the Mayor and City Clerk be authorized to execute the agreement to award Quotation 2018-52-OQ Removal, Haulage and Disposal of Biosolids at the Fenelon Falls and Bobcaygeon WPCP; and

**That** the Purchasing Division be authorized to issue a purchase order(s) as required.

**Carried**

#### 11.1.8 PLAN2018-053

**By-law to Deem Lots 3 and 4, Registered Plan 129, Geographic Township of Fenelon, being 201 Snug Harbour Road (Heaslip)**

Mark LaHay, Planner II

#### **CR2018-359**

**That** Report PLAN2018-053, respecting **Lots 3 and 4, Registered Plan 129, Geographic Township of Fenelon, Heaslip – Application D30-2018-009**, be received;

**That** a Deeming By-law respecting Lots 3 and 4, Registered Plan 129, substantially in the form attached as Appendix C to Report PLAN2018-053, be approved and adopted by Council; and

**That** the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

**Carried**

#### 11.1.9 ENG2018-014

**Request for Speed Reduction - Pigeon Lake Road**

Joseph Kelly, Senior Engineering Technician

#### **CR2018-360**

**That** Report ENG2018-014 **Request for Speed Reduction – Pigeon Lake Road**, be received;

**That** the speed limit of Pigeon Lake Road from CKL Rd 36 to a point 1.6 km south be reduced to 60 km/h;

**That** the necessary by-laws for the above recommendations be forwarded to Council for adoption; and

**That** the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

**Carried**

11.1.10 SOC2018-002

**Children's Services Update**

Janine Mitchell, Manager Social Services

**CR2018-361**

**That** Report SOC2018-002, **Children's Services Update**, be received.

**Carried**

11.1.3 RS2018-016

**Fence Encroachment - 59 Cambridge Street North, Lindsay**

Robyn Carlson, City Solicitor and Acting Manager of Realty Services

**CR2018-365**

**Moved By** Councillor Dunn

**Seconded By** Councillor James

**That** Report RS2018-016, **Fence Encroachment – 59 Cambridge Street North, Lindsay**, be received; and

**That** Staff be directed to enter into a License Agreement with the owner of 59 Cambridge Street North, Lindsay, to allow the fence at the South West corner of Cambridge Street and Bond Street to remain in its current location.

**Carried**

11.1.7 PUR2018-024

**2018-65-22 Single Source Purchase of Two Ambulance Remounts**

Ashley Wykes, Buyer

Andrew Rafton, Commander of Operations

**CR2018-366**

**Moved By** Councillor James

**Seconded By** Councillor Elmslie

**That** Report PUR2018-065, **2018-65-SS Single Source Purchase of Two Ambulance Remounts**, be received;

**That** Crestline Coach Ltd. of Saskatoon be awarded the single source purchase of two (2) ambulance remounts at a total cost of \$216,171.38 not including HST; and

**That** the Financial Services Division be authorized to issue a purchase order.

**Carried**

11.2 Correspondence

11.2.1 CC2018-12.11.2.1

**Request for Exemption from City's Noise By-law**

Lenny Hochberg, Bobcaygeon Bikefest Inc.

**CR2018-362**

**That** the May 24, 2018 correspondence from Lenny Hochberg, Bikefest Inc., regarding a request for an exemption to the Noise By-law, be received; and

**That** the concert/dance event to be held at the Bobcaygeon-Verulam Community Centre, 51 Mansfield St, Bobcaygeon, be exempt from Noise By-law 2005-025, as amended, from June 23, 2018 at 7:00 p.m. to June 24, 2018 at 1:00 a.m.

**Carried**

11.2.2 CC2018-12.11.2.2

**Request for Fence Encroachment License Agreement - 59 Cambridge Street North, Lindsay**

Jordan Bress

**CR2018-363**

**That** the May 25, 2018 correspondence from Jordan Bress, regarding a request for a Fence Encroachment License Agreement at 59 Cambridge Street North, Lindsay, be received.

**Carried**

11.2.3 CC2018-12.11.2.3

**Request for Exemption from City's Noise By-law**

Brenda Dainard

Ride for Sight & The Foundation Fighting Blindness- Canada

**CR2018-364**

**That** the May 25, 2018 correspondence from Brenda Dainard, Ride for Sight & The Foundation for Fighting Blindness - Canada, regarding a request for an exemption to the Noise By-law, be received; and

**That** the Ride for Sight event to be held at the Fenelon Falls Fairgrounds, 24 Veterans Way, Fenelon Falls, be exempt from Noise By-law 2005-025, as amended, for the following dates and times:

From June 15, 2018 at 12:00 noon to June 16, 2018 at 12:30 a.m.

From June 16, 2018 at 12:00 noon to June 17, 2018 at 12:30 a.m.

**Carried**

11.3 Items Extracted from Consent

**12. Committee of the Whole and Planning Committee Minutes**

**13. Petitions**

**14. Other or New Business**

**15. By-laws**

The mover requested the consent of Council to read the by-laws by number only.

**CR2018-367**

**Moved By** Councillor Breadner

**Seconded By** Councillor Yeo

**That** the By-Laws shown in Section 15.1 of the Agenda, namely: Items 15.1.1 to and including 15.1.2 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

**Carried**

15.1 By-Laws by Consent

15.1.1 By-law 2018-093

**A By-law to Approve the Municipal Accessibility Master Plan 2018-2023 for the City of Kawartha Lakes**

15.1.2 By-law 2018-094

**A By-law to Deem Part of a Plan of Subdivision, Previously Registered for Lands within Kawartha Lakes, Not to be a Registered Plan of Subdivision in Accordance with the Planning Act Pin # 63144-0637 (LT) and Pin # 63144-0638 (LT), Described as Lots 3 and 4, Plan 129, Geographic Township of Fenelon, now City of Kawartha Lakes**

15.2 By-Laws Extracted from Consent

**16. Notice of Motion**

**17. Closed Session (If Not Completed Prior to Open Session)**

**18. Matters from Closed Session**

**19. Confirming By-Law**

19.1 By-law 2018-095

**A By-law to Confirm the Proceedings of a Regular Meeting of Council, Tuesday, June 5, 2018**

**CR2018-368**

**Moved By** Councillor Pollard

**Seconded By** Councillor Stauble

**That** a by-law to confirm the proceedings of a Regular Council Meeting held Tuesday, June 5, 2018 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

**Carried**

**20. Adjournment**

**CR2018-369**

**Moved By** Councillor Dunn

**Seconded By** Councillor Macklem

**That** the Council Meeting adjourn at 3:07 p.m.

**Carried**

**Read and adopted this 19 day of June, 2018.**

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

# **The Corporation of the City of Kawartha Lakes**

## **Minutes**

### **Special Council Meeting**

**CC2018-13**  
**Tuesday, June 12, 2018**  
**Open Session Commencing at 1:00 p.m.**  
**Council Chambers**  
**City Hall**  
**26 Francis Street, Lindsay, Ontario K9V 5R8**

**Members:**  
**Mayor Andy Letham**  
**Councillor Isaac Breadner**  
**Councillor Pat Dunn**  
**Councillor Doug Elmslie**  
**Councillor Gord James**  
**Councillor Gerard Jilesen**  
**Councillor Brian S. Junkin**  
**Councillor Rob Macklem**  
**Councillor Mary Ann Martin**  
**Councillor Gord Miller**  
**Councillor Patrick O'Reilly**  
**Councillor John Pollard**  
**Councillor Kathleen Seymour-Fagan**  
**Councillor Heather Stauble**  
**Councillor Stephen Strangway**  
**Councillor Andrew Veale**  
**Councillor Emmett Yeo**

**Accessible formats and communication supports are available upon request.**

## 1. **Call to Order**

Mayor Letham called the meeting to order at 1:00 p.m. Councillors I. Breadner, P. Dunn, D. Elmslie, G. James, G. Jilesen, B. Junkin, M.A. Martin, G. Miller, P. O'Reilly, J. Pollard, K. Seymour-Fagan, H. Stauble, S. Strangway, A. Veale and E. Yeo were in attendance.

Absent: Councillor R. Macklem

Early Departures: Councillor Breadner 2:54 p.m.

Councillor James 3:20 p.m.

CAO R. Taylor, City Clerk C. Ritchie and Deputy Clerk A. Rooth were also in attendance.

## 2. **Adoption of Agenda**

**CR2018-370**

**Moved By** Councillor Miller

**Seconded By** Councillor O'Reilly

**That** the Agenda for the Open Session of the Special Council Meeting of Tuesday, June 12, 2018, be adopted as circulated.

**Carried**

## 3. **Disclosure of Pecuniary Interest**

There were no declarations of pecuniary interest noted.

## 4. **Presentations and Deputations**

### 4.1 CC2018-13.4.1

#### **2017 Year End Position**

Jennifer Stover, Director of Corporate Services

Carolyn Daynes, City Treasurer

City Treasurer Daynes presented the City's 2017 Year End Position.

**CR2018-371**

**Moved By** Councillor Elmslie

**Seconded By** Councillor Stauble

**That** the presentation by City Treasurer Daynes regarding the **2017 Year End Position** be received.



**Carried**

4.1.1 CORP2018-005

**2017 Year End Position**

Carolyn Daynes, City Treasurer

**CR2018-372**

**Moved By** Councillor O'Reilly

**Seconded By** Councillor Yeo

**That** Report CORP2018-005, **2017 Year End Position**, be received;

**That** the auditor's report be received and the audited financial statements for 2017 be approved as circulated; and

**That** Council authorizes funding of \$439,129 from the General Contingency Reserve to cover the 2017 General Rated Operating Deficit.

**Carried**

4.2 CC2018-13.4.2

**10 Year Financial Plan**

Adam Found, Manager of Corporate Assets

Manager Found provided information on the City's 10 Year Financial Plan.

**CR2018-373**

**Moved By** Councillor Breadner

**Seconded By** Councillor Yeo

**That** the presentation by Adam Found, Manager of Corporate Assets, regarding the **10 Year Financial Plan**, be received.

**Carried**

Council recessed at 2:25 p.m. and reconvened at 2:32 p.m.

4.3 CC2018-13.4.3

**5 Year Operating Plan**

Jennifer Stover, Director of Corporate Services

Carolyn Daynes, City Treasurer

Director Stover provided information on the City's 5 Year Operating Plan.

**CR2018-374**

**Moved By** Councillor Pollard

**Seconded By** Councillor Stauble

**That** the presentation by Director Stover regarding the **5 Year Operating Plan**, be received.

**Carried**

**5. Reports**

**5.1 CORP2018-010**

**2019 Budget Process and Requests**

Jennifer Stover, Director of Corporate Services

**CR2018-375**

**Moved By** Councillor Yeo

**Seconded By** Councillor Miller

**That** Report CORP2018-010, **2019 Budget Process and Requests**, be received.

**Carried**

Councillor Breadner left the Council Chambers at 2:54 p.m. and did not return.

**CR2018-376**

**Moved By** Councillor Junkin

**Seconded By** Councillor Yeo

**That** program item 09, Resurface Verulam Drive from Road 8 to south end, identified in Appendix B to Report CORP2018-010, be included in the draft 2019 Budget for consideration.

**Carried**

**CR2018-377**

**Moved By** Councillor Strangway

**Seconded By** Councillor Dunn

**That** project item 10, Install a Cross Culvert at Omega and Otter, identified in Appendix B to Report CORP2018-010, be included in the draft 2019 Budget for consideration.

**Carried**

**CR2018-378**

**Moved By** Councillor Strangway

**Seconded By** Councillor Elmslie

**That** relating to program item 19, Maintenance on Tar and chip Roads, identified in Appendix B to Report CORP2018-010, staff be directed bring a report to Council by Q4 of 2018 to provide information on the lifecycle for construction and maintenance of tar and chip roads.

**Carried**

Councillor James left the Council Chambers at 3:20 p.m. and did not return.

**Moved By** Councillor Stauble

**Seconded By** Councillor Junkin

**That** relating to program item 23, Public Works - Road Maintenance, identified in Appendix B to Report CORP2018-010, the resurfacing of Palmer Road, Bradley Road, Amelia Road and Nevison Drive be included in the draft 2019 Budget for consideration.

**Motion Failed**

**6. Closed Session**

**7. Matters from Closed Session**

**8. Confirming By-Law**

**8.1 CC2018-13.8.1**

**A By-Law to Confirm the Proceedings of a Special Council Meeting of Council, Tuesday, June 12, 2018**

**CR2018-379**

**Moved By** Councillor Junkin

**Seconded By** Councillor Jilesen

**That** a by-law to confirm the proceedings of a Special Council Meeting held Tuesday, June 12, 2018 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

**Carried**

**9. Adjournment**

**CR2018-380**

**Moved By** Councillor Dunn

**Seconded By** Councillor Yeo

**That** the Council Meeting adjourn at 3:32 p.m.

**Carried**

**Read and adopted this 19th day of June, 2017.**

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

**The Corporation of the City of Kawartha Lakes**  
**Minutes**  
**Executive Committee Meeting**

**2018-04**  
**Thursday, June 7, 2018**  
**9:00 A.M.**  
**Purchasing Boardroom**  
**City Hall**  
**26 Francis Street, Lindsay, Ontario K9V 5R8**

**Members:**  
**Mayor Andy Letham**  
**Councillor Pat Dunn**  
**Councillor Mary Ann Martin**  
**Councillor Kathleen Seymour-Fagan**  
**Councillor Andrew Veale**

**Accessible formats and communication supports are available upon request.**

# **1. Call to Order**

Mayor Letham called the meeting to order at 9:02 a.m. Councillors P. Dunn, M.A. Martin, K. Seymour-Fagan and A. Veale were in attendance.

Early departure: Councillor Veale left at 10:37 a.m.

## **2. Administrative Business**

### **2.1 Adoption of Agenda**

**Moved By** Councillor Martin

**Seconded By** Councillor Dunn

**That** the agenda be adopted as circulated.

**Carried**

### **2.2 Declaration of Pecuniary Interest**

There were no declarations of pecuniary interest noted.

### **2.3 Adoption of Minutes**

**Moved By** Councillor Veale

**Seconded By** Councillor Seymour-Fagan

**That** the minutes of the Executive Committee meeting held on April 5, 2018, be adopted as circulated.

**Carried**

## **3. Deputations/Presentations**

## **4. Correspondence**

## **5. New or Other Business**

### **5.1 Audit Review of 2017 Financial Statements - C. Daynes**

Carolyn Daynes provided an overview of the 2017 Financial Statements and gave a presentation.

**Moved By** Councillor Veale

**Seconded By** Councillor Dunn

**That** the presentation by Carolyn Daynes City Treasurer, regarding Audit Review of 2017 Financial Statements, be received and forwarded to Council for consideration.

**Carried**

## 5.2 Committee Review Discussion - R. Taylor

City CAO Ron Taylor provided a summary of City committees for discussion.

Councillor Veale left the meeting at 10:37 a.m. and did not return.

**Moved By** Councillor Dunn

**Seconded By** Councillor Seymour-Fagan

**That** the presentation by CAO Ron Taylor, regarding Committee Review Discussion, be received.

**Carried**

## 5.3 Council Policy and Procedures - R. Taylor/C. Ritchie

City CAO Ron Taylor and Clerk Cathie Ritchie provided a Council Policies, Procedures and By-Laws 2018 document for review.

**Moved By** Councillor Dunn

**Seconded By** Councillor Martin

**That** the document presented by CAO Ron Taylor and Clerk Cathie Ritchie, regarding Council Policies, Procedures and By-laws for 2018, be received and included in the minutes.

**Carried**

### 5.3.1 Council Policy Inventory

## 5.4 Procedural By-law Discussion - R. Taylor/C. Ritchie

CAO Ron Taylor and Clerk Cathie Ritchie led a discussion about the draft Procedural By-Law.

**Moved By** Councillor Martin

**Seconded By** Councillor Seymour-Fagan

**That** the updated timelines on the Procedural By-Law be received.

**Carried**

**6. Closed Session**

**7. Next Meeting**

Mayor Andy Letham announced that this was the final meeting of the Executive Committee and thanked the members for their service.

**8. Adjournment**

**Moved By** Councillor Dunn

**Seconded By** Councillor Martin

**That** the Executive Committee Meeting adjourn at 10:59 a.m.

**Carried**



**The Corporation of the City of Kawartha Lakes**

**Council Report**

**Report Number LIC2018-004**

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**Date:** June 19, 2018

**Time:** 2:00 p.m.

**Place:** Council Chambers

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**Ward Community Identifier:** All

**Subject:** Short Term Residential Rentals

**Author Name and Title:** Alix Scarr, Senior Licensing Officer

Aaron Sloan, Manager Municipal Law Enforcement

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**Recommendation(s):**

**That** Report LIC2018-003, **Short Term Residential Rentals**, be received; and

**That** Report LIC2018-003, **Short Term Residential Rentals** and any additional information be referred to the August 14, 2018 Council Meeting for consideration.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

At the Council Meeting of July 11, 2017 Council resolved that the Rolling Hills Estates Homeowners Association correspondence regarding Short Term Residential Rentals be referred to staff for review and report back on alternatives and implications by the end of Q1, 2018.

At the Council meeting of October 10, 2017, after receiving a report recommending no action be taken towards the regulation of short term residential rentals, council resolved that the matter be referred back to staff for further consultation with interested parties with a report to Council on options to license or regulate Short Term Residential Rentals in the City of Kawartha Lakes and potential costs by end of Q2 2018.

Beginning in January 2018, staff undertook a thorough review of the issues surrounding short term residential rentals. The review included:

1. Review of existing municipal by-laws and legislation that apply to the operation of and issues reported at short term residential rentals;
2. Review of other municipalities regulations of short term residential rentals and included consultation with staff;
3. A community survey;
4. A public forum.

Short Term Residential Rentals are those in which tenancy is 30 days or less. This would include renting a private room in a home, an entire home, a seasonal property (cottage), or any other space for 30 days or less. Short term rentals do not include established accommodation types such as bed and breakfasts, hotels, motels, trailer parks, or campgrounds.

## **Tourism**

Access to short term residential rentals can enable additional visitation to the region. Consumers looking for something different than traditional accommodations may be attracted to visit the region because of short term residential rental options that suit their preferred style and price points. Increased visitation results in increased spending and positively impacts the City's local economy.

Tourism is one of the top economic drivers in Kawartha Lakes. The most recent tourism data is from 2016 for domestic visitors only (not including overseas and US visitors).

- over 1.6 million Canadian residents visit Kawartha Lakes annually
- Visitors spend over \$106 million in the municipality.
- 60% of those visitors stay overnight and spend, on average, 2.4 nights in Kawartha Lakes.

- Domestic Tourists spent over \$16 million on **accommodation**, which includes commercial accommodation, camping/RV facilities and private homes/cottages.
    - **Commercial** accommodation (hotels, motels, inns, B&Bs) accounted for 11% of domestic visitation,
    - **Camping/RV** facilities accounted for 15%,
    - **Private homes** accounted for 23%, and
    - **Private cottages** accounted for 51%.
- (Data Courtesy of Ontario Ministry of Tourism, Culture & Sport, analysis of Travel Survey of Residents of Canada, 2016).

The past decade has seen significant growth around the world in short-term rentals as accommodation options for visitors. The growth and popularity of short term residential rentals has been enabled by online platforms which offer property owners a cost effective way to connect with consumers and online marketing and booking options preferred by many consumers.

### **Responses to Short Term Residential Rentals in Other Municipalities**

Municipalities across the country are taking steps to regulate short term residential rentals. In large urban centres, such as Toronto and Vancouver, short term residential rentals are being regulated as a means to ensure adequate and affordable housing in inflated and understocked rental markets. In municipalities with a large tourism industry, such as the Blue Mountains, ON and Whistler, BC, short term residential rentals are regulated from more of a nuisance prevention and consumer protection standpoint as those municipalities are a year round tourism destination. In the case of the Blue Mountains, they have implemented a regulatory by-law involving site inspections as well as a demerit point system wherein if a licensed short term rental property accumulates a certain number of demerit points based on verified by-law violations, the licence is not eligible for renewal. This approach requires one full time staff person to administer and enforce.

Other municipalities are implementing regulations for short term residential rentals that include only permitting owner occupied short term residential rentals, implementing a minimum stay requirement to avoid a high turn-over rate of tenants, and a registration system.

### **Public Forum**

On May 3, 2018, staff hosted a public forum at City Hall. The forum included representatives from City of Kawartha Lakes Municipal Law Enforcement and Licensing Division, Kawartha Lakes Police Services, Fire Prevention, City of Kawartha Lakes Tourism/Economic Development, Kawartha Lakes Paramedic Services, and City of Kawartha Lakes Planning Department. The intent of the forum was to hear the public's ideas, concerns, and perspectives regarding short term residential rentals and to give the public an opportunity to ask questions and receive feedback from the appropriate agency.

Approximately 60 interested parties attended the meeting including neighbours of short term residential rentals, owners of short term residential rentals, local business owners, and individuals with no direct involvement with short term residential rentals. Staff heard positive and negative commentary regarding short term residential rentals in the City. The primary concerns raised at the public forum mirrored the concerns raised in the public survey and are discussed at length later in this report.

### Community Survey

The community survey was available through the City website from April 10, 2018 – May 13, 2018. The purpose of the survey was to obtain information and input from the public regarding their opinions of and experiences with short term residential rentals in the City. At the outset of the survey, staff anticipated 300 survey responses which is considered to be a very good response rate for public surveys administered by the municipality. At the close of the survey, 607 responses were used in the qualitative and quantitative data analysis. The survey, as well as the public forum, was advertised on the City's website, the City's social media feeds, in the Promoter, and was also featured in Kawartha Lakes This Week and on local cable news media.

The intent of the survey was to gather as many opinions and perspectives about short term residential rentals as possible. Staff was interested in hearing about the positive and negative aspects of short term residential rentals, the impacts of short term residential rentals, and what the public would like to see in regards to regulations.

Overall, the quantitative survey results indicated that the public does not think that short term residential rentals should be regulated, that they play a positive role in economic and tourism development, and that short term residential rentals have minimal to no negative impacts on neighborhoods. Full findings of the survey are outlined below.

| <b>Short Term Rental Public Survey Results</b><br>Total survey responses analyzed = 607  |  | <b>Total<br/>responses<br/>to question</b> | <b>Percentage of<br/>Total<br/>responses to<br/>survey</b> |
|--|--|--|--|
| <b>What types of spaces should be available for short term rental in Kawartha Lakes?</b> |  |  |  |
| An Entire Property   |  | 432  | 71%  |
| One Spare Room   |  | 245  | 40%  |
| Two Spare Rooms  |  | 226  | 37%  |
| Three or more spare rooms  |  | 217  | 35%  |
| A basement/Secondary suite   |  | 285  | 47%  |
| Vacant properties  |  | 247  | 40%  |
| Owner Occupied properties  |  | 306  | 50%  |

| <b>Short Term Rental Public Survey Results</b><br>Total survey responses analyzed = 607  |  | <b>Total responses to question</b> | <b>Percentage of Total responses to survey</b> |
|--|--|------------------------------------|--|
| Short term residential rentals should not be allowed   |  | 105                                | 17%  |
| <b>Select the statement that best applies to your opinions towards short term residential rentals (Tourism Impacts)</b>                  |  |                                    |  |
| Short term residential rentals play an important role in increasing tourism in our area  |  | 444                                | 73%  |
| Short term residential rentals do not have any value in creating tourism in our area   |  | 113                                | 18%  |
| I'm not sure   |  | 34                                 | 0.5%   |
| <b>Select the statement that best applies to your opinions towards short term residential rentals (Municipal Investment)</b>             |  |                                    |  |
| I think the City should be developing policies to deal with the issue of short term residential rentals, across the entire City          |  | 192                                | 31%  |
| I think the City should be developing policies to deal with the issue of short term residential rentals in urban centres only            |  | 27                                 | 0.4%   |
| I think the City should be developing policies to deal with the issue of short term residential rentals in waterfront/cottage areas only |  | 80                                 | 13%  |
| I don't feel that the City needs to licence/enforce short term residential rentals   |  | 303                                | 50%  |
| <b>Select the statement that best applies to your opinions towards short term residential rentals (Economic Development )</b>            |  |                                    |  |
| Short term residential rentals play a positive role in increasing investment and business growth in Kawartha Lakes                       |  | 408                                | 67%  |
| Short term residential rentals do not have any impact on investment and business growth in Kawartha Lakes                                |  | 126                                | 20%  |
| I'm not sure   |  | 54                                 | 0.8%   |
| <b>Select the statement that best applies to your opinions towards short term residential rentals (Neighbourhood Impacts)</b>            |  |                                    |  |
| I feel that short term residential rentals have a significant negative impact on my neighbourhood  |  | 154                                | 25%  |

| <b>Short Term Rental Public Survey Results</b><br>Total survey responses analyzed = 607                    | <b>Total responses to question</b> | <b>Percentage of Total responses to survey</b> |
|--|------------------------------------|--|
| I do not feel that short term residential rentals have any negative impact on my neighbourhood             | 228                                | 37%  |
| I feel that short term residential rentals have minimal negative impacts on my neighbourhood               | 168                                | 27%  |
| I'm not sure   | 35                                 | 0.5%   |
| <b>Have you ever contacted the municipality with concerns regarding short term residential rentals?</b>    |                                    |  |
| Yes  | 47                                 | 7%   |
| No   | 531                                | 87%  |
| <b>What is your relationship to the short-term rental market in Kawartha Lakes (select all that apply)</b> |                                    |  |
| Operated a short-term rental in Kawartha Lakes   | 103                                | 17%  |
| Operated a short-term rental outside Kawartha Lakes  | 27                                 | 22%  |
| Stayed in a short term rental in Kawartha Lakes  | 189                                | 31%  |
| Stayed in a short term rental outside Kawartha Lakes   | 153                                | 25%  |
| Live near a short term rental in Kawartha Lakes  | 205                                | 33%  |
| None of the above  | 83                                 | 13%  |
| Prefer not to say  | 30                                 | 0.5%   |
| Other  | 36                                 | 0.6%   |

The qualitative portion of the survey provided residents with the opportunity to provide additional information regarding their experiences with or feelings towards short term residential rentals. Distinct themes were found regarding concerns arising from short term residential rentals including dogs at large, excessive noise, overloading of septic systems, unsafe boating, large fires, parking, trespassing, drug and alcohol consumption, improper garbage disposal, speeding, and overcrowding. These are the same predominant concerns that arose from discussions at the public forum. The municipality's current and potential future capabilities to address these issues will be discussed later in this report.

The additional comments were also able to provide staff with feedback regarding the positive effects of short term residential rentals. For example, one respondent indicated that by having the ability to rent out a basement suite in a waterfront home it allowed for an elderly homeowner to stay in their home because of the additional rental income. There were also multiple examples of how families who are spread across Ontario congregate at a short term rental in

the City for a week or two in the summer to spend time with children and grandchildren.

Respondents were also asked to provide information regarding their location. From this information, staff was able to determine some particular areas of the City that are reporting a high level of concerns regarding activities at one or multiple short term residential rentals. These areas include McGill Drive in Janetville, McGuire Beach Road in Kirkfield, View Lake Road, and Rolling Hills Estates in Bobcaygeon. When looking at the locational information in concert with the quantitative analysis, staff was able to determine that although the majority of short term residential rentals operate with little to no disruption to the neighborhood, there are certain areas that have more issues.

### **Review of Existing By-Laws and Legislation**

As noted above, the qualitative portion of the survey and the public consultation revealed some key areas of concern regarding short term residential rentals. For many of these issues, there are existing municipal or provincial laws or by-laws in place to regulate the activity/behaviour. Unsafe boating, trespassing, speeding, and drug and alcohol over consumption are all regulated by provincial and/or federal statutes and enforced by the Ontario Provincial Police or local police. Matters such as large fires, parking violations, dogs running at large, excessive noise, improper garbage disposal, and septic issues are regulated by municipal by-laws and enforced by municipal staff such as Municipal Law Enforcement Officers, Building Inspectors and Fire Prevention .

By-laws, laws, and regulations exist as an effort to curtail behaviours. Unfortunately, the existence of laws does not necessarily dissuade individuals from carrying out or allowing acts to happen in violation of these statutes. Additionally, there is no guarantee that disallowing the operation of short term residential rentals will cause behaviours to cease. In discussions with local and provincial police as well as municipal law enforcement, the advice to individuals who are concerned about or witness illegal behaviour is to call the appropriate enforcement agency. To that end, regardless of the option Council directs staff to undertake, staff will be working with the Communications and Marketing division to create an awareness campaign about which agency residents should contact in response to a concern and will continue to review existing by-laws and practices as they pertain to short term residential rentals.

### **Options for the Regulation of Short term residential rentals in Kawartha Lakes**

Staff has developed three options for Council consideration. All options would involve the implementation of a public relations/education program with rental owners, short term renters and concerned citizens, with the exception of Option #1, a new regulatory framework would be required and developed and be implemented by March 1, 2019.

**Option #1 – Status Quo and Monitoring:** Staff recommends this option. After analysis of the survey results, staff has determined that an additional level of regulation is not needed or being requested by the community at large. Under this option, staff will continue to respond to by-law violation complaints at short term residential rentals as per current practices and maintain the same hours of services as present. In the past, issues have been tracked by the issue themselves and not if they are occurring on a property being used as a short term rental. Staff has developed a new (summer 2017) tracking tool within the complaint management database to track calls that are coming specifically for rental properties. Staff will continue to review and update existing by-laws, and analyze the results compiled from the tracking tool. Specifically, staff will utilize the fee for service tools that are already built in to the Fee's By-law to charge the owners of individual properties for inspections resulting from multiple complaints. The 2018 fees are outlined below.

| <b>Service Description</b>  | <b>Unit</b> | <b>Rate Effective January 1, 2018</b> |
|---|-------------|---------------------------------------|
| Initial First Inspection  | each        | Free                                  |
| Initial Final Inspection  | each        | Free                                  |
| Second Offence Inspection   | each        | Free                                  |
| Second Offence Final Inspection                                     | each        | \$110.00                              |
| Third Offence Inspection  | each        | Free                                  |
| Third Offence Final Inspection                                      | each        | \$220.00                              |
| Fourth Offence Inspection   | each        | Free                                  |
| Fourth Offence Final Inspection                                     | each        | \$435.00                              |
| Fifth Offence Inspection  | each        | \$875.00                              |
| Fifth Offence Final Inspection                                      | each        | \$875.00                              |
| Subsequent offences   | each        | Fees double                           |
| Certificate of Compliance<br>(Includes Discharge from title / deed) | each        | \$220.00                              |

This approach allows for additional time to collect useable statistics regarding the frequency of issues at short term residential rentals and that information can be used to assist in developing policies and approaches beyond current by-laws. A public relations/education program would be developed with the assistance of Economic Development and Communications and Marketing based on tourism to promote safe and community friendly rentals and also provide residents who have concerns regarding short term residential rentals with the appropriate agency contacts to address their concerns.

**Option #2 – Registration Program:** Under this option, owners who rent their properties for 30 or less days will be required to register with the City. A \$100



registration fee will be paid for the registration and be valid for 5 years or until the property ownership changes hands, whichever occurs first. The newly established fee of \$100.00 will be included in an amendment to the City's Consolidated Fees By-Law and adjusted annually as per the By-Law. This will allow staff to collect owner information, information about the property, and local emergency contact information. Owners will receive and be required to post the registration certificate in the property in a conspicuous place, visible from the outside of the dwelling. Current legislation would be used to enforce for issues that arise from the property, including the provisions contained within the Fees By-law to charge a fee for service to the owner commencing after the 2<sup>nd</sup> call to the property as outlined in the chart above. This option would allow staff and neighbours access to the owners information and a local emergency contact to respond to issues at the property and provides staff with greater information that is useful to levy call back fees for when staff are called to the property. The registration fee will offset some costs associated with multiple responses and for maintaining a database, and the 5 year limit on the registration will allow registered owner information records to be current/accurate.

This option has the potential of being difficult to enforce as some owners will not see a perceived benefit to registering and failing to register will bring legal penalty. Additionally, seeking out short term residential rentals is difficult to do as many internet listings do not provide the exact address of the property until payment is received. Additional staff resources in Municipal Law Enforcement and Licensing Division will be required to realize the full potential of this option. There would also be minor impact to Information Technology as additional resources would be required to create and maintain new forms and database software.

Given that it is extremely difficult to assess how many short term residential rentals exist in the City, staff are unable to determine whether the registry program can operate as a cost recovery model. For example, a search of airbnb.com with the search term "Kawartha Lakes, ON" indicates more than 300 short term residential rentals available. However, official statistics from Airbnb indicate only 130 short term residential rentals available within the geographic boundaries of the municipality. A search for "Kawartha" on cottagerental.com generates 66 results, and a search on vbros.com also indicates more than 300 listings in "Kawartha Lakes, ON, Canada."

### **Option #3 – Increase Municipal Law Enforcement Hours of Service –**

**Registry By-law:** Under this option, Municipal Law Enforcement staff will have extended hours of service during the evenings and on weekends from May 1 – October 31 annually. Current legislation and/or a registry by-law would be used to enforce for issues that arise from the property, including the provisions contained within the Fees By-law to charge a fee for service to the owner commencing after the 2<sup>nd</sup> call to the property. Staff will utilize the tracking tool within the complaint management database to track calls that are coming specifically from rental properties.

Under this option, response time to complaints of all municipal by-law issues will be decreased as staff is re-organized to address hours of service which would occur outside of general operation hours. Currently MLE Staff work the following hours:

- Monday – Friday 8 am – 9 pm
- and Saturday – Sunday – 8am – 6:30 pm

Increasing the hours of service will be limited by By-law 2008-162 which a By-Law to Provide for Powers of Entry on Lands within the Municipality to Conduct Inspections. A reasonable time for inspections occurs between the hours of 7:00 am and 9:00 pm unless supported by court order/warrant authorizing another time period. Inspection limitations are further supported by section 8 of the Charter of Rights and Freedoms which protects an individual's right to be secure against unreasonable search and seizure.

Complaint response for issues such as noise could be investigated outside of normal staff hours, but the frequency of these issues is very low.

Regulation of short term residential rentals will be limited to properties where persistent issues exist therefore having the potential to effectively address concerns of neighbours.

This option if adopted would require a significant increase to the existing complement of municipal law enforcement officers in order for this initiative to be implemented without increasing response time to other enforcement issues. Increasing the municipal law enforcement staff during peak complaint periods will often result in investigations/legal action that stretch into the winter season which will require that additional staff be full time as opposed to seasonal as they would be required to appear in court at a later date. Municipal law enforcement staff increases will serve to strengthen all response programs and support an efficient staff work calendar and training programs. Additional staff resources in Municipal Law Enforcement and Licensing Division will be required to realize the full potential of this option. There would also be minor impact to Information Technology as additional resources would be required to create and maintain new forms and database software.

Due to the low frequency of complaints, this option could not operate as a cost recovery model.

It is important to note that this option will also require an amendment to Article 15.01(vi) of the Collective Agreement between The City of Kawartha Lakes and the Canadian Union of Public Employees Local 855 for the agreed upon hours of work for municipal law enforcement officers. Other staffing increases as described in Option #2 would also apply to this option.

## **Rationale:**

After reviewing existing internal and external legislation, staff believes that there is enough legislation to effectively address the issues created by short term residential rentals. Staff has consulted with many internal and external agencies to discuss the enforcement of areas of concern brought to staffs attention during the review and determined that there is existing legislation that speaks to the vast majority of concerns raised regarding matters at short term residential rentals. With regards to unsafe boating, provincial and local police are responsible for the enforcement of maritime law. The Kawartha Lakes Detachment of the Ontario Provincial Police have communicated to staff that there will be a marine unit in local waters daily throughout the summer to monitor activities in waterways. The OPP encourage anyone who witnesses unsafe marine practices to call police. Other matters that were raised during the public consultation process that are enforced by local and provincial police include trespassing, speeding, excessive noise (as mischief), and illegal drug and/or alcohol use and overuse. Anyone witnessing any of the previously noted activities or any other illegal acts are encouraged to contact the appropriate policing agency.

With regards to septic systems, the City is responsible for the enforcement of the Ontario Building Code which includes maintenance and functionality of the sewage system. Staff heard many comments about concerns about the “overloading” of septic systems at short term rental properties. When septic systems are approved for installation, the approval does not indicate a maximum number of individuals who can occupy a dwelling. The approval is based on number of bedrooms, fixture units and total square metres of living space and it is generally accepted that two persons would be occupying each bedroom in a dwelling unit. Given this, people with concerns about a malfunctioning sewage system can complete a written Building Complaint form on the City’s website. They must have a valid concern such as sewage escaping the system in a manner that is not intentional, signs of failure, or spongy ground/wet spots. Similarly, alterations to the physical structure of a property are regulated by the Ontario Building Code which assesses capacity as being two persons per bedroom. If alterations are suspected to have been made to a property without a building permit, a written Building Complaint form on the City’s website can be completed and the matter will be investigated by a building inspector.

Municipal by-laws exist to address the issues of parking, dogs at large, excessive noise and dumping (i.e. improper garbage disposal). Municipal law enforcement officers follow up on all calls received and endeavors to respond while the offense is occurring or within a time frame in which the offender can be identified. However, call volume exceeds response capacity at present staffing levels.

The burn by-law is enforced by Municipal Law Enforcement as well as the Fire Department. If a fire appears to be out of control or too large, the Fire

Department should be called. Fire fighters will be dispatched to all calls when a report of unsafe burning is received.

By tracking complaints originating from properties that are being used as short term residential rentals and using the existing fees for service by-law, the City can create a sense of accountability among owners of short term rental properties at which by-law violations are frequently found. Additionally, implementing a public relations/education campaign will be an effective tool for neighbours to use when they feel intervention is needed for certain activities.

### **Other Alternatives Considered:**

Legislative responses to regulate activities should be created with the uniqueness of each area in mind. There is no blanket response to regulating short term residential rentals that would be effective in every municipality.

#### **The Toronto Approach**

The City of Toronto is regulating short term residential rentals in large part because of the lack of available and affordable housing in that municipality. Although the City of Kawartha Lakes is currently experiencing a less than 1% vacancy rate for rental housing, the properties being offered as short term residential rentals are not suited or desirable for individuals seeking long term housing options as they are either seasonal properties or too costly. Therefore, regulating short term residential rentals would not assist in increasing the number of year-round residential rental units that are available in the City.

#### **The Blue Mountains Approach**

Town of the Blue Mountains implemented a by-law regulating short term residential rentals to reduce nuisance caused at short term residential rentals and also to address safety issues. The by-law involves site inspections as well as a demerit point system wherein if a licensed short term rental property accumulates a certain number of demerit points based on verified by-law violations, the licence is not eligible for renewal. This approach requires one full time staff person to administer and enforce. The Blue Mountain by-law affects all short term residential rentals within a certain geographical areas and outlines penalties for properties that are consistently in violation of municipal by-laws.

From the consultations, staff determined that it is a minority of short term residential rentals that are consistently in violation of municipal by-laws or other provincial and federal statutes and that the issues can be effectively addressed using tools already in place and by increasing enforcement staff. Additionally, staff does not feel that it is feasible to regulate short term residential rentals in only certain areas of the City.

Town of the Blue Mountains enjoys a year round tourism industry which justifies having a full time staff person dedicated to the program. In Kawartha Lakes, our tourism season is primarily from May – October.

### **Minimum Length of Stay Requirement**

The suggestion of having a minimum length of stay requirement for short term rental tenants was brought forth to staff multiple times during the review and is being used in municipalities in Canada and the US. Staff is not recommending this option as we heard from prospective tenants that this would make short term residential rentals, and in particular waterfront/cottage short term residential rentals, unaffordable for many and owners of short term residential rentals also expressed that the majority of their bookings are for weekend or one week stays. Additionally, that implementing a minimum length of stay requirement would negatively impact the tourism industry and would be difficult to enforce. For example, one person could rent a property for a month and sublet to friends and family. The result would be one person signing for tenancy but still a high turnover in tenants.

### **Owner Occupied Requirement**

Most short term residential rentals in Kawartha Lakes are not owner occupied. Requiring that all short term residential rentals be owner occupied at the time that they are being rented out would significantly impact seasonal residents who offer their properties as short term residential rentals for a portion of the high tourism season as a means of being able to maintain and finance their seasonal residences. An owner occupied requirement has the potential to cause many seasonal property owners who rely on the short term rental market to sell their properties therefore decreasing the availability of tourist accommodations.

### **Financial/Operation Impacts:**

If Council elected to implement one of options 2 or 3, additional staffing costs will start at \$53,142/year. There is also the potential for increased capital costs for vehicles.

| <b>Approximate Staffing Costs for Regulatory Options for Short Term Rentals</b> |   |
|---|---|
| Option #1 – Status Quo  | No additional staff costs estimated at present  |
| Option #2 – Registration Program  | \$119,218 for the first year for one municipal law enforcement officer and one administrative assistant.  |
| Option #3 – Increased MLE Hours of Service                                      | \$185,294 for the first year for two municipal law enforcement officers and one administrative assistant. This option would require staff to work extended hours after 7pm requiring shift premium pay in addition to regular salary. |

## **Relationship of Recommendation(s) to the 2016-2019 Strategic Plan:**

Goal #1 of the 2016-2019 Strategic Plan is “A Vibrant and Growing Economy.” Objective 1.1.1 speaks to bringing business to the City and to expand local employment. Legislation that supports the creation of tourism accommodation will increase the demand of businesses in the area and will have positive implication on creating employment opportunities. Objective 1.3.1 is to enhance tourism. Short term rentals play a vital role in enhancing tourism by providing accommodation.

By consulting closely with resident regarding this matter, staff have utilized a strategic enabler of providing exceptional customer service.

## **Review of Accessibility Implications of any Development or Policy:**

N/A

## **Next Steps:**

Staff will be bringing forth any further information that is received regarding short term residential rentals at the August 14<sup>th</sup>, 2018 regular Council meeting. Staff will continue to receive and review feedback on the report until that time.

## **Consultations:**

Manager of Municipal Law Enforcement  
Manager of Planning  
City Clerk  
Kawartha Lakes Police Service  
Kawartha Lakes Fire Prevention  
Ontario Provincial Police  
Kawartha Lakes Paramedic Services  
Supervisor, Part 8 Sewage Systems  
Manager Environmental Services  
Ministry of the Environment  
The Town of the Blue Mountains  
The City of Toronto  
The Resort Municipality of Whistler  
Tourism Development Officer

**Attachments:**

N/A

**Department Head E-Mail:** [critchie@kawarthalakes.ca](mailto:critchie@kawarthalakes.ca)

**Department Head:** Cathie Ritchie, City Clerk



# KAWARTHA CONSERVATION

Discover • Protect • Restore



# Lake Management Implementation Action Plan

Mark Majchrowski

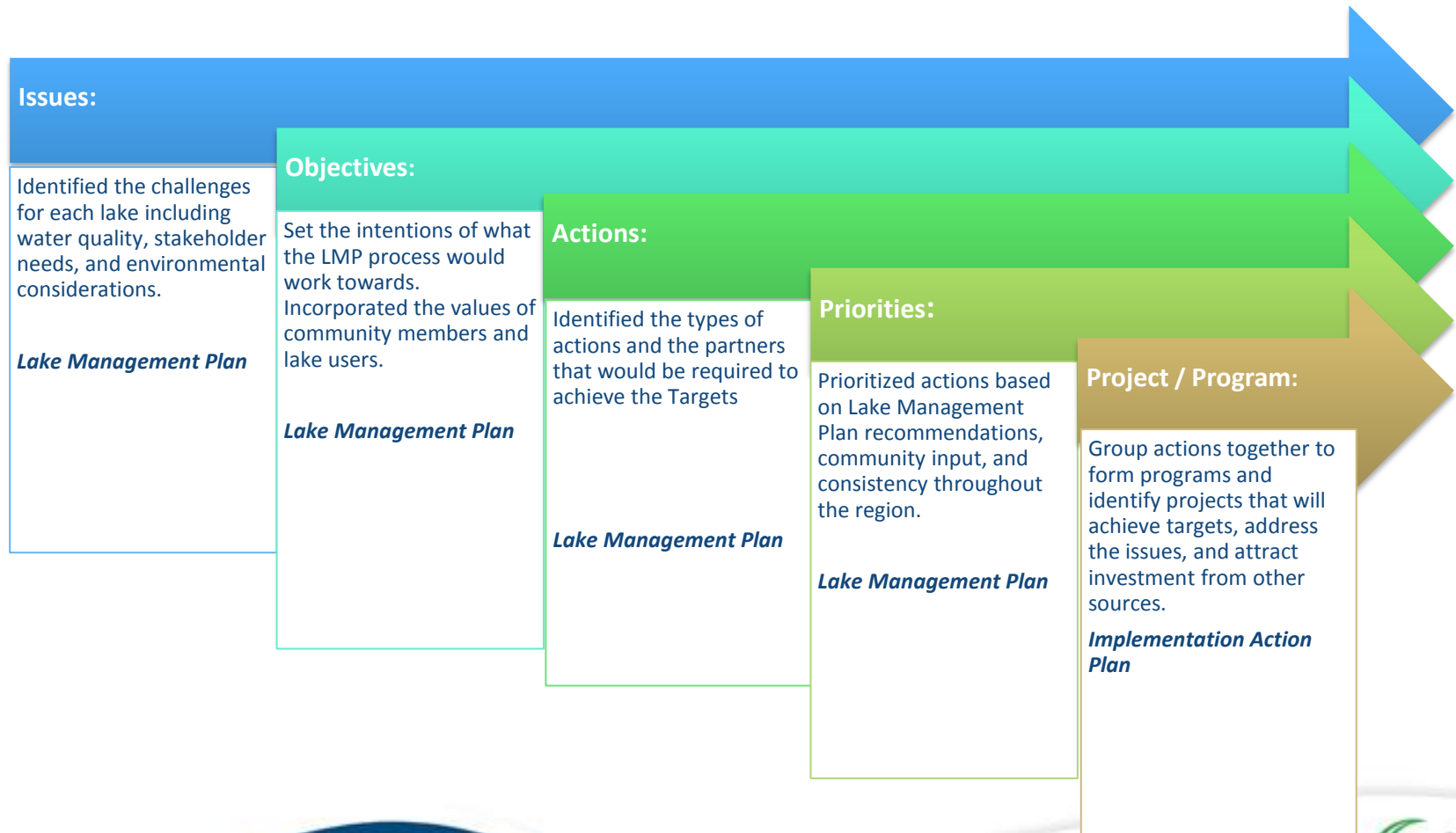
June 19, 2018

# Lake Management Implementation Action Plan

- Background
- Action Plan Development
- Proposed Action Plan
- Program Highlights



# Background



# What Implementation Means:

- Our beaches are open in the summer
- Healthier fisheries
- Beautifying our communities
- Building a proud community
- Increased recreational base



# What Implementation Means:

- Supports our locally grown food
- Improved drinking water quality.
- Building and supporting the community we want to live and play in.



# Action Plan Development

The Action Plan began with direction from Council and the Community Advisory Committee

- City of Kawartha Lakes Resolution – December 13, 2017
  - Create a multi-year strategy identifying programs, leads, success measures, and costs using an advisory Task Force
- Task Force Formed - January 2018



# Action Plan Development

- Task Force includes representation from City Councillors and staff, members of the Community Advisory Panel (5 cottage associations), representatives from business sectors of the community and one of our Board members.
- 6 Meetings of the Task Force
- Community Advisory Panel
- Our Board of Directors



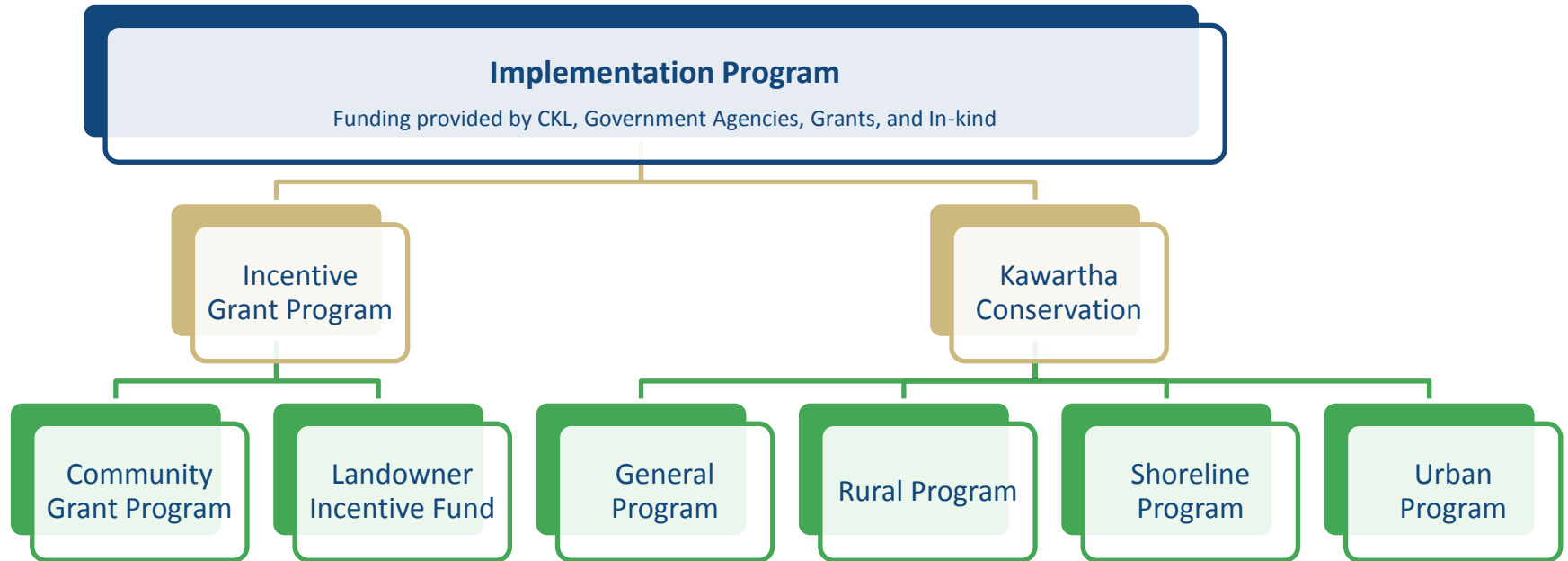


# Prioritization Matrix

| Recommendation                           | Strategy                       | Urban/Rural    |                |        |        |          | Rural     |           |               | # of Highs(3) | # of Mediums(2) | # of Lows(1) | # of Any | Weighted Value |
|--|--------------------------------|----------------|----------------|--------|--------|----------|-----------|-----------|---------------|---------------|-----------------|--------------|----------|----------------|
|  |                                | Balsam/Cameron | Canal/Mitchell | Scugog | Pigeon | Sturgeon | Four Mile | Head/Rush | Shadow/Silver |               |                 |              |          |                |
| Responsible Development and Construction | Urban and Rural Infrastructure | H              | H              | H      | H      | M        | H         | H         | H             | 7             | 1               | 0            | 8        | 23             |
| Shoreline Naturalization                 | Stewardship                    | H              | H              | H      | H      | H        | M         | H         | H             | 7             | 1               | 0            | 8        | 23             |
| Urban Stormwater BMP Projects            | Stewardship                    | H              | H              | H      | H      | H        | M         | H         | H             | 7             | 1               | 0            | 8        | 23             |
| Invasive Species Management              | Stewardship                    | H              | H              |        | H      | H        | H         | H         | H             | 7             | 0               | 0            | 7        | 21             |
| Coordinated Monitoring of Lake Health    | Research and Monitoring        | M              | H              | H      | H      | M        | M         | H         | H             | 5             | 3               | 0            | 8        | 21             |
| Septic System Management                 | Stewardship                    | M              |                | H      | M      | H        | H         | H         | H             | 5             | 2               | 0            | 7        | 19             |
| Keeping stakeholders informed            | Communications and Outreach    | H              |                |        | H      | H        | H         | H         | H             | 6             | 0               | 0            | 6        | 18             |
| Implementing other community plans       | Strategic Planning             | H              | H              |        | M      | H        | M         | M         | H             | 4             | 3               | 0            | 7        | 18             |
| Management of Public Waterfronts         | Urban and Rural Infrastructure | M              | H              |        | M      | H        | M         | H         | H             | 4             | 3               | 0            | 7        | 18             |
| Public/Technical Advisory Committees     | Communications and Outreach    | H              | H              | H      | H      | H        | M         |           |               | 5             | 1               | 0            | 6        | 17             |
| Stormwater Management Planning           | Urban and Rural Infrastructure | H              | H              | H      | H      | H        |           |           |               | 5             | 0               | 0            | 5        | 15             |
| Aquatic Plant Management Options         | Communications and Outreach    | H              | H              |        | H      | H        | H         |           |               | 5             | 0               | 0            | 5        | 15             |
| Agricultural BMP Projects                | Stewardship                    | M              | H              | H      | M      | H        |           | L         | L             | 3             | 2               | 2            | 7        | 15             |



# Proposed Action Plan



# Community Grant Program



- Provides support to local groups
- Enables projects that meet local needs
- Builds community engagement





# Landowner Incentive Fund



Shoreline Stewardship



Agricultural Stewardship



Urban Stewardship Opportunity



# Proposed Action Plan

## Kawartha Conservation

- General Programs
- Rural Community
- Shoreline Community
- Urban Community





# Shoreline Program





# Urban Program



Victoria Park Rain Garden – Bluescaping  
Demonstration Site



Rainwater Harvesting





# Rural Program



Tree Seedling  
Distribution



Community  
Planting



Agricultural BMP's

# Proposed Action Plan

## Level 1

- ✓ Presentations at (4) agricultural commodity group meetings
- ✓ On-Farm consultation to facilitate the implementation of best management practices
- ✓ Participation in the East Central Farm Stewardship Collaborative

**Municipal funding:** \$13,400  
**Grant funding:** \$0  
**In-Kind:** \$700  
**Total Value:** \$14,100  
**ROI:** 5%

## Level 2

- ✓ **Presentations at (7)** agricultural commodity group meetings
- ✓ On-Farm consultation to facilitate the implementation of best management practices
- ✓ Participation in the East Central Farm Stewardship Collaborative
- ✓ **Deliver an Agricultural Stewardship Conference**
- ✓ **Highlight new technologies available to landowners**

**Municipal funding:** \$27,900  
**Grant funding:** \$5,500  
**In-Kind:** \$1,300  
**Total Value:** \$34,700  
**ROI:** 24%

## Level 3

- ✓ Presentations at (7) agricultural commodity group meetings
- ✓ On-Farm consultation to facilitate the implementation of best management practices
- ✓ Participation in the East Central Farm Stewardship Collaborative
- ✓ Deliver an Agricultural Stewardship Conference
- ✓ Highlight new technologies available to landowners
- ✓ **Implementation of a Soil Health and Water Quality Innovation Pilot Project**

**Municipal funding:** \$55,800  
**Grant funding:** \$80,000  
**In-Kind:** \$2,100  
**Total Value:** \$137,900  
**ROI:** 147%



# Proposed Action Plan

| Level 1 | Level 2 | Level 3 |
|---------|---------|---------|
|---------|---------|---------|

| Program                              |  | 2019                         | 2020           | 2021           | 2022           | 2023           |
|--------------------------------------|--|------------------------------|----------------|----------------|----------------|----------------|
| <b>Incentive Grant Program</b>       |  |                              |                |                |                |                |
|                                      | Community Grant Program                  | 15,500                       | 15,500         | 36,500         | 36,500         | 36,500         |
|                                      | Landowner Incentive Fund                 | 30,000                       | 30,000         | 30,000         | 30,000         | 30,000         |
| <b>Kawartha Conservation Program</b> |  |                              |                |                |                |                |
| <b>General Program</b>               |  |                              |                |                |                |                |
|                                      | Implementation Oversight & Coordination  | 65,700                       | 65,700         | 65,700         | 88,700         | 88,700         |
|                                      | Sedimentation & Erosion Control Planning | 33,300                       | 21,400         | 33,300         | 21,400         | 33,300         |
| <b>Rural Program</b>                 |  |                              |                |                |                |                |
|                                      | Agricultural Stewardship                 | 27,900                       | 27,900         | 55,800         | 27,900         | 27,900         |
|                                      | Rural Residential Stewardship            |                              |                | 38,400         | 38,400         | 38,400         |
|                                      | Investigative Upstream Monitoring        | 34,700                       | 34,700         | 34,700         | 44,400         | 34,700         |
| <b>Shoreline Program</b>             |  |                              |                |                |                |                |
|                                      | Aquatic Plant Control                    | 18,900                       | 18,900         | 18,900         | 19,300         |                |
|                                      | Shoreline Stewardship                    | 46,000                       | 46,000         | 46,000         | 46,000         | 46,000         |
|                                      | Shoreline Planning & Policy Background   | 23,300                       | 36,400         |                |                |                |
|                                      | Near Shore Monitoring                    | 28,600                       | 28,600         | 28,600         | 10,300         |                |
| <b>Urban Program</b>                 |  |                              |                |                |                |                |
|                                      | Bluescaping                              | 33,100                       | 43,700         | 43,700         | 43,700         | 43,700         |
| <b>Total Municipal Investment</b>    |  | <b>357,000</b>               | <b>368,800</b> | <b>431,600</b> | <b>406,600</b> | <b>379,200</b> |
| <b>Grant Funding Leveraged</b>       |  | <b>135,600</b>               | <b>140,600</b> | <b>248,100</b> | <b>155,300</b> | <b>140,000</b> |
| <b>In-kind Support Leveraged</b>     |  | <sup>75</sup> <b>135,100</b> | <b>131,000</b> | <b>151,700</b> | <b>146,800</b> | <b>135,300</b> |
| <b>Total Project Value</b>           |  | <b>627,700</b>               | <b>640,400</b> | <b>831,400</b> | <b>708,700</b> | <b>654,500</b> |

# Conclusion

- A Plan that empowers our community
- A Plan that attracts investment in our community
- A Plan that focuses on effective in-the-ground projects
- A Plan that supports short and long term deliverables





# Questions





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: \*

Chris Appleton

Address: \*

[Redacted Address]

City/Town/Village:

[Redacted City/Town/Village]

Province: \*

Ontario

Postal Code:

[Redacted Postal Code]

Telephone: \*

[Redacted Telephone]

Email: \*

[Redacted Email]

There can be 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: \*

Chris Appleton

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

Item 10.1.2 Lake Management Implementation Action Plan

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

Support Council approval of Plan.

Signature:

Chris Appleton

Date:

June 15, 2018

Please complete this form and return to the City Clerk's Office:

Fax: 705-324-8110 Email: [agendaitems@kawarthalakes.ca](mailto:agendaitems@kawarthalakes.ca)

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 Section 10 of City of Kawartha Lakes By-law 2014-266. This information may be circulated to members of Council, staff and the general public. Questions about the collection of this information should be directed to the City Clerk or Deputy Clerk at 705 324-9411 ext. 1295 or 1322.

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number PLAN2018-054**

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**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** All

**Title:** Lake Management Implementation Action Plan

**Description:** Preferred Option for Lake Management Plan Implementation

**Author and Title:** Chris Marshall, Director of Development Services

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### **Recommendations:**

**That** Report PLAN2018-054, Lake Management Implementation Action Plan, be received;

**That** Council adopt the preferred option as outlined in Report PLAN2018-054; and

**That** approval of this Plan guides future budget considerations for the Total Municipal Investment portion of the Total Program Value.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_



## **Background:**

At the Council Meeting of December 13, 2017, Council adopted the following Resolution:

**CR2017-1075**

**Moved By Councillor Miller**

**Seconded By Councillor Elmslie**

**Resolved That** the Kawartha Region Conservation Authority (KRCA) and City staff work with the Lake Management Community Advisory Panel to develop a multi-year CKL Lake Management Implementation Plan for Council consideration before end of Q2 2018, inclusive of implementation program descriptions, success measures, project leads and associated costs.

## **CARRIED**

This report addresses that direction.

## **Rationale:**

Following Council's December 13, 2017 Resolution, a Task Force was established to prepare the Lake Management Implementation Action Plan. The Task Force included three City Councillors, Director of Development Services, Kawartha Conservation CAO, Director of Stewardship and Conservation Lands and Aquatic Biologist, Sturgeon Point Association, Chamber of Commerce, Shadow Lake Association, Balsam Lake Association, Community Advisory Panel, Head Lake High Shores Association and Rush/Head Lake Stewardship Group, Four Mile Lake Association, Ontario Federation of Agriculture, and the CKL Environmental Advisory Committee. The complete Lake Management Implementation Action Plan is contained in Appendix A to this report. Implementation of the Lake Management Plans is important to our economy, the attractiveness of the area for tourism and to the continued growth of our communities that have developed around the lakes and rivers. Using these Plans to inform decision making is in direct accordance with the Strategic Plan for the City of Kawartha Lakes, specifically under the goal of Healthy Environment. The work proposed through this Action Plan will help to improve water quality, build community understanding and capacity, and attract additional investment in our community. Our lakes are important to our economy, our quality of life, and our environment.

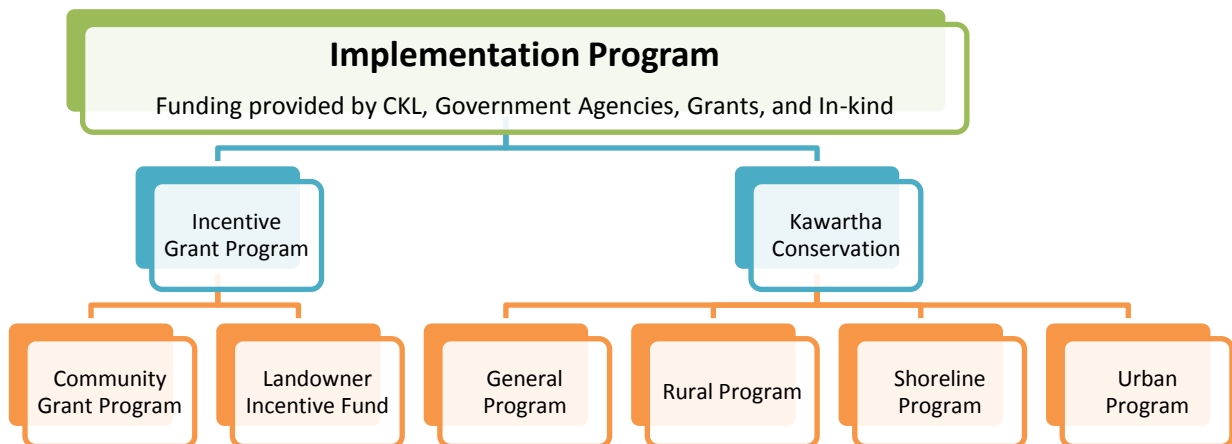
Implementation is more than just a list of projects and programs. Implementation means our beaches are open in the summer for residents and tourists to use. It means healthier fisheries that attract anglers all year long. Implementation means beautifying our urban communities with rain gardens instead of mud puddles. Implementation means building a community that is proud of our lakes, our towns, and our rural countryside. Implementation supports our locally grown food and better drinking water quality. Implementation is about building and supporting the community we want to live and play in.

The Lake Management Planning process has, over the last ten years, engaged our community and identified concerns and priorities on issues affecting the health and appeal of the Kawartha Lakes. This process has also increased community awareness and involvement, and leveraged substantial external funding through early implementation efforts. Building on the momentum established through early implementation efforts will help increase program uptake and encourage more in-the-ground action.

The Lake Management Implementation Action Plan proposes to maintain and build on this momentum of involvement and investment generated through the planning process with the goal of maintaining and improving the appeal of our lakes as an engine for economic growth. The Plan summarizes the greatest common concerns expressed by residents throughout the City and proposes science-based solutions to address these concerns. An annual review with each lake community will identify targets for that year and to continue to leverage external funding to assist with the financial viability of achieving these targets.

## Task Force Recommendations:

The Task Force recommends two program areas for implementation.



### Incentive Grant Program:

The Community Grant Program provides funding for actions directly linked to the recommendations within the Lake Management Plans. This fund will empower community groups and individuals to deliver projects within our community and leverage the investment of the City of Kawartha Lakes.

Projects may include aquatic plant control measures, establishing community rain gardens or implementing an invasive species mitigation program within their community. This fund empowers groups like cottage associations to take action to manage aquatic plant growth within their lake or other similar projects at the local level. Groups can apply for funding for their projects, with matching



contributions being both cash and in-kind. In these projects, the community group is the lead organization; however other partners and supporters may be involved.

It is recommended that Kawartha Conservation take a leadership role in administering and reporting on the fund under the guidance of a Grant Selection Committee.

The Landowner Incentive Fund will enable private landowners to implement best management practices that will have a direct impact on the health of our lakes. This is also a matching grant program with leveraged funds coming from the landowner as well as other government agencies. This program provides incentives to help landowners take action. Projects will be approved by a committee but may include fencing cattle out of streams, re-establishing native vegetation in riparian areas, or implementing low impact development projects on their property to reduce runoff and flooding.

#### Kawartha Conservation Program:

The second stream includes programs developed and lead by Kawartha Conservation. These programs will attract community investment and build partnerships that leverage knowledge, effort, and impact, and help others to achieve Lake Management Plan objectives. The programs of Kawartha Conservation are captured under four main categories of General Programs, Rural Programs, Shoreline Programs, and Urban Programs. The specific projects proposed, over a 5 year period, have been evaluated by the Task Force and the following recommendations have been made.

#### General Program:

Implementation Oversight and Coordination will ensure collaboration between multiple partners including the various agencies with jurisdiction over our lakes. Projects such as the remediation of the Bobcaygeon dam are outside the jurisdiction of Kawartha Conservation but it is recognized that this type of project is of significant interest to the community and may pose a benefit to water quality and habitat. Facilitating this type of project will ensure that priority actions from the Lake Management Plans are highlighted in other agencies.

The **Sedimentation and Erosion Control Planning Program** will advance erosion and sediment control practices for projects in-and-around water for the construction and construction related industries. The release of materials from construction and development sites to local watercourses can have significant long-term impacts on water quality, community aesthetics, fish habitat and others.

## Rural Program:

The **Agricultural Stewardship Program** provides information and support to help our farming community implement best management practices on their properties such as working with farmers to construct fencing along creeks to keep the cattle from polluting the water. Farmland makes up nearly 50% of the Kawartha Watershed and is particularly important in sustaining our rural communities.

The Rural Residential Stewardship Program provides information and resources to landowners about wells, septic systems, and woodlot management, to protect the quality of our drinking water. Supporting these landowners when making land management decisions will have a positive impact on the health of our lakes and the beauty of our region.

The Investigative Upstream Monitoring Program includes the monitoring of streams which will provide information on when and what nutrients are entering our watercourses. By identifying the source of these nutrients, action can be taken to resolve the situation before it becomes a larger problem in our lakes.

## Shoreline Program:

The **Aquatic Plant Control Project** will scientifically test the effectiveness of existing technologies to establish their impact so that permitting agencies can better support their use. The results from these tests will provide landowners with better tools to control aquatic plants at the site level and reduce our reliance on pesticides in the water.

The Shoreline Stewardship Program will help landowners address issues such as erosion, nutrient runoff, and aquatic plants along their shorelines. Community beaches will act as public demonstration sites that will address the high E-coli readings that result in beach closures. Managing shoreline properties is essential if we want to improve the state of our lakes.

The Shoreline Planning and Policy Background Project will review best practices that other municipalities use to protect the waterfront such as Zoning, Site Plan, Development Permit Areas or Tree Cutting Bylaws. This research will help to identify the tools that the City of Kawartha Lakes could use to protect the waterfront areas that are so important to the water quality and long term health of the lakes.

The Near Shore Monitoring Project includes taking water samples closer to the shore and will act as an early warning system to identify where pollution is entering the lake. This monitoring is pro-active in identifying the problems areas so that solutions can be found to resolve issues before they become larger problems over time.

## Urban Program:

The Bluescaping Program will result in the implementation of low impact development features at the lot level. This program approaches solutions from all levels including working with landowners, developers, landscapers, and the policy and permitting agencies. This improved collaboration will result in wise and effective development choices as well as cost effective retrofits which will reduce the impact our urban areas have on stormwater ponds and surface water.

## Recommended Investment:

The Task Force considered each program area at three different funding levels. The recommendations below are a result of considering a balance of effectiveness, priorities, and budget constraints.

| Program                              |  | 2019   | 2020   | 2021   | 2022   | 2023   |
|--------------------------------------|--|--------|--------|--------|--------|--------|
| <b>Incentive Grant Program</b>       |  |        |        |        |        |        |
|                                      | Community Grant Program                  | 15,500 | 15,500 | 36,500 | 36,500 | 36,500 |
|                                      | Landowner Incentive Fund                 | 30,000 | 30,000 | 30,000 | 30,000 | 30,000 |
| <b>Kawartha Conservation Program</b> |  |        |        |        |        |        |
| <b>General Program</b>               |  |        |        |        |        |        |
|                                      | Implementation Oversight & Coordination  | 65,700 | 65,700 | 65,700 | 88,700 | 88,700 |
|                                      | Sedimentation & Erosion Control Planning | 33,300 | 21,400 | 33,300 | 21,400 | 33,300 |
| <b>Rural Program</b>                 |  |        |        |        |        |        |
|                                      | Agricultural Stewardship                 | 27,900 | 27,900 | 55,800 | 27,900 | 27,900 |
|                                      | Rural Residential Stewardship            |        |        | 38,400 | 38,400 | 38,400 |

|                                   |  |                |                |                |                |                |
|-----------------------------------|--|----------------|----------------|----------------|----------------|----------------|
|                                   | Investigative Upstream Monitoring      | 34,700         | 34,700         | 34,700         | 44,400         | 34,700         |
| <b>Shoreline Program</b>          |  |                |                |                |                |                |
|                                   | Aquatic Plant Control                  | 18,900         | 18,900         | 18,900         | 19,300         |                |
|                                   | Shoreline Stewardship                  | 46,000         | 46,000         | 46,000         | 46,000         | 46,000         |
|                                   | Shoreline Planning & Policy Background | 23,300         | 36,400         |                |                |                |
|                                   | Near Shore Monitoring                  | 28,600         | 28,600         | 28,600         | 10,300         |                |
| <b>Urban Program</b>              |  |                |                |                |                |                |
|                                   | Bluescaping                            | 33,100         | 43,700         | 43,700         | 43,700         | 43,700         |
| <b>Total Municipal Investment</b> |  | <b>357,000</b> | <b>368,800</b> | <b>431,600</b> | <b>406,600</b> | <b>379,200</b> |
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| <b>In-Kind Support Leveraged</b>  |  | <b>135,100</b> | <b>131,000</b> | <b>151,700</b> | <b>146,800</b> | <b>135,300</b> |
| <b>Total Program Value</b>        |  | <b>627,700</b> | <b>640,400</b> | <b>831,400</b> | <b>708,700</b> | <b>654,500</b> |

Recommendations on program levels and length are based on the potential impact of the program on the environment and the economy, the capacity of Kawartha Conservation and partners to reach the objectives, and the funding impact on the City of Kawartha Lakes and the other supporting foundations. The recommended programs and service levels will garner 78% return on investment over the 5 year period proposed.

### Other Alternatives Considered:

The Lake Management Implementation Action Plan contains a number of fully costed implementation options. Staff is recommending that Council adopt the proposed lake management implementation option contained in this report as it has been approved by the Community Advisory Panel and the Board of Directors of Kawartha Conservation.

## **Financial/Operation Impacts:**

Staff feels that the proposed recommendation as approved by the Community Advisory Panel and the Board of Directors of Kawartha Conservation is generally the most cost effective option.

## **Relationship of Recommendations to the 2016-2019 Strategic Plan:**

The Lake Management Implementation Action Plan directly addresses Goal 3 – A Healthy Environment within the Strategic Plan. The recommendations discuss the recommended actions needed to improve upon the health of our lake systems throughout the City of Kawartha Lakes. The shift from our Lake Management Planning process to the implementation of recommended actions marks the finalization of the planning process. The purpose of this plan is to utilize the Lake Management Plans to inform decision making (3.1.5) and to protect and enhance our water quality (3.1.6). The implementation of this Plan will result in the execution of Low Impact Development demonstration sites (3.1.4) throughout urban communities. Aspects of the Action Plan are directly related to supporting and protecting agricultural land (3.1.7) through projects, facilitating knowledge transfer, and attracting external investments. Many of the projects are focused on protecting our natural landscape and the goods and services those features and functions provide (3.1.8).

## **Consultations:**

The Lake Management Implementation Action Plan was prepared through a Task Force containing a large number of interests. The Lake Management Implementation Action Plan has been approved by the Community Advisory Panel and the Board of Directors of Kawartha Conservation. The Community Advisory Panel is made up of 25 individuals representing various Lake Associations throughout the City as well as representatives from City Council and staff, Ministry of Natural Resources and Forestry, Parks Canada, Trent Severn Waterway, Ministry of the Environment and Climate Change, Kawartha Conservation, and academia.

## **Conclusion:**

In consideration of the comments contained in this report, Staff respectfully recommends that the proposed funding option contained in this report be ADOPTED by Council.

## Attachments:

Appendix A – Lake Management Implementation Action Plan



Appendix A  
PLAN2018-054.pdf

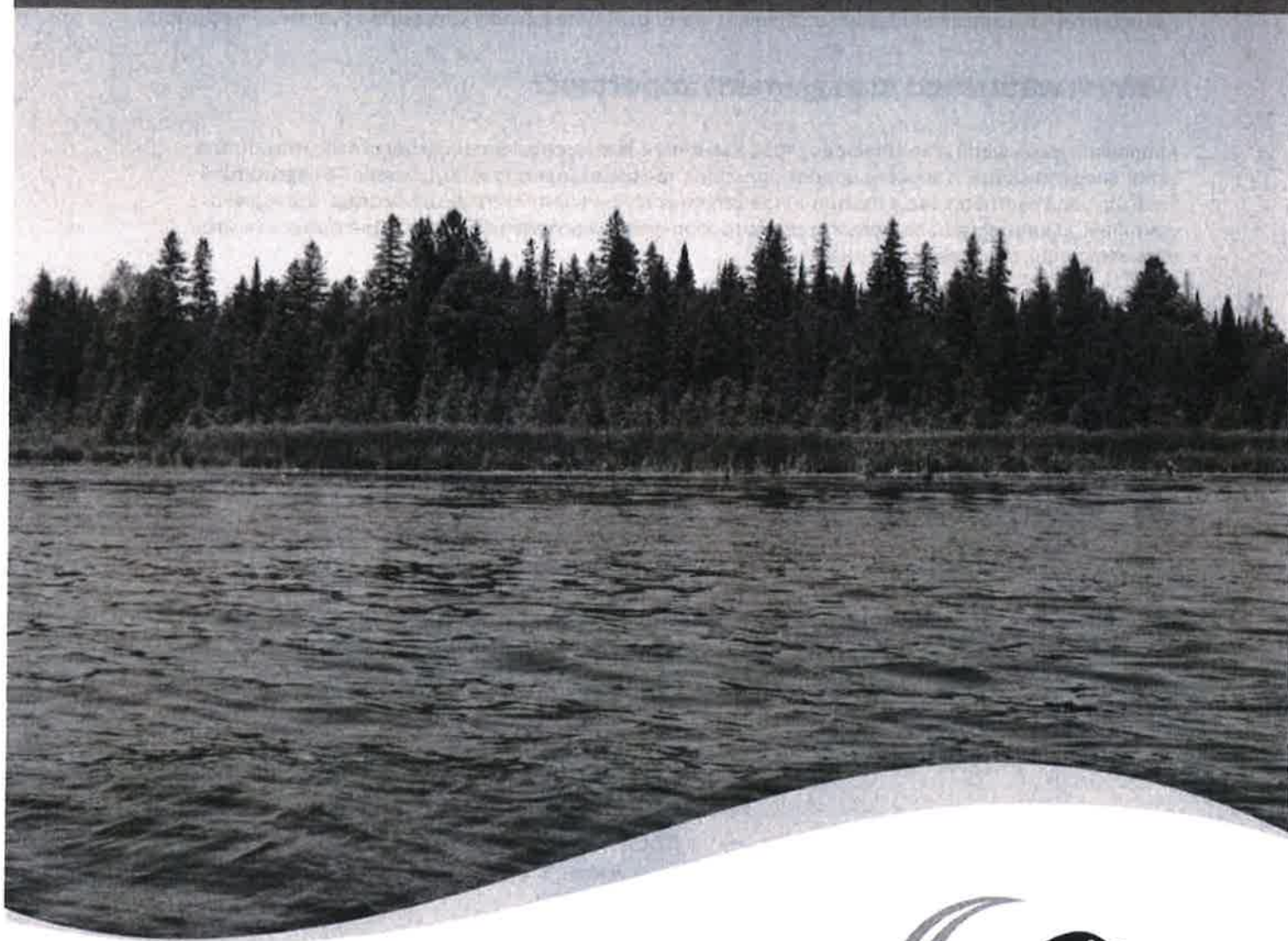
**Department Head E-Mail:** [cmarshall@kawarthalakes.ca](mailto:cmarshall@kawarthalakes.ca)

**Department Head:** Chris Marshall, Director of Development Services

**File No.:** C11

# Lake Management Implementation Action Plan

May 16, 2018



**KAWARTHA  
CONSERVATION**

Discover • Protect • Restore

# About Kawartha Conservation

## Who we are

We are a watershed-based organization that uses planning, stewardship, science, and conservation lands management to protect and sustain outstanding water quality and quantity supported by healthy landscapes.

## Why is watershed management important?

Abundant, clean water is the lifeblood of the Kawarthas. It is essential for our quality of life, health, and continued prosperity. It supplies our drinking water, maintains property values, sustains an agricultural industry, and contributes to a tourism-based economy that relies on recreational boating, fishing, and swimming. Our programs and services promote an integrated watershed approach that balance human, environmental, and economic needs.

## The community we support

We focus our programs and services within the natural boundaries of the Kawartha watershed, which extend from Lake Scugog in the southwest and Pigeon Lake in the east, to Balsam Lake in the northwest and Crystal Lake in the northeast – a total of 2,563 square kilometers.

## Our history and governance

In 1979, we were established by our municipal partners under the *Ontario Conservation Authorities Act*.

The natural boundaries of our watershed overlap the six municipalities that govern Kawartha Conservation through representation on our Board of Directors. Our municipal partners include the City of Kawartha Lakes, Region of Durham, Township of Scugog, Township of Brock, Municipality of Clarington, Municipality of Trent Lakes, and Township of Cavan Monaghan.



**KAWARTHA  
CONSERVATION**

Discover • Protect • Restore

### **Kawartha Conservation**

277 Kenrei Road, Lindsay ON K9V 4R1

T: 705.328.2271 F: 705.328.2286

[GenInfo@KawarthaConservation.com](mailto:GenInfo@KawarthaConservation.com)

[KawarthaConservation.com](http://KawarthaConservation.com)



# Acknowledgements

This plan was written by Kristie Virgoe and developed with input from the Implementation Task Force, including:

|                  |   |
|------------------|---|
| Brett Tregunno   | Kawartha Conservation   |
| Chris Appleton   | Sturgeon Point Association  |
| Chris Marshall   | City of Kawartha Lakes  |
| Colleen Collins  | Chamber of Commerce   |
| Dave Pridham     | Kawartha Conservation   |
| Dave Warren      | Shadow Lake Association   |
| Doug Elmslie     | City of Kawartha Lakes  |
| Doug Erlandson   | Balsam Lake Association & Chair of Community Advisory Panel       |
| Doug Lowles      | Head Lake High Shores Assoc. & Head & Rush Lake Stewardship Group |
| Doug Timmins     | Four Mile Lake Association  |
| Gord Miller      | City of Kawartha Lakes, Director, Kawartha Conservation           |
| Mark Majchrowski | Kawartha Conservation   |
| Mark Torrey      | Ontario Federation of Agriculture                                 |
| Pat Warren       | Environmental Advisory Committee                                  |
| Saul Chernos     | Four Mile Lake Association  |
| Steve Strangway  | City of Kawartha Lakes  |

Funding for Lake Management Planning activities has been provided by the City of Kawartha Lakes



# Executive Summary

Implementation of the Lake Management Plans is important to our economy, the attractiveness of the area for tourism and to the continued growth of our communities that have developed around the lakes and rivers. Using these Plans to inform decision making is in direct accordance with the Strategic Plan for the City of Kawartha Lakes, specifically under the goal of Healthy Environment. The work proposed through this Action Plan will help to improve water quality, build community understanding and capacity, and attract additional investment in our community. Our lakes are important to our economy, our quality of life, and our environment.

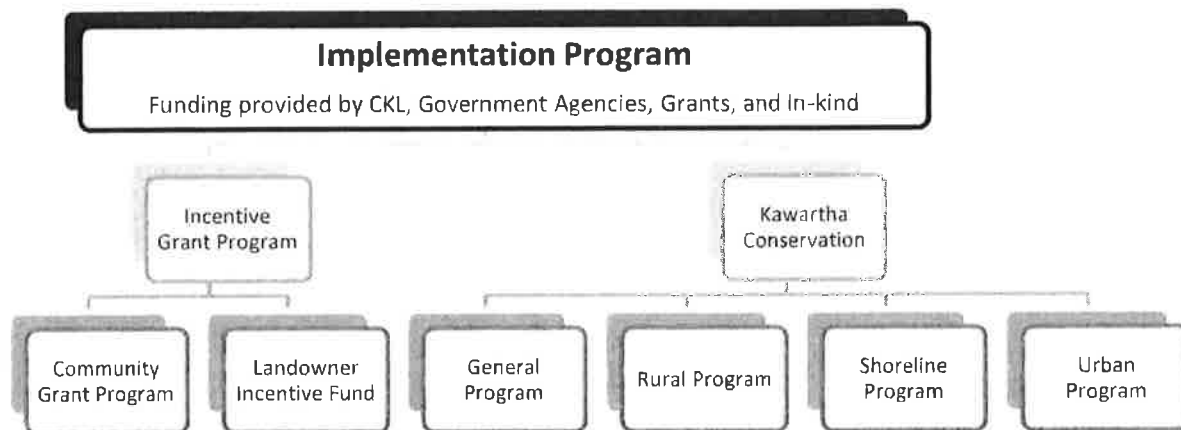
Implementation is more than just a list of projects and programs. Implementation means our beaches are open in the summer for residents and tourists to use. It means healthier fisheries that attract anglers all year long. Implementation means beautifying our urban communities with rain gardens instead of mud puddles. Implementation means building a community that is proud of our lakes, our towns, and our rural countryside. Implementation supports our locally grown food and better drinking water quality. Implementation is about building and supporting the community we want to live and play in.

The Lake Management Planning process has, over the last ten years, engaged our community and identified concerns and priorities on issues affecting the health and appeal of the Kawartha Lakes. This process has also increased community awareness and involvement, and leveraged substantial external funding through early implementation efforts. Building on the momentum established through early implementation efforts will help increase program uptake and encourage more in-the-ground action. Details on the early implementation efforts can be found in Appendix D on page 51.

The Lake Management Implementation Action Plan proposes to maintain and build on this momentum of involvement and investment generated through the planning process with the goal of maintaining and improving the appeal of our lakes as an engine for economic growth. The Plan summarizes the greatest common concerns expressed by residents throughout the City and proposes science-based solutions to address these concerns. An annual review with each lake community will identify targets for that year and to continue to leverage external funding to assist with the financial viability of achieving these targets.

## Recommendations

The Task Force recommends two program areas for implementation.



## Incentive Grant Program

The **Community Grant Program** provides funding for actions directly linked to the recommendations within the Lake Management Plans. This fund will empower community groups and individuals to deliver projects within our community and leverage the investment of the City of Kawartha Lakes.

Projects may include aquatic plant control measures, establishing community rain gardens or implementing an invasive species mitigation program within their community. This fund empowers groups like cottage associations to take action to manage aquatic plant growth within their lake or other similar projects at the local level. Groups can apply for funding for their projects, with matching contributions being both cash and in-kind. In these projects, the community group is the lead organization; however other partners and supporters may be involved.

It is recommended that Kawartha Conservation take a leadership role in administering and reporting on the fund under the guidance of a Grant Selection Committee. For more information on the Community Grant Program see page 15.

The **Landowner Incentive Fund** will enable private landowners to implement best management practices that will have a direct impact on the health of our lakes. This is also a matching grant program with leveraged funds coming from the landowner as well as other government agencies. This program provides incentives to help landowners take action. Projects will be approved by a committee but may include fencing cattle out of streams, re-establishing native vegetation in riparian areas, or implementing low impact development projects on their property to reduce runoff and flooding. For more information on the Landowner Incentive Fund project, see page 17.

## Kawartha Conservation Program

The second stream includes programs developed and lead by Kawartha Conservation. These programs will attract community investment and build partnerships that leverage knowledge, effort, and impact, and help others to achieve Lake Management Plan objectives. The programs of Kawartha Conservation are captured under four main categories of General Programs, Rural Programs, Shoreline Programs, and Urban Programs. The specific projects proposed, over a 5 year period, have been evaluated by the Task Force and the following recommendations have been made.

### **General Program**

**Implementation Oversight and Coordination** will ensure collaboration between multiple partners including the various agencies with jurisdiction over our lakes. Projects such as the remediation of the Bobcaygeon dam are outside the jurisdiction of Kawartha Conservation but it is recognized that this type of project is of significant interest to the community and may pose a benefit to water quality and habitat. Facilitating this type of project will ensure that priority actions from the Lake Management Plans are highlighted in other agencies. More details on this project can be found on page 21.

The **Sedimentation and Erosion Control Planning Program** will advance erosion and sediment control practices for projects in-and-around water for the construction and construction related industries. The release of materials from construction and development sites to local watercourses can have significant long-term impacts on water quality, community aesthetics, fish habitat and others. More details on this project can be found on page 23.



## Rural Program:

The **Agricultural Stewardship Program** provides information and support to help our farming community implement best management practices on their properties such as working with farmers to construct fencing along creeks to keep the cattle from polluting the water. Farmland makes up nearly 50% of the Kawartha Watershed and is particularly important in sustaining our rural communities. For more information on this program see page 27.

The **Rural Residential Stewardship Program** provides information and resources to landowners about wells, septic, and woodlot management, to protect the quality of our drinking water. Supporting these landowners when making land management decisions will have a positive impact on the health of our lakes and the beauty of our region. For more information on this program see page 29.

The **Investigative Upstream Monitoring Program** includes the monitoring of streams which will provide information on when and what nutrients are entering our watercourses. By identifying the source of these nutrients, action can be taken to resolve the situation before it becomes a larger problem in our lakes. For more information on this program see page 31.

## Shoreline Program:

The **Aquatic Plant Control Project** will scientifically test the effectiveness of existing technologies to establish their impact so that permitting agencies can better support their use. The results from these tests will provide landowners with better tools to control aquatic plants at the site level and reduce our reliance on pesticides in the water. For more information on this program see page 35.

The **Shoreline Stewardship Program** will help landowners address issues such as erosion, nutrient runoff, and aquatic plants along their shorelines. Community beaches will act as public demonstration sites that will address the high E-coli readings that result in beach closures. Managing shoreline properties is essential if we want to improve the state of our lakes. For more information on this program see page 37.

The **Shoreline Planning and Policy Background Project** will review best practices that other municipalities use to protect the waterfront such as Zoning, Site Plan, Development Permit Areas or Tree Cutting Bylaws. This research will help to identify the tools that the City of Kawartha Lakes could use to protect the waterfront areas that are so important to the water quality and long term health of the lakes. For more information on this program see page 39.

The **Near Shore Monitoring Project** includes taking water samples closer to the shore and will act as an early warning system to identify where pollution is entering the lake. This monitoring is proactive in identifying the problem areas so that solutions can be found to resolve issues before they become larger problems over time. For more information on this program see page 41.

## Urban Program:

The **Bluescaping Program** will result in the implementation of low impact development features at the lot level. This program approaches solutions from all levels including working with landowners, developers, landscapers, and the policy and permitting agencies. This improved collaboration will result in wise and effective development choices as well as cost effective retrofits which will reduce the impact our urban areas have on stormwater ponds and surface water. For more information on this program see page 44.



## Recommended Investment:

The Task Force considered each program area at three different funding levels. The recommendations below are a result of considering a balance of effectiveness, priorities, and budget constraints.

| Program                              |  | 2019           | 2020           | 2021           | 2022           | 2023           |
|--------------------------------------|--|----------------|----------------|----------------|----------------|----------------|
| <b>Incentive Grant Program</b>       |  |                |                |                |                |                |
|                                      | Community Grant Program                  | 15,500         | 15,500         | 36,500         | 36,500         | 36,500         |
|                                      | Landowner Incentive Fund                 | 30,000         | 30,000         | 30,000         | 30,000         | 30,000         |
| <b>Kawartha Conservation Program</b> |  |                |                |                |                |                |
| <b>General Program</b>               |  |                |                |                |                |                |
|                                      | Implementation Oversight & Coordination  | 65,700         | 65,700         | 65,700         | 88,700         | 88,700         |
|                                      | Sedimentation & Erosion Control Planning | 33,300         | 21,400         | 33,300         | 21,400         | 33,300         |
| <b>Rural Program</b>                 |  |                |                |                |                |                |
|                                      | Agricultural Stewardship                 | 27,900         | 27,900         | 55,800         | 27,900         | 27,900         |
|                                      | Rural Residential Stewardship            |                |                | 38,400         | 38,400         | 38,400         |
|                                      | Investigative Upstream Monitoring        | 34,700         | 34,700         | 34,700         | 44,400         | 34,700         |
| <b>Shoreline Program</b>             |  |                |                |                |                |                |
|                                      | Aquatic Plant Control                    | 18,900         | 18,900         | 18,900         | 19,300         |                |
|                                      | Shoreline Stewardship                    | 46,000         | 46,000         | 46,000         | 46,000         | 46,000         |
|                                      | Shoreline Planning & Policy Background   | 23,300         | 36,400         |                |                |                |
|                                      | Near Shore Monitoring                    | 28,600         | 28,600         | 28,600         | 10,300         |                |
| <b>Urban Program</b>                 |  |                |                |                |                |                |
|                                      | Bluescaping                              | 33,100         | 43,700         | 43,700         | 43,700         | 43,700         |
| <b>Total Municipal Investment</b>    |  | <b>357,000</b> | <b>368,800</b> | <b>431,600</b> | <b>406,600</b> | <b>379,200</b> |
| <b>Grant Funding Leveraged</b>       |  | <b>135,600</b> | <b>140,600</b> | <b>248,100</b> | <b>155,300</b> | <b>140,000</b> |
| <b>In-Kind Support Leveraged</b>     |  | <b>135,100</b> | <b>131,000</b> | <b>151,700</b> | <b>146,800</b> | <b>135,300</b> |
| <b>Total Program Value</b>           |  | <b>627,700</b> | <b>640,400</b> | <b>831,400</b> | <b>708,700</b> | <b>654,500</b> |



Recommendations on program levels and length are based on the potential impact of the program on the environment and the economy, the capacity of Kawartha Conservation and partners to reach the objectives, and the funding impact on the City of Kawartha Lakes and the other supporting foundations. The recommended programs and service levels will garner 78% return on investment over the 5 year period proposed.



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# 1.0 Introduction

The Kawartha Lakes are an important part of our economy, and attract significant tourism investment in the region because of the healthy fisheries, clear water, and public access to the resource. Our lakes contribute to an improved quality of life for residents as many are attracted to the area because of the lifestyle that living by the lakes provide. These values are mirrored in the City of Kawartha Lakes Strategic Goals of a vibrant growing community, exceptional quality of life, and a healthy environment.

Lake Management Plans have been completed for all major lakes in the City of Kawartha Lakes, to determine the current state of the lakes in terms of lake health and community values and to help understand what actions can be undertaken to improve them. Stakeholder engagement was a priority through the planning process and included regular meetings of a Community Advisory Panel and Science and Technical Committee, Annual General Meetings of Lake Associations, local public open houses, many one-on-one direct meetings with representatives from Lake Associations and agency representatives, and a Stewardship Summit. These consultations, combined with science-based findings, identified 15 to 30 management recommendations proposed for each Lake to maintain or improve the health of our lakes including actions such as shoreline naturalization, urban stormwater management and responsible development and construction practices.

A Task Force was established in January to provide guidance on the development of this Implementation Action Plan. Representation on the Task Force includes City Councillors, City staff, members of the Community Advisory Panel, representatives from business sectors of the community and a member of Kawartha Conservation's Board of Directors.

The implementation of the Lake Management Plans is a vital step in ensuring that our communities have access to clean water for drinking, recreation, and in support of the local economy.

# 2.0 Purpose

The purpose of this report is to outline the multi-year strategy for developing programs to deliver the recommended actions in the Lake Management Plans and to support the Strategic Goals of the City of Kawartha Lakes. Specifically, protecting and enhancing the water quality and utilizing the Lake Management Plans to inform decision making under the goal of A Healthy Environment. It also provides an outline for the investment in local community group initiatives that play an important role in the implementation of the lake based plans. The goal of the Implementation Strategy is to ensure the effective and efficient use of limited resources across a number of implementing agencies to improve the economic, social, and environmental wellbeing of our lake based communities.





## 3.0 Developing the Implementation Action Plan

In reviewing the recommended actions from each of the Lake Management Plans, the Task Force developed a prioritization matrix (Appendix A) that would identify common and lake-specific issues to be considered. This matrix compares all the recommendations from each Plan and summarizes common, high priority trends and issues that can be addressed through the development of programs and projects.

These Plans, while specific to each lake community, have some common recommended actions that can be developed into City wide programs for the improvement of water quality. Programs such as the proposed Shoreline Program target community beaches for restoration to ensure our lakes are safe for swimming and are visually appealing, impacting tourism as well as community pride.

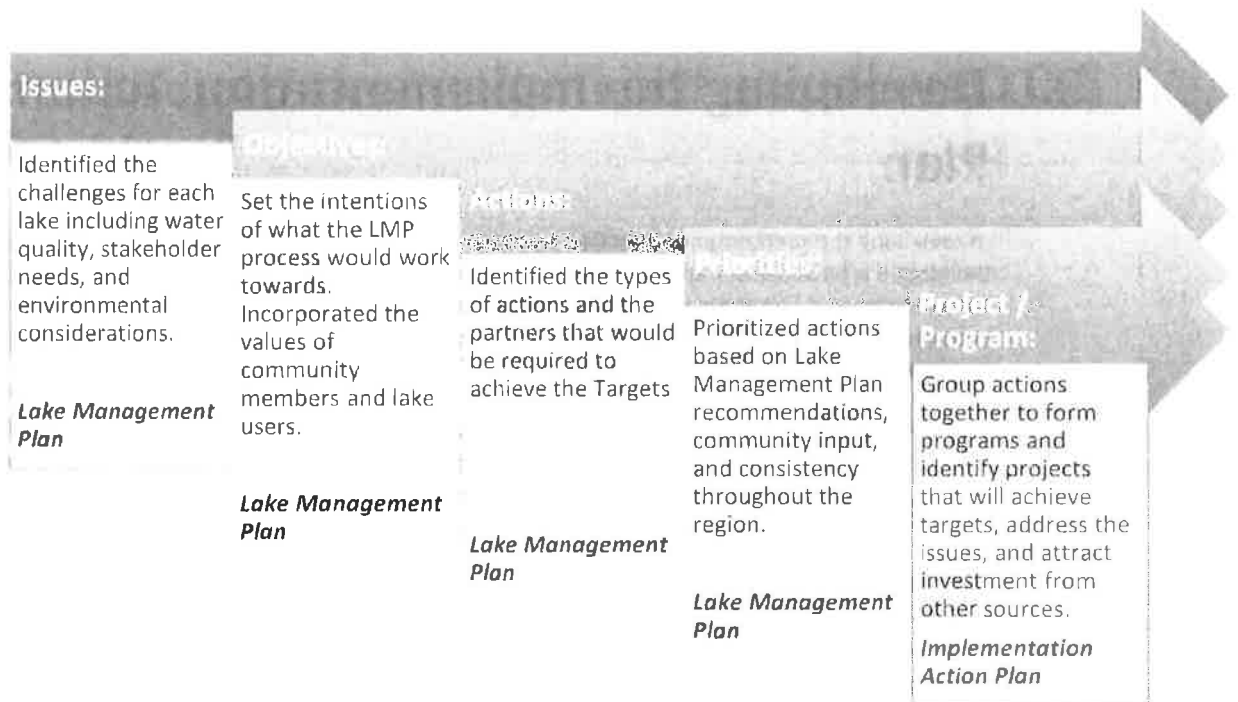
Some of the recommended actions are specific to one or two lakes and can be developed into pilot projects within those communities. Projects such as the development of aquatic plant management or the organizing of community partners to discuss water level management on lakes are examples of these types of investments.

The Task Force recommendations include the following:

- Develop programs to lead the implementation of high priority actions to ensure quick results
- Provide opportunities for other organizations and groups to take the lead on projects should be considered
- Include short and longer term projects need to be included
- Provide options to implementation programs that include a sliding scale of investment and service
- Limit the number of programs developed to ensure we are able to deliver on the key elements within the Plans.

Based on the above points and the prioritization matrix, programs were developed and vetted by the Task Force to ensure they were designed to meet the community needs. Recommendations were also vetted by the Community Advisory Panel in concert with the Task Force. The following graphic demonstrates how programs and projects were assessed for implementation.





## 4.0 Program Design

Implementing all the projects required to support a healthier and more vibrant lake community takes multiple partners. It requires community groups to mobilize the local community spirit and elevate locally important issues. It requires agency involvement to provide coordination, direction, supporting legislation and technical support. It also requires the individual to recognize the need and to be willing to participate.

Evaluating the capacity and engagement of our community groups to lead or partner with implementation projects has highlighted some barriers to implementation. The common themes include:

- Lack of resources
- Lack of capacity within small community groups
- Stakeholder engagement
- Lack of knowledge or knowledge gaps

Continued identification of additional barriers to implementation will be key to ensure that the implementation of these Lake Management Plans is successful and that our lake communities are empowered to implement strong projects that will have an impact on the health of our lakes.

The design of the Implementation Action Plan is two-fold. It recognizes the unique needs of grass roots organizations to raise their capacity to implement programs within their community and builds on the valuable resource of the Conservation Authority to deliver watershed wide programs. Each group will have their own priorities and work plans to consider before adopting a program.

Kawartha Conservation has a long history of developing implementation projects like the removal of piers in Fenelon Falls, the naturalizing of municipal shoreline properties, and the installation of low impact development demonstration sites. All of these projects have contributed to the implementation of the recommendations within the Lake Management Plans and have leveraged significant investment in the City of Kawartha Lakes from various levels of government, private foundations and corporate sponsors.

Developing a two pronged approach to implementation will enable a more coordinated approach to the actions of many. A centralized administration model of this program will ensure that projects meet the recommendations of the priority matrix, track the impact of community action, and provide both short and long-term gains to the community.

## 4.1 Enabling Implementation

The landscape of the City of Kawartha Lakes is readily separated into three unique communities; Shoreline, Urban, and Rural. Each of these communities have projects that meet the high priority items within the prioritization matrix. In addition, there are some projects and programs that are of general benefit to all three communities.

The Shoreline community refers to any property that abuts or is adjacent to a lake or major tributary within the watershed. The Urban community refers to properties that fall within the urban centres of Lindsay, Fenelon Falls, Bobcaygeon, and Omemee. The Rural community refers to any property that does not fall within the urban centers in the City of Kawartha Lakes. Urban properties may be Agricultural in nature or may be non-agricultural (rural residential). Each of these communities have unique challenges to protecting the quality and quantity of the water that enters our lakes. The programs designed for these communities address those unique qualities and address the priorities identified in the matrix.



The Task Force identified programs for each of these communities and further worked to identify areas of programs where community organizations could, with varying degrees of support, lead the implementation within their communities, as well as where Kawartha Conservation should lead the implementation.

### 4.1.1 Incentive Grant Program

The Incentive Grant Program will provide an investment into grassroots organizations and individuals looking to implement projects linked to the Lake Management Plan recommendations. It will be based on an application process where groups can identify the project details, benefits,



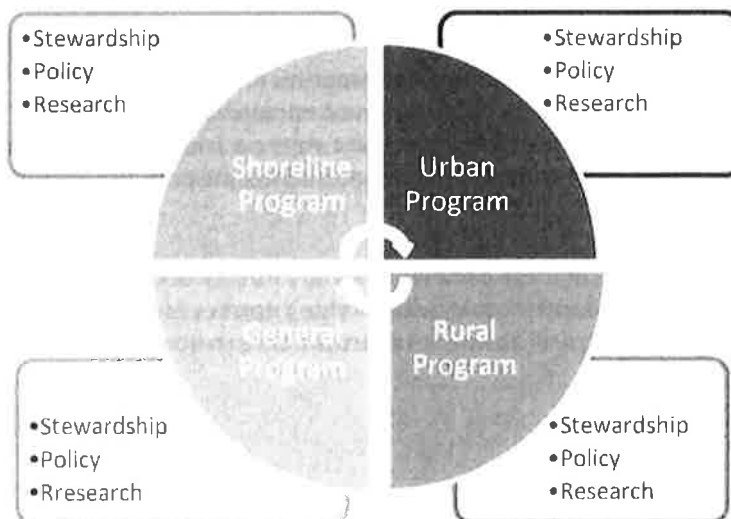
and leverage funds. This program provides freedom for community groups to participate at a level they are comfortable with. A Landowner incentive fund to improve the quality of water that passes through or over their property is another component of this program. As demonstrated through early implementation successes, working with landowners like the agricultural community has leveraged significant investment from other government agencies and private landowners (see Appendix D). These projects result in improved water quality throughout our community.

A review committee will be established that will include representation from the City of Kawartha Lakes, lake Associations, Kawartha Conservation, and special interest groups (agriculture, tourism, urban communities). The review committee will set annual priorities for funding including actions and goals as well as provide support and guidance on suggested tools and implementation success models.

The focus of the funding will be on achieving the high priority action items from the prioritization matrix. These may include aquatic plant management actions, the coordination of a community workshop on water level management, or the implementation of a community rain garden to reduce runoff. These are extremely important projects that have significant impact on their communities. While agencies may be partners in the delivery, the funding mechanism is designed to help community groups act as the lead organization.

## 4.1.2 Kawartha Conservation Program

The Task Force recommended that Kawartha Conservation continue to take the lead on key programs that will demonstrate short and long term gains in the implementation of the recommendations. These programs will provide services to all the community groups identified earlier; Shoreline, Urban, and Rural and will be driven by informed decision making and community values.



Within each of these Programs are elements that include stewardship actions, policy development and ongoing research to strengthen implementation outcomes. While each of these elements can function independently, it is through the cross connections from one element to another where we will see the greatest impact on the health and vitality of our lakes and communities.

Programs were developed with a sliding scale for implementation service and budget. A significant focus on leveraging Municipal contributions with other grants, partners, and in-kind was also factored into each of the program options. Full program descriptions, timelines, and budgets are included in Appendix B.

Many of the program recommendations are based on previous successes that Kawartha Conservation has experienced with program delivery. Building on the momentum established through early implementation efforts will help increase program uptake and encourage more in-the-ground action. Details on the early implementation efforts can be found in Appendix D on page 51.

## 4.2 Multi-Year Strategy

Phasing in aspects of the Implementation Strategy will allow for short and long-term projects to proceed while always demonstrating in-the-ground action year over year. This steady pace of implementation will also allow for the development of funding partnerships with other levels of government and private foundations, ensuring the leveraging of the City's investment. Some programs will vary in intensity over time, allowing for a deeper investment in other areas. The Community Grant Program, for example, may start off slowly, building interest and capacity in the early stages, and then increase as groups become aware and able to implement more robust projects over time.

The following table provides recommendations on when programs or projects should be introduced and the funding level associated with the recommendation. The recommendations below are a result of considering a balance of effectiveness, priorities, and budget constraints.



Table 1-1: Proposed 5-Year Implementation Projects and Timeline

| Program                              |  | 2019           | 2020           | 2021           | 2022           | 2023           |
|--------------------------------------|--|----------------|----------------|----------------|----------------|----------------|
| <b>Incentive Grant Program</b>       |  |                |                |                |                |                |
|                                      | Community Grant Program                  | 15,500         | 15,500         | 36,500         | 36,500         | 36,500         |
|                                      | Landowner Incentive Fund                 | 30,000         | 30,000         | 30,000         | 30,000         | 30,000         |
| <b>Kawartha Conservation Program</b> |  |                |                |                |                |                |
| <b>General Program</b>               |  |                |                |                |                |                |
|                                      | Implementation Oversight & Coordination  | 65,700         | 65,700         | 65,700         | 88,700         | 88,700         |
|                                      | Sedimentation & Erosion Control Planning | 33,300         | 21,400         | 33,300         | 21,400         | 33,300         |
| <b>Rural Program</b>                 |  |                |                |                |                |                |
|                                      | Agricultural Stewardship                 | 27,900         | 27,900         | 55,800         | 27,900         | 27,900         |
|                                      | Rural Residential Stewardship            |                |                | 38,400         | 38,400         | 38,400         |
|                                      | Investigative Upstream Monitoring        | 34,700         | 34,700         | 34,700         | 44,400         | 34,700         |
| <b>Shoreline Program</b>             |  |                |                |                |                |                |
|                                      | Aquatic Plant Control                    | 18,900         | 18,900         | 18,900         | 19,300         |                |
|                                      | Shoreline Stewardship                    | 46,000         | 46,000         | 46,000         | 46,000         | 46,000         |
|                                      | Shoreline Planning & Policy Background   | 23,300         | 36,400         |                |                |                |
|                                      | Near Shore Monitoring                    | 28,600         | 28,600         | 28,600         | 10,300         |                |
| <b>Urban Program</b>                 |  |                |                |                |                |                |
|                                      | Bluescaping                              | 33,100         | 43,700         | 43,700         | 43,700         | 43,700         |
| <b>Total Municipal Investment</b>    |  | <b>357,000</b> | <b>368,800</b> | <b>431,600</b> | <b>406,600</b> | <b>379,200</b> |
| <b>Grant Funding Leveraged</b>       |  | <b>135,600</b> | <b>140,600</b> | <b>248,100</b> | <b>155,300</b> | <b>140,000</b> |
| <b>In-kind Support Leveraged</b>     |  | <b>135,100</b> | <b>131,000</b> | <b>151,700</b> | <b>146,800</b> | <b>135,300</b> |
| <b>Total Project Value</b>           |  | <b>627,700</b> | <b>640,400</b> | <b>831,400</b> | <b>708,700</b> | <b>654,500</b> |

|         |         |         |
|---------|---------|---------|
| Level 1 | Level 2 | Level 3 |
|---------|---------|---------|



## 4.3 Coordination and Reporting

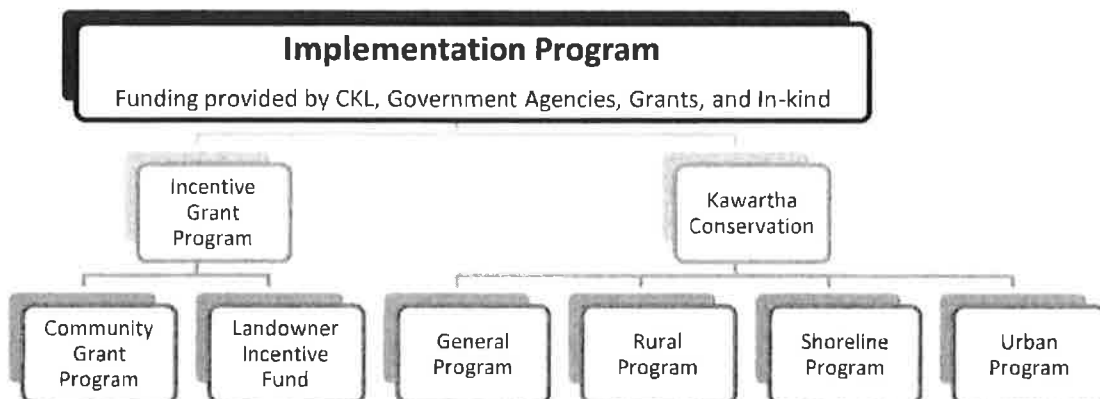
Implementation activities have taken place over the past few years as the focus has shifted from the plan phase. Kawartha Conservation has refined programs to target high priority actions across the watershed. Community groups have, when possible, taken on community driven projects. While the Community Advisory Panel allows for the sharing between members, it has become apparent that there is no centralized coordination of these activities and no common strategy between agencies or community groups. What has resulted is a number of agencies and community groups investing energy and resources into the projects or programs without a coordinated reporting mechanism that can capture all the outcomes of these programs.

With this proposal, Kawartha Conservation will provide City Council with annual reporting on the projects and programs of the Authority as well as the projects supported through the Community Grant Program. This coordinated reporting will include details on the measures of success, investment leveraged through Municipal support, and a full financial accounting of the programs and projects.

In addition, Kawartha Conservation will provide program and project updates to the larger community through annual presentations to the Community Advisory Panel, Stakeholder groups, and through other community meetings. The Lake Management Plans had a clear message that stakeholders want to be kept informed of the progress on implementation. This ongoing accountability to the community is vital to the Implementation Strategy.

## 5.0 Conclusion

The implementation of the Lake Management Plans is an important investment in our community. The work proposed through this Strategy will help to improve water quality, build community understanding and capacity, and attract additional investment in our community. Our lakes are important to our economy, our quality of life, and our environment.



This proposal requests two areas of support. Support for Kawartha Conservation's expertise and services in developing and delivering implementation projects designed to improve our lakes, and support for community groups wanting to lead local projects aimed at implementing the recommendations from the Lake Management Plans.

The recommendation of the task force is to support the programs and projects proposed here. The five-year strategy, as laid out in the project table on page 8, has been developed to aid in decision making and to demonstrate the commitment that the Task Force has in implementing the recommendations of our Lake Management Plans. Based on the recommendations of the Task Force, the Municipal investment in implementation will result in a return on investment of 78%.

Implementation is more than just a list of projects and programs. Implementation means our beaches are open in the summer for residents and tourists to use. It means healthier fisheries that attract anglers all year long. Implementation means beautifying our urban communities with rain gardens instead of mud puddles. Implementation means building a community that is proud of our lakes, our towns, and our rural countryside. Implementation supports our locally grown food and better water quality. Implementation is about building and supporting the community we want to live and play in.





# Appendix A

## Prioritization Matrix.

A summary of recommendations and priority level for all Lake Plans, ordered by weighted valued

| Recommendation                           | Strategy                       | Urban/Rural    |                |        |        |          |           | Rural     |               |  | # of Highs(3) | # of Mediums(2) | # of Lows(1) | # of Any | Weighted Value |
|--|--------------------------------|----------------|----------------|--------|--------|----------|-----------|-----------|---------------|--|---------------|-----------------|--------------|----------|----------------|
|  |                                | Balsam/Cameron | Canal/Mitchell | Scugog | Pigeon | Sturgeon | Four Mile | Head/Rush | Shadow/Silver |  |               |                 |              |          |                |
| Responsible Development and Construction | Urban and Rural Infrastructure |                |                |        |        | M        |           |           |               |  | 7             | 1               | 0            | 8        |                |
| Shoreline Naturalization                 | Stewardship                    |                |                |        |        |          | M         |           |               |  | 7             | 1               | 0            | 8        |                |
| Urban Stormwater BMP Projects            | Stewardship                    |                |                |        |        |          | M         |           |               |  | 7             | 1               | 0            | 8        |                |
| Invasive Species Management              | Stewardship                    |                |                |        |        |          |           |           |               |  | 7             | 0               | 0            | 7        |                |
| Coordinated Monitoring of Lake Health    | Research and Monitoring        | M              |                |        |        | M        | M         |           |               |  | 5             | 3               | 0            | 8        |                |
| Septic System Management                 | Stewardship                    | M              |                |        | M      |          |           |           |               |  | 5             | 2               | 0            | 7        |                |
| Keeping stakeholders informed            | Communications and Outreach    |                |                |        |        |          |           |           |               |  | 6             | 0               | 0            | 6        |                |
| Implementing other community plans       | Strategic Planning             |                |                |        | M      |          | M         | M         |               |  | 4             | 3               | 0            | 7        |                |
| Management of Public Waterfronts         | Urban and Rural Infrastructure | M              |                |        | M      |          | M         |           |               |  | 4             | 3               | 0            | 7        |                |
| Public/Technical Advisory Committees     | Communications and Outreach    |                |                |        |        |          | M         |           |               |  | 5             | 1               | 0            | 6        |                |
| Stormwater Management Planning           | Urban and Rural Infrastructure |                |                |        |        |          |           |           |               |  | 5             | 0               | 0            | 5        |                |
| Aquatic Plant Management Options         | Communications and Outreach    |                |                |        |        |          |           |           |               |  | 5             | 0               | 0            | 5        |                |
| Agricultural BMP Projects                | Stewardship                    | M              |                |        | M      |          |           | L         | L             |  | 3             | 2               | 2            | 7        |                |
| Enhanced Shoreline Protection            | Strategic Planning             |                |                |        |        |          | M         |           |               |  | 4             | 1               | 0            | 5        | 14             |
| Pilot Projects                           | Research and Monitoring        |                | M              |        |        | M        |           |           |               |  | 3             | 2               | 0            | 5        | 13             |
| Profiling Lake Values                    | Communications and Outreach    |                |                |        |        |          | M         | M         |               |  | 3             | 2               | 0            | 5        | 13             |
| Research on Emerging Pressures           | Research and Monitoring        | L              |                |        | L      | M        | M         | M         | M             |  | 1             | 4               | 2            | 7        | 13             |

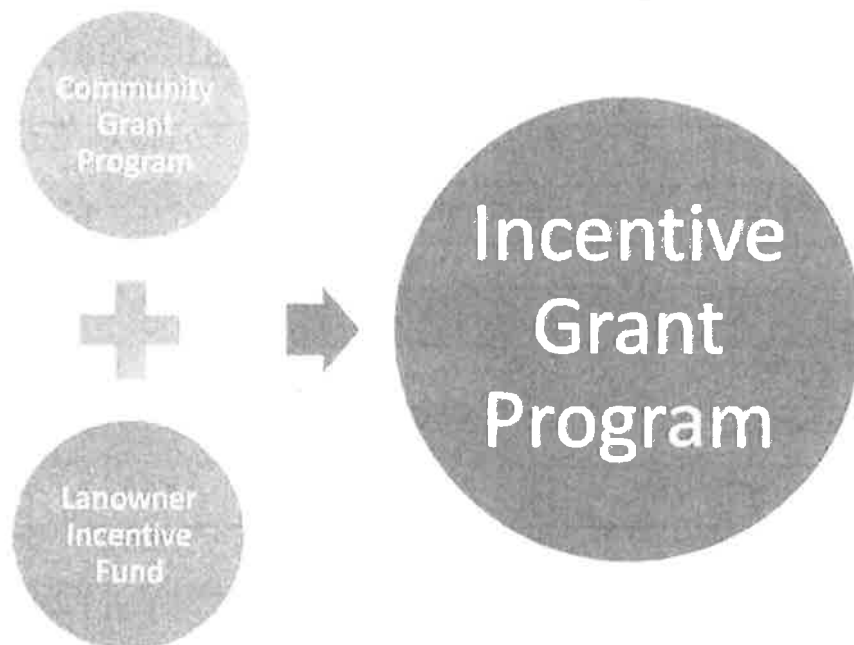


| Recommendation                         | Strategy                       | Urban/Rural    |                |        |        |          |           | Rural     |               |   | # of Lows(1) | # of Mediums(2) | # of Highs(3) | # of Any | Weighted Value |
|--|--------------------------------|----------------|----------------|--------|--------|----------|-----------|-----------|---------------|---|--------------|-----------------|---------------|----------|----------------|
|  |                                | Balsam/Cameron | Canal/Mitchell | Scugog | Pigeon | Sturgeon | Four Mile | Head/Rush | Shadow/Silver |   |              |                 |               |          |                |
| Official Plan Updating and Consistency | Strategic Planning             |                |                |        |        |          |           |           |               | 4 | 0            | 0               | 4             | 12       |                |
|  | Stewardship                    | M              |                |        | M      | M        | M         | M         | M             | 0 | 6            | 0               | 6             | 12       |                |
|  | Communications and Outreach    |                |                |        |        |          | M         |           |               | 3 | 1            | 0               | 4             | 11       |                |
|  | Urban and Rural Infrastructure | M              |                |        | M      | M        |           |           |               | 1 | 3            | 0               | 4             | 9        |                |
|  | Stewardship                    | M              |                | M      | M      | M        |           |           |               | 0 | 4            | 0               | 4             | 8        |                |
|  | Communications and Outreach    | M              |                |        |        | M        |           |           |               | 1 | 2            | 0               | 3             | 7        |                |
|  | Strategic Planning             |                |                |        |        |          |           |           |               | 2 | 0            | 0               | 2             | 6        |                |
|  | Strategic Planning             | M              |                |        | M      | M        |           |           |               | 0 | 3            | 0               | 3             | 6        |                |
|  | Communications and Outreach    | M              |                |        | M      | M        |           |           |               | 0 | 3            | 0               | 3             | 6        |                |
|  | Strategic Planning             |                |                |        | M      |          | M         |           |               | 0 | 2            | 0               | 2             | 4        |                |
|  | Research and Monitoring        |                |                |        |        |          |           |           |               | 1 | 0            | 0               | 1             | 3        |                |
|  | Research and Monitoring        |                |                |        |        |          |           |           |               | 1 | 0            | 0               | 1             | 3        |                |
|  | Strategic Planning             |                |                |        |        |          |           |           |               | 1 | 0            | 0               | 1             | 3        |                |
|  | Strategic Planning             |                |                |        |        |          |           |           |               | 1 | 0            | 0               | 1             | 3        |                |
|  | Communications and Outreach    |                |                |        |        |          |           |           |               | 1 | 0            | 0               | 1             | 3        |                |
|  | Stewardship                    |                |                |        |        |          |           |           |               | 1 | 0            | 0               | 1             | 3        |                |
|  | Strategic Planning             |                |                |        |        |          |           |           |               | 1 | 0            | 0               | 1             | 3        |                |
| Strategic Planning                     |                                |                |                |        |        |          |           |           | 1             | 0 | 0            | 1               | 3             |          |                |
| Stewardship                            |                                |                |                |        |        |          |           |           | 1             | 0 | 0            | 1               | 3             |          |                |
| Socioeconomic Valuation                | Research and Monitoring        | L              |                |        | L      | L        |           |           |               | 0 | 0            | 3               | 3             | 3        |                |
| Lake Dredging                          | Urban and Rural Infrastructure |                |                | M      |        |          |           |           |               | 0 | 1            | 0               | 1             | 2        |                |
| Regulation                             | Strategic Planning             |                |                | M      |        |          |           |           |               | 0 | 1            | 0               | 1             | 2        |                |
| Rural Landowner Stewardship Guide      | Stewardship                    |                |                | M      |        |          |           |           |               | 0 | 1            | 0               | 1             | 2        |                |

# Appendix B

## Program Descriptions

### Stream 1: Incentive Grant Program



# Incentive Grant Program

The Incentive Grant Program contains the following detailed projects:

1. Incentive Grant Program
  - a. Community Grant Program
  - b. Landowner Incentive Fund

|         |
|---------|
| Level 1 |
| Level 2 |
| Level 3 |

|                                | 2019          | 2020          | 2021          | 2022          | 2023          |
|--------------------------------|---------------|---------------|---------------|---------------|---------------|
| <b>Community Grant Program</b> |               |               |               |               |               |
| Municipal Contribution         | 15,500        | 15,500        | 36,500        | 36,500        | 36,500        |
| Grant Funding Leveraged        | 5,000         | 5,000         | 8,000         | 8,000         | 8,000         |
| In Kind Support Leveraged      | 10,000        | 10,000        | 25,000        | 25,000        | 25,000        |
| <b>Total Project Value</b>     | <b>30,500</b> | <b>30,500</b> | <b>69,500</b> | <b>69,500</b> | <b>69,500</b> |

|                                 | 2019           | 2020           | 2021           | 2022           | 2023           |
|---------------------------------|----------------|----------------|----------------|----------------|----------------|
| <b>Landowner Incentive fund</b> |                |                |                |                |                |
| Municipal Contribution          | 30,000         | 30,000         | 30,000         | 30,000         | 30,000         |
| Grant Funding Leveraged         | 45,000         | 45,000         | 45,000         | 45,000         | 45,000         |
| In Kind Support Leveraged       | 75,000         | 75,000         | 75,000         | 75,000         | 75,000         |
| <b>Total Project Value</b>      | <b>150,000</b> | <b>150,000</b> | <b>150,000</b> | <b>150,000</b> | <b>150,000</b> |

| <b>Combined Incentive Grant Program Budget</b> | 2019           | 2020           | 2021           | 2022           | 2023           |
|--|----------------|----------------|----------------|----------------|----------------|
| Municipal Contribution                         | 45,500         | 45,500         | 66,500         | 66,500         | 66,500         |
| Grant Funding Leveraged                        | 50,000         | 50,000         | 53,000         | 53,000         | 53,000         |
| In Kind Support Leveraged                      | 85,000         | 85,000         | 100,000        | 100,000        | 100,000        |
| <b>Total Project Value</b>                     | <b>180,500</b> | <b>180,500</b> | <b>219,500</b> | <b>219,500</b> | <b>219,500</b> |

## Community Grant Program

**Program Lead:** Kawartha Conservation

**Program Partners:** City of Kawartha Lakes, Private Foundations, Chamber of Commerce, Lake Association(s)

**Timeline:** Initial investment from 2019 – 2023. It is recommended that this program start small to build momentum and capacity within the community

**Recommended Funding Level:** Level 1 for 2019 – 2020  
Level 2 for 2021-2023

The implementation of all the recommendations within the Lake Management Plans is too much for any single organization to take on. Grassroots organizations play a unique role within our community and they have an exceptional ability to get things done at the local level. Recognizing that these organizations have their own priorities, and capacity challenges, the Community Grant program will provide support to local groups so that they are empowered to take action towards implementing the Lake Management Plan recommendations.

With an investment from the Municipality, Kawartha Conservation will work with other agencies to leverage the funding towards implementing projects that will have a positive impact on the water



Above is a community planting event that could be supported through the Community Grant Program.

quality in our lakes. In addition, KRCA will work with the grassroots organizations to identify other funding sources for the projects and programs they are looking to deliver. The Community Grant Program will provide community groups with the tools and support to have a greater impact on the landscape.

This Program allows for individual groups to identify projects that are meaningful to them and their communities, while also directly implementing the recommendations set out by the Lake Management

Plans.

A committee will be established to review all project applications and to make recommendations on funding levels. Representation on this committee will include individuals from the Community Advisory Panel, the City of Kawartha Lakes, the Agricultural Community, CLEAC, Lake Associations and others. The committee will be able to identify priority projects each year and promote them throughout the City of Kawartha Lakes so that local groups can be engaged and active on the landscape.



The Community Grant Program supports community led initiatives such as:

| <b>Level 1</b>  | <b>Level 2</b>  | <b>Level 3</b>  |
|---|---|---|
| <ul style="list-style-type: none"> <li>✓ Community planting projects</li> <li>✓ Aquatic plant management</li> <li>✓ Shoreline studies</li> <li>✓ Community engagement projects</li> <li>✓ Workshops/ Conferences</li> <li>✓ Other LMP Recommended Actions</li> <li>✓ <b>\$10,000 in Grants available</b></li> </ul> | <ul style="list-style-type: none"> <li>✓ Community planting projects</li> <li>✓ Aquatic plant management</li> <li>✓ Shoreline studies</li> <li>✓ Community engagement projects</li> <li>✓ Workshops/ Conferences</li> <li>✓ Other LMP Recommended Actions</li> <li>✓ <b>\$25,000 in Grants available</b></li> </ul> | <ul style="list-style-type: none"> <li>✓ Community planting projects</li> <li>✓ Aquatic plant management</li> <li>✓ Shoreline studies</li> <li>✓ Community engagement projects</li> <li>✓ Workshops/ Conferences</li> <li>✓ Other LMP Recommended Actions</li> <li>✓ <b>\$40,000 in Grants available</b></li> </ul> |
| <b>Municipal funding:</b> \$15,500<br><b>Financial contribution:</b> \$5,000<br><b>In-Kind:</b> \$10,000<br><b>Total Value:</b> \$30,500<br><b>ROI:</b> 97%   | <b>Municipal funding:</b> \$36,500<br><b>Financial Contribution:</b> \$ 8,000<br><b>In-Kind:</b> \$25,000<br><b>Total Value:</b> \$69,500<br><b>ROI:</b> 91%  | <b>Municipal funding:</b> \$82,900<br><b>Financial Contribution:</b> \$15,000<br><b>In-Kind:</b> \$30,000<br><b>Total Value:</b> \$97,900<br><b>ROI:</b> 54%  |

The Community Grant program provides suggestions as to the types of projects that could receive funding while leaving room for the creativity of individual groups. The guiding principle is that the projects should address the priority actions as recommended in the Lake Management Plans. Individual project level funding and the number of projects will vary depending on the level of funding available. While all projects will be considered, the caps per project will vary from one level of programming to the next.

The Task Force recommends building this program over the five year period to build community capacity and interest. Starting at the Level 1 program will build momentum gradually and ensure that the program demonstrates success from the start. The consequences of not growing the capacity of the program over the first five years include a lack of community participation and a reduced ability to implement larger and more sophisticated projects.

*Preferred program levels are highlighted in blue boxes. When multiple levels are highlighted it indicates varying levels of implementation over the 5-year period.*

*Text in bold represents unique activities between the levels.*

## Landowner Incentive Fund

**Program Lead:** Kawartha Conservation

**Program Partners:** City of Kawartha Lakes, OMAFRA, Ministry of Natural Resources and Forestry, Private Landowners, Fisheries and Oceans Canada

**Timeline:** Initial investment from 2019 - 2023

**Recommended Funding Level:** Level 2 for 2019 - 2023



The Landowner Incentive Fund will support projects like this Kawartha Farm Stewardship Project which divert runoff from livestock areas, protecting and improving surface water quality.

Much of the land base in the City of Kawartha Lakes is privately owned. Managing that private property can be challenging and the stewardship programs are designed to provide landowners with advice, guidance, and support to help them make the best decisions for themselves and for the rest of the community. The actions we take on private property affect the overall health and wellbeing of our community's shared water resources. Over the past few years, Kawartha Conservation has been building relationships with OMAFRA and other provincial agencies to help provide incentive funding to landowners in the Kawartha Lakes. This funding, matched by individual landowners, has led to the implementation of

significant projects that have helped improve water quality in our community. Details on the success of the Kawartha Farmland Stewardship program can be found in Appendix D. This funding, however, is only available to small sections of our community based on funding priorities within the province.

The Incentive Program will provide seed money to landowners who want to implement projects that will have a beneficial impact on our collective water quality. The Incentive Program is designed to inspire further investment from other Agencies and private landowners. It will help move landowners toward wise land stewardship practices that will have a greater impact on the landscape. Incentive funding continues to be a valuable tool to empowering landowners to make significant changes to the way their properties are managed.

A committee will be established to review all project applications and to make recommendations on funding levels. Representation on this committee will include individuals from the Community Advisory Panel, the City of Kawartha Lakes, the Agricultural Community, CLEAC, Lake Associations and others.



The Landowner Incentive Fund supports landowner led projects such as:

| <b>Level 1</b>   | <b>Level 2</b>  | <b>Level 3</b>   |
|--|---|--|
| <ul style="list-style-type: none"> <li>✓ Shoreline planting projects</li> <li>✓ Agricultural BMP's <ul style="list-style-type: none"> <li>○ Well decommissioning</li> <li>○ Exclusion fencing</li> <li>○ Riparian area planning</li> <li>○ Alternate watering systems</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>✓ Shoreline planting projects</li> <li>✓ Agricultural BMP's <ul style="list-style-type: none"> <li>○ <b>Manure storage</b></li> <li>○ Well decommissioning</li> <li>○ Exclusion fencing</li> <li>○ Riparian area planning</li> <li>○ Alternate watering systems</li> </ul> </li> <li>✓ <b>Septic upgrade grants</b></li> <li>✓ <b>Rainwater harvesting</b></li> <li>✓ <b>Low Impact Development solutions</b></li> </ul> | <ul style="list-style-type: none"> <li>✓ Shoreline planting projects</li> <li>✓ Agricultural BMP's <ul style="list-style-type: none"> <li>○ Manure storage</li> <li>○ Well decommissioning</li> <li>○ Exclusion fencing</li> <li>○ Riparian area planning</li> <li>○ Alternate watering systems</li> </ul> </li> <li>✓ Septic upgrade grants</li> <li>✓ Rainwater harvesting</li> <li>✓ Low Impact Development solutions</li> <li>✓ <b>LID retrofits (businesses)</b></li> <li>✓ <b>Decommissioning hardened shorelines</b></li> </ul> |
| <b>Municipal funding:</b> \$20,000<br><b>Grant funding:</b> \$30,000<br><b>In-Kind:</b> \$50,000<br><b>Total Value:</b> \$100,000<br><b>ROI:</b> 400%  | <b>Municipal funding:</b> \$30,000<br><b>Grant funding:</b> \$45,000<br><b>In-Kind:</b> \$75,000<br><b>Total Value:</b> \$150,000<br><b>ROI:</b> 400%   | <b>Municipal funding:</b> \$50,000<br><b>Grant funding:</b> \$60,000<br><b>In-Kind:</b> \$110,000<br><b>Total Value:</b> \$220,000<br><b>ROI:</b> 340%   |

The Task Force recommends the Level 2 funding for this program. To reduce the level of support will result in limited projects being implemented. While specific funding streams will be determined by the advisory committee, the levels of funding or the number of projects will decrease significantly with a lower level of funding. With level 2 funding it is estimated that 38 improvement projects could be completed compared to 25 with the Level 1 funding.

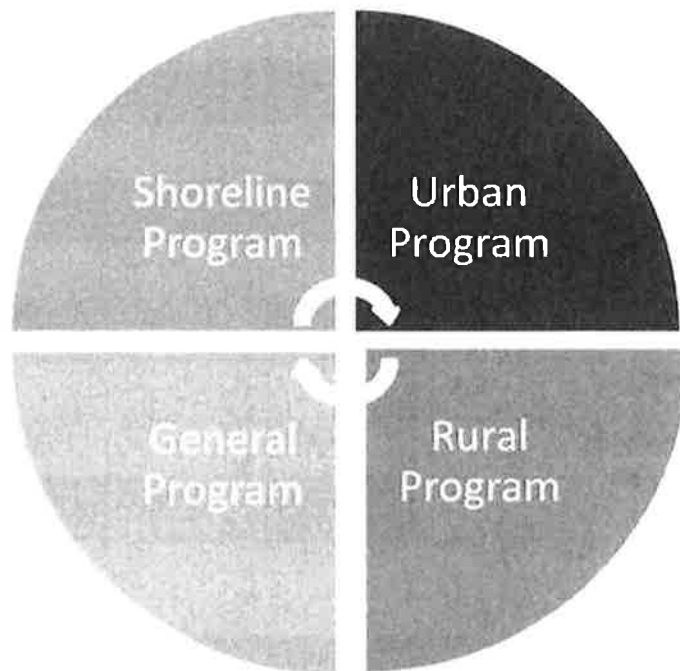
*Preferred program levels are highlighted in blue boxes. When multiple levels are highlighted it indicates varying levels of implementation over the 5-year period.*

*Text in bold represents unique activities between the levels.*



## Program Descriptions

### Stream 2: Kawartha Conservation



# General Program

The General Program contains the following detailed projects:

1. General Program
  - a. Implementation Oversight & Coordination
2. General Policy and Legislation
  - a. Sediment and Erosion Control Planning

|         |
|---------|
| Level 1 |
| Level 2 |
| Level 3 |

|  | 2019          | 2020          | 2021          | 2022           | 2023           |
|--|---------------|---------------|---------------|----------------|----------------|
| <b>Implementation Oversight &amp; Coordination</b> |               |               |               |                |                |
| Municipal Contribution                             | 65,700        | 65,700        | 65,700        | 88,700         | 88,700         |
| Grant Funding Leveraged                            |               |               |               |                |                |
| In Kind Support Leveraged                          | 10,500        | 10,500        | 10,500        | 19,400         | 19,400         |
| <b>Total Project Value</b>                         | <b>76,200</b> | <b>76,200</b> | <b>76,200</b> | <b>108,100</b> | <b>108,100</b> |

|   | 2019          | 2020          | 2021          | 2022          | 2023          |
|---|---------------|---------------|---------------|---------------|---------------|
| <b>Sedimentation &amp; Erosion Control Planning</b> |               |               |               |               |               |
| Municipal Contribution                              | 33,300        | 21,400        | 33,300        | 21,400        | 33,300        |
| Grant Funding Leveraged                             |               |               |               |               |               |
| In Kind Support Leveraged                           | 3,500         |               | 3,500         |               | 3,500         |
| <b>Total Project Value</b>                          | <b>36,800</b> | <b>21,400</b> | <b>36,800</b> | <b>21,400</b> | <b>36,800</b> |

| <b>Combined General Budget</b>   | 2019           | 2020          | 2021           | 2022           | 2023           |
|----------------------------------|----------------|---------------|----------------|----------------|----------------|
| <b>Municipal Contribution</b>    | <b>99,000</b>  | <b>87,100</b> | <b>99,000</b>  | <b>110,100</b> | <b>122,000</b> |
| <b>Grant Funding Leveraged</b>   |                |               |                |                |                |
| <b>In Kind Support Leveraged</b> | <b>14,000</b>  | <b>10,500</b> | <b>14,000</b>  | <b>19,400</b>  | <b>22,900</b>  |
| <b>Total Project Value</b>       | <b>113,000</b> | <b>97,600</b> | <b>113,000</b> | <b>129,500</b> | <b>144,900</b> |

## Implementation Oversight & Coordination

**Program Lead:** Kawartha Conservation

**Program Partners:** Community Advisory Committee, Science & Technical Committee, Trent Severn Waterway, Ministry of Natural Resources and Forestry, Ministry of the Environment, City of Kawartha Lakes, First Nations, Lake Associations, Community groups, Academia.

**Timeline:** This is a multi-year project proposal to communicate with external stakeholders and enhance partnership opportunities to assist in various aspects of the implementation plan

**Recommended Funding Level:** Level 2 for 2019–2021,  
Level 3 for 2022–2023

All management decisions, as well as remedial and restorative actions, depend on sound scientific data and knowledge. A key component of this project is collaboration among groups and institutions already active on the lake. There is great value in using the expertise of local community members, volunteers, and citizen scientists. We promote the sharing of local, traditional and scientific knowledge and expertise.

This program will ensure that collaboration will continue between multiple partners at various levels to ensure that projects and programs within partner agencies include actions recommended within the Lake Management Plans. The need for this type of program is highlighted by Stewardship Summit held in 2017. Details on the success of this program are outlined in Appendix D.

Projects such as the remediation of the Bobcaygeon dam are outside the control and jurisdiction of Kawartha Conservation. It is, however, recognized that this type of project is of significant interest to the community and may pose a benefit towards water quality and habitat. The program proposed here will enable Kawartha Conservation to raise the profile of these types of projects and develop partnerships to address them. In addition, this program will ensure the overall coordination of all programs and projects administered by Kawartha Conservation, Community Groups, and Municipal and Agency Partners.

Many people have a stake in the implementation of the Lake Management Plans. They are grouped into target audiences by the different forms of communication and outreach required for implementing the plan. Audience groups include shoreline property owners, lake associations, road monitors, First Nations communities, agricultural and rural landowners, urban residents, businesses, tourists and other visitors, municipal councillors and staff, agencies and related organizations, developers, funders, and Kawartha Conservation staff and Board of Directors.



Bobcaygeon Dam – working with agencies to determine if alternate designs will improve fish habitat (walleye spawning)

### Level 1

- ✓ Coordinate regular meetings of the CAP and other advisory groups
- ✓ Address issues as they arise from partners and community groups
- ✓ Coordinate implementation projects at KRCA

|                     |                 |
|---------------------|-----------------|
| Municipal funding:  | \$29,500        |
| Grant funding:      | \$0             |
| In-Kind:            | \$6,000         |
| <b>Total Value:</b> | <b>\$35,500</b> |
| <b>ROI:</b>         | <b>20%</b>      |

### Level 2

- ✓ Coordinate regular meeting of the CAP, Science and Technical Committee and other advisory groups
- ✓ **Actively work with community groups to continue to address issues connected with water quality and habitat.**
- ✓ Coordinate the implementation and reporting on implementation projects involving KRCA, partner groups and agencies.
- ✓ **Develop inter-agency partnerships to raise the profile of the Implementation Action Plan**
- ✓ **Attendance & presentation at Annual General Meetings of community groups**
- ✓ **Disseminating scientific & technical information through various means (e.g. publications, Science forum, website, social media)**

|                     |                 |
|---------------------|-----------------|
| Municipal funding:  | \$65,700        |
| Grant funding:      |                 |
| In-Kind:            | \$10,500        |
| <b>Total Value:</b> | <b>\$76,200</b> |
| <b>ROI:</b>         | <b>16%</b>      |

### Level 3

- ✓ Coordinate regular meeting of the CAP, Science and Technical Committee and other advisory groups
- ✓ Actively work with community groups to continue to address issues connected with water quality and habitat.
- ✓ Coordinate the implementation and reporting on implementation projects involving KRCA, partner groups and agencies.
- ✓ Develop inter-agency partnerships to raise the profile of the Implementation Action Plan
- ✓ Attendance & presentation at Annual General Meetings of community groups
- ✓ Disseminating scientific & technical information through various means (e.g. publications, Science forum, website, social media)
- ✓ **Liaise with community groups and organizations to build community leadership and capacity.**
- ✓ **Organize & facilitate multi-partner public forums and information sessions on topics of interest.**

|                     |                  |
|---------------------|------------------|
| Municipal funding:  | \$88,700         |
| Grant funding:      | \$0              |
| In-Kind:            | \$19,400         |
| <b>Total Value:</b> | <b>\$108,100</b> |
| <b>ROI:</b>         | <b>22%</b>       |

The Task Force recommends Level 2 for this project because it allows for integration and coordination across agencies and community groups. This level is proactive and creates opportunities to collaborate with other agencies that have jurisdiction over the lakes. In 2022 it is recommended to increase the program to the Level 3 to begin building capacity and leadership within community organizations. This will build the overall capacity to implement the plan through multiple organizations and agencies. The level 1 program is not recommended because it is reactionary and less coordinated.

*Preferred program levels are highlighted in blue boxes. When multiple levels are highlighted it indicates varying levels of implementation over the 5-year period.*

*Text in bold represents unique activities between the levels.*

# Sediment and Erosion Control Planning

**Program Lead:** Kawartha Conservation, Fleming College

**Program Partners:** City of Kawartha Lakes, Development Industry, Fisheries and Oceans Canada

**Timeline:** This is a 5-year project proposal, with annual deliverables. This project builds on the 2018 CKL Lake Plan Implementation Urban and Rural Infrastructure work plan.

**Recommended Funding Level:** Level 2 for 2019, 2021, 2023  
Level 1 for 2020, 2022

Release of materials from construction/development sites to local watercourses can have significant long-term impacts, including filling in shallow areas, smothering fish habitat, water pollution, and poor aesthetics, among others. As such, better erosion and sediment control management is a priority



Effective sedimentation and erosion control measures protect surface water and our infrastructure. Working with the municipality and the construction industry will reduce the risk to our waterways.

recommendation in all Lake, Watershed, and Stormwater Management Plans to address this significant threat to the health of local lakes and connecting waters.

Responsible and ongoing development is a priority the Municipality, and sediment and erosion control planning is a required part of this process. Effective erosion and sediment control planning between municipalities, contractors, conservation authorities, and other construction partners reduces construction delays and protects the local environment.

This is a five-year proposal that requires ongoing collaboration among technical and planning staff at the conservation authority, public works and site inspection staff at the municipality, and a proposal

for a program involving faculty and students at the Heavy Equipment Operators program at Fleming College.

The purpose of this project is to increase local expertise and application of erosion and sediment control standards when reviewing, undertaking, and inspecting development and site alteration projects. Training and expert resource materials will be learned, provided to, and shared among staff at municipalities, Kawartha Conservation, local contractors, and the Heavy Equipment Operator's course at Fleming College.



### Level 1

- ✓ Enhanced staff expertise including certification by CISEC (Certificated Inspector of Sediment and Erosion Control).
- ✓ Attendance at TRIECA (industry conference among subject experts).
- ✓ Coordinated site visits to local construction sites.

|                           |                 |
|---------------------------|-----------------|
| <b>Municipal funding:</b> | <b>\$21,400</b> |
| Grant funding:            | \$0             |
| In-Kind:                  | \$0             |
| <b>Total Value:</b>       | <b>\$21,400</b> |
| <b>ROI:</b>               | <b>0%</b>       |

### Level 2

- ✓ Enhanced staff including certification by CISEC (Certificated Inspector of Sediment and Erosion Control).
- ✓ Attendance at TRIECA (industry conference among subject experts).
- ✓ Coordinated site visits to local construction sites.
- ✓ **Organize an annual workshop, in partnership with local experts and contractors.**
- ✓ **Create and distribute factsheets, and other relevant field-reference information.**

|                           |                 |
|---------------------------|-----------------|
| <b>Municipal funding:</b> | <b>\$33,300</b> |
| Grant funding:            | \$0             |
| In-Kind:                  | \$3,500         |
| <b>Total Value:</b>       | <b>\$36,800</b> |
| <b>ROI:</b>               | <b>11%</b>      |

### Level 3

- ✓ Enhanced staff expertise in erosion and sediment control planning, including certification by CISEC (Certificated Inspector of Sediment and Erosion Control).
- ✓ Attendance at TRIECA (industry conference among subject experts).
- ✓ Coordinated site visits to local construction sites.
- ✓ Organize an annual workshop, in partnership with local experts and contractors.
- ✓ Create and distribute factsheets, and other relevant field-reference information.
- ✓ **Work with Fleming College to initiate an extracurricular course on Erosion and Sediment Control Techniques to offer certification opportunities/courses for contractors and equipment operators.**
- ✓ **Work with Heavy Equipment Operators Course at Fleming College to introduce erosion and sediment control techniques in their curriculum.**

|                           |                 |
|---------------------------|-----------------|
| <b>Municipal funding:</b> | <b>\$42,700</b> |
| Grant funding:            | \$3,500         |
| In-Kind:                  | \$25,000*       |
| <b>Total Value:</b>       | <b>\$71,200</b> |
| <b>ROI:</b>               | <b>67%</b>      |

\* Level 3 grant is an Education Grant to develop the program with Fleming College and is only a potential for the last 4 years of the project.

The Task Force recommends alternating between Level 1 and Level 2 as it will include multiple information transfer opportunities which will support improved service on-the-ground. Reducing the level of support will result in a limited transfer of knowledge which could result in duplication of effort and missed opportunities for effective erosion control measures.

*Preferred program levels are highlighted in blue boxes. When multiple levels are highlighted it indicates varying levels of implementation over the 5-year period.*

*Text in bold represents unique activities between the levels.*

# Rural Program

The Rural Program contains the following detailed projects:

1. Rural Stewardship
  - a. Agricultural Stewardship
  - b. Rural Residential Stewardship
2. Rural Monitoring and Research
  - a. Investigative Upstream Monitoring

|         |
|---------|
| Level 1 |
| Level 2 |
| Level 3 |

|                                 |                            | 2019          | 2020          | 2021           | 2022          | 2023          |
|---------------------------------|----------------------------|---------------|---------------|----------------|---------------|---------------|
| <b>Agricultural Stewardship</b> |                            |               |               |                |               |               |
|                                 | Municipal Contribution     | 27,900        | 27,900        | 55,800         | 27,900        | 27,900        |
|                                 | Grant Funding Leveraged    | 5,500         | 5,500         | 80,000         | 5,500         | 5,500         |
|                                 | In Kind Support Leveraged  | 1,300         | 1,300         | 2,100          | 1,300         | 1,300         |
|                                 | <b>Total Project Value</b> | <b>34,700</b> | <b>34,700</b> | <b>137,900</b> | <b>34,700</b> | <b>34,700</b> |

|                                      |                            | 2019 | 2020 | 2021          | 2022          | 2023          |
|--------------------------------------|----------------------------|------|------|---------------|---------------|---------------|
| <b>Rural Residential Stewardship</b> |                            |      |      |               |               |               |
|                                      | Municipal Contribution     |      |      | 38,400        | 38,400        | 38,400        |
|                                      | Grant Funding Leveraged    |      |      | 30,000        | 30,000        | 30,000        |
|                                      | In Kind Support Leveraged  |      |      | 1,400         | 1,400         | 1,400         |
|                                      | <b>Total Project Value</b> |      |      | <b>69,800</b> | <b>69,800</b> | <b>69,800</b> |

|  |                            | 2019          | 2020          | 2021          | 2022          | 2023          |
|--|----------------------------|---------------|---------------|---------------|---------------|---------------|
| <b>Investigative Upstream Monitoring</b> |                            |               |               |               |               |               |
|  | Municipal Contribution     | 34,700        | 34,700        | 34,700        | 44,400        | 34,700        |
|  | Grant Funding Leveraged    |               |               |               |               |               |
|  | In Kind Support Leveraged  |               |               |               |               |               |
|  | <b>Total Project Value</b> | <b>34,700</b> | <b>34,700</b> | <b>34,700</b> | <b>44,400</b> | <b>34,700</b> |



| Combined Rural Budget |                                  | 2019          | 2020          | 2021           | 2022           | 2023           |
|-----------------------|----------------------------------|---------------|---------------|----------------|----------------|----------------|
|                       | <b>Municipal Contribution</b>    | <b>62,600</b> | <b>62,600</b> | <b>128,900</b> | <b>110,700</b> | <b>101,000</b> |
|                       | <b>Grant Funding Leveraged</b>   | <b>5,500</b>  | <b>5,500</b>  | <b>110,000</b> | <b>35,500</b>  | <b>35,500</b>  |
|                       | <b>In Kind Support Leveraged</b> | <b>1,300</b>  | <b>1,300</b>  | <b>3,500</b>   | <b>2,700</b>   | <b>2,700</b>   |
|                       | <b>Total Project Value</b>       | <b>69,400</b> | <b>69,400</b> | <b>242,400</b> | <b>148,900</b> | <b>139,200</b> |





# Agricultural Stewardship

**Program Lead:** Kawartha Conservation

**Program Partners:** City of Kawartha Lakes, , OMAFRA, Kawartha Lakes Country Living Show, Kawartha Land Trust, East Central Farm Stewardship Collaborative, OSCIA, OFA, Commodity Groups

**Timeline:** This program should continue for the full 5 years (2018-2022)

**Recommended Funding Level:** Level 2 for 2019-2020 and 2022-2023, Level 3 for 2021

Farmland makes up nearly 50% of the Kawartha watershed, and is particularly important in sustaining our rural communities, with agriculture and healthy lakes being the two pillars of our vibrant local



Example of exclusion fencing and riparian planting recommendations made during a site visit as part of our early implementation projects (Appendix D).

economy. Farms can have significant impact and benefits on watershed health. Land management decisions can make a big difference. Soil management and lake management have the same goals – keep the nutrients and soil particles on the land and out of the water.

Our agricultural stewardship programs provide a range of technical services and incentives to assist farmers in practicing beneficial farmland management to improve groundwater and surface water quality, and help to meet Lake Management Plan targets. Programs are geared to meet the needs of various agricultural commodity groups within the City of Kawartha Lakes. They focus

on priority actions such as managing soil loss by increasing natural cover, reducing agricultural runoff, enhancing riparian areas, and protecting sensitive areas from livestock damage.

The proposed program builds on the success of the Kawartha Farmland Stewardship Program highlighted in Appendix D. This program has leveraged significant support from external agencies and the Agricultural community. Programming includes outreach at agricultural commodity group meetings, as well as the delivery of an annual farm stewardship conference which brings speakers with new ideas from outside of the community as while providing a forum for local champions to share their success stories and lessons learned. A soil health and water quality innovation pilot project attracts investment from outside of the community. A pilot project will increase local knowledge of innovation with impacts to soil and water on the farm and to the watershed.



This program also facilitates ongoing participation with the East Central Farm Stewardship Collaborative. This is a local collaborative of 15 organizations that provide resources for farmers to implement farm stewardship projects. Participation provides opportunities to combine resources with partners and stack incentive funding to increase individual project values.

|  |  |   |
|--|--|---|
| <p><b>Level 1</b></p> <ul style="list-style-type: none"> <li>✓ Presentations at (4) agricultural commodity group meetings</li> <li>✓ On-Farm consultation to facilitate the implementation of best management practices</li> <li>✓ Participation in the East Central Farm Stewardship Collaborative</li> </ul> <p> <b>Municipal funding:</b> \$13,400<br/> <b>Grant funding:</b> \$0<br/> <b>In-Kind:</b> \$700<br/> <b>Total Value:</b> \$14,100<br/> <b>ROI:</b> 5% </p> | <p><b>Level 2</b></p> <ul style="list-style-type: none"> <li>✓ <b>Presentations at (7) agricultural commodity group meetings</b></li> <li>✓ On-Farm consultation to facilitate the implementation of best management practices</li> <li>✓ Participation in the East Central Farm Stewardship Collaborative</li> <li>✓ <b>Deliver an Agricultural Stewardship Conference</b></li> <li>✓ <b>Highlight new technologies available to landowners</b></li> </ul> <p> <b>Municipal funding:</b> \$27,900<br/> <b>Grant funding:</b> \$5,500<br/> <b>In-Kind:</b> \$1,300<br/> <b>Total Value:</b> \$34,700<br/> <b>ROI:</b> 24% </p> | <p><b>Level 3</b></p> <ul style="list-style-type: none"> <li>✓ Presentations at (7) agricultural commodity group meetings</li> <li>✓ On-Farm consultation to facilitate the implementation of best management practices</li> <li>✓ Participation in the East Central Farm Stewardship Collaborative</li> <li>✓ Deliver an Agricultural Stewardship Conference</li> <li>✓ Highlight new technologies available to landowners</li> <li>✓ <b>Implementation of a Soil Health and Water Quality Innovation Pilot Project</b></li> </ul> <p> <b>Municipal funding:</b> \$55,800<br/> <b>Grant funding:</b> \$80,000<br/> <b>In-Kind:</b> \$2,100<br/> <b>Total Value:</b> \$137,900<br/> <b>ROI:</b> 147% </p> |
|--|--|---|

The Task Force recommends a baseline of Level 2 program with an increase in service to Level 3 for one year. This level of programming will support our agricultural sector to implement BMPs and protect our water while also showcasing new technologies. The City of Kawartha Lakes has a significant and well respected agricultural community. By developing these relationships and working together towards a healthier lake system, we are better able to affect change on the landscape. Reducing the level of activity will make this relationship building more difficult and will impact the number of in-the-ground projects we can accomplish.

*Preferred program levels are highlighted in blue boxes. When multiple levels are highlighted it indicates varying levels of implementation over the 5-year period.*

*Text in bold represents unique activities between the levels.*

## Rural Residential Stewardship

**Program Lead:** Kawartha Conservation

**Program Partners:** City of Kawartha Lakes, Real Estate Board, Ontario Woodlot Association, Forests Ontario, MNRF, Kawartha Lakes Country Living Show, Kawartha Land Trust, Kawarthas Naturally Connected

**Timeline:** This program should be developed for implementation starting in 2021

**Recommended Funding Level:** Level 2 for 2021-2023

Rural landowners have a unique opportunity to impact their watershed's health simply because they often own and manage large areas (e.g. 10-100 acres), which are home to valuable ecosystem features which protect our water resources and overall health. For example, private rural properties often include significant forested lands, wetlands, streams, pollinator habitat. It is imperative that these features are maintained in proper functioning order.

The private landowners who make management decisions about these features come from varying backgrounds and knowledge sets. For example, some rural landowners have lived their entire life in the country and have a strong understanding of rural land management principles, while others have relocated from an urban area and have not yet developed the skills and knowledge required for rural land management. Rural land management can be complex and complicated, and as our climate changes the level of complexity increases. For example extreme weather conditions, increasing



populations of forest pests and invasive species all pose new challenges for rural land managers.

Example of a tree planting project based on site visit recommendations

The goal of the rural stewardship program is to provide tools and resources for rural landowners to help them protect and enhance the quality of the watershed, while saving themselves money, time and effort when managing their land.

Resources provided include on-site landowner consultations, self-assessment workshops, trees for planting along rural roads, and support for invasive species management (workshops, inventories and recommendations).



|  |  |   |
|--|--|---|
| <p><b>Level 1</b></p> <ul style="list-style-type: none"> <li>✓ 4 rural land management workshops</li> <li>✓ 5 consults and stewardship action plans created for private lands</li> </ul> | <p><b>Level 2</b></p> <ul style="list-style-type: none"> <li>✓ 6 rural land management workshop</li> <li>✓ 10 consults and stewardship action plans created for private lands</li> <li>✓ Administration of cost sharing program improvement project (LSHRP etc.)</li> <li>✓ 4 invasive species management workshops</li> <li>✓ Trees for Rural Roads 20 sites</li> </ul> | <p><b>Level 3</b></p> <ul style="list-style-type: none"> <li>✓ 6 rural land management workshop</li> <li>✓ 15 consults and stewardship action plans created for private lands</li> <li>✓ Administration of cost sharing program improvement project (LSHRP etc.)</li> <li>✓ 4 invasive species management workshops</li> <li>✓ Trees for Rural Roads 30 sites</li> <li>✓ 10 private land invasive species inventories and management recommendations</li> </ul> |
| <p><b>Municipal funding:</b> \$15,200</p> <p><b>Grant funding:</b> \$0</p> <p><b>In-Kind:</b> \$0</p> <p><b>Total Value:</b> \$15,200</p> <p><b>ROI:</b> 0%</p>                          | <p><b>Municipal funding:</b> \$38,400</p> <p><b>Grant funding:</b> \$30,000</p> <p><b>In-Kind:</b> \$1,400</p> <p><b>Total Value:</b> \$69,800</p> <p><b>ROI:</b> 82%</p>  | <p><b>Municipal funding:</b> \$64,400</p> <p><b>Grant funding:</b> \$46,000</p> <p><b>In-Kind:</b> \$2,100</p> <p><b>Total Value:</b> \$112,500</p> <p><b>ROI:</b> 75%</p>  |

This program is being piloted in Durham Region in 2018 and 2019. As such, the Task Force recommends beginning implementation in 2020 at Level 2. The recommended delivery level will provide support to private landowners, leading to improved and maintained ecosystem function on large rural lots. Reducing to the next level of delivery will decrease the level of landowner interaction, exclude invasive species and trees for rural roads programming.

*Preferred program levels are highlighted in blue boxes. When multiple levels are highlighted it indicates varying levels of implementation over the 5-year period.*

*Text in bold represents unique activities between the levels.*

## Investigative Upstream Monitoring

**Program Lead:** Kawartha Conservation

**Program Partners:** Fleming College - **Best option only-water chemistry sampling**

**Timeline:** This is a multi-year project proposal to determine 'hot spots' (areas of water quality degradation) along streams identified in the completed lake management plans.

**Recommended Funding Level:** Level 2 for 2019 - 2023

While our water quality in Kawartha Lakes is generally good, there are areas where we need to take action to improve the quality of our surface water. Many of our shoreline property owners take their drinking water directly out of our lakes. These lakes are fed by many small streams and larger rivers which is why it is important to protect the water that runs into them. The Lake Management Planning process helped to identify which streams entering our lakes have high concentrations of nutrients. Poor quality water in our streams and rivers increases the potential for blue green algal blooms, risks to human health, the increase in aquatic plant growth, and the degradation of fish spawning areas.

Investigative monitoring focuses on these streams and rivers and helps to identify areas where nutrients and contaminants are entering our surface water. Knowing the point source of these nutrients will help us to design and implement stewardship restoration projects to address the nutrient loading at these sites. Previous success with this program is outlined in Appendix D and highlights the impact that this program has on focusing in-the-ground projects. This level of monitoring will help to focus the implementation of stewardship projects so that they have the greatest impact on our water quality.



Rivers and streams run across the land and into our lakes. Monitoring these streams will identify key areas where nutrients are entering our waterways.

The intention of the Investigative Upstream Monitoring Program is to reduce the data gaps by performing more comprehensive water quality & quantity data collection (more sites on one stream) over a three year period, in order to identify areas of water quality degradation and plan for remediation or restoration efforts through our stewardship department. Ten streams have been identified as high priority streams which are in need of further investigative monitoring. This monitoring project will continue past the current five year planning scope by changing streams on a rotating planning cycle of 3 years with reporting in the 4<sup>th</sup> year.



| <b>Level 1</b>  | <b>Level 2</b>   | <b>Level 3</b>  |
|---|--|---|
| <ul style="list-style-type: none"> <li>✓ 3 year monitoring period</li> <li>✓ 3 stream (7 sites based on average road crossings)</li> <li>✓ 2 high flows (2 Spring) and 2 low flows (1 summer, 1 fall) - 4 sampling events</li> <li>✓ Flow data collected simultaneously -Ontario Stream Assessment Protocol</li> <li>✓ Water chemistry sampling 4 x a year</li> <li>✓ Parameters include: nutrients (phosphorus &amp; nitrogen, total suspended solids)</li> <li>✓ Produce summary report including recommendations for stewardship prioritization projects.</li> </ul> | <ul style="list-style-type: none"> <li>✓ 3 year monitoring period</li> <li>✓ 3 streams (21 sites based on road crossings )</li> <li>✓ 4 high flows (4 Spring) and 4 low flows (2 summer, 2 fall) - 8 sampling events</li> <li>✓ Flow data collected simultaneously -Ontario Stream Assessment Protocol</li> <li>✓ Water chemistry sampling 8 time a year</li> <li>✓ Parameters include: nutrients (phosphorus &amp; nitrogen, total suspended solids, chloride- proxy for road salt)</li> <li>✓ Produce summary report including recommendations for stewardship prioritization projects.</li> </ul> | <ul style="list-style-type: none"> <li>✓ 3 year monitoring period</li> <li>✓ 3 streams (21 sites based on road crossings )</li> <li>✓ Installation of fixed, continuous flow loggers deployed on all streams (3 per stream).</li> <li>✓ Develop rating curve for each stream</li> <li>✓ Install staff gauge</li> <li>✓ bi weekly water chemistry sampling (wet &amp; dry events- year round including winter sampling-26 times a year)</li> <li>✓ Produce summary report including recommendations for stewardship prioritization projects.</li> <li>✓ Produce journal article(s).</li> </ul> |
| <b>Municipal funding: \$17,300</b><br>Grant funding: \$0<br>In-Kind: \$0<br><b>Total Value: \$17,300*</b><br><b>ROI: 0%</b>   | <b>Municipal funding: \$34,700</b><br>Grant funding: \$0<br>In-Kind: \$0<br><b>Total Value: \$34,700*</b><br><b>ROI: 0%</b>  | <b>Municipal funding: \$146,500</b><br>Grant funding: \$0<br>In-Kind: \$0<br><b>Total Value: \$146,500*</b><br><b>ROI: 0%</b>   |

\*The 4<sup>th</sup> year budget increases slightly due to additional reporting requirements.

The Task Force recommends Level 2 programming as this meets the objectives of identifying upstream hot spots with scientific rigor which will provide stewardship prioritization for remedial action. The consequence of reducing the program has implications that due to fewer samples and the identification of stewardship actions will become less targeted.

*Preferred program levels are highlighted in blue boxes. When multiple levels are highlighted it indicates varying levels of implementation over the 5-year period.*

*Text in bold represents unique activities between the levels.*

# Shoreline Program

The Shoreline Program contains the following detailed projects:

1. Shoreline Stewardship
  - a. Aquatic Plant Control
  - b. Shoreline Stewardship
2. Shoreline Policy / Legislation
  - a. Shoreline Planning and Policy Background
3. Shoreline Monitoring / Research
  - a. Near Shore Monitoring

|         |
|---------|
| Level 1 |
| Level 2 |
| Level 3 |

|                              |                            | 2019          | 2020          | 2021          | 2022          | 2023 |
|------------------------------|----------------------------|---------------|---------------|---------------|---------------|------|
| <b>Aquatic Plant Control</b> |                            |               |               |               |               |      |
|                              | Municipal Contribution     | 18,900        | 18,900        | 18,900        | 19,300        |      |
|                              | Grant Funding Leveraged    | 5,000         | 5,000         | 5,000         | 5,000         |      |
|                              | In Kind Support Leveraged  | 5,600         | 500           | 500           |               |      |
|                              | <b>Total Project Value</b> | <b>29,500</b> | <b>24,400</b> | <b>24,400</b> | <b>24,300</b> |      |

|                              |                            | 2019          | 2020          | 2021          | 2022          | 2023          |
|------------------------------|----------------------------|---------------|---------------|---------------|---------------|---------------|
| <b>Shoreline Stewardship</b> |                            |               |               |               |               |               |
|                              | Municipal Contribution     | 46,000        | 46,000        | 46,000        | 46,000        | 46,000        |
|                              | Grant Funding Leveraged    | 36,000        | 36,000        | 36,000        | 36,000        | 36,000        |
|                              | In Kind Support Leveraged  | 2,000         | 2,000         | 2,000         | 2,000         | 2,000         |
|                              | <b>Total Project Value</b> | <b>84,000</b> | <b>84,000</b> | <b>84,000</b> | <b>84,000</b> | <b>84,000</b> |



|   |                            | 2019          | 2020          | 2021 | 2022 | 2023 |
|---|----------------------------|---------------|---------------|------|------|------|
| <b>Shoreline Planning &amp; Policy Background</b> |                            |               |               |      |      |      |
|   | Municipal Contribution     | 23,300        | 36,400        |      |      |      |
|   | Grant Funding Leveraged    |               |               |      |      |      |
|   | In Kind Support Leveraged  |               |               |      |      |      |
|   | <b>Total Project Value</b> | <b>23,300</b> | <b>36,400</b> |      |      |      |

|                              |                            | 2019          | 2020          | 2021          | 2022          | 2023 |
|------------------------------|----------------------------|---------------|---------------|---------------|---------------|------|
| <b>Near Shore Monitoring</b> |                            |               |               |               |               |      |
|                              | Municipal Contribution     | 28,600        | 28,600        | 28,600        | 10,300        |      |
|                              | Grant Funding Leveraged    | 28,600        | 28,600        | 28,600        | 10,300        |      |
|                              | In Kind Support Leveraged  | 24,000        | 24,000        | 24,000        | 15,000        |      |
|                              | <b>Total Project Value</b> | <b>81,200</b> | <b>81,200</b> | <b>81,200</b> | <b>35,600</b> |      |

| <b>Combined Shoreline Budget</b> |                                  | 2019           | 2020           | 2021           | 2022           | 2023          |
|----------------------------------|----------------------------------|----------------|----------------|----------------|----------------|---------------|
|                                  |                                  |                |                |                |                |               |
|                                  | <b>Municipal Contribution</b>    | <b>116,800</b> | <b>129,900</b> | <b>93,500</b>  | <b>75,600</b>  | <b>46,000</b> |
|                                  | <b>Grant Funding Leveraged</b>   | <b>69,600</b>  | <b>69,600</b>  | <b>69,600</b>  | <b>51,300</b>  | <b>36,000</b> |
|                                  | <b>In Kind Support Leveraged</b> | <b>31,600</b>  | <b>26,500</b>  | <b>26,500</b>  | <b>17,000</b>  | <b>2,000</b>  |
|                                  | <b>Total Project Value</b>       | <b>218,000</b> | <b>226,000</b> | <b>189,600</b> | <b>143,900</b> | <b>84,000</b> |



## Aquatic Plant Control

**Program Lead:** Kawartha Conservation

**Program Partners:** Parks Canada, Shoreline Communities, Academia

**Timeline:** This is a multi-year, multi-phase project proposal to study the effectiveness of aquatic plant control techniques.

**Recommended Funding Level:** Level 3 for 2020 - 2023

Aquatic plant management is a priority recommendation in most of the lake plans. The proliferation of aquatic plants can have significant effects on the enjoyment, perception of water quality, and sustainability of the lakes. As such residents are in need of practical approaches for controlling nuisance aquatic plants along their shoreline. This proposed project is part of a longer and larger scaled theme of investigating emerging technologies as aquatic plant management tools.



This project will scientifically qualify the effectiveness of aerators on controlling aquatic plants and, if effective, aims to have this technology recognized for use by landowners.

Aerators, also known as bubblers among other names, are an emerging aquatic plant control method being used around the lakes by shoreline residents despite unknowns related to their effectiveness at controlling aquatic plants, impacts to the ecology of the nearshore of the lakes, and return on investment. Anecdotal information among users suggests that these methods do in fact have merit in limiting nuisance aquatic plants. (image courtesy of pondenviro.com)

Invasive aquatic plants (e.g., Eurasian Milfoil) growing in the Kawartha Lakes have plagued property owners along its

shoreline for many years. Current management strategies are ineffective in some cases and new methods need to be investigated. The overgrowth of various aquatic plants growing in several of the Kawartha Lakes are thought to be a hazard to swimmers, are known to reduce property value, make boat access to the lakes problematic and generally reduce the recreational value of shoreline access. Aquatic plant communities are, however, extremely beneficial to lake ecology. Aquatic plants are expected, and are in fact necessary to maintain healthy and clear shallow lakes and a balance is required to manage interests.

A 2008 survey of property owners carried out by the Kawartha Lakes Stewards Association found that the majority of survey respondents thought that the amount of plants were increasing and 64% of respondents said they had attempted to control plant growth themselves. Parks Canada restricts the control of aquatic plants close to the shorelines, and requires property owners to apply for a permit for either plant harvesting or herbicide use for limited sections of shoreline in areas known to not be home to species at risk or close to a wetland. Both options are expensive and labour-intensive, and neither is permitted for more than 10 meters of shoreline for the width of one boat accessway.

Approval agencies including Parks Canada are reluctant to approve aerators for use without an extensive permit application process, even though they have the potential to be a relatively effective and low risk

method of controlling aquatic plants. This hesitation includes several reasons and particularly because their impacts to the ecology of the Kawartha Lakes are not well understood.

This proposal is a multi-year project to study the degree to which aerators impact the growth of nuisance aquatic plants, and evaluate the effect on physical, chemical, and biological parameters of nearshore waters. In addition, the viability of using aerators will be conducted to more clearly understand the return on investment of using aerators. Key requirements for a successful project are to secure academic partnerships, federal government approvals, and to secure a wide range of study sites that reflect the various conditions that are in need of aquatic plant control.

| <b>Level 1</b>   | <b>Level 2</b>  | <b>Level 3</b>   |
|--|---|--|
| <ul style="list-style-type: none"> <li>✓ 1 brand/style of aerator.</li> <li>✓ 1 study location.</li> <li>✓ 1 landowner partner.</li> <li>✓ Anecdotal monitoring of performance.</li> <li>✓ Final report</li> </ul> | <ul style="list-style-type: none"> <li>✓ 3 brands/styles of aerators.</li> <li>✓ 3 study locations.</li> <li>✓ 3 landowner partners.</li> <li>✓ Anecdotal monitoring of performance.</li> <li>✓ Final report.</li> <li>✓ <b>Scientific monitoring of physical, chemical, and biological parameters.</b></li> <li>✓ <b>Financial monitoring of energy and effort investments.</b></li> </ul> | <ul style="list-style-type: none"> <li>✓ 5 brands/styles of aerators.</li> <li>✓ 5 study locations.</li> <li>✓ 5 landowner partners.</li> <li>✓ Anecdotal monitoring of performance.</li> <li>✓ Final report.</li> <li>✓ Scientific monitoring of physical, chemical, and biological parameters.</li> <li>✓ Financial monitoring of energy and effort investments.</li> <li>✓ <b>Peer reviewed journal article(s).</b></li> <li>✓ <b>Meeting with stakeholders to discuss findings and applicability.</b></li> </ul> |
| <b>Municipal funding:</b> \$9,100<br><b>Grant funding:</b> \$0<br><b>In-Kind:</b> \$600*<br><b>Total Value:</b> \$9,700**<br><b>ROI:</b> 7%  | <b>Municipal funding:</b> \$16,200<br><b>Grant funding:</b> \$0<br><b>In-Kind:</b> \$4,800*<br><b>Total Value:</b> \$21,000**<br><b>ROI:</b> 30%  |  |

\* The In-kind contribution drops after the 1<sup>st</sup> year

\*\* The cost of the program increases slightly in the last year due to additional reporting requirements. See page 38 for annual budget summary.

|                           |                   |
|---------------------------|-------------------|
| <b>Municipal funding:</b> | <b>\$18,900</b>   |
| <b>Grant funding:</b>     | <b>\$5,000</b>    |
| <b>In-Kind:</b>           | <b>\$5,600*</b>   |
| <b>Total Value:</b>       | <b>\$29,500**</b> |
| <b>ROI:</b>               | <b>56%</b>        |

The Task Force is recommending a Level 3 program here as it includes enhanced academic partnerships including publications, and multi-year sampling of multiple products in various aquatic plant growth situations, provides significant credibility to the study. Reducing the program may result in the science and recommendations of the study being challenged as non-comprehensive and thus not taken as factual and/or applicable to real-world situations. This may negatively impact the acceptance of our findings with the permitting agencies.

*Preferred program levels are highlighted in blue boxes. When multiple levels are highlighted it indicates varying levels of implementation over the 5-year period.*

*Text in bold represents unique activities between the levels.*

## Shoreline Stewardship

**Program Lead:** Kawartha Conservation

**Program Partners:** City of Kawartha Lakes, Kawartha Pine Ridge District Health Unit, Real Estate Board, CLEAC, Lake/Cottager's Associations, Landscape Ontario.

**Timeline:** This program should continue for the full 5 years outlined within this proposal.

**Recommended Funding Level:** Level 2 from 2019 - 2023

The majority of shoreline properties in the City of Kawartha Lakes are privately owned. Caring for shoreline properties presents a number of challenges including the landowner's enjoyment of their own property, nutrient loading, erosion, and flooding. The Shoreline Stewardship program provides support to landowners whose daily activities have significant impact on the health of our lakes and the ability for the entire community to enjoy the resource. This program will provide landowner consultations and site plans to help landowners identify and implement in-the-ground projects that will improve water quality. In addition, community workshops will provide practical information, demonstrate how-to projects, and connect landowners to permit information to ensure that projects are effective and appropriately implemented. Lastly, this program will implement beach restoration projects that will improve our public beaches and keep them open to the public. These demonstration sites will be based on the data collected from each site, and will act as a demonstration to other landowners and communities with similar issues.



An example of a naturalized shoreline garden recommended during site visits in previous years.

Highly used public beaches which have experienced multiple beach postings due to high *E.coli* concentrations are the targets for this program. The monitoring aspect of this project aims to determine *E.coli* and nutrient concentrations through sampling on the beach and the surrounding area.

This further investigation will assist in identifying the dynamics of *E. coli* within the beach ecosystem and provide essential data to the local health unit's predictive modelling program. Kawartha Conservation's

monitoring will complement the health unit's Beach *E.coli* daily sampling regime from June to August. This project includes a strong partnership with the Haliburton Kawartha Pineridge District Health Unit and the City of Kawartha Lakes Parks and Recreation department. The outcome of this project will be to identify specific problem areas to mitigate via stewardship projects.

The Shoreline Stewardship program continues to attract investment in our community from other foundations and agencies while taking action to improve the quality of experience our lakes and public beaches provide. Past program success is outlined in Appendix D. Improving the shorelines also improves fish habitat, which supports our local tourism economy. This program has been designed to build the capacity of grassroots organizations wanting to make an impact on their local community.



| <b>Level 1</b>  | <b>Level 2</b>  | <b>Level 3</b>  |
|---|---|---|
| <ul style="list-style-type: none"> <li>✓ 15 site visits – basic drawings</li> <li>✓ Beach Restoration</li> <li>✓ 1 Year /1 Beach monitoring</li> <li>✓ Recommendations for stewardship prioritization projects</li> <li>✓ 4 community workshops</li> <li>✓ Watershed Welcome</li> </ul> | <ul style="list-style-type: none"> <li>✓ 25 site visits – landscape software drawings</li> <li>✓ Beach Restoration</li> <li>✓ 1 Year/ 1 Beach monitoring</li> <li>✓ Recommendations for stewardship prioritization projects</li> <li>✓ 5 community workshops</li> <li>✓ Watershed Welcome</li> <li>✓ <b>Outreach with Landscapers / Real Estate Professionals</b></li> <li>✓ <b>Community volunteers</b></li> <li>✓ <b>Septic Management information (links to funding)</b></li> <li>✓ <b>Community Partner Tool Kit</b></li> </ul> | <ul style="list-style-type: none"> <li>✓ 50 site visits – landscape Software drawings</li> <li>✓ Beach Restoration</li> <li>✓ 1Year/1 Beach monitoring</li> <li>✓ Recommendations for stewardship prioritization projects</li> <li>✓ 5 community workshops</li> <li>✓ Watershed Welcome</li> <li>✓ <b>Landscaping / Real Estate Collaboration Program</b></li> <li>✓ Community Volunteers</li> <li>✓ <b>Septic Management (links to funding)</b></li> <li>✓ Community Partner Tool Kit</li> <li>✓ <b>Community Partner support</b></li> <li>✓ <b>Pilot Projects (new technologies)</b></li> </ul> |
| <b>Municipal funding:</b> \$42,300<br><b>Grant funding:</b> \$29,500<br><b>In-Kind:</b> \$1,500<br><b>Total Value:</b> \$73,300<br><b>ROI:</b> 73%  | <b>Municipal funding:</b> \$46,000<br><b>Grant funding:</b> \$36,000<br><b>In-Kind:</b> \$2,000<br><b>Total Value:</b> \$84,000<br><b>ROI:</b> 83%  | <b>Municipal funding:</b> \$67,400<br><b>Grant funding:</b> \$53,000<br><b>In-Kind:</b> \$5,000<br><b>Total Value:</b> \$125,400<br><b>ROI:</b> 86%   |

Most of our shoreline is privately owned and managed. As the ribbon of land surrounding our lakes, this area is particularly sensitive to management techniques and often has a direct impact on lake water quality. The Task Force recommends Level 2 for this program because it combines the provision of information to private landowners with the collaboration between Real Estate Professionals and the Landscape professionals within our community. Building these partnerships and collaborating with community partners will help to improve the state of our shorelines. Reducing the level of programming offered to the shoreline community will significantly impact on the quality of projects and our ability to maintain or improve water quality within our lakes.

*Preferred program levels are highlighted in blue boxes. When multiple levels are highlighted it indicates varying levels of implementation over the 5-year period.*

*Text in bold represents unique activities between the levels.*

## Shoreline Planning and Policy Background

**Program Lead:** Kawartha Conservation

**Program Partners:** City of Kawartha Lakes, other lakeside municipalities.

**Timeline:** This is a 2-year project proposal, with 2-specific year-end deliverables, each one building upon the previous years' effort.

**Recommended Funding Level:** Level 2 for 2019-2020

Enhanced shoreline protection through planning and policy is a priority recommendation in most of the lake plans. Science has identified shoreline land use as a key threat to the sustainability of local lakes and there is considerable support from local stakeholders to undertake such initiatives.

The city of Kawartha Lakes will need to undertake background research as part of the considering the feasibility of pursuing more rigorous shoreline policies and Kawartha Conservation has the expertise to undertake the background research.

Several municipalities across Ontario have, are considering, or have considered implementing various means of provided stricter or more detailed land use policy around their lakes, including: Official Plan policies, Site Alteration Bylaws, Tree Cutting/Conservation Bylaws, among others. The deliverable for Year 1 would be to summarize these approaches, with an emphasis on lessons learned including what tactics worked well and what did not.



Enhanced shoreline protection will ensure wise development that protects the unique features and community values in the City of Kawartha Lakes.

Enhanced shoreline policy is not popular, and has the potential to cause controversy particularly among shoreline residents and the development community who may see this as an intrusion on their rights or loss of business opportunities. The deliverable for Year 2 would be to identify the rationale and ultimate need for enhanced policy, by investigating the past, present, and future state of shoreline land use with an emphasis on how shoreline land use and development influences the well-being of the local economy and ecology of the lakes.

The roll out of any additional shoreline land use-related policy can have profound implications if not based on proven successes and local realities.

While not recommended by the Task Force, year 3 would consider the deliverables from Year 1 (what has worked on other shorelines) and Year 2 (what is at stake for our local shorelines) and meet with local communities and appropriate industry to define various implementation opportunities and recommendations for how to roll out any new shoreline planning approaches.



### **Level 1 (1 Year)**

- ✓ Research shoreline land use related policies in comparable municipalities.
- ✓ Meet with municipal staff to discuss challenges, successes, and experiences with implementing.
- ✓ Produce a summary report for consideration by CKL.

|                           |                 |
|---------------------------|-----------------|
| <b>Municipal funding:</b> | <b>\$14,800</b> |
| Grant funding:            | \$0             |
| In-Kind:                  | \$0             |
| <b>Total Value:</b>       | <b>\$14,800</b> |
| <b>ROI:</b>               | <b>0%</b>       |

### **Level 2 (2 Year)**

- ✓ Research shoreline land use related policies in comparable municipalities.
- ✓ Meet with municipal staff to discuss challenges, successes, and experiences with implementing.
- ✓ Produce a summary report for consideration by CKL.
- ✓ **Research socioeconomic and environmental changes in shoreline land use across CKL.**
- ✓ **Identify linkages between shoreline land use trends and lake health particularly water quality.**
- ✓ **Produce a report that summarizes changes in shoreline character and health with an emphasis on implementing enhanced shoreline policy.**

|                           |                  |
|---------------------------|------------------|
| <b>Municipal funding:</b> | <b>\$59,700</b>  |
| Grant funding:            | \$0              |
| In-Kind:                  | \$0              |
| <b>Total Value:</b>       | <b>\$59,700*</b> |
| <b>ROI:</b>               | <b>0%</b>        |

**\*Budget for 2 years**

### **Level 3 (3 Year)**

- ✓ Research shoreline land use related policies in comparable municipalities.
- ✓ Meet with municipal staff to discuss challenges, successes, and experiences with implementing.
- ✓ Produce a summary report for consideration by CKL.
- ✓ Research socioeconomic and environmental changes in shoreline land use across CKL.
- ✓ Identify linkages between shoreline land use trends and lake health particularly water quality.
- ✓ Produce a report that summarizes changes in shoreline character and health with an emphasis on implementing enhanced shoreline policy.
- ✓ **Identify how many parcels could be affected by policy changes.**
- ✓ **Engage and seek advice through several public sessions.**
- ✓ **Identify various opportunities to change existing shoreline land use policy in CKL.**
- ✓ **Provide recommendations as to what specific policies should be implemented around shorelines and their applicable scope.**

|                           |                  |
|---------------------------|------------------|
| <b>Municipal funding:</b> | <b>\$84,600</b>  |
| Grant funding:            | \$0              |
| In-Kind:                  | \$0              |
| <b>Total Value:</b>       | <b>\$84,600*</b> |
| <b>ROI:</b>               | <b>0%</b>        |

**\*Budget for 3 years**

The Task Force recommends the Level 2 program because it allows for the inclusion of technical information on land use trends specific to shorelines within City of Kawartha Lakes which will help to provide credibility to any future shorelines policy consideration. Reducing the level of programming will result in recommendations that are not entirely based on the land use trends, pressures, or statistics within the City of Kawartha Lakes but rather on a broader search across different municipalities.

*Preferred program levels are highlighted in blue boxes. When multiple levels are highlighted it indicates varying levels of implementation over the 5-year period.*

*Text in bold represents unique activities between the levels.*

## Near Shore Monitoring

**Program Lead:** Kawartha Conservation, Academia

**Program Partners:** Academia, KLSA

**Timeline:** This is a multi-year and multi lake project proposal to determine 'hot spots' (areas of water quality degradation) in the near shore areas of the lakes and fill data gaps identified in the completed lake management plans (create a baseline of information) . **THIS TIMELINE WILL BE BASED ON THE NUMBER OF LAKES EXAMINED**

**Recommended Funding Level:** Level 2 from 2019 - 2022

An identifiable data gap that exists in each of the completed Lake Management Plans is the lack of near shore water quality (chemical and biological). The nearshore area is under the direct influence of activities performed on the shoreline (urban development, agriculture, specific shoreline alteration) in addition to acting as a transition zone that is highly influenced from waters offshore and land and tributary drainage. The data collected in near shore areas can act as an early warning indicator for the lakes and thus identify "problem areas" or "hot spots" of degraded water quality and threats to human and animal health in addition to a decrease in biodiversity and habitat.

The near shore monitoring program would include a comprehensive water chemistry and physical baseline survey to be completed on Sturgeon, Pigeon, Balsam & Cameron lakes for a minimum duration of three years.

The information gathered from each survey would also serve as a jumping off point to initiate specific stewardship priorities and actions. This program has proven popular in the existing implementation activities as a number of landowners draw their drinking water directly from the lakes. For information on previous successes within this project, see Appendix D.

Addressing data gaps from management plans in highly used and impacted areas with support from residents – or 'Citizen Scientists'. These individuals provide increased capacity at a much lower cost with greater understanding of the various impacts on water quality and habitat, and provide better communication for advocating for preferred stewardship practices within their lake communities. Information collected will identify high priority locations for stewardship, as well as helping guide planning for future development.



Near Shore Monitoring engages citizen scientists, acting as an early warning system for issues affecting the lakes.

### Level 1

- ✓ 3 year monitoring period
- ✓ 1 lake (25 sites- 25 citizen scientists)
- ✓ monthly sampling (June to October) 4 sampling events )
- ✓ Water chemistry parameters include: nutrients (phosphorus & nitrogen, total suspended solids, *E.coli*, Chlorophyll a, chloride)
- ✓ Produce annual summary reports
- ✓ Produce final report including recommendations for stewardship prioritization projects.

**Municipal funding:** \$16,100  
**Grant funding:** \$16,100  
**In-Kind:** \$3,750  
**Total Value:** \$35,950\*  
**ROI:** 123%

### Level 2

- ✓ 3 year monitoring period
- ✓ **5 lakes per 3 year cycle (12 sites on each lake- 60 citizen scientists)**
- ✓ monthly sampling (June to October) 4 sampling events )
- ✓ Water chemistry parameters include: nutrients (phosphorus & nitrogen, total suspended solids, *E.coli*, Chlorophyll a, chloride)
- ✓ Produce annual summary reports
- ✓ Produce final report including recommendations for stewardship prioritization projects.
- ✓ **Produce peer reviewed journal article**  
**\*dependent on securing PhD candidate**

**Municipal funding:** \$28,600  
**Grant funding:** \$28,600  
**In-Kind:** \$24,000  
**Total Value:** \$81,200\*  
**ROI:** 184%

### Level 3

- ✓ 3 year monitoring period
- ✓ 5 lakes per 3 year cycle (12 sites on each lake- 60 citizen scientists)
- ✓ **biweekly sampling (June to October) 8 sampling events)**
- ✓ Water chemistry parameters include: nutrients (phosphorus & nitrogen, total suspended solids, *E.coli*, Chlorophyll a, chloride)
- ✓ Produce annual summary reports
- ✓ Produce final report including recommendations for stewardship prioritization projects.
- ✓ Produce peer reviewed journal article
- ✓ \*dependent on securing PhD candidate
- ✓ **Pharmaceuticals (endocrine disruptors)**

**Municipal funding:** \$56,000  
**Grant funding:** \$56,000  
**In-Kind:** \$33,000  
**Total Value:** \$145,000\*  
**ROI:** 159%

**\* Annual budget in the final year of the project is less due to reduced workload. See summary budget on Page 39 for details**

The Task Force recommends the Level 2 program as it will provide for testing on all five of our major lakes at the same time. This will mean that the testing will be completed in 4 years rather than continuing one lake at a time over 15 years.

*Preferred program levels are highlighted in blue boxes. When multiple levels are highlighted it indicates varying levels of implementation over the 5-year period.*

*Text in bold represents unique activities between the levels.*



# Urban Program

The Urban Program contains the following detailed projects:

1. Urban Stewardship
  - a. BlueScaping

|         |
|---------|
| Level 1 |
| Level 2 |
| Level 3 |

|                    |                            | 2019          | 2020          | 2021          | 2022          | 2023          |
|--------------------|----------------------------|---------------|---------------|---------------|---------------|---------------|
| <b>BlueScaping</b> |                            |               |               |               |               |               |
|                    | Municipal Contribution     | 33,100        | 43,700        | 43,700        | 43,700        | 43,700        |
|                    | Grant Funding Leveraged    | 10,500        | 15,500        | 15,500        | 15,500        | 15,500        |
|                    | In Kind Support Leveraged  | 3,200         | 7,700         | 7,700         | 7,700         | 7,700         |
|                    | <b>Total Project Value</b> | <b>46,800</b> | <b>66,900</b> | <b>66,900</b> | <b>66,900</b> | <b>66,900</b> |

| <b>Combined Urban Budget</b> |                                  | 2019          | 2020          | 2021          | 2022          | 2023          |
|------------------------------|----------------------------------|---------------|---------------|---------------|---------------|---------------|
|                              |                                  |               |               |               |               |               |
|                              | <b>Municipal Contribution</b>    | <b>33,100</b> | <b>43,700</b> | <b>43,700</b> | <b>43,700</b> | <b>43,700</b> |
|                              | <b>Grant Funding Leveraged</b>   | <b>10,500</b> | <b>15,500</b> | <b>15,500</b> | <b>15,500</b> | <b>15,500</b> |
|                              | <b>In Kind Support Leveraged</b> | <b>3,200</b>  | <b>7,700</b>  | <b>7,700</b>  | <b>7,700</b>  | <b>7,700</b>  |
|                              | <b>Total Project Value</b>       | <b>46,800</b> | <b>66,900</b> | <b>66,900</b> | <b>66,900</b> | <b>66,900</b> |



# BlueScaping

**Program Lead:** Kawartha Conservation

**Program Partners:** City of Kawartha Lakes, Landscape Ontario, CKLEAC, GreenUp, Horticultural Societies, Providers of LID Goods and Services, Bee City, contractors and developers

**Timeline:** This program should continue for the full 5 years outlined within this proposal. Communities have been chosen for LID Demonstration Sites based on population and proximity to lakes and their tributaries.

**Recommended Funding Level:** Level 1 in 2019, Level 2 from 2020 - 2023

The City of Kawartha Lakes has a number of urban centres that are poised for growth in the coming years. Highway extensions, property values, and our standard of living are all very attractive to people looking to move out of the GTA. Developing a program designed to support this growing community protect our water resources is critical.

Much of the urban landscape is hardened surfaces. Paved surfaces and rooftops create faster moving storm runoff, which can lead to flooding during rain events and snow melt. These flooding events can be very costly to the landowner as well as the community at large. In addition, urban runoff typically contains sediments and pollutants which are deposited to lakes and streams.



The demonstration site at Victoria Park in Lindsay (2017) is an example of the types of community projects that this program will implement.

BlueScaping is a program designed to help protect our urban communities from the impacts of flooding and stormwater runoff.

BlueScaping is also a program designed to attract additional investment in developing low impact development demonstration sites within our urban centres. These demonstration sites improve the management of stormwater at the site level. This improvement will be reflected in the quality of our rivers and streams which attract tourist to the area. Previous success with this program is outlined in Appendix D. As a pilot, this program has evolved over time and has garnered significant support from the community and our partners.

BlueScaping is an urban stewardship program designed to initiate voluntary action by private landowners, leading to the reduction of runoff generated by individual properties. Demonstration sites in key communities showcase to residents how they can create beautiful and functional urban landscapes that serve their needs while providing multiple services to the community at large including reductions in lake sedimentation and localized flooding. Working with developers and contractors also provides opportunities to build BlueScaping features into new subdivision properties, investing in the community wellbeing long-term and providing opportunities for maximizing profits.

This program combines on site consultations with landscaping plans, public demonstration sites, and supporting other community partners in their endeavours. The various levels of programming with their metrics for success are outlined below.



|   |  |  |
|---|--|--|
| <p><b>Level 1</b></p> <ul style="list-style-type: none"> <li>✓ Municipal LID demonstration site</li> <li>✓ 3 community workshops</li> <li>✓ Urban Tree Planting Event</li> <li>✓ 5 landowner consults</li> </ul> <p> <b>Municipal funding:</b> \$20,100<br/> <b>Grant funding:</b> \$5,500<br/> <b>In-Kind:</b> \$700<br/> <b>Total Value:</b> \$30,300<br/> <b>ROI:</b> 31% </p> | <p><b>Level 2</b></p> <ul style="list-style-type: none"> <li>✓ Municipal LID demonstration site</li> <li>✓ <b>5 community workshops</b></li> <li>✓ Urban Tree Planting Event</li> <li>✓ <b>10 landowner consultations and creation of lot level landscape plans</b></li> <li>✓ <b>Partnership with Landscapers to develop feature landscape plans</b></li> </ul> <p> <b>Municipal funding:</b> \$33,100<br/> <b>Grant funding:</b> \$10,500<br/> <b>In-Kind:</b> \$3,200<br/> <b>Total Value:</b> \$46,800<br/> <b>ROI:</b> 42% </p> | <p><b>Level 3</b></p> <ul style="list-style-type: none"> <li>✓ Municipal LID demonstration site</li> <li>✓ 5 community workshops</li> <li>✓ Urban Tree Planting Event</li> <li>✓ Implementation Incentive (see Incentive Fund)</li> <li>✓ Partnership with Landscapers to develop feature landscape plans</li> <li>✓ <b>15 landowner consultations and creation of lot level landscape plans</b></li> <li>✓ <b>Partnership with Developers to implement new build features.</b></li> </ul> <p> <b>Municipal funding:</b> \$43,700<br/> <b>Grant funding:</b> \$15,500<br/> <b>In-Kind:</b> \$7,700<br/> <b>Total Value:</b> \$66,900<br/> <b>ROI:</b> 53% </p> |
|---|--|--|

The Task Force recommends continuing to deliver this program at a Level 2 until 2020, at which time an increase in programming to Level 3 is recommended. This level of programming has been piloted in York Region and Peel Region with great success. Building the program will encourage practical partnership development with the landscape and development industries to reduce urban runoff by facilitating voluntary lot level stormwater management by private landowners in new and existing homes. Reducing delivery services will result in a significant loss in voluntary stormwater management investment by homeowners in new developments, where the greatest gains can be made.

*Preferred program levels are highlighted in blue boxes. When multiple levels are highlighted it indicates varying levels of implementation over the 5-year period.*

*Text in bold represents unique activities between the levels.*



# Appendix C

## Lake Management Plans

| Lake Management Planning                          | Year Initiated | Year of Completion |
|---|----------------|--------------------|
| Lake Scugog Environmental Management Plan (LSEMP) | 2007           | 2010               |
| Sturgeon Lake Management Plan                     | 2010           | 2014               |
| Balsam & Cameron Lake Management Plan             | 2011           | 2015               |
| Canal Lake and Mitchell Lake Management Plan      | 2013           | 2016               |
| Four Mile Lake Management Plan                    | 2013           | 2017               |
| Shadow and Silver Lake Management Plan            | 2014           | 2018               |
| Head Lake Management Plan                         | 2014           | 2018               |
| Pigeon Lake Management Plan                       | 2012           | 2018               |

## Lake Management Planning: City of Kawartha Lakes Investment

| Program                      | Year      |           |           |            |            |            |                            |            |            |            |            | Total Investment |
|------------------------------|-----------|-----------|-----------|------------|------------|------------|----------------------------|------------|------------|------------|------------|------------------|
|                              | 2008      | 2009      | 2010      | 2011       | 2012       | 2013       | 2014                       | 2015       | 2016       | 2017       | 2018       |                  |
| CKL Lake Management Planning | \$ 30,000 | \$ 30,000 | \$ 90,000 | \$ 183,450 | \$ 260,000 | \$ 330,000 | \$ 290,000                 | \$ 275,000 | \$ 204,000 | \$ 121,400 | \$ 73,700  | \$ 1,887,550     |
| Lake Implementation Activity |           |           |           | \$ 29,900  | \$ 39,300  | \$ 40,000  | \$ 40,000                  | \$ 40,000  | \$ 117,000 | \$ 157,900 | \$ 165,600 | \$ 629,700       |
| Blue Canoe                   | \$ 20,000 | \$ 13,000 | \$ 10,000 |            | \$ 28,325  | \$ 28,300  | \$ 25,000                  | \$ 25,000  | \$ 25,000  |            |            | \$ 174,625       |
|                              |           |           |           |            |            |            | Overall Program Investment |            |            |            |            | \$ 2,691,875     |

# Appendix D

## Early Implementation Successes



# **LAKE MANAGEMENT PLAN IMPLEMENTATION ACCOMPLISHMENTS 2016-2018**

**PROTECTING OUR LAKES AND WATER  
RESOURCES IN KAWARTHA LAKES**



**A summary of major  
accomplishments as of May 15, 2018**



## **2016-2018 KAWARTHA LAKES LAKE MANAGEMENT PLAN IMPLEMENTATION**

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We are a community-focused organization committed to achieving the best solutions for our member municipalities through science and information gathering. We facilitate continuous improvement, focused on achieving results. We are committed to being leaders in integrated watershed management, ecosystem health, and community sustainability. The accomplishments presented have been supported by our member municipalities, community, volunteers, numerous cottage associations and provincial, federal and private funders.

## **LAKE MANAGEMENT PLAN IMPLEMENTATION SUCCESS**

---

Kawartha Conservation's team of science, aquatic, stewardship and planning experts deliver tangible results through consistent, public-driven and engaged lake management planning and implementation. Our results are focused on outstanding water quality and quantity management, supported by healthy landscapes through planning, stewardship, science and education.

# IMPLEMENTATION HIGHLIGHTS

**\$1,386,000**

Total Lake  
Management Plan  
Implementation  
Investment

**\$618,000**

Kawartha Farmland  
Stewardship Project  
Leverage

**6,000**

# of people engaged  
through  
Implementation

**\$456,250**

Municipal  
Contribution for  
Implementation

**9,500**

Feet of livestock  
exclusion fencing  
erected along rural  
waterways

**35,000**

Tree seedlings &  
plants sold through  
implementation  
engagement

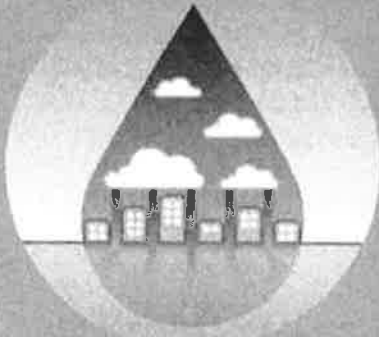
## Our Vision

A sustainable watershed  
with clean and abundant  
water and natural  
resources assured for  
future generations.



# URBAN

## BlueScaping, 2016-18



BlueScaping is an education and outreach initiative that targets landowners in 'built up areas' of our watershed. We engage with landowners using workshops, site visits and interpretive demonstration sites on municipal property.

Simple actions such as planting native plants, and installing rain barrels and more involved actions like building rain gardens and reducing impermeable surfaces, landowners improve the function and appeal of their property while helping to protect against urban floods and lake degradation caused by urban runoff.

- Constructed two demonstration sites
- Engaged more than 100 volunteers helping to build demonstration projects
- Delivered 7 workshops to over 150 participants with four more workshops planned in 2018
- A comprehensive study on the source of upstream E.coli and contributions through a range of shoreline conditions (degraded to highly vegetated study in order to determine stewardship prioritization projects to reduce beach postings.
- Monitoring 4 water quality sites and 2 sand sites with the future Bobcaygeon Beach BlueScaping project

## Rosedale Park Revitalization, 2016

- Naturalized 24 metres of shoreline
- Installed 180 square metre pollinator garden
- Planted 1200 native plants
- Engaged more than 40 volunteers including more than 10 organizations and businesses



## Victoria Park (Lindsay) Rain Garden, 2017

- Planted 160 native plants, grasses and trees in a municipal park
- Installed rain garden to treat runoff from about 1,500 square meters of hardened surface

## Omeme Beach Restoration and Demonstration Site, 2018

Naturalizing 65-feet of shoreline  
Removing 540 square feet of Phragmites  
Planting 277 native plants  
Hosting 3 complimentary BlueScaping workshops  
Engaging more than 20 volunteers



# SHORELINE

## Nearshore Water Quality Monitoring, 2017-18



Nearshore water quality shows us the effects of activities in the watershed on lakes which receive the water. Activities on land, and in the streams which empty into the lakes, also affect the conditions of beaches, etc. We monitor the nearshore environment to ensure the health and integrity of this important ecosystem, and compare against other water data.

- Obtain a data baseline for near shore sampling locations (24 sites)
- Citizen scientists collect water samples on a monthly basis (30 Citizen Scientists)
- Compare with open water data
- Educate and encourage stewardship and enhance community involvement

## Garnet Graham Beach Park (Fenelon Falls) 2017



- Community-driven beach improvement
- Removed three concrete piers
- Removed 36 cubic metres of concrete from waterfront
- Completed shoreline rehabilitation
- Created fish spawning

## Blue Canoe



For five consecutive summers, the Blue Canoe team paddled along the lakes sharing information about healthy lakes, shoreline management techniques and answering landowner questions. Through this ongoing engagement the Blue Canoe program has helped to initiate positive action by private landowners.

- Engaged with 4,800 shoreline residences (door to door and dock to dock)
- Held 76 community events

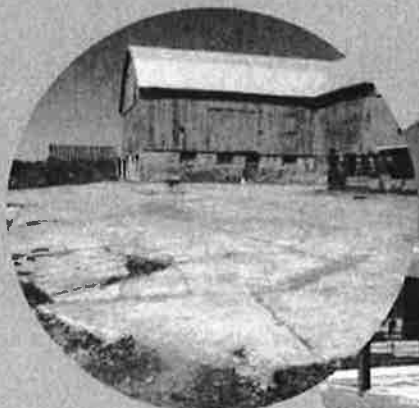
## Shoreline Naturalization, 2016-18

- Enhanced or naturalized 104 metres of municipal shoreline
- Engaged 117 community volunteers



[WWW.KAWARTHACONSERVATION.COM](http://WWW.KAWARTHACONSERVATION.COM)

# RURAL



Before



After

## Kawartha Lakes Farmland Stewardship Fund, 2016-18

- Completed 34 on-farm water quality improvement projects
- Planted 32,300 trees
- Installed 9,500 feet of livestock exclusion fencing along rural waterways
- Installed eavestroughs on 10 barns
- Decommissioned or improved 6 wells
- Completed 9 manure storage improvements
- Conducted 79 site visits on 38 farms,
- Hosted 6 workshops and participated in 8 additional industry events
- Installed 29 "Water Quality Partner" farm gate signs along rural roads
- Published 5 video tours of local farm projects completed through the fund
- Return on Investment of 357%

## Investigative Upstream Monitoring, 2017-18

Upstream monitoring will help determine 'hot spots' (areas of water quality degradation) along streams flowing into lakes. Analyzing monitoring data to help inform strategic restoration activities.

- Improving water quality and the health of urban and agricultural residents
- Decreasing nutrient loading into lakes and improved lake health
- Decreasing risk of blue green algal blooms, improved aesthetics and recreational opportunities combined with less degradation of fish spawning sites due to sedimentation
- 21 sites, 3 streams, 6 water quality parameters analyzed & flow measurements taken



## Kawartha Lakes Stewardship Summit, 2017

The Community Advisory Panel and Kawartha Conservation held Stewardship Summit to gather community input on lake management plan implementation. The Summit engaged area full-time and seasonal residents and solicited input on lake management plan implementation projects and priorities.

- 10 community groups including: Fleming College, Kawartha Lakes Councillors and staff, Kawartha Land Trust, Field Naturalists, cottage associations and others participated





**KAWARTHA  
CONSERVATION**

Discover • Protect • Restore

**Kawartha Conservation**  
277 Kenrei Road, Lindsay ON K9V 4R1  
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# Conservation Authorities Core Service Review – Options

PLAN2018-055

June 19, 2018

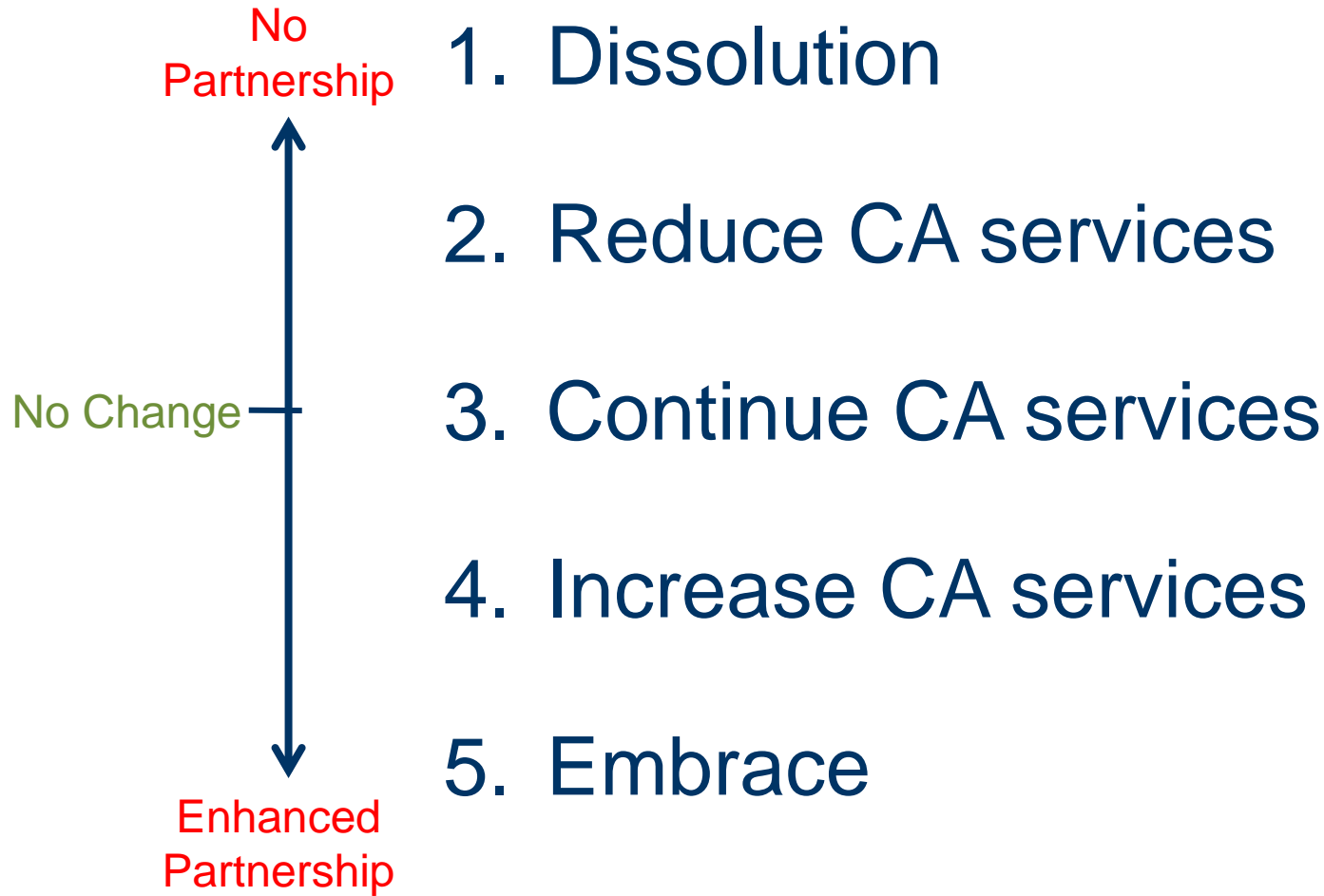
# Overview

- Recap of the first Council presentation
- List of Options:
  1. Dissolution
  2. Reduce CA services
  3. Continue CA services
  4. Increase CA services
  5. Embrace
- Recommendation

# Recap

- March 27, 2018 Council Meeting:
  - CA Act clarifies three programs and services CA's are required or permitted to provide
  - The City receives its environmental planning services from 4 CA's
  - CA's revenue is made up of self-generated revenue (including donations and grants), municipal levies (cost-share), and provincial funding
  - The City's levy apportionment is about 60% of the total municipal levy
  - Next step is to look at options for the future relationship with the CA's

# List of Options





# Option 1 - Dissolution



Ken Reid Conservation Area



# Option 1 - Dissolution

- Dissolve one or more CA's that have jurisdiction within the City
- Dissolution process (s. 13.1 of the CA Act):
  - Council resolution by 2 or more municipalities
  - A public meeting
  - Vote – 2/3 of the members of CA must vote in favour of dissolution
  - All municipalities prepare a business continuity plan
  - Lieutenant Governor in Council (LGC) makes a decision



# Option 1 - Dissolution

- Dissolution of KRCA was considered before
  - February 11, 1999 Special Meeting of the Board of Directors (public meeting)
  - About 300 people attended
  - 1 vote in favour of dissolution and 19 votes against
- Township of Ramara case:
  - There is no option to “opt out” of CA services (s. 27 of the CA Act)
  - By not paying levies, Ramara was in contravention of the CA Act

# Option 1 - Dissolution

- Business continuity plan
  - s. 13.1(6) of the CA Act provides that if the City and other municipalities voted to dissolve the CA, municipalities would have to satisfy MNRF and MOECC that the CA functions and programs could be provided for. For example:
    - Flood control
    - Source water protection
    - Conservation area management
  - The City, therefore, must consider staffing and financial resources for the above services

# Option 1 - Dissolution

| KRCA services   | KRCA staffing<br>(full time<br>employees<br>(FTE)) | Cost to KRCA (2017)  | Proportionate<br>resourcing that may be<br>applied to the City |
|---|--|--|--|
| <b>Planning and Regulation</b><br>- Reviewing and regulating proposed development and alteration  | 5.5 + external services                            | \$753,600<br>(user fees)                                   | 3 staff + external services, and \$452,160                     |
| <b>Flood and Water Level Monitoring</b><br>- Flood forecasting and response<br>- Ontario Low Water - drought response<br>- Evaluation of flood prone areas<br>- Maintenance of equipment (gauges) | 1  | \$102,400<br>(MNRF transfer payment)                       | 0.6 staff and \$61,685   |
| <b>Environmental and Technical Programs</b><br>- Watershed management<br>- Monitoring services<br>- Information and GIS services  | 5  | \$472,200<br>(MNRF transfer payment, service fees, grants) | 3 staff and \$284,450  |
| <b>Stewardship Program</b><br>- Incentives for land stewardship, tree planting<br>- Linking community with funding sources  | 1.5  | \$170,900<br>(grants, product sales)                       | 1 staff and \$102,950  |
| <b>Conservation Education</b><br>- Programs for schools, seniors, community   | 0.5  | \$65,000 (100% cost recovery - grants and user fees)       | 0.5 staff and \$65,000 (almost entirely benefits CKL)          |
| <b>Conservation Areas</b><br>- Ken Reid , Pigeon River and Windy Ridge Conservation Areas; other properties, facility and fleet management  | 2.5 + seasonal                                     | \$422,800<br>(grants, user fees, management fees, rent)    | 2 staff + seasonal and 318,800                                 |

# Option 1 - Dissolution

| KRCA services   | KRCA staffing<br>(full time<br>employees (FTE)) | Cost to KRCA (2017)                                   | Proportionate resourcing that<br>may be applied to the City |
|---|---|---|---|
| <b>Source Water Protection</b><br>- Development of Source Protection Plan and supporting information  | 0.5   | \$65,900<br>(MOECC funding)                           | 0.3 staff and \$39,700                                      |
| <b>Lake Management Planning</b><br>- Plan completion and its implementation   | 2.3   | \$317,800<br>(supplemented through provincial grants) | 100% of KRCA staff and costs                                |
| <b>Agricultural Drain Classification</b><br>- Update to Municipal Drain Classification (single year project)                                    | 0.5 + seasonal                                  | \$75,000<br>(CKL)                                     | 100% of KRCA staff and costs                                |
| <b>Floodplain Mapping</b><br>- Mapping floodplains of watercourses for protection of person and property further to Provincial Policy Statement | 1 + adjacent CA services                        | \$242,500<br>(CKL, Federal grant)                     | 100% of KRCA staff and costs                                |
| <b>Risk Management Official</b><br>- Review and issue s.59 Notices (Source Protection)<br>- Threat verification                                 | 1 (will be changing to 0.5)                     | \$115,500<br>(CKL)                                    | 100% of KRCA staff and costs                                |

# Option 1 - Dissolution

- Pros
  - The City would gain in-house expertise
  - Potentially shorter commenting timeframes
  - Opportunities for staff and equipment efficiencies
- Cons
  - There is no precedent of a successful dissolution
  - The City does not pay for the total cost of CA services and through dissolution; cost-sharing opportunities, self-generated revenue, provincial grants and donations that make up the CA revenue would not be available
  - Will likely result in cuts to environmental services (less staff = less projects and initiatives accomplished)
  - Loss of CA network that is important for leveraging resources and sharing information
  - A major change to the City's business model



# Option 2 – Reduce CA Services



Ken Reid Conservation Area



# Option 2 – Reduce CA Services

- Option 2 considers maintaining mandatory programs but looks for efficiencies in other existing CA undertakings
- The City can consider streamlining programs and services that are:
  - outlined in the MOU
  - identified by the CA Board of Directors as “other programs and services”

1. the mandatory programs and services that are required by regulation
2. the municipal programs and services that CA provides on behalf of municipalities under an MOU
3. other programs and services that the City and CA's determine to be common environmental policy objectives

# Option 2 – Reduce CA Services

- Programs and services that may be considered in this option:

1. Bring a service in-house
  - Risk Management Official (RMO) under the *Clean Water Act*
2. Remove a service from the MOU
  - KRCA comments on development applications outside of their jurisdiction (northern portion of the City)
3. Cut some of the special projects
  - Lake Management Plans and their implementation
  - Floodplain Mapping Study

# Option 2 – Reduce CA Services

## 1. Bring Risk Management Official (RMO) position in house

- Pros
  - In-house trained and certified expertise
- Cons
  - In 2013, the cost saving associated with an RMO position being in-house was highly contested and Council identified that the RMO position is best suited with KRCA. In 2016, Council carried recommendation to establish RMO permanently with KRCA
  - None of the City staff are certified, whereas KRCA currently has two trained and certified staff, who are also involved in source protection – this is important for providing efficient service and not duplicating efforts
  - KRCA has developed a timely review of applications and issuance of s.59 Notices
  - The City needs to make provisions to support an RMO position that requires a significant amount of time off-site to do site visits, threat verifications, negotiation with non-compliant landowners, etc.

# Option 2 – Reduce CA Services

2. Remove from the MOU, the requirement for KRCA to comment on development applications outside of their jurisdiction (northern portion of the City)

- Pros

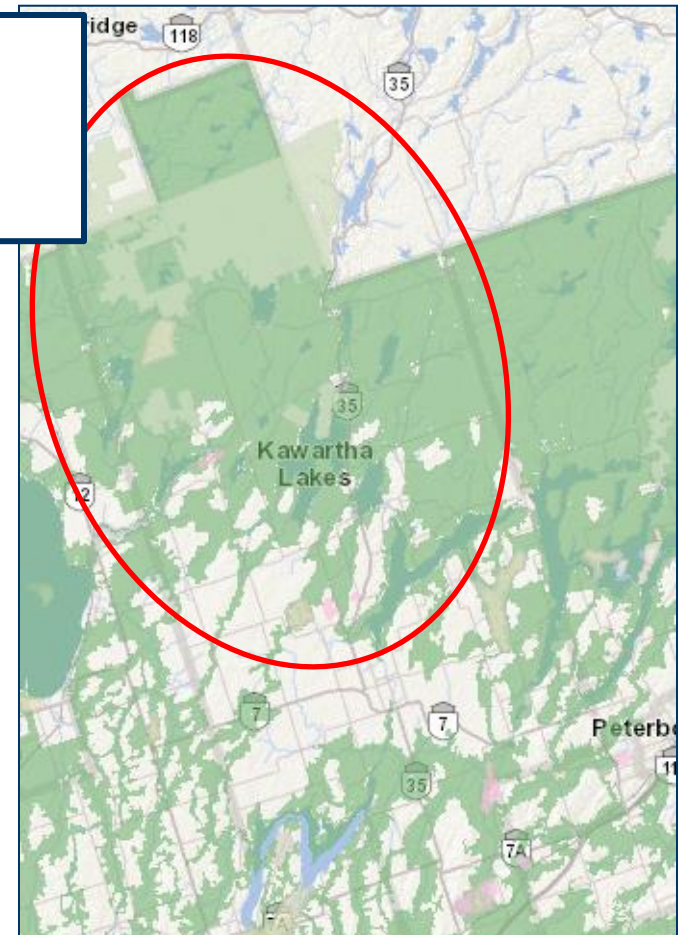
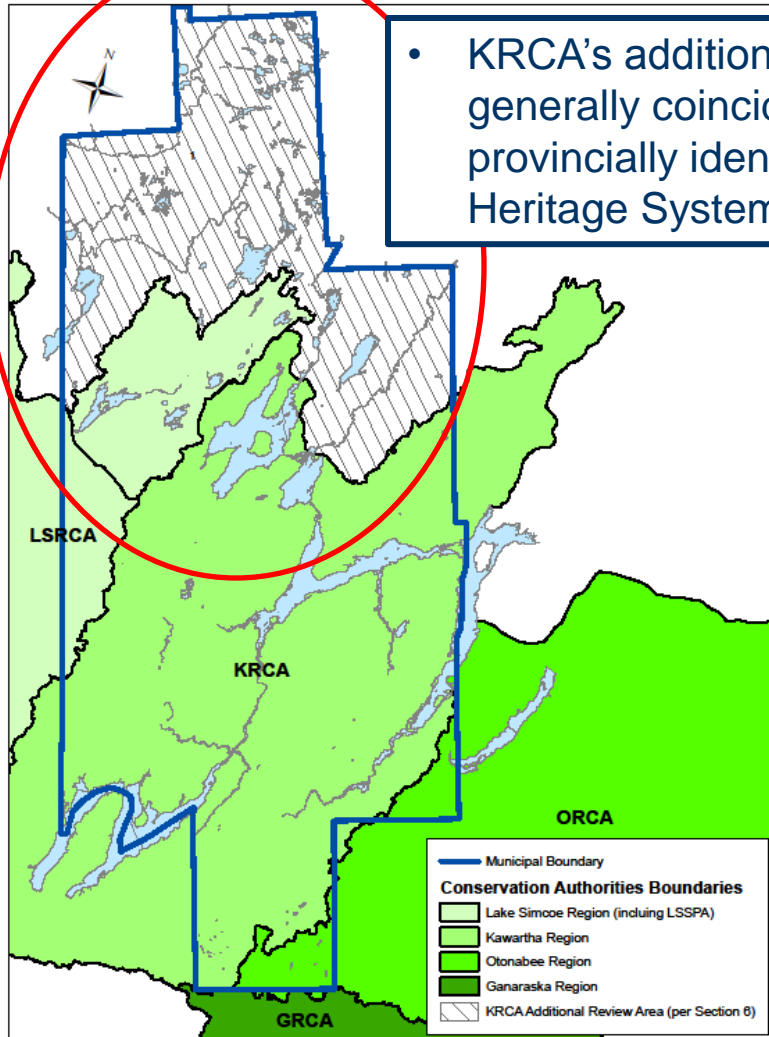
- May result in a shorter process for development proposals in the northern portion of the City
- Reduce public's confusion about KRCA's ability to comment on development outside of their jurisdiction.

- Cons

- Not anticipated to have a large effect on the levy as KRCA processes only between 5 and 18 applications annually for development in the northern portion, in comparison to 350+ applications in the rest of the City
- To effectively resolve environmental matters, the City would need to hire qualified staff and for larger projects, the City would need to retain peer reviewers at an applicant's expense
- CA oversight of the northern portion of the City is increasingly more important due to the provincially identified Natural Heritage System

# Option 2 – Reduce CA Services

- KRCA's additional review area generally coincides with the provincially identified Natural Heritage System



Provincially Identified Natural  
Heritage System

[kawarthalakes.ca](http://kawarthalakes.ca)

# Option 2 – Reduce CA Services

## 3. Cut some of the special projects

- Lake Management Plans and their implementation
- Floodplain Mapping Study

### • Pros

- Special projects can be costly (\$407,100 in 2018)

### • Cons

- Special projects are subsidized through provincial grants that would not be available to private sector contractors.
- Onus would be on development proponents to do these studies
- Lake Management Plans and Floodplain Mapping Study results are critical in informing planning policies and development decisions, as well as in protecting health and safety.
  - Lake Management Plans identify a myriad of information on lake health, (including phosphorous loading, E.Coli concentrations and water budget). This is important for protecting water as a drinking source and for recreational activities.
  - The purpose of the Floodplain Mapping Study is to map or update mapping of the floodplain. In the absence of an updated floodplain, the responsibility to map/update the boundaries falls on the development proponents and effective mapping cannot be prepared on a piecemeal basis.



# Option 3 – Continue CA Services



Ken Reid Conservation Area

## Option 3 – Continue CA Services

- Option 3 makes necessary changes to the MOU to update it, but makes no changes to the relationship with CA's
- Pro
  - Established and familiar order of business for the City and KRCA
- Con
  - Does not address existing concerns with CA's (cost and processing timeframe)



# Option 4 - Increase CA Services



Ken Reid Conservation Area



# Option 4 - Increase CA Services

- Programs and services that CA's could undertake to better support the City. There may be a need to increase the levy for these services
- Some examples of additional services include:
  1. Comprehensive evaluation / update of features (i.e. significant wildlife areas, wetlands, significant hydrologic features, etc.)
  2. Open data portal to coordinate and manage information requests

# Option 4 - Increase CA Services

1. Comprehensive evaluation / update of features (i.e. significant wildlife areas, wetlands, significant hydrologic features, etc.)

- Why is this important?
  - Ground-truthing existing mapped information can be very beneficial for providing preliminary comments to development proponents at the pre-consultation stage
  - Determine significance of unevaluated features

# Option 4 - Increase CA Services

## 2. Open data portal to coordinate and manage information requests

- Why is this important?
  - Allow municipalities to view and access CA data easily (no data licensing agreements)
  - Inform existing City operations, such as flow information for culvert/bridge replacement
  - Another example of how the City could benefit is in coordinating knowledge and resources to address climate change, and meet new legislative and policy requirements
    - KRCA produced a Climate Change Strategy in 2015
    - The City is currently working on a Healthy Environment Plan
    - At the next Official Plan review, Planning staff will be developing/evaluating the City's climate change policies further to Bill 139 and Growth Plan, 2017 policies

# Option 5 – Embrace



Ken Reid Conservation Area

## Option 5 – Embrace

- The City and the CA's work more closely together to have the City recognized as an environmental leader
- Includes examples from option 4, as well as additional initiatives, such as:
  1. Work together to boost tourism to the City
  2. Use science and information to help inform decision making for business sectors (e.g. agriculture, recreation)



# Option 5 – Embrace

1. Work together to boost tourism to the City
  - Provide an exceptional quality of life to residents and promote a vibrant and growing economy
- Why is this important?
  - Currently, the Conservation Areas in the City are lacking an environmental multi-use facility(ies)
  - Lack of facilities keeps the City and KRCA from tapping into the full potential of the Conservation Areas
    - Expand education services offered by the KRCA
    - Make Conservation Area facilities available for business meetings, workshops, events and as a community space
    - Examples of opportunities from Halton Conservation, Credit Valley and Toronto Region Conservation Authorities

# Option 5 – Embrace

## Outdoor Weddings



Add a touch of green to your special day! Outdoor weddings and special events available at Island Lake, Terra Cotta and Belfountain Conservation Areas.

Professional photography in Conservation Areas requires an event permit.

Please call 1.800.367.0890 or contact [recreation@creditvalleyca.ca](mailto:recreation@creditvalleyca.ca) for more information!

### Island Lake Conservation Area package includes:

- Rehearsal visit for bridal party family prior to wedding date
- Reserved area of your choice for outdoor ceremony and/ or reception
- Use of pavilion with hydro and water
- Arbour
- 2 pillar stumps for flower arrangements
- Signing table and chair
- Guest admissions and parking for large groups up to 200 people
- Décor and extra services available
- Includes annual **Conservation Parks Family and Friends membership**
- Professional engagement and wedding photography and videography permit
- Large tent rentals permitted
- Onsite restrooms

## Upcoming events at Hilton Falls



**Meditation Hikes- Hilton Falls**



**Photography Workshop- Hilton Falls**

## Autumn Indoor Yoga

Sunday, October 7, 2018

10:00 a.m. - 11:15 a.m. (75 min session)

Terra Cotta Conservation Area (Watershed Learning Centre), Terra Cotta ([View Map](#))

### Into The Woods We Write

An exploration into the art of storytelling. Let nature spark your creativity with a writing workshop & a guided tour of the woods.

**April 28th, 18+**  
9:30 - 12:30pm

**May 26th, 14 - 18yrs**  
1 - 4pm

\$50

Register by April 20th at  
[www.shadowpaththeatre.ca](http://www.shadowpaththeatre.ca)





# Option 5 – Embrace

- Why is this important (continued)?
  - Attract visitors to the City and bring awareness of what the CKL has to offer
  - Help boost CA revenue
    - Booking of facilities
    - More traffic to Conservation Areas
      - Ken Reid Conservation Area - \$2.00 per vehicle
      - Hilton Falls Conservation Area, Halton Conservation - \$7.00 per adult

# Option 5 – Embrace

## 2. Use science and information to help inform decision making for business sectors

- CA's have expertise in water quality monitoring, stewardship, Low Impact Development (LID), etc., which can benefit business sectors and decrease long-term costs
- Why is this important?
  - Environmentally sustainable practice
  - May decrease long-term costs to farmers associated with water quality management and other rehabilitative practices
  - For example, Great Lakes Agricultural Stewardship Initiative in southwestern Ontario
    - Ontario Soil and Crop Improvement Association and Ministry of Agriculture, Food and Rural Affairs worked with four CA's to study soil health and water quality

# Recommendation



Ken Reid Conservation Area

# Recommendation

1. Dissolution – not recommended
  - Dissolves a CA, but not its responsibilities
  - Requires support from other municipalities, the public, the province and the Lieutenant Governor in Council
2. Reduce CA services – not recommended
  - Would not result in service efficiencies
3. Continue CA services – recommended
  - Prioritizes protecting the environment
  - In the best interests of the City's departments, staff, public and development proponents
4. Increase CA services – further evaluation required
5. Embrace – further evaluation required



# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number PLAN2018-055**

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**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** All

**Title:** Conservation Authorities Core Service Review - Options

**Description:** Options to Improve Conservation Authorities' Service Delivery

**Author and Title:** Anna Kalnina, Planner II

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### **Recommendations:**

**That** Report PLAN2018-055, Conservation Authorities Core Service Review, be received;

**That** the recommendation to continue Conservation Authority services as generally outlined in Option 3 to Report PLAN2018-055, be approved; and

**That** staff be directed to negotiate and update the Environmental Planning Services Memorandum of Understanding (MOU) with the four Conservation Authorities with jurisdiction in the City of Kawartha Lakes and bring back a recommended MOU to Council for approval.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

Council has identified a need to review the Conservation Authorities (CA's) services provided to the City. The staff presentation is contained in Appendix A.

At the Special Council Information Meeting on March 27, 2018 (Council Resolution CC2018-06.4.4), Council received an overview presentation of the CA's roles and responsibilities, their revenue sources, services CA's provide to the City and service costs to the City. The presentation was a precursor to the following report and is contained in Appendix B.

The presentation also provided that the City of Kawartha Lakes receives its environmental planning services from four Conservation Authorities: Kawartha Region Conservation Authority (KRCA), Otonabee Region Conservation Authority (ORCA), Ganaraska Region Conservation Authority (GRCA), and Lake Simcoe Region Conservation Authority (LSRCA). The services are formalized through the Environmental Planning Services Memorandum of Understanding (MOU), with the last MOU authorized by Council on September 11, 2012 for a five-year period.

The four CA's are required or permitted by the Conservation Authorities Act to provide the following three categories of programs and services:

1. The mandatory programs and services required by regulation;
2. The municipal programs and services that CA's provide on behalf of municipalities under an MOU; and
3. Other programs and services that the City and CA's determine to be common environmental policy objectives.

The City may have some flexibility to change programs and services under items 2 and 3; however, without dissolving a CA, mandatory programs and services under item 1 cannot be affected.

The presentation also identified that a CA's budget is made up of four different revenue sources, including self-generated revenue, provincial and federal funding, and municipal levies. Municipal levies are collected from all municipalities receiving CA services. This cost-sharing model and different revenue streams ensure that participating municipalities receive more environmental services and have access to a pool of more expert staff than what each municipality pays for individually.

## **Rationale:**

The report considers and analyzes options with the objective to achieve CA service efficiencies, as it relates to costs to the City and processing timelines of development applications. The following five options cover a full range of

possible changes to the City of Kawartha Lake's relationship with its CA's – from dissolution to an enhanced partnership with one or more CA's.

Option 1 – Dissolution

Option 2 – Reduce CA services

Option 3 – Continue CA services

Option 4 – Increase CA services

Option 5 – Embrace

The options in this report will consider KRCA, its services, staff and costs as an example. The majority of the City's geography is subject to the KRCA's jurisdiction and accordingly, the City's levy is reflective of that. Also, the majority of the KRCA's jurisdiction is within the boundaries of the City of Kawartha Lakes. Therefore, changes to KRCA service delivery would impact the City the most.

### **Option 1 – Dissolution**

Section 13.1 of the Conservation Authorities Act outlines CA dissolution process. It provides that the Council of two or more participating municipalities must request a meeting, by resolution, of the members of the authority to consider dissolution. The meeting is to be public with opportunities for public members to make representations on the issue. At the meeting, two-thirds of the members of the authority must vote in favour of dissolution.

Following the vote, all participating municipalities have to demonstrate to the Province acceptable provision for future flood control, watershed interests, all assets and liabilities of the authority, and protection of drinking water sources. Provided that all requirements are met to the Province's satisfaction, the Lieutenant Governor in Council may dissolve the authority, on terms and conditions the Lieutenant Governor in Council considers appropriate.

There are no examples of successful dissolution. On February 11, 1999, dissolution of the KRCA was considered at a Special Meeting of the Board of Directors. The dissolution vote failed with only one vote made in favour of dissolution.

Dissolution of one or more CA's would have major implications on the City's budget and operations. Table 1 identifies existing KRCA services, staff and costs, as well as proportionate resources that would be required to continue services. The column titled, proportionate resourcing that may be applied to the City, was derived using 60% of the KRCA staff and costs, which is the approximate proportion of what the City of Kawartha Lakes funds for its KRCA levies. Where the City is the sole municipality paying for the services, the table indicates that 100% of the costs and staff would be required to perform the same service. All values represent an estimate of the impact of the dissolution.

Table 1: Considerations for business continuity plan

| <b>KRCA services</b>   | <b>KRCA staffing<br/>(full time<br/>employees<br/>(FTE))</b> | <b>Cost to KRCA<br/>(2017)</b>                          | <b>Proportionate<br/>resourcing that<br/>may be applied<br/>to the City</b> |
|--|--|---|---|
| <b>Planning and Regulation</b> <ul style="list-style-type: none"> <li>- Reviewing and regulating proposed development and alteration</li> </ul>  | 5.5 + external services                                      | \$753,600 (user fees)                                   | 3 staff + external services, and \$452,160                                  |
| <b>Flood and Water Level Monitoring</b> <ul style="list-style-type: none"> <li>- Flood forecasting and response</li> <li>- Ontario Low Water - drought response</li> <li>- Evaluation of flood prone areas</li> <li>- Maintenance of equipment (gauges)</li> </ul> | 1  | \$102,400 (MNRF transfer payment)                       | 0.6 staff and \$61,685  |
| <b>Environmental and Technical Programs</b> <ul style="list-style-type: none"> <li>- Watershed management</li> <li>- Monitoring services</li> <li>- Information and GIS services</li> </ul>  | 5  | \$472,200 (MNRF transfer payment, service fees, grants) | 3 staff and \$284,450   |
| <b>Stewardship Program</b> <ul style="list-style-type: none"> <li>- Incentives for land stewardship, tree planting</li> <li>- Linking community with funding sources</li> </ul>  | 1.5  | \$170,900 (grants, product sales)                       | 1 staff and \$102,950   |
| <b>Conservation Education</b> <ul style="list-style-type: none"> <li>- Programs for schools, seniors, community</li> </ul>   | 0.5  | \$65,000 (100% cost recovery - grants and user fees)    | 0.5 staff and \$65,000 (almost entirely benefits CKL)                       |
| <b>Conservation Areas</b> <ul style="list-style-type: none"> <li>- Ken Reid , Pigeon River and Windy Ridge Conservation Areas; other properties, facility and fleet management</li> </ul>  | 2.5 + seasonal   | \$422,800 (grants, user fees, management fees, rent)    | 2 staff + seasonal and 318,800  |



| KRCA services   | KRCA staffing<br>(full time employees<br>(FTE)) | Cost to KRCA<br>(2017)                             | Proportionate<br>resourcing that<br>may be applied<br>to the City |
|---|---|--|---|
| <b>Source Water Protection</b><br>- Development of Source Protection Plan and supporting information  | 0.5   | \$65,900 (MOECC funding)                           | 0.3 staff and \$39,700  |
| <b>Lake Management Planning</b><br>- Plan completion and its implementation   | 2.3   | \$317,800 (supplemented through provincial grants) | 100% of KRCA staff and costs                                      |
| <b>Agricultural Drain Classification</b><br>- Update to Municipal Drain Classification (single year project)                                    | 0.5 + seasonal                                  | \$75,000 (CKL)                                     | 100% of KRCA staff and costs                                      |
| <b>Floodplain Mapping</b><br>- Mapping floodplains of watercourses for protection of person and property further to Provincial Policy Statement | 1 + adjacent CA services                        | \$242,500 (CKL, Federal grant)                     | 100% of KRCA staff and costs                                      |
| <b>Risk Management Official</b><br>- Review and issue s.59 Notices (Source Protection)<br>- Threat verification                                 | 1 (will be changing to 0.5)                     | \$115,500 (CKL)                                    | 100% of KRCA staff and costs                                      |

The following are anticipated benefits and drawbacks of dissolving one or more CA.

#### Pros

- As a result of dissolution, the City would gain in-house environmental expertise. The presence of in-house environmental expertise may potentially lead to shorter commenting timeframes.
- There are opportunities to achieve efficiencies in staff and some equipment.

**Cons:**

- There is no example of a successful dissolution; any benefits associated with dissolution are only anticipated.
- Currently, the City does not pay for the total cost of the CA services and through dissolution; cost-sharing opportunities, self-generated revenue, provincial grants and donations that make up the CA revenue would no longer be available.
- Since cost saving is one of the objectives of dissolution, it is anticipated that a smaller share of resources (staff and budget) would be allocated to CA related work. Consequently, there would be cuts to environmental services provided.
- Dissolution would lead to a loss of CA network that is important for leveraging resources, sharing information and best management practices.
- Dissolution would result in a major change to the City's business model.

**Staff does not recommend dissolving one or more CA's.** The analysis identified that dissolution would be a drastic approach, one that only dissolves a CA but not its responsibilities related to flood control, watershed interests, its assets and liabilities, and protection of drinking water sources. Without the benefit of CA's multiple revenue sources and a group of expert staff, dissolution is not anticipated to result in cost or service efficiencies for the City. Furthermore, dissolution cannot be initiated by the City of Kawartha Lakes alone; successful dissolution requires support from participating municipalities, the public, the province and the Lieutenant Governor in Council.

**Option 2 – Reduced CA Services**

The second option recognizes CA's as being the most appropriate parties for accomplishing programs and services required by the Conservation Authorities Act (i.e. regulation of hazard lands), but considers opportunities to streamline other CA services. In this option, the programs and services that are considered fall within the following two categories:

- The municipal programs and services that CA's provide on behalf of municipalities under an MOU; and
- Other programs and services that the City and CA's determine to be common environmental policy objectives.

Staff identified four potential programs and services that could either be brought in house, removed or cut. The following are anticipated benefits and drawbacks of each of the potential change.

**1. Bring the Risk Management Official/Inspector position in-house**

Further to the Clean Water Act, municipalities are responsible for appointing Risk Management Official/Inspector (RMO) to implement local Source Protection Plan Part IV policies. Municipalities may elect to appoint an RMO position in-house or delegate the responsibilities to a CA. Examples of municipalities that perform RMO duties in-house include the Region of Durham, the Region of Waterloo and the City of Barrie.

In 2013, Council determined that RMO responsibilities should be carried out by KRCA for a trial period. In 2016, Council carried recommendation to establish the RMO position permanently with KRCA.

Pros:

- The City would have an in-house trained and certified expertise.

Cons:

- The cost saving associated with an RMO position being in-house was highly contested in 2013 and Council identified that an RMO position is best suited with KRCA. Furthermore, KRCA levied costs are anticipated to decrease in the next years as this position transitions from a 1.0 to a 0.5 FTE.
- An individual can only become an RMO upon successful completion of a mandatory training approved by the Ministry of the Environment and Climate Change. None of the City staff are currently certified. KRCA currently has two trained and certified staff who are also involved in source protection. This ensures that work related to source protection is not duplicated.
- KRCA has developed a timely application review and issuance process of s.59 Notices. Development applications are processed in a timely manner, as well as the City and KRCA have an agreed upon streamlined process for emergency related work (i.e. unexpected septic issues).
- The RMO position requires a significant amount of time off-site to do site visits, threat verifications, and negotiation with non-compliant landowners. The City would need to make provisions, such an increased number of fleet to support this position.

**Staff does not recommend bringing the RMO position in-house.** Council made the decision in 2013 to delegate RMO responsibilities to KRCA and then reaffirmed that decision in 2016, when the RMO position was made permanent with KRCA.

**2. Remove from the MOU, the requirement for KRCA to comment on development applications outside of their jurisdiction.**

The northern portion of the City is outside of CA jurisdiction. Section 6 of the MOU, however, involves KRCA to provide plan review and technical clearance

expertise, and to assist the City in making decisions on development applications regarding matters of provincial interest on lands outside of KRCA's regulated watershed boundary.

Over the past three years, KRCA has reviewed and commented between 5 to 18 applications on annual basis in the northern portion of the City. In comparison, KRCA reviews more than 350 development or site alteration proposals annually for the remainder of the City.

KRCA application fees are consistent inside and outside of its regulated watershed boundary. For applications in the northern portion of the City, however, the City has agreed to be charged an equivalent amount to that of the application fee to account for additional expenses. For instance, for a consent application (new lot creation), KRCA would charge an applicant and the City, \$500 each.

Pros:

- Development proponents will not be subject to KRCA comments and fees in the northern portion of the City, and in some cases this may contribute to a shorter review process.
- Reduce public's confusion about KRCA's ability to comment on development outside of their jurisdiction.

Cons:

- This option is not anticipated to have a large effect on the levy due to a lower volume of development or site alteration proposals in the northern portion of the City.
- In the case of a dispute about the boundaries of a feature or the presence of species at risk, there would be no environmental expertise to inform municipal decisions. To effectively resolve environmental matters, the City would need to hire qualified staff and for larger projects, the City would need to retain peer reviewers at an applicant's expense.
- The Growth Plan for the Greater Golden Horseshoe 2017 has new policies protecting the provincially identified Natural Heritage System. The northern portion of the City is almost entirely covered by the Natural Heritage System. KRCA's oversight of the northern portion of the City is therefore increasingly more important to assist the City's planning process with policy conformity.

**Staff does not recommend removing CA oversight over the northern portion of the City.** With this option, environmental protection responsibility would be shifted to the City and the City would need to hire qualified staff. For large projects, the City would need to retain peer reviewers at an applicant's expense. Any small cost savings of removing this service, therefore, would be offset if the City hires qualified staff.

However, replacing KRCA oversight with the expanded LSRCA area could be further evaluated.

### **3. Cut some of the special projects.**

KRCA undertakes special projects to assist with municipal needs and investment in the community. Municipal levy for special projects changes year to year to reflect the different phases and needs of the projects. KRCA is currently working on Lake Management Plans and their implementation as well as Floodplain Mapping Studies.

Pros:

- Special projects can be costly. For 2018, the City paid \$407,100 towards special projects.

Cons:

- In addition to the municipal levy, special projects are subsidized through provincial grants. These grants would not be available to private sector contractors.
- The onus would be shifted on development proponents to complete studies (i.e. floodplain delineation) that could have been completed through special projects. This would create further delays in the planning process.
- Lake Management Plans and Floodplain Mapping Study results are critical in informing planning policies and development decisions, as well as in protecting health and safety.
  - i. Lake Management Plans identify a myriad of information on lake health, (including phosphorous loading, E.Coli concentrations and water budget). This is important for protecting water as a drinking source and for recreational activities that promote tourism.
  - ii. The purpose of the Floodplain Mapping Study is to map or update mapping of the floodplain of various rivers and creeks. In the absence of an updated floodplain, the responsibility to map or update the boundaries falls on development proponents and effective mapping cannot be prepared on a piecemeal basis.

**Staff does not recommend cutting special projects.** These initiatives are critical to the City of Kawartha Lakes Planning Division's decision-making process, as well as they support healthy and safe communities.

### **Option 3 – Continue CA Services**

The third option proposes to update the MOU with the changes to legislation and policies since the passing of the MOU in 2012. This option, however, does not propose any changes to the relationship with the CA's. The following are anticipated benefits and drawbacks of choosing status quo option.

#### **Pro**

- This is an established and familiar order of business for the City and KRCA.

#### **Con**

- This option would not address existing concerns regarding municipal levies and processing time of applications.

**Staff recommend to continue with CA service delivery model.** This option prioritizes protecting the environment and considers the best interests of the City's departments, staff, residents and development proponents.

### **About Options 4 and 5**

Options 4 and 5 propose additional services. Although the intent of this report is to identify changes that would result in cost savings to the City and processing timeframe efficiencies, there may be opportunities to improve CA services by addressing gaps in service, making best use of synergies and meeting the needs of the public.

At this time, staff do not recommend options 4 and 5, unless further evaluation is undertaken to align these initiatives with the City departments, and consider resource implications of adding these services. However, it is important to consider the opportunities of the City-CA relationship. The following sections identify what are some of the additional services the CA's could undertake, as well as describe why these services would be beneficial.

### **Option 4 – Increased CA Services**

Option 4 proposes additional programs and services that CA's could be asked to undertake to better support the City. Staff have identified two potential examples where the service could be increased.

- 1. CA's conduct a comprehensive evaluation and/or update of features, such as significant wildlife areas, wetlands and significant hydrologic features.**

Why is this important?

- Ground-truthing existing mapped information can be very beneficial for providing preliminary comments to development proponents at the pre-consultation stage. In the absence of accurate information, staff defer it to development proponents to demonstrate the limits of environmental features.
- Determining significance of unevaluated features provides certainty to staff and development proponents.

**At this time, staff does not recommend this option.**

## **2. Open data portal to coordinate and manage information requests.**

Why is this important?

- An open data portal would allow municipalities to view and access CA data easily without the need for data licensing agreements.
- CA collected information could inform existing City operations, such as flow information for culvert/bridge replacement.
- Coordinating knowledge and resources would be beneficial for addressing the new legislative and policy requirements in relation to climate change. KRCA produced a Climate Change Strategy in 2015, the City is currently working on a Healthy Environment Plan, and at the next Official Plan review, Planning staff will be developing City's climate change policies further to Bill 139 legislative requirements and Growth Plan, 2017 policies.

**At time, staff does not recommend this option.**

## **Option 5 – Embrace**

Option 5 proposes that the City and the CA's work more closely together to have the City of Kawartha Lakes recognized as an environmental leader. More specifically, this option proposes that the City and the CA's collaborate to attract residents, visitors and economic development. Staff have identified two potential initiatives that may achieve this goal:

### **1. The City could work better together with KRCA to boost tourism to the City.**

KRCA manages three conservation areas in the City of Kawartha Lakes. Conservation areas provide public access to nature and offer a number of opportunities to boost tourism to the City. One example is proposed below.

The City's Strategic Plan supports initiatives that provide exceptional quality of life to residents and promote a vibrant and growing economy. In the times of rapid urban development and intensification in Southern Ontario, green spaces

are highly sought after not only for recreation, but increasingly for community events, business meetings and workshops. For instance, Halton Conservation, Credit Valley and Toronto Region Conservation Authorities offer wedding facilities, yoga classes, photography workshops, meditation hikes, and many more activities in their conservation areas. Environmental multi-use spaces with hydro and water allow other CA's to expand the uses of conservation areas. There are a number of benefits in investing into environmental multi-use facilities.

Why is this important?

- A new facility would bring new revenue to the CA through facility bookings.
- In addition to providing a community meeting space, a new facility would allow KRCA to expand their education services.
- Activities in conservation areas may also attract visitors to the City and bring awareness of what the City of Kawartha Lakes has to offer.
- More traffic to conservation areas may also warrant raising entrance fees. For example, a highly frequented Hilton Falls Conservation Area administered by Halton Conservation charges up to \$7 per visiting adult, whereas Ken Reid Conservation Area currently charges only \$2 per vehicle.

**At this time, staff does not recommend this option.**

## **2. Use science and information to help inform decision making for business sectors (e.g. agriculture).**

CA's have expertise in water quality monitoring, stewardship, Low Impact Development (LID), etc., which can benefit the agricultural sector. An example of this type of partnership was undertaken through the Great Lakes Agricultural Stewardship Initiative in southwestern Ontario where Ontario Soil and Crop Improvement Association and Ministry of Agriculture, Food and Rural Affairs worked with four CA's to study phosphorous management, soil health and water quality. While this example is a funded initiative organized by the agri-food sector and various levels of government, this example demonstrates the importance of partnering farmers with CA's. There are a number of benefits of this partnership.

Why is this important?

- Environmentally sustainable practices are beneficial for all stakeholders: the farming community, CA's, the City and the public.
- Collaborating with the CA's and relying on their expertise may decrease long-term costs to farmers associated with water quality management and other rehabilitative practices.

**At this time, staff does not recommend this option.**



## **Next Steps**

Council should determine the level of service and direct staff to formalize the MOU. If any of the reduced or increased service options are selected, further evaluation is required to consider the financial and staffing implications in more detail.

## **Other Alternatives Considered:**

This report provides Council with a number of options for consideration. Although staff is providing a recommendation, Council could direct staff to investigate other options.

## **Financial/Operation Impacts:**

Staff feels that the recommendation is generally the most cost effective option. Council could choose to request staff to provide more detailed costing of other options.

## **Relationship of Recommendations To The 2016-2019 Strategic Plan:**

The Council Adopted Strategic Plan identifies these Strategic Goals:

- A Vibrant and Growing Economy
- An Exceptional Quality of Life
- A Healthy Environment

This initiative aligns with an exceptional quality of life by considering improvements to the City's fiscal resource management and municipal service.

This initiative also aligns with a healthy environment by promoting and supporting services that protect and enhance the City's natural features and their functions.

## **Consultations:**

Internal:

Director of Public Works

Director of Community Services

Chief Building Official

External:

Kawartha Region Conservation Authority

## **Attachments:**

Appendix A – June 19, 2018 Staff Presentation



Appendix A -  
PLAN2018-055.pdf

Appendix B – March 27, 2018 Staff Presentation



Appendix B -  
PLAN2018-055.pdf

**Department Head E-Mail:** cmarshall@kawarthalakes.ca

**Department Head:** Chris Marshall

**Department File:** C11

# Conservation Authorities Core Service Review Development Services

APPENDIX " B "  
to  
REPORT PLAN 2018-055  
FILE NO. C 11

## Core Service Review



# Overview

- Background on CA's
- Legislation
- CA Act review
- Roles and responsibilities
- Local CA's
- Programs and services
- CA revenue sources
- What is it costing us?
- Summary of key points
- Next steps

# Background on CA's

- The Conservation Authority movement in 1930's in response to poor land, water and forestry practices that resulted in extensive drought, soil loss, deforestation and flooding.
- Hurricane Hazel in 1954
  - the provincial government amended the *Conservation Authorities Act* to enable CA's to acquire lands for recreation and conservation purposes, and to regulate that land for the safety of the community
- Today, 36 CA's play an important role in addressing environmental and resource management challenges, especially in light of the growing impacts of climate changes and rapid urbanization

# Legislation

- The *Conservation Authorities Act*, 1946
  - authorizes Conservation Authorities (CA's) to deliver local resource management programs at a watershed scale for both provincial and municipal interests
- CA mandate s. 20(1) of the Act
  - To provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals

# CA Act review

- July 2015, the Ministry of Natural Resources and Forestry initiated a review of the *Conservation Authorities Act*
  - The purpose was to review CA governance, funding mechanisms, and roles and responsibilities
- December 12, 2017, Bill 139 Building Better Communities and Conserving Watersheds received royal assent
- A number of changes have been made and some are pending proclamation



# CA Act review – What has changed?

- Section 21 of the *Conservation Authorities Act* grants power to determine programs and services to conserve, restore, develop and manage the natural resources of the watershed
- New section 21.1 (in force) clarifies the three types of programs and services that a CA is required or permitted to provide:

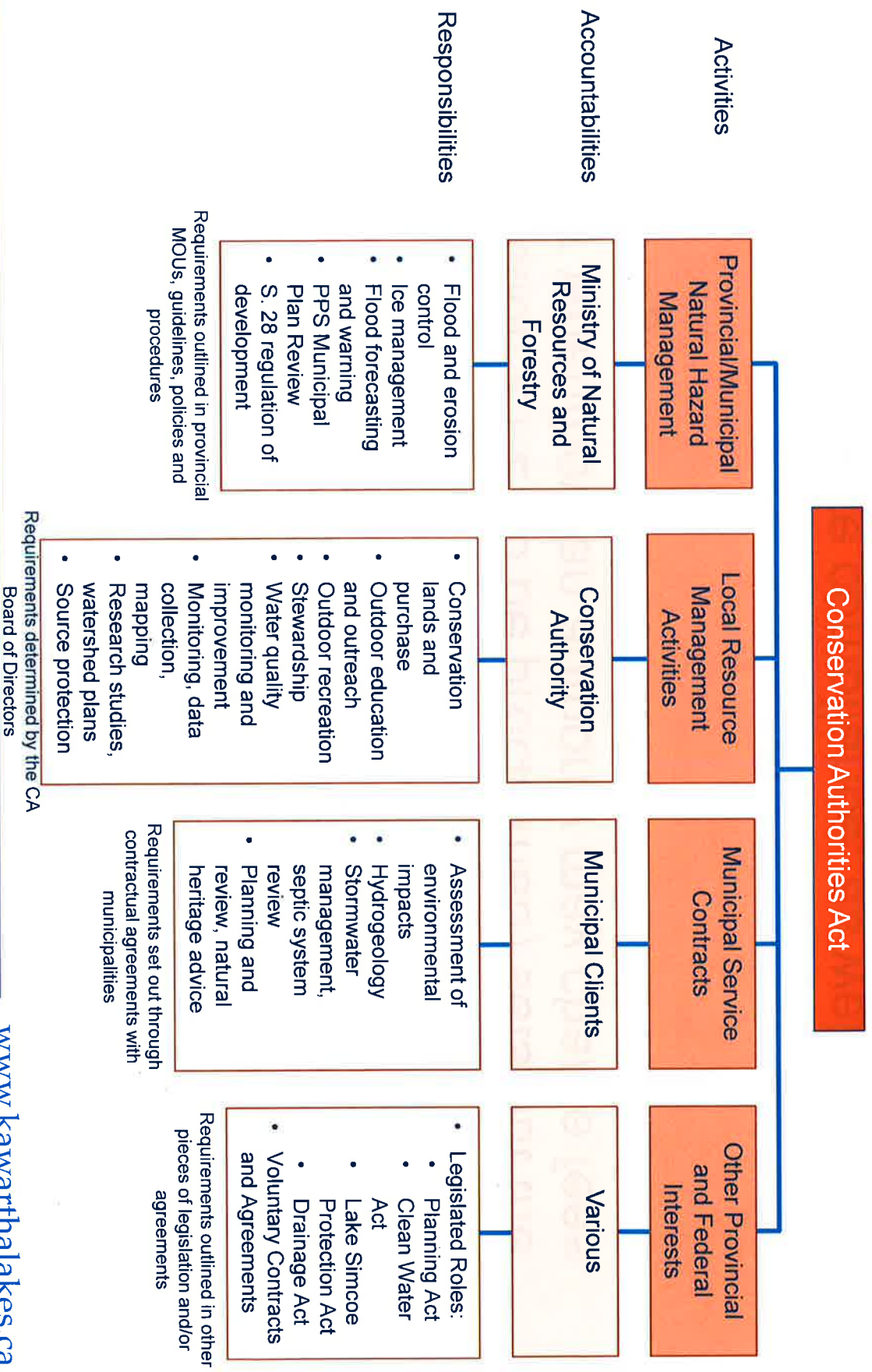
1. the mandatory programs and services that are required by regulation
2. the municipal programs and services that CA provides on behalf of municipalities under an MOU
3. other programs and services that the City and CA's determine to be common environmental policy objectives



# CA Act review – What has changed?

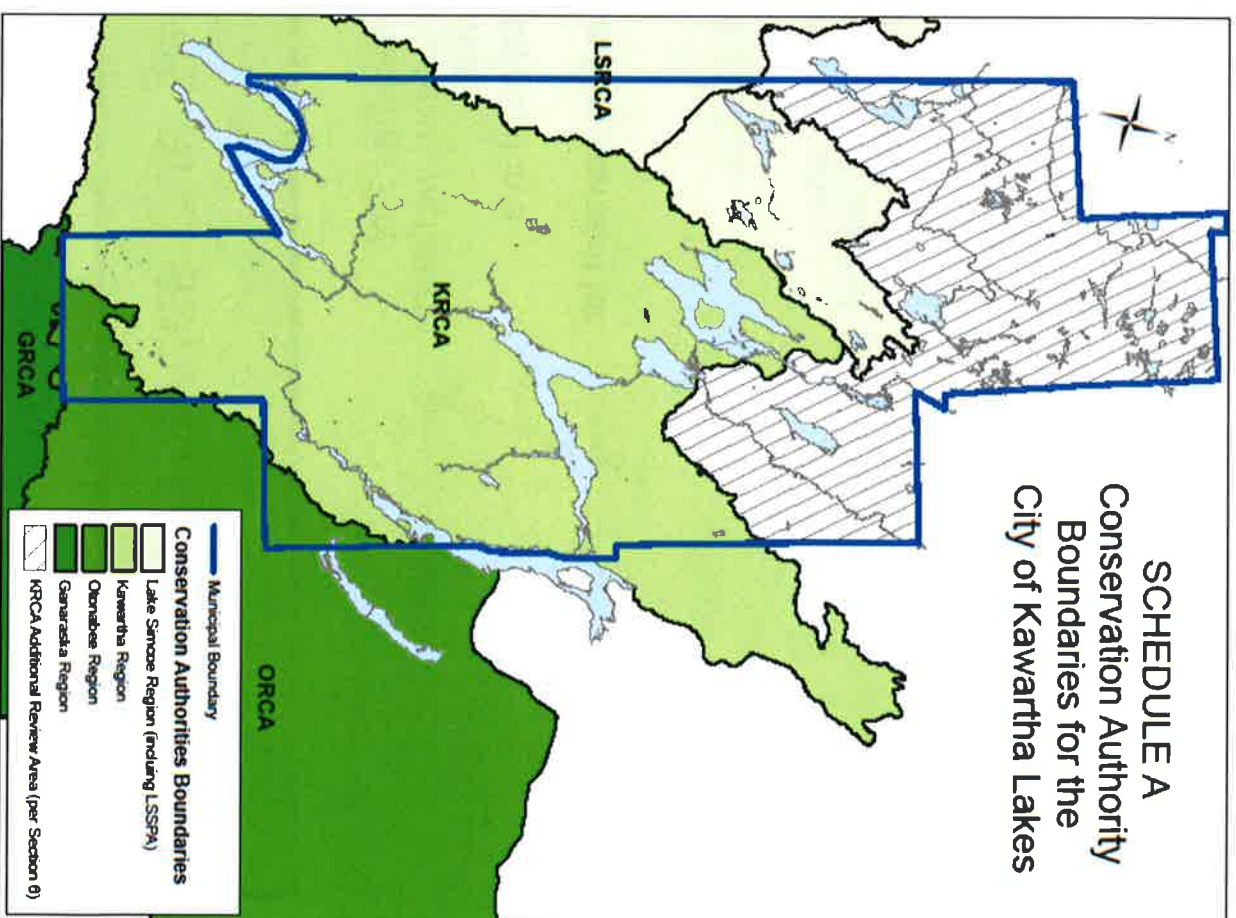
- New section 19.1 (in force) sets out the power of a CA to make by-laws in relation to its governance, including its meetings, employees, officers and its executive committee
- New section 21.2 (to be proclaimed) sets out the rules for when/how an authority may charge fees for the programs and services
- Enforcement powers (to be proclaimed) are expanded to ensure compliance, as well as offences are subject to higher fines

# Roles and Responsibilities



# Local CA's

- The City of Kawartha Lakes receives its environmental planning services from four Conservation Authorities covering the City:
  - Kawartha Region Conservation Authority
  - Otonabee Region Conservation Authority
  - Ganaraska Region Conservation Authority
  - Lake Simcoe Region Conservation Authority
- Environmental planning services are formalized through the Environmental Planning Services Memorandum of Understanding (MOU)
- Last MOU authorized by Council on September 11, 2012 (Report DEV2012-010) for a 5 year period





# Programs and services

## 1. The mandatory programs and services that are required by regulation

- Section 28 of the *Conservation Authorities Act* gives power to regulate flooding, erosion, wetlands, alteration to waterways and shorelines
  - Example 1: a permit to allow development in a floodplain (green hatched area)
  - Example 2: a Standard Compliance Requirement for culvert replacement
- Requirements outlined in provincial MOUs, guidelines, policies and procedures
  - Examples: flood forecasting and warning, and commenting on provincial interests in the Provincial Policy Statement relative to natural hazards
- Funded by provincial grants and municipal levies



# Programs and services

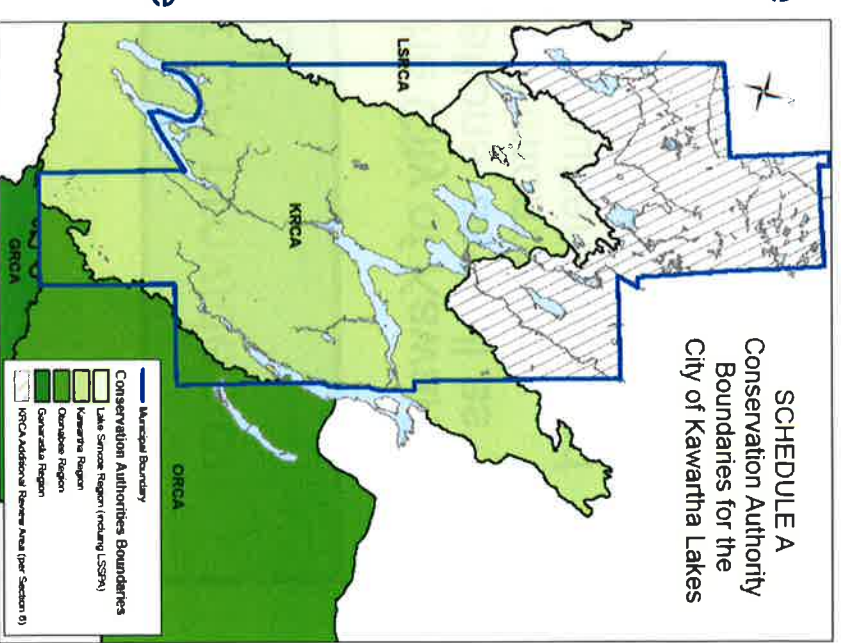
## 2. Municipal programs and services that CA provides on behalf of municipalities under an MOU

- Section 5 of the 2012 MOU, requires that the City of Kawartha Lakes consult CA's on development applications, as well as requires that CA's advise the City of technical information required for a complete application, identify requirements and adequacy of studies, and assist the City through their Plan Review comments
- Section 5.e) sets out that CA Plan Review comments will be in the context of:
  - the *Conservation Authorities Act*, *Planning Act*, the *Provincial Policy Statement*, the *Environmental Assessment Act*, the *Oak Ridges Moraine Conservation Act*, the *Oak Ridges Moraine Conservation Plan*, the *Clean Water Act*, the *Fisheries Act*, the *Lake Simcoe Protection Act*, the *Lake Simcoe Protection Plan* and other applicable legislation as may be enacted from time to time

# Programs and services

## 2. Municipal programs and services that CA provides on behalf of municipalities under an MOU

- CA's to provide comments as it relates to available information and analysis on the identification, function and significance of natural heritage and hydrologic features and systems in proximity to a proposed development site or within a study area
  - Example: provide expertise on unevaluated wetlands
- Northern portion of the City of Kawartha Lakes is outside of CA jurisdiction (hatched area)
  - KRCA provides plan review and technical clearance expertise outside of their jurisdiction (as per section 6 of the MOU)

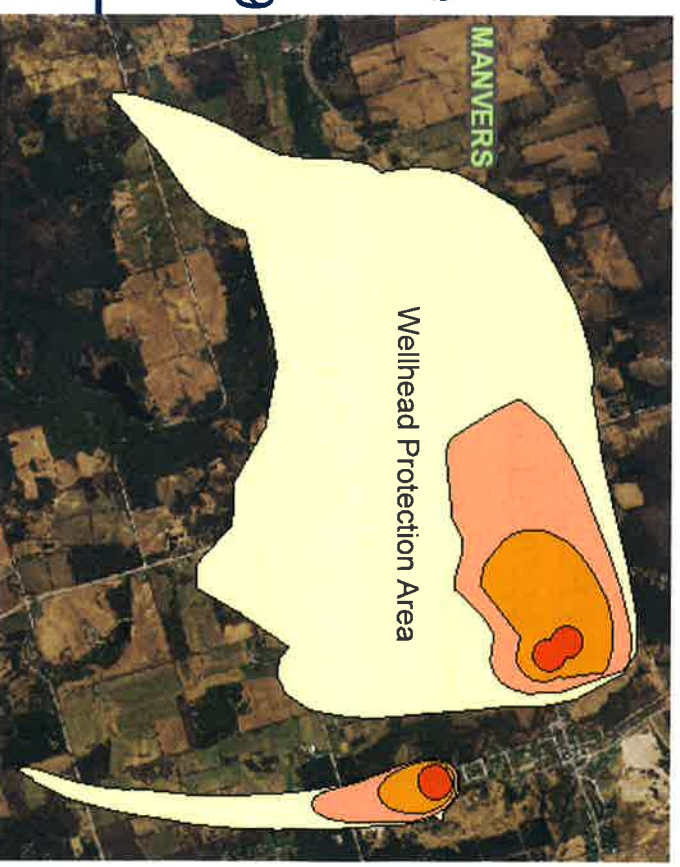




# Programs and services

## 2. Municipal programs and services that CA provides on behalf of municipalities under an MOU

- In 2013, the City appointed KRCA as the risk management official to issue Section 59 Notice under the *Clean Water Act*
- KRCA provides expertise for the entire City
- This service is funded by the City
- Example: Construction or change of use of a building in the wellhead protection area in Bethany would require Section 59 Notice



# Programs and services

3. Other programs and services that the City and CA's determine to be common environmental policy objectives
  - The types of programs that CA's typically administer include watershed monitoring, flood management, conservation of lands, watershed stewardship and environmental education
  - This body of work provides a basis for environmental policies in the Official Plan and helps to implement development applications and building construction
  - Examples of ongoing programs in KRCA:
    - Lake Management Plans
    - Lake Management Implementation
    - Blue Canoe Program
    - Floodplain Mapping Study



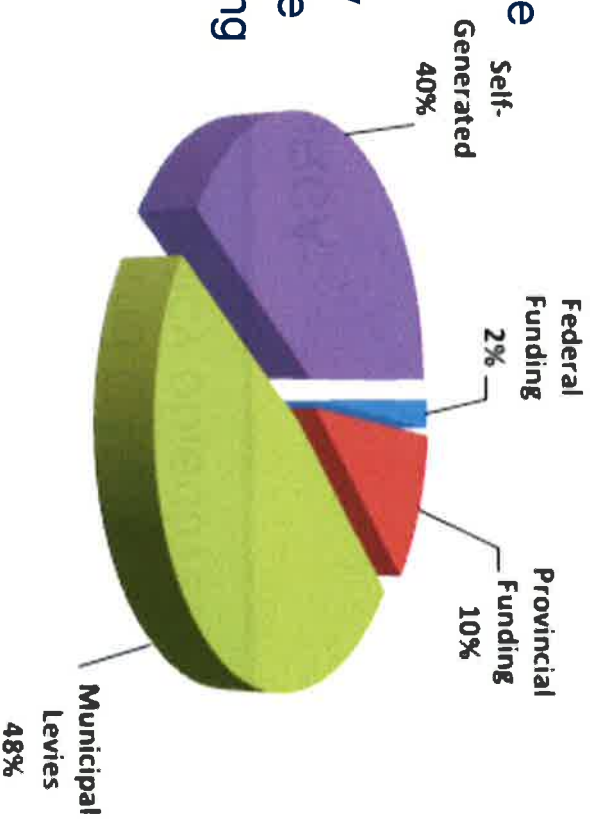
# Programs and services

## 3. Other programs and services that the City and CA's determine to be common environmental policy objectives

- Examples of 2015-2017 programs in LSRCAs:
  - Basin wide initiatives: advancing LID and stormwater management, wetland carbon sequestration study and erosion and sediment control study
  - Other projects: well decommissioning, clean water diversions, tree planting projects, restricting livestock from watercourses, storing and handling fuel and fertilizer upgrades, and septic upgrades
  - Open lake monitoring: data is used to inform lake management decisions. There is no legislative requirement, but a provincial grant matches municipal funding.

# CA revenue sources

- On average, in 2013, municipal levies represented about 48% of the total CA revenue sources
  - For example, KRCA levies about 60%
- The operating municipal levy is shared by the municipal partners based on an apportionment percentage provided by the MNRF
- General benefiting projects are shared by the municipal partners based on the same apportionment percentage as the operating levy
- Special benefiting projects are funded by the benefiting municipality/municipalities

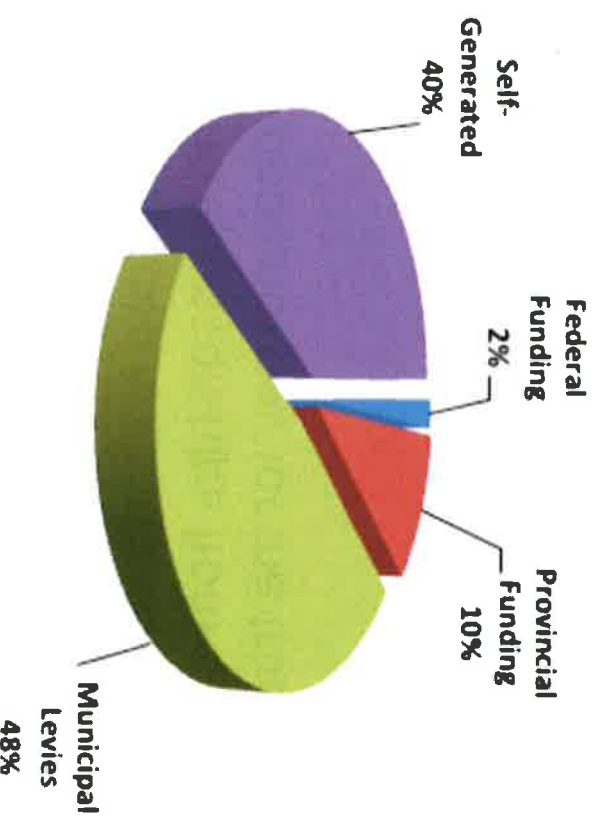


Source: Discussion Paper on the Conservation Authorities Act, 2015

[www.kawarthalakes.ca](http://www.kawarthalakes.ca)

# CA revenue sources

- The province provides CA's with funding for provincially mandated programs (on average 10% of their total budget) – including the hazards management program funded by MNRF and the source water protection program funded by MOECC
  - For example, KRCA receives about 3%
- Additional provincial funding may be provided to support special projects on a project by project or application basis
- Provincial funding usually must be matched by municipal levies
- About 40% of CA revenue sources are self-generated through earned revenues for services, rentals, sales, donations, sponsorships, etc.
  - For example, KRCA generates about 34%



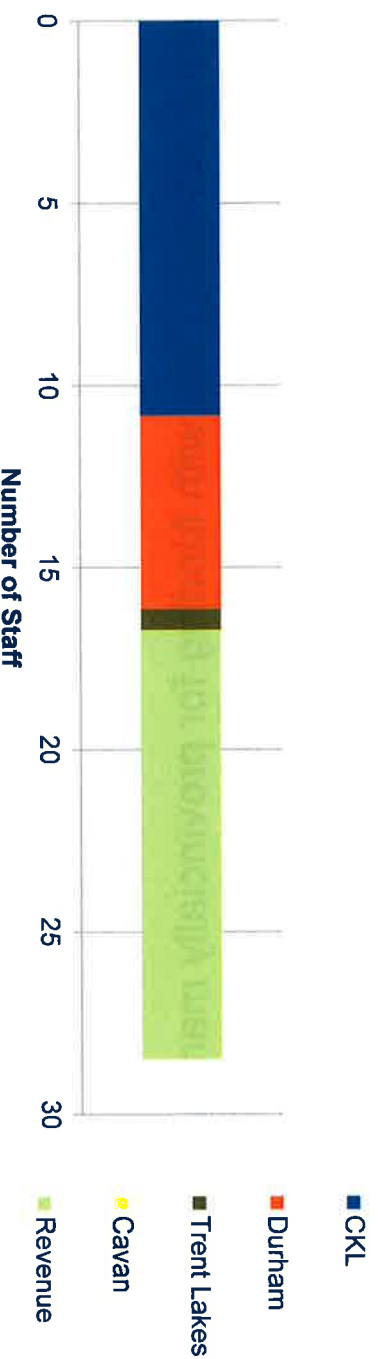
Source: Discussion Paper on the Conservation Authorities Act, 2015

# CA revenue sources

- Cost sharing between municipalities, self-generated revenue, as well as CA's access to grants, donations and sponsorships from a wide range of funders means that the City does not pay for the true cost of services

- The chart by KRCA demonstrates how many staff each municipality, pays for versus how many experts municipalities have access to as a result of cost sharing

**Cost Sharing Supporting Staff**



# What is it costing us?

- City of Kawartha Lakes levy
  - Information from CKL budget

| CA    | 2015            |         | 2016            |         | 2017            |         | 2018    |         |
|-------|-----------------|---------|-----------------|---------|-----------------|---------|---------|---------|
|       | Approved Budget | Actual  | Approved Budget | Actual  | Approved Budget | Actual  | Budget  | Actual  |
| KRCA  | 839,310         | 839,310 | 860,351         | 859,920 | 894,637         | 894,637 | 941,662 | 894,637 |
| ORCA  | 7,033           | 7,217   | 7,103           | 7,493   | 7,245           | 7,793   | 8,055   | 8,055   |
| GRCA  | 2,703           | 2,703   | 2,787           | 2,770   | 2,836           | 2,836   | 2,899   | 2,898   |
| LSRCA | 39,019          | 39,025  | 39,153          | 39,153  | 39,548          | 39,548  | 41,603  | 41,603  |

# What is it costing us?

- City of Kawartha Lakes levy
  - Information from CKL budget

CKL levy  
\$947,193

| CA    | 2015            |         | 2016            |         | 2017            |         | 2018    |         |
|-------|-----------------|---------|-----------------|---------|-----------------|---------|---------|---------|
|       | Approved Budget | Actual  | Approved Budget | Actual  | Approved Budget | Actual  | Budget  | Actual  |
| KRCA  | 839,310         | 839,310 | 860,351         | 859,920 | 894,637         | 894,637 | 941,662 | 894,637 |
|       |                 |         |                 | → +2%   |                 | → +4%   |         | → 0%    |
| ORCA  | 7,033           | 7,217   | 7,103           | 7,493   | 7,245           | 7,793   | 8,055   | 8,055   |
|       |                 |         |                 | → +4%   |                 | → +4%   |         | → +3%   |
| GRCA  | 2,703           | 2,703   | 2,787           | 2,770   | 2,836           | 2,836   | 2,899   | 2,898   |
|       |                 |         |                 | → +2%   |                 | → +2%   |         | → +2%   |
| LSRCA | 39,019          | 39,025  | 39,153          | 39,153  | 39,548          | 39,548  | 41,603  | 41,603  |
|       |                 |         |                 | → 0%    |                 | → +1%   |         | → +5%   |



# What is it costing us?

- Number of applications in CKL vs. CKL levy apportionment
  - Applications include *Planning Act* applications, Section 28 applications and legal inquiries (does not include: violation notices, site clearances, EA and other undertakings)

| CA    | 2015 | 2016 | 2017 | % of all applications (2015-2017) |
|-------|------|------|------|-----------------------------------|
| KRCA  | 353  | 411  | 552  | 65% - 75%                         |
| ORCA  | 5    | 16   | 14   | 1% - 2%                           |
| GRCA  | 0    | 0    | 0    | 0%                                |
| LSRCA | 8    | 17   | 13   | <1%                               |

How does it compare?



| % of municipal levy apportionment |
|-----------------------------------|
| ~ 60% (based on previous years)   |
| 0.55% (2018)                      |
| 0.30% (2018)                      |
| 1% (2017)                         |

# What is it costing us?

- Risk management official services - KRCA
  - Responsibilities under the *Clean Water Act*

| Activity             | 2015    | 2016    | 2017    | 2018               |
|----------------------|---------|---------|---------|--------------------|
| Section 59 Notice    | 4       | 13      | 30      | -                  |
| Section 59 Letter    | 0       | 7       | 6       | -                  |
| Risk Management Plan | 3       | 3       | 13      | -                  |
| Pre-Consultation     | 0       | 1       | 14      | -                  |
| Cost to CKL (\$)     | 106,500 | 102,500 | 102,500 | 115,500 (proposed) |



# What is it costing us?

- Additional costs:
  - KRCA special projects

| Project                        | 2015    | 2016    | 2017    |
|--------------------------------|---------|---------|---------|
| Lake Management Planning       | 121,400 | 204,000 | 121,400 |
| Lake Management Implementation | 40,000  | 117,000 | 157,900 |
| Blue Canoe Program             | 25,000  | 25,000  | -       |
| Flood Plain Mapping            | 213,000 | 207,000 | 127,800 |

# In summary

- Programs and services between individual CA's vary greatly due to CA's sizes, population pressures, available resources and specific needs of communities they serve
- CA's may offer additional programs and services beyond those mandated by the Province and municipalities, but they should not be considered to be "exceeding their mandate"



- In addition to CA's key role in keeping people, property and communities safe as well as protecting the environment, CA's have a number of benefits to the City. Some of the key benefits include:
  - Cost-sharing of staff and project costs benefits all municipalities (CKL has access to 28 staff for the cost of 11 in KRCA alone)
  - CA's have access to a range of funding sources (i.e. provincial grants, sponsorships, etc.)
  - CA's assume responsibilities and liabilities that municipal councils would be otherwise subject to (i.e. s. 59 of the *Clean Water Act* and s. 23(2) of the *Conservation Authorities Act*)
  - CA's provide scientific support through data collection, studies and mapping that contribute to informed decision making

## Next steps

- Look at opportunities to enhance levied services in the next MOU between the City and the CA's
- Develop an updated MOU
  - MOU to consider changes since 2012, such as:
    - MOU to consider changes to CA powers as a result of Bill 139
    - MOU to consider 2013 amendment to the *Canada Fisheries Act* that voided the partnership between CA's and the DFO
    - MOU to reflect KRCOA's role as Risk Management Official further to the *Clean Water Act*



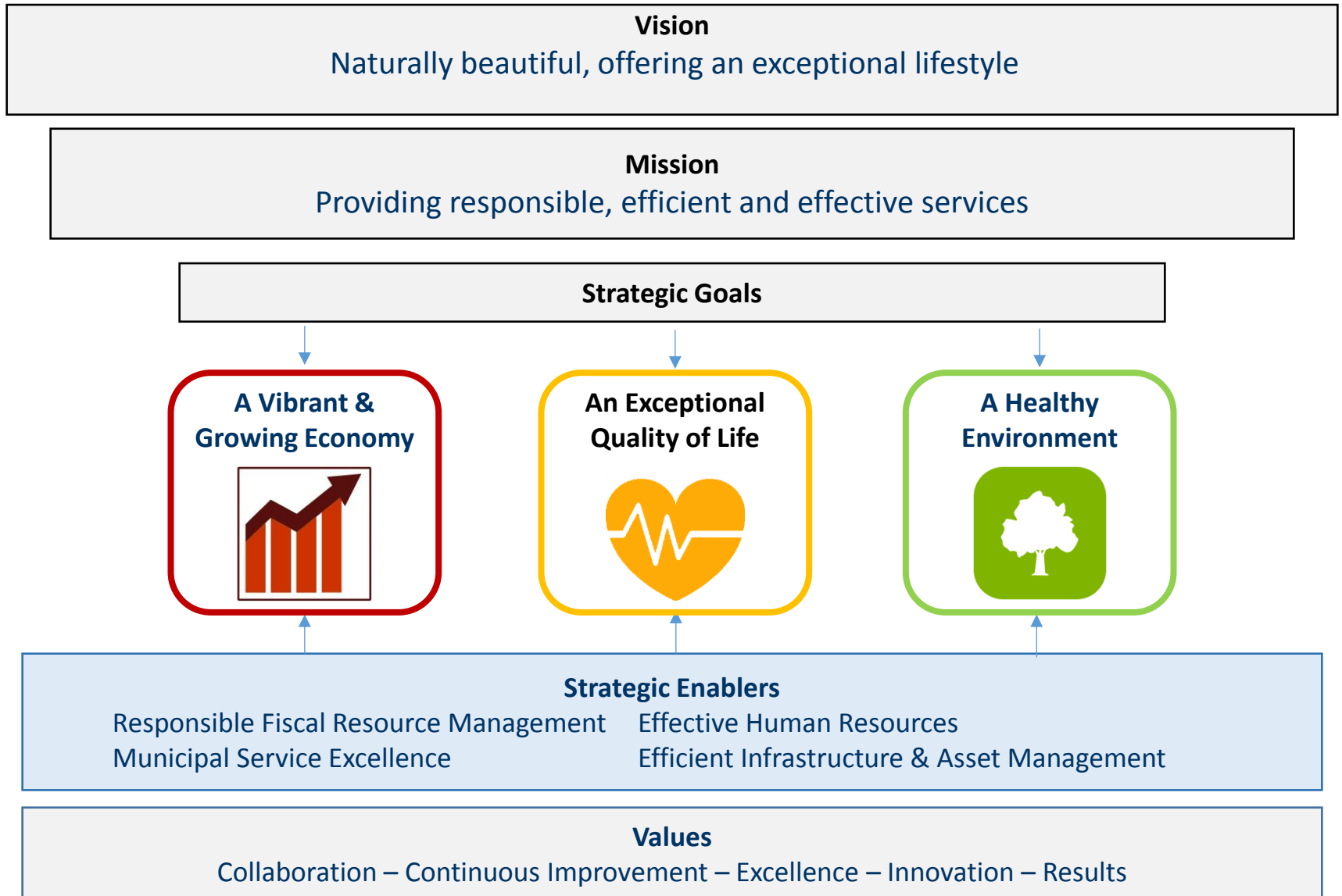
# City of Kawartha Lakes

## Economic Development Development Services

Council Update  
June 19, 2018



# City of Kawartha Lakes Corporate Strategic Plan Framework



# The Economic Development Team





# Strategic Goals



**Goal 1:** Adopt a City-wide focus



**Goal 2:** Grow specific business sectors



**Goal 3:** Encourage a positive community business culture



**Goal 4:** Align and inspire City resources



**Goal 5:** Attract and retain a new generation of great entrepreneurs and workforce

# Economic Development Strategy: Five Goals



# Specialized Manufacturing & Engineered Products





# Small Business & Entrepreneurship Centre



## Starting Point Information Session

Looking to start, expand or purchase an existing business? Wanting to gain access to business training, coaching and Provincial grant opportunities?

Join us on:  
Monday August 14th  
11:00 - 12:30  
180 Kent St. W.,  
Lindsay

# Small Business & Entrepreneurship Centre

**Starter  
Company+**



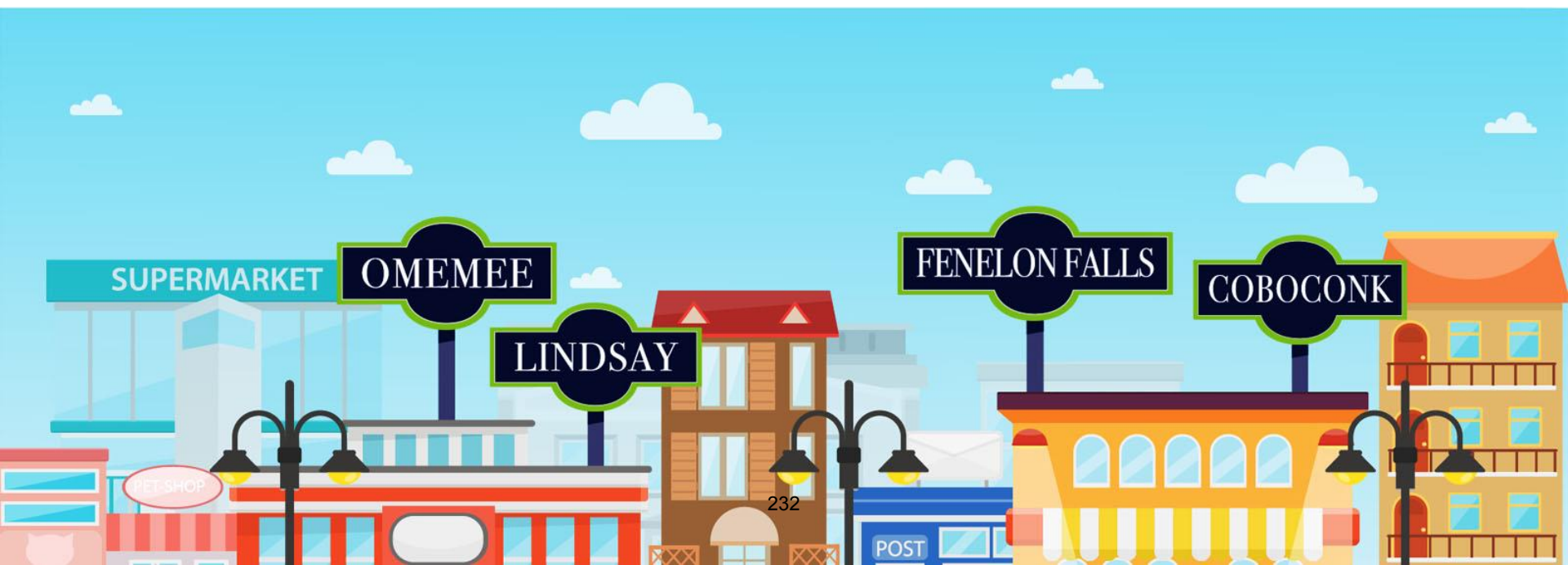


# Small Business & Entrepreneurship Centre





DOWNTOWN  
**DREAMS**  
Kawartha Lakes







This project is funded by the Ontario Ministry of Agriculture, Food and Rural Affairs and the City of Kawartha Lakes

# Downtown Dreams Finalists



# Agriculture and Food



Goal 1: Adopt  
a City-wide focus

- **Build awareness of the City of Kawartha Lakes**

Hosted Ontario East Economic Development Commission Quarterly Meeting to share success stories with eastern Ontario communities

Developing an **agricultural awards program** to celebrate the achievements of agriculture with a social.  
**Spotlight on Agriculture**  
**Friday, February 15, 2019**





# Agriculture and Food



Goal 2: Grow  
specific business  
sectors

- Hosting the (Russia) DairyNews Motor Rally July 15-21 – **Export Development** in dairy genetics, equipment, technology and management expertise
- Growing the food processing sector to build employment around value added agriculture
  - **Supported expansion:** Simcoe Street Meats, Mariposa Dairy, & Kawartha Dairy
  - **2 Value-added food processing workshops** (80 attended)



# Agriculture and Food



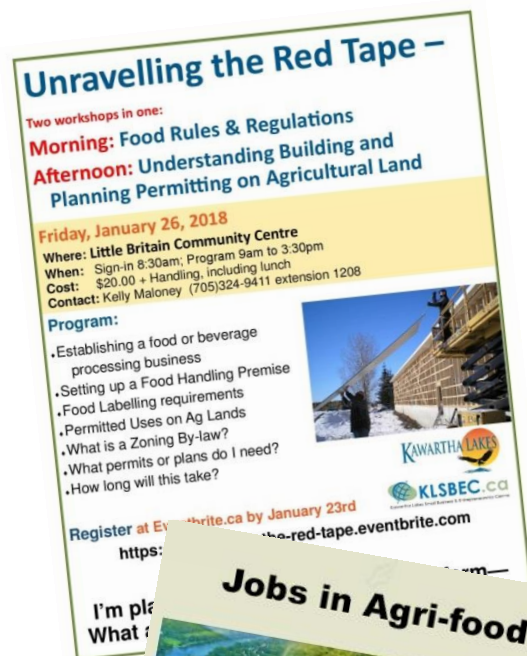
Protection of agricultural land & encourage on-farm diversified uses to increase farm revenues

Grow agri-culinary through development of the **Food Tourism Strategy**

Enhance Kawartha Farmfest to include more **on-farm culinary experiences**

Kawartha Choice FarmFresh **website content & increased social media**

Increase businesses and employment by working with industry partners to develop a **larger dairy goat sector** in eastern Ontario



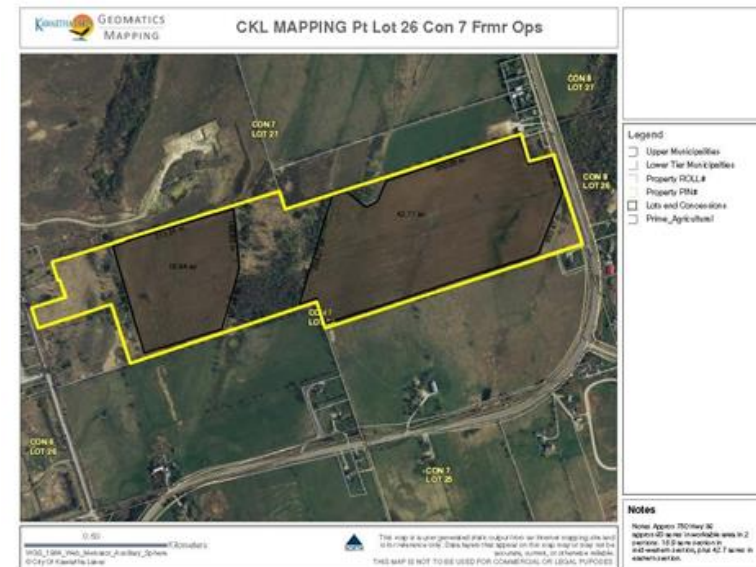
# Agriculture and Food



Goal 4: Align and inspire City resources

## Improve municipal policies and procedures

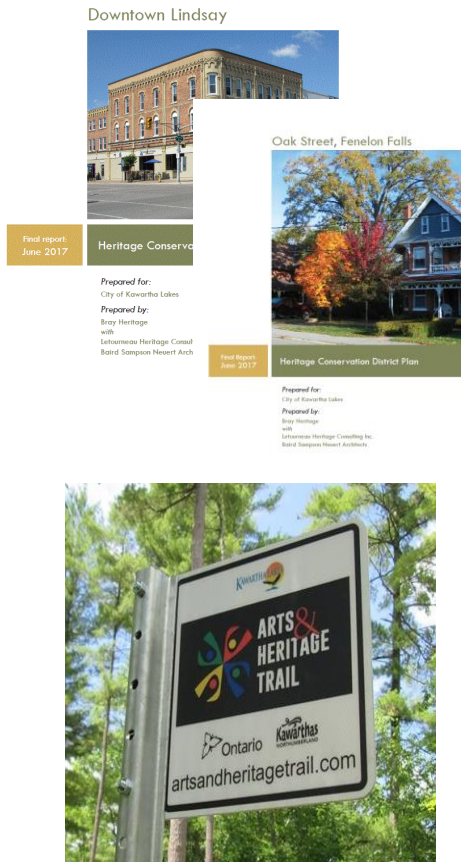
- Through ADAB commented on:
  - Wildlife Damage Compensation
  - Surplus farmhouse severances
  - Drainage Issues
- With Realty Services rented 3 farms in Agricultural Land Lease Program – 115 acres, \$13,000 annual revenue



# ARTS, CULTURE AND HERITAGE



Goal 1: Adopt  
a City-wide focus



- 2 Heritage Conservation Districts created (Downtown Lindsay, Oak St. neighbourhood)
- Arts & Heritage Trail
- Public Art Policy developed
- Kawartha Lakes Arts & Heritage Trail is becoming a recognized brand now attracting new artists, cultural businesses (up from 24 to 50 destinations)
- Foster development of cultural events and festivals
  - Oct. 2017 2 day workshop “How to Plan Successful Festivals & Events”



# ARTS, CULTURE AND HERITAGE



Goal 2: Grow  
specific business  
sectors

## Two new cultural tourism experiences developed:

- Carden Alvar Bird and Nature Photography,
- Balsam Lake Dry Stone Wall Restoration
- involving 9 local businesses and aspiring entrepreneurs



# ARTS, CULTURE AND HERITAGE



Goal 3: Encourage a positive community business culture

**Five workshops since October 2017 for cultural businesses and organizations on:**

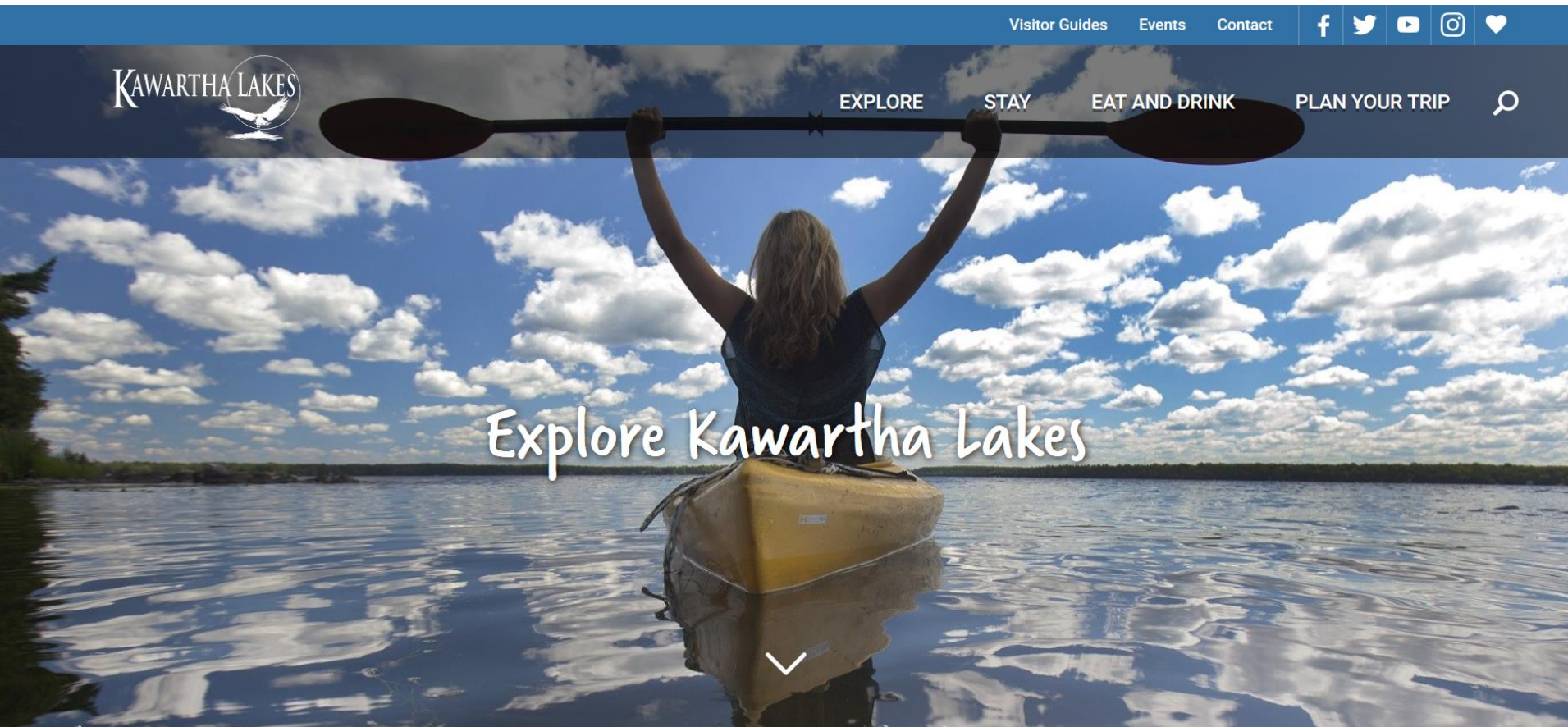
- asset mapping
- business planning
- event coordination
- marketing coordination
- business support networks
- visitor experience development





# Tourism Development & Marketing

[www.explorekawarthalakes.com](http://www.explorekawarthalakes.com)



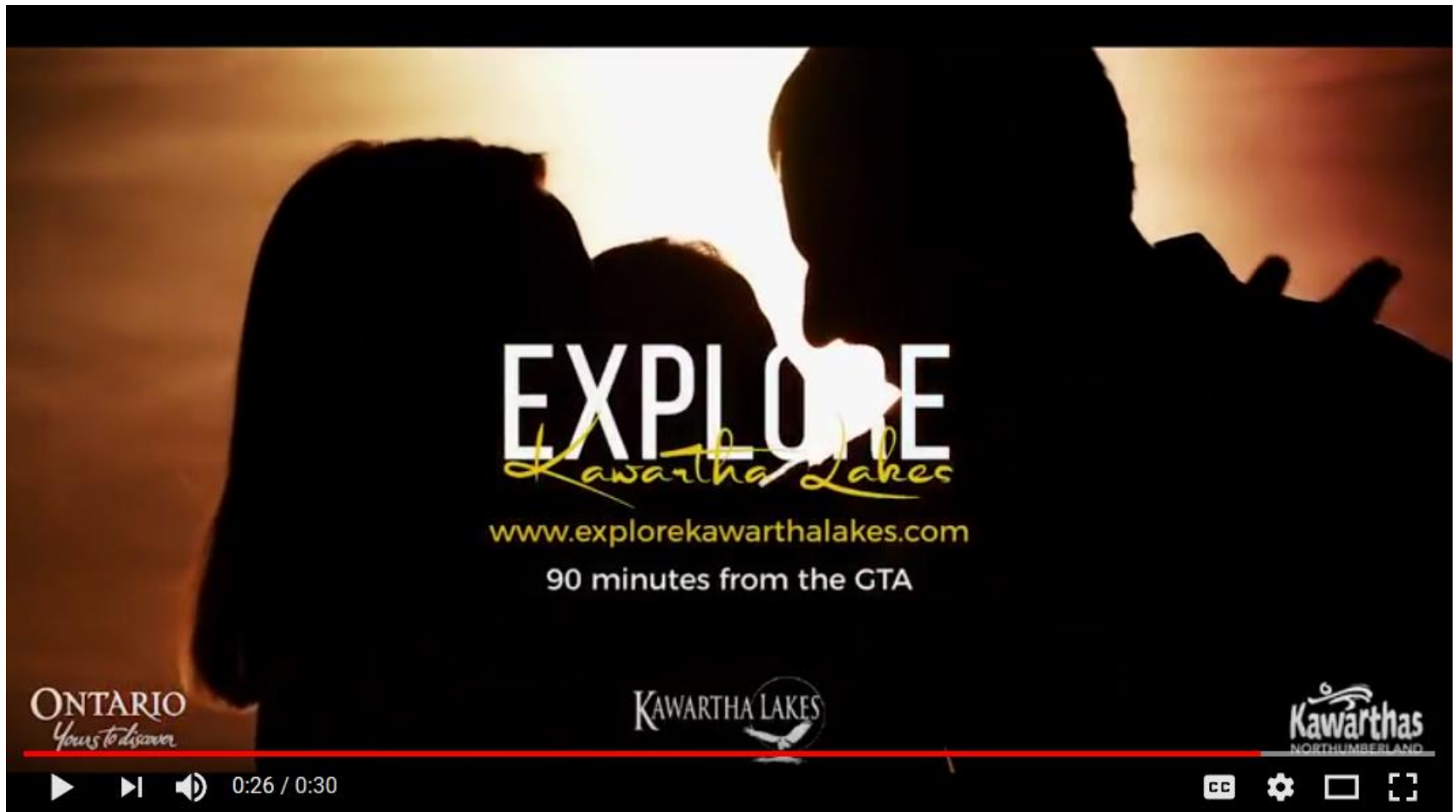
# Partner Relations, Product Development, Marketing and Promotions



GROWING FOOD TOURISM  
IN KAWARTHA LAKES







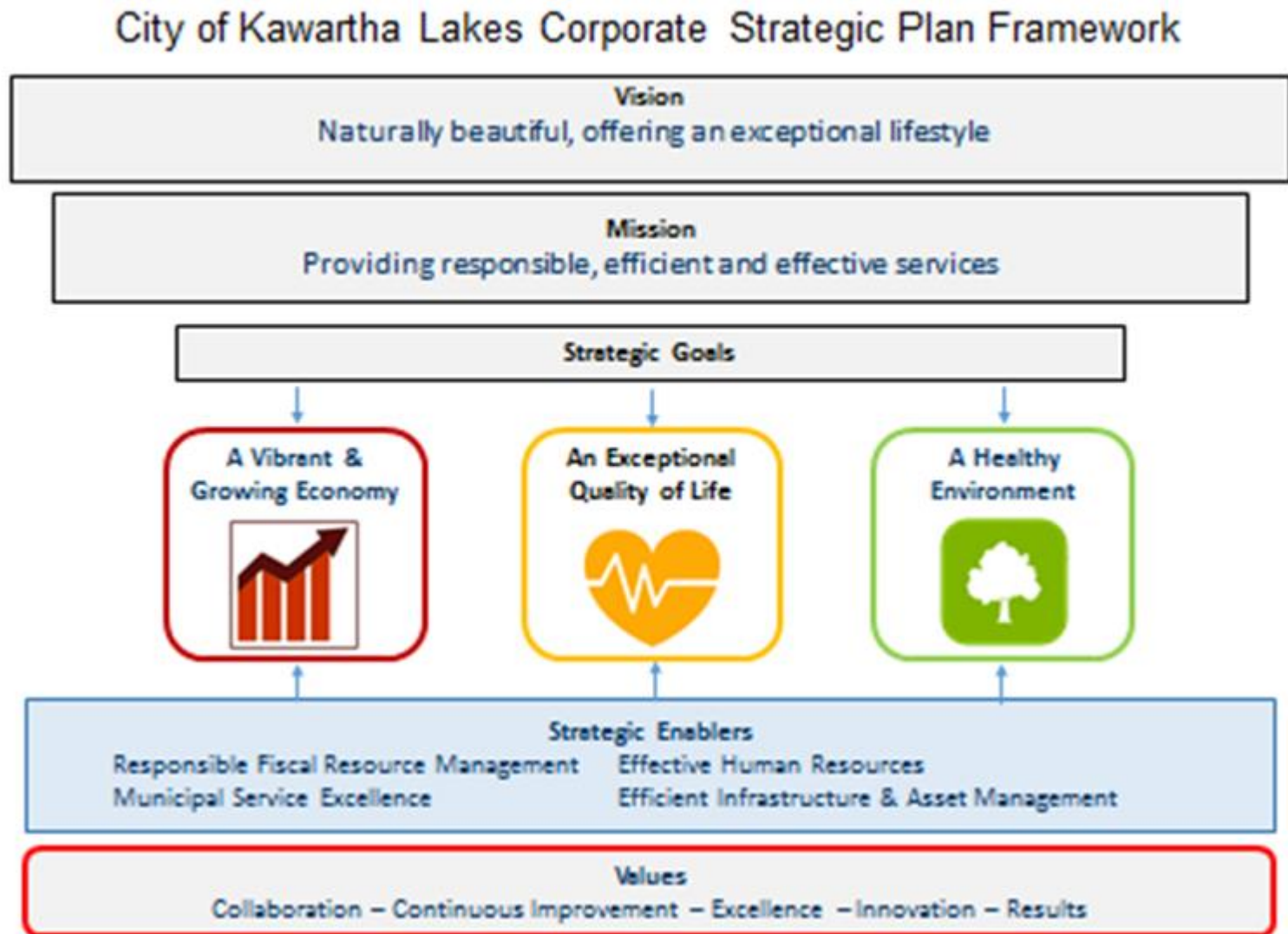


# Kawartha Lakes Healthy Environment Plan

Council Presentation – June 19, 2018



# City of Kawartha Lakes Corporate Strategic Plan Framework





# What We Will Talk About Today

---

**Project Overview**

**Baseline Emissions and BAU Projections**

**Community and Stakeholder Engagement**

**Questions**



# Project Overview



# The Kawartha Lakes Healthy Environment Plan

- Climate action has been identified as a high priority for the City of Kawartha Lakes
  - Identified in several of the City's plans and strategies
  - Building on Integrated Community Sustainability Plan
- Two areas where we can take action:
  - Mitigation: Reducing the amount of greenhouse gas we emit.
  - Adaptation: Better preparing ourselves for the impacts of climate change.
- The project has three phases of engagement:

## **Defining**

Where We Are and  
Where We Want To Go

(April – May 2018)

## **Determining**

How Do We Get Where  
We Want to Go

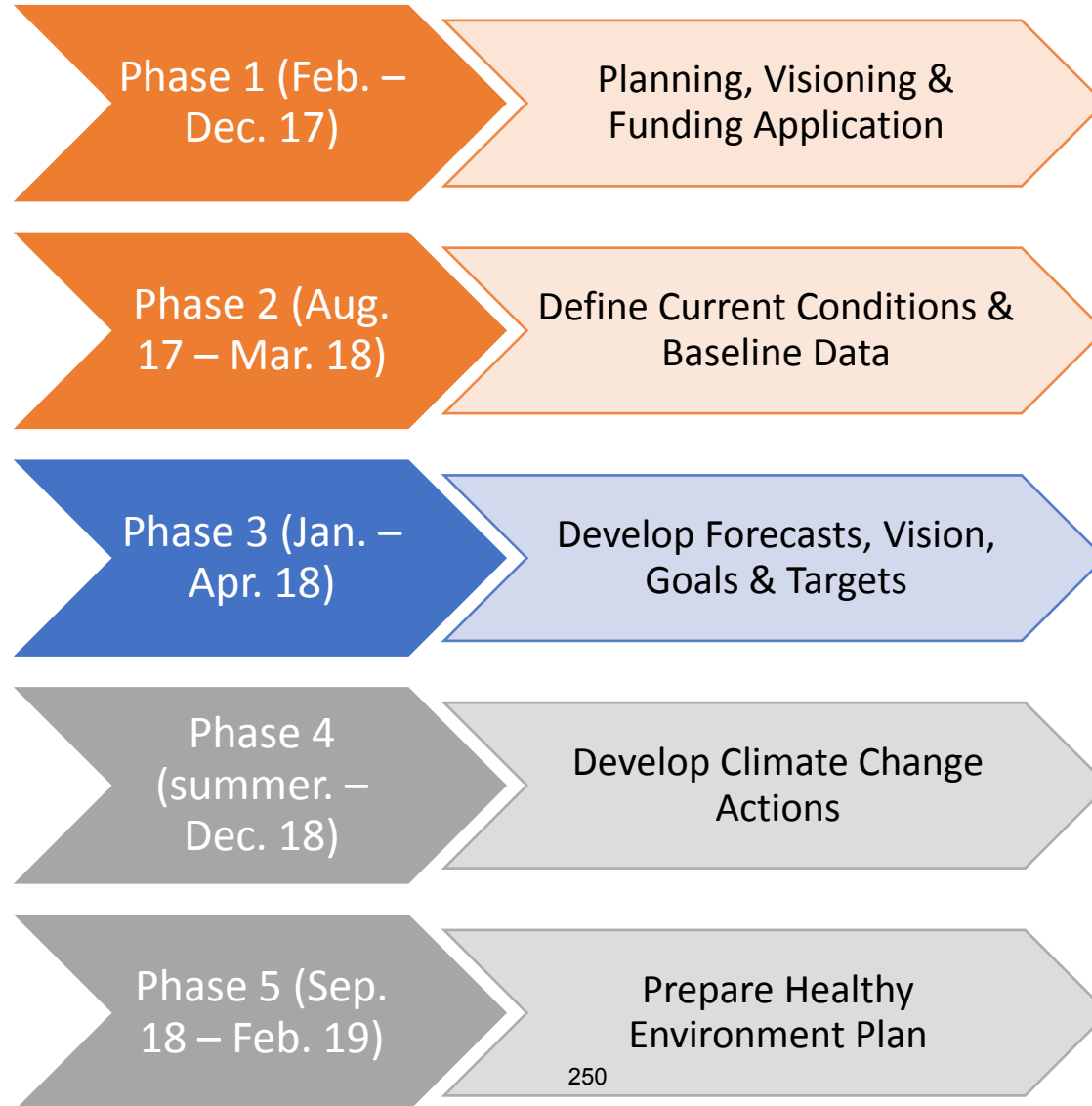
(May – November, 2018)

## **Designing**

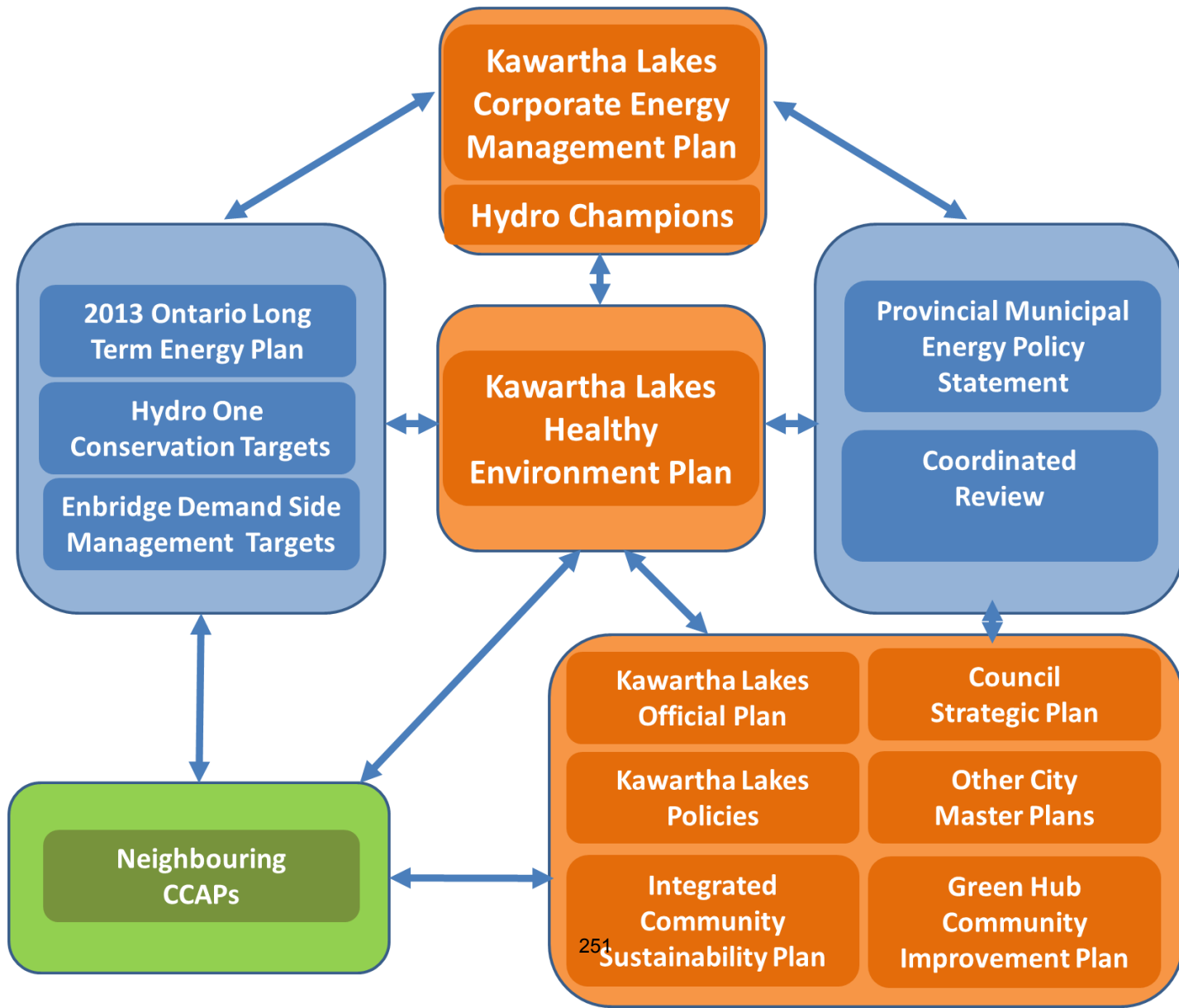
Draft Healthy  
Environment Plan and  
Implementation

(January 2019)

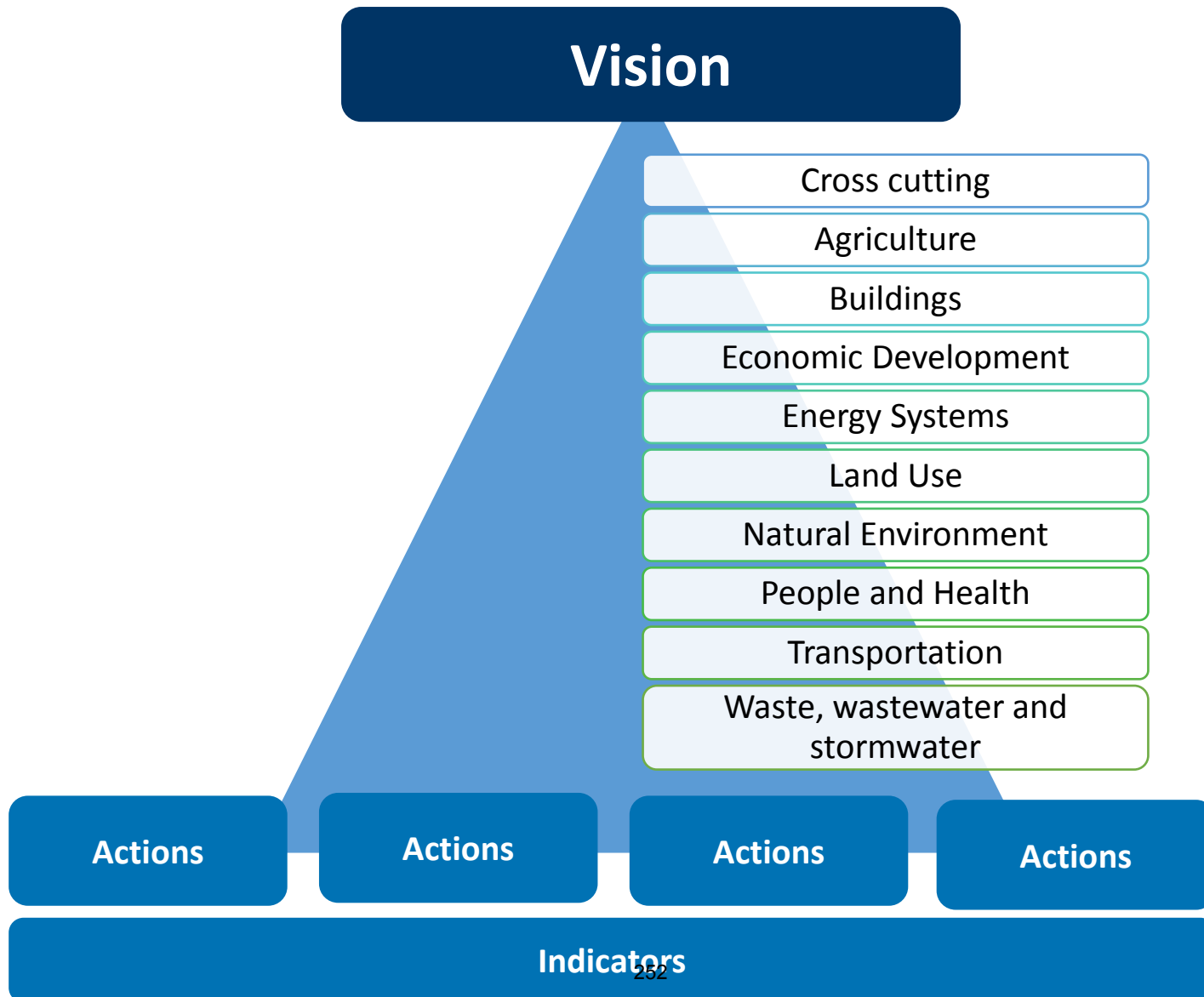
# How is the Plan being Developed?



# Alignment with other Policies (local and provincial)



# Healthy Environment Plan Framework

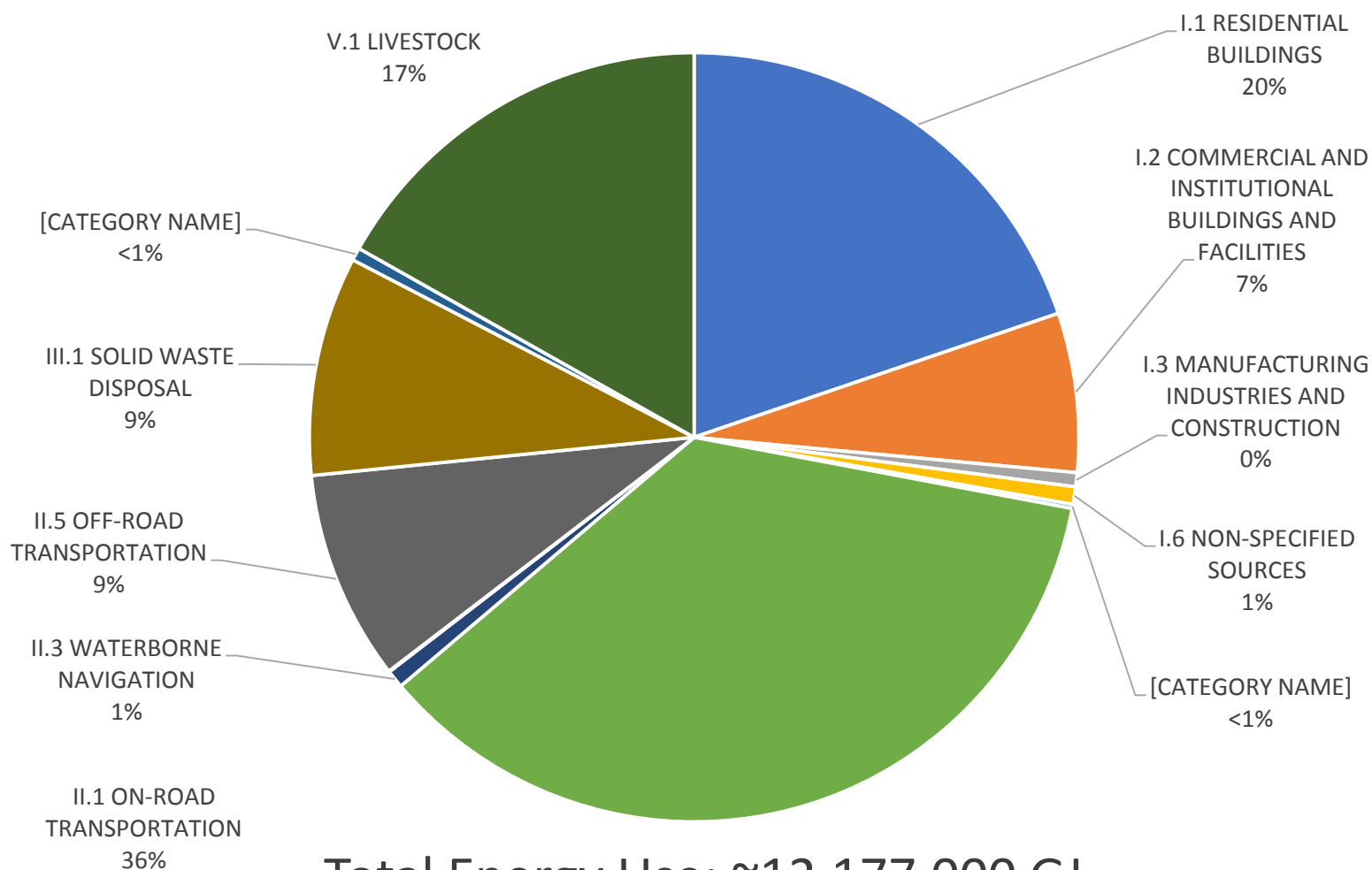


# Baseline & Projected Climate Conditions





# Draft Baseline Greenhouse Gas Emissions (2015)

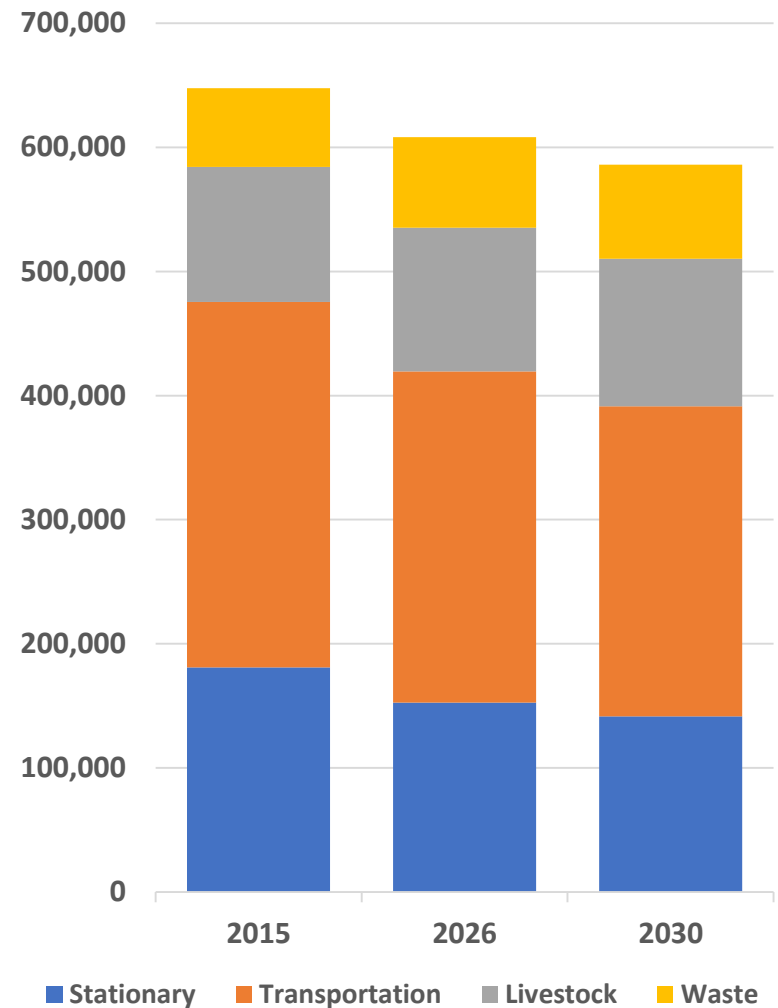
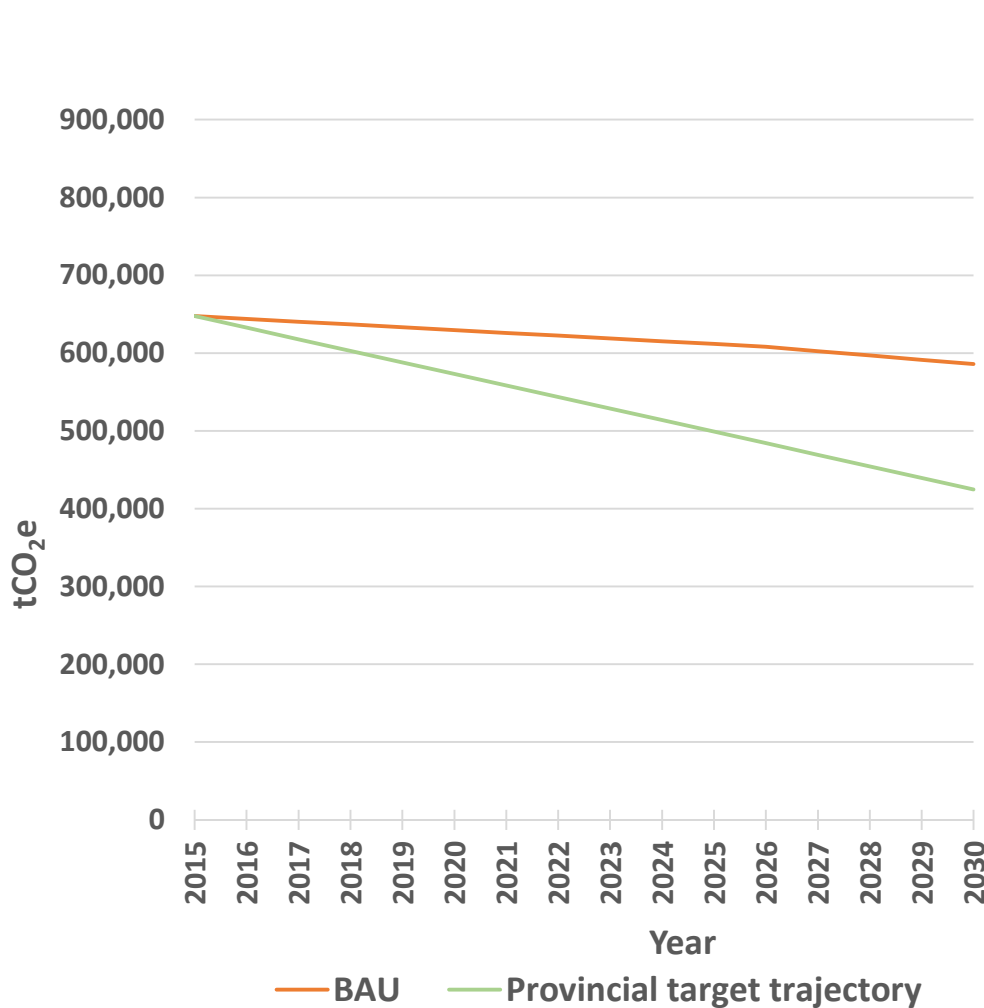


Total Energy Use: ~12,177,000 GJ

Total Emissions: ~650,000 tCO<sub>2</sub>e

Emissions per Capita ~7.8

# Draft Business-as-Usual Emission Projections



**Projected Emissions: 586,000 tCO<sub>2</sub>e in 2030 – Reduction of 10%**

# Provincial Targets

|          | Ontario population (millions) | Actual or Targeted GHG Emissions (Megatonnes CO <sub>2</sub> e) | Average per capita emissions (tonnes CO <sub>2</sub> e) |
|----------|-------------------------------|---|---|
| 1990     | 10.30                         | 182   | 17.7  |
| 2013     | 13.56                         | 171   | 12.6  |
| 2021     | 14.98                         | 146   | 9.7   |
| 2031     | 16.66                         | 115   | 6.9   |
| 2050 est | 19.75                         | 36  | 1.8   |

**Ontario's Targets – 37% by 2030, 80% by 2050**

Source: *Community Emissions Reduction Planning: A Guide for Municipalities* (2018) MOECC

# Climate Change and How it Affects Us

| Indices        | Projection  |
|----------------|---|
| Temperature    | <ul style="list-style-type: none"><li>• Warmer in every season</li><li>• More hot days, fewer cold days</li></ul> |
| Precipitation  | <ul style="list-style-type: none"><li>• Winter and spring getting wetter</li><li>• Getting more intense</li></ul> |
| Freeze-Thaw    | Fewer cycles in spring and fall   |
| Growing Season | Starting earlier, ending later  |
| Lake water     | Warmer temperatures   |

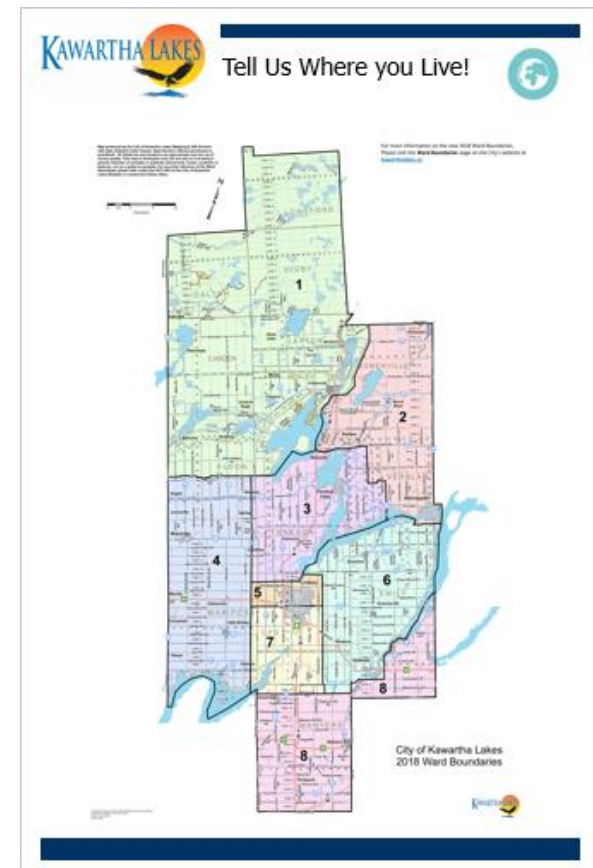
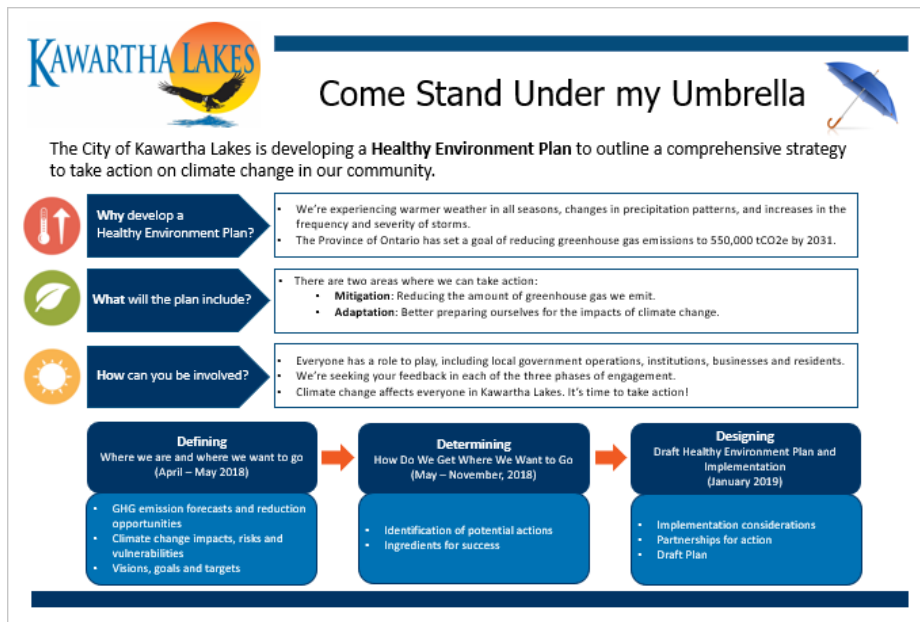


# Community and Stakeholder Engagement



# Climate Action Conversations

- Phase One of community engagement under way!
- Online survey to launched!





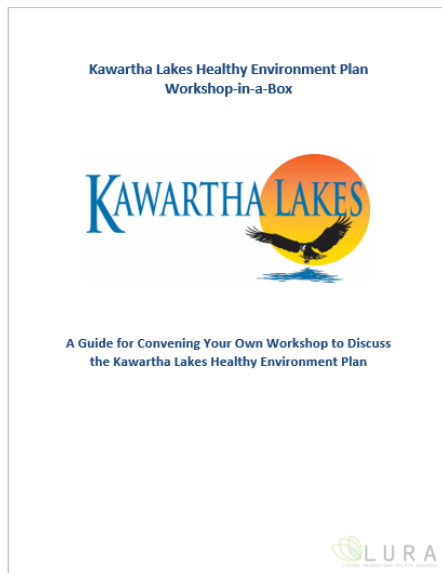
# Climate and You





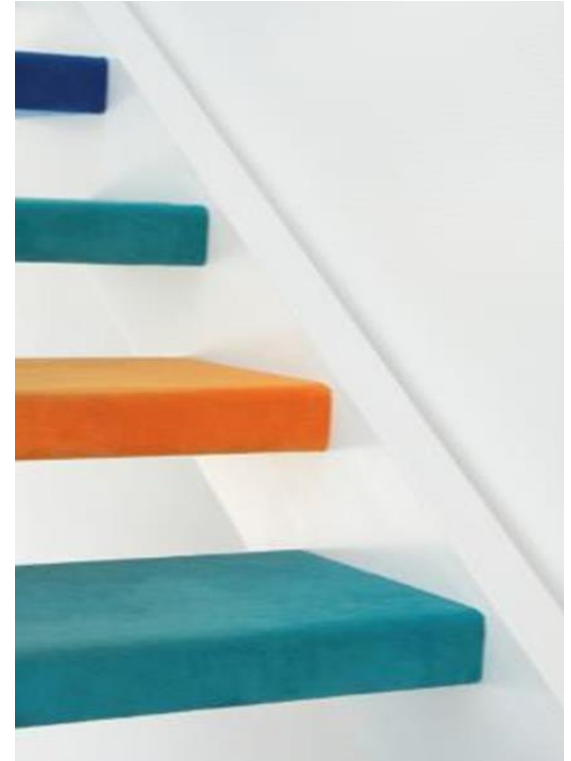
# Workshop-in-a-Box

- Toolkit for organizations and groups to run their own self-facilitated workshops about the Kawartha Lakes Healthy Environment Plan.
  - Includes presentation and discussion questions to record feedback.
- Made available online and distributed to interested groups.



# How to Get Involved & Next Steps

- Attend and promote pop-up events
  - Unlock the Summer – June 9
  - Settler's Day – June 10
  - Summer Solstice Festival – June 16
  - Coboconk Freshwater Summit – June 16
  - Lindsay Farmer's Market – June 23
  - Woodville Family Festival – July 7
  - Bobcaygeon Farmer's Market – July 14
  - Fenelon Fair – July 21
  - And more!
- Online survey
- Workshop-in-a-Box
- Next Steps
  - Identify vision, goals (underway)
  - Action development (summer/fall)
  - Draft plan (fall)



# Questions

---





# Thank You!

Susan Hall, Lura Consulting  
shall@lura.ca



# Established Programs and Processes



Milestone 1: Create a GHG emissions inventory and forecast



Milestone 2: Set GHG emission reductions targets



Milestone 3: Develop a Local Action Plan



Milestone 4: Implement the Local Action Plan



Milestone 5: Monitor progress and report results

Figure 1: Partners for Climate Protection Milestone Framework





# Established Programs and Processes

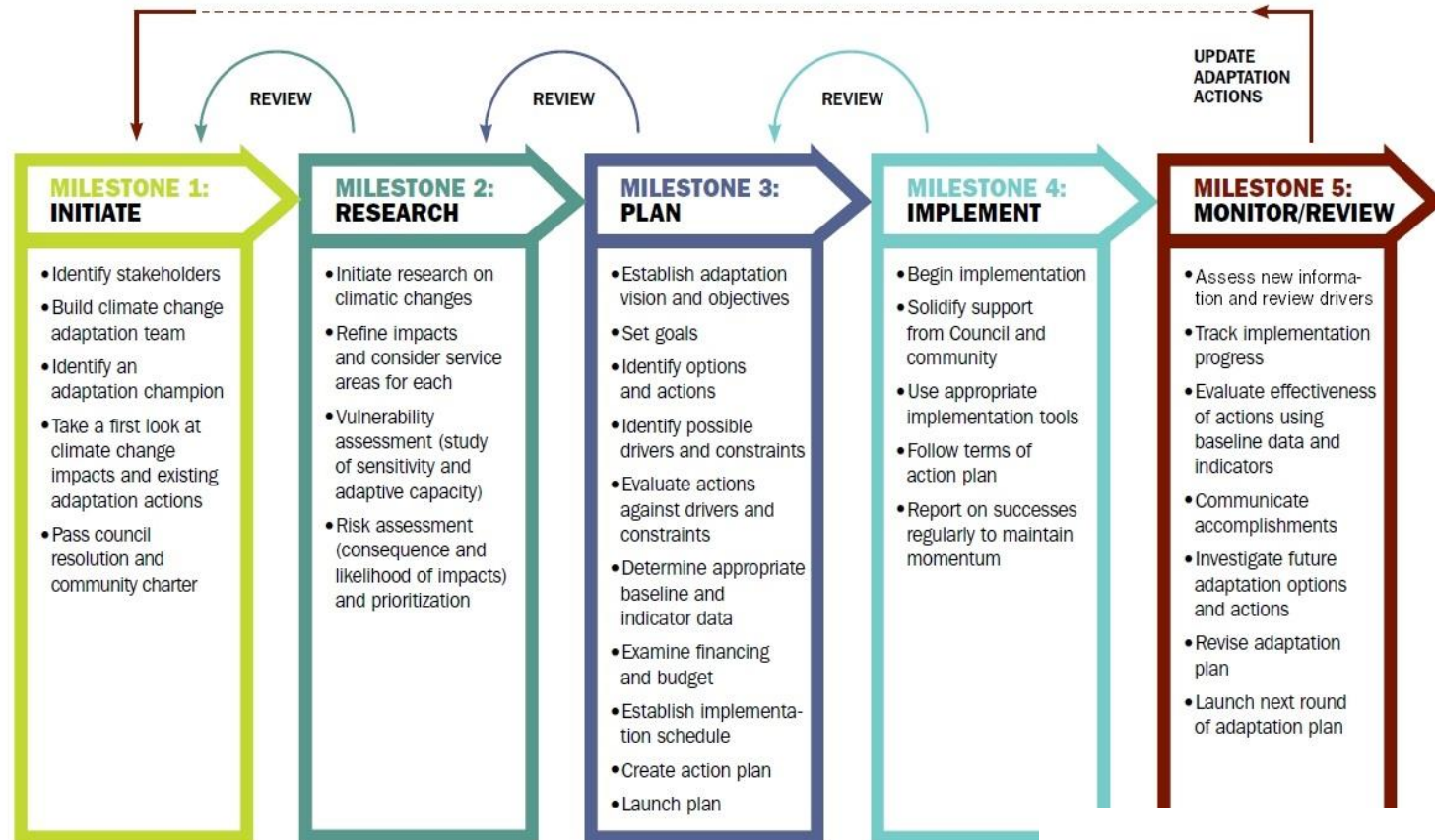


Figure 2: ICLEI Canada's Five-Milestone Adaptation Methodology - "Building Adaptive and Resilient Communities" (BARC)





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: \*

John Pearson.

Address: \*

[REDACTED]

City/Town/Village:

[REDACTED]

Province: \*

ON

Postal Code:

[REDACTED]

Telephone: \*

[REDACTED]

Email: \*

[REDACTED]

There can be 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: \*

John Pearson.

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

Oppose declaring Subject Land on Bond St. E. Lindsay as  
Potential Surplus Land to allow an affordable housing site.



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

- To have this land kept as green space / parkland.

Signature:

John Pearson

Date:

June 06/2018.

Please complete this form and return to the City Clerk's Office:

Fax: 705-324-8110 Email: [agendaitems@kawarthalakes.ca](mailto:agendaitems@kawarthalakes.ca)

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 Section 10 of City of Kawartha Lakes By-law 2014-266. This information may be circulated to members of Council, staff and the general public. Questions about the collection of this information should be directed to the City Clerk or Deputy Clerk at 705 324-9411 ext. 1295 or 1322.

June 13, 2019

City of Kawartha Lakes  
P.O. Box 9000, 12 Peel Street  
Lindsay, Ontario K9V 5R8

To Whom it may concern,

Re: June 19<sup>th</sup>, 2018 Council Meeting

We are writing in regards to the potential development of surplus lands which are located along the Scugog River, near Bond St. and Lindsay St. North. We are concerned about this development for a number of reasons.

First, we are very fortunate to have the Scugog River running through the Town of Lindsay. To have parks and treed green space within easy access of our downtown core, makes Lindsay a very desirable location for tourists to visit and for our residents to live. Building a structure of any sort along the waterfront will detract from the natural beauty that is currently there. We have limited waterfront green space in Lindsay. We need to protect that space from development, because once we start doing that, that green space is forever lost.

Also, there are already high density affordable housing structures being built in that area of the city. The need for affordable housing is great. That is undeniable. But most cities now are adopting mixed residential housing policies. Certainly there must be other areas of the city where land is available to build these housing units, where the impact on our environment is smaller.

Finally, with the addition of so many social housing structures being built in this small area, and the loss of parkland, we are concerned that property values are going to begin to fall. It will not be an area that is considered by potential home buyers. The incentive to update and maintain our homes will decrease, as the cost would not be recovered in the future sale of our homes.

Certainly we need more affordable housing in the Town of Lindsay. But the location must be chosen so that it has the least impact on our environment, preserves precious green space, and does not overwhelm one particular neighbourhood.

Sincerely,

John and Diane Pearson



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: \***

Brayden Libawski

**Address: \***

121-20 Leslie Street

**City/Town/Village:**

Toronto

**Province: \***

ON

**Postal Code:**

M4M 3L4

**Telephone: \***

416-693-9155

**Email: \***

blibawski@thebiglierigroup.com

**There can be 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: \***

Brayden Libawski

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


Agenda Item Number: 11.1.14

Town Report: PLAN2018-049

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

n.a.

Signature:



Date:

June 14th, 2018

Please complete this form and return to the City Clerk's Office:  
Fax: 705-324-8110 Email: [agendaitems@kawarthalakes.ca](mailto:agendaitems@kawarthalakes.ca)

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 Section 10 of City of Kawartha Lakes By-law 2014-266. This information may be circulated to members of Council, staff and the general public. Questions about the collection of this information should be directed to the City Clerk or Deputy Clerk at 705 324-9411 ext. 1295 or 1322.



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: \*

Doug CARROLL

Address: \*

3 Crestwood Avenue

City/Town/Village:

Lindsay

Province: \*

ON

Postal Code:

K9V 6A7

Telephone: \*

705-324-2426

Email: \*

dcplanningservices@bell.net

There can be 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: \*

Doug Carroll

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

During the Council meeting on June 19, 2018, with regard to:  
Item 12.1 Planning Advisory Committee meeting minutes of June 6, 2018 @ pg. 531 and  
Item 15.1.9 the draft By-law @ pg. 576, of your agenda,

the draft amendment to the Twsp. of Verulam Zoning By-law, proposes to regulate the location of "a contractor's yard".

The use of this land and location of buildings on it, is regulated by the Highway Commercial Exception 3 (C2-3) Zone.

In accordance with the City's Official Plan, Section 34.7, this land is within a Site Plan Control Area (SPC), but this land is not identified on a Schedule to Council's existing SPC By-law. Consequently, Council has not given staff authority to impose additional setbacks beyond what already exist in the Highway Commercial Exception 3 (C2-3) Zone.

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

That before Council passes the draft by-law, being item 15.1.9, that the following text be deleted:

"12.3.3.3 Notwithstanding the front yard depth and exterior side yard width requirements in Section 12.3.3.2, and the rear yard depth requirement in Section 12.2, the following requirements apply to the contractor's yard use:

- a. Minimum Setback to Front Lot Line 75 m
- b. Minimum Setback to Exterior Side Lot Line 75 m
- c. Minimum Setback to Rear Lot Line 75 m

All other yard requirements of the C2 Zone shall continue to apply."

Signature:



Doug Carroll

Date:

June 15, 2018

Please complete this form and return to the City Clerk's Office:

Fax: 705-324-8110 Email: [agendaitems@kawarthalakes.ca](mailto:agendaitems@kawarthalakes.ca)

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 Section 10 of City of Kawartha Lakes By-law 2014-266. This information may be circulated to members of Council, staff and the general public. Questions about the collection of this information should be directed to the City Clerk or Deputy Clerk at 705 324-9411 ext. 1295 or 1322.

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number RS2018-017**

---

**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

---

**Ward Community Identifier: 10**

**Title: Surplus Declaration and Proposed Disposition by Long Term Lease of City-Owned Property**

**Author and Title: Robyn Carlson, City Solicitor and Acting Manager of Realty Services**

---

### **Recommendations:**

**That** Report RS2018-017, **Surplus Declaration and Proposed Disposition by Long Term Lease of City-Owned Property**, be received;

**That** the northern portion of property municipally known as 68 Lindsay Street North and legally described as LT 4 E LINDSAY ST NO RIVER, 5 E LINDSAY ST N RIVER, 6 E LINDSAY ST N RIVER, 7 E LINDSAY ST N RIVER, 8 E LINDSAY ST N RIVER, 9 E LINDSAY ST N RIVER, 10 E LINDSAY ST N RIVER, 11 E LINDSAY ST N RIVER, 12 E LINDSAY ST N RIVER, 13 E LINDSAY ST N RIVER, 14 E LINDSAY ST N RIVER PL 12P; PT LT 15 E LINDSAY ST N RIVER, 16 E LINDSAY ST N RIVER, 17 EAST LINDSAY ST N RIVER PL 12P; PT LT 1 N/S QUEEN ST, 2 N/S QUEEN ST, 3 N/S QUEEN ST, 4 N/S QUEEN ST PL 15P; PT LT 4 W/S CAROLINE ST, 5 W/S CAROLINE ST, 6 W/S CAROLINE ST, 7 W/S CAROLINE ST, 8 W/S CAROLINE ST, 9 W/S CAROLINE ST, 10 W/S CAROLINE ST, 11 W/S CAROLINE ST, 12 W/S CAROLINE ST, 13 W/S CAROLINE ST, 14 W/S CAROLINE ST, 15 W/S CAROLINE ST, 16 W/S CAROLINE ST, 17 W/S CAROLINE ST, 18 W/S CAROLINE ST PL 12P PT 4, 5 57R5191 & PT 6 57R8136, in the Geographic Town of Lindsay, City of Kawartha Lakes, at the northeast corner of Queen Street and Lindsay Street North, Lindsay, and more specifically identified in Appendix A and Appendix B, be declared surplus to municipal needs and disposed of by long term (40 year) lease to the Kawartha Lakes Haliburton Housing Corporation for affordable housing;

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_



**That** the property be disposed of on the condition that KLHHC undertake all site improvements at its sole cost;

**That** the disposition be on the condition that the Kawartha Lakes Haliburton Housing Corporation incorporate environmentally friendly standards into its construction;

**That** the disposition be on the condition that the Kawartha Lakes Haliburton Housing Corporation obtain, at its cost, a Record of Site Condition pursuant to the Ontario *Environmental Protection Act*, R.S.O. 1990, c. E. 19, as amended.

**That** the property be disposed of on the condition that, at the end of the term of the lease, the parties either enter into a new lease for KLHHC's continued use of the property or the property be returned to the City – at the City's option – as either a vacant site or with the building and/or other site improvements to remain;

**That** By-law 2018-020 be amended to add a further section 3.04(c): "Or (c) The disposition is to the Kawartha Haliburton Housing Corporation for the purpose of providing affordable housing."; and

**That** By-law 2018-020 be amended to add a further section 10.03: "Exception: Section 10.01 does not apply to applications by the Kawartha Lakes Haliburton Housing Corporation, and the City will bear the cost of these transactions."

## **Background:**

The proposed surplus declaration and disposition by long term (40 year) lease of the municipal property located at Lindsay Street North and Queen Street was discussed by the Land Management Committee on April 9, 2018 and the Committee had no objections.

Public Notice advertising the potential surplus declaration and disposition of the subject property by long term lease was completed by newspaper circulation in the Kawartha Lakes This Week on the 24<sup>th</sup> and 31<sup>st</sup> days of May and 7<sup>th</sup> day of June, 2018. In addition a "Potential Surplus Property" sign was posted on the subject property for the three week period corresponding with the newspaper circulation.

The purpose of this report is to advise Council that the Land Management Committee recommends that the subject property be declared surplus to municipal needs and that approval be given, in principle, for disposition by long term lease to Kawartha Lakes Haliburton Housing Corporation in accordance with City of Kawartha Lakes By-law 2018-020, as amended.

## **Rationale:**

Further rationale for the long term lease on this property is provided in Council Report HH2018-004.

This property was former CN Rail lands and formerly provided connectivity from the waterfront trail, to the south, to Shaft Park, to the north. However, the development of the affordable housing building on the south portion of this property removed the required connectivity. Accordingly, the trail connection is being re-routed along the waterfront.

KLHHC will be required to obtain a Record of Site Condition pursuant to the Ontario *Environmental Protection Act*, R.S.O. 1990, c. E. 19, as amended, due to the fact that the former use of the property was railway and due to the fact that the proposed use is more sensitive: residential.

Section 3.04 of By-law 2018-020 provides exceptions to when an appraisal must be obtained for the sale of developable land. The proposed amendment to section 3.04 would allow the disposition of property, by sale or long term lease, at below the appraised value when the disposition is to the KLHHC for the purpose of affordable housing.

Section 10.01 of By-law 2018-020 provides for full cost recovery by the City when City land is disposed of. The proposed amendment to section 10.01 would

exempt the KLHHC from these costs (legal, survey, staff time) and require the City pay these costs out of its Operating Budget for Realty Services.

### **Other Alternatives Considered:**

The City could decide to put the property on the open market and obtain proceeds from the sale. Although this would increase the City's annual net revenue, the City, via the Kawartha Lakes Haliburton Housing Corporation (KLHHC), would be looking to purchase land, at the expense of the City. The KLHHC optimally would like this property, as it is in proximity to existing and planned affordable housing in the area.

Council could alternatively approve the direction to surplus and sale, absent any environmental condition. This would reduce construction costs, but would not be in alignment with the Strategic Goal of "A Healthy Environment" and the value of Innovation as set out in the City's 2016-2019 Strategic Plan.

### **Financial Impacts:**

As the recommendation is to gift the land, rather than sell the land, the City will miss out on the revenue associated with the sale. Moreover, if the recommended amendment to section 10.01 of By-law 2018-020 is approved, the City will not recover from the KLHHC the expenses associated with the sale. These costs include: legal fees of approximately \$1,000.00, survey costs of approximately \$3,000.00 and staff time at \$1,500.00.

The associated construction costs and demolition costs are the cost of KLHHC.

### **Relationship of Recommendations to the 2016-2019 Strategic Plan:**

The recommendations in this report, to surplus and gift the lease of land for affordable housing, are in line with Goal 2 of the Council Adopted Strategic Plan: An Exceptional Quality of Life.

The City of Kawartha Lakes is the Municipal Service Manager (SM) for housing and homelessness programs and services for both the City and the County of Haliburton as mandated by the Province of Ontario through the Housing Services Act. In addition to goals and objectives of the Council approved (February 2014) 10 Year Housing and Homelessness Plan, a requirement of the Act, and more recently the adoption of the Affordable Housing Framework by Council in December 2017, gifting land to our own initiatives is in line with the strategic enabler of "Responsible Fiscal Resource Management".

In requiring the gift be made on the premise that the development is done in an environmentally conscious manner, these recommendations align with the Strategic Goal of “A Healthy Environment” and the value of Innovation.

### **Accessibility Implications:**

The Accessibility Committee will review and have input into the site plan and engineering drawings for the building for this portion of the site, at the site plan stage of the development process, in accordance with section 29 of the Ontario *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11.

### **Servicing Implications:**

The proposed development shall be on full municipal services: water and sewer. Engineering is not aware of capacity constraints affecting the proposed units, however through the development process, the proponent’s Engineer must provide the City with the Functional Servicing Report and Servicing Design, to confirm that existing municipal infrastructure can service the proposed residential growth.

### **Consultations:**

Land Management Committee:

- CAO
- Director of Community Services
- Director of Development Services
- Director of Engineering and Corporate Assets
- Director of Public Works
- Manager of Corporate Assets
- Land Use Planner, Large Developments

### **Attachments:**

Appendix A –Map



Appendix A -  
Map.pdf

Appendix B – Aerial Photo



Appendix B - Aerial  
Photo.pdf

#### Appendix C – Proposed Housing Units



Appendix C -  
Proposed Housing Un

#### Appendix D – Aerial Photo (Phase 2 Properties)

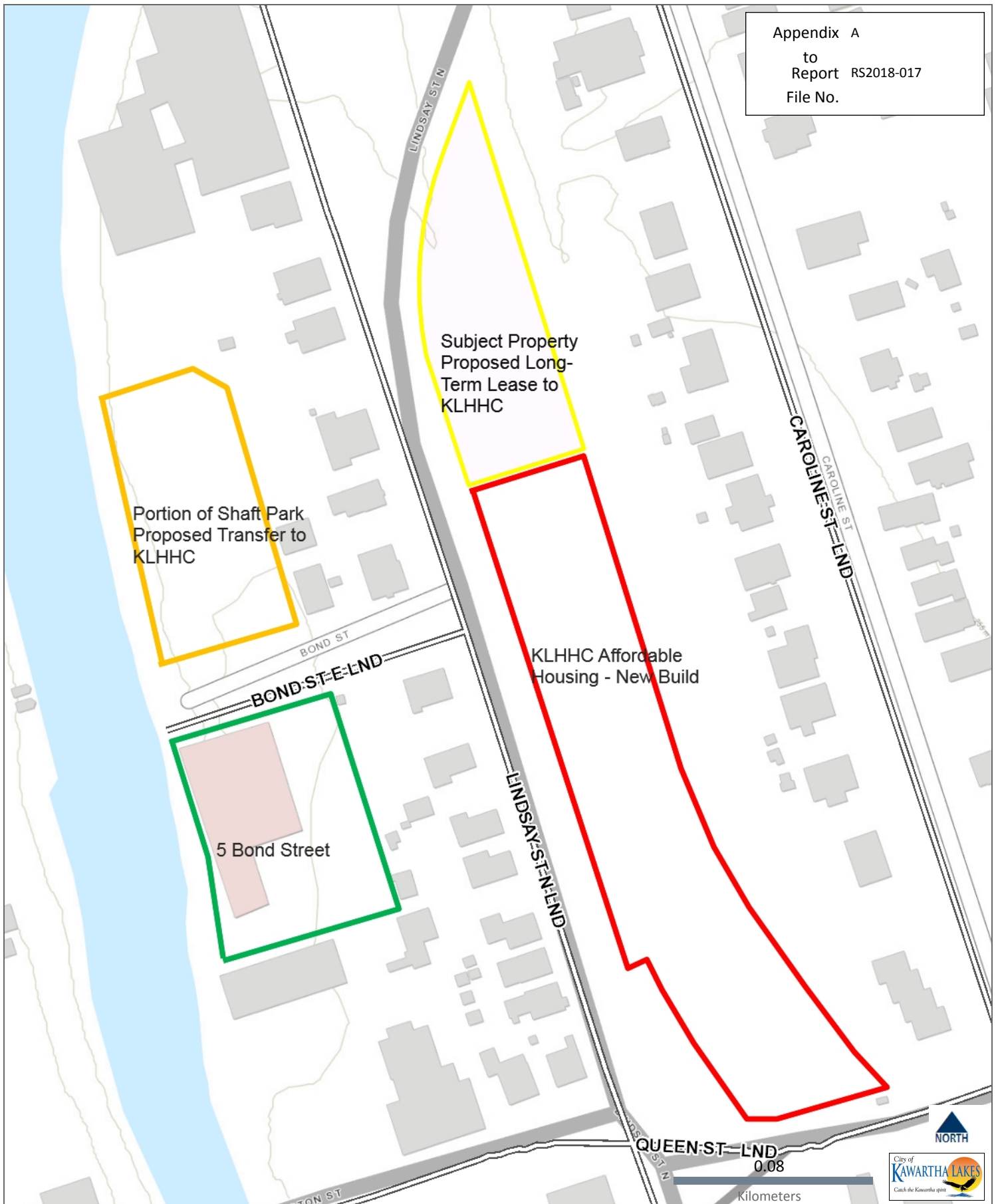


Appendix D - Aerial  
Photo (Phase 2 Prope

**Department Head E-Mail: [rcarlson@kawarthalakes.ca](mailto:rcarlson@kawarthalakes.ca)**

**Department Head: Robyn Carlson**

**Department File: L17-18-RS091**







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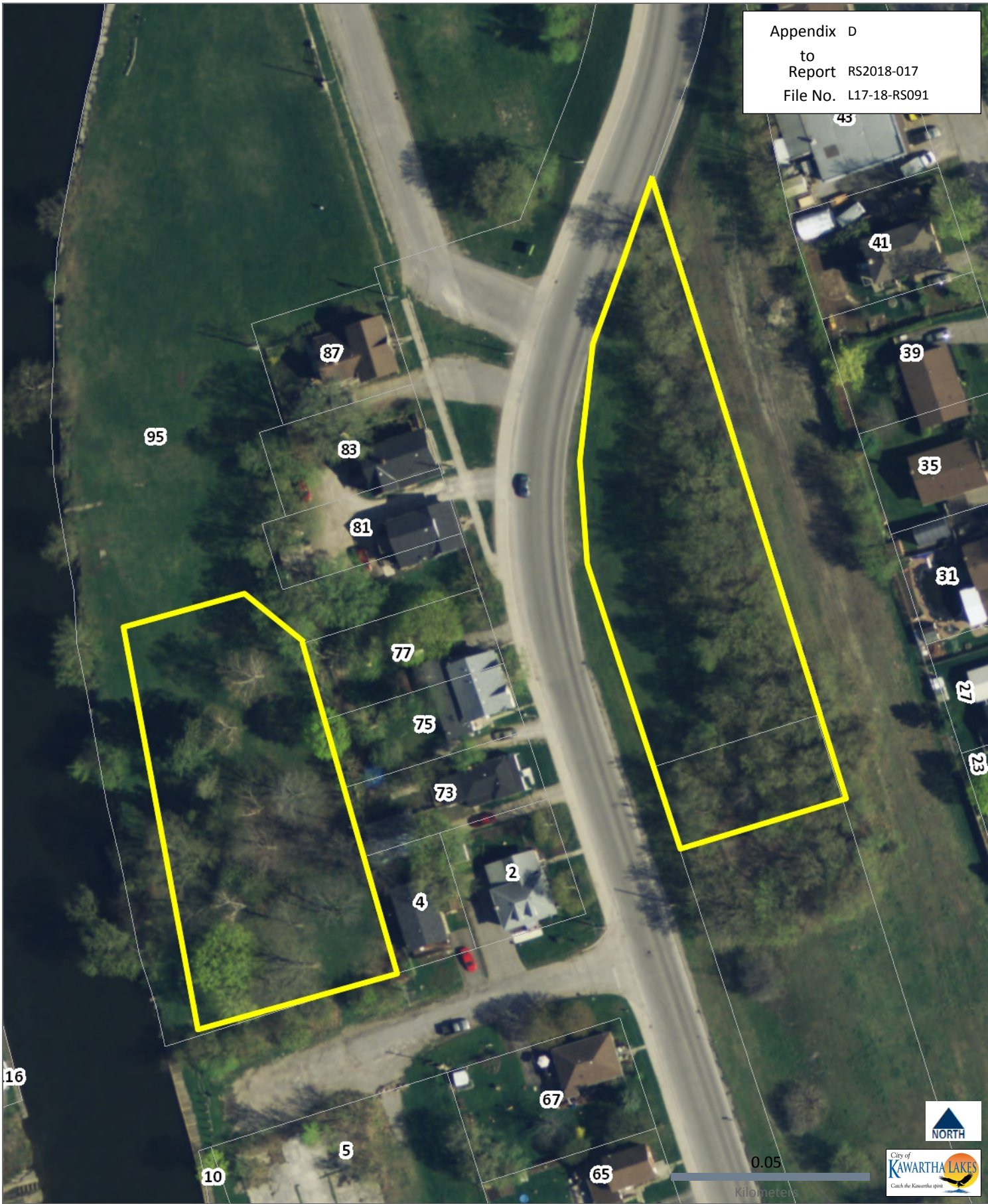
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Date:









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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Date:

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number RS2018-018**

---

**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

---

**Ward Community Identifier: 10**

**Title: Surplus Declaration and Proposed Sale of City-Owned Property – Portion of Shaft Park, Lindsay**

**Author and Title: Robyn Carlson, City Solicitor and Acting Manager of Realty Services**

---

### **Recommendations:**

**That** Report RS2018-018, **Surplus Declaration and Proposed Sale of City-Owned Property – Portion of Shaft Park, Lindsay**, be received;

**That** a portion of the City-owned property known as Shaft Park and legally described as LT 1 N/S FRANCIS ST, 2 S/S FRANCIS ST, 2 N/S BOND ST PL TOWN PLOT; PT FRANCIS ST PL TOWN PLOT AS CLOSED BY TL15033; PT LT 2 N/S FRANCIS ST, 1 S/S FRANCIS ST, 3 S/S FRANCIS ST, 3 N/S BOND ST PL TOWN PLOT AS IN R225573 EXCEPT PT 1 57R8075, and more specifically identified in Appendix “B”, in the Geographic Town of Lindsay, City of Kawartha Lakes be declared surplus to municipal needs;

**That** on completion of public notice, Council shall consider any deputation or public input in opposition of any sales, if any, and if appropriate, pass a by-law (with any amendments deemed necessary) to authorize the disposition to the Kawartha Lakes Haliburton Housing Corporation for the purpose of affordable housing development, for nominal cost;

**That** the disposition be on the condition that the Kawartha Lakes Haliburton Housing Corporation incorporate environmentally friendly standards into its construction.

**That** the Mayor and Clerk be authorized to execute all legal closing documents required for the sale of the subject property.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

The proposed surplus declaration and sale of the subject property, being the southerly portion of Shaft Park, Lindsay, excluding a strip of land along the waterfront to be retained for a trail, was discussed by the Land Management Committee on April 9, 2018.

This portion of Shaft Park is proposed to be declared surplus for the purpose of gift to the Kawartha Lakes Haliburton Housing Corporation (KLHHC). The KLHHC proposes to develop an affordable housing townhouse development on the site.

Appendix A is a map showing the general area of the subject property, Appendix B is an aerial photo of the subject property, Appendix C is a map of the subject property, Appendix D is the proposed site plan for the subject property and Appendix F is an aerial photo of the entire Shaft Park property.

The Committee approved the request, as modified by and on conditions imposed by the Committee.

Public Notice advertising the potential surplus declaration and sale of the subject property was completed by newspaper circulation in the Kawartha Lakes This Week on the 24<sup>th</sup> and 31<sup>st</sup> days of May and 7<sup>th</sup> day of June, 2018. In addition a “Potential Surplus Property” sign was posted on the subject property for the three week period corresponding with the newspaper circulation.

The purpose of this report is to advise Council that the Land Management Committee recommends that the subject property be declared surplus to municipal needs and that approval be given, in principle, for disposition to Kawartha Lakes Haliburton Housing Corporation in accordance with City of Kawartha Lakes By-law 2018-020, as amended.

## **Rationale:**

A related report, HH2018-004, is being advanced on this same Council Agenda by Human Services, which more particularly describes the proposed development.

Shaft Park was acquired by the City using Wilson Estate Funds. The Wilson Estate Committee agreed to declaring the southerly portion of Shaft Park surplus for the sole purpose of affordable housing. The Committee did not approve the sale of the property for any other reason or to any other person. The property cannot be sold without the approval of the Committee.

At the Land Management Committee meeting on April 9, 2018, Community Services advised that the Parks, Recreation and Culture Division determined that the portion of park proposed could be declared surplus for Parks purposes and used for other Municipal or KLHHC purposes. This use was approved by the Wilson Estate Committee. The land being required is the northern portion of the park and a 9 meter wide linear strip along the waterfront for a trail. Community Services identified that there is a general trend away from rectangular or square parks, to more linear parks (trails) and this concept is also expressed in the City's Official Plan and Secondary Plan and the Community Services Department's Parks, Recreation and Culture Strategic Plan.

Although KLHHC had proposed a rectangular parcel be declared surplus, this would have the effect of cutting off trail access from Lindsay Street North, between properties municipally addressed as 77 Lindsay Street North and 81 Lindsay Street North. Accordingly, the Land Management Committee.

### **Other Alternatives Considered:**

Council could approve the direction to surplus and sale, absent any environmental condition. This would reduce construction costs, but would not be in alignment with the Strategic Goal of "A Healthy Environment" and the value of Innovation as set out in the City's 2016-2019 Strategic Plan.

Council could alternatively approve the recommendations and conditions and additionally require compensation, to pay for the replanting of mature saplings to replace the mature trees lost.<sup>1</sup> Since this portion of Shaft Park is adjacent to residential and is heavily treed, this option would align with Strategic Goal of "A Healthy Environment" and the value of Innovation as set out in the City's 2016-2019 Strategic Plan. However, it would result in additional cost associated with the construction.

### **Financial Impacts:**

As the recommendation is to gift the land, rather than sell the land, the City will not obtain revenue from this land transfer. Moreover, if the recommended amendment to section 10.01 of By-law 2018-020 (as set out in Report RS2018-017) is approved, the City will not recover from the KLHHC the expenses

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<sup>1</sup> From Appendix B, it appears that approximately 16 mature trees would be lost due to construction. An appropriate compensation would be 4 mature saplings (at \$350 per tree) for every mature tree lost. A payment of \$22,400 is unlikely to be economically viable for KLHHC. Another option would be to shift the development envelope slightly north, with a driveway through the trees, to retain some of the trees. Connectivity from the trail leading to the Park from Lindsay Street would need to be retained, resulting in a narrowing of the development slightly.

associated with the sale.<sup>2</sup> These costs include: legal fees of approximately \$1,000.00, survey costs of approximately \$3,000.00 and staff time at \$1,500.00.

### **Relationship of Recommendations to the 2016-2019 Strategic Plan:**

The recommendations in this report, to surplus and gift land for affordable housing, are in line with Goal 2 of the Council Adopted Strategic Plan: An Exceptional Quality of Life.

The City of Kawartha Lakes is the Municipal Service Manager (SM) for housing and homelessness programs and services for both the City of Kawartha Lakes and the County of Haliburton as mandated by the Province of Ontario through the *Housing Services Act*. In addition to goals and objectives of the Council approved (February 2014) 10 Year Housing and Homelessness Plan, a requirement of the Act, and more the recently the adoption of the Affordable Housing Framework by Council in December 2017, gifting land to our own initiatives is in line with the strategic enabler of “Responsible Fiscal Resource Management”.

In requiring the gift be made on the premise that the development is done in an environmentally conscious manner, these recommendations align with the Strategic Goal of “A Healthy Environment” and the value of Innovation.

### **Accessibility Implications:**

The Accessibility Committee will review and have input into the site plan and engineering drawings for the building for this portion of the site, at the site plan stage of the development process, in accordance with section 29 of the Ontario *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11.

### **Servicing Implications:**

The proposed development shall be on full municipal services: water and sewer. Engineering is not aware of capacity constraints affecting the proposed units, however, through the development process, the proponent’s Engineer must provide the City with the Functional Servicing Report and Servicing Design, to confirm that existing municipal infrastructure can service the proposed residential growth.

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<sup>2</sup> Report HH2018-004 recommends that the costs associated with the sale be paid by the City to KLHHC. The amendment to section 10.01 of By-law 2018-020, proposed herein, addresses that request.

## Consultations:

Land Management Committee:

- CAO
- Director of Community Services
- Director of Development Services
- Director of Engineering and Corporate Assets
- Director of Public Works
- Manager of Corporate Assets
- Land Use Planner, Large Developments

## Attachments:

Appendix A – General Location Map



Appendix A - General  
Location Map.pdf

Appendix B – Aerial Photo



Appendix B - Aerial  
Photo.pdf

Appendix C – Map



Appendix C -  
Map.pdf

Appendix D – Proposed Site Plan



Appendix D -  
Proposed Site Plan.pdf



## Appendix E – Aerial Photo (Shaft Park)



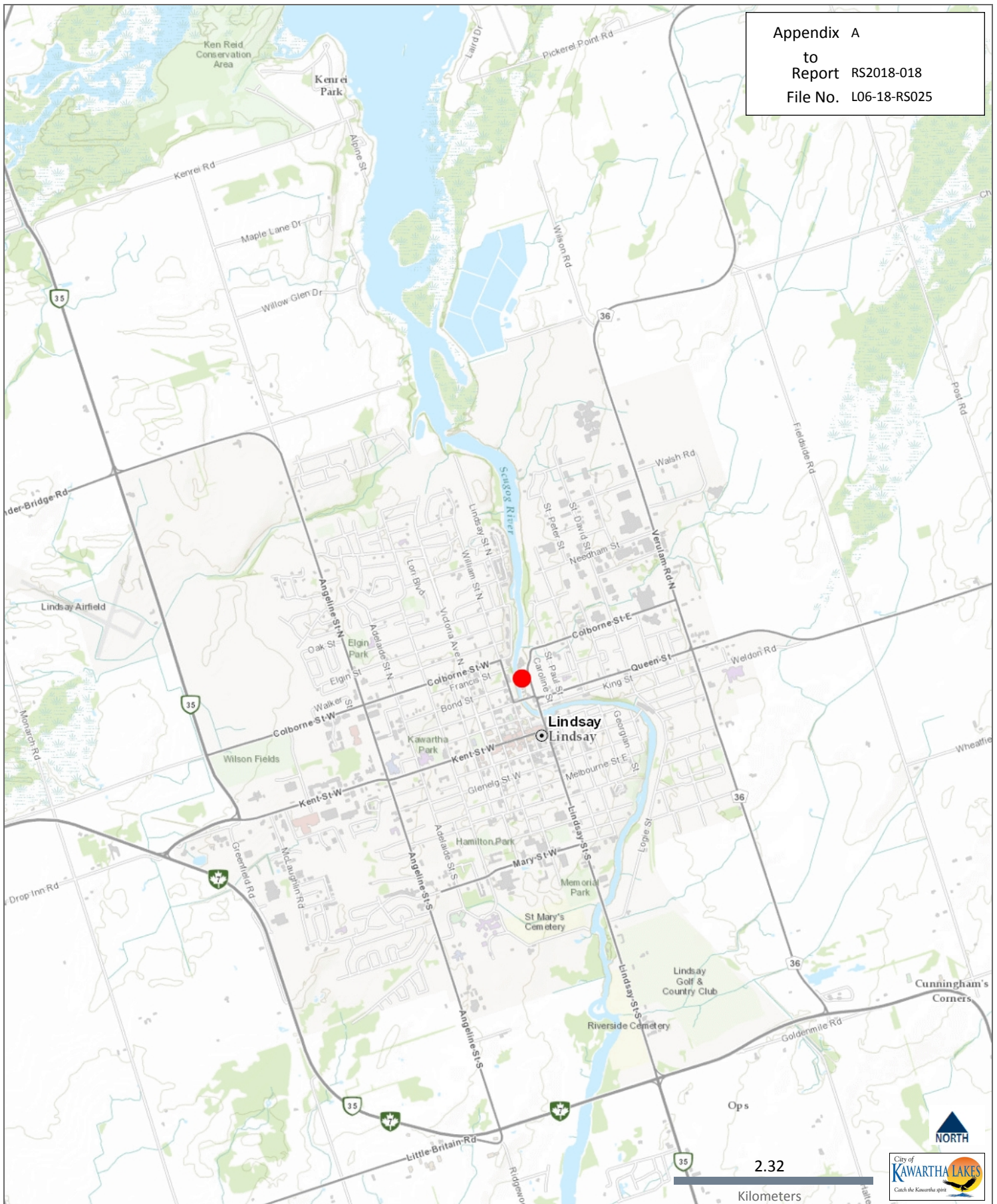
Appendix E - Aerial  
Photo (Shaft Park).pdf

**Department Head E-Mail: [rcarlson@kawarthlakes.ca](mailto:rcarlson@kawarthlakes.ca)**

**Department Head: Robyn Carlson**

**Department File: L06-18-RS025**

Appendix A  
to  
Report RS2018-018  
File No. L06-18-RS025



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Date:

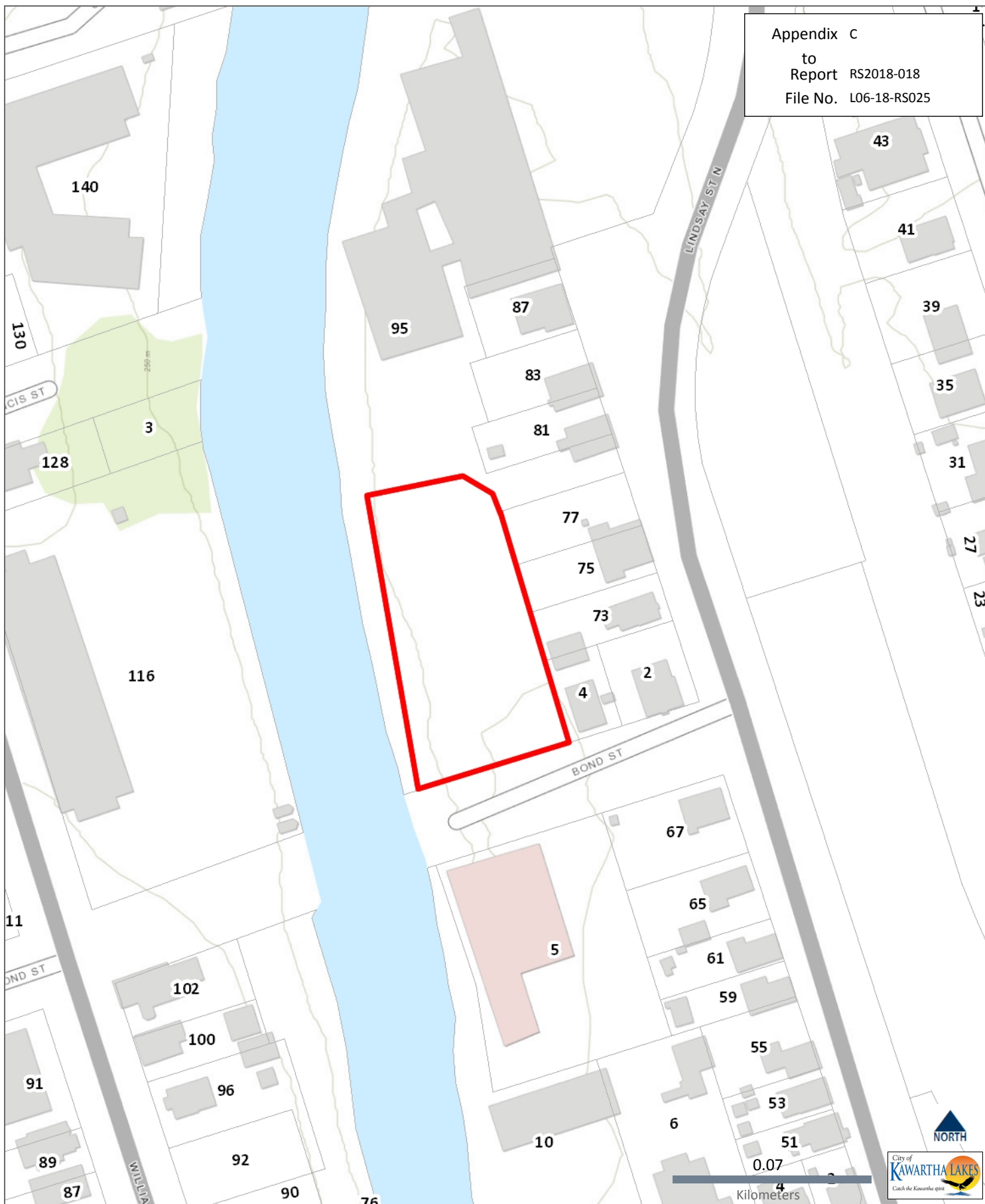




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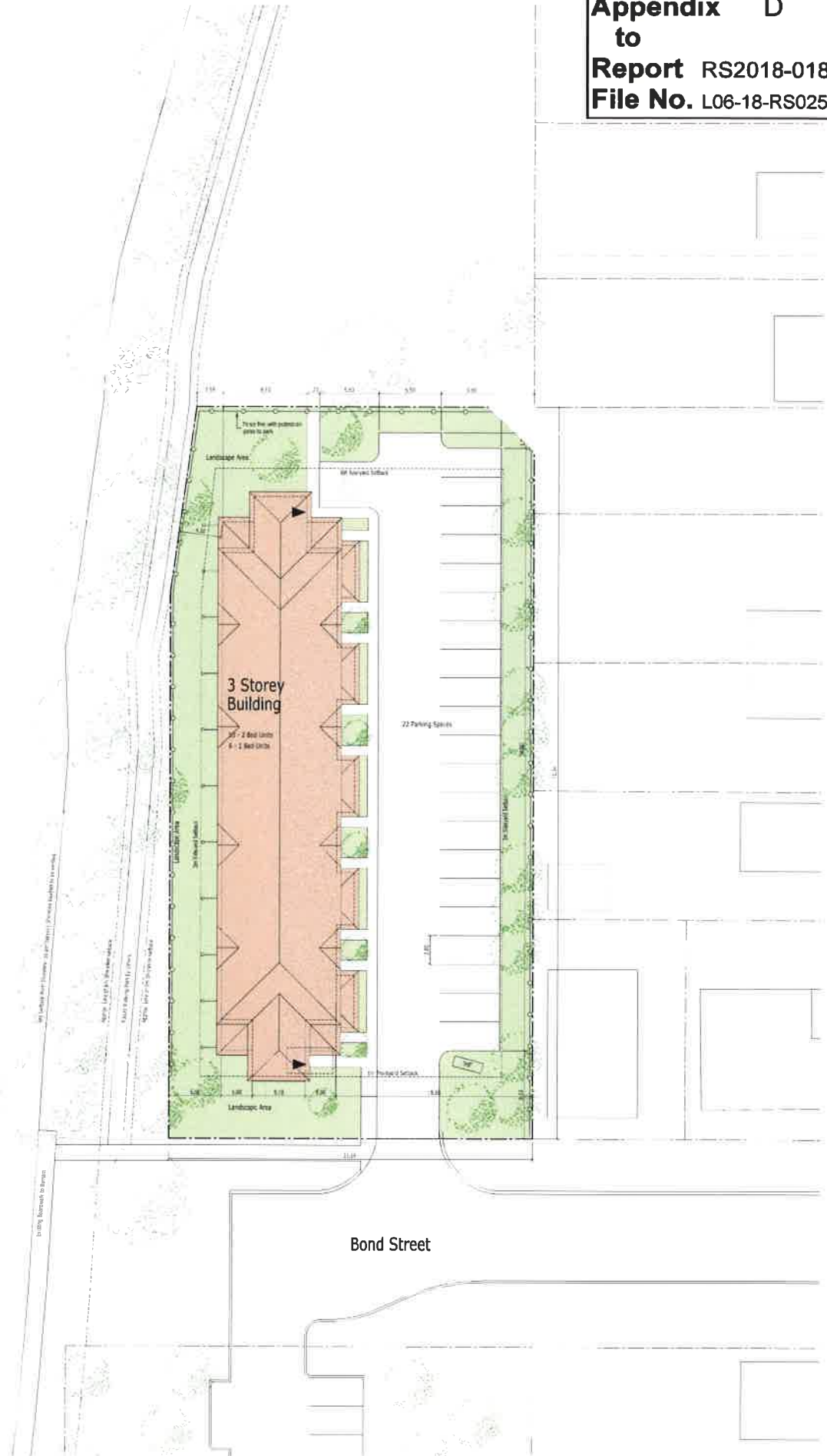
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**Appendix D**  
**to**  
**Report RS2018-018**  
**File No. L06-18-RS025**

| Site Data                        |  |
|----------------------------------|--|
| Lot Area                         | 7,360.7 sqm  |
| Lot Building Area (Coverage)     | 542.3 sqm (7.4%)   |
| Height of Building               | 1 storey   |
| Number of Storeys                | 3 Storeys  |
| 1 Bedroom Units                  | 4 units  |
| 2 Bedroom Units                  | 4 units  |
| 3 Bedroom Units                  | 4 units  |
| Total Number of Units            | 12 units   |
| Area Left Landscaping (Coverage) | 6,818 sqm (93%)  |
| Area Left Landscaping (Coverage) | 1,818 sqm (25%)  |
| Access                           |  |
| Access                           | Public Road Access   |
| Area Road Access (Coverage)      | 788 sqm (10.7%)  |
| Number of Driveways              | 77 driveways   |
| Lot Area per Driveway            | 77 sqm   |
| Area Parking Unit                | 22 m <sup>2</sup> x 5.5 m <sup>2</sup>                           |
| Available Parking Spaces         | 1 Space (70% min)  |
| Available Parking Unit           | 2.2 m <sup>2</sup> x 5.5 m <sup>2</sup> x 2.2 m <sup>2</sup> min |
| Setbacks                         |  |
| Front Setback (m)                | 4.0 m  |
| Side Setback (m)                 | 3.0 m  |
| Rear Setback (m)                 | 3.0 m  |
| Min. Setback (m)                 | 3.0 m  |
| Min. Setback (m)                 | 3.0 m  |
| Min. Setback (m)                 | 3.0 m  |

Scugog River







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Date:

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number RS2018-019**

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**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier: 10**

**Title: Proposed Lease Agreement between the City of Kawartha Lakes and Kawartha Lakes Haliburton Housing Corporation**

**Author and Title: Robyn Carlson, City Solicitor and Acting Manager of Realty Services**

---

### **Recommendations:**

**That** Report RS2018-019, **Proposed Lease Agreement between the City of Kawartha Lakes and Kawartha Lakes Haliburton Housing Corporation**, be received;

**That** the southern portion of 68 Lindsay Street North, legally described as LT 4 E LINDSAY ST NO RIVER, 5 E LINDSAY ST N RIVER, 6 E LINDSAY ST N RIVER, 7 E LINDSAY ST N RIVER, 8 E LINDSAY ST N RIVER, 9 E LINDSAY ST N RIVER, 10 E LINDSAY ST N RIVER, 11 E LINDSAY ST N RIVER, 12 E LINDSAY ST N RIVER, 13 E LINDSAY ST N RIVER, 14 E LINDSAY ST N RIVER PL 12P; PT LT 15 E LINDSAY ST N RIVER, 16 E LINDSAY ST N RIVER, 17 EAST LINDSAY ST N RIVER PL 12P; PT LT 1 N/S QUEEN ST, 2 N/S QUEEN ST, 3 N/S QUEEN ST, 4 N/S QUEEN ST PL 15P; PT LT 4 W/S CAROLINE ST, 5 W/S CAROLINE ST, 6 W/S CAROLINE ST, 7 W/S CAROLINE ST, 8 W/S CAROLINE ST, 9 W/S CAROLINE ST, 10 W/S CAROLINE ST, 11 W/S CAROLINE ST, 12 W/S CAROLINE ST, 13 W/S CAROLINE ST, 14 W/S CAROLINE ST, 15 W/S CAROLINE ST, 16 W/S CAROLINE ST, 17 W/S CAROLINE ST, 18 W/S CAROLINE ST PL 12P PT 4, 5 57R5191 & PT 6 57R8136, in the Geographic Town of Lindsay, City of Kawartha Lakes, being property proposed to be occupied by an affordable housing development and more particularly illustrated in Appendix A be declared surplus to municipal needs and disposed of by long term lease to the Kawartha Lakes Haliburton Housing Corporation; and

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_



**That** the Mayor and Clerk be authorized to execute the Lease Agreement attached as Appendix B on behalf of the City of Kawartha Lakes, being a Lease Agreement with Kawartha Lakes Haliburton Housing Corporation for the purpose of leasing affordable housing space within City property located at 68 Lindsay Street North, Lindsay.

## **Background:**

The proposed Lease Agreement was discussed by the Land Management Committee on May 14, 2018 and it was the recommendation of the Committee that the terms of the proposed Lease Agreement be approved.

Public Notice advertising the potential long-term lease of the subject property was completed by newspaper circulation in the Kawartha Lakes This Week on the 24<sup>th</sup> and 31<sup>st</sup> days of May and 7<sup>th</sup> day of June, 2018. In addition a “Potential Surplus Property” sign was posted on the subject property for the three week period corresponding with the newspaper circulation.

The purpose of this report is to provide Council with an opportunity to consider the terms of the proposed Lease Agreement and for Council to provide direction required to execute this Agreement. The proposed Lease Agreement is attached at Appendix B.

## **Rationale:**

The affordable housing building and grounds are interconnected with the City offices, and the entire asset is owned by the City.

This will be the first lease entered into between the City and KLHHC. In all other cases, KLHHC is the property owner of its affordable housing developments. This financial model, as more specifically described in the Financial Impacts section below, was chosen due to the dual nature of the development (as one of the two buildings on the property is City administrative space) and in order to gain administrative efficiencies: as an example, the City could determine and allocate a portion of the operating costs and charge them to KLHHC, creating administrative entries in the background and requiring KLHHC to seek the portion not covered by rents as municipal subsidy through the City. Rents could be set at the affordable rate, however, based on the approved tenant population (the homeless); they could not afford that rent and therefore require a municipal subsidy from the City. This would require a rent supplement agreement between the City and KLHHC, resulting in reconciliations and payments between the market rent and what the tenant has the ability to pay.

## **Other Alternatives Considered:**

None.

## **Financial and Operational Impacts:**

The associated construction costs (including the cost of obtaining a Record of Site Condition pursuant to the Ontario *Environmental Protection Act*, R.S.O.

1990, c. E. 19, as amended) were the cost of the City. The ongoing capital costs and eventual demolition will be the cost of the City.

The lease provides for all building and ground expenses, both operational and capital, as an expense to the City. This will include day to day maintenance, cleaning, utility and property tax. KLHHC expenses will be limited to tenant related maintenance inside the units (damages, unit restoration following a vacancy, etc.) and property insurance.

That base cost to the City is estimated at \$11.72 per square foot, totaling \$234,400 per annum.<sup>1</sup> The total cost, including both base cost and operating/additional cost is \$14.84 per square foot, and total \$296,806.35 per annum. It is estimated that the base costs will escalate at 1.5% per year. It is estimated that the operating and maintenance costs will escalate at 3% per year. It is unknown at this time how revenues will fluctuate over time.

The lease payment from KLHHC to the City is calculated as follows: the rental income which KLHHC receives from its sub-tenants less the expenses KLHHC incurs for maintenance inside the tenant units.

The municipal subsidy (annual cost to the City) is equal to the difference between \$296,806.35 and the subtenants rents' paid (less KLHHC expenses). This second figure is estimated by Human Services as being equal to or lesser than \$200,736.00 (see discussion in paragraph below). Accordingly, the annual cost to the City is estimated at, at least, \$96,070.35.

Sub-tenants will pay below market rent based on the maximum shelter benefit level for a tenant receiving social assistance and 30% for any other income sources. It is expected that the majority of the 24 units will be occupied by the individuals in receipt of social assistance. This would mean that tenants' rents would be somewhere between \$384.00 and \$489.00 per month (the current maximum shelter for a single person on either Ontario Works or Ontario Disability Support Program). Based on this assumption, KLH would anticipate receiving annual revenue of \$110,592.00 to \$140,832.00 (based on 2018 shelter rates). The most rental revenue that KLH would ever receive is based on 80% of the average market rent (the maximum allowed to be charged in order to receive the capital funding) is \$200,736.00 (\$697.00 based on 2018 rates). The expenses that KLH will incur for maintenance inside the units are impossible to estimate. There is no way to predict how many times the unit will turnover and need restored or the condition of the unit as it becomes vacant.

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<sup>1</sup> Base cost is based on the initial capital costs of the building plus property development and improvements over the term of the lease, estimated at \$12M. The cost of financing on a 20 year amortization is also considered and forms part of the base rent costs. From year 21 to year 40, base cost will be reduced by the cost of financing, however the City during this portion of the lease should expect to be paying more for capital repairs than it had for the first 20 years of the lease.

The lease payment established will continue throughout the 40 year term of the lease. The 40 year term matches the affordability period commitment made in gaining approval for the federal/provincial funding through the Investment in Affordable Housing 2014 Extension, Social Infrastructure Fund and Home for Good.

### **Relationship of Recommendations to the 2016-2019 Strategic Plan:**

The recommendations in this report, to surplus and gift the lease of land for affordable housing, are in line with Goal 2 of the Council Adopted Strategic Plan: An Exceptional Quality of Life.

The City of Kawartha Lakes is the Municipal Service Manager (SM) for housing and homelessness programs and services for both the City of Kawartha Lakes and the County of Haliburton as mandated by the Province of Ontario through the Housing Services Act. In addition to goals and objectives of the Council approved (February 2014) 10 Year Housing and Homelessness Plan, a requirement of the Act, and more the recently the adoption of the Affordable Housing Framework by Council in December 2017, gifting land to our own initiatives is in line with the strategic enabler of "Responsible Fiscal Resource Management".

### **Accessibility Implications:**

The Accessibility Committee has reviewed and have had input into the site plan and engineering drawings for the building for this portion of the site, during the site plan stage of the development process, in accordance with section 29 of the *Ontario Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11.

### **Servicing Implications:**

The proposed development has undergone a Site Plan process and has been designed to be on full municipal services: water and sewer, with on-site stormwater management facilities. This property was zoned for the proposed use and therefore included in the capacity for the Colborne Street Sanitary Pump Station (now Rivera Park Sanitary Pump Station, currently under construction). Adequate water and sanitary servicing capacity exists to service this development.

### **Consultations:**

Land Management Committee:

- CAO

- Director of Community Services
- Director of Development Services
- Director of Engineering and Corporate Assets
- Director of Public Works
- Manager of Corporate Assets
- Land Use Planner, Large Developments

Director of Human Services

President, KLHHC

Manager of Building and Housing

### **Attachments:**

Appendix A – Location of Proposed Housing Building and Parking



Appendix A - Site  
Plan (Affordable Hou:

Appendix B – Proposed Lease Agreement

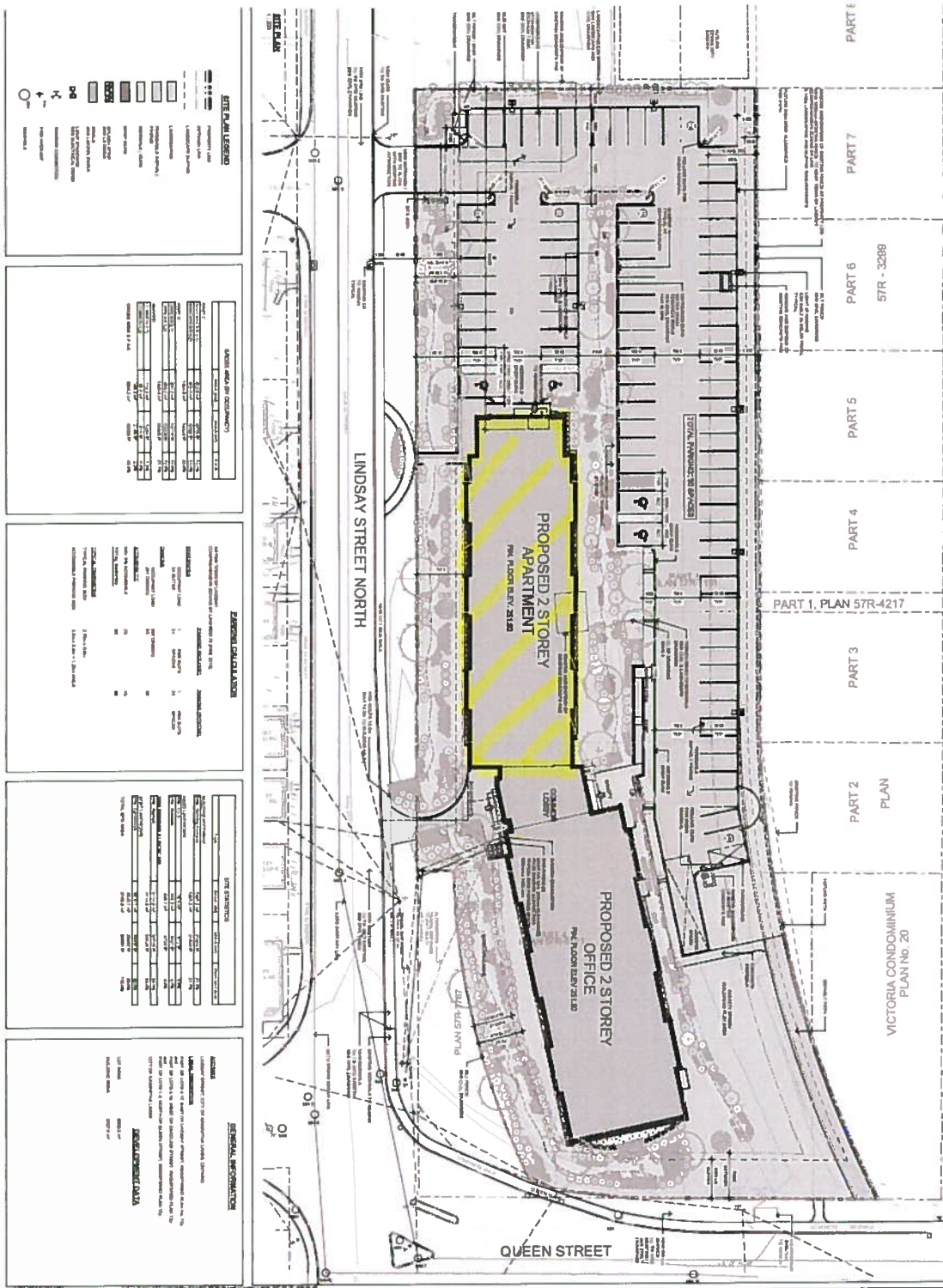


Appendix B -  
Proposed Lease Agre

**Department Head E-Mail: [rcarlson@kawarthalakes.ca](mailto:rcarlson@kawarthalakes.ca)**

**Department Head: Robyn Carlson**

**Department File: L17-18-RS037**





## LEASE AGREEMENT

This Agreement is dated as of the \_\_\_\_\_ day of \_\_\_\_\_, 201\_.

### BETWEEN:

**THE CORPORATION OF THE CITY OF KAWARTHA LAKES**

(the “City”)

and

**KAWARTHA LAKES HALIBURTON HOUSING CORPORATION**

(the “Tenant”)

WHEREAS the Corporation of the City of Kawartha Lakes has agreed to build a municipal housing facility and office space at 68 Lindsay Street North, Lindsay, in the City of Kawartha Lakes;

AND WHEREAS the Kawartha Lakes Haliburton Housing Corporation wishes to lease from the City, and the City is willing to lease to the Tenant, the Housing Facilities located at the property known municipally as 68 Lindsay Street North, Lindsay, Ontario, for consideration and otherwise in accordance with the terms and conditions in this Lease Agreement;

NOW THEREFORE in consideration of the terms and conditions below and the sum of one dollar (\$1.00) paid by each party to the other, the receipt and sufficiency of which is hereby acknowledged, the City and the Tenant agree as follows:

### 1.0 Interpretations

#### 1.1 Definitions

The following words and phrases used in this Agreement shall have the following meanings:

“**Additional Rent**” means all sums of money or charges required to be paid by the Tenant under this Lease (except Basic Rent) whether or not designated “Additional Rent” or payable to the City;

“**Affordable Housing Units**” means for the purpose of a municipal housing project facilities, rental housing with a rental rate not exceeding 30% of the gross annual household income of the lowest 60% of rental households within the service area or is at or below the average rental rate within the service area, whichever is the lesser;

**“Agreement”** means this Lease Agreement;

**“Basic Rent”** means the amount payable by the Tenant to the City for lease of the Housing Facility in accordance with the terms set out in Section 6.2 of this Lease;

**“Building”** means the building located on the lands known as 68 Lindsay Street North, Lindsay, Ontario, defined herein as the Lands, including but not limited to the Housing Facility, the office building and including all current and future Building Systems and Common Areas;

**“Building Systems”** means the: (i) heating, ventilating and air conditioning and other climate control systems, other systems, services, installations and facilities installed or servicing the Building including, without limitation, elevators, sprinklers, drainage and sewage, electrical and other utilities, lighting, security and surveillance, refuse removal, and window washing; (ii) equipment, appliances or other apparatus forming part of or used in connection with the Building Systems including, without limitation, boilers, motors, generators, fans, pumps, pipes, conduits, valves, wiring, meters and controls, and the shafts and other structures housing any of them; and (iii) City owned or controlled telecommunications facilities, pathways, installations and equipment;

**“By Name List”** means the list maintained by the City of Kawartha Lakes indicating the names of known and active homeless individuals in its service area;

**“CMHC”** means Canada Mortgage and Housing Corporation;

**“Commencement Date”** means the date on which the construction of the Housing Facility is substantially completed, and the Landlord is granted an occupancy permit, or such other earlier or later date as may be mutually agreed upon in writing by the parties;

**“Common Areas”** means those portions of the Lands and Building designated by the City, from time to time, for use by the City and all tenants of the Building, including their agents, licencees, employees, customers, or invitees. The common areas include, without limitation, all entrances, lobbies, access and service corridors, stairways, walkways, public seating areas, public washrooms, parking areas, landscaped areas and passageways;

**“Housing Facility”** refers to the building containing the housing units located at the property known municipally as 68 Lindsay Street North, Lindsay, Ontario and as outlined in red and shown in the sketch attached as Schedule “A”;

**“HVAC”** means the heating, ventilation and air conditioning equipment;

**“Housing Units”** means collectively all housing units located in the Housing Facility and identified in Schedule “B” to this Lease, and Housing Unit has a corresponding meaning;

**“Income”** means all income, benefits and gains, of every kind and from every source including an imputed income from all assets or investments which do not produce interest income but are intended to appreciate in value or are given away, all of which must be declared by a household in its application for rental of an Affordable Housing Unit;

**“Lands”** means the lands legally described as set out in the Parcel Abstract of PIN 63216-0127 attached at Schedule “A” hereto, and municipally known as 68 Lindsay Street North, Lindsay, Ontario, on which the Building is located;

**“Low-income household”** means households eligible to be on or on the Waiting List and has a household income at or below the CMHC approved Household Income Limits, as defined by CMHC or its successor and as such definition is modified by CMHC or its successor;

**“Lease Year”** means each successive period of twelve calendar months during the Term determined from the Commencement Date forward;

**“Leasehold Improvements”** means the alterations or other modifications to the Housing Facility installed by the City for the Tenant;

**“Parties”** means the City and Tenant, and “Party” means one of them as the context provides;

**“Property Taxes”** means the aggregate of all taxes, rates, duties, levies, fees, assessments and other charges, imposed, levied or charged by any Governmental Authority against the City for or in respect of the Lands or Building from time to time;

**“Rent”** means Basic Rent and Additional Rent;

**“Term”** has the meaning given to it in Section 5.1 of this Lease; and

**“Waiting List”** means the City of Kawartha Lakes By Name List and the centralized waiting list for low-income housing or any successor waiting list.

## **2.0 Schedules**

2.1 The Schedules to this Agreement are an integral part of this Agreement.

### Schedules:

Schedule “A” - Sketch – Housing Facility

Schedule “B” – List of Housing Units

## **3.0 Contribution and Construction of the Project**

3.1 The City shall construct the Housing Facility at its own expense.

3.2 In the performance of any work and construction on the Housing Facility the City shall:

- i. Proceed at its own expense with all due diligence to completion and will cause all work to be done in a good and professional manner;
- ii. Do all acts and things required for the performance and completion of the Project in accordance with all applicable building and zoning ordinances and all applicable laws, by-laws, orders, rules, regulations and other requirements of all federal, provincial and municipal authorities and in accordance with the plans and specifications which have or may be approved by the City;
- iii. Do all acts and things required to be done in the performance of the construction in compliance with the insurance requirements of this Agreement; and
- iv. Obtain all necessary permits, consents and approvals at its own expense.

3.3 If at any time prior to completion of the construction of the Housing Facility, the construction ceases and has not been resumed within ninety (90) days of ceasing, or if the City abandons the construction of the Housing Facility, the Tenant may, immediately upon written notice to the City, terminate this Agreement and all funds, financial resources and relief which have been received by or granted to the City up to the date of termination shall immediately be repaid.

#### **4.0 Lease Grant**

4.1 The City does, upon the Commencement Date, lease to the Tenant the Housing Facility as described herein to have and to hold during the Term, subject to the payment of Rent and all other covenants, conditions and agreements of the Tenant set out in this Lease.

4.2 The Tenant accepts the lease of the Housing Facility from the City and agrees to pay the Rent and perform all other covenants and obligations of the Tenant set out in this Lease.

4.3 Subject to the payment of Rent and the performance of all other obligations under this Lease, the Tenant shall be entitled to the peaceful and quiet enjoyment of the Housing Facility for the Term.

4.4 The rented areas of the Housing Facility shall be approximately 19,424 square footage. The area of the Housing Facility shall be subject to adjustment based on accurate measurement and certification by the City's architect, engineer or any other individual, firm or corporation designated by the City on or before the Commencement Date, failing which the rented areas shall be deemed to be the square footage set forth above.

#### **5.0 Lease Term**

5.1 Subject to any earlier termination of this Lease, as of and from the Commencement Date the Tenant shall have exclusive possession of the Housing Facility for a period of forty (40) years (the "**Term**").

- 5.2 The City is a municipality as defined by the *Planning Act*, RSO 1990 c P. 13. Pursuant to section 50(3)(c) and 50(5)(b) of the *Planning Act* municipalities are exempt from the requirement to obtain consent or approval for the acquisition or disposition of land.
- 5.3 Notwithstanding sub-section 5.2 above the City covenants and agrees, at its own expense, to comply with any and all provisions thereof and to apply for, expedite and pursue diligently any applications for, and to obtain, on or before the Commencement Date to the Tenant, any consents or approvals that may be required by reason of the provisions of the *Planning Act*.
- 5.4 In the event the City fails to obtain any such consents or approvals or does not, in the opinion of the Tenant, apply for, expedite and pursue diligently any such applications, the Tenant may do so on behalf of and in the name of the City.
- 5.5 In the event that the any such consents or approvals are not obtained on or before the Commencement Date the Tenant at its option any time thereafter may terminate this Lease by notice in writing to the City. Provided that, if at any time after the Commencement Date, the City or the Tenant on behalf of the City obtains such consents or approvals as may be required, the provisions of this Lease specifying the term shall be deemed to be effective as if such consents and approvals had been obtained on or before the Commencement Date and the right of the Tenant to terminate this Lease by notice in writing as provided in this Section shall expire.

## **6.0 Rent**

- 6.1 From the Commencement Date and throughout the Term the Tenant shall sub-let the Housing Units and shall collect rent from the sub-tenants. The sublet of Housing Units by the Tenant shall comply with the terms and conditions set out in Section 16 of this Lease.
- 6.2 The Tenant shall pay to the City Basic Rent each Lease Year, with the obligation to pay commencing as of the Commencement Date and continuing throughout the Term of the Lease. The amount of the Basic Rent payable in each Lease Year shall be calculated and paid in accordance with the following terms:
- i. The Basic Rent shall be paid by the Tenant to the City quarterly, specifically on, March 31<sup>st</sup>, June 30<sup>th</sup>, September 30<sup>th</sup> and December 31<sup>st</sup> of each Lease Year of the Term. Payment shall be made at the office of the City, or at such other place designated in writing by the City, without any prior demand, deduction, abatement, set-off or compensation whatsoever. All payments of Rent shall be made electronically or by cheque to the City, as the City shall determine;
  - ii. The “Basic Rent” payable by the Tenant to the City each Lease Year shall be equal to the amount collected by the Tenant each Lease Year from the sub-tenants, minus the Tenant’s expenses. Basic Rent shall be based on the actual net proceeds received from the Tenant from the sub-tenants. For clarity, the Tenant shall be permitted to deduct its expenses, including but not limited to

operating costs, professional fees and day-to-day maintenance, from the rent received from the sub-tenants and the net amount received from the sub-tenants shall be the amount payable to the City for Basic Rent. The Basic Rent payable by the Tenant to the City may be estimated by the Tenant, with a final determination of the Basic Rent made in accordance with the provisions of Section 16 of this Lease. If the Tenant has overpaid its Basic Rent, the City shall credit any such excess paid against future amounts to be paid by the Tenant, except in the final Lease Year when the Landlord shall refund any excess paid. If any balance of the Basic Rent remains unpaid, the same shall be promptly remitted to the City within 30 days of the determination of the shortfall;

- iii. The Basic Rent is not inclusive of HST and the Tenant shall pay HST, if applicable, on the same date as the quarterly payments of Basic Rent are due and such payment shall be made as Additional Rent. For the purpose of this Lease, HST means Harmonized Sales Tax payable pursuant to the Excise Tax Act (Canada) as amended from time to time; and
- iv. The terms governing the calculation of Rent is subject to adjustment in the event that the Housing Facility is modified or otherwise adjusted by the City in accordance with this Lease.

6.3 Within 60 days of the end of a Lease Year, the Tenant shall provide to the City an accounting of all rents received from sub-tenants and all of the expenses, including but not limited to operating costs and day-to-day maintenance, deducted from the Tenant's rental income. The accounting shall include, but not be limited to, copies of invoices for all payments of rent from the sub-tenants and receipts for the payment of all amounts deducted by the Tenant from the rental income received by the Tenant from the sub-tenants.

6.4 The City by notice in writing to the Tenant may dispute or request clarification on the accounting provided by the Tenant. If the Tenant deducted ineligible funds from the rental income received from the sub-tenants and from the Basic Rent paid to the City, then an amount equal to the amount of the ineligible deduction shall become due and payable to the City as part of the Basic Rent on the next payment date. Any such notice must be delivered by the City to the Tenant within thirty (30) business days from receipt by the City of the accounting, failing which the City shall be deemed to have agreed to the account provided by the Tenant.

6.5 Rent will be considered as annual and accruing from day-to-day and where it becomes necessary for any reason to calculate Rent for an irregular period of less than on full Lease Year, an appropriate apportionment and adjustment will be made.

6.6 There shall be no rent deposit or security deposit.

6.7 Any dispute between the Parties in regard to the payment of Rent shall be resolved in accordance with the Dispute Resolution provision of this Lease.



## **7.0 Taxes**

- 7.1 The City shall pay all Property Taxes, when due and payable to the applicable Governmental Authority. The City may defer the payment of some or all of the Property Taxes where permitted by applicable law and provided that it pursues, in good faith, any appeal or other contest of the payment of said Property Taxes.

## **8.0 Utilities and HVAC**

- 8.1 The City shall be solely responsible for and promptly pay all charges for water, gas, electricity, and other utilities used or consumed in the Housing Facility.
- 8.2 The City shall replace the electrical light fixtures, ballasts, tubes, starters, and controls in the Housing Facility and the Common Areas, at the City's expense. Costs relating to the use by the Tenant of electricity and other utility services in the Common Areas will be paid by the City.
- 8.3 The City shall operate, maintain and regulate the HVAC within or installed in the Housing Facility in order to maintain reasonable conditions of temperature and humidity within the Housing Facility.

## **9.0 Lands, Building and Common Areas**

- 9.1 The Common Areas are provided by the City for the general use of all tenants, sub-tenants, their agents, employees, and other invitees.
- 9.2 The City shall operate and maintain the Common Areas in such manner as the City determines in its absolute discretion to be proper and necessary from time to time, and as would a prudent landlord of comparable Lands and Building having regard to the size, age and location.
- 9.3 The Lands and Building are at all times subject to the control and management of the City. Without limiting the generality of the foregoing, the City has authority for the management and operation of the Lands and Building, and for the establishment and enforcement of rules and regulations and general policies with respect to the operation of the Lands and Building. Without limiting the generality of the foregoing, the City may:
- i. construct, maintain and operate lighting facilities and heating;
  - ii. provide supervision, traffic controls and policing services for the Lands, Building and Common Areas;
  - iii. grant, modify and terminate easements and other agreements pertaining to the use and maintenance of all or any part of the Lands, Building or Common Areas;

- iv. obstruct or close off all or any part of the Lands, Building or Common Areas for maintenance, repair or construction, and for such reasonable periods of time as may be required;
- v. employ all personnel including supervisory personnel and managers necessary for the operation, maintenance and control of the Lands, Building and Common Areas;
- vi. designate the areas and entrances and the times in, through and at which loading and unloading of goods shall be carried out;
- vii. designate and specify the kind of container to be used for garbage and refuse and the manner and the times and places at which the same is to be placed for collection;
- viii. from time to time change the area, level, location, arrangement or use of the Lands, Building or Common Areas or any part thereof;
- ix. construct other Building on the Lands, or undertake other changes to the Lands, Building or Common Areas; and
- x. do and perform such other acts in and to the Lands, Building and Common Areas as the City determines to be advisable or necessary.

## **10.0 Management & Maintenance**

- 10.1 Commencing upon the Tenant's occupation of the Housing Facility the Tenant shall be responsible for the repair and maintenances of the interior of the Housing Units in good order and condition, including but not limited to lighting, painting, cleaning, appliances, and flooring.
- 10.2 If the Tenant fails, refuses or is unable to repair or make the necessary replacements to the Housing Units as required above, the City may make such repairs or replacements with the cost of the resulting repairs, replacements or alterations, if necessary, to be borne by the Tenant, who shall pay the same to the City as Additional Rent.
- 10.3 The expenses for this maintenance shall be paid for by the Tenant from the rent paid to the Tenant from the sub-tenants and shall be permitted as an eligible deduction from the total rents collected for the purposes of determining the amount of Basic Rent payable to the City.
- 10.4 Notwithstanding the above sub-sections to this Lease, the City shall, at its own cost, promptly make all needed repairs including, without limitation, major structural repairs, to the Common Areas, Building, Housing Facility and the exterior elements of the Housing Units such as windows and door, and the property in its entirety. This includes, without limitation, replacements and repairs to the ceiling and electrical, plumbing, climate control systems, machinery and equipment in and to the Housing Facility, all entrances, glass, partitions, doors and any and all other fixtures, equipment and appurtenances, that are part of the Housing Facility (reasonable wear and tear, and damage by fire, lightning, and tempest only excepted), to snow removal, grass cutting, fencing, shrubbery, landscaping, walkways, driveways, lighting and

the repair and maintenance of those components. All such repairs and replacements will be performed in a timely and good and workmanlike manner.

## **11.0 Tenant Alterations**

11.1 The Tenant may during the Term, and at its own expense, at any time and from time to time, affix, install or erect partitions, counters or fixtures to or within any part of the Housing Facility, provided that the Tenant's right to do so shall be subject to the following conditions:

- i. Prior to undertaking such alterations, the Tenant shall submit plans to the City describing the proposed alterations, and obtain the written approval of the City to the same, such approval not to be unreasonably withheld;
- ii. All such alterations shall conform to all building by-laws, codes and other statutes, rules and regulations of applicable Governmental Authority affecting the Housing Facility, the Building and the Lands;
- iii. The alterations or improvements shall be completed in a good and workmanlike manner using, at all times, new materials; and
- iv. The alterations shall not in any manner weaken or otherwise compromise the structures of the Building or be likely to reduce the value of the Lands, Building or Housing Facility.

11.2 All alterations, decorations, additions and improvements made by Tenant, or made by the City on the Tenant's behalf, including the Leasehold Improvements (other than Tenant trade fixtures), shall become the property of City at the end of the Term without compensation to the Tenant. Such alterations, decorations, additions or improvements shall not be removed from the Housing Facility Housing Facility either during or at the expiration of the Term or sooner determination of the Lease, except only that:

- i. The Tenant may at the end of the Term, if not in default, remove its trade fixtures at its own cost;
- ii. The Tenant shall, at the end of the Term, at its own cost remove such of the Leasehold Improvements as the City may require to be removed; and
- iii. The Tenant may remove its trade fixtures during the Term in the normal course of its business, or if such trade fixtures have become excess for Tenant's purpose, or the Tenant is substituting similar trade fixtures; all of which is provided that the Tenant is not in default under this Lease.

The Tenant shall, in the case of every such removal, either during or at the end of the Term, make good any damage caused to the Housing Facility, Building and the Lands by the installation and removal of such alterations, decoration, addition or improvement. The provisions of this section shall survive the termination of this Lease.

## **12.0 Right to Enter**

12.1 The City may, at all reasonable times during the Term and upon twenty-four hours (24) telephonic notice to the Tenant, and subject to the requirements set out in any Residential Lease entered into between the Tenant and the Sub-tenants, enter the Housing Facility to inspect their condition. Where an inspection discloses that maintenance or repair action is necessary, the City shall so advise the Tenant in writing, and forthwith undertake the same in a timely and good and workmanlike manner using new materials, unless the Tenant is required to make the repair pursuant to this Lease. It shall also be lawful for the City to enter the Housing Facility subject to the terms of any residential lease that the Tenant has entered into with a sub-tenant during the Term without notice if the City acting reasonably perceives there is an emergency and immediate entry to the Housing Facility is imperative.

## **13.0 Damage to the Housing Facility**

13.1 The Tenant shall, forthwith, advise the City by notice in writing of any damage or required repair to the Housing Facility premises including, without limitation, any required repair to the plumbing or electrical equipment. Responsibility for any requisite repair shall be as otherwise described in this Lease.

## **14.0 Communication**

14.1 Both the City and the Tenant shall cooperate in any communications initiative of either the City or the Tenant including, but not limited to, an official opening.

14.2 The Parties shall maintain regular and open communications in respect to the construction and operation of the Building and the administration of this Agreement.

## **15.0 Notice**

15.1 Any notice required under this Agreement must be in writing and delivered by personal service or ordinary mail to:

The City at the following address:

**26 Francis Street  
Lindsay, Ontario  
K9V 5R8**

The Housing Providing at the following address:

**322 Kent Street West  
P.O. Box 2600  
Lindsay, Ontario  
K9V 4S7**

## 16.0 Tenant's Obligations Re Sublet

16.1 The Tenant shall ensure that throughout the Term of this Lease:

- i. All Housing Units shall be Affordable Housing Units occupied by low-income households;
- ii. All Housing Units shall be provided only to applicants on the Waiting List, with the first priority to individuals on the By Name List, followed by individuals on the City Wait List, or the successor lists with a similar purpose;
- iii. Under no circumstances shall a Housing Unit be made available at a rental rate that is inconsistent with the definition of Affordable Housing Unit when the Housing Unit is initially rented to an eligible applicant;
- iv. Under no circumstances shall a Housing Unit be made available to applicants who own a residential property, as determined by the Tenant after making all reasonable inquiries;
- v. Housing Units shall not be rented to any individual not at arm's length to the Tenant or any of the Tenant's employees; and
- vi. All sub-tenants of all the Housing Units must enter into a written residential lease with the Tenant.

16.2 The Tenant shall sub-let all the Housing Units and permit their occupancy only in accordance with this Lease and, where applicable, the *Residential Tenancies Act*, 2006 S.O. 2006 c. 17, as amended.

16.3 All Housing Units shall be administered by the Tenant in accordance with the City's Housing Delivery Plan and the guidelines, directives, rules, orders and policies as may be issued from time to time by either the City, the Province of Ontario or CMHC (collectively the "Programs"). To the extent of any conflict between the requirement of the Programs the decisions of the City as to the priority or paramountcy of any requirement, guideline, directive, rule, order and policy shall be final and binding until such time as it notifies the Tenant that such inconsistency has been satisfactorily addressed.

16.4 Rent payable by the sub-tenant to the Tenant pursuant to the residential lease shall be determined in accordance with the following principals:

- i. Sub-tenants who are recipients of social assistance through Ontario Works Program or the Ontario Disability Support Program, or any successor program, will pay a rent amount equivalent to the maximum shelter allowance available through such social assistance program;
- ii. Sub-tenants in receipt of any other form of income shall pay a rent amount equivalent to 30% of their gross income from all sources;
- iii. The sub-tenants rent shall be inclusive of heat, hydro and water; and
- iv. Notwithstanding the foregoing, in no circumstances shall the rent charged by the Tenant to a sub-tenant exceed 80% of the average market rent for the area

as published in the CMHC Fall Market Rental Survey, or its successor publication from time to time.

#### **17.0 Compliance with Laws**

17.1 The Tenant shall comply with the requirements of all applicable federal, provincial and municipal statutes, laws, by-laws, rules, by-laws, regulations, ordinances and orders from time to time in force during the Term, including all lawful requirements of the local board of health, police and fire departments and municipal authorities and with every applicable regulation, order and requirement of the Insurers' Advisory Organization of Canada, or anybody having a similar function, or of any liability or fire insurance company by which the City and Tenant or either of them may be insured at any time during the Term.

17.2 The City shall be responsible for obtaining an occupancy permit, if required, at its own cost and expense, for the Housing Facility.

#### **18.0 Tenant's Status**

18.1 The Tenant shall maintain itself in good standing as an active corporation and in accordance with all applicable laws.

#### **19.0 Registration on Title**

19.1 All relevant documents, including this Lease, or notice thereof, may be registered on title by either Party.

19.2 In the event that the City is required to register additional securities on the property, such as a Charge/Mortgage or other indenture, the Tenant shall execute a postponement or other form of authorization if requested to do so by the City.

#### **20.0 Construction Liens**

20.1 During the term of this Lease the Tenant shall not permit any construction liens for work, labour, services or materials ordered by it to attach to the Lands.

20.2 If any lien attaches to the Lands as a result of the Tenant's actions, the Tenant shall, within twenty (20) days after having had notice of the claim for lien, procure its discharge by payment or by giving security or in such manner as is or may be required or permitted by law.

20.3 The City may, but is in no way obliged, to discharge and vacate any lien if it is not discharged or vacated by the Tenant and any amount paid by the City in so doing, shall be reimbursed to the City by the Tenant within fifteen (15) days after demand plus all costs and expenses incurred by the City in connection therewith.

## 21.0 Insurance

21.1 At the Tenant's cost/expense (including the cost of any deductible amounts in connection with all insurance policies), the Tenant agrees to take out and keep in full force and effect during the Term, and in the names of the Tenant, the City and any mortgagee, chargee, or debenture holder that the City may advise, and as their respective interests may appear, the following insurance:

- i. All risks (including sewer damage, flood and earthquake) property insurance in an amount equal to the full replacement cost of property of every description and kind owned by the Tenant or for which the Tenant is legally responsible, and which is located on or about the Housing Facility, including, without limitation, anything in the nature of a leasehold improvement;
- ii. Five Million Dollars (\$5,000,000) (or such higher limit as the City reasonably requires from time to time) inclusive limits occurrence form commercial general liability insurance, without general aggregate limit. This insurance will (A) include owners' protective, products, completed operations, intentional acts to protect persons or property, personal injury, legal liability, employers' and blanket contractual liability coverages, provisions for cross liability, severability of interests and occurrence property damage, and (B) name City as an additional insured; this coverage shall include the business operations conducted by the Tenant and any other person on the Housing Facility;
- iii. Broad comprehensive boiler and machinery insurance on all objects owned or operated, presently or in the future, by Tenant or by others (other than City) on behalf of Tenant in the Housing Facility or relating to or serving the Housing Facility;
- iv. Business interruption insurance in such amount as will reimburse the Tenant for direct or indirect loss of earnings attributable to all perils commonly insured against by prudent tenants or attributable to prevention of access to the Housing Facility as a result of such perils; and
- v. Any other form or forms of insurance as the City reasonably requires from time to time, in form, amounts and for insurance risks against which a prudent Tenant would protect itself.

21.2 All property insurance policies written on behalf of the Tenant shall contain, if reasonably available, a waiver of subrogation rights which the Tenant's insurers may have against the City and against those for whom the City is in law responsible, whether any such damage is caused by the act, omission or negligence of the City or those for whom the City is in law responsible. Tenant will cause each insurance policy to be primary, non-contributing with, and not excess of, any other insurance available to the City or any, as applicable, mortgagee, charge or debenture holder.

21.3 All policies of Insurance purchased by the Tenant shall be taken out with insurers qualified to do business in the Province of Ontario and that are acceptable to the City and shall be in a form satisfactory from time to time to the City. The Tenant agrees



that certificates of insurance or, if required by the City, certified copies of each insurance policy, will be delivered to the City as soon as practicable after placement of the required insurance and upon any renewal, extension or amendment of all or any part of the policies. All policies shall contain an undertaking by the insurers to notify the City and the mortgagee, if any, in writing not less than thirty (30) days or such other period of time as may be provided in such policies, prior to any material change, cancellation or termination thereof.

- 21.4 If any insurance upon the Lands, Building or Housing Facility, or any part thereof, shall be cancelled or shall be threatened by the insurer to be cancelled, or the coverage reduced in any way by the insurer by reason of the use and occupation of the Housing Facility, or any part thereof, by the Tenant or by any assignee or sub-tenant of the Tenant or by anyone permitted by the Tenant to be upon the Housing Facility, and if the Tenant fails to remedy the condition giving rise to the cancellation, threatened cancellation or reduction of coverage within thirty (30) days after notice thereof by the City, the City may enter upon Housing Facility and remedy the condition giving rise to such cancellation, threatened cancellation or reduction. The City shall not be liable for any damage or injury caused to any property of the Tenant or of others located on the Housing Facility as a result of such entry, whether caused by the negligence of the City, its agents, servants, employees or other persons for whom it is responsible in law.

## **22.0 City Assignment**

- 22.1 The City may assign any or all of its rights under this Lease to another party including, without limitation, to a lender as security. In the event of any such assignment the City shall advise the Tenant in writing, and this Lease shall not be cancelled or modified as a consequence thereof but remain in effect for all purposes. The Tenant, if requested by the City, shall agree to become a party to any instrument relating to this Lease which may be required by or on behalf of any purchaser or mortgagee of the Lands or Building, from time to time, provided always that the rights of the Tenant under this Lease shall not be altered or varied by the terms of such instrument or document, except with the written consent of the Tenant.

## **23.0 Subordination**

- 23.1 This Lease and all of the rights of the Tenant hereunder are and shall at all times be subject and subordinate to any and all Encumbrances now or hereafter in force against the Lands and Building. At the request of the City, the Tenant will subordinate this Lease and all of its rights hereunder, in such form or forms as the City may require, to any such Encumbrances and to all advances made or to be made upon the security, and will, if requested, attorn to the holder thereof. The City shall provide the Tenant with written confirmation from any mortgagee that no subordination by the Tenant shall have the effect of permitting the holder of any mortgage or other Encumbrance to disturb the occupation and possession by the Tenant of the Housing Facility, so long as the Tenant shall perform all of the terms,

covenants, conditions, agreements and provisos of this Lease, and so long as the Tenant executes, contemporaneously, a document of attornment required by such mortgagee or other encumbrancer.

- 23.2 The Tenant shall, at the request of the City or a mortgagee or any other person having an interest in the Lands or Building, execute promptly such instruments or certificates to carry out the intent of this subsection as requested by the City, provided that, in the case of a request for the Tenant to subordinate this Lease to any mortgage or other Encumbrance, the Tenant shall have received written confirmation from the subject mortgagee or other encumbrancer. If within five (5) days after the date of a request by the City to execute any such instruments or certificates the Tenant has not executed the same, the Tenant hereby irrevocably and unconditionally appoints the City as the Tenant's attorney with full power and authority to execute and deliver in the name of the Tenant any such instruments or certificates.

#### **24.0 Statistics**

- 24.1 The Housing Provider shall, for statistical purposes, supply information as required by the City from time-to-time provided such information is reasonably available to the Housing Provider, as determined by the City.

#### **25.0 Dispute Resolution**

- 25.1 Subject to subsection 25.2 hereof, the Parties shall utilize all reasonable efforts to resolve any dispute in regard to the respective rights, obligations and duties of the Parties, or any other matter arising out of or connected with this Lease (hereinafter "Dispute"), promptly and in a good faith manner by negotiation. If they are unable to resolve the Dispute within thirty (30) days from when the Dispute first arose either Party may, by notice in writing to the other Party, submit the matter to mediation. Immediately upon delivery of such notice, the Parties will make a reasonable, good faith effort to identify a mutually acceptable mediator. If the Parties cannot agree upon a mediator within a period of thirty (30) days or, having selected and met with the mediator cannot resolve the Dispute within ninety (90) days thereafter, either Party may by notice in writing to the other Party initiate a proceeding in a court of competent jurisdiction.
- 25.2 Notwithstanding subsection 25.1 neither Party is precluded from seeking from a court of competent jurisdiction interim relief, including injunctive relief, when the subject matter of the Dispute may require.
- 25.3 This dispute resolution provision shall not apply to any dispute, issue or controversy between the Parties, other than those matters specifically described in this Lease as being subject to this dispute resolution provision, or as the Parties may otherwise agree.

## **26.0 Default**

### **26.1 In the event that:**

- i. the Tenant fails to pay any Basic Rent, Additional Rent or other amounts due under this Lease on more than two (2) occasions during any Lease Year; or
- ii. the Tenant fails to cure, or takes steps satisfactory to the City to cure, any failure to observe or perform any other term or condition of this Lease to be observed or performed by the Tenant within ninety (90) days after receipt of a notice in writing from the City advising of said failure to observe or perform the applicable term or condition; or
- iii. the Tenant becomes bankrupt or insolvent or takes the benefit of any act now or hereafter in force for bankrupt or insolvent debtors, or files any proposal or makes any assignment for the benefit of creditors or any arrangement or compromise, or a receiver or a receiver and manager is appointed for all or a portion of the Tenant's property, or any steps are taken or any action or proceedings are instituted by the Tenant or any other party including, without limitation, any court or Governmental Authority for the dissolution, winding-up or liquidation of the Tenant or its assets; or
- iv. the Tenant abandons the Housing Facility;

then the City, in addition to any other rights or remedies it has under this Lease or at law, may terminate this Lease and re-enter the Housing Facility or any part thereof, expelling all persons and removing all property from the Housing Facility, subject to the residential leases that the sub-tenants have entered into with the Tenant; all without the City being guilty of trespass or liable for any loss or damage which may be occasioned to the Tenant thereby. Upon such re-entry, the City shall be entitled to have again, repossess and enjoy the Housing Facility, subject to the residential leases entered into by the Tenant with the sub-tenants.

26.2 Notwithstanding any other provision of this Lease, and subject to the Dispute Resolution provision, the City may from time to time resort to any or all of the rights and remedies available to it in the event of any default by the Tenant, all of which rights and remedies are intended to be cumulative.

26.3 The City reserves the right, such right to be exercised at its sole discretion, to deal with the Housing Facility at the end of the Term, whether occurring by expiration of this Agreement, termination or otherwise, in any such manner it determines appropriate, including without limitation to demolish, replace or renew the Housing Facility, and with no further obligation or responsibility to the Tenant.

## **27.0 Access by the City**

27.1 The City shall have the right upon twenty-four (24) hours telephonic notice to the Tenant to enter the Housing Facility to examine the same, to show them to prospective purchasers, lessees or mortgagees, and to make such repairs, alterations,

improvements or additions to the Housing Facility as the City may deem necessary or desirable. If the City seeks entry to a portion of the Housing Facility sub-let to sub-tenant then the City shall act in a manner which is compliant with the *Residential Tenancies Act*, or any replacement legislation. The City shall have the right to make changes and additions to the pipes, conduits and ducts in the Housing Facility, and to take all material into and upon the Housing Facility that may be required without the same constituting an eviction of the Tenant in whole or in part.

## **28.0 City Covenants**

28.1 Provided that the Tenant has paid all Rent and other charges when due and payable under this Lease, and has complied with all other terms and conditions hereunder, the City covenants and agrees to the following:

- i. For quiet enjoyment;
- ii. For the maintenance and good repair of the Lands and the Common Areas as required by this Lease; and
- iii. Subject to the provisions of this Lease, the continuance in full force and effect during the Term of liability insurance on the Lands and Building with responsible insurance companies and in amounts carried by a prudent owner of comparable property.

## **29.0 Indemnity**

29.1 Notwithstanding any other provision of this Lease, the Tenant shall indemnify, defend and save harmless the City, its elected officials, officers, employees and agents from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever, including but not limited to bodily injury, sickness, disease or death or to damage to or destruction of tangible property including loss of revenue, including without limitation Rent, or incurred expense resulting from disruption of service, arising out of or allegedly attributable to the negligence, acts, errors, omissions, misfeasance, nonfeasance, fraud or willful misconduct of the Tenant, its directors, officers, employees, agents, contractors and subcontractors, subtenants, or any of them, in connection with or in any way related to the delivery or performance of this Lease or any occurrence in, upon, or at the Housing Facility or the occupancy or use by the Tenant of the Housing Facility, Housing Units, or any part thereof, or occasioned wholly or in part by any act or omission of the Tenant or by anyone permitted to be on or at the Housing Facility or a Housing Unit by the Tenant.

29.2 Further, the Tenant shall defend, indemnify and save harmless the City and its elected officials, officers, employees and agents from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever arising out of or related to:

- i. Failure by the Tenant to pay any Rent or other amounts due under this Lease, or for the failure of the Tenant to perform any other obligation of the Tenant under this Lease; and
- ii. The Tenant's status with WSIB, and this indemnity shall be in addition to and not in lieu of any proof of WSIB status and compliance to be provided by the Tenant in accordance with this Lease and shall survive this Lease.

29.3 This indemnity shall be in addition to and not in lieu of any insurance to be provided by the Tenant in accordance with this Lease and shall survive this Lease. Further, this indemnity is absolute and unconditional and shall not be released, discharged, mitigated, impaired or affected by:

- i. any extensions of time, indulgences or modifications by the City in respect of the performance of any of the obligations of the Tenant under this Lease;
- ii. any waiver by or failure of the City to enforce any of the provisions of this Lease, except only for a waiver in writing and only to the extent and otherwise within the terms of the waiver; and
- iii. any assignment or transfer otherwise of this Lease by the Tenant to any other party.

29.4 Without limiting the generality of the foregoing, the liability of the Tenant under this indemnity shall not be deemed to have been waived, released, discharged, impaired or affected by reason of the release or discharge of the Tenant in any receivership, bankruptcy, winding-up or other creditors proceeding, or the rejection or disclaimer of this Lease in any proceeding. The liability of the Tenant shall not be affected by any repossession of the Housing Facility by the City.

29.5 No action or proceeding brought or instituted under this indemnity and no recovery in pursuance hereof shall be a bar or defence to any further action or proceeding which may be brought by the City under this indemnity for any further default, or in the performance and observance by the Tenant of the provisions of this Lease.

29.6 This indemnity shall extend to and be binding upon the heirs, executors, administrators, successors and assignees of the Tenant and shall enure to the benefit of and may be enforced by the City, and its administrators, successors and assignees, and the holder of any mortgage to which this Lease is or may become subject.

### **30.0 General Provisions**

#### **30.1 Sections, Headings and Contra Proferentum**

The division of this Lease into Articles, Sections and Paragraphs and the insertion of headings are for convenience of reference only and shall not affect the interpretation or construction of this Lease. Each Party acknowledges that it has reviewed and participated in determining the terms and conditions of this Lease and agree that any

rule of construction or doctrine of interpretation, including contra proferentum, construing or interpreting any ambiguity against the drafting party shall not apply.

### 30.2 *Gender*

In this Lease, words importing the use of either gender shall include both genders.

### 30.3 *Time of the Essence*

Time shall be of the essence of this Lease and of every part hereof, and no extension or variation to this Lease shall operate as a waiver of this provision.

### 30.4 *Applicable Law*

This Lease shall be construed, interpreted and enforced in accordance with the laws of Ontario, without reference to any principles of conflicts of laws. Subject to the Dispute Resolution provision, each Party irrevocably and unconditionally attorns to the exclusive jurisdiction of the City of Kawartha Lakes.

### 30.5 *Enurement*

This Lease shall enure to the benefit of and shall be binding on and enforceable by the Parties and, where the context so permits, their respective representatives and successor.

### 30.6 *Amendment*

This Lease may only be changed by a document in writing signed by both Parties.

### 30.7 *Waiver*

No waiver of any provision of this Lease, including waiver of a breach of this Lease, shall constitute a waiver of any other provision or breach of this Lease unless expressly provided otherwise. No waiver shall be binding unless executed in writing.

### 30.8 *Invalidity*

Any provision in this Lease which is held to be illegal or unenforceable shall be ineffective to the extent of such illegality or unenforceability without invalidating the remaining provisions.

### 30.9 *Entire Agreement*

This Lease constitutes the entire agreement between the Parties with respect to its subject matter and supersedes all prior or other agreements, understandings, negotiations and discussions, whether written or oral, between the Parties.

30.10 *Accord and Satisfaction*

No payment by the Tenant or receipt by the City of any lesser amount of any Rent owed by the Tenant shall prejudice the right of the City to recover the balance owing or to pursue any other remedy under this Lease.

30.11 *Counterparts*

This Lease may be executed in any number of counterparts, each of which when executed and delivered shall be deemed to be an original and fully binding, and all such counterparts shall together constitute one and the same instrument.

30.12 *Transmission by Facsimile*

The Parties agree that this Lease may be transmitted by facsimile or such similar device, and that the reproduction of signatures by facsimile or such similar device will be treated as binding as if originals, and each Party undertakes to provide the other Party with a copy of this Lease bearing original signatures forthwith upon demand.

*[Signatures on next page]*



**IN WITNESS WHEREOF** the City and Tenant have affixed their respective corporate hands and seals by a duly authorized signing officer(s) on the date first above written.

**The Corporation of the City of Kawartha  
Lakes**

Per: \_\_\_\_\_

Title: \_\_\_\_\_

Per: \_\_\_\_\_

Title: \_\_\_\_\_

*“We have authority to bind the Corporation”*

**Kawartha Lakes Haliburton Housing  
Corporation**

Per: \_\_\_\_\_

Title: \_\_\_\_\_

*“I have authority to bind the Corporation”*

## **SCHEDULE “A” – SKETCH**

See attached.



### SCHEDULE “B” – HOUSING UNITS

| <b>First Floor Housing Units<br/>are identified as:</b> | <b>Second Floor Housing Units<br/>are identified as:</b> |
|---|--|
| 101   | 201  |
| 102   | 202  |
| 103   | 203  |
| 104   | 204  |
| 105   | 205  |
| 106   | 206  |
| 107   | 207  |
| 108   | 208  |
| 109   | 209  |
| 110   | 210  |
| 111   | 211  |
| 112   | 212  |

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number CS2018-011**

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**Date:** June 19, 2018

**Time:** 2:00 p.m.

**Place:** Council Chambers

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**Ward Community Identifier:** Fenelon Falls

**Title:** Release of Fenelon Falls Legacy C.H.E.S.T. Funds to Kawartha Works Community Co-Operative Inc.

**Author and Title:** Lisa Peimann, Executive Assistant, Community Services

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### **Recommendation(s):**

**That** Report CS2018-011, **Release of Fenelon Falls Legacy C.H.E.S.T. Funds to Kawartha Works Community Co-operative Inc.**, be received;

**That** the Kawartha Works Community Co-operative Inc. be approved for funding in the amount of \$5,000.00 with the allocation to come from the Fenelon Falls Legacy C.H.E.S.T. Reserve (3.24350).

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

Grant applications for the disposition of Fenelon Falls residual C.H.E.S.T. funding have been received by Community Services Administration through the local Councillors on behalf of community interests. The Councillors are supportive of the request. Total funding requested is \$5,000.00. There is \$183,777.72 residual funding available for distribution.

Residual fund distributions are treated in the same manner, and subject to the same criteria as the ongoing C.H.E.S.T. funding programs in Lindsay and Bobcaygeon. The distribution of these funds is also subject to requirement for a full reconciliation of costs at the end of the project.

This report is brought forward to Council to approve the release of funds from the Fenelon Falls C.H.E.S.T. Fund Reserve (3.24350). The application and review comments are summarized below.

## **Rationale:**

Kawartha Works Community Co-operative Inc. was established in 2016 to provide a shared governance and administrative platform for non-profit initiatives in the City of Kawartha Lakes. It has recently been deemed “an emergent governance” organization by the Ontario Trillium Foundation. Projects are sponsored by the Kawartha Works Community Co-operative Inc. members and operate under the terms of reference negotiated with the Kawartha Works Community Co-operative Inc. board. Once approved, projects share costs of insurance, bookkeeping, accounting and governance.

Fenelon Falls Live! was formed as a project of the Kawartha Works Community Co-operative Inc. in the summer of 2016 to develop local venues, audiences and talent for live performances in Fenelon Falls and the surrounding area. In 2017 it mounted three dances and two outdoor concerts featuring local artists. The outdoor concerts were collaborations with the Museum at Maryboro Lodge. The Kawartha Works Community Co-operative Inc. engaged in community consultation and planning and through the planning exercises, it was identified that Simcoe Day weekend in August (the civic holiday is called Simcoe Day in Ontario) as an opportunity to focus on Ontario and regional history, and to showcase the connection between Fenelon Falls and the Trent Severn Waterway lands surrounding the locks at Fenelon Falls. The intent of this project is to make it annual signature event.

The long term goal is to make Simcoe Day weekend a signature event with regional draw for Fenelon Falls in Summer, just as Santa Day has become for Fenelon Falls in early Winter, drawing people to Fenelon Falls from the wider region and drawing seasonal residents and tourist away from the lake and into the village for part of a day. It is expected that it will take 7 or more years for

Fenelon Falls Simcoe Day Celebration to become established in that way. This year marks its first, modest beginning, from which the Kawartha Works Community Co-operative Inc. looks to expand incrementally every year.

This first year, Fenelon Falls Live! will sponsor The Peterborough Concert Band, and 1812 reenactment troupe camping on the island Friday night and performing a re-enactment Saturday afternoon. An actor playing Lord Simcoe will lead a short parade and make a speech. Off the island, facing Water Street, will be a Fenelon Falls Live! concert featuring local musicians. Subsequent years will see more ambitious programming evolve.

As indicated above, other businesses and organizations will supplement this core offering auxiliary elements: a beer garden patio on Water Street, free ice cream from Slices and Scoops, free popcorn, interactive programming along Water Street and at Maryboro Lodge and a horse-drawn wagon ride shuttling people between the locks and the Museum. Other businesses may choose to participate so as to enhance visitor experience.

The Kawartha Works Community Co-operative Inc. is requesting \$5,000.00 from the Fenelon Falls C.H.E.S.T. Funds to cover approximately 1/3<sup>rd</sup> of the budget and the other 2/3<sup>rd</sup> have been pledged by local businesses and organizations. The Fenelon Falls C.H.E.S.T. Fund money will be used towards the marketing budget of \$6,985.50.

The total cost of the event is estimated at \$15,223.00 with the remaining funds to come from fundraising, donations, in-kind, applicant contributions and other grants, if applicable.

### **Other Alternatives Considered:**

This report is brought to Council at the request of the Ward Councillors in keeping with the established policy for disposition of residual C.H.E.S.T. funds in the absence of a community committee. No alternative has been considered.

### **Financial/Operation Impacts:**

The Fenelon Falls Legacy C.H.E.S.T. Fund has residual funds remaining in the amount of \$183,777.72. With the recommendations outlined within this report if approved will leave a balance of \$178,777.72 for further distribution in future years.

### **Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:**

The recommendations within this report directly align with all Strategic Goals through our Value of Collaboration, namely:



- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment

**Review of Accessibility Implications of Any Development or Policy:**

N/A

**Servicing Implications:**

N/A

**Consultations:**

Councillor Elmslie

Councillor Strangway

Treasury

**Attachments:**

N/A

**Department Head E-Mail:** [cshanks@kawarthalakes.ca](mailto:cshanks@kawarthalakes.ca)

**Department Head:** Craig Shanks, Director of Community Services

**Department File:**

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number CS2018-012**

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**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** Fenelon Falls

**Title:** Release of Powerlinks Funds to the Fenelon Theatre Restoration Committee (Maryboro Lodge)

**Author and Title:** Lisa Peimann, Executive Assistant, Community Services

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### **Recommendation(s):**

**That** Report CS2018-012, **Release of Powerlinks Funds to the Fenelon Theatre Restoration Committee (Maryboro Lodge)**, be received;

**That** the Fenelon Theatre Restoration Committee (Maryboro Lodge) be approved for funding in the amount of \$10,000.00 with the allocation to come from the Powerlinks Reserve (1.32065).

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

The Fenelon Falls Powerlinks Committee has been approached by the Fenelon Theatre Restoration Committee, who is seeking funding assistance to maintain, refurbish and install the Fenelon Marquee sign at the site of the old fountain.

At the February 26<sup>th</sup>, 2018 Powerlinks Committee meeting, the following resolution was passed:

**Fenelon Falls Powerlinks Committee of Council requests that Council approves up to \$10,000.00 from our budget as a contribution to the rehabilitation and erection of the Fenelon sign on the Fenelon Falls and District Chamber of Commerce property in 2018.**

**Passed**

This report is provided to Council to request the release of \$10,000.00 from the Powerlinks Reserve (1.32065)

## **Rationale:**

The Fenelon Theatre Marquee Restoration Committee is a volunteer committee of the Fenelon Falls Museum (Maryboro Lodge). The mandate and mission for the Fenelon Theatre Marquee Restoration Committee is to maintain and refurbish the Marquee sign.

The Fenelon Marquee sign has been a landmark in Fenelon Falls for 70 years. With the demise of the theatre a group of interested volunteers were able to acquire it. The purpose of the Powerlinks funding request is to refurbish the sign and mount it as a Fenelon beacon at the site of the old fountain.

This project will create a landmark and promote civic pride in helping to revitalize the Fenelon downtown core and be a tourist attraction as well as a historical and nostalgic item.

The total cost of the project is estimated at \$50,000.00. A detailed budget breakdown is provided below:

## Fenelon Falls Marquee Proposed Budget

### Revenues:

| <b>Funding Source</b>               | <b>Funding Status</b> | <b>Amount Requested</b> |
|-------------------------------------|-----------------------|-------------------------|
| Fenelon Falls C.H.E.S.T. Fund Grant | Received              | \$ 12,500.00            |
| Merchandise Sales                   | Received              | \$ 7,000.00             |
| Donations                           | Received              | \$ 7,300.00             |
| Contractors In-Kind                 | Received              | \$ 7,000.00             |
| Community Partnership 50/50         | Received              | \$ 7,500.00             |
| Powerlinks Reserve Fund             | Pending approval      | \$ 10,000.00            |
| EODP                                | Received              | \$ 8,000.00             |
| <b>Total Revenues</b>               |                       | <b>\$ 59,300.00</b>     |

### Expenses:

| <b>Supplier</b>               | <b>Project Item</b> | <b>Projected Amount</b> |
|-------------------------------|---------------------|-------------------------|
| Lenn Masson                   | Engineering         | \$ 1,000.00             |
| Pineridge Landscaping         | Excavating          | \$ 3,600.00             |
| Bob Adamson                   | Cement Base         | \$ 9,000.00             |
| George Lawrence               | Sign Restoration    | \$ 24,000.00            |
| Fenelon Ready Mix             | Concrete            | \$ 2,950.00             |
| Brian Patterson               | Iron Work           | \$ 5,750.00             |
| Kyle Nugent                   | Electrical          | \$ 2,000.00             |
| Pineridge Landscaping         | Landscaping         | \$ 2,000.00             |
| TBD                           | Install and Crane   | \$ 2,500.00             |
| Information & Supporter signs | Plaques (3)         | \$ 1,500.00             |
| Contingency Fund              | 10%                 | \$ 5,000.00             |
| <b>Total Expenses</b>         |                     | <b>\$ 59,300.00</b>     |

|                        |           |          |
|------------------------|-----------|----------|
| <b>Surplus/Deficit</b> | <b>\$</b> | <b>-</b> |
|------------------------|-----------|----------|

### Other Alternatives Considered:

Council could choose not to allocate Powerlinks Funds to the Fenelon Theatre Restoration Committee, or could choose to provide funds from some other source.

### Financial/Operation Impacts:

The Fenelon Falls Powerlinks Reserve (1.32065) has a balance of \$259,338.31. With the recommendations outlined within this report if approved will leave a balance of \$249,338.31 for further distribution in future years.

## **Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:**

The recommendations within this report directly align with all Strategic Goals through our Value of Collaboration, namely:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment

## **Review of Accessibility Implications of Any Development or Policy:**

N/A

## **Servicing Implications:**

N/A

## **Consultations:**

Fenelon Falls Powerlinks Committee  
Councillor Elmslie  
Councillor Strangway  
Treasury

## **Attachments:**

Appendix A – Minutes from February 26, 2018 Powerlinks Committee Meeting



CS2018-010  
Appendix A.docx

**Department Head E-Mail:** [cshanks@kawarthalakes.ca](mailto:cshanks@kawarthalakes.ca)

**Department Head:** Craig Shanks, Director of Community Services

**Department File:**

Fenelon Falls Powerlinks Committee Meeting  
Minutes  
26 February, 2018  
59 River Dr., Fenelon Falls

Attendees: Chris Handley, Sandra Barrett, Mike Barkwell, Bob Pennock, Brian Rump, John McLennan, Councillors Doug Elmslie and Steve Strangway, (by phone) Craig Backman

Regrets: Craig Shanks

Guest: Chris Appleton, Downtown Revitalization rep

1. The meeting was called to order at 5:30 p.m.
2. Approval of the Agenda as amended by adding “Board Structure and Election” as 5 (a)

Moved by Brian, seconded by Bob                      Passed.

- 3 Pecuniary Interest - None registered

- 4 Approval of the Minutes of 26 September, 2017

Moved by Sandra and seconded by Brian                      Passed

5. Board Structure – Election of Executive

Committee Chair – Chris Handley was nominated by Sandra, seconded by Steve – Passed

Vice Chair and Secretary – Mike Barkwell was nominated by Doug, seconded by Brian -- Passed

Business Arising from the Minutes

- b) Splash Pad – Doug, Bob, Chris

The splash pad has been successfully completed, winterized and ready for the spring opening. The engineering structural report for the Munchie Hut revealed that the concrete pad was not suitable for renovating. The recommendation is to tear down the present structure and to build new.

Accordingly, the CKL and Rotary Club will refurbish the washrooms, change room and build showers outside for this summer, with an anticipated OEDP grant of \$25,000.

In the fall, phase 3 will be to obtain estimates immediately for the demolition and re-building of the building (Munchie Hut), and to re-apply for OEDP funding, estimated at \$70,000 to have the new facility ready for 2019.

Motion : Fenelon Falls Powerlinks Committee of Council requests that Council approve \$25,000 in partnership funding to rebuild the Munchie Hut in 2019, subject to suitable estimates being received and approved.                      Moved by Brian, seconded by Sandra --                      Passed

c) Lighting of the Falls – Bob

Bob continues to move forward with this proposal and is in communication with the donor.

d) Lower Gorge – Doug and Chris

Chris Appleton continues to be the lead and the point of contact for several of our local groups and committees with interest in the betterment of the grounds and facilities associated with the locks in Fenelon. Chris A. has met with David Martin and Jewel, coordinating the recommendations and volunteer commitments that the locals would like to share with the TSW. Unfortunately, the TSW has made a management decision to focus on implementing infrastructure funding along the Trent Canal systems. We have been informed all staff time will be required for this infrastructure phase and as such TSW will be unable to partner with the community on special projects of any kind, including visitor experience items. New infrastructure, dams, locks, canal repairs is the focus for TSW. The Rideau System is presently renewing their master plan and TSW revisions will follow thereafter, so including new items in their regular maintenance schedule is also unlikely in the short term. We have seen this over the winter in Fenelon. This diminishes the funds available for local improvements, such as those that we are supporting. He anticipates that there will be no local funds for a long time.

Undeterred, Chris A. has a meeting scheduled for the day following this meeting to talk with Beth McEachan, real estate Manager, to discuss how their asset management plan can consider normal maintenance of roadway, stairs, the underpass, landscaping, fencing. Mary McLeod is scheduling a site visit with Chris in the spring.

Chris H. will circulate Chris A.'s report and updates to the committee as they progress.

e) Train Bridge Rehabilitation

Chris reports that 2 engineers will look at the open/close function of the bridge in the spring.

f) Park Benches

Bob reports that the CKL through the Downtown Revitalization Committee has no funds that can go towards benches. He will continue to search for private funding for such a project.

Doug commented that the CKL does have funds in the capital budget for an engineering study of Colborne St. in 2018, which, if recommended would provide furniture as part of any changes that are recommended and provided in 2019.

g) Notice of Motion

As accurate quotes and estimates have now been received:



Motion: Fenelon Falls Powerlinks Committee of Council requests that Council approves up to \$10,000 from our budget as a contribution to the rehabilitation and erection of the Fenelon sign on the Fenelon Falls and District Chamber of Commerce property in 2018.

Moved by John, seconded by Mike

Passed

6. New Business

a) Sculptures on the Waterfront

Chris A. described a new project being discussed that the CKL provide a base for local sculptors to display their artwork (which will be jury approved) for sale or just for fun along the waterfront. Will keep us informed.

b) Tourist Signage – Way Finding

The Fenelon Falls Chamber of Commerce will be applying to the OEDP for matching funds for 7 fixed, directional signs for the village. The CKL is supporting the application.

Motion: Fenelon Falls Powerlinks Committee of Council requests that the Council approve up to \$14,350 from our budget as a contribution to the Fenelon Falls Chamber of Commerce for matching funds to the OEDP for 7 way finding directional signs for the village of Fenelon Falls.

Moved by Doug, seconded by Brian

Passed

7. Next Meeting

At the call of the Chair.

8. Adjournment 6:35 pm

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Chris Handley (Chair)

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Mike Barkwell (Vice Chair)

# The Corporation of the City of Kawartha Lakes

## Council Report

Report Number PUR2018-026

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**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** All Wards

**Title:** Request for Quotation 2018-50-OQ Supply and Operation of Plow Trucks for Winter Maintenance for Arterial Roads

**Author and Title:** Marielle van Engelen, Buyer  
Oliver Vigelius, Manager Lindsay Maintenance Area and Capital Projects

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### Recommendation(s):

**That** Report PUR2018-026, **Request for Quotation 2018-50-OQ Supply and Operation of Plow Trucks for Winter Maintenance of Arterial Roads**, be received;

**That** Todd Brothers Contracting Limited of Stouffville, be selected for award of Request for Quotation 2018-50-OQ Supply and Operation of Plow Trucks for Winter Maintenance of Arterial Roads for the quoted estimated winter roads maintenance season cost of \$1,376,415.00 plus HST;

**That** the initial term of the contract, for all depot locations except Lindsay be for ten (10) winter road maintenance seasons (November 1, 2018 to April 15, 2028), and Lindsay Depot be for one (1) winter road maintenance season (November 1, 2018 to April 15, 2019);

**That** Council approve the two (2) - one (1) year winter road maintenance season renewals for all areas included in the quotation, pending budget approval and successful vendor performance review;

**That** subject to receipt of the required documents, the Mayor and City Clerk be authorized to execute the agreement to award Request for Quotation 2018-50-OT Supply and Operation of Plow Trucks for Winter Maintenance for Arterial Roads; and

**Department Head:** \_\_\_\_\_

**Financial/Legal/HR/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

**That** the Financial Services Division be authorized to issue a purchase order(s) as required.

## Background:

Request for Quotation 2018-50-OQ was released for advertising for the Supply and Operation of Snow Plows for Winter Maintenance of Arterial Roads, in accordance with the Purchasing Policy.

The quotation closed on Thursday, May 24, 2018 and was opened in public by Patrick O'Reilly, Councillor and Marielle van Engelen, Buyer. The results of the opening are listed in the chart below.

| Company Submitting                                       | Location/Depot  | Quotation Amount<br>(not including HST) |
|--|-----------------|---|
| Todd Brother's<br>Contracting Limited<br>Stouffville, ON | Burnt River N23 | \$133,500                               |
|  | Burnt Rive N7   | \$148,185                               |
|  | Burnt River N6  | \$139,770                               |
|  | Coboconk N3     | \$133,500                               |
|  | Coboconk N1     | \$147,030                               |
|  | Fenelon Twp C32 | \$148,020                               |
|  | Emily C41       | \$123,600                               |
|  | Oakwood S65     | \$146,040                               |
|  | Manvers S62     | \$135,150                               |
|  | Lindsay S51     | \$121,620                               |

As per the Purchasing Policy when procurement awards are valued at \$100,000 or greater and are an irregular result, with fewer than three (3) submissions received, the procurement award must be approved by Council. There were ten (10) full document takers for this request for quotation with only one submission.

Quotations were checked for mathematical errors and conformity to the quotation requirements. Respondents could bid on one or more depot locations. References were checked and found to be favorable.

The quotation document stated that trucks used to perform winter road maintenance operations were no older than ten (10) years old for the first winter road maintenance season and not older than 2016 for the remainder of the contract including any renewal periods

## **Rationale:**

These ten arterial plow routes have been contracted for the last four (4) to five (5) years. The initial term for the two previous contracts supplying winter maintenance on arterial roads for the City of Kawartha Lakes (The City) expired in 2018. The City is taking this opportunity to combine the work of these two contracts into a single contract. This is the first re-tendering of this work in four years.

These contracted units are available 24 hours a day 7 days a week for the duration of the winter maintenance season. These routes were contracted out as a result of a Lean Six Sigma Black Belt project “Heavy Truck Utilization” and seasonal recruitment shortages for plow operators. The bid results of this quotation represent an acceptable price to what has been billed previously year over year based on previous contracted rates and variability in weather.

Staff recommends that Todd Brothers Contracting Limited of Stouffville, be selected for award for the quoted estimated winter season cost of \$1,376,415.00 plus HST. The initial term of the contract, for all depot locations except Lindsay be for ten (10) winter road maintenance seasons and Lindsay Depot be for one (1) winter road maintenance season, with two (2) – one (1) year winter road maintenance season renewals. Lindsay is being contracted for only one year (with 2 optional renewal periods) due to the fact that half of the required staff resources are already in-place in Lindsay to take the contracted route in-house. This allows the City to perform this work for a net cost saving to the City.

## **Other Alternatives Considered:**

Other alternatives are not being considered at this time as the recommendation to award was achieved through an open, fair and transparent competitive procurement process.

## **Financial/Operation Impacts:**

Funds for contracted winter maintenance services are allocated annually in the operating budgets of Public Works. Contracted winter maintenance activities and costs are monitored by the individual Manager or Supervisor in each area or location, subject weather conditions and needs.

Pricing in the quotation was based on estimated average of 165 days per winter season for both plowing and paid standby. It is only an estimate number of days depending on the weather and the length of the winter season.

## **Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:**

Reliable transportation, especially during the winter months, most closely aligns itself with the corporate strategic goal of “An exceptional Quality of Life” as the ability to access and use the The City’s network of roads is a key component to accessibility of all services outside of the home.

### **Consultations:**

Manager Public Works – Roads Operations – East  
Manager Public Works – Roads Operations – West A  
Supervisor Public Works – Roads Operations – Lindsay  
Director of Public Works

**Department Head E-Mail:** brobinson@kawarthalakes.ca

**Department Head:** Bryan Robinson, Director of Public Works

**Department File:** 2018-50-OQ

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number PUR2018-027**

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**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier: Ward 3**

**Title:** Request for Quotation 2018-62 CQ Refurbishment of One Landfill Loader

**Author and Title:** Marielle van Engelen, Buyer  
Toddy Bryant, Manager of Fleet and Transit Services

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### **Recommendation(s):**

**That** Report PUR2018-027, **Request for Quotation 2018-62-CQ Refurbishment of One Landfill Loader**, be received;

**THAT** Iron Equipment Ltd. of Pontypool, be selected for the award of Quotation 2018-62-CQ Refurbishment of One Landfill Loader for the total quoted price of \$177,500.00 not including HST; and

**THAT** Financial Services be authorized to issue a purchase order.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_



## Background:

The Waste Management department operates one (1) compactor/loader at the Somerville Landfill. This compactor/loader is at the end of its productive life and requires refurbishing to extend that life for an additional ten to fifteen years.

Quotation 2018-62-CQ was released and advertised in accordance with the Purchasing Policy. The quotation closed on May 22, 2018 and was opened in public by Patrick O'Reilly, Councillor and Marielle van Engelen, Buyer, with the following results:

| Quotation Received From              | Total Quotation Amount<br>Read at Public Opening<br>(excluding HST) |
|--------------------------------------|---|
| Iron Equipment Ltd.<br>Pontypool, ON | \$177,500.00  |
| Toromont CAT<br>Peterborough, ON     | \$250,074.99  |

As per the Purchasing Policy when procurement awards are valued at \$100,000 or greater and are an irregular result with fewer than three (3) submissions received the procurement award must be approved by Council.

Submissions were checked for compliancy to the quotation document and for mathematical errors. References were checked and found to be favorable.

## Rationale:

During the 2018 budget approval process, staff recommended the refurbishment of two (2) pieces of landfill equipment at a cost of \$300,000 versus replacing them at an estimated replacement cost of \$675,000. This report addresses the refurbishment of the Loader/Compactor located at the Somerville Landfill as it was deemed to be the most time sensitive, detailed and costly of the two projects.

Staff recommends that Iron Equipment Ltd. be award Request for Quotation 2018-62-OQ for Refurbishment of One Landfill Loader.

## Other Alternatives Considered:

No other alternatives are being considered as the recommendation to award was achieved through an open, fair and transparent competitive procurement process.

## Financial/Operation Impacts:

| Capital Project Number  | Project Budget | Other Committed Funds | Capital Project balance | Purchase Amount (excl. HST) | HST Payable | Total Amount | Project Balance |
|-------------------------|----------------|-----------------------|-------------------------|-----------------------------|-------------|--------------|-----------------|
| 994180211 and 994180212 | \$300,000      | \$0                   | \$300,000               | \$177,500                   | \$3,124     | \$180,624    | \$119,375       |

The total project budget is for the refurbishment of two (2) loaders, each with different refurbishment requirements. Based on the scope of work for the second refurbishment, Staff anticipate that the remaining project balance will be sufficient to complete the work within budget. However, if additional funds are required for the refurbishment of the second loader, a report to council will be done at that time.

## Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

Refurbishment of the landfill loader allows the City to meet Goal 3 of the 2016 to 2019 strategic plan "Healthy Environment". Specifically, Action item 3.1.2, which is execution of the Waste Management Strategy. The Waste Management Strategy focusses on ways to ensure our landfill have site life and are sustainable. Refurbishing the loader allows landfill operation equipment used in diversion activities to function more effectively by moving and separating recyclables from entering the landfill and better compacting recyclables in the Miller trucks. These operations support a robust recycling operation which is an element of the City's waste strategy.

## Consultations:

Junior Accountant

**Department Head E-Mail:** brobinson@kawrthalakes.ca

**Department Head:** Bryan Robinson, Director of Public Works

**Department File:** 2018-62-CQ

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number PUR2018-028**

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**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** All

**Title:** PUR2018-028 RFT 2018-006-CT Rehabilitation of the Manvers and Fenelon Depot Sand Domes

**Author and Title:** Marielle van Engelen, Buyer  
Richard Monaghan, Senior Engineering Technician

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### **Recommendation(s):**

**That** Report PUR2018-028, **Additional Funding for Capital Projects Rehabilitation of the Manvers and Fenelon Depot Sand Domes**, be received;

**That** funds in the amount of \$18,433 be released from Capital Reserves and put into the budget for 991180101, Fenelon Falls Salt Dome, and

**That** funds in the amount of \$10,609 be released from Capital Reserves and put into the budget for 991170201, Manvers Salt Dome.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

Tender 2018-006-CT, Rehabilitation of the Manvers and Fenelon Depot Sand Domes, was awarded to Van Pelt Construction on April 11, 2018 in accordance with the City's Purchasing Policy.

This project included the removal of all existing asphalt shingles, installation of new asphalt shingles, as well as specified structural repairs to some wood and concrete structural components at each dome. The tender also provided unit costs to repair structural components whose condition could not be determined prior at the time of tendering.

This tender was awarded under budget, through PAR Report 2018-028 RFT 2018-006-CT Rehabilitation of the Manvers and Fenelon Sand Domes and was approved by the Corporate Services Director. The remaining budget was to accommodate the unknown structural repairs.

## **Rationale:**

Once both projects were underway, the structural engineering consultant (James Knight and Associates Professional Engineers) determined that the extent of the deteriorated structural components at both domes was much worse than anticipated. James Knight and Associates' reports are embedded as Appendix A and Appendix B within this report.

The repairs noted in both reports are required to ensure the structures remain safe for ongoing use.

## **Other Alternatives Considered:**

No other alternatives are being considered at this time as the domes are integral and necessary facilities for winter operation activities. The additional repair work was necessary to complete the initial scope of work and was authorized at the time of construction to avoid additional delay claims from the contractor.

## Financial/Operation Impacts:

| Capital Project Number    | Project Budget | Other Committed Funds | Capital Project balance | Purchase Amount (excl. HST) | HST Payable | Total Amount | Project Balance |
|---------------------------|----------------|-----------------------|-------------------------|-----------------------------|-------------|--------------|-----------------|
| 991180101<br>Fenelon Dome | \$70,000       | \$63,092              | \$6,908                 | \$24,903                    | \$438       | \$25,341     | (\$18,433)      |
| 991170201<br>Manvers Dome | \$75,000       | \$68,482              | \$6,518                 | \$16,831                    | \$296       | \$17,127     | (\$10,609)      |
| Total                     | \$145,000      | \$131,574             | \$13,426                | \$41,734                    | \$734       | \$42,468     | (\$29,042)      |

The Capital Reserve has a balance of \$13,998,933.09 prior to the release of funds for this project. Once the funds have been released, the Capital Reserve will have a remaining balance of \$13,969,891.09.

## Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

This project aligns with the 2016-2019 Strategic Plan through Enabler 4: Efficient Infrastructure and Asset Management. Both of these material storage structures require normal rehabilitation work to keep them from falling into a state of repair that would require full replacement at a significantly higher cost. Material storage structures enable the Public Works Department to continue efficient and cost effective winter operations.

## Consultations:

Junior Accountant

## Attachments:

Appendix A – Manvers Dome Report

Appendix B – Fenelon Falls Dome Report



**Department Head E-Mail:** brobinson@kawarthalakes.ca

**Department Head:** Bryan Robinson, Director of Public Works

**Department File:** 2018-006-OT

# JAMES KNIGHT & ASSOCIATES

## PROFESSIONAL ENGINEERS

---

POB 273 ST. GEORGE ONTARIO CANADA N0E 1N0  
519 448 3548 FAX 519 448 4657 (cell) 905 691 6489  
jkwoodeng@sympatico.ca

## SITE VISIT REPORT

Report No. 1

May 18, 2018

Distribution:

Owner: Richard Monaghan, C.E.T.  
The City of Kawartha Lakes

Contractor: Aron Van Pelt  
Van Pelt Construction Inc.

**Re: Rehabilitation of 30 m Sand Dome  
Manvers Works Yard  
The City of Kawartha Lakes**

On May 16, 2018 the writer visited the captioned site to sample the progress of the work re this Contract to provide a reroofed and rehabilitated 30 m dome at the Manvers Works Yard.

More specifically, this site visit was made to inspect the dome as the Contractor had reported that all existing roofing had been removed and that structural work had started on May 14. Hence this first interim site visit was undertaken to determine what adjustments to the scope of work may be required vis-a-vis the Unit Price provisions of the Contract.

This is the Report of our findings, opinions and recommendations.

The Contractor was on site for the entirety of this site visit. All matters herein were discussed with him prior to the writer's departure from the site.

A representative of the Owner was on site for much of this site visit. All matters herein were discussed with him prior to the writer's departure from the site.

1. The overall progress of the work is that the Contractor has:
  - a) stripped the dome of all original roofing;
  - b) nearly completed plywood replacement required as part of the Lump Sum work; and
  - c) completed interim clean up.
2. As of May 16, 2018 the following items in the scope of work of General Note 3.3.1 are complete: (b).
3. As of May 16, 2018 the following items in the scope of work of General Note 3.3.1 are started but are not yet complete: (a), (g) and (n).
4. As of May 16, 2018 the following items in the scope of work of General Note 3.3.1 have not been started: (c) to (f) and (h) to (m).
5. The following materials have been incorporated in the work and/or delivered to the site.
  - a) Lumber: #1/#2 SPF
  - b) 1X2 PT sleepers
  - c) Plywood: ½ in. D.Fir to CSA O121
  - d) Adhesive: PL Premium or equivalent
  - e) Hardware per details
  - f) Steel roofing for canopy

All of the above meet or exceed the requirements of the material specifications within the Special Provisions.
6. Attached is Drawing No. 17-870-4 copied as two halves and marked up in colour. Changes in the scope of work are shown in red thereon. All such additional work is to be done on the Contract's Unit Price basis.
7. Further to No. 6 the changes to the plywood repairs to be undertaken per the Unit Price provisions of the Contract are as follows.

|                           |          |
|---------------------------|----------|
| Sector 1 Panel No. 2..... | 2 sheets |
| Sector 1 Panel No. 3..... | 2        |
| Sector 1 Panel No. 4..... | 2        |
| Sector 1 Panel No. 5..... | 1        |
| Sector 1 Panel No. 6..... | 3        |
| Sector 2 Panel No. 2..... | 2        |
| Sector 2 Panel No. 3..... | 2        |
| Sector 2 Panel No. 4..... | 2        |
| Sector 2 Panel No. 5..... | 2        |
| Sector 3 Panel No. 2..... | 2        |
| Sector 3 Panel No. 3..... | 2        |
| Sector 3 Panel No. 4..... | 1        |
| Sector 3 Panel No. 5..... | 2        |
| Sector 3 Panel No. 7..... | 2        |



|                             |           |
|-----------------------------|-----------|
| Sector 4 Panel No. 2.....   | 2         |
| Sector 4 Panel No. 3.....   | 2         |
| Sector 4 Panel No. 4.....   | 2         |
| Sector 4 Panel No. 5.....   | 2         |
| Sector 4 Panel No. 6.....   | 2         |
| Sector 4 Panel No. 7.....   | 2         |
| Sector 5 Panel No. 2.....   | 2         |
| Sector 5 Panel No. 3.....   | 2         |
| Sector 5 Panel No. 4.....   | 1         |
| Sector 5 Panel No. 6.....   | 1         |
| Sector 6 Panel No. 4.....   | 1         |
| Sector 6 Panel No. 6.....   | 1         |
| Sector 10 @ fan dormer..... | 3         |
| Sector 12 Panel No. 4.....  | 1         |
| Sector 14 Panel No. 4.....  | 1         |
| Sector 15 Panel No. 3.....  | 1         |
| Sector 16 Panel No. 3.....  | 1         |
| Sector 17 Panel No. 2.....  | 2         |
| Sector 18 Panel No. 2.....  | 2         |
| Sector 19 Panel No. 2.....  | 2         |
| Sector 19 Panel No. 3.....  | 2         |
| Sector 19 Panel No. 4.....  | 1         |
| Sector 20 Panel No. 2.....  | 2         |
| Sector 20 Panel No. 3.....  | 2         |
| Sector 20 Panel No. 4.....  | <u>2</u>  |
| TOTAL.....                  | 66 sheets |

8. Further to No. 6, the changes to the lumber repairs to be undertaken per the Unit Price provisions of the Contract are as follows.

|                            |           |
|----------------------------|-----------|
| Sector 15 Panel No. 8..... | 4 bd ft   |
| Sector 18 Panel No. 8..... | <u>10</u> |
| TOTAL.....                 | 14 bd ft  |

9. No canopy roof joists found to require replacement on the Contract's Unit Price basis.

10. No sill plates c/w anchor bolts were found to require replacement on the Contract's Unit Price basis.

11. No isolated anchor bolts were found to require replacement on the Contract's Unit Price basis.

12. Per No. 7 to No. 11 inclusive preceding, we compute the Unit Price work to be:

## Plywood:

Quantity per No. 7.....69 sheets  
 Total.....69 sheets  
 Unit price per contract.....\$325.00 per sheet  
 Cost @ 69 X \$325.00.....\$22,425.00

## Lumber:

Quantity per No. 8.....14 bd. ft.  
 Total.....14 bd. ft.  
 Unit price per contract.....\$27.00 per bd. ft.  
 Cost @ 14 X \$27.00.....\$378.00

## Canopy roof joists:

Quantity per No. 9.....0 joists  
 Total.....0 joists  
 Unit price per contract.....\$275.00 per joist  
 Cost @ 0 X \$275.00.....\$0.00

## Sill plates:

Quantity per No. 10.....0 sill plate  
 Total.....0 sill plate  
 Unit price per contract.....\$1500.00 per sill  
 Cost @ 0 X \$1500.00.....\$0.00

## Isolated anchor bolts:

Quantity per No. 11.....0 anchor bolts  
 Total.....0 anchor bolts  
 Unit price per contract.....\$45.00 per bolt  
 Cost @ 0 X \$45.00.....\$0.00

TOTAL.....\$22,803.00

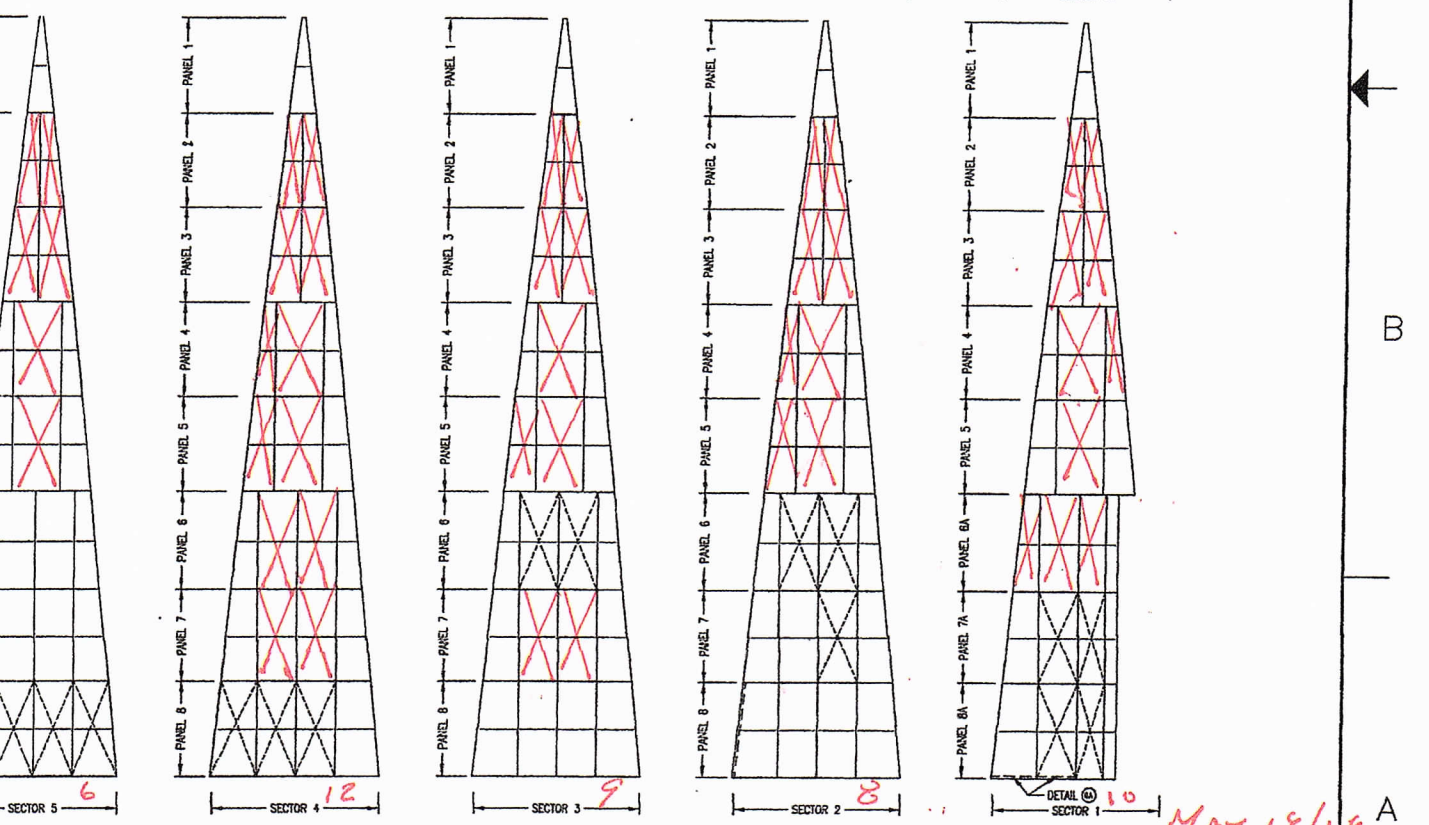
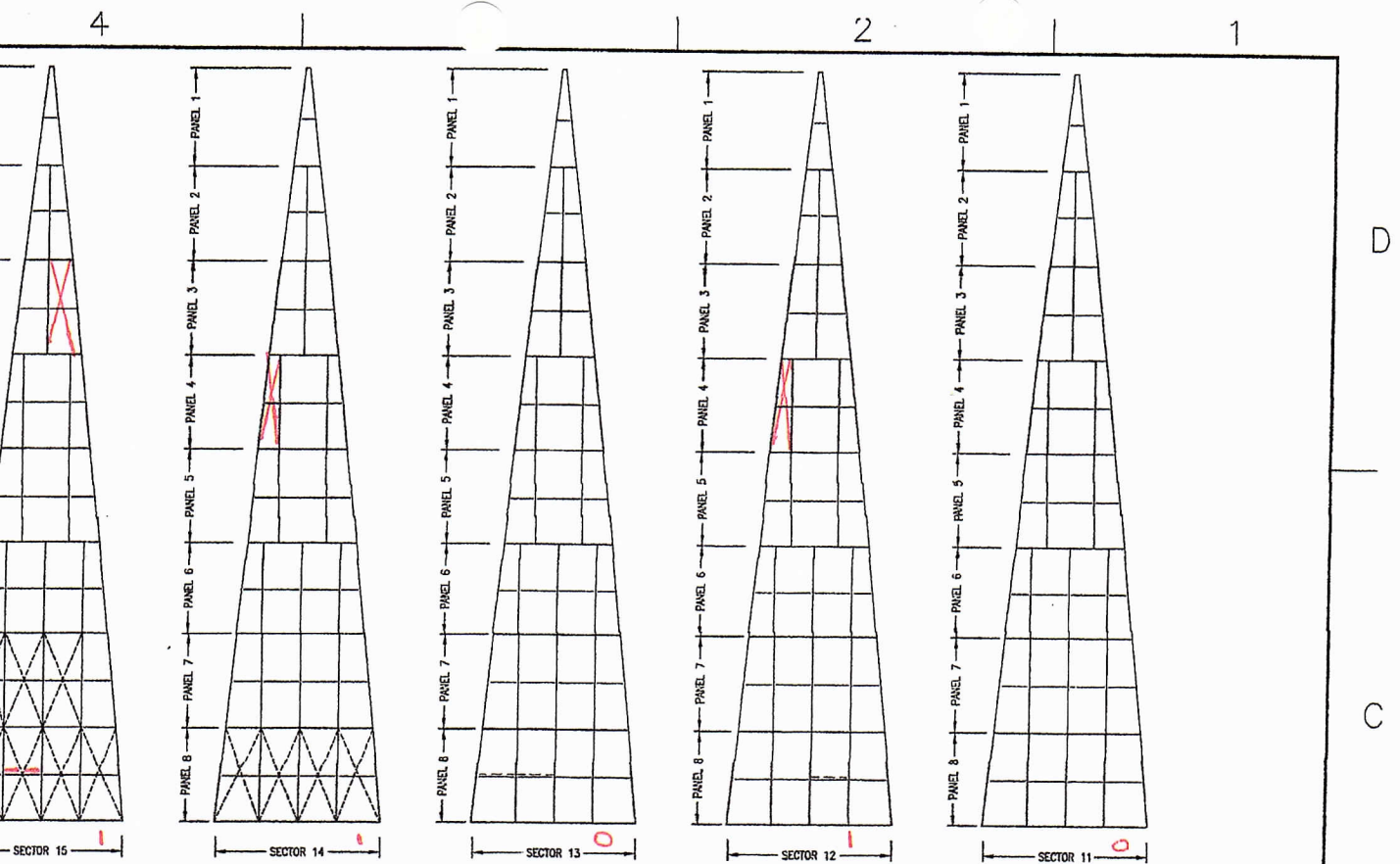
The foregoing is the accounting of the Unit Price work re wood based on our site visit, our understanding of the tendered Unit Prices and our records. We request that the Contractor and the Owner make their own independent calculations based on the contract as signed and awarded.

13. Interim clean-up and site sanitation are satisfactory.

14.. Nothing in this Report, save for No. 7 to No. 12 inclusive shall be construed as authorizing additional work or changing the Contract Price.

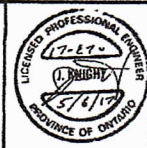
James Knight, M.Sc.F., P.Eng.  
 17-870

Encl.



| DESCRIPTION | DATE | APPROVED |
|-------------|------|----------|
|             |      |          |
|             |      |          |
|             |      |          |
|             |      |          |

4
3
2
1



**JAMES KNIGHT & ASSOCIATES**  
**PROFESSIONAL ENGINEERS**

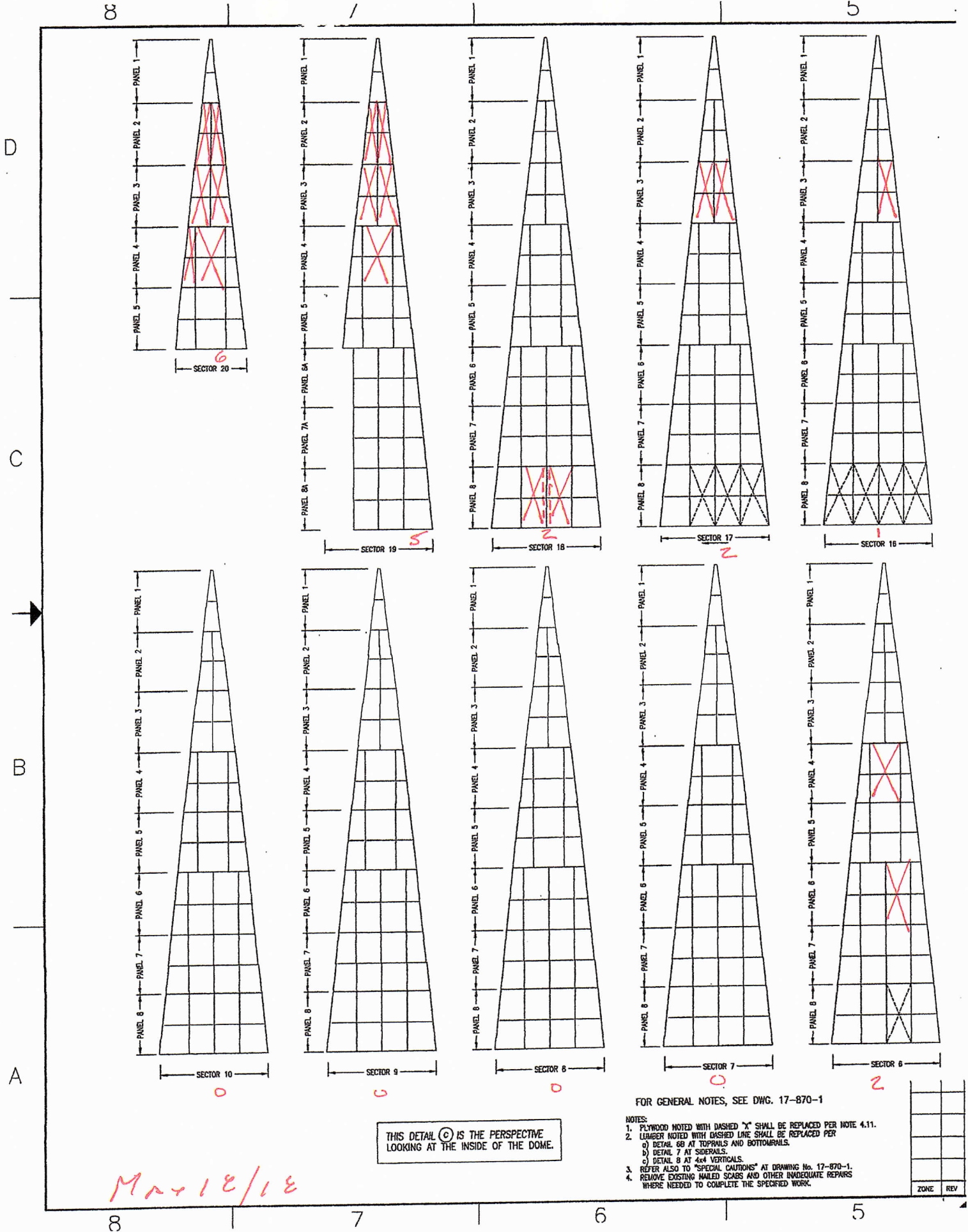
17-270  
 17-270  
 17-270

CITY OF KAWARTHA LAKES  
 REHABILITATION OF SAND DOME  
 AT MANNERS WORKS YARD  
 DETAIL C: PANEL REPAIRS

|                   |          |
|-------------------|----------|
| DESIGNED:         | J.K.     |
| DRAWN:            | J.W.     |
| PROJECT ENGINEER: | J.K.     |
| APPROVED:         | J.K.     |
| DRAWING No.       | 17-870-4 |

*MAY 18/18*





# JAMES KNIGHT & ASSOCIATES

## PROFESSIONAL ENGINEERS

---

POB 273 ST. GEORGE ONTARIO CANADA NOE 1N0  
519 448 3548 FAX 519 448 4657 (cell) 905 691 6489  
jkwoodeng@sympatico.ca

## SITE VISIT REPORT

Report No. 1

May 18, 2018

Distribution:

Owner: Richard Monaghan, C.E.T.  
The City of Kawartha Lakes

Contractor: Aron Van Pelt  
Van Pelt Construction Inc.

**Re: Rehabilitation of 100 ft. Sand Dome  
Fenelon (aka Cameron) Works Yard  
The City of Kawartha Lakes**

On May 17, 2018 the writer visited the captioned site to sample the progress of the work re this Contract to provide a reroofed and rehabilitated 100 ft. dome at the Fenelon Works Yard.

More specifically, this site visit was made to inspect the dome as the Contractor had reported that all existing roofing had been removed and that structural work was to start on May 22. Hence this first interim site visit was undertaken to determine what adjustments to the scope of work may be required vis-a-vis the Unit Price provisions of the Contract.

This is the Report of our findings, opinions and recommendations.

The Contractor was not on site for any part of this site visit. All matters herein were discussed with him by telephone on May 18 prior to the issue of this Report.

A representative of the Owner was on site for much of this site visit. All matters herein were discussed with him prior to the writer's departure from the site.

## 1.0 Authorized Work of the Contract re Wood Structure

1.1 The overall progress of the work is that the Contractor has:  
 a) stripped the dome of all original roofing; and  
 b) completed interim clean up.

1.2 As of May 17, 2018 the following items in the scope of work of General Note 3.3.1 are complete: (b).

1.3. As of May 17, 2018 the following items in the scope of work of General Note 3.3.1 are started but are not yet complete: (a) and (n).

1.4. As of May 17, 2018 the following items in the scope of work of General Note 3.3.1 have not been started: (c) to (m).

1.5 The following materials have been incorporated in the work, delivered to the site and/or are available at the Manvers site.

- a) Lumber: #1/#2 SPF
- b) 1X2 PT sleepers
- c) Plywood: ½ in. D.Fir to CSA O121
- d) Adhesive: PL Premium or equivalent
- e) Hardware per details
- f) Steel roofing for canopy

All of the above meet or exceed the requirements of the material specifications within the Special Provisions.

1.6 Attached is Drawing No. 17-883-4 copied as two halves and marked up in colour. Changes in the scope of work are shown in red thereon. All such additional work is to be done on the Contract's Unit Price basis.

1.7 Further to No. 1.6 the changes to the plywood repairs to be undertaken per the Unit Price provisions of the Contract are as follows.

|                            |          |
|----------------------------|----------|
| Sector 3 Panel No. 7.....  | 1 sheet  |
| Sector 4 Panel No. 2.....  | 1        |
| Sector 20 Panel No. 4..... | <u>1</u> |
| TOTAL.....                 | 3 sheets |

1.8 Further to No. 1.6, the changes to the lumber repairs to be undertaken per the Unit Price provisions of the Contract are as follows.

|                           |           |
|---------------------------|-----------|
| Sector 7 Panel No. 1..... | 14 bd ft  |
| Sector 7 Panel No. 2..... | <u>14</u> |
| TOTAL.....                | 28 bd ft  |

1.9 No canopy roof joists found to require replacement on the Contract's Unit Price basis.

1.10 No sill plates c/w anchor bolts were found to require replacement on the Contract's Unit Price basis.

1.11 No isolated anchor bolts were found to require replacement on the Contract's Unit Price basis.

1.12. Per No. 1.7 to No. 1.11 inclusive preceding, we compute the Unit Price work re wood to be:

Plywood:

|                              |                    |
|------------------------------|--------------------|
| Quantity per No. 1.7.....    | 3 sheets           |
| Total.....                   | 3 sheets           |
| Unit price per contract..... | \$325.00 per sheet |
| Cost @ 3 X \$325.00.....     | \$975.00           |

Lumber:

|                              |                     |
|------------------------------|---------------------|
| Quantity per No. 1.8.....    | 28 bd. ft.          |
| Total.....                   | 28 bd. ft.          |
| Unit price per contract..... | \$27.00 per bd. ft. |
| Cost @ 28 X \$27.00.....     | \$756.00            |

Canopy roof joists:

|                              |                    |
|------------------------------|--------------------|
| Quantity per No. 1.9.....    | 0 joists           |
| Total.....                   | 0 joists           |
| Unit price per contract..... | \$275.00 per joist |
| Cost @ 0 X \$275.00.....     | \$0.00             |

Sill plates:

|                              |                    |
|------------------------------|--------------------|
| Quantity per No. 1.10.....   | 0 sill plate       |
| Total.....                   | 0 sill plate       |
| Unit price per contract..... | \$1500.00 per sill |
| Cost @ 0 X \$1500.00.....    | \$0.00             |

Isolated anchor bolts:

|                              |                  |
|------------------------------|------------------|
| Quantity per No. 1.11.....   | 0 anchor bolts   |
| Total.....                   | 0 anchor bolts   |
| Unit price per contract..... | \$45.00 per bolt |
| Cost @ 0 X \$45.00.....      | \$0.00           |

TOTAL.....\$1,731.00

The foregoing is the accounting of the Unit Price work re wood based on our site visit, our understanding of the tendered Unit Prices and our records. We request that the Contractor and the Owner make their own independent calculations based on the contract as signed and awarded.



## **2.0 Authorized Work of the Contract re Concrete Foundation**

2.1 Item (k) of General Note 3.3.1 re epoxy repair of east wing wall is to be undertaken as specified as part of the Lump Sum work.

2.2 Item (l) of General Note 3.3.1 re epoxy repair of Sectors 1 and 2 is to be undertaken as specified as part of the Lump Sum work.

2.3 Item (j) of General Note 3.3.1 re snap-tie removal is to be undertaken as specified as part of the Lump Sum work.

2.4 Additional epoxy repairs of some parts of some sectors are to be undertaken on the Unit Price basis of the Contract and per the procedure of No. 2.5 following. The locations and extent of such repairs are shown by the irregular lines drawn on sketches attached hereto as pages S1-1 to S1-5 inclusive. The aggregate cold-joint/crack length shown is 45 ft. to be repaired at a Unit Price of \$200.00 per foot, i.e., \$9,000.00. The total cold-joint/crack length and cost are to be confirmed by re-measurement once the work is complete.

2.5 The procedure to be followed re the Unit Price epoxy repair shall be as follows.

- a) City to dismantle bull-ring boards.
- b) City to remove sand/salt and other debris remaining behind bull-ring.
- c) City to pressure-wash inside face of concrete foundation.
- d) Contractor to undertake repairs as/where described herein.
- e) The scope of the repairs of (d) is to be increased or decreased as appropriate to the found conditions and only with the prior approval of the City. A record of any such changes is to be made and distributed.
- f) City to caulk all areas of the crack/cold joint that were not subject to epoxy repair.
- g) City to reassemble bull-ring.

## **3.0 Recommended Additional Work to Wood Structure**

3.1 Unimpeded access is now available since the dome is empty. The bolts that could be reached from grade and/or from atop stored construction materials and/or equipment were found to be inadequately tightened. I estimate ~10% were loose and a further ~25% were finger-tight at best. Elsewhere washer embedment was none to minimal. A complete bolt tightening is recommended\*.

\*Refer also to our email of this date sent to the City and copied to the Contractor. As of this writing this is not authorized; authority is to be issued by the City.)

#### 4.0 Other

4.1 Interim clean-up and site sanitation are satisfactory.

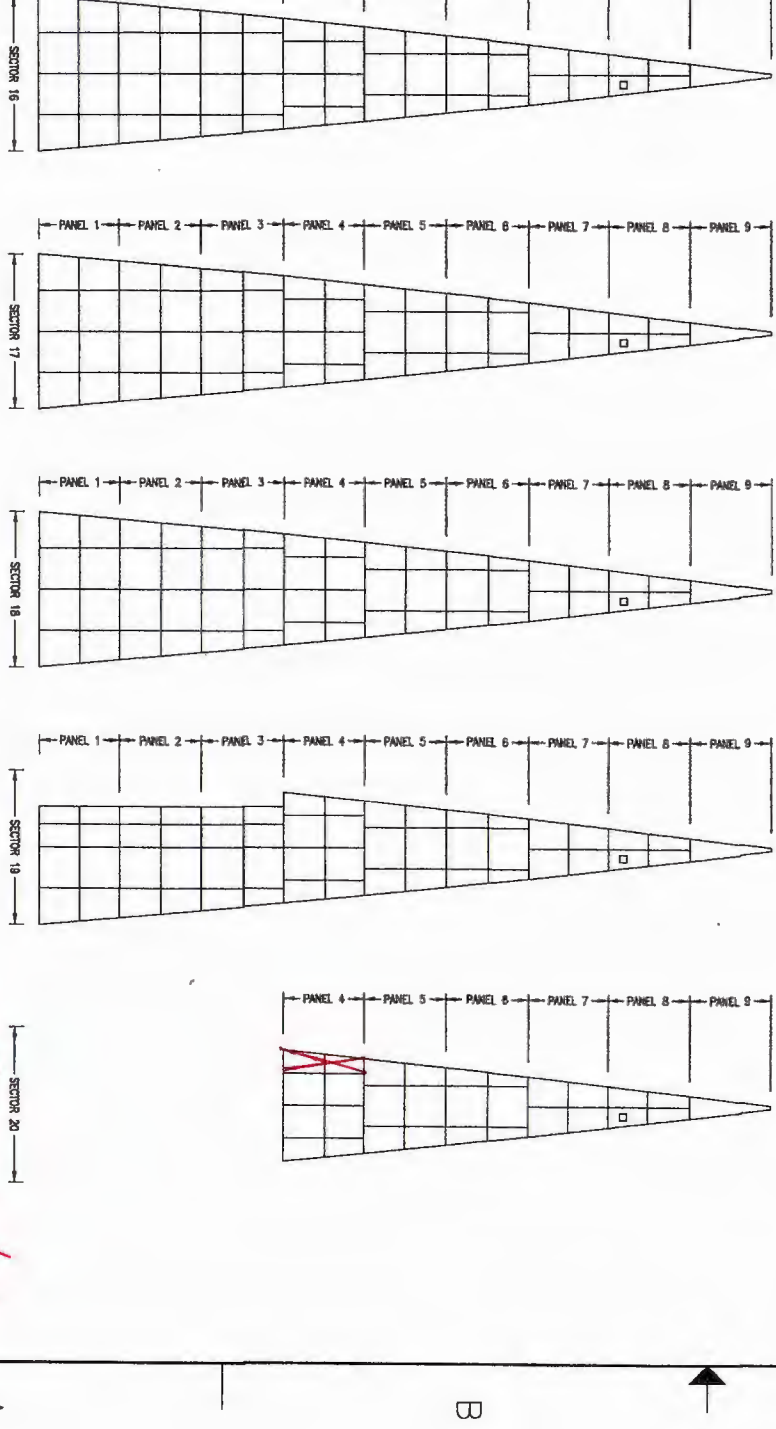
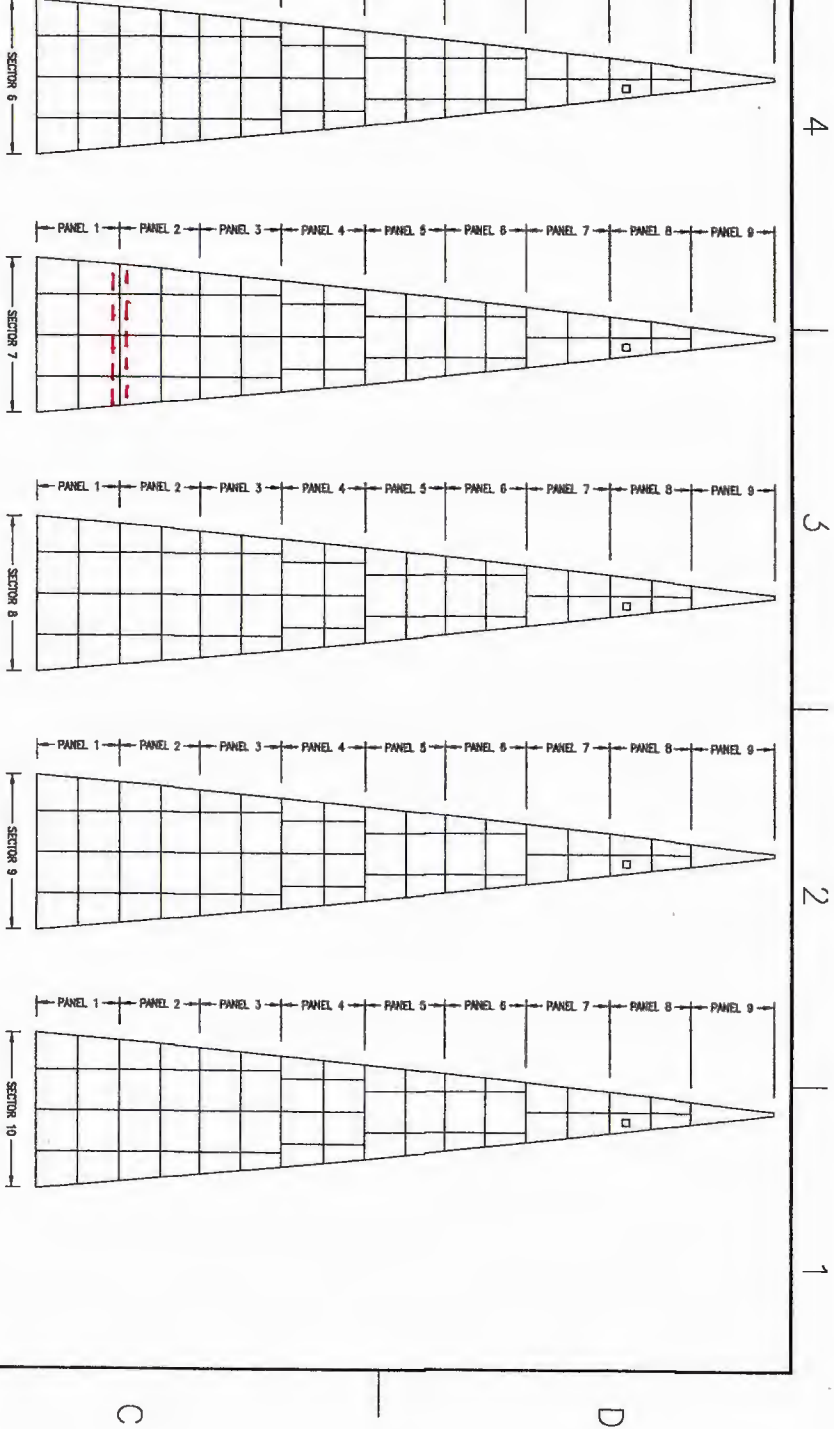
4.2. Nothing in this Report, save for No. 1.7 to No. 1.12 inclusive plus No. 2.4, shall be construed as authorizing additional work or changing the Contract Price.



James Knight, M.Sc.F., P.Eng.  
17-883



Encl.



FOR GENERAL NOTES, SEE DWG. 17-883-4



SECTOR 20  
MAY 13/18

A



○

4

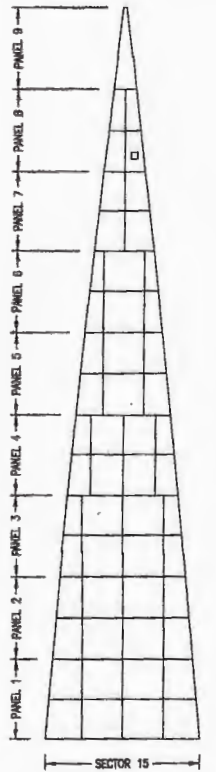
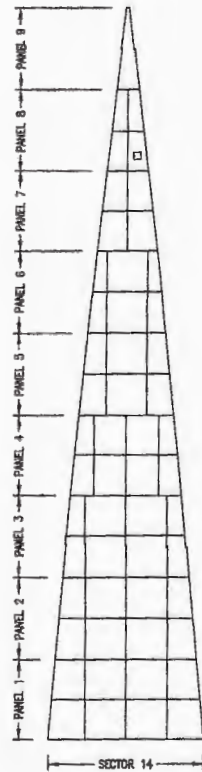
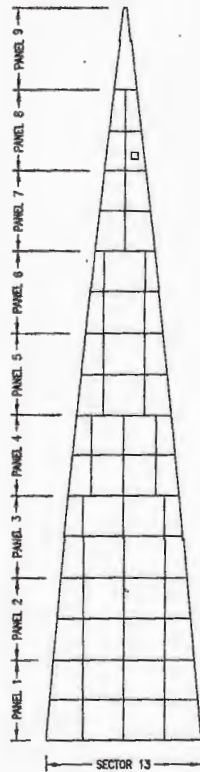
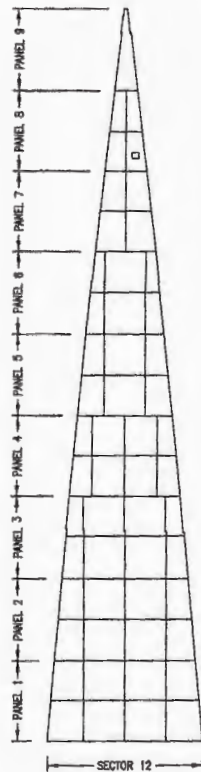
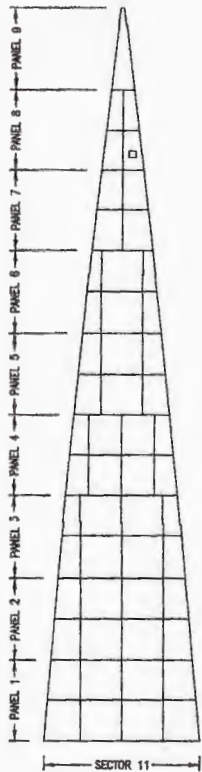
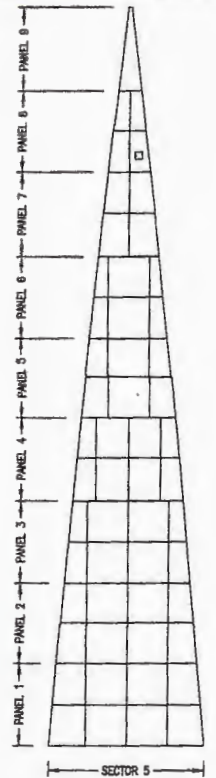
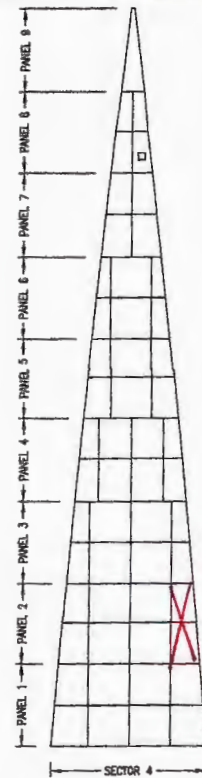
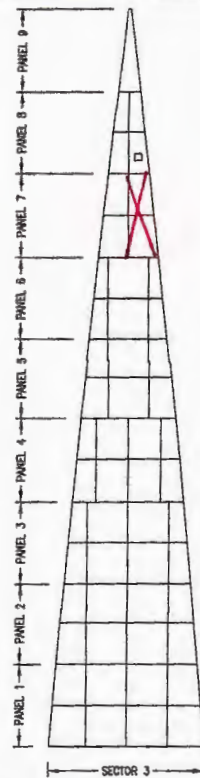
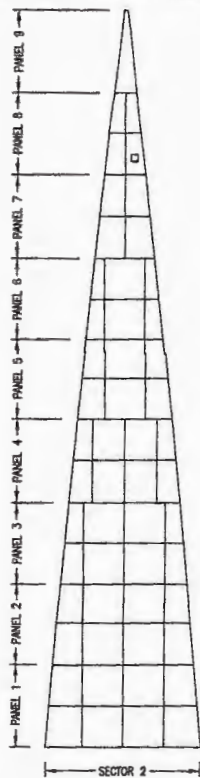
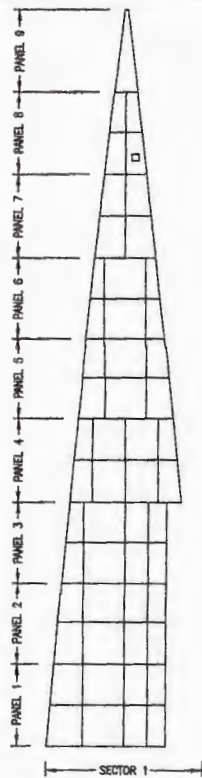
|  |  |   |  |
|--|--|---|--|
|             |  | 17-883-4  |  |
| SCALE:   |  | DATE: SEPTEMBER 15, 2017  |  |
| AS NOTED   |  | CITY OF KAWARTHA LAKES<br>REHABILITATION OF SAND DOME<br>AT FENELON WORKS YARD<br>DETAIL B - PANEL REPAIRS            |  |
| JAMES KNIGHT & ASSOCIATES<br>PROFESSIONAL ENGINEERS  |  | REG. NO. 228<br>56, GERRARD ST. E. 2ND FLOOR<br>TORONTO, ONTARIO M5C 1A6<br>TEL. (416) 446-3846<br>FAX (416) 446-4857 |  |
| APPROVED:  |  | DESIGNED: J.K.  |  |
| DRAWING NO.  |  | DRAWN: J.K.   |  |
| PROJECT EXAMINED: J.K.   |  | PROJECT NO.   |  |
| DESCRIPTION  |  | DATE  |  |
| APPROVED   |  | DATE  |  |

D

C

B

A



THIS DETAIL (B) IS THE PERSPECTIVE  
LOOKING AT THE INSIDE OF THE DOME.

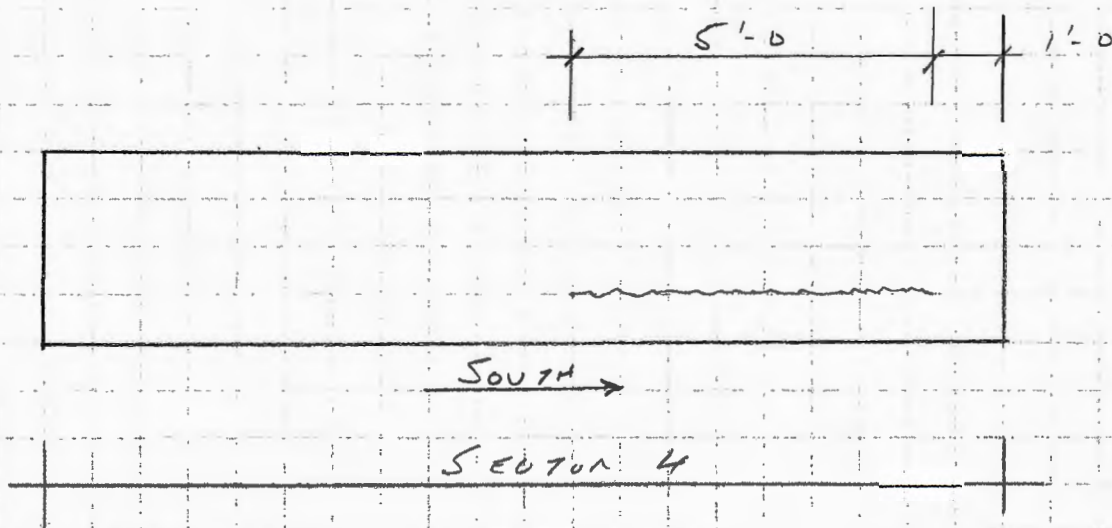
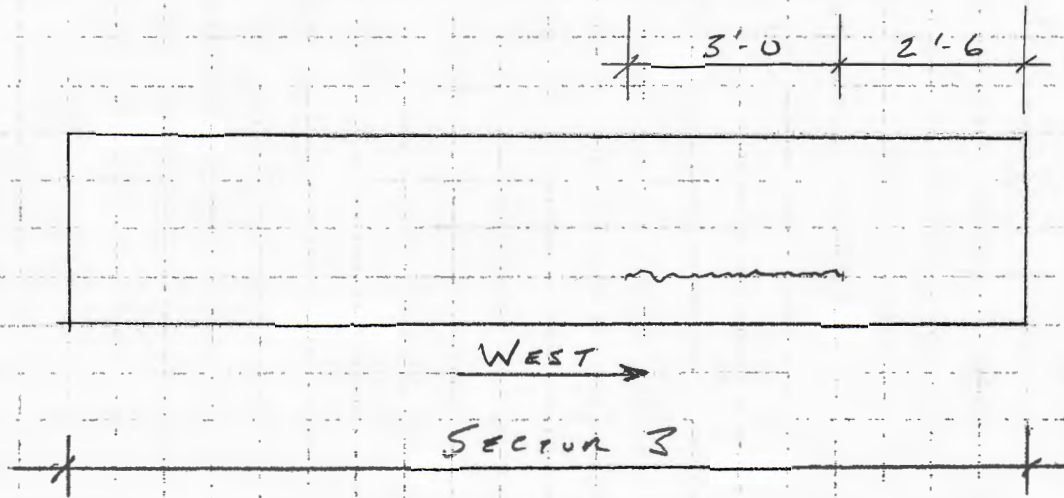
FOR GENERAL NOTES, SEE DWG. 17-883-1

NOTES:

1. PLYWOOD NOTED WITH DASHED "X" SHALL BE REPLACED PER NOTE 4.11.
2. LUMBER NOTED WITH DASHED LINE SHALL BE REPLACED PER
  - a) DETAIL 68 AT TOPRAILS AND BOTTOMRAILS.
  - b) DETAIL 7 AT SIDERAILS.
  - c) DETAIL 8 AT 4x4 VERTICALS.
3. REFER ALSO TO "SPECIAL CAUTIONS" AT DRAWING No. 17-883-1.
4. REMOVE EXISTING NAILED SCABS AND OTHER INADEQUATE REPAIRS WHERE NEEDED TO COMPLETE THE SPECIFIED WORK.

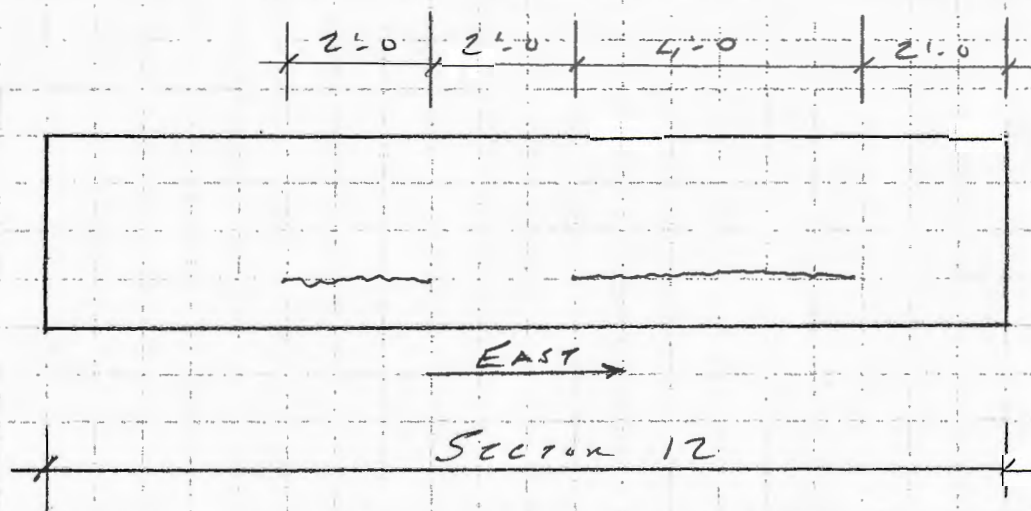
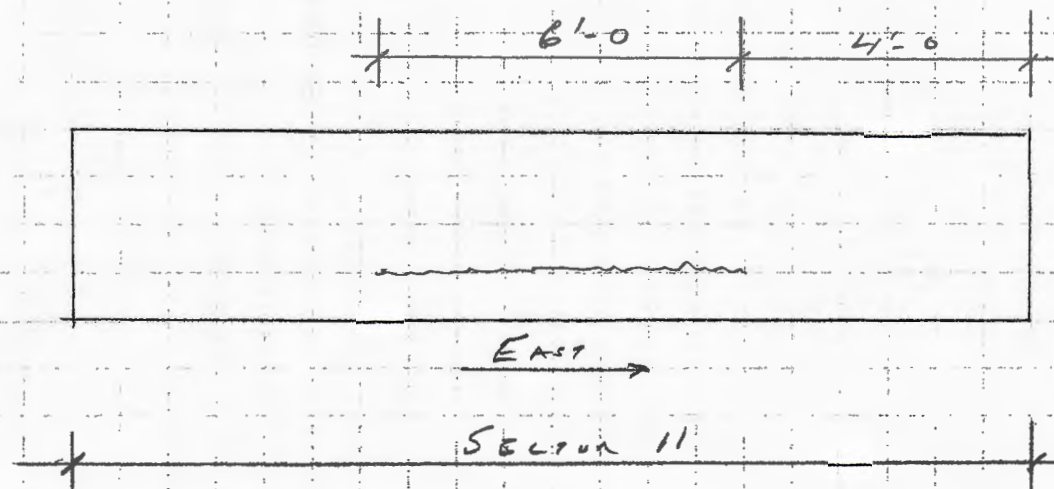
May 18/18

51-1  
17-883  
18/5/18

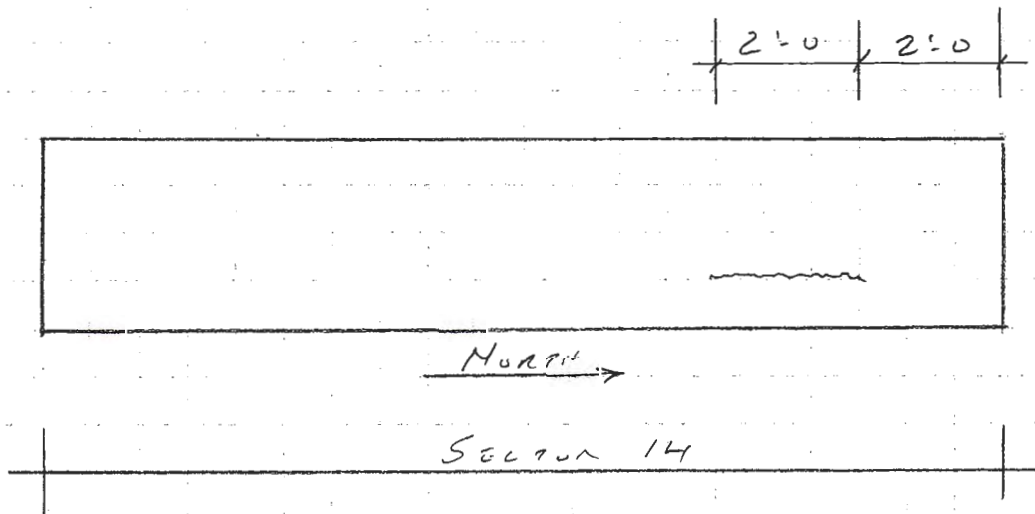
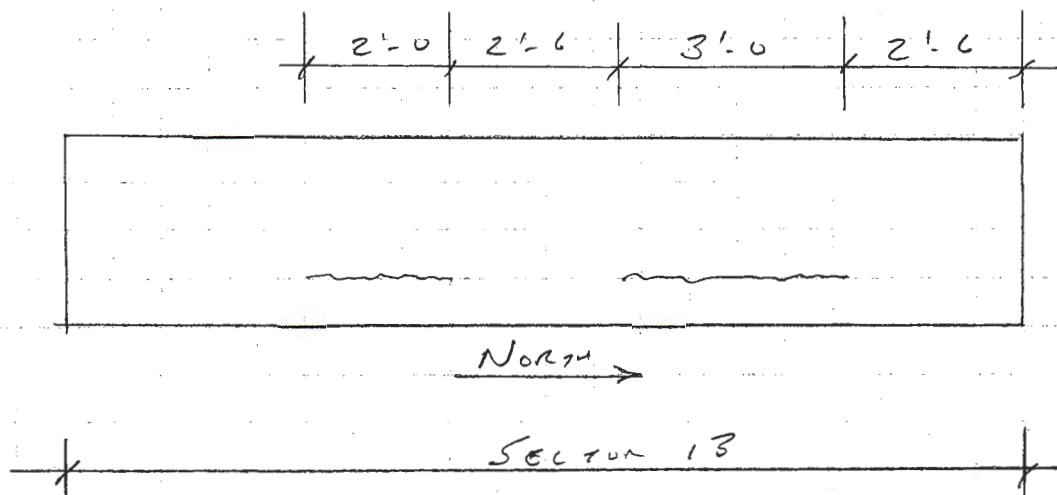




51-2  
17-883  
18/5/14

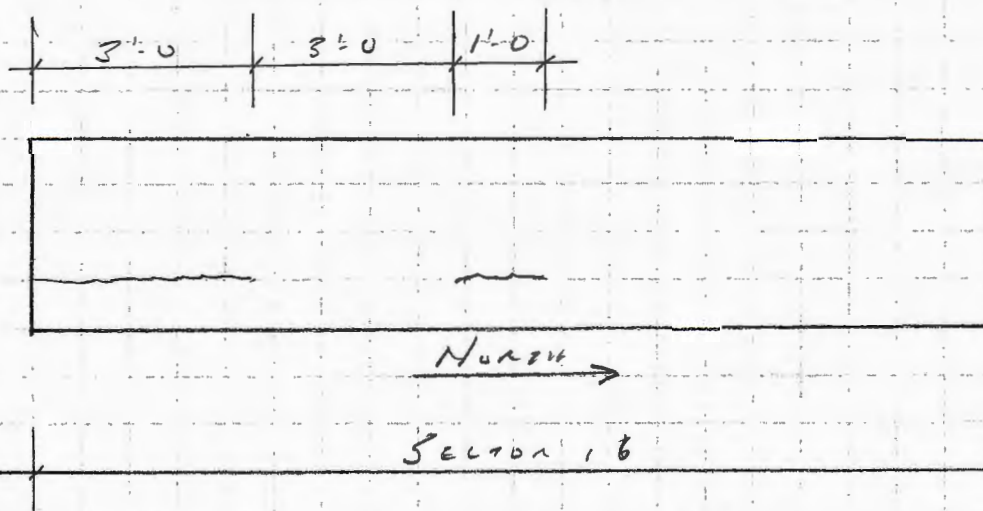
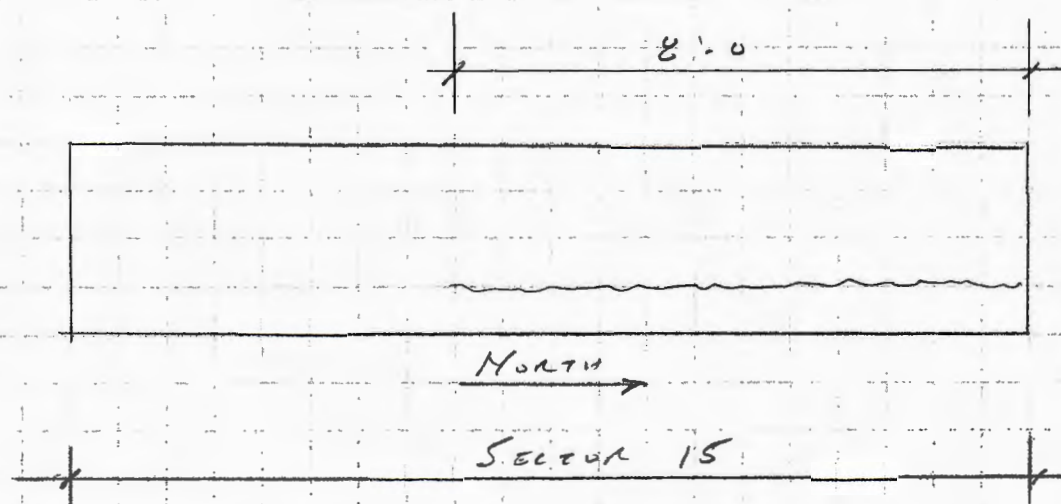


51-3  
17-EE3  
12/5/18

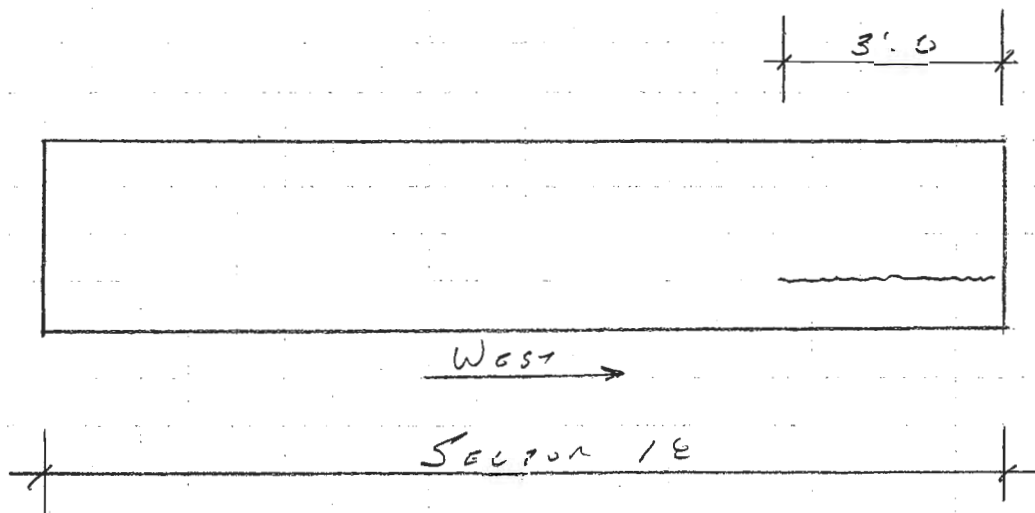
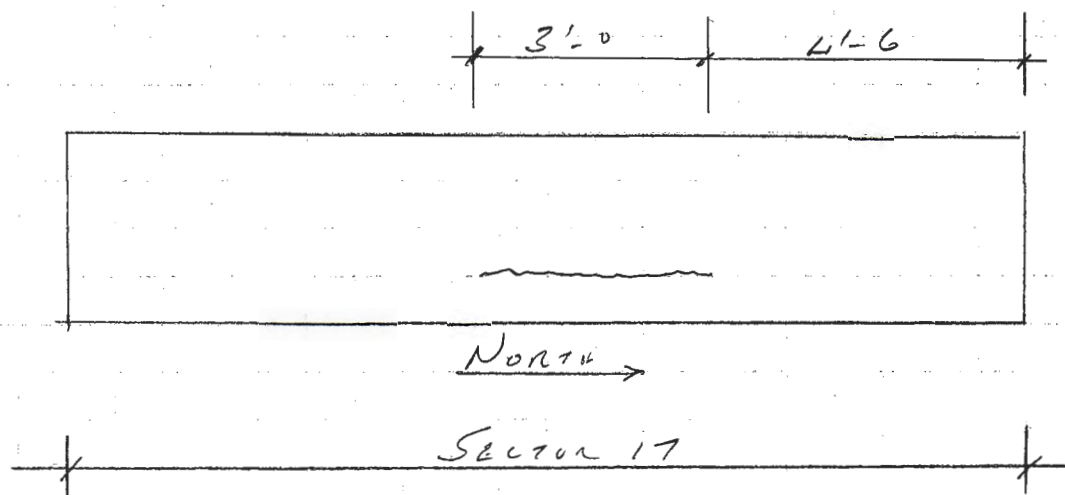




SI-4  
17-883  
12/5/8



51-5  
17-883  
18/5/18



# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number ED2018-003**

---

**Date:** June 19, 2018

**Time:** 2:00 p.m.

**Place:** Council Chambers

---

**Ward Community Identifier:** All

**Subject:** Public Art Policy

**Author Name and Title:** Debra Soule Economic Development Officer – Arts, Culture and Heritage

---

### **Recommendation(s):**

**RESOLVED THAT** Report ED2018-003, **Public Art Policy**, be received; and

**THAT** the policy entitled Public Art Policy appended to Report ED2018-003 be adopted, numbered and inserted into the Corporate Policy and Procedures Manual.

**THAT** any unspent funds in the Public Art area be transferred annually to the City's Contingency Reserve for future use in the Public Art initiative. (1.3209).

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

Public Art is a mechanism for carrying out Strategic Direction Three in the Cultural Master Plan's Implementation Plan: "Explore New and Innovative Channels to Tell Our Story" and Strategic Direction Two: Strengthen Connections between Culture and Economic Development, includes "Create an Environment that Attracts Creative and Cultural Industries" as an ongoing priority.

Public Art also supports Goal One, Objective One, within the City's Economic Development Strategy: Build an awareness of the City of Kawartha Lakes as a destination: Seek new opportunities for place making initiatives to attract new residents, visitors and businesses (i.e. heritage conservation districts, cultural districts art programs trails etc.).

The resident surveys completed under the Downtown Revitalization Program for Downtown Lindsay, Fenelon Falls, Omemee and Cobocok / Norland identified public art as an important addition that would contribute to the revitalization of our downtowns.

This report addresses these objectives.

## **Rationale:**

The City is currently the owner of public art located on City property. Economic Development has been receiving an increasing number of inquiries from community groups about public art projects in which residents and business owners are seeking information on the City's role in public art projects.

Economic Development is working with community partners on two mural projects in Omemee. The first is a mural project coordinated by the Omemee Downtown Revitalization Working Group's Beautification subcommittee, funded by the Omemee Lion's Club and RTO8. The mural, which will be installed on the Canadian Legion building, depicts Omemee's local natural attractions as a component of the Discover Omemee project. The second is a panel-based mural commemorating Neil Young's Hometown Concert based on a painting that was created for the former Youngtown Museum in Omemee, initiated by the Omemee Downtown Revitalization Working group, which will be installed at Coronation Hall.

Although there has never been a formal inventory, the City's inventory of public art currently consists of five works of art and at least two historic artifacts:

1. The Chainsaw Carving outside of 180 Kent Street West in Lindsay was created by Gerald Guenkel, a former instructor at Fleming College.
2. The Tulip in Rivera Park is a metal sculpture created in memory of Leroy Wilson's wife Rivera. The petals of the flower were counter-balanced to

- move with the wind, but they are now immobile. The artist is not identified on the sculpture.
3. The Inuksuk located in Victoria Park was built in recognition of the cross-Canada 2010 Olympic Torch Relay. The artist name is not known.
  4. The Iron Maple Tree located near the entrance to Coronation Hall was installed and is maintained by the Omemee and District Historical Society. The tree that was created by artist Dave Huitson in 2014, is constructed of wrought iron with leaves that are embossed with the names of 19 former Horticultural Society past presidents.
  5. A mural created on panels installed on the Community Centre in Kinmount, created by artist Donna Bisschop in 2017 depicting the history of Kinmount.

#### Artifacts:

1. The Horse Water Trough, now located in front of 180 Kent Street West in Lindsay was the original water trough available to those doing business on Kent Street during the 1800's when they travelled by horse power.
2. The locomotive engine in display in Memorial Park on Lindsay Street South in Lindsay is a reminder of days gone by when rail transport was a key component of Lindsay's economy.

Although there is already a public art collection in the City's ownership, we do not have a policy that clarifies copyright ownership, acquisition, maintenance, liability or other related issues. There are currently public art projects in progress and others that are being pursued by community organizations. Articulation of the City's role and responsibilities with respect to public art, and those of community partners or donors is needed. Such a policy would also facilitate the acquisition of public art in conjunction with the Downtown Revitalization program in an effective and professional manner.

The proposed policy emphasizes public art acquisition through partnerships and donations. However, it is recommended that a \$10,000 public art budget line be created within the existing Economic Development Officer - Arts, Culture and Heritage annual budget towards the potential purchase of Public Art. Realistically, an allocation of this size would be insufficient to purchase public art and would have to be utilized as a matching fund in conjunction with a grant or partnership arrangement. This allocation would be incorporated within the City's Contingency Reserve through an annual transfer and would continue to grow if it is not required during each budget year. In addition, \$2,500 from the existing Arts, Culture and Heritage budget should be allocated for possible maintenance or repair needs or for installation costs associated new public art acquisitions.

Many municipalities that have well-established public art collections and substantial acquisition budgets have established Public Art Committees of Council. As an alternative, a public art panel comprised of members of the

community can be established as a temporary body to adjudicate in the selection process for each public art acquisition.

### **Other Alternatives Considered:**

There are a number of alternatives that could be considered that are listed below:

Option One: Adopt the public art policy and allocate \$12,500 annually to the Arts, Culture and Heritage budget, of which \$10,000 would be directed to public art purchases and \$2,500 towards possible maintenance or installation costs. This is the recommended option.

Option Two: Do not adopt the public art policy:

This option would see the City not adopting a public art policy. However, this would not address the lack of policy to guide liability, maintenance and installation requirements for public art that is already owned or that will be acquired by the municipality.

Option Three: Adopt the Public Art Policy but do not include a budget for purchase:

This option would address the need for current and future policy direction on the acquisition, installation, maintenance and liability associated with City owned public art, and would not impact the current arts, culture and heritage budget, but would limit future acquisitions to those that are donated by external organizations.

Option Four: Adopt the Public Art Policy and include a more substantial allocation for purchase of public art by the City:

This would facilitate the creation of public art under the Downtown Revitalization program and enable a more active role by the municipality in the initiation and selection of projects.

### **Financial/Operation Impacts:**

The City's annualized budget for Arts, Culture and Heritage of \$36,470 is fully tax supported. If the recommendation by staff is approved by Council this budget will be increased by \$12,500 for the 2019 budget year.

## **Relationship of Recommendation(s) to the 2016-2019 Strategic Plan:**

This policy contributes to Goal 1: A Vibrant and Growing Economy, and Goal 2: An Exceptional Quality of Life, from Council's Strategic Plan.

## **Consultations:**

Director of Development Services  
Economic Development Manager  
Insurance Risk Management Coordinator  
City Solicitor  
Treasurer  
Manager of Corporate Assets  
Manager – Parks, Recreation and Culture  
Parks and Open Space Supervisor  
Curator, Art Gallery of Peterborough

## **Attachments:**

Appendix A: Public Art Policy



20180606 Draft  
Public Art Policy.docx

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**Department Head E-Mail:** [cmarshall@kawarthalakes.ca](mailto:cmarshall@kawarthalakes.ca)

**Department Head:** Chris Marshall



|   |                   |
|---|-------------------|
| Council Policy No.:                                     |                   |
| Council Policy Name:                                    | Public Art Policy |
| Date Approved by Council:                               |                   |
| Date revision approved by Council:                      | Not Applicable    |
| Related SOP, Management Directive, Council Policy, Form |                   |

## Policy Statement and Rationale:

The Corporation of the City of Kawartha Lakes (the City) recognizes that Public Art is a valuable cultural asset that improves the aesthetic of streetscapes and public space and expresses our cultural identity and heritage. It has been demonstrated internationally that Public Art is an effective tool for building economic vitality and tourism, contributing to unique public spaces for visitors and local residents that complement our natural and built cultural heritage.

Public Art is a mechanism for carrying out Strategic Direction 3 in the Cultural Master Plan<sup>1</sup> Implementation Plan: Explore New and Innovative Channels to Tell Our Story and Strategic Direction 2 Create an Environment that Attracts Creative and Cultural Industries. Public Art supports two goals in the Corporate Strategic Plan<sup>2</sup> Framework: A Vibrant Growing Economy and An Exceptional Quality of Life.

This policy establishes the framework and procedures for the procurement of Public Art that is City owned and installed on City owned public property. The goals of this policy are:

- a) To facilitate the acquisition of Public Art with artistic merit and establish a standardized and transparent process for the selection, acquisition, maintenance and de-accessioning of Public Art
- b) To provide Public Art guidelines that will guide involvement in creative place-making processes in order to encourage civic pride and celebrate the unique cultural identity of the City's diverse communities
- c) To increase understanding and enjoyment of Public Art and awareness and appreciation of diverse artistic environments

<sup>1</sup> [Cultural Master Plan]. Adopted on [June 28, 2016] by Council Resolution[CR2016-614]

<sup>2</sup> [2016-2019]. Adopted on [January 26, 2016] by Council Resolution CR[ ]

- d) To encourage contributions by business and private investors that will contribute to Public Art in our communities
- e) To enable artists to contribute to the design and development of the public domain through collaborations with planners, architects, landscape architects and urban designers in City capital works projects
- f) To nurture the City as a creative environment in which opportunities for artists and their role in the community can flourish and expand

## Scope:

Public Art is defined as visual art that is installed in the public realm. Public Art can be functional as well as aesthetic, free standing or fully integrated into the structure of a site. This includes:

- permanent installations in all media including murals, two and three dimensional sculpture or art installations;
- artists' collaborations on architecture, landscaping or amenity design; and
- temporary installations in all media.

Public Art does not include:

- directional signs or elements;
- art objects that are stock items or mass-produced;
- art objects that are portable or easily moved;
- playground equipment, statuary monuments, heritage features or plaques, landscape architecture, landscape gardening or greening projects; and
- electronic art.

## Policy:

### A Public Art Inventory

An inventory of public art that is owned by the City has been created and will be maintained and made publicly accessible as set out in the Policy (please see the text under the heading Public Art Inventory on page 4, and Appendix A)

## Definitions:

### Acquisition

The process of accepting an artistic work into the City's collection of Public Art whether through purchase or bequeathing, on a permanent basis. In both cases a purchase agreement will be created by City staff and signed by all participating partners and the artist.



# Council Policy

## **Artist**

The creator/ designer of an artistic work which could include, but is not limited to, a professional artist, graphic designer, collaborative artistic team, architect, or landscape designer.

## **Borrowed**

Refers to when an artistic work that is borrowed by the City (City acquires possession), through a loan agreement, for a defined period of time from a lender who owns and retains ownership of the artistic work.

## **Collection**

Refers to a grouping of individual artistic works acquired for permanent display in Public Space through the Public Art process, directly owned by the City of Kawartha Lakes for the purpose of presentation to the public.

## **Community Art**

An artistic work created collaboratively between an artist and a community group. Community members actively participate in the creation of the artistic work.

## **De-accession**

The process of removing an artistic work from the City's collection of Public Art.

## **Owned**

An artistic work in the public art collection that is owned and maintained by the City for the benefit of current and future generations.

## **Public Art**

Artistic works that are created by Artists and acquired by the City that are sited or staged in City-owned public space. These artistic works may be Owned or Borrowed, and may have aesthetic, functional, interactive dimensions, or any combination thereof. It can be created using any material or any combination of media, including but not limited to sculptures, water features, paintings, drawings, textiles, furnishings, installations, and specialized lighting or kinetic works.

Furnishings, such as benches, light standards, and signage, are not subject to this policy unless a design component is commissioned. Art Gallery, museum, library and

archival collections, commemorative plaques and memorials are not subject to this Policy.

## **Public Art Selection Panel and Procurement Process**

For each public art project, a temporary panel of community representatives from arts organizations and the arts sector will be established to provide advice on the development of a new public art project, on the selection of artists, and details of a commission. Arts, Culture and Heritage staff will support, assist and advise the public art panel and will implement the final recommendations according to the City's Purchasing Policy.

## **Public Space**

Space available for use by the public, and can include, but is not limited to, parks, boulevards, trail systems, open spaces, roads, bridges, gateways, street spaces, civic squares and exterior and interior public areas associated with buildings or structures owned, operated, occupied or used by or for the City.

## **Procedures:**

### **Roles**

The implementation of this Policy will be coordinated by the City's Economic Development Officer – Arts, Culture and Heritage Officer. Staff will:

- a) coordinate the acquisition of artistic works in accordance with this Policy;
- b) establish and oversee a public art panel for projects when necessary;
- c) establish and maintain a Public Art Inventory;
- d) coordinate conservation of the City's Public Art as required;
- e) coordinate approvals across City departments on locations for installation; and
- f) investigate Federal, Provincial, or other sources of funding to promote and support the development of Public Art in the City.

Inter-departmental consultation will be led by the City's Economic Development Officer – Arts, Culture and Heritage for any public art projects that require input on site selection, installation, maintenance or de-accessioning of artistic works.

City Council will:

- a) approve the Public Art Policy;
- b) act as an advocate for art in public spaces in the City;
- c) approve any changes to the Public Art Policy;

- d) approve the annual operating budget, which determines annual funding for maintenance of art owned by the City; and
- e) approve the annual Capital budget, which determines annual funding for art acquisition.

## **Public Art Inventory**

The Economic Development Officer – Arts, Culture and Heritage will prepare and maintain at all times current an inventory of public art works owned by the City within the City's Cultural Assets Map and an internal inventory that includes provisions for periodic condition reports and a maintenance schedule. Maintenance guidelines will be provided by the artist / creator of each piece as a part of the acquisition process.

## **Funding**

Public art projects can be established through agreements with a community organization or business who will assume responsibility for the acquisition, installation and maintenance costs for artistic works prior to the donation of the Public Art to the City for installation in City owned public space.

The donation or sponsorship of new public art is the preferred acquisition strategy. However, the municipality may contribute to the purchase of Public Art on a case by case basis within budgetary availability.

A Public Art Maintenance budget line will be established as part of the Economic Development – Arts, Culture and Heritage budget and an annual allocation will be made as part of the regular City operating budget process to address costs related to the ongoing maintenance and conservation of Owned public art. Most public art installations generally require little maintenance because they should be designed to be resilient to their environmental conditions. Breakages or damage caused by vandals are rare, but a contingency fund as part of the annual capital budget will be established in anticipation of future repair needs.

## **Selection of Public Art**

The process by which an artist is selected for a commission or a donated art work is has a significant impact on the project's success. Community organizations and private businesses that intend to acquire art for the purpose of locating it on public property should utilize the following procedures and guidelines in the acquisition process. Proposals for acquiring Public Art that are requested by the City may be solicited through open competition, invited competition or direct award, where permitted by the City's Purchasing By-law and Policy.

The process for soliciting proposals for the provision of Public Art should:

- be meaningful, fair and equitable
- encourage opportunities for learning and participation in arts and culture
- incorporate and integrate Public Art into the planning, design, and execution of selected civic development projects
- reflect the specifications and requirements of special projects

Public Art will be selected through a consultative process on the basis of merit guided by the expertise of a **Public Art Panel** and the Economic Development Office – Arts, Culture and Heritage Officer. These representatives will be invited to apply through a public call and selected on the basis of knowledge and experience associated with each public art project. Final selections will be confirmed by staff for projects under \$50,000. Recommendations made by the panel for projects exceeding \$50,000 will require approval by Council.

The following **selection criteria** will guide the selection of submissions, donated or borrowed works for all public art projects:

- a) quality and authenticity of the work
- b) condition of work
- c) artistic merit and appropriate ethical content
- d) durability, safety and maintenance costs of the artistic work for display in a Public Space
- e) relevance to the City's natural and built environment or cultural heritage
- f) ethical and legal considerations regarding ownership and installation

## **Acquisition of Public Art**

The City may acquire art through donation, commission, or purchase. Each acquisition will be accompanied by an acquisition agreement signed by both parties, and a maintenance plan supplied by the artist or donor to the satisfaction of City staff.

### **a) Purchased or Commissioned Public Art**

Public Art purchases can be executed and administered by an external organization or business and then can be donated for installation in Public Space owned by the City. The City can purchase or commission public art provided the annual capital and operating budgetary allowance is available.

### **b) Donated Public Art**

All donations must be unencumbered. If the donor requests an Official Receipt for Income Tax Purposes for the donation, they must have legal title to the artistic work and

meet Canada Revenue Agency criteria. This process may require an appraisal of the artistic work at the donor's expense to determine its fair market value, which will require pre-approval of the City's Finance Department staff. The City may decline to consider or accept any gift, bequest or donation of art in its sole discretion.

Public Art that is to be donated or gifted to the City should be directed to the Economic Development Officer – Arts, Culture and Heritage for review to ensure that it meets the City's Public Art Policy and selection criteria, the integrity of the donation process, the desired location of the artwork, any conditions accompanying the gift and a cash donation or provisions agreed upon towards future maintenance and conservation of the artwork.

## c) Borrowed Public Art

The City may acquire Borrowed Public Art for display on a temporary basis. Temporary installations may last from one day to an indefinite term. Following the approval of a proposal an agreement between the Artist and/or sponsoring organization and the City will be executed. The Artist and/or sponsoring organization will be responsible for funding, installation, maintenance and timely removal of the artistic work, and where necessary, for the restoration of the site.

## Public Art Acquisition Agreements

Following the preliminary approval of a public art project for the purchase, commission, donation, or exhibition of public art, the Artist or donor will enter into a written agreement with the City. This agreement will address the Artist's obligations, which may include, but are not limited to:

- a) scope of work
- b) materials
- c) timelines
- d) delivery of the art work and installation
- e) maintenance
- f) warranty
- g) copyright and moral rights payments to sub-contractors
- h) insurance (as applicable)
- i)

## Public Art Locations

The selection of a location for any public art on public property will require approval from the City. Consultation will be undertaken with all relevant City departments regarding proposed public art locations early in the project development process to ensure agreement by all staff in terms of an appropriate site. Installation costs and responsibilities will be guided by the terms of the Acquisition agreement.



All murals that are proposed for installation on exterior buildings surfaces or other exterior public walls must be created on removable panels that can be fastened to, and removed from the intended surface.

## **Installation of Public Art**

The City is responsible for coordinating the installation of all purchased, commissioned donated or borrowed Public Art. The installation process and any associated costs will be identified, in advance, through the Acquisition Agreement and may involve participation of the Artist and/or a contracted professional installer. The artist will supply and deliver the completed art work according to the terms of the Acquisition Agreement. The condition of all acquired artistic works will be reported upon receipt, and any problems found will be referred to the Artist/lender for resolution, prior to installation.

## **Insurance**

All artistic works acquired by the City through purchase, commission or donation, are the property of the City and will be insured under the City's Insurance Policies. Prior to acquisition, the Economic Development Officer – Arts & Culture will report the acquisition to the Insurance and Risk Manager to ensure it is added to the City's insured property schedule. For all Borrowed Public Art, the Artist and / or the sponsoring organization, will submit proof, satisfactory to the City, a certificate of insurance coverage for liability and property and coverage for the installation of the artistic work, and a waiver freeing the City from liability in case of accidental loss, theft, damage or vandalism and will provide a complete list of the displayed artistic work(s) which will include the title(s), dimensions, medium/media and appraised value(s).

## **Maintenance**

The Artist is responsible for developing and submitting a maintenance plan for each artistic work under consideration. Maintenance plans will include the expected life of the artwork, maintenance specifications, costs and key contacts, including the Artist.

The City is responsible for ensuring the care and maintenance of the artistic work, in accordance with the maintenance plan in the Acquisition Agreement, which will be incorporated into the City Public Inventory. City staff will periodically request a condition report for each art work which will be incorporated within the Public Art Inventory along with the maintenance schedule. If maintenance is required above and beyond that prescribed by the artist in the acquisition agreement, not including vandalism or acts of God, the artist will be responsible for replacement or any repair to bring the art up to the standards that were identified in the acquisition agreement.



# Council Policy

## De-accession of Public Art

The City may de-accession Public Art when necessary. All reasonable efforts will first be made to address problems or re-locate an art work, in consultation with the Artist and/or donor. Reasons for de-accession include, but are not limited to:

- endangerment of public safety
- excessive repair or maintenance
- irreparable damage
- inaccessibility
- site redevelopment

In the event of vandalism, theft or accidental loss, the City will determine whether to replace or de-access the artistic work. No artistic work will be de-accessioned and disposed of without consultation with the artist. De-accessioned artistic work can be moved, sold, returned to the Artist or disposed.

Notwithstanding the above, if Public Art is vandalized so that it is indecent or offensive, the City can remove / cover over the offending alteration immediately.

## Revision History:

### Proposed Date of Review:

| Revision | Date   | Description of changes | Requested By |
|----------|--------|------------------------|--------------|
| 0.0      | [Date] | Initial Release        |              |
|          |        |                        |              |
|          |        |                        |              |
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|          |        |                        |              |

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number ED2018-007**

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**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** All

**Title:** Ontario's Main Street Revitalization Initiative Funding Agreement

**Description:** By-Law to enact Funding Agreement

**Author and Title:** Denise Williams, (Acting) Manager, Economic Development

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### **Recommendation(s):**

**That** Report ED2018-007, **Ontario's Main Street Revitalization Initiative Funding Agreement**, be received;

**That** staff be authorized to enter into the agreement in order to participate in Ontario's Main Streets Revitalization Initiative;

**That** the Mayor and Clerk be authorized to execute the Municipal Funding Agreement provided in Appendix A for the transfer of Main Streets Revitalization Initiatives funds in the amount of \$96,311.62 between the Association of Municipalities of Ontario (AMO) and the City of Kawartha Lakes; and

**THAT** the necessary by-law to authorize execution of the agreement be adopted by Council.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

Beginning in 2015, volunteers in four communities began working with the City's Economic Development Division and the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) with a goal to revitalize the downtown areas in their communities. Lindsay, Fenelon Falls, Cobocok, Norland and Omemee have finalized and are currently implementing the action plans developed through the Downtown Revitalization Program. One of the key priority actions in each of the four plans was to create a Community Improvement Plan that could provide financial incentives to building owners to make physical improvements to their buildings.

In January 2018, the Minister of OMAFRA and Small Business announced the Main Street Revitalization Initiative, the government's approach to the distribution of the \$26 million support for Ontario's main streets and their business communities. All single and lower tier municipal governments (except Toronto) are to receive funding that will enhance and revitalize downtowns and main street areas. The City of Kawartha Lakes will receive \$ 96,311.62.

## **Rationale:**

Eligible projects (section 4 of the Municipal Funding Agreement) include costs directly and reasonably incurred by the Recipient for construction, renewal, renovation or redevelopment or material enhancement activities funded under existing Community Improvement Plan financial incentive programs. The fund allows for main street renewal in two categories:

1. Implementation of The City of Kawartha Lakes Community Improvement Plan (CIP), currently in the final public consultation stage of development.
2. Funding of strategic municipal physical infrastructure such as signage, streetscaping improvements, or marketing plan implementation.

Immediately following the execution of the agreement, a Communication Report will be sent to the funder to opt into option one, the implementation of the City's CIP. Funds must be spent by July 2020.

## **Financial/Operation Impacts:**

This program will require staff time to implement, monitor and report.

## **Relationship of Recommendation(s) to the 2016-2019 Strategic Plan:**

The Council Adopted Strategic Plan identifies these Strategic Goals:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment

Ontario's Main Street Revitalization Initiative contributes to the Council Adopted Strategic Plan, Goal 1 – A Vibrant and Growing Economy.

The program aligns directly with Goal 3 in the Economic Development Strategy to encourage a positive community business culture and with Goal 5 to attract and retain a new generation of great entrepreneurs and workforce.

### **Consultations:**

Ontario Ministry of Agriculture, Food and Rural Affairs  
City Clerk

### **Attachments:**

Appendix A – MFA Ontario's Main Street Revitalization Initiative



Municipal Funding  
Agreement Ontario's M

Appendix B – By-Law to authorize the execution of an Agreement – Main Street Revitalization Initiative



Appendix B Report  
ED2018-007 - 2018- B

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Department Head E-Mail: [cmarshall@kawarthalakes.ca](mailto:cmarshall@kawarthalakes.ca)

Department Head: Chris Marshall, Director of Development Services

## **MUNICIPAL FUNDING AGREEMENT**

### **ONTARIO'S MAIN STREET REVITALIZATION INITIATIVE**

This Agreement made as of 1st day of April, 2018.

#### **BETWEEN:**

##### **THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO**

(referred to herein as "AMO")

#### **AND:**

##### **THE CITY OF KAWARTHA LAKES**

(a municipal corporation pursuant to the Municipal Act, 2001, referred to herein as the "Recipient")

**WHEREAS** the Province of Ontario is making \$26 million available for allocation for the purposes of supporting municipal Main Street Revitalization Initiatives in Ontario;

**WHEREAS** the Province of Ontario, Ontario municipalities as represented by AMO are signatories to Ontario's Main Street Revitalization Initiative Transfer Payment Agreement on March 12, 2018 (the "OMAFRA-AMO Agreement"), whereby AMO agreed to administer Main Street Revitalization funds made available to all Ontario municipalities, excluding Toronto;

**WHEREAS** the OMAFRA-AMO Transfer Payment Agreement contains a framework for the transfer of provincial funds to Ontario lower-tier and single-tier municipalities represented by AMO;

**WHEREAS** the Recipient wishes to enter into this Agreement in order to participate in Ontario's Main Street Revitalization Initiative;

**WHEREAS** AMO is carrying out the fund administration in accordance with its obligations set out in the OMAFRA-AMO Agreement and it will accordingly undertake certain activities and require Recipients to undertake activities as set out in this Agreement.

**THEREFORE** the Parties agree as follows:

#### **1. DEFINITIONS AND INTERPRETATION**

- 1.1 **Definitions.** When used in this Agreement (including the cover and execution pages and all of the schedules), the following terms shall have the meanings ascribed to them below unless the subject matter or context is inconsistent therewith:

**“Agreement”** means this Agreement, including the cover and execution pages and all of the schedules hereto, and all amendments made hereto in accordance with the provisions hereof.

**“Annual Report”** means the duly completed report to be prepared and delivered to AMO as described in Section 7.2 and Section 2 of Schedule D.

**“Association of Municipalities of Ontario (AMO)”** means a legally incorporated entity under the Corporations Act, 1990 R.S.O. 1990, Chapter c.38.

**“Communication Report”** means the duly completed report to be prepared and delivered to AMO as described in Section 7.1 and Section 1 of Schedule D.

**“Community Improvement Plan”** has the meaning as defined under section 28(1) of the Planning Act, R.S.O. 1990, c. P.13.

**“Contract”** means an agreement between the Recipient and a Third Party whereby the latter agrees to supply a product or service to an Eligible Project in return for financial consideration.

**“Effective Date”** is April 1, 2018.

**“Eligible Costs”** means those expenditures described as eligible in Schedule C.

**“Eligible Projects”** means projects as described in Schedule B.

**“Eligible Recipient”** means a

- a. Municipality or its agent (including its wholly owned corporation); and
- b. Non-municipal entity, including for profit, non-governmental and not-for profit organizations, on the condition that the Municipality(ies) has (have) indicated support for the Eligible Project through a formal grant agreement between the Municipality and the non-municipal entity.

**“Event of Default”** has the meaning given to it in Section 11.1 of this Agreement.

**“Funds”** mean the Funds made available to the Recipient through the Main Street Revitalization Initiative, a program established by the Government of Ontario. Funds are made available pursuant to this Agreement and includes any interest earned on the said Funds. For greater certainty: (i) Funds transferred to another Municipality in accordance with Section 6.2 of this Agreement, other than as set out in Sections 7.1(a), (c) and (f), are to be treated as Funds by the Municipality to which the Funds are transferred and are not to be treated as Funds by the Recipient; and (ii) any Funds transferred to a non-municipal entity in accordance with Section 6.3 of this Agreement shall remain as Funds under this Agreement for all purposes and the Recipient shall continue to be bound by all provisions of this Agreement with respect to such transferred Funds.

**“Ineligible Costs”** means those expenditures described as ineligible in Schedule C.



**“Lower-tier Municipality”** means a Municipality that forms part of an Upper-tier Municipality for municipal purposes, as defined under the Municipal Act, 2001 S.O. 2001, c.25.

**“Municipal Fiscal Year”** means the period beginning January 1st of a year and ending December 31st of the same year.

**“Municipality” and “Municipalities”** means every municipality as defined under the Municipal Act, 2001 S.O. 2001 c.25.

**“Municipal Physical Infrastructure”** means municipal or regional, publicly or privately owned, tangible capital assets primarily for public use or benefit in Ontario.

**“Ontario”** means Her Majesty in Right of Ontario, as represented by the Minister of Agriculture, Food and Rural Affairs.

**“Parties”** means AMO and the Recipient.

**“Project Completion Date”** means the Recipient must complete its Project under this Agreement by March 31, 2020.

**“Recipient”** has the meaning given to it on the first page of this Agreement.

**“Results Report”** means the report prepared and delivered to AMO by the Recipient by which reports on how Funds are supporting progress towards achieving the program objective, more specifically described in Section 3 of Schedule D.

**“Single-tier Municipality”** means a municipality, other than an upper-tier municipality, that does not form part of an upper-tier municipality for municipal purposes as defined under the Municipal Act, 2001, S.O. 2001 c. 25.

**“Third Party”** means any person or legal entity, other than the Parties to this Agreement who participates in the implementation of an Eligible Project by means of a Contract.

**“Transfer By-law”** means a by-law passed by Council of the Recipient pursuant to Section 6.2 and delivered to AMO in accordance with that section.

**“Unspent Funds”** means the amount reported as unspent by the Recipient as of December 31, as submitted in the Recipient’s Annual Report.

## 1.2 Interpretations:

**Herein, etc.** The words “herein”, “hereof” and “hereunder” and other words of similar import refer to this Agreement as a whole and not any particular schedule, article, section, paragraph or other subdivision of this Agreement.

**Currency.** Any reference to currency is to Canadian currency and any amount advanced, paid or calculated is to be advanced, paid or calculated in Canadian currency.

**Statutes.** Any reference to a federal or provincial statute is to such statute and to the regulations made pursuant to such statute as such statute and regulations may at any time be amended or modified and in effect and to any statute or regulations that may be passed that have the effect of supplementing or superseding such statute or regulations.

**Gender, singular, etc.** Words importing the masculine gender include the feminine or neuter gender and words in the singular include the plural, and vice versa.

## **2. TERM OF AGREEMENT**

- 2.1 **Term.** Subject to any extension or termination of this Agreement or the survival of any of the provisions of this Agreement pursuant to the provisions contained herein, this Agreement shall be in effect from the date set out on the first page of this Agreement, up to and including March 31, 2020.
- 2.2 **Amendment.** This Agreement may be amended at any time in writing as agreed to by AMO and the Recipient.
- 2.3 **Notice.** Any of the Parties may terminate this Agreement on written notice.

## **3. RECIPIENT REQUIREMENTS**

- 3.1 **Communications.** The Recipient will comply with all requirements outlined, including providing upfront project information on an annual basis, or until all Funds are expended for communications purposes in the form described in Section 7.1 and Section 1 of Schedule D.
  - a) Unless otherwise directed by Ontario, the Recipient will acknowledge the support of Ontario for Eligible Projects in the following manner: "The Project is funded [if it is partly funded the Recipient should use "in part"] by the Ontario Ministry of Agriculture, Food and Rural Affairs."
  - b) The Recipient shall notify Ontario within five (5) business days of planned media events or announcements related to the Project, organized by the Recipient to facilitate the attendance of Ontario. Media events and announcements include, but are not limited to, news conferences, public announcements, official events or ceremonies, and news releases.
- 3.2 **Contracts.** The Recipient will award and manage all Contracts in accordance with its relevant policies and procedures and, if applicable, in accordance with the Canadian Free Trade Agreement and applicable international trade agreements, and all other applicable laws.
  - a) The Recipient will ensure any of its Contracts for the supply of services or materials to implement its responsibilities under this Agreement will be

awarded in a way that is transparent, competitive, consistent with value for money principles and pursuant to its adopted procurement policy.

#### 4. ELIGIBLE PROJECTS

- 4.1 **Eligible Projects.** Costs directly and reasonably incurred by the Recipient for construction, renewal, renovation or redevelopment or material enhancement activities funded under existing Community Improvement Plan financial incentive programs or activities funded under the Municipal Physical Infrastructure category, including projects in downtown or main street areas, as defined through an existing Community Improvement Plan or other municipal land use planning policy that will support the role of small businesses in main street areas as more specifically described in Schedule B and Schedule C
- 4.2 **Recipient Fully Responsible.** The Recipient is fully responsible for the completion of each Eligible Project in accordance with Schedule B and Schedule C.

#### 5. ELIGIBLE COSTS

- 5.1 **Eligible Costs.** Schedule C sets out specific requirements for Eligible and Ineligible Costs.
- 5.2 **Discretion of Ontario.** Subject to Section 5.1, the eligibility of any items not listed in Schedule B and/or Schedule C to this Agreement is solely at the discretion of Ontario.
- 5.3 **Unspent Funds.** Any Unspent Funds, and any interest earned thereon, will be subject to the terms and conditions of this Agreement.
- 5.4 **Reasonable Access.** The Recipient shall allow AMO and Ontario reasonable and timely access to all documentation, records and accounts and those of their respective agents or Third Parties related to the receipt, deposit and use of Funds and Unspent Funds, and any interest earned thereon, and all other relevant information and documentation requested by AMO or Ontario or their respective designated representatives for the purposes of audit, evaluation, and ensuring compliance with this Agreement.
- 5.5 **Retention of Receipts.** The Recipient will keep proper and accurate accounts and records of all Eligible Projects including invoices and receipts for Eligible Expenditures in accordance with the Recipient's municipal records retention by-law and, upon reasonable notice, make them available to AMO and Ontario.

#### 6. FUNDS

- 6.1 **Allocation of Funds.** AMO will allocate and transfer Funds on the basis of the formula determined by Ontario.
- 6.2 **Transfer of Funds to a Municipality.** Where a Recipient decides to allocate and transfer Funds to another Municipality (the "Transferee Municipality"):

- a) The allocation and transfer shall be authorized by by-law (a "Transfer By-law"). The Transfer By-law shall be passed by the Recipient's council and submitted to AMO as soon thereafter as practicable. The Transfer By-law shall identify the Transferee Municipality and the amount of Funds the Transferee Municipality is to receive for the Municipal Fiscal Year specified in the Transfer By-law.
- b) The Recipient is still required to submit an Annual Report in accordance with Sections 7.1 (a), (c) and (f) hereof with respect to the Funds transferred.
- c) No transfer of Funds pursuant to this Section 6.2 shall be effected unless and until the Transferee Municipality has either (i) entered into an agreement with AMO on substantially the same terms as this Agreement, or (ii) has executed and delivered to AMO a written undertaking to assume all of the Recipient's obligations under this Agreement with respect to the Funds transferred; in a form satisfactory to AMO.

**6.3 Transfer of Funds to a non-municipal entity.** Where a Recipient decides to support an Eligible Project undertaken by an Eligible Recipient that is not a Municipality:

- a) The provision of such support shall be authorized by a grant agreement between the Municipality and the Eligible Recipient in support of a Community Improvement Plan. The grant agreement shall identify the Eligible Recipient, and the amount of Funds the Eligible Recipient is to receive for that Eligible Project.
- b) The Recipient shall continue to be bound by all of the provisions of this Agreement notwithstanding any such transfer including the submission of an Annual Report in accordance with Section 7.2.
- c) No transfer of Funds pursuant to this Section 6.3 shall be effected unless and until the non-municipal entity receiving the Funds has executed and delivered to the Municipality the grant agreement.

**6.4 Use of Funds.** The Recipient acknowledges and agrees the Funds are intended for and shall be used only for Eligible Expenditures in respect of Eligible Projects.

**6.5 Payout of Funds.** The Recipient agrees that all Funds will be transferred by AMO to the Recipient upon full execution of this Agreement.

**6.6 Use of Funds.** The Recipient will deposit the Funds in a dedicated reserve fund or other separate distinct interest bearing account and shall retain the Funds in such reserve fund, or account until the Funds are expended or transferred in accordance with this Agreement. The Recipient shall ensure that:

- a) any investment of unexpended Funds will be in accordance with Ontario law and the Recipient's investment policy; and,

- b) any interest earned on Funds will only be applied to Eligible Costs for Eligible Projects, more specifically on the basis set out in Schedule B and Schedule C.
- 6.7 **Funds advanced.** Funds transferred by AMO to the Recipient shall be expended by the Recipient in respect of Eligible Costs. AMO reserves the right to declare that Unspent Funds after March 31, 2020 become a debt to Ontario which the Recipient will reimburse forthwith on demand to AMO for transmission to Ontario.
- 6.8 **Expenditure of Funds.** The Recipient shall expend all Funds by March 31, 2020.
- 6.9 **GST & HST.** The use of Funds is based on the net amount of goods and services tax or harmonized sales tax to be paid by the Recipient net of any applicable tax rebates.
- 6.10 **Limit on Ontario's Financial Commitments.** The Recipient may use Funds to pay up to one hundred percent (100%) of Eligible Expenditures of an Eligible Project.
- 6.11 **Stacking.** If the Recipient is receiving funds under other programs in respect of an Eligible Project to which the Recipient wishes to apply Funds, the maximum contribution limitation set out in any other program agreement made in respect of that Eligible Project shall continue to apply.
- 6.12 **Insufficient funds provided by Ontario.** If Ontario does not provide sufficient funds to AMO for this Agreement, AMO may terminate this Agreement.

## 7. REPORTING REQUIREMENTS

- 7.1 **Communication Report.** Immediately upon execution of this Agreement the Recipient shall report to AMO any Eligible Project being undertaken in the current Municipal Fiscal Year in the form described in Schedule D.
- 7.2 **Annual Report.** The Recipient shall report in the form in Schedule D due by May 15th following the Municipal Fiscal Year on:
  - a) the amounts received from AMO under this Agreement;
  - b) the amounts received from another Eligible Recipient;
  - c) the amounts transferred to another Eligible Recipient;
  - d) amounts paid by the Recipient in aggregate for Eligible Projects;
  - e) amounts held at year end by the Recipient in aggregate, including interest, to pay for Eligible Projects;
  - f) indicate in a narrative the progress that the Recipient has made in meeting its commitments and contributions; and,

- g) a listing of all Eligible Projects that have been funded, indicating the Eligible Project category, project description, amount of Funds, total project cost, start date, end date and completion status.

- 7.3 **Results Report.** The Recipient shall account in writing for results achieved by the Funds through a Results Report to be submitted to AMO. Specifically the Results Report shall document performance measures achieved through the investments in Eligible Projects in the form described in Section 3 of Schedule D.

## 8. RECORDS AND AUDIT

- 8.1 **Accounting Principles.** All accounting terms not otherwise defined herein have the meanings assigned to them; all calculations will be made and all financial data to be submitted will be prepared in accordance with generally accepted accounting principles (GAAP) in effect in Ontario. GAAP will include, without limitation, those principles approved or recommended for local governments from time to time by the Public Sector Accounting Board or the Canadian Institute of Chartered Accountants or any successor institute, applied on a consistent basis.
- 8.2 **Separate Records.** The Recipient shall maintain separate records and documentation for the Funds and keep all records including invoices, statements, receipts and vouchers in respect of Funds expended on Eligible Projects in accordance with the Recipient's municipal records retention by-law. Upon reasonable notice, the Recipient shall submit all records and documentation relating to the Funds to AMO and Ontario for inspection or audit.
- 8.3 **External Auditor.** AMO and/or Ontario may request, upon written notification, an audit of Eligible Project or an Annual Report. AMO shall retain an external auditor to carry out an audit of the material referred to in Sections 5.4 and 5.5 of this Agreement. AMO shall ensure that any auditor who conducts an audit pursuant to this Section of this Agreement or otherwise, provides a copy of the audit report to the Recipient and Ontario at the same time that the audit report is given to AMO.

## 9. INSURANCE AND INDEMNITY

- 9.1 **Insurance.** The Recipient shall put in effect and maintain in full force and effect or cause to be put into effect and maintained for the term of this Agreement all the necessary insurance with respect to each Eligible Project, including any Eligible Projects with respect to which the Recipient has transferred Funds pursuant to Section 6 of this Agreement, that would be considered appropriate for a prudent Municipality undertaking Eligible Projects, including, where appropriate and without limitation, property, construction and liability insurance, which insurance coverage shall identify Ontario and AMO as additional insureds for the purposes of the Eligible Projects.
- 9.2 **Certificates of Insurance.** Throughout the term of this Agreement, the Recipient shall provide AMO with a valid certificate of insurance that confirms compliance with the requirements of Section 9.1. No Funds shall be expended

or transferred pursuant to this Agreement until such certificate has been delivered to AMO.

9.3 **AMO not liable.** In no event shall Ontario or AMO be liable for:

- (a) any bodily injury, death or property damages to the Recipient, its employees, agents or consultants or for any claim, demand or action by any Third Party against the Recipient, its employees, agents or consultants, arising out of or in any way related to this Agreement; or
- (b) any incidental, indirect, special or consequential damages, or any loss of use, revenue or profit to the Recipient, its employees, agents or consultants arising out of any or in any way related to this Agreement.

9.4 **Recipient to Compensate Ontario.** The Recipient will ensure that it will not, at any time, hold Ontario, its officers, servants, employees or agents responsible for any claims or losses of any kind that the Recipient, Third Parties or any other person or entity may suffer in relation to any matter related to the Funds or an Eligible Project and that the Recipient will, at all times, compensate Ontario, its officers, servants, employees and agents for any claims or losses of any kind that any of them may suffer in relation to any matter related to the Funds or an Eligible Project. The Recipient's obligation to compensate as set out in this section does not apply to the extent to which such claims or losses relate to the negligence of an officer, servant, employee, or agent of Ontario in the performance of his or her duties.

9.5 **Recipient to Indemnify AMO.** The Recipient hereby agrees to indemnify and hold harmless AMO, its officers, servants, employees or agents (each of which is called an "Indemnatee"), from and against all claims, losses, damages, liabilities and related expenses including the fees, charges and disbursements of any counsel for any Indemnatee incurred by any Indemnatee or asserted against any Indemnatee by whomsoever brought or prosecuted in any manner based upon, or occasioned by, any injury to persons, damage to or loss or destruction of property, economic loss or infringement of rights caused by or arising directly or indirectly from:

- (a) the Funds;
- (b) the Recipient's Eligible Projects, including the design, construction, operation, maintenance and repair of any part or all of the Eligible Projects;
- (c) the performance of this Agreement or the breach of any term or condition of this Agreement by the Recipient, its officers, servants, employees and agents, or by a Third Party, its officers, servants, employees, or agents; and
- (d) any omission or other wilful or negligent act of the Recipient or Third Party and their respective officers, servants, employees or agents.

## 10. DISPOSAL

10.1 **Disposal.** The Recipient will not, without Ontario's prior written consent, sell, lease or otherwise dispose of any asset purchased or created with the Funds or



for which Funds were provided, the cost of which exceed \$50,000 at the time of sale, lease or disposal prior to March 31, 2021.

## **11. DEFAULT AND TERMINATION**

11.1 **Event of Default.** AMO may declare in writing that an event of default has occurred when the Recipient has not complied with any condition, undertaking or term in this Agreement. AMO will not declare in writing that an event of default has occurred unless it has first consulted with the Recipient. Each and every one of the following events is an “Event of Default”:

- (a) failure by the Recipient to deliver in a timely manner an Annual Report or Results Report.
- (b) delivery of an Annual Report that discloses non-compliance with any condition, undertaking or material term in this Agreement.
- (c) failure by the Recipient to co-operate in an external audit undertaken by AMO or its agents.
- (d) delivery of an external audit report that discloses non-compliance with any condition, undertaking or term in this Agreement.
- (e) failure by the Recipient to expend Funds in accordance with Sections 4.1 and 6.8.

11.2 **Waiver.** AMO may withdraw its notice of an Event of Default if the Recipient, within thirty (30) calendar days of receipt of the notice, either corrects the default or demonstrates, to the satisfaction of AMO in its sole discretion that it has taken such steps as are necessary to correct the default.

11.3 **Remedies on default.** If AMO declares that an Event of Default has occurred under Section 11.1, after thirty (30) calendar days from the Recipient’s receipt of the notice of an Event of Default, it may immediately terminate this Agreement.

11.4 **Repayment of Funds.** If AMO declares that an Event of Default has not been cured to its satisfaction, AMO reserves the right to declare that prior payments of Funds become a debt to Ontario which the Recipient will reimburse forthwith on demand to AMO for transmission to Ontario.

## **12. CONFLICT OF INTEREST**

12.1 **No conflict of interest.** The Recipient will ensure that no current member of the AMO Board of Directors and no current or former public servant or office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes or policies of Ontario applies will derive direct benefit from the Funds, the Unspent Funds, and interest earned thereon, unless the provision of receipt of such benefits is in compliance with such legislation, guidelines, policies or codes.

## **13. NOTICE**

13.1 **Notice.** Any notice, information or document provided for under this Agreement will be effectively given if in writing and if delivered by hand, or overnight courier, mailed, postage or other charges prepaid, or sent by facsimile or email to the addresses, the facsimile numbers or email addresses set out in Section 13.3. Any notice that is sent by hand or overnight courier service shall be deemed to have been given when received; any notice mailed shall be deemed to have been received on the eighth (8) calendar day following the day on which it was mailed; any notice sent by facsimile shall be deemed to have been given when sent; any notice sent by email shall be deemed to have been received on the sender's receipt of an acknowledgment from the intended recipient (such as by the "return receipt requested" function, as available, return email or other written acknowledgment), provided that in the case of a notice sent by facsimile or email, if it is not given on a business day before 4:30 p.m. Eastern Standard Time, it shall be deemed to have been given at 8:30 a.m. on the next business day for the recipient.

13.2 **Representatives.** The individuals identified in Section 13.3 of this Agreement, in the first instance, act as AMO's or the Recipient's, as the case may be, representative for the purpose of implementing this Agreement.

13.3 **Addresses for Notice.** Further to Section 13.1 of this Agreement, notice can be given at the following addresses:

a) If to AMO:

Executive Director  
Main Streets Agreement  
Association of Municipalities of Ontario 200 University Avenue, Suite 801  
Toronto, ON M5H 3C6

Telephone: 416-971-9856  
Email: [mainstreets@amo.on.ca](mailto:mainstreets@amo.on.ca)

b) If to the Recipient:

Treasurer  
Carolyn Daynes  
CITY OF KAWARTHA LAKES  
26 Francis St., P.O. Box 9000  
Lindsay, ON K9V 5R8  
(705) 324-9411 x1252  
[cdaynes@kawarthalakes.ca](mailto:cdaynes@kawarthalakes.ca)

## 14. MISCELLANEOUS

14.1 **Counterpart Signature.** This Agreement may be signed in counterpart, and the signed copies will, when attached, constitute an original Agreement.

14.2 **Severability.** If for any reason a provision of this Agreement that is not a fundamental term is found to be or becomes invalid or unenforceable, in whole or in part, it will be deemed to be severable and will be deleted from this

Agreement, but all the other terms and conditions of this Agreement will continue to be valid and enforceable.

- 14.3 **Waiver.** AMO may waive any right in this Agreement only in writing, and any tolerance or indulgence demonstrated by AMO will not constitute waiver of rights in this Agreement. Unless a waiver is executed in writing, AMO will be entitled to seek any remedy that it may have under this Agreement or under the law.
- 14.4 **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario.
- 14.5 **Survival.** The Recipient agrees that the following sections and provisions of this Agreement shall extend for seven (7) years beyond the expiration or termination of this Agreement: Sections 5, 6.7, 6.8, 7, 9.4, 9.5, 11.4 and 14.8.
- 14.6 **AMO, Ontario and Recipient independent.** The Recipient will ensure its actions do not establish or will not be deemed to establish a partnership, joint venture, principal-agent relationship or employer-employee relationship in any way or for any purpose whatsoever between Ontario and the Recipient, between AMO and the Recipient, between Ontario and a Third Party or between AMO and a Third Party.
- 14.7 **No Authority to Represent.** The Recipient will ensure that it does not represent itself, including in any agreement with a Third Party, as a partner, employee or agent of Ontario or AMO.
- 14.8 **Debts Due to AMO.** Any amount owed under this Agreement will constitute a debt due to AMO, which the Recipient will reimburse forthwith, on demand, to AMO.
- 14.9 **Priority.** In the event of a conflict, the part of this Agreement that precedes the signature of the Parties will take precedence over the Schedules.

## 15. SCHEDULES

- 15.1 This Agreement, including:
- Schedule A Municipal Allocation
  - Schedule B Eligible Projects
  - Schedule C Eligible and Ineligible Costs
  - Schedule D Reporting

constitute the entire agreement between the Parties with respect to the subject matter contained in this Agreement and supersedes all prior oral or written representations and agreements.

**16. SIGNATURES**

**IN WITNESS WHEREOF**, AMO and the Recipient have respectively executed, sealed and delivered this Agreement on the date set out on the front page.

**RECIPIENT'S NAME:**

**CITY OF KAWARTHA LAKES**

\_\_\_\_\_  
Mayor Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Clerk Name

\_\_\_\_\_  
Signature

**THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO**

\_\_\_\_\_  
By Title

\_\_\_\_\_  
Signature

In the presence of:

\_\_\_\_\_  
Witness Title

\_\_\_\_\_  
Signature

**SCHEDULE A  
MUNICIPAL ALLOCATION**

**RECIPIENT'S NAME:**      **CITY OF KAWARTHA LAKES**

**ALLOCATION:**              **\$96311.6183**

The Recipient acknowledges this is a one time payment for Eligible Projects with Eligible Costs.

## **SCHEDULE B ELIGIBLE PROJECTS**

Funding is to be directed to Eligible Projects to support revitalization activities within main street areas, as defined through an existing Community Improvement Plan or any other municipal land use planning policy. Funding can be used in one or both of the following categories:

- 1. Community Improvement Plan** – construction, renewal, renovation or redevelopment or material enhancement activities that implement priority financial incentives in existing Community Improvement Plans such as:
  - a. Commercial building façade improvements
  - b. Preservation and adaptive reuse of heritage and industrial buildings
  - c. Provision of affordable housing
  - d. Space conversion for residential and commercial uses
  - e. Structural improvements to buildings (e.g. Building Code upgrades)
  - f. Improvement of community energy efficiency
  - g. Accessibility enhancements
- 2. Other Municipal Land Use Planning Policy** – construction, renewal or material enhancement activities to fund strategic Municipal Physical Infrastructure and promotional projects such as:
  - a. Signage – wayfinding/directional, and gateway.
  - b. Streetscaping and landscape improvements – lighting, banners, murals, street furniture, interpretive elements, public art, urban forestation, accessibility, telecommunications/broadband equipment, parking, active transportation infrastructure (e.g. bike racks/storage, cycling lanes and paths) and pedestrian walkways/trails.
  - c. Marketing plan implementation – business attraction and promotion activities, special events.

**SCHEDULE C**  
**ELIGIBLE AND INELIGIBLE COSTS**

**1. Eligible Costs include:**

- a. Costs directly and reasonably incurred on or after April 1, 2018 up to and including the Project Completion Date by the Recipient for construction, renewal, renovation or redevelopment or material enhancement activities funded under existing Community Improvement Plan financial incentive programs.
- b. Costs directly and reasonably incurred on or after April 1, 2018 up to and including the Project Completion Date by the Recipient for construction, renewal or material enhancement activities funded under the Municipal Physical Infrastructure category including projects in downtown or main street areas, as defined through an existing Community Improvement Plan or other municipal land use planning policy that will support the success of small businesses in main street areas.

**2. Ineligible Costs include:**

- a. Costs incurred prior to Effective Date or after the Project Completion Date;
- b. Any costs associated with providing the Annual and Results Reports to AMO;
- c. Any costs associated with lobbying Ontario, including other Ministries, agencies and organizations of the Government of Ontario;
- d. Costs associated with construction, renewal, renovation or redevelopment or material enhancement of all things in the following categories: highways, short-sea shipping, short-line rail, regional or local airports, and brownfield redevelopment;
- e. Costs of infrastructure construction, renewal, renovation or redevelopment or material enhancement that do not improve energy efficiency, accessibility, aesthetics of marketability of small businesses within an Recipient's main street areas; or that do not encourage strategic public investments in municipal and other public infrastructure within main street areas that will benefit small businesses; or that otherwise will likely fail to contribute to the success of main street businesses;
- f. Costs of infrastructure construction, renewal, renovation or redevelopment or material enhancement outside of the Recipient's main street areas, as defined through an existing Community Improvement Plan or other municipal land use planning policy;
- g. The cost of leasing of equipment by the Recipient, any overhead costs, including salaries and other employment benefits of any employees of the Recipient, its direct or indirect operating or administrative costs of Recipients, and more specifically its costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff, except in accordance with Eligible Costs above;
- h. Taxes, to which the Recipient is eligible for a tax rebate;
- i. Purchase of land or any interest therein, and related costs; and,
- j. Routine repair and maintenance Municipal Physical Infrastructure.



## SCHEDULE D REPORTING

### 1. Communication Report

Immediately following the Municipality executing this Agreement the Recipient will provide AMO a Communication Report in an electronic format deemed acceptable to AMO, consisting of the following:

| Project Title | Project Description | Eligible Project Category (CIP/ Municipal Physical Infrastructure | Total Project Cost | Estimate of Funds (Main Street) Spent |
|---------------|---------------------|---|--------------------|---------------------------------------|
|               |                     |   |                    |                                       |
|               |                     |   |                    |                                       |
|               |                     |   |                    |                                       |
|               |                     |   |                    |                                       |

### 2. Annual Report

The Recipient will provide to AMO an Annual Report in an electronic format deemed acceptable to AMO, consisting of the following:

- a. Financial Reporting Table: The financial report table will be submitted in accordance with the following template:

| Annual Report Financial Table                                   | Annual  | Cumulative  |
|---|---------|-------------|
|   | 20xx    | 2018 - 2020 |
| Opening Balance   | \$xxx   |             |
| Received from AMO   | \$xxx   | \$xxx       |
| Interest Earned   | \$xxx   | \$xxx       |
| Received from An Eligible Recipient                             | \$xxx   | \$xxx       |
| Transferred to an Eligible Recipient                            | (\$xxx) | (\$xxx)     |
| Spent on Eligible Projects (for each Eligible Project category) | (\$xxx) | (\$xxx)     |
| Closing Balance of Unspent Funds                                | \$xxx   |             |

- b. Project List: The Recipient will provide to AMO a project list submitted in accordance with the following template:

| Recipient | Project Title | Project Description | Eligible Project Category | Total Project Cost | Main Street Funds Used | Start & End Date | Completed?         |
|-----------|---------------|---------------------|---------------------------|--------------------|------------------------|------------------|--------------------|
|           |               |                     |                           |                    |                        |                  | Yes/No/<br>Ongoing |
|           |               |                     |                           |                    |                        |                  |                    |

### 3. Project Results.

The Results Report shall outline, in a manner to be provided by AMO, the degree to which investments in each project are supporting progress towards achieving revitalization within main street areas:

- a. Community Improvement Plan Eligible Projects
- Number of small businesses supported;
  - Total value of physical improvements;
  - Total Main Street Funds provided;
  - Total Municipal investment; and,
  - Total private investment.
- b. Municipal Physical Infrastructure Eligible Projects
- Total value of physical improvements;
  - Total Main Street Funds provided; and
  - Total municipal investment.

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018-**

### **A By-law to Authorize the Execution of an Agreement between The Association of Municipalities of Ontario (AMO) and The Corporation of the City of Kawartha Lakes for Funding Under the Main Street Revitalization Initiative**

#### **Recitals**

1. Council, by Resolution CR2018-XXX, approved entering into an agreement with The Association of Municipalities of Ontario (AMO) for Funding Under the Main Street Revitalization Initiative.
2. This by-law authorizes the Agreement to be executed by the City.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-      .**

#### **Section 1.00: Definitions and Interpretation**

##### **1.01 Definitions:** In this by-law,

**“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

**“City Clerk”** means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

**“Council” or “City Council”** means the municipal council for the City;

**“Director of Development Services”** means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council;

**“Mayor”** means the Chief Executive Officer of the City.

##### **1.02 Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

##### **1.03 Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

## **Section 2.00: Approval and Authorization**

- 2.01 **Approval:** The agreement attached to this By-law as Schedule A is approved.
- 2.02 **Authorization:** The Mayor and City Clerk are authorized to sign the agreement attached to this By-law as Schedule A, and to affix the corporate seal to it.

## **Section 3.00: Administration and Effective Date**

- 3.01 **Administration of the By-law:** The Director of Development Services is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 19<sup>th</sup> day of June, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number ED2018-009**

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**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** All

**Title:** Amendments to Non-Compliant Heritage Designation By-Laws

**Author and Title:** Debra Soule Economic Development Officer – Arts, Culture and Heritage

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### **Recommendation(s):**

**That** Report ED2018-009, **Amendments to Non-Compliant Heritage Designation By-Laws**, be received;

**That** staff be authorized to proceed with the process to repeal and replace the heritage designation by-laws that do not comply with the current requirements of the Ontario Heritage Act, according to Section 30 1(2) to (10) of the Act, and to prepare updated heritage by-laws; and

**That** the updated designating by-laws be presented to Council for its consideration after the notification process has been completed.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

Section 30.1 (2) to (10) of the Ontario Heritage Act permits municipalities to make amendments to by-laws to clarify or correct the Statement of Cultural Heritage Value or Interest or the Description of Heritage Attributes and to revise the language of the by-law to make it consistent with the current requirements of the Act or its Regulations. Many of the heritage designation by-laws in Kawartha Lakes were prepared prior to 2005 amendments to the Ontario Heritage Act and Ontario Regulation 9/06. As a result, they require updating to clarify or correct the statement explaining the property's cultural heritage value and / or interest or the description of the property's heritage attributes.

This report addresses that direction.

## **Rationale:**

Within the City's Heritage Register, fifty seven designation by-laws have been identified that do not meet the current requirements of Part IV, S. 29 of the Ontario Heritage Act. Regulation 9.06 states that in order to be designated, a property must meet one or more of the following criteria:

1. The property has design or physical value if:
  - i. It is a rare, unique, representative or early example of a style, type, expression, material or construction method;
  - ii. It has a high degree of craftsmanship or artistic merit; or
  - iii. It demonstrates a high degree of technical or scientific achievement.
2. The property has historical or associative value if:
  - i. It has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
  - ii. It yields, or has potential to yield, information that contributes to an understanding of a community of culture; or
  - iii. It reflects the work or ideas of an architect, artist, building, designer or theorist who is significant to a community.
3. The property has contextual value if,
  - i. It is important in defining, maintaining or supporting the character of an area;
  - ii. It is physically, functionally, visually or historically linked to its surrounding; or
  - iii. It is a landmark.

Further, Part IV, S. 29 of the Ontario Heritage Act also requires that a designation by-law contains a description of the heritage attributes of the property that must be retained to conserve its cultural heritage value or interest. The identification of heritage attributes to be protected should be a selective process and only contain the principal features that reflect the core heritage value of the property.

The heritage by-laws that have been selected for amendment do not adequately identify the reasons for designation or do not specify the features to be protected. Many simply identify the 'exterior' of the property which effectively prohibits any alteration to the property whatsoever. This poses significant challenges when applications for Alterations to Heritage Properties are submitted to the Municipal Heritage Committee.

The by-law amendment process will include consultation with all property owners and inspections of each property to clarify the rationale for amendment and to ensure that property owners contribute to the identification of specific features that are protected in the revised by-law.

### **Other Alternatives Considered:**

No other alternatives are recommended.

### **Financial/Operation Impacts:**

There are no financial implications associated with this report.

### **Relationship of Recommendation(s) to the 2016-2019 Strategic Plan:**

Heritage Designation contributes to the Council Adopted Strategic Plan:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life

Specifically, the HCD Plans contribute to Goal 2 in the Council Adopted Strategic Plan: An Exceptional Quality of Life and Action 2.1.1: Strengthen existing cultural and heritage assets.



## **Consultations:**

Economic Development Manager

Director of Development Services

## **Attachments:**

Appendix A:



201806 Heritage  
bylaws to be amende

**Department Head E-Mail:** [cmarshall@kawarthalakes.ca](mailto:cmarshall@kawarthalakes.ca)

**Department Head:** Chris Marshall

## **Kawartha Lakes Heritage Designation By-Laws to be Amended - June 2018**

37 Colborne St., Fenelon Falls  
72 Francis St W., Fenelon Falls  
15 Lindsay St., Fenelon Falls  
103 Lindsay St., Fenelon Falls  
13 Short St., Fenelon Falls  
746 Janetville Rd., Janetville  
23 Adelaide St N., Lindsay  
28 Albert St S., Lindsay  
5 Albert St S., Lindsay  
40 Bond St W., Lindsay  
46 Bond St W., Lindsay  
54 Bond St W., Lindsay  
60 Bond St W., Lindsay  
78 Bond St W., Lindsay  
31 Cambridge St. N., Lindsay  
51 Cambridge St. N., Lindsay  
58 Cambridge St. N., Lindsay  
4 Colborne St E., Lindsay  
22 Elgin St., Lindsay  
19 Francis St., Lindsay  
21 Francis St., Lindsay  
9 Glenelg St. E., Lindsay  
2 Kent St. W., Lindsay  
3 Kent St. W., Lindsay  
171 Kent St. W., Lindsay  
2 Lindsay St. S., Lindsay  
10 Lindsay St. S., Lindsay  
29 Regent St., Lindsay  
46 Regent St., Lindsay  
63 Regent St., Lindsay  
10 Russell St. E., Lindsay  
12 Russell St. E., Lindsay  
29 Russell St. E., Lindsay  
45 Russell St. E., Lindsay  
45 Russell St. W., Lindsay  
17 Sussex St. N., Lindsay  
45 Victoria Ave N., Lindsay  
86 Wellington St., Lindsay  
8,10,12 William St S., Lindsay  
73 William St S., Lindsay  
166, 168 Ramsey Rd., Little Britain  
704 Fingerboard Rd., Little Britain  
1201 Salem Rd., Little Britain  
17025 SIMCOE ST (formerly 8 Simcoe St.), Manilla  
430 Taylor's Rd., Oakwood  
973 Eldon Rd., Oakwood  
949 Highway 7, Oakwood  
4249 Highway 7, Oakwood  
1185 Ballyduff Rd., Pontypool

119 Irene Ave., Sturgeon Point  
Rain shelter (Wharf), Sturgeon Point  
56 King St., Woodville  
121 King St., Woodville  
124 King St., Woodville  
145 King St., Woodville  
37 William St N., Lindsay  
637 Ballyduff Rd., Manvers

# The Corporation of the City of Kawartha Lakes

## Council Report

Report Number PLAN2018-047

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**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** Ward 16 – Manvers

**Title:** Telecommunication Facility Endorsement Application, Metrolinx

**Description:** An application to endorse a proposed 80.0 metre Self-supporting Telecommunication Facility by Metrolinx on behalf of the Ministry of Transportation of Ontario

**Author and Title:** Ian Walker, Planning Officer – Large Developments

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### Recommendations:

**That** Report PLAN2018-047, **Telecommunication Facility Application, Metrolinx – D44-17-001**, be received;

**That** the proposed 80.0 metre self-supporting telecommunication facility proposed by Metrolinx on behalf of the Ministry of Transportation of Ontario, to be sited on lands fronting at 3818 Boundary Road and as generally outlined in Appendices A to D to Report PLAN2018-047, be endorsed by Council, conditional upon the applicant entering into a telecommunication facility development agreement with the City;

**That** Industry Canada, the applicant, and all interested parties be advised of Council's decision; and

**That** the Mayor and Clerk be authorized to execute any documents and agreements required by the endorsement of this application.

**Department Head:** \_\_\_\_\_

**Financial/Legal/HR/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

## Background:

Metrolinx has submitted an application on behalf of the Ministry of Transportation of Ontario to permit a self-supporting telecommunication facility with a height of 80.0 metres (262 feet) on a rural property located at 3818 Boundary Road near Pontypool. See Appendix A. A site compound with an area of 225 square metres will house all electrical components and would be enclosed by a 2.1 metre high chainlink fence with a locked gate. All equipment will be housed in a 15.6 square metre equipment cabinet. The total leased area includes 1,625.1 square metres of the 4.75 hectare property. The access will utilize the existing paved driveway to the compound. See Appendix B.

|                    |   |
|--------------------|---|
| Owner:             | Ministry of Transportation of Ontario   |
| Agent:             | Metrolinx   |
| Legal Description: | Part of Lot 10 and Part of Road Allowance between Lots 10 and 11, Concession 1, geographic Township of Manvers                                      |
| Official Plan:     | Countryside Area in the City of Kawartha Lakes Official Plan (Oak Ridges Moraine Official Plan)   |
| Zoning:            | Oak Ridges Moraine Country Side Area (ORMCS) Zone in the Oak Ridges Moraine Zoning By-law 2005-133  |
| Site Size:         | 1,625.1 square metres consisting of a 225 square metre compound and 1,400.1 square metre site access lane   |
| Site Servicing:    | A dedicated electrical connection and driveway extension are required to service the telecommunication facility                                     |
| Existing Uses:     | The property is used for an MTO works yard.   |
| Adjacent Uses:     | North: Rural Residential<br>East: Aggregate Extraction<br>South: Boundary Road, Agricultural<br>West: Gas Station, Highway 35, Aggregate Extraction |

## Rationale:

The telecommunications industry is regulated by the federal government through the Radiocommunication Act, which is primarily administered by Industry Canada and Health Canada. Telecommunications systems are regulated by the federal government, and are therefore not subject to the requirements of Planning Act documents such as official plans or zoning by-laws. However, Industry Canada encourages the development of protocols by Local Land-Use Authorities (the municipality) to ensure that a clear process is established for the consideration of new telecommunications facilities within the community. Where a municipality has adopted a telecommunications policy, the applicant must receive confirmation from the municipality that the proposal complies with their policy, before Industry Canada will issue an approval for the facility.

Council has adopted a telecommunications policy (Telecommunications System Protocol) following the recommended Industry Canada standards for the installation of new telecommunication towers within the City of Kawartha Lakes. The policy provides a set of criteria to ensure that a clear process is established for the consideration of new telecommunications facilities within the community. All applications must be endorsed by Council subject to any necessary conditions, for the applicant to receive an approval.

The applicant has submitted the following reports and information in support of the application, which have been circulated to various City Departments and commenting agencies for review:

1. Site Selection and Justification of Preferred Location Report, prepared by Metrolinx, not dated. The report discusses and assesses the proposed telecommunication tower in context of the federal legislation and the City's Telecommunications System Protocol.
2. Topographic and Site Layout Design, prepared by J.D. Barnes Limited, dated June 7, 2017, last revised October 12, 2017.
3. Photo renderings of the proposed telecommunications tower.
4. Public Consultation Summary email dated April 26, 2018.

### **Applicable Provincial Policies:**

While telecommunication systems are a federally-led initiative, the province also recognizes the importance of telecommunications infrastructure and encourages further systems development to meet current and projected service demands in its policy documents, including the Provincial Policy Statement (PPS), Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan), and Oak Ridges Moraine Conservation Plan, 2017 (ORMCP). The proposed telecommunications facility fulfills the objectives of these policies.

### **Official Plan Conformity:**

The property is designated Countryside Area in the City of Kawartha Lakes Official Plan (Oak Ridges Moraine Official Plan). While telecommunication systems are not subject to the requirements of the official plan, the land use policies in this designation permit telecommunications facilities, provided that there is a demonstrated need. Since the applicant has demonstrated that there is a need for this facility, the proposal fulfills the provisions of the land use policies, in accordance with the City's telecommunications policy.

### **Zoning By-law Compliance:**

The subject land is zoned Oak Ridges Moraine Country Side Area (ORMCS) Zone in the Oak Ridges Moraine Zoning By-law 2005-133. While telecommunication systems are not subject to the requirements of the zoning by-

law, the ORMCS zone provides that infrastructure and utilities are permitted uses, in accordance with the City's telecommunications policy.

### **Other Alternatives Considered:**

No other alternatives have been taken into consideration.

### **Financial/Operation Impacts:**

There are no financial considerations for the City.

### **Relationship of Recommendations to the 2016-2019 Strategic Plan:**

The Council Adopted Strategic Plan identifies these Strategic Goals:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment

This application aligns with the exceptional quality of life strategic goal in that it provides opportunity to improve the range of telecommunications infrastructure and services provided within the City.

### **Review of Accessibility Implications of Any Development or Policy:**

There are no accessibility considerations for the City.

### **Servicing Implications:**

There are no servicing considerations for the City.

### **Consultations:**

#### Public Comments

The City's Telecommunications Policy requires that the applicant conduct the public consultation and information process as prescribed by Industry Canada. The City's policy requires notification through a local newspaper, and a mailout to all landowners within a minimum notification radius which is the greater of:

- a) 120 metres; or
- b) three times the height of the tower.

Information was mailed to all property owners within 240 metres of the proposed tower with commenting timeframe from March 19, 2018 until April 19, 2018. A notice was placed in the local Kawartha Lakes This Week newspaper on March 22, 2018 with a commenting timeframe until April 19, 2018.



The applicant provided a copy of the Public Consultation Summary email for the City's review. Two neighbours provided comments to the applicant by email, indicating their concerns related to: interference with internet and television services; effects of radio frequencies on human and animal health; loss of property value; future additions to the tower; the potential to use an eco-emulated tower; and co-location. A full copy of the consultation summary is contained in Appendix C to this report.

#### Agency Review Comments

The application was circulated to all relevant agencies and City Departments which may have an interest in the application. The following comments have been received to date:

|                |   |
|----------------|---|
| March 5, 2018  | The Building Division advised that a permit is required for the equipment building, and that development charges are applicable.  |
| March 7, 2018  | The Engineering and Corporate Assets Department advised they have no comments on this application.  |
| March 23, 2018 | The Ministry of Transportation of Ontario advised they have no concerns, and are in the process of finalizing an agreement for the tower to be located on their lands. MTO will issue their Building and Land Use permit once the City advises that all municipal issues have been addressed. |
| April 9, 2018  | The Municipality of Clarington advised they have no objection to this application.  |

### **Development Services – Planning Division Comments:**

#### Compliance with Telecommunication Tower Siting Criteria

Staff has reviewed the telecommunication facility application and concludes that the proposal complies with the siting criteria in following manner:

- Industry Canada has mandated that communications providers cannot have any dropped calls, given that the system is now being used for 911 or other emergency purposes in addition to personal communications. Given the topography of the area, Metrolinx requires a tower height of 80 metres in order to provide its services in accordance with the Industry Canada standards. The addition of this tower should provide improved service in this area.
- The applicant has investigated the possibility of co-locating other existing telecommunication towers. Since there are few towers in the area, co-location is not an option and a new tower is necessary for technical reasons. The proposed tower structure should be able to accommodate other carriers in the future, should the need arise. Staff is satisfied that an additional tower is necessary to provide service for the area.

- The proposed tower fulfills all of the necessary setbacks from provincial highways, local roads, property lines, residential areas, and environmentally sensitive areas. Metrolinx is not proposing to landscape the enclosure, as it is within the existing disturbed area of the site. The compound will be screened with special fencing.
- While the tower will be visible in the skyline, the tri-pole lattice design should not make the tower obtrusive to the view of the area. Appendix B contains a proposed tower and compound plan. The views of the tower are expected to be similar to those contained in the Site Selection and Justification of Preferred Location Report. See Appendix D.

From Staff's perspective, the proposed telecommunication facility fulfills the locational requirements of the City's Telecommunications System Protocol.

#### Tower Lighting

With regard to the lighting, this tower may require painted striping or lighting. Final details of the lighting requirement are not available at this time. Staff would advise that any night lighting should not include white flashing strobe lights.

#### Site Development Agreement

Staff would require that this telecommunications facility be subject to a limited telecommunications facility development agreement with the City. This agreement would secure an approved site plan, lot grading and drainage plan, securities for entrance works and landscaping, and landscaping details as required. The agreement would also include provisions for the removal of the telecommunication facility once it is no longer being used. Staff views this agreement as serving more of an administrative function and therefore would not recommend that this agreement be registered against title.

### **Conclusions:**

In consideration of the comments contained in this report, Staff respectfully recommends that the proposed telecommunications facility application be endorsed by Council, and that the Council Resolution endorsing the proposal be forwarded to Industry Canada.

### **Attachments:**

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Ian Walker, Planning Officer – Large Developments, (705) 324-9411 extension 1368.

#### Appendix A – Location Map



PLAN2018-047  
Appendix A.pdf

## Appendix B – Proposed Site Plan



PLAN2018-047  
Appendix B.pdf

## Appendix C – Summary of Public Consultation



PLAN2018-047  
Appendix C.pdf

## Appendix D – Site Selection Report



PLAN2018-047  
Appendix D.pdf

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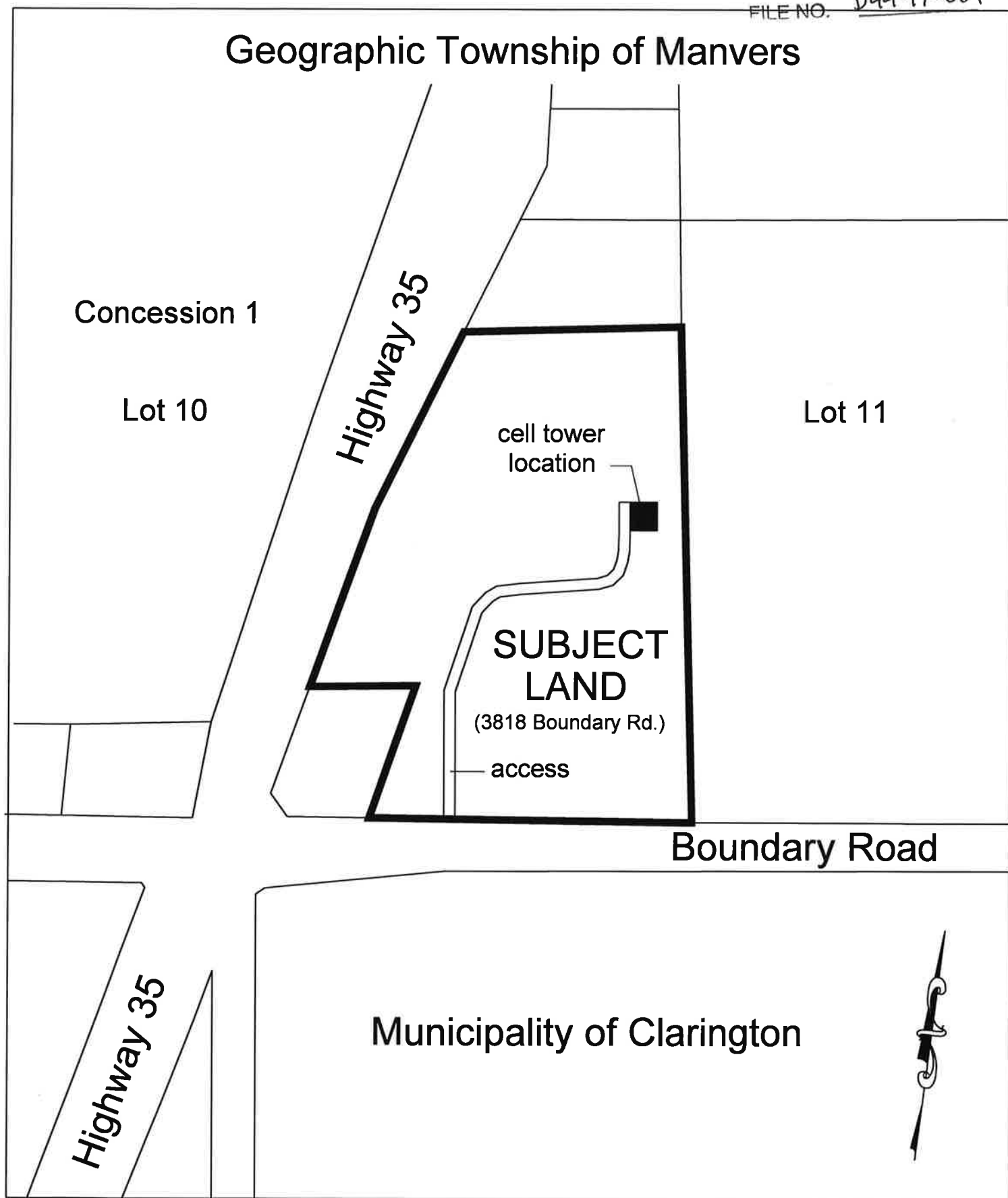
**Department Head E-Mail:** [cmarshall@kawarthalakes.ca](mailto:cmarshall@kawarthalakes.ca)

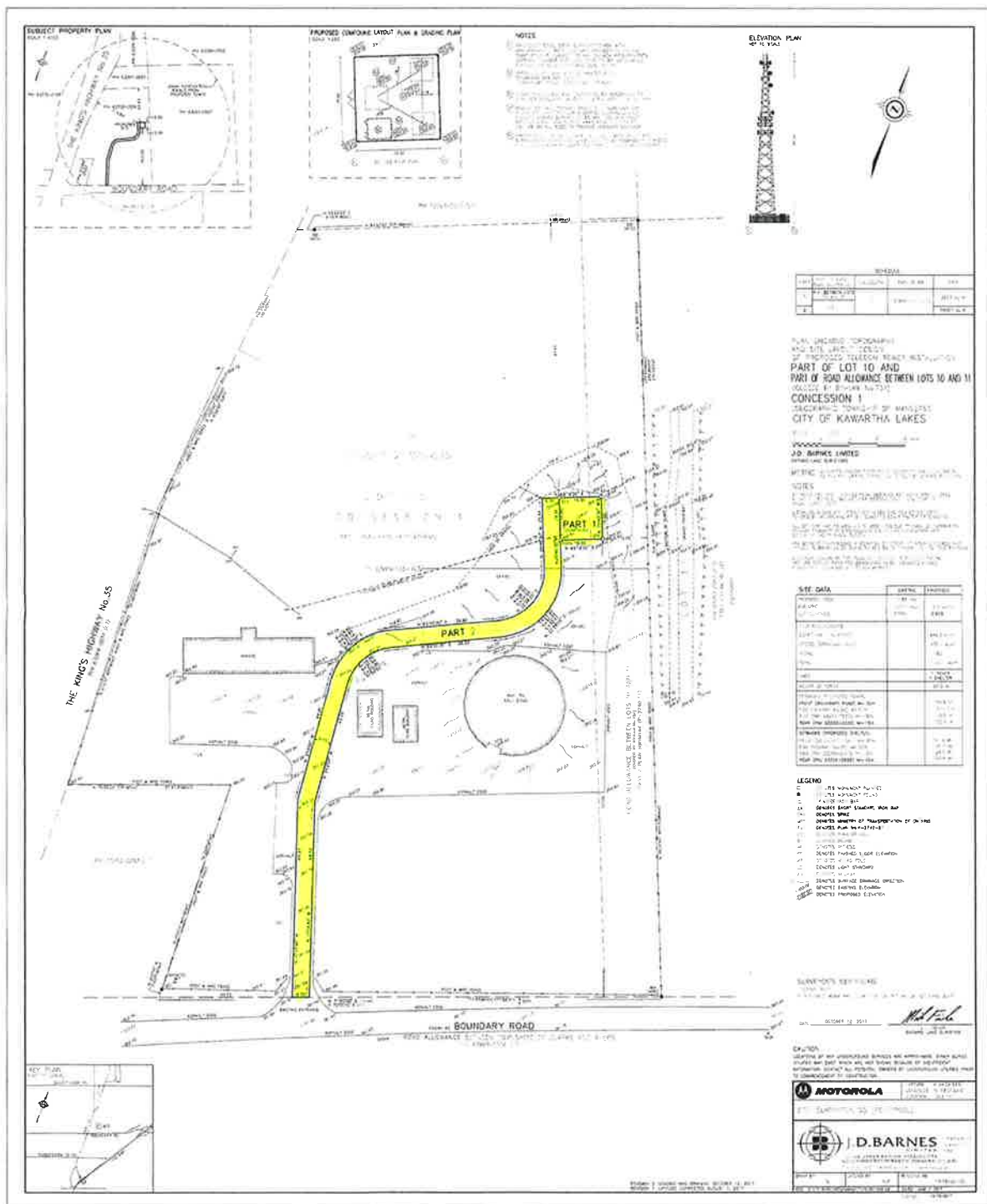
**Department Head:** Chris Marshall, Director, Development Services

**Department File:** D44-17-001

D44-17-001

Geographic Township of Manvers





**Ian Walker**

**From:** Tony Mihocas <Tony.Mihocas@metrolinx.com>  
**Sent:** Thursday, April 26, 2018 9:41 AM  
**To:** Ian Walker  
**Cc:** Gary Eckhardt  
**Subject:** 3818 Boundary Rd - Metrolinx - Public Consultation Report

FILE NO. D44-17-001

**Categories:** Telecom

Good morning Ian,

As per the City of Kawartha Lakes requirements, please find below a summary of the public consultation outcome for the proposed radio communication tower at 3818 Boundary Rd in Kawartha Lakes.

In accordance with ISED's Default Public Consultation Process that is also adopted by the City of Kawartha Lakes, Metrolinx engaged in a public consultation process regarding the radio communication tower proposed on MTO lands at 3818 Boundary Rd.

The consultation package included a notice sign posted in front of the property in question, a newspaper ad in the local newspaper (Kawartha Lakes This Week) and a mail notice sent out to the property owners affected by the 3 times the tower height radius.

On April 1<sup>st</sup>, Mr. Peter N Hughes, sent an email stating that he has nothing against the tower being built as long as his internet and TV services will not be affected.

Next day, I responded back to Mr. Hughes (you were copied on it) and I reassured him that we will only receive a licence to operate from ISED, if they find no interference with other licenced carriers in the area.

I did not receive any further comments from Mr. Hughes.

Second resident that contacted me was Mr. Brent Moxam on April the 11<sup>th</sup>, 2018.

First he called me stating that he has concerns with the proposed radio tower and he'd like to have his questions answered.

Shortly after our phone conversation, Mr. Moxam followed up with an email requesting his questions and concerns to be answered.

His concerns were radio frequencies and its effect on humans and animals, interference with cell phone and internet services, loss of property value and future additions to the tower.

In my response, I indicated that Metrolinx will have to comply with Health Canada's safety guidelines for exposure to radio frequency fields and as a licensed operator will have to comply with all the rules and regulations established by ISED.

In regards to his concerns about the loss of natural landscape, I indicated Mr. Moxam that the zoning of the area where the tower is proposed allows radio tower installations and that there will be no loss of green vegetation since the proposed location is utilized as a works yard.

As for his concern regarding the future additions, I explained Mr. Moxam that is not our decision since we are mandated by both ISED and the Land Use Authority to accept collocation requests in order to minimize the number of towers.

Mr. Moxam replied back the next day indicating that even though Metrolinx will obey all federal rules and guidelines it is not enough for him and was asking how will Metrolinx go "over and above to ensure the safety and wellbeing of my family, animals and equine business."

I reiterated our earlier statement that Metrolinx will follow all rules and regulations mandated by the federal regulatory bodies.

He also inquired about using an "eco emulated tower".

I responded back to him that a disguised tower cannot be built any higher than 50 meters due the deflection and wind loading.

Again, this response did not satisfy Mr. Moxam, as he indicated that our engagement to follow the laws in effect, is nothing else just deflecting his questions.

Once again he asked what will Metrolinx do.

He also asked about the collocation on a tower 3KM away, located just north west of Hwy 115.

At this time, Mr. Gary Eckhardt, the Manager of the Radio Group at Metrolinx answered him back.

Mr. Eckhardt reiterated once again that Metrolinx will have to follow Federal rules, procedures and guidelines and if Metrolinx fails to do so, will not be licenced.

Furthermore, Mr. Eckhardt also suggested that if Mr. Moxam feels that the standards are not sufficient for him to contact those regulating bodies and make his concerns known to them. Metrolinx is required to comply with the rules and not create or modify them.

Mr. Eckhardt also explained Mr. Moxam that the tower construction in the area is not random or arbitrary and the proposal is in the works for more than a year now.

He also addressed the collocation question posed by Mr. Moxam, explaining that the elevations on the tower in question, are less than the height required to meet the coverage design and provide optimal links to other sites.

At the end of his reply, Mr. Eckhardt reassured Mr. Moxam once again that Metrolinx will follow all rules and regulations as set out by the regulatory bodies and that we have done our best to convey this to him.

Mr. Moxam did not reply back ever since and we consider that we have answered all relevant questions posed by him.

No other comments were received regarding the proposed Metrolinx tower.

Since the public consultation has concluded on April 19<sup>th</sup>, please let me know what are next steps in this process.

With many thanks once again

Tony

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Tony Mihocas  
Senior Radio Equipment Officer  
Radio Systems, Projects  
GO Transit a Division of Metrolinx  
C: 416-553-2496

This e-mail is intended only for the person or entity to which it is addressed. If you received this in error, please contact the sender and delete all copies of the e-mail together with any attachments.



## **Metrolinx Radio Communication Tower Site**

**3818 Boundary Rd, Kawartha Lakes, On, L1C 3K6**

### **Site Selection and Justification of Preferred Location**

#### **Introduction**

With the significant growth in our population, the demand for transit services has also increased significantly. To meet this demand, Metrolinx continues to enhance its train and bus routes, providing greater levels of service and options in and around the GTHA. Extending the network of trains, buses, and supporting safety and service personnel, also requires an expansion of its radio communication system.

Presently, the Metrolinx Radio System coverage in the City of Kawartha Lakes is mostly provided by the antennas located at the Peterborough tower.

In order to alleviate existing coverage gaps in the Kawartha Lakes area, we are proposing a new communication tower.

#### **Background and coverage requirement**

The selection of a radio communication site is a tedious and complex exercise.

In the Metrolinx case, a number of factors such as: the complex radio network, Metrolinx's service area (both train and bus), RF (radio frequency) engineering principles, local topography and land use opportunities all need to come together in the selection of new sites.

In order to achieve reliable radio and microwave communication across the network, Metrolinx Radio System must provide a seamless transmission signal to alleviate any gaps in coverage. Gaps in coverage are responsible for dropped calls, and unavailable service which can potentially create service disruptions and safety concerns to Metrolinx employees and passengers.

In the City of Kawartha Lakes, Metrolinx proposes to use the MTO Patrol Yard for its communication tower.

The proposed tower will help us achieve all the necessary radio communication coverage requirements for the area.

#### **Proposed Site Location**

The Subject Property proposed is the MTO Patrol Yard located at 3818 Boundary Rd.

The geographic coordinates for the site are as follows:

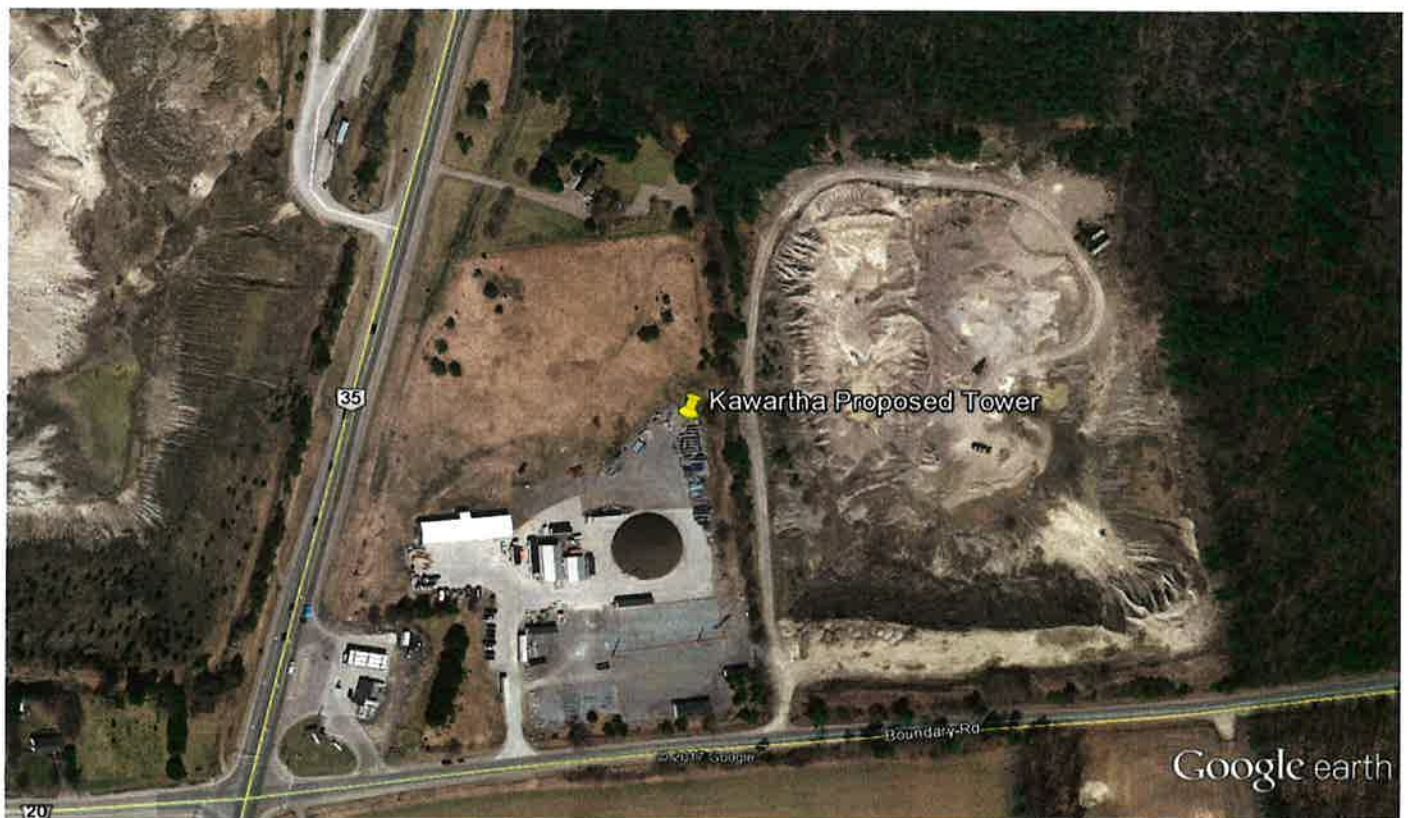
Latitude 44° 4'33.50"N"

Longitude 78°37'22.60"W

Figure 1 – Location Map



Figure 2 – Proposed tower location on the subject property



## Description of the proposed system

As determined by the system engineers, an 80 meter high tripole structure is required to meet the coverage and network requirements.

The site would occupy a secured, fenced off compound area of approximately 15m X 15m.

The compound will also contain a prefabricated equipment shelter of 4.26m X 3.65m and it will contain battery power, maintenance tools and first aid kit.

The installation will also be equipped with a silent alarm system.

The proposed tower site would provide an opportunity to accommodate future technology services as well as potential co-location with other licensed carriers helping reduce the number of future structures in the area, which is encouraged by both, the City of Kawartha Lakes and Innovation, Science and Economic Development (formerly known as Industry Canada). Sharing of its radio sites is a practice that Metrolinx has adopted and continues to encourage.

## Co-location assessment and initial tower location review

Metrolinx makes every effort to locate tower sites where they will be the least visually obtrusive and always makes an initial effort to co-locate on existing structures.

Other potential site locations were evaluated and opportunities to co-locate onto existing structures were investigated. However, the wireless communication structures in the surrounding area are very scarce and were deemed to be inadequate in terms of providing the necessary radio coverage or microwave linking capabilities.

Since there were no suitable alternative structures readily available for co-location to accommodate the network coverage requirements, Metrolinx had to consider the construction of its own installation.

As discussed in the pre-consultation meeting held on August the 10<sup>th</sup> 2017, the tower was initially proposed to be located at the North Clarington GO Bus loop located at the intersection of Hwy 35 and Old Hwy 35 (shown in Figure 3).

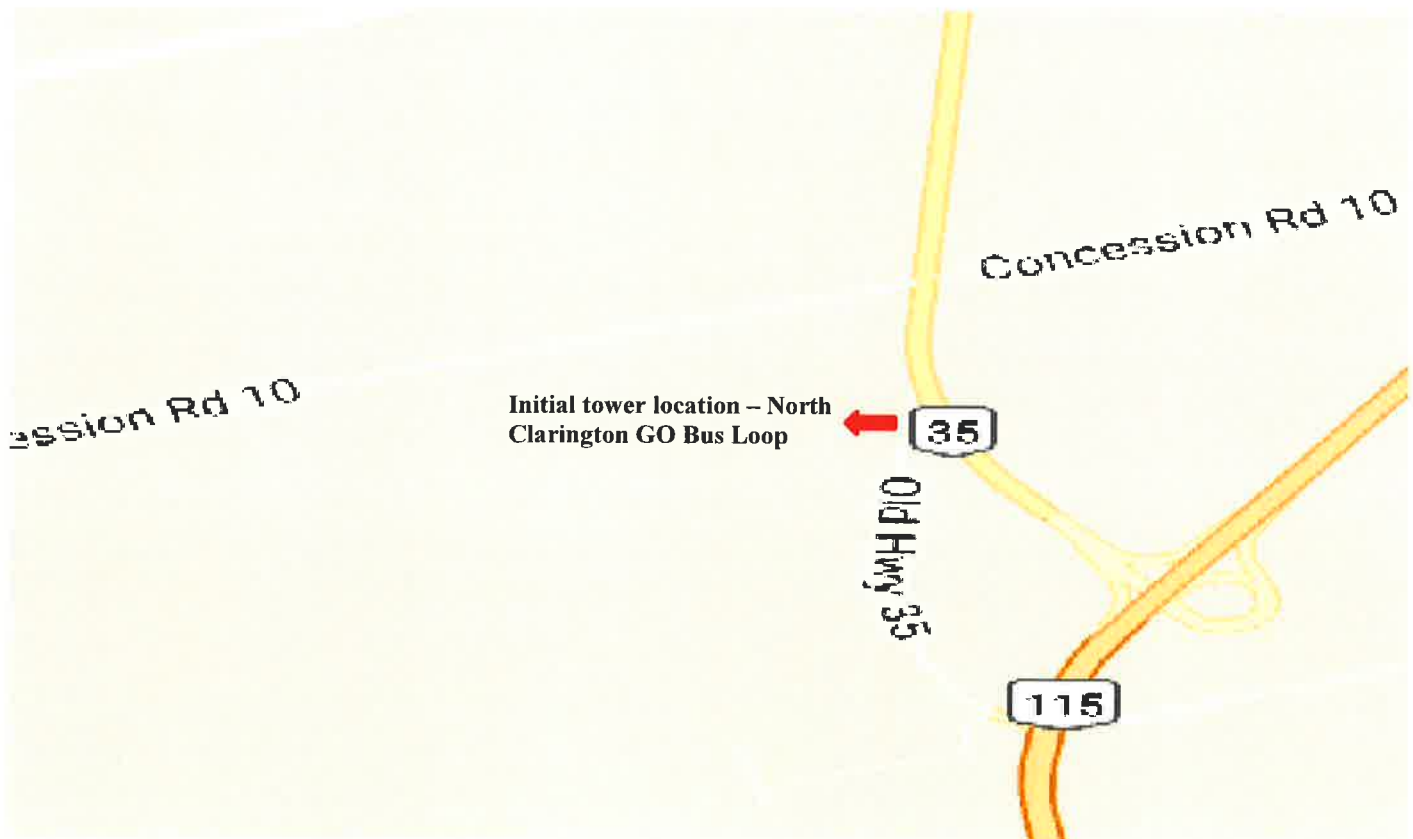
Metrolinx contacted the Municipality of Clarington and requested to start the consultation process for the proposed communication tower.

Shortly after the start of the initial dialogue with the Municipality of Clarington, the MTO requested the relocation of the tower project at the GO Bus loop at Hwy 35 and Old Hwy 35 due to the future highway rehabilitation projects in the area.

MTO proposed the relocation of the Metrolinx tower to their Highway Patrol Yard located approximately 1 KM north at 3818 Boundary Rd in the City of Kawartha Lakes.

Metrolinx then requested from the Municipality of Clarington to cancel the consultation process initiated earlier and contacted the City of Kawartha Lakes to start the consultation for the tower that is now proposed to be within the Kawartha Lakes jurisdiction.

**Figure 3 – Initially proposed tower location at the North Clarington GO Bus Loop**



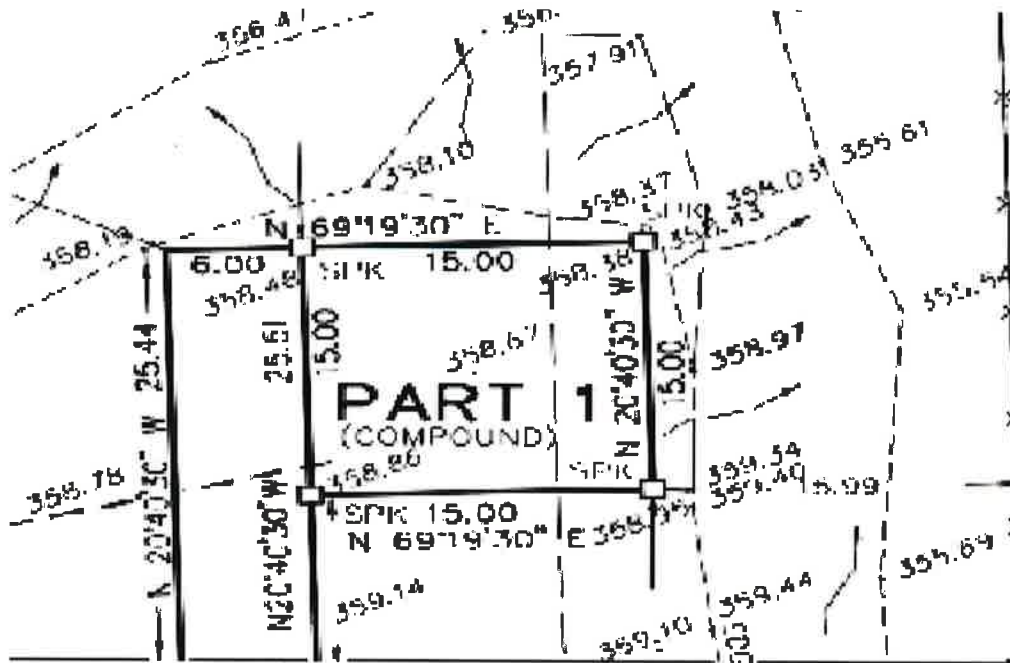
## City of Kawartha Lakes Protocol Requirements

The City of Kawartha Lakes' Antenna Siting Protocol guidelines mandates telecommunications towers to be set back a minimum of 50 metres from Provincial Highways, 30 metres from local roads, and 15 metres from property lines. The setback shall be measured from the base of the tower or the guyed wires, whichever is greater.

The proposed tower compound will have a minimum setback of 15.99 meters from the neighboring property line, 170 meters setback from the local road (Boundary Rd) and 161 meters setback from Highway 35, thus meeting the required setbacks set out in the Protocol.

The included site plan also shows the distance between the compound fence and the neighboring property line.

**Figure 4** illustrates the distance of the proposed compound location to the neighboring property line



Please refer below for a sample of the installation for your reference (Figure 5). An additional package of photo renderings will be attached to this report.





## **Federal Requirements**

In addition to the requirements for consultation with the City of Kawartha Lakes as the Land Use Authority, Metrolinx must also fulfill other important obligations including the following:

## **Engineering Practices**

The radio antenna system as proposed for this site will be constructed in compliance with the **Canadian Standard Association (CSA)** and comply with good engineering practices including structural adequacy.

## **Transport Canada's Aeronautical Obstruction Marking Requirements**

Aeronautical safety is under the exclusive jurisdiction of **NAV Canada** and **Transport Canada**. An important obligation of Metrolinx installations is to comply with **Transport Canada and NAV Canada's** aeronautical safety requirements.

The radio antenna system described in this report will comply with **Transport Canada / NAV Canada** aeronautical safety requirements.

## **Health Canada's Safety Code 6 Compliance**

Radio communication, including the technical aspects related to broadcasting and licensing, falls under the jurisdiction of Innovation, Science and Economic Development Canada (formally Industry Canada), which is mandated to establish standards, rules, policies and procedures. ISED, under this authority, has adopted Health Canada's Safety Code 6 exposure guidelines for the protection of the general public. As such, ISED requires all proponents and operators to ensure that their installations and apparatus comply with the Safety Code 6 at all times.

The wireless communications facility described in this report package will be designed and installed to comply with Health Canada's Safety Code 6 exposure guidelines.

## **Conclusion**

Metrolinx has conducted a thorough and comprehensive investigation of the potential radio site and has determined that a new communication tower is necessary as there are no suitable alternative structures in the vicinity.

Metrolinx was able to ensure that the proposed site location is located in an industrial area and maintains a significant setback from the street, while ensuring that the quality of signal strength is maintained.

We trust you will find this selection in order, however if you have any questions or require further information, please do not hesitate to contact the undersigned.

Tony Mihocas  
Radio Systems Projects  
Metrolinx  
416-553-2496  
tony.mihocas@metrolinx.com

# The Corporation of the City of Kawartha Lakes

## Council Report

Report Number PLAN2018-048

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**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier: Ward 9 – Lindsay**

**Title:** Telecommunication Facility Endorsement Application, Shared Network Canada

**Description:** An application to endorse a proposed 65.0 metre Self-Supported Telecommunication Facility by Shared Network Canada on behalf of 2324784 Ontario Limited

**Author and Title: Ian Walker, Planning Officer – Large Developments**

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### Recommendations:

**That** Report PLAN2018-048, **Telecommunication Facility Application, Shared Network Canada – D44-17-002**, be received;

**That** the proposed 65.0 metre self-supported telecommunication facility proposed by Shared Network Canada on behalf of 2324784 Ontario Limited, to be sited on lands fronting at 388 Angeline Street North and as generally outlined in Appendices A to D to Report PLAN2018-048, be endorsed by Council, conditional upon the applicant entering into a telecommunication facility development agreement with the City;

**That** Industry Canada, the applicant, and all interested parties be advised of Council's decision; and

**That** the Mayor and Clerk be authorized to execute any documents and agreements required by the endorsement of this application.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## Background:

Shared Network Canada has submitted an application to permit a self-supporting telecommunication facility with a height of 65.0 metres (213.3 feet) on a rural property located at 388 Angeline Street North near Lindsay. See Appendix A. A site compound with an area of 400 square metres will house all electrical components and would be enclosed by a fence with electronic monitoring. All equipment will be housed in three separate 9.0 square metre equipment cabinets. The total leased area includes 1,078.1 square metres of the 57.9 hectare property. The access will utilize a new gravel driveway from Thunder Bridge Road to the compound. See Appendix B.

|                    |   |
|--------------------|---|
| Owner:             | 2324784 Ontario Limited   |
| Agent:             | Shared Network Canada   |
| Legal Description: | Part of Lot 26, Concession 5, geographic Township of Ops  |
| Official Plan:     | Prime Agricultural in the City of Kawartha Lakes Official Plan  |
| Zoning:            | Agricultural (A) Zone in the Township of Ops Zoning By-law 93-30  |
| Site Size:         | 1,078.1 square metres consisting of a 400 square metre compound and 678.1 square metre site access lane   |
| Site Servicing:    | A dedicated electrical connection and new driveway are required to service the telecommunication facility.  |
| Existing Uses:     | The property is agricultural in nature.   |
| Adjacent Uses:     | <div>North: Agricultural</div> <div>East: Rural Residential</div> <div>South: Thunder Bridge Road, Agricultural</div> <div>West: Angeline Street North, Rural Residential, Agricultural</div> |

## Rationale:

The telecommunications industry is regulated by the federal government through the Radiocommunication Act, which is primarily administered by Industry Canada and Health Canada. Telecommunications systems are regulated by the federal government, and are therefore not subject to the requirements of Planning Act documents such as official plans or zoning by-laws. However, Industry Canada encourages the development of protocols by Local Land-Use Authorities (the municipality) to ensure that a clear process is established for the consideration of new telecommunications facilities within the community. Where a municipality has adopted a telecommunications policy, the applicant must receive confirmation from the municipality that the proposal complies with their policy, before Industry Canada will issue an approval for the facility.



Council has adopted a telecommunications policy (Telecommunications System Protocol) following the recommended Industry Canada standards for the installation of new telecommunication towers within the City of Kawartha Lakes. The policy provides a set of criteria to ensure that a clear process is established for the consideration of new telecommunications facilities within the community. All applications must be endorsed by Council subject to any necessary conditions, for the applicant to receive an approval.

The applicant has submitted the following reports and information in support of the application, which have been circulated to various City Departments and commenting agencies for review:

1. Site Selection and Justification Report, prepared by Shared Network Canada, dated December 18, 2017. The report discusses and assesses the proposed telecommunication tower in context of the federal legislation and the City's Telecommunications System Protocol.
2. Topographic and Site Layout Design, prepared by J.D. Barnes Limited, dated September 13, 2017.
3. Photo renderings of the proposed telecommunications tower.
4. Public Consultation Summary report dated April 6, 2018.

### **Applicable Provincial Policies:**

While telecommunication systems are a federally-led initiative, the province also recognizes the importance of telecommunications infrastructure and encourages further systems development to meet current and projected service demands in its policy documents, including the Provincial Policy Statement (PPS) and Growth Plan for the Greater Golden Horseshoe (Growth Plan). The proposed telecommunications facility fulfills the objectives of these policies.

### **Official Plan Conformity:**

The property is designated Prime Agricultural in the City of Kawartha Lakes Official Plan. While telecommunication systems are not subject to the requirements of the official plan, the land use policies in this designation permit telecommunications facilities, provided that there is a demonstrated need. Since the applicant has demonstrated that there is a need for this facility, the proposal fulfills the provisions of the land use policies, in accordance with the City's telecommunications policy.

### **Zoning By-law Compliance:**

The subject land is zoned Agricultural (A) Zone in the Township of Ops Zoning By-law 93-30. While telecommunication systems are not subject to the requirements of the zoning by-law, the zoning by-law provides that telecommunication towers shall only be permitted in the Agricultural (A) Zone,

and outside of any environmentally protected zones, which is in accordance with the City's telecommunications policy.

### **Other Alternatives Considered:**

No other alternatives have been taken into consideration.

### **Financial/Operation Impacts:**

There are no financial considerations for the City.

### **Relationship of Recommendations To The 2016-2019 Strategic Plan:**

The Council Adopted Strategic Plan identifies these Strategic Goals:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment

This application aligns with the exceptional quality of life strategic goal in that it provides opportunity to improve the range of telecommunications infrastructure and services provided within the City.

### **Review of Accessibility Implications of Any Development or Policy:**

There are no accessibility considerations for the City.

### **Servicing Implications:**

There are no servicing considerations for the City.

### **Consultations:**

#### Public Comments

The City's Telecommunications Policy requires that the applicant conduct the public consultation and information process as prescribed by Industry Canada. The City's policy requires notification through a local newspaper, and a mailout to all landowners within a minimum notification radius which is the greater of:

- a) 120 metres; or
- b) three times the height of the tower.

Information was mailed to all property owners within 195 metres of the proposed tower with commenting timeframe for 30 days commencing March 6, 2018. A notice was placed in the local Kawartha Lakes This Week newspaper on March 12, 2018 with a commenting timeframe of 30 days.

The applicant provided a copy of the Public Consultation Summary for the City's review. Two neighbours provided comments to the Ward Councillor by email, indicating they have no concerns with the application. A full copy of the consultation summary is contained in Appendix C to this report.

#### Agency Review Comments

The application was circulated to all relevant agencies and City Departments which may have an interest in the application. The following comments have been received to date:

|                |  |
|----------------|--|
| March 6, 2018  | The Building Division advised they have no concerns.   |
| March 7, 2018  | The Engineering and Corporate Assets Department advised that while the proponent has indicated they are exempt from municipal by-laws, the property is in private ownership, therefore the new entrance is subject to By-law 2017-151, to Regulate Access to Municipal Right of Ways.  |
| April 25, 2018 | Hydro One advised they have no concerns with the outlined work. Please comply with the OH&SA limits of approach for energized overhead electrical conductors as outlined in section 186, Construction Regs. The customer/contractor understands and accepts that it is the customer/contractors sole responsibility to ensure that its workers are aware of the dangers of working in the proximity of overhead conductors and that its workers are adequately trained and qualified. In the event you are doing any digging or trenching near our overhead low transmission line please be sure to contact HONI immediately if you are undermining the stability of the pole in anyway. Underground locates for the entire work area will be required prior to any work commencing. To request a locate call Ontario One Call at 1-800-400-2255 or you can submit an e-ticket at <a href="http://www.on1call.com">www.on1call.com</a> . |

#### **Development Services – Planning Division Comments:**

##### Compliance with Telecommunication Tower Siting Criteria

Staff has reviewed the telecommunication facility application and concludes that the proposal complies with the siting criteria in following manner:

- Industry Canada has mandated that communications providers cannot have any dropped calls, given that the system is now being used for 911 or other emergency purposes in addition to personal communications. Given the topography of the area, Shared Network Canada requires a tower height of 65 metres in order to provide its services in accordance

with the Industry Canada standards. The addition of this tower should provide improved service in this area.

- The applicant has investigated the possibility of co-locating other existing telecommunication towers. Since there are no other towers within a 3 kilometre radius, co-location is not an option and a new tower is necessary for technical reasons. The proposed tower structure has been designed to service an existing national carrier, and designed to co-locate all 4 current national carriers, should the need arise. Staff is satisfied that an additional tower is necessary to provide service for the area.
- The proposed tower fulfills all of the necessary setbacks from local roads, property lines, residential areas, and environmentally sensitive areas. Shared Network Canada is not proposing to landscape the enclosure, as it is within the existing agricultural field and a significant distance from any residential uses.
- While the tower will be visible in the skyline, the tri-pole lattice design should not make the tower obtrusive to the view of the area. Appendix B contains a proposed tower and compound plan. The views of the tower are expected to be similar to those contained in Appendix D.

From Staff's perspective, the proposed telecommunication facility fulfills the locational requirements of the City's Telecommunications System Protocol.

#### Tower Lighting

With regard to the lighting, this tower may require painted striping or lighting. Final details of the lighting requirement are not available at this time. Staff would advise that any night lighting should not include white flashing strobe lights.

#### Site Development Agreement

Staff would require that this telecommunications facility be subject to a limited telecommunications facility development agreement with the City. This agreement would secure an approved site plan, lot grading and drainage plan, securities for entrance works and landscaping, and landscaping details as required. The agreement would also include provisions for the removal of the telecommunication facility once it is no longer being used. Staff views this agreement as serving more of an administrative function and therefore would not recommend that this agreement be registered against title.

### **Conclusions:**

In consideration of the comments contained in this report, Staff respectfully recommends that the proposed telecommunications facility application be endorsed by Council, and that the Council Resolution endorsing the proposal be forwarded to Industry Canada.

## Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Ian Walker, Planning Officer – Large Developments, (705) 324-9411 extension 1368.

### Appendix A – Location Map



PLAN2018-048  
Appendix A.pdf

### Appendix B – Proposed Site Plan



PLAN2018-048  
Appendix B.pdf

### Appendix C – Summary of Public Consultation



PLAN2018-048  
Appendix C.pdf

### Appendix D – Site Selection Report and Photo Renderings



PLAN2018-048  
Appendix D.pdf

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**Department Head E-Mail:** [cmarshall@kawarthalakes.ca](mailto:cmarshall@kawarthalakes.ca)

**Department Head:** Chris Marshall, Director, Development Services

**Department File:** D44-17-002

D44-17-002

FILE NO. D44-17-002

Geographic Township of Ops

Lot 27

Lot 26

**SUBJECT LAND**  
(388 Angeline St. North)

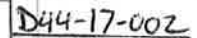
Angeline Street North

cell tower  
location

access

Thunder Bridge Road

Concession 5





April 6<sup>th</sup>, 2018

Ian Walker, Planning Officer – Large Development  
Planning Division, Development Services Department  
City of Kawartha Lakes  
180 Kent Street West  
Lindsay, ON K9V 2Y6  
[iwalker@kawarthalakes.ca](mailto:iwalker@kawarthalakes.ca)

**Re: Proposed Telecommunication Tower, 388 Angeline Street North, Former Township of Ops, File # D38-17-079, SNC File #0123**

On behalf of Shared Network Canada (SNC), and as set out in the Government of Canada CPC-2-0-03 – Radiocommunication and Broadcasting Antenna Systems, I provide a formal request for a letter of concurrence pertaining to the above noted proposed telecommunication tower.

I confirm that a public notice appeared in "Kawartha This Week" the week of March 12<sup>th</sup>, 2018 and a Public Information Package was provided by mail on March 6, 2018 to recipients within the prescribed notification radius of the proposed 65m Self Supported Tower.

No written questions, comments or concerns to the formal notification were received with the 30-day public comment period, except 2 informal emails to the Ward Councillor in support of the project.

At this time, to conclude the municipal and public consultation process, SNC is respectfully requesting that the City of Kawartha Lakes issues a statement of concurrence.

We look forward to providing enhanced wireless services to residents, businesses and visitors to the area.

Please contact me if you require additional information.

Yours Truly,



Tracey Pilon-Abbs, RPP  
Planning Consultant  
[tracey@sharednetwork.ca](mailto:tracey@sharednetwork.ca)  
ph. 519-776-9214

## Ian Walker

---

**From:** Isaac Breadner  
**Sent:** Friday, March 09, 2018 8:29 AM  
**To:** Ian Walker  
**Subject:** Fwd: ANC telecommunications proposal

**Categories:** Telecom

APPENDIX " C "  
to 2/4  
REPORT PLAN 2018-048  
FILE NO. D44-17-002

Comments for the cell tower proposal at 388 Angeline st north.

Isaac

Sent from my iPhone

Begin forwarded message:

**From:** Anne Patterson <anepatterson02@gmail.com>  
**Date:** March 8, 2018 at 4:54:51 PM EST  
**To:** <ibreadner@kawarthalakes.ca>  
**Subject:** ANC telecommunications proposal

Hi Isaac,

My husband and I live at 357 Angeline St N and our neighbours the Pretty's forwarded your PDF concerning the Cell Tower.

After reading it, researching health effects, and discussing with my husband, I felt you might want some feedback. From our perspective, we see it overall as a positive development for the area and as there are negligible health effects, we have no objections.

Is the planning department aware that there are hydro lines close by (in the same field), following the old rail bed diagonally into town? It is not shown on the map. I couldn't find anything on interference between the two utilities, but thought that might be a consideration to check on.

I also forwarded the PDF to a member of the Mackey family, who still own the fields surrounding the Pretty house, and across Thunder Bridge Road from the proposed tower.

I will also take this opportunity to thank you for your service as a councillor. I know there are many many hours involved and we appreciate your representation.

Sincerely,  
Anne Patterson

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Origin: <https://www.kawarthalakes.ca/en/municipal-services/contact-a-council-member.aspx>

## Ian Walker

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**From:** Isaac Breadner  
**Sent:** Monday, March 19, 2018 2:33 PM  
**To:** Ian Walker  
**Subject:** Fwd: Cell tower proposal for 388 Angeline st north

**Categories:** Telecom

APPENDIX " C "  
to 3/4  
REPORT PLAN 2018-048  
FILE NO. D44-17-002

Another response for the cell tower.

Isaac

Sent from my iPhone

Begin forwarded message:

**From:** Caley Ferguson <[caley@northerncasket.com](mailto:caley@northerncasket.com)>  
**Date:** March 19, 2018 at 2:26:45 PM EDT  
**To:** Isaac Breadner <[ibreadner@kawarthalakes.ca](mailto:ibreadner@kawarthalakes.ca)>  
**Subject:** Re: Cell tower proposal for 388 Angeline st north

Sure

Cheers,

Caley Ferguson

President, Northern Casket, North Um Ltd, Nul Logic Products Inc.  
800 461 1428

[caley@northerncasket.com](mailto:caley@northerncasket.com)

Sent from my cell.

On Mar 19, 2018, at 2:25 PM, Isaac Breadner <[ibreadner@kawarthalakes.ca](mailto:ibreadner@kawarthalakes.ca)> wrote:

Ok great thanks is it ok if I send your response to the planner.

Isaac

Sent from my iPhone

On Mar 19, 2018, at 2:13 PM, Caley Ferguson  
<[caley@northerncasket.com](mailto:caley@northerncasket.com)> wrote:

I haven't seen a letter from anyone yet but I don't have any issues.

Cheers,

APPENDIX " C "  
to 4/4  
REPORT PLAN 2018-048  
FILE NO. D44-17-002

-----Original Message-----

From: Isaac Breadner [<mailto:ibreadner@kawarthalakes.ca>]  
Sent: March-06-18 12:53 PM  
To: Caley Ferguson  
Subject: Cell tower proposal for 388 Angeline st north

Caley,

Let me know what questions you have we will need to get all the concerns we have into them before March 26th is the date they've said to me in the letter. Share this with any neighbours there too I don't have everyone's contact info but they have assured me a letter will be sent.

Thanks,

Isaac

Sent from my iPhone

Begin forwarded message:

From: Andrea Stevens  
<[astevens@kawarthalakes.ca](mailto:astevens@kawarthalakes.ca)<<mailto:astevens@kawarthalakes.ca>>>  
Date: March 6, 2018 at 12:29:55 PM EST  
To: Isaac Breadner  
<[ibreadner@kawarthalakes.ca](mailto:ibreadner@kawarthalakes.ca)<<mailto:ibreadner@kawarthalakes.ca>>>  
Subject: FW: Attached Image

Andrea Stevens

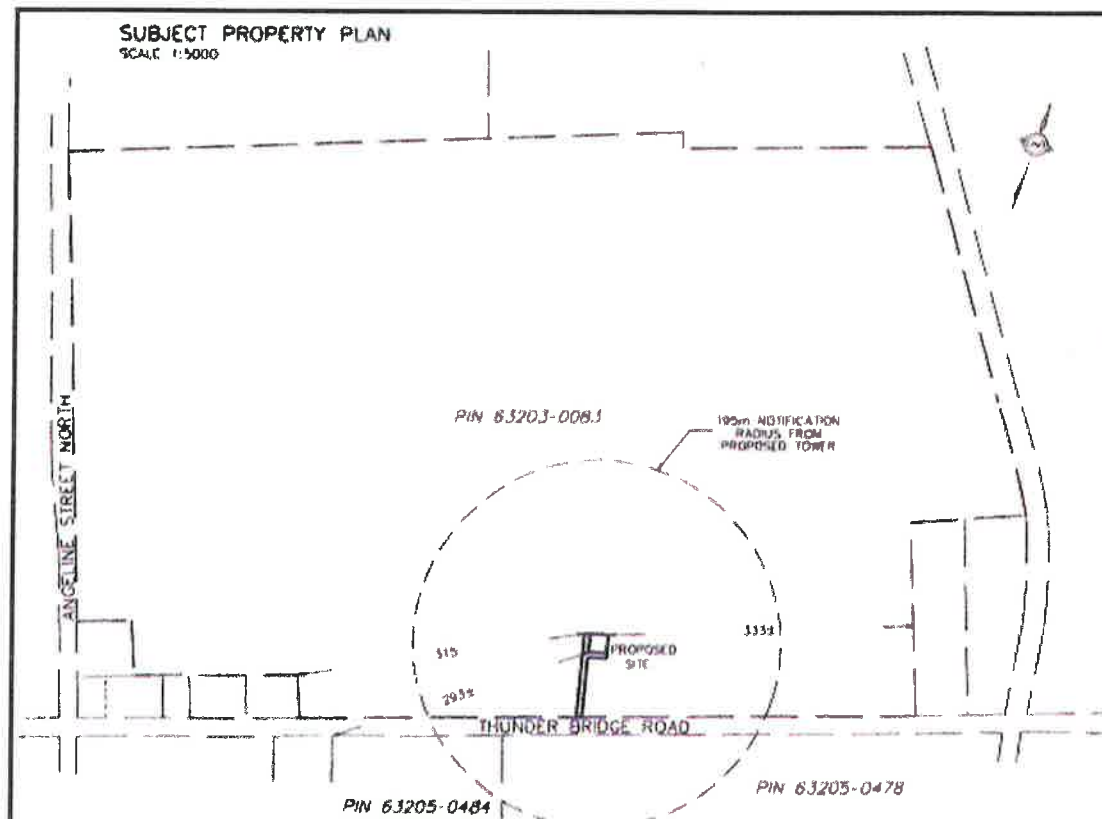
December 18, 2017

Ian Walker, Planning Officer – Large Development  
Planning Division, Development Services Department  
City of Kawartha Lakes  
180 Kent Street West  
Lindsay, ON K9V 2Y6

**Re: Proposed Telecommunication Tower, 388 Angeline Street North, Former Township of Ops, File # D38-17-079, SNC File #0123**

### Introduction:

Shared Network Canada (SNC) is proposing a telecommunications tower installation at 388 Angeline Street North in the former Township of Ops in the City of Kawartha Lakes (see location of Site on the Subject Property Plan below).



The proposed structure is a 65m tall self supported tower, situated within a proposed 20m x 20m fenced compound. Access to the site will be from Thunder Bridge Road.

**Pre-consultation Comments:**

The application fee of \$2,163.00 is enclosed along with a signed survey to confirm landlord authorization and an electronic copy of this submission.

Further to your Pre-consultation Comments dated November 14, 2017, I provide the following;

1. Planning Department

- The City's approved Telecommunication System Protocol has been reviewed.
- The justification report is included in this cover letter along with the site plan and the additional required information.
- Please note that stamped engineered drawings are not a requirement of Industry Canada, until after concurrence is received (section 5.02 e of the City Protocol).
- Lot grading/drainage plan can be completed; however it is the position of SNC to undertake submission as part of a condition of concurrence.

2. Engineering and Corporate Assets Department

- Industry Canada is exempt from the requirement of an entrance permit.

**Justification:**

The tower location has been situated based on the anticipated current and future network improvement needs of the wireless telecommunication companies. Approval of this tower location would force carriers to collocate upon the tower instead of constructing their own, single carrier installations.

The tower height and compound size will accommodate multiple wireless service providers, including licensed cellular carriers. As of the date of this application, an incumbent national carrier has expressed interest in collocating on the proposed tower. The tower is being designed to accommodate equipment from Rogers, Bell, Telus and Freedom Mobile, including space for their radio equipment cabinets within the fenced compound at the tower base.

Space on the tower will also be made available for any fixed wireless Internet tenants, as well as for municipal/public communication equipment purposes, hence the required tower height.

## Coverage Objective

The proposed installation is designed to improve wireless services in the surrounding area of the site.

The coverage of the service depends mainly on the carriers, their antennas and technology they choose to use.

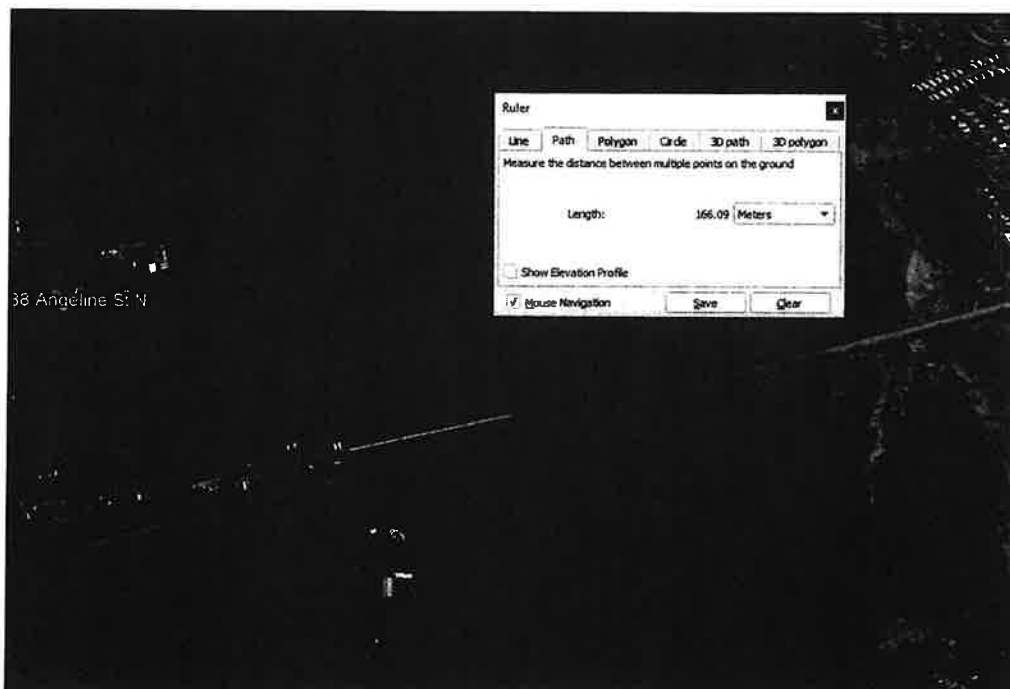
## Site Selection / Land Use Considerations

SNC has identified the property outside the urban boundaries of the area targeted for improved coverage.

The proposed tower location will enable delivery of signal into the surrounding area while maximizing setbacks from current and future residential property lines to the extent possible, and minimizing visibility of the site from highly trafficked roadways.

In addition, the property is agricultural and is suitable for a tower installation. No alternative properties were considered, as this was deemed to be the most suitable for the installation given its current use.

There are no residential zoned properties in the immediate area of the subject property (red dot). The nearest residential property line to the proposed facility is a rural residential lot approximately 166.09m to the west (see aerial photograph below).





Setbacks from Existing Tower Sites / Co-location Opportunities FILE NO. D44-17-002

Before proposing a new telecommunication tower, SNC reviewed the location of existing telecommunication installations.

The closest existing tower to the proposed SNC0123 facility (blue circle on the map below) is a Bell tower (site code W1821) located on Mount Hope Street, approximately 3.4 km to the southeast (red circle below) at a peak height of 44.37m.



There are no existing structures available in the immediate vicinity of the proposed tower to provide a co-location alternative to a new tower.

The proposed tower will be engineered specifically to accommodate co-location by multiple service providers / as many carries interested. Specifically, this tower will be able to accommodate all 4 national incumbents as well as other ISPs and municipal services that would benefit from this location.

Compound space at the base of the tower has been designed for the typical equipment cabinet / shelter sizes of the major wireless service. If more space is required, it will be upon request.

### Design

A steel self supported tower design is proposed at this location. Paint colour and lightning protection system is subject to Nav Canada requirements.

Designs, in most cases, make co-location of 2 or more carriers troublesome where in most cases we have found it would require further tower reinforcement to support the shroud and extra equipment required by the incoming carrier.

044-17-002

The tower design has been selected to provide maximum co-location potential with a relatively small footprint and limited visual impact on the immediate surroundings.

The proposed design allows views through the tower, minimizing its profile against the sky. It is also a compatible design with the agricultural character of its immediate area.

The following are pictures of the proposed site:



North View at proposed entrance

FILE NO. D44-17-002



North View



East View





West View

### Control of Public Access

The site facility proposes to locate the radio equipment within a 20m x 20m fenced compound that is electronically monitored.

### Health Canada's Safety Code 6 Compliance

Health Canada's role is to protect the health of Canadians, so it is the Department's responsibility to research and investigate any possible health effects associated with exposure to electromagnetic energy, such as that coming from cell phones and base stations.

Health Canada has developed guidelines for safe human exposure to Radio Frequency (RF) energy, which are commonly known as Safety Code 6. Safety Code 6 has been adopted by Industry Canada and is included in their regulatory documents on radio communication licensing and operational requirements. Industry Canada requires all proponents and operators to ensure that their installations and apparatus comply with the Safety Code 6 at all times.

SNC attests that the radio antenna system will comply with Health Canada's Safety Code 6 limits, as may be amended from time to time, for the protection of the general public including any combined effects of additional carrier co-locations and nearby installations within the local radio environment. For more information on Safety Code 6, please visit the following Health Canada site: [www.healthcanada.gc.ca/radiation](http://www.healthcanada.gc.ca/radiation).

## Canadian Environmental Assessment Act

SNC attests that the radio antenna system located by its tenants will comply with the Canadian Environmental Assessment Act, as the facility is exempt from review.

The proposed location creates no impact on area environmental features. It is located on an already disturbed area of an existing agricultural use. No trees or vegetation is being removed to accommodate the installation.

## Transport Canada's Aeronautical Obstruction Marking Requirements

SNC attests that the radio antenna system placed by its tenants will comply with Transport Canada / NAV CANADA aeronautical safety requirements. When Transport Canada / NAV Canada have determined if any aeronautical safety features are required for the installation, such information will be provided to the Municipality.

For additional detailed information, please consult Transport Canada at:

<http://www.tc.gc.ca/eng/civilaviation/regserv/cars/part6-standards-standard621-512.htm>

## Engineering Practices

SNC attests that the telecommunications structure as proposed for this site will be constructed in compliance with the Canadian Standard Association (CSA), and comply with good engineering practices including structural adequacy.

## Contact Information

As a representative of SNC, you can contact me at the following:

Tracey Pillon-Abbs  
c/o Shared Network Canada  
275 Macpherson Ave, Unit 103  
Toronto, ON M4V 1A4  
p. (519) 776-9214 c. (226) 340-1232  
[tpillonabbs@gmail.com](mailto:tpillonabbs@gmail.com)

## Municipal Consultation Process

SNC builds and operates shared wireless telecommunications infrastructure, designed to ensure that service providers can address their customers' needs in the most efficient manner. As a federal undertaking, SNC is required by Industry Canada to consult with land-use authorities in siting telecommunication infrastructure locations.

The consultation process established under Industry Canada's authority is intended to allow the local land-use authorities the opportunity to address land-use concerns while respecting the federal government's exclusive jurisdiction over the siting and operation of wireless and data systems. SNC welcomes comments from the municipality and its agencies to address any expressed comments that are deemed relevant by Industry Canada's CPC-2-0-03 Issue 5.

## Industry Canada's Spectrum Management

FILE NO. D44-17-002

Please be advised that the approval of this site and its design is under the exclusive jurisdiction of the Government of Canada through Industry Canada. SNC is participating in this consultation in accordance with Industry Canada's guidelines CPC-2-O-03 Issue 5.

For more information on Industry Canada's public consultation guidelines including CPC-2-O-03 contact <http://www.ic.gc.ca/epic/site/smt-gst.nsf/en/sf08777e.html> or the local Industry Canada office:

Industry Canada, Spectrum Management  
Toronto District Office  
151 Yonge Street, 4<sup>th</sup> Floor  
Toronto, ON M5C 2W7  
Telephone: 1-855-465-6307

Email: [ic.spectrumtoronto-spectretoronto.ic@canada.ca](mailto:ic.spectrumtoronto-spectretoronto.ic@canada.ca)

General information relating telecommunication is available on Industry Canada's Spectrum Management and Telecommunications website:

<http://www.ic.gc.ca/epic/site/smt-gst.nsf/en/home>

## Conclusion

SNC sustains that the proposed site is ideally located to address and improve wireless voice and data services.

The proposed site is also situated and designed to minimise impacts on surrounding land uses, as the proposed tower aims to accommodate multiple wireless carrier equipment. It will also minimize the need for multiple additional tower infrastructures in the area in the future.

SNC looks forward to working with the City of Kawartha Lakes in providing improved wireless services in the area.

In order to proceed with the Public Information Session (PIS), I will require labels for the abutting land owner mailing list within the required time frame, set out in the City Telecommunication protocol.

Please contact me if you require additional information.

Yours Truly,

  
Tracey Pilon-Abbs, RPP  
Planning Consultant

ENCL













# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number PLAN2018-049**

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**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier: Ward 3 – Somerville**

**Title:** Telecommunication Facility Endorsement Application, SBA Canada, ULC

**Description:** An application to endorse a proposed 75.0 metre Guyed Wire Telecommunication Facility by The Biglieri Group Ltd. on behalf of SBA Canada, ULC

**Author and Title: Ian Walker, Planning Officer – Large Developments**

---

### **Recommendations:**

**That** Report PLAN2018-049, **Telecommunication Facility Application, SBA Canada, ULC – D44-2018-001**, be received;

**That** the proposed 75.0 metre guyed wire telecommunication facility proposed by The Biglieri Group Ltd. on behalf of SBA Canada, ULC, to be sited on lands fronting at 2876 CKL Road 121 and as generally outlined in Appendices A to D to Report PLAN2018-049, be endorsed by Council, conditional upon the applicant entering into a telecommunication facility development agreement with the City;

**That** Industry Canada, the applicant, and all interested parties be advised of Council's decision; and

**That** the Mayor and Clerk be authorized to execute any documents and agreements required by the endorsement of this application.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## Background:

The Biglieri Group Ltd. has submitted an application on behalf of SBA Canada, ULC to permit a guyed wire telecommunication facility with a height of 75.0 metres (246 feet) on a rural property located at 2876 CKL Road 121 near Burnt River. See Appendix A. A site compound with an area of 612 square metres will house all electrical components and would be enclosed by a chainlink fence with a locked gate. All equipment will be housed in an equipment cabinet located inside the compound. The total leased area includes 4,053 square metres of the 79.1 hectare property. The access will utilize the existing gravel driveway to the existing dwelling and agricultural buildings, with an extension to the compound.

|                    |  |
|--------------------|--|
| Owner:             | Marshall Dudman  |
| Agent:             | The Biglieri Group Ltd. on behalf of SBA Canada, ULC   |
| Legal Description: | Part of Lot 5, Concession 6, geographic Township of Somerville   |
| Official Plan:     | Rural in the City of Kawartha Lakes Official Plan  |
| Zoning:            | Rural General (RG) Zone in the Township of Somerville<br>Zoning By-law 78-45   |
| Site Size:         | 4,053 square metres consisting of a 612 square metre compound and 3,441 square metre site access lane                                |
| Site Servicing:    | A dedicated electrical connection and driveway extension are required to service the telecommunication facility.                     |
| Existing Uses:     | Portions of the property are used for agriculture.   |
| Adjacent Uses:     | North: CKL Road 121, Agricultural, Forest<br>East: Agricultural, Forest<br>South: Vacant Rural, Forest<br>West: Agricultural, Forest |

## Rationale:

The telecommunications industry is regulated by the federal government through the Radiocommunication Act, which is primarily administered by Industry Canada and Health Canada. Telecommunications systems are regulated by the federal government, and are therefore not subject to the requirements of Planning Act documents such as official plans or zoning by-laws. However, Industry Canada encourages the development of protocols by Local Land-Use Authorities (the municipality) to ensure that a clear process is established for the consideration of new telecommunications facilities within the community. Where a municipality has adopted a telecommunications policy, the applicant must receive confirmation from the municipality that the proposal complies with their policy, before Industry Canada will issue an approval for the facility.

Council has adopted a telecommunications policy (Telecommunications System Protocol) following the recommended Industry Canada standards for the installation of new telecommunication towers within the City of Kawartha Lakes. The policy provides a set of criteria to ensure that a clear process is established for the consideration of new telecommunications facilities within the community. All applications must be endorsed by Council subject to any necessary conditions, for the applicant to receive an approval.

The applicant has submitted the following reports and information in support of the application, which have been circulated to various City Departments and commenting agencies for review:

1. Site Selection and Justification Report, prepared by The Biglieri Group Ltd., dated January 2018. The report discusses and assesses the proposed telecommunication tower in context of the federal legislation and the City's Telecommunications System Protocol.
2. Topography and Site Layout Design, prepared by J.D. Barnes Limited, dated May 13, 2016.
3. Photo renderings of the proposed telecommunications tower.
4. Public Consultation Summary email dated May 3, 2018.

### **Applicable Provincial Policies:**

While telecommunication systems are a federally-led initiative, the province also recognizes the importance of telecommunications infrastructure and encourages further systems development to meet current and projected service demands in its policy documents, including the Provincial Policy Statement (PPS) and Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan). The proposed telecommunications facility fulfills the objectives of these policies.

### **Official Plan Conformity:**

The property is designated Rural in the City of Kawartha Lakes Official Plan. While telecommunication systems are not subject to the requirements of the official plan, the land use policies in this designation permit telecommunications facilities, provided that there is a demonstrated need. Since the applicant has demonstrated that there is a need for this facility, the proposal fulfills the provisions of the land use policies, in accordance with the City's telecommunications policy.

### **Zoning By-law Compliance:**

The subject land is zoned Rural General (RG) Zone in the Township of Somerville Zoning By-law 78-45. While telecommunication systems are not subject to the requirements of the zoning by-law, the RG zone provides that

infrastructure and utilities are permitted uses, in accordance with the City's telecommunications policy.

### **Other Alternatives Considered:**

No other alternatives have been taken into consideration.

### **Financial/Operation Impacts:**

There are no financial considerations for the City.

### **Relationship of Recommendations to the 2016-2019 Strategic Plan:**

The Council Adopted Strategic Plan identifies these Strategic Goals:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment

This application aligns with the exceptional quality of life strategic goal in that it provides opportunity to improve the range of telecommunications infrastructure and services provided within the City.

### **Review of Accessibility Implications of Any Development or Policy:**

There are no accessibility considerations for the City.

### **Servicing Implications:**

There are no servicing considerations for the City.

### **Consultations:**

#### Public Comments

The City's Telecommunications Policy requires that the applicant conduct the public consultation and information process as prescribed by Industry Canada. The City's policy requires notification through a local newspaper, and a mailout to all landowners within a minimum notification radius which is the greater of:

- a) 120 metres; or
- b) three times the height of the tower.

Information was mailed to all property owners within 225 metres of the proposed tower with commenting timeframe from March 22, 2018 until April 23, 2018. A notice was placed in the local Kawartha Lakes This Week, Peterborough This Week, and Bobcaygeon Promoter newspapers on March 22, 2018.



The applicant provided a copy of the Public Consultation Summary email for the City's review. One neighbour provided comments to the City by voicemail, indicating they had no concerns if the proposed tower is located on the east side of the property. A full copy of the consultation summary is contained in Appendix C to this report.

### Agency Review Comments

The application was circulated to all relevant agencies and City Departments which may have an interest in the application. The following comments have been received to date:

|                |  |
|----------------|--|
| March 5, 2018  | The Building Division advised they have no concerns.   |
| March 7, 2018  | The Engineering and Corporate Assets Department advised there is a requirement for the proponent to confirm any existing entrance and/or proposed entrance with Public Works Roads Operations staff for compliance with the City's By-law 2017-151, to Regulate Access to Municipal Right of Ways. |
| April 23, 2018 | Hydro One advised they have no objections or concerns with the proposed tower.   |

## **Development Services – Planning Division Comments:**

### Compliance with Telecommunication Tower Siting Criteria

Staff has reviewed the telecommunication facility application and concludes that the proposal complies with the siting criteria in following manner:

- Industry Canada has mandated that communications providers cannot have any dropped calls, given that the system is now being used for 911 or other emergency purposes in addition to personal communications. Given the topography of the area, SBA Canada, ULC requires a tower height of 75 metres with a lightning rod at the top, totaling a height of 77 metres in order to provide its services in accordance with the Industry Canada standards. The addition of this tower should provide improved service in this area.
- The applicant has investigated the possibility of co-locating other existing telecommunication towers. Since there are few towers in the area, and no other towers within a 1.0 kilometre radius, co-location is not an option and a new tower is necessary for technical reasons. The proposed tower structure has been designed to allow other carriers to co-locate in the future, should the need arise. Staff is satisfied that an additional tower is necessary to provide service for the area.
- The proposed tower fulfills all of the necessary setbacks from local roads, property lines, residential areas, and environmentally sensitive areas. SBA Canada, ULC is proposing to landscape one side of the enclosure, due to

the location of existing vegetation nearby and the distance from the municipal road.

- While the tower will be visible in the skyline, the guyed wire design should not make the tower obtrusive to the view of the area. Appendix B contains a proposed tower and compound plan. The views of the tower are expected to be similar to those contained in the Site Selection and Justification Report. See Appendix D.

From Staff's perspective, the proposed telecommunication facility fulfills the locational requirements of the City's Telecommunications System Protocol.

#### Tower Lighting

With regard to the lighting, this tower may require painted striping or lighting. Final details of the lighting requirement are not available at this time. Staff would advise that any night lighting should not include white flashing strobe lights.

#### Site Development Agreement

Staff would require that this telecommunications facility be subject to a limited telecommunications facility development agreement with the City. This agreement would secure an approved site plan, lot grading and drainage plan, securities for entrance works and landscaping, and landscaping details as required. The agreement would also include provisions for the removal of the telecommunication facility once it is no longer being used. Staff views this agreement as serving more of an administrative function and therefore would not recommend that this agreement be registered against title.

### **Conclusions:**

In consideration of the comments contained in this report, Staff respectfully recommends that the proposed telecommunications facility application be endorsed by Council, and that the Council Resolution endorsing the proposal be forwarded to Industry Canada.

### **Attachments:**

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Ian Walker, Planning Officer – Large Developments, (705) 324-9411 extension 1368.

#### Appendix A – Location Map



PLAN2018-049  
Appendix A.pdf

## Appendix B – Proposed Site Plan



PLAN2018-049  
Appendix B.pdf

## Appendix C – Summary of Public Consultation



PLAN2018-049  
Appendix C.pdf

## Appendix D – Site Selection Report



PLAN2018-049  
Appendix D.pdf

---

**Department Head E-Mail:** [cmarshall@kawarthalakes.ca](mailto:cmarshall@kawarthalakes.ca)

**Department Head:** Chris Marshall, Director, Development Services

**Department File:** D44-2018-001

D44-2018-001

## Geographic Township of Somerville

Concession 7

Lot 5

Kawartha Lakes Rd. 121

Concession 6

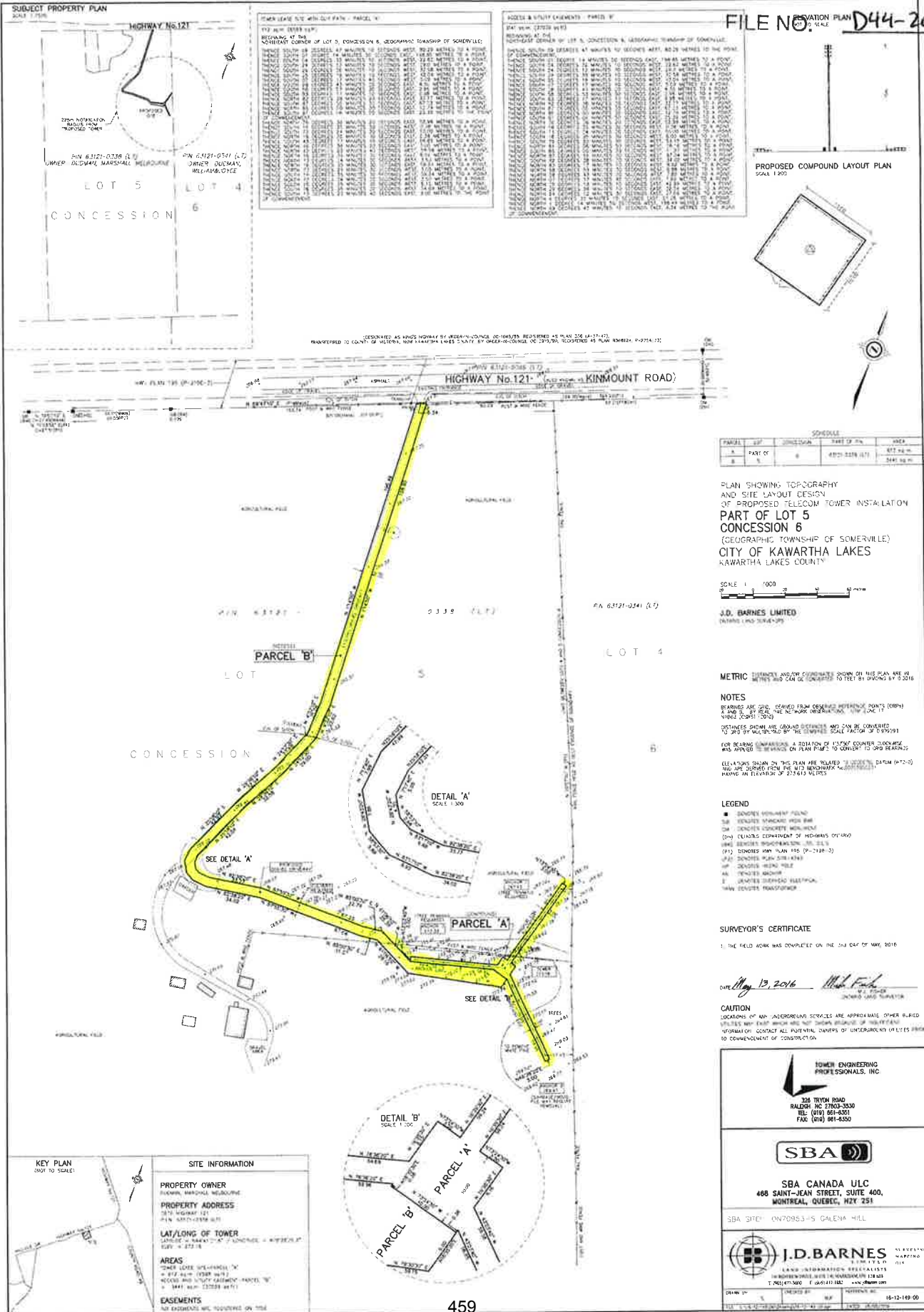
Lot 6

access

cell tower location

Lot 4

**SUBJECT LAND**  
(2876 K.L. Rd. 121)



**Ian Walker**

**From:** Brayden Libawski <blibawski@thebiglierigroup.com>  
**Sent:** Thursday, May 03, 2018 5:28 PM  
**To:** Ian Walker  
**Subject:** Re: 15357 - Galena Hill Public Consultation - 2876 County Road 121, City of Kawartha Lakes  
**Categories:** Telecom

FILE NO. D44-2018-001

Hello Ian,

We would like to advise you that we have not received any formal comments regarding the proposed telecommunication tower development.

In response to Wayne Taylor, the proposed telecommunication tower is located on the east side of 2876 CKL Road 121.

Regards,  
Brayden Libawski

On Mon, Apr 30, 2018 at 12:00 PM, Ian Walker <iwalker@kawarthalakes.ca> wrote:

Hi Brayden:

Just Wayne Taylor of 2776 CKL Road 121 phoned me on March 26, 2018 to inquire as to the location on the lot. He indicated he is the abutting landowner on the west side, and had no issues if the tower is located on the east side of 2876 CKL Road 121. I left him a voice message on the same day indicating the location of the tower. I've had no other inquiries.

Regards,

**Ian Walker, BSc.**

Planning Officer – Large Developments, Development Services – Planning Division

[iwalker@kawarthalakes.ca](mailto:iwalker@kawarthalakes.ca)

@kawarthalakes

[www.kawarthalakes.ca](http://www.kawarthalakes.ca)

City of Kawartha Lakes

180 Kent Street West, 2<sup>nd</sup> Floor, Lindsay, ON Canada K9V 2Y6

Phone: 705 324 9411 extension 1368

Fax: 705 324 4027

APPENDIX " C  
to 212  
REPORT PLAN2018-049  
FILE NO. D44-2018-001

This message, including any attachments, is privileged and intended only for the addressee(s) named above. If you are not the intended recipient, you must not read, use or disseminate the information contained in this E-mail. If you have received this E-mail transmission in error, please notify the sender immediately by telephone, fax or E-mail and permanently delete this E-mail from your computer, including any attachments, without making a copy. Access to this E-mail by anyone else is unauthorized. Thank you.

**From:** Brayden Libawski [mailto:[blibawski@thebiglierigroup.com](mailto:blibawski@thebiglierigroup.com)]

**Sent:** Monday, April 30, 2018 11:33 AM

**To:** Ian Walker

**Subject:** 15357 - Galena Hill Public Consultation - 2876 County Road 121, City of Kawartha Lakes

Hello Ian,

I hope my email finds you well after the weekend!

I am looking to touch base with you regarding 2876 County Road 121 and the Public Consultation for the proposed telecommunication tower development. Have you received any formal comments from residents?

Kind regards,

--

Brayden Libawski, MSc.Pl.

Planner





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# 1.0

## INTRODUCTION

The Biglieri Group Ltd. ("TBG") has been retained by SBA Canada ("SBA") to coordinate the planning applications and approvals necessary to permit the proposed communication tower at 2876 Highway 121 in the City of Kawartha Lakes.

Wireless services, such as mobile phones and broadcasting, are increasingly consumed by and are important to Canadians. These services are used daily by consumers, businesses, police, fire fighter and ambulance services, as well as all levels of government, air navigation systems and national defence.

For wireless systems to work effectively and meet increasing demand, antenna systems are required to be installed on towers or similar structures in order to provide coverage and deliver the services needed by consumers in a given area. Innovation, Science and Economic Development Canada, the Federal Government department which regulates the deployment of antenna systems, including communication towers, encourages the building of multi-tenant towers and antenna site sharing. SBA's business is built on sharing.

As Canada's focused and independent tower company, SBA promotes its towers and sites to all radio network users, including mobile phone operators, broadcasters, police services, utilities and municipalities. SBA is committed to bringing customers the very best in tower and antenna site services. They operate in accordance with all applicable policies, work hard to maintain effective community liaisons, and work closely with all stakeholders in the siting process.

There is ever-growing consumer demand for wireless products in Canada. Additional mobile operators are bringing attractive new choices for consumers, and new technologies that allow for a

richer "high speed" wireless experience. To support these new and improved services, additional antenna sites and communications facilities are often necessary at specific geographical locations. SBA is continually seeking to augment their portfolio in order to provide quality antenna site services to wireless operators, who in turn can introduce or improve their network capabilities for the benefit of a community's residents and businesses.

SBA has identified the area surrounding the intersection of Highway 121 and Highway 49 in the City of Kawartha Lakes as an area in need of new wireless infrastructure in order to support the requirements for improved service for mobile service providers. TBG, on behalf of SBA, has worked to identify an acceptable tower location that will provide improved wireless coverage. This Report will provide further information about the Site Selection process, SBA's proposed tower design and compliance to general requirements.



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# 2.0

## JURISDICTION

The Federal Government has exclusive jurisdiction over the installation or modification of antenna systems in Canada. Wireless communications and broadcast operators in Canada are licensed by the Department of Innovation, Science and Economic Development Canada. Innovation, Science and Economic Development Canada is the approval authority for proposed communication facilities through the exclusively federal jurisdiction vested in the Radiocommunications Act Section 5(1) (a) (i.1).

Typically, the Provinces have devolved land-use matters and responsibility to the local level through municipal governments. Radiocommunications facilities are considered a federal undertaking as they are authorized under the federal Radiocommunications Act and overseen by the Minister of Innovation, Science and Economic Development. However, proponents of telecommunications towers must still comply with both Provincial and Federal regulations. Local Land-Use Authorities (LUAs) follow a different review process for radiocommunications facilities than is used for other development proposals. Proponents are required to consult with local municipalities in the siting process to determine LUA-specific requirements.

The legislative requirement to Land-Use Authority participation and consultation can be found in Innovation, Science and Economic Development Canada's document, Client Procedure Circular (CPC), Radiocommunication and Broadcasting Antenna Systems CPC-2-0-03, Issue 5, dated July 15, 2014. The purpose of consultation with the Local Land-use Authority, according to the CPC, is to ensure that land use authorities are aware of significant antenna structures and/or installations proposed within their local surroundings.

APPENDIX " D "  
to 3/21  
REPORT PLAN2018-0449

FILE NO. D44-2018-001

This Justification Report is intended to provide the necessary information as required by the municipal procedures outlined in the City of Kawartha Lakes' protocol document titled "Telecommunications System Protocol" dated May 22, 2012. This Report will provide the appropriate justification as per the requirements legislated by Innovation Science and Economic Development Canada as well as the City of Kawartha Lakes' municipal Protocol. The following will provide justification for the installation of a telecommunication tower at 2876 Highway 121 in the City of Kawartha Lakes.

has been completed by Yves R. Hamel et Associates inc. (YRH) through propagation mapping and is attached in **Appendix A.**

# 3.0

## JUSTIFICATION

Two of the most important parts of a radio communication system are the antenna and the tower. The antenna is essential as it sends and receives signals from the radio station. The tower allows the antenna to be raised above obstructions such as trees and buildings to ensure that it can clearly send and receive communication signals. Each radio station and its antenna system (including the tower) provide radio coverage to a specific geographic area, often called a cell. Telecommunication providers must ensure that antenna systems are carefully located and that they provide a clear signal over the entire cell area, without interfering with other stations.

If the station is part of a radio telephone network, the number of stations needed also depends on how many people are using the network. If the number of stations is too few, people may not be able to connect to the network, or the quality of service may decrease. As demand increases for mobile phones and new telecommunication services, additional towers are required to maintain or improve the quality of service to the public.

In SBA's search for antennas system solutions in the local community, the suitability of existing infrastructure was reviewed in detail. It was determined that other infrastructure was not available within the 1-kilometre search radius.

Based on the investigation into signal strength and the locations where towers are needed to deploy a successful network, it was determined that the property located at 2876 Highway 121 (Coordinates: 44°41'21.59"N, 78°38'24.80"W) represents the most preferred location for a new communication tower. This is primarily due to its location within the context of other existing communication towers and antenna locations (**Figure 1**). An analysis of the available Advanced Wireless Services in the area

It is the intention of SBA Canada to build communication towers where more than one tenant will be locating, in order to promote co-location. The proposed communication facility will allow for future sharing opportunities with various telecommunication providers. The construction of a telecommunication facility that permits co-location will eliminate the need for any additional communication towers within the surrounding area.

Telecommunication towers do not work in isolation and therefore they all contribute to a network. Gaps in coverage create dropped calls and lead to unreliability, which can be unsafe for clients that rely on the service. Moreover, sites are not selected at random and are reliant on factors such as: site conditions like topography, forecasted client usage patterns, the distance to existing sites, the obstruction of objects (trees and buildings) from one tower to the next, and the ability to lease lands with potential landowners.

The towers must meet the safety standards set by Health Canada. Having a continuous uninterrupted network and strong signal strength created from appropriate tower placement allows for the transmitting power of a cellular phone to operate at its optimal (minimal) power requirements when connecting and maintaining a signal. When cellular phones operate as such, the absorption of radiofrequency energy by the user may decrease as the cellular phone is not required to operate as hard to maintain a signal. By placing a tower on the proposed site, the network coverage will be improved, reliable and potentially safer for cellular phone users in the area.

Further justification is provided in **Table 1** on how the proposed location satisfies the City of Kawartha Lakes' Site Selection Criteria for Telecommunication Towers.



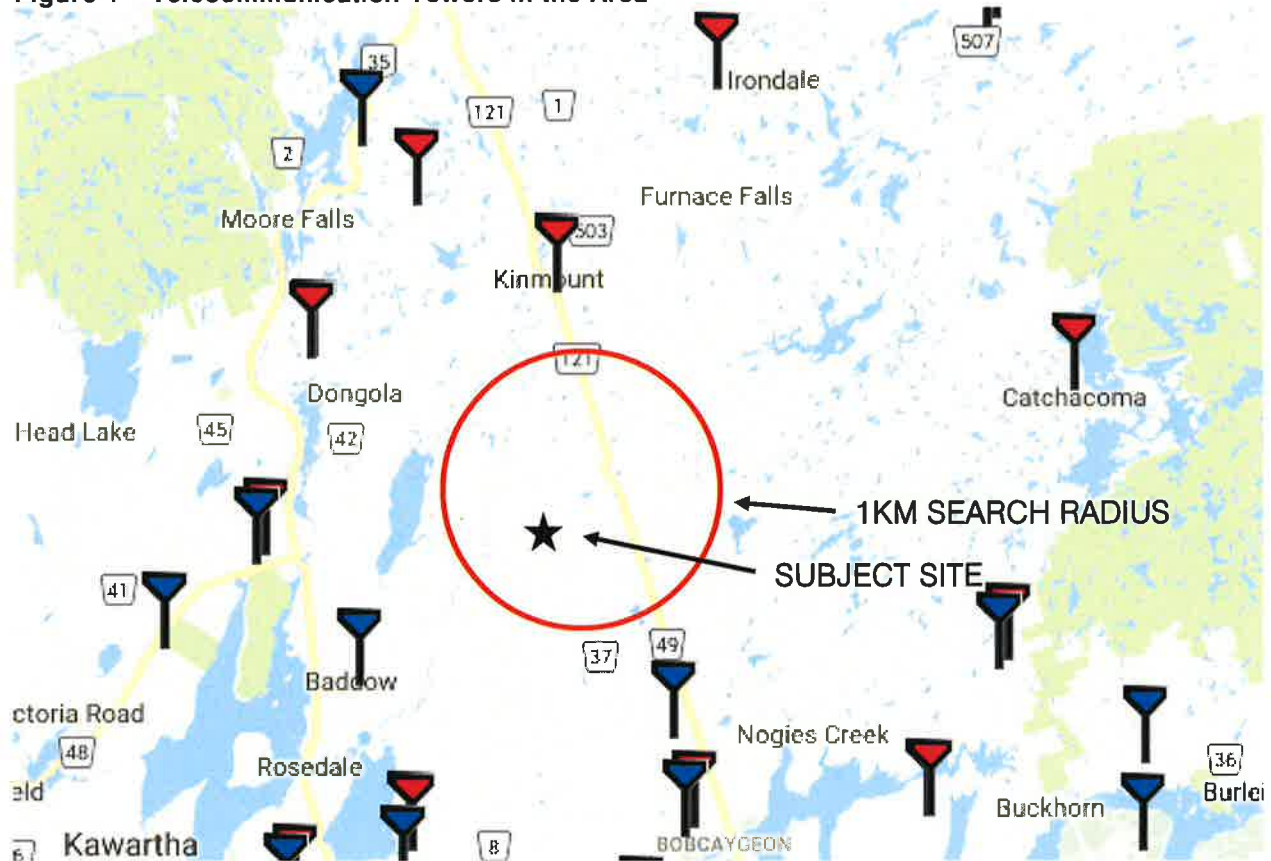


**Table 1 – City of Kawartha Lakes Site Selection Criteria and Response**

| Requirement  | Response  |
|--|---|
| 3.01 The installation of new telecommunications facilities is generally discouraged unless all other options for co-location within the carriers search area have been explored and are not considered to be technically viable. The preferred methods of achieving additional capacity are              |   |
| a) location of new telecommunications facilities on publicly owned lands and buildings;  | There are no publicly owned lands located within the search radius for the proposed telecommunications tower.   |
| b) co-location on existing towers or structures within the City or within adjacent municipalities;   | There are no towers located within the search radius for the proposed telecommunications tower.   |
| c) use of alternative tower structures that are less obtrusive;  | There are no towers located within the search radius for the proposed telecommunications tower.   |
| d) clustering of new towers adjacent to existing telecommunications facilities; and,   | There are no towers located within the search radius for the proposed telecommunications tower.   |
| e) location of new telecommunications facilities on hydro transmission towers or within or adjacent to existing hydro transmission corridors.  | There are no hydro transmission towers located within the search radius for the proposed telecommunications tower.  |
| 3.02 Telecommunications facilities should be located in a manner which minimizes their overall impact on the community. The following site selection criteria will be applied to the proposed location of any new telecommunication facility.  |   |
| a) New telecommunications towers should be encouraged in more sparsely populated areas within the City's limits.   | The proposed telecommunications tower is proposed to be located on a parcel of land designated as Rural, in a sparsely populated area.  |
| b) Distances should be maximized for new telecommunications towers to existing and future residential areas, community and institutional uses, historical downtown areas, and waterfront areas.  | The proposed telecommunications tower is not within close proximity to any of the areas identified. The compound is located approximately <b>450 metres</b> from the closest neighbouring building. |
| c) New telecommunications towers should generally be set back a minimum of 120 metres or three times the tower height, whichever is greater, from any lands designated or zoned for residential uses or schools.   | The proposed telecommunications tower is proposed in a Rural area with no lands designated for residential uses or schools within 120 metres.   |
| d) Alternative tower structures for New tower locations within and surrounding a settlement area, as identified in the City of Kawartha Lakes land use planning documents, are recommended to be implemented as alternative tower structures and designed to achieve the City's urban design objectives. | The proposed telecommunications tower is not located within a settlement area boundary and is not within close proximity. Therefore, this is not applicable.  |
| e) There should be no negative impact on significant natural features or hazard land areas. New telecommunications tower installations will not be permitted in designated and/or zoned environmentally sensitive areas and shall be setback a minimum of 30 metres from a waterbody.                    | The proposed telecommunications tower is proposed to be located outside of the environmentally sensitive areas on the subject site.   |
| f) Telecommunications towers should be set back a minimum of 50 metres from Provincial Highways, 30 metres from local roads, and 15 metres from property lines. The setback shall be measured from the base of the tower or the guyed wires, whichever is greater.                                       | The proposed telecommunications tower is setback approximately <b>360 metres</b> from the road and <b>15 metres</b> from the property line.   |

|  |  |
|--|--|
| g) Terminal vistas from existing and future roads and areas of topographical prominence will be avoided. Where a telecommunications tower in these areas is necessary, alternative tower structures in conjunction with the lowest possible height shall be used by the applicant. | The proposed telecommunications tower is not located at a terminal vista or an area of topographical prominence.   |
| h) Locations and heights where Transport Canada will require lighting on the tower should be avoided.  | No lighting on the tower is required.  |
| i) Telecommunication facilities shall not be permitted on lands without direct access from an open and maintained road or within an unopened road allowance.   | Access to the leased parcel will be through a 6.0 metre wide access and utility easement from Highway 121 which will take the form of an extension to the existing driveway. |
| j) Advertising shall not be permitted on any telecommunications facility.  | No advertising will be proposed.   |

**Figure 1 – Telecommunication Towers in the Area**





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FILE NO. D44-2018-001

# 4.0

## SITE LOCATION

The subject site (the "site") is legally recognized as Part of Lot 5, Concession 6, in the City of Kawartha Lakes. The subject site is municipally known as 2876 Highway 121. The site has a total area of 79.1 hectares or 195.4 acres. The site is currently occupied by a single-detached dwelling and ancillary buildings that support the agricultural use on the subject site. Portions of the site are occupied by environmental features. The site is surrounded by large rural lots with agricultural uses. The property is west of the intersection of Highway 121 and 49 in the City of Kawartha Lakes (Figure 2).

The site is designated as "Rural" and "Environmental Protection" with "Significant Woodlands" and "Unevaluated Wetlands" in the City of Kawartha Lakes Official Plan. The site is zoned as "Rural General (RG) Zone" and "Environmental Protection (EP) Zone" in the Township of Somerville Zoning By-law 78-45.

The proposed tower is to be located in the centre of the property along the eastern limits of the site (Figure 3). The proposed tower is located outside of the areas delineated as Environmentally Protected. Site photos are provided in Appendix B.

Figure 2 – Site Location Map

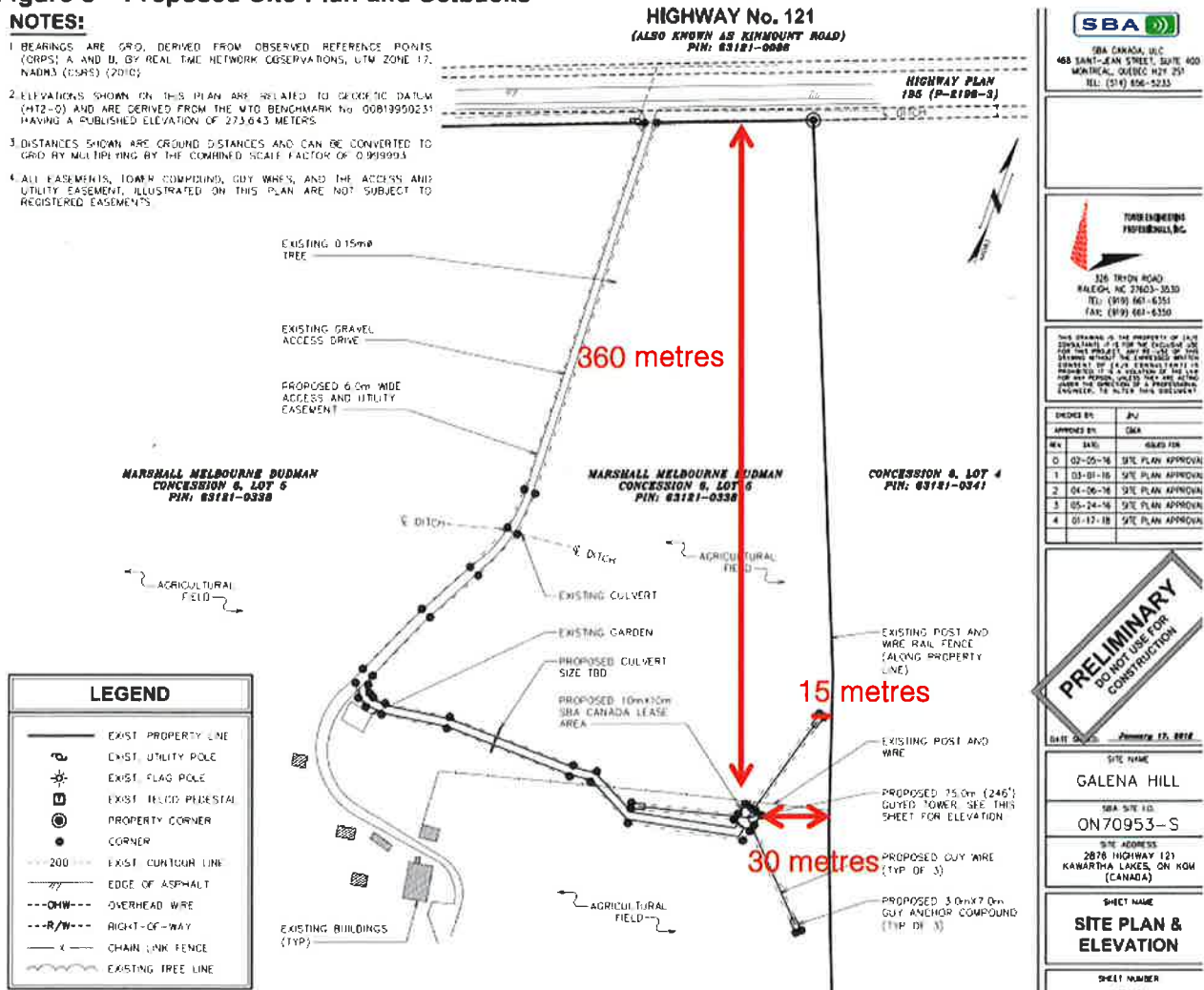




Figure 3 – Proposed Site Plan and Setbacks

NOTES:

1. BEARINGS ARE GROUND, DERIVED FROM OBSERVED REFERENCE POINTS (CORPS) A AND B, BY REAL TIME NETWORK OBSERVATIONS, UTM ZONE 17, NAD83 (GSR8) (2010).
2. ELEVATIONS SHOWN ON THIS PLAN ARE RELATED TO GEODETIC DATUM (MTZ-0) AND ARE DERIVED FROM THE MTD BENCHMARK NO. 00819950231 HAVING A PUBLISHED ELEVATION OF 273.643 METERS.
3. DISTANCES SHOWN ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999993.
4. ALL EASEMENTS, TOWER COMPOUND, GUY WIRES, AND THE ACCESS AND UTILITY EASEMENT, ILLUSTRATED ON THIS PLAN ARE NOT SUBJECT TO REGISTERED EASEMENTS.





# 5.0

## PROPOSED DESIGN

The proposed communication facility will consist of a 75-metre guyed wire telecommunications tower with a lightning rod at the top of the tower, totalling a height of 77 metres (**Figure 4**). The proposed height will ensure that there are opportunities to allow for co-location of multiple carriers on the tower in order to provide stronger signal strength to a variety of mobile customers in the area. The height is required in order to connect with the surrounding towers which are over 1 kilometre away as shown in **Figure 1**.

The site layout includes the tower compound at 10 metres by 10 metres and three guyed anchor compound areas at 7 metres by 3 metres. The tower compound will be surrounded by secure chain-link fencing to maintain security, only allowing authorized personnel to enter. Landscaping along the northern limits of the tower compound is proposed for visual screening purposes (**Figure 5 and Figure 6**). Within the compound area will be the required utility structures as well as the tower itself.

The proposed telecommunications tower compound area is setback approximately 360 metres from the road. Photo simulations of the proposed telecommunications tower emphasizing its visibility from three different vantage points have been prepared and attached as **Appendix C**. The tower compound is also set back approximately 30 metres from the property line to the east. The guyed anchor compounds will be setback 15 metres or more from the property line to the east.

Access to the leased parcel will be through a 6.0 metre wide access and utility easement from Highway 121 which will take the form of an extension to the existing driveway.

**Figure 4 – Elevation of Proposed Tower**

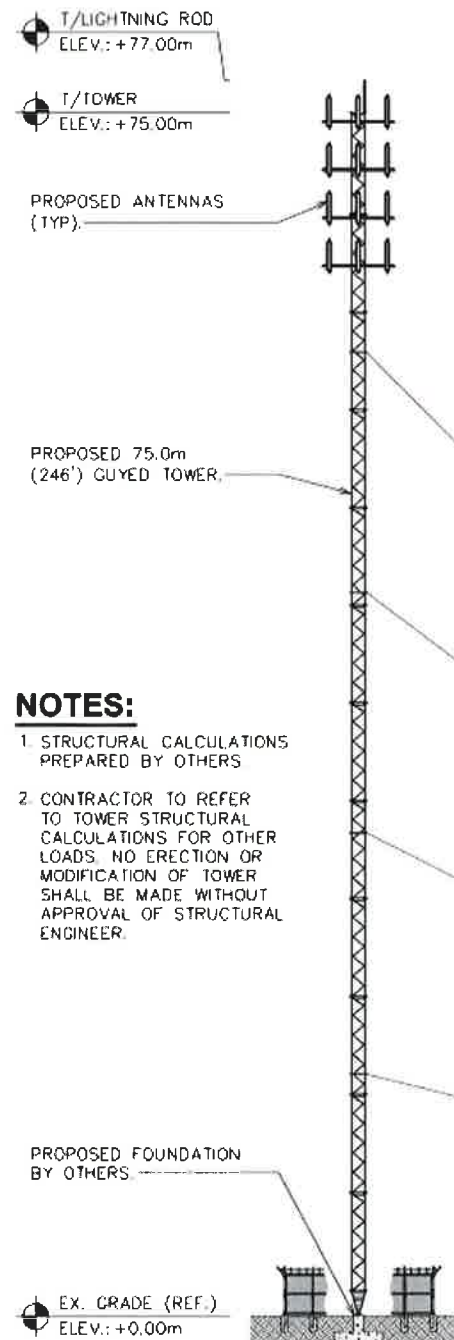


Figure 5 – Landscape Plan

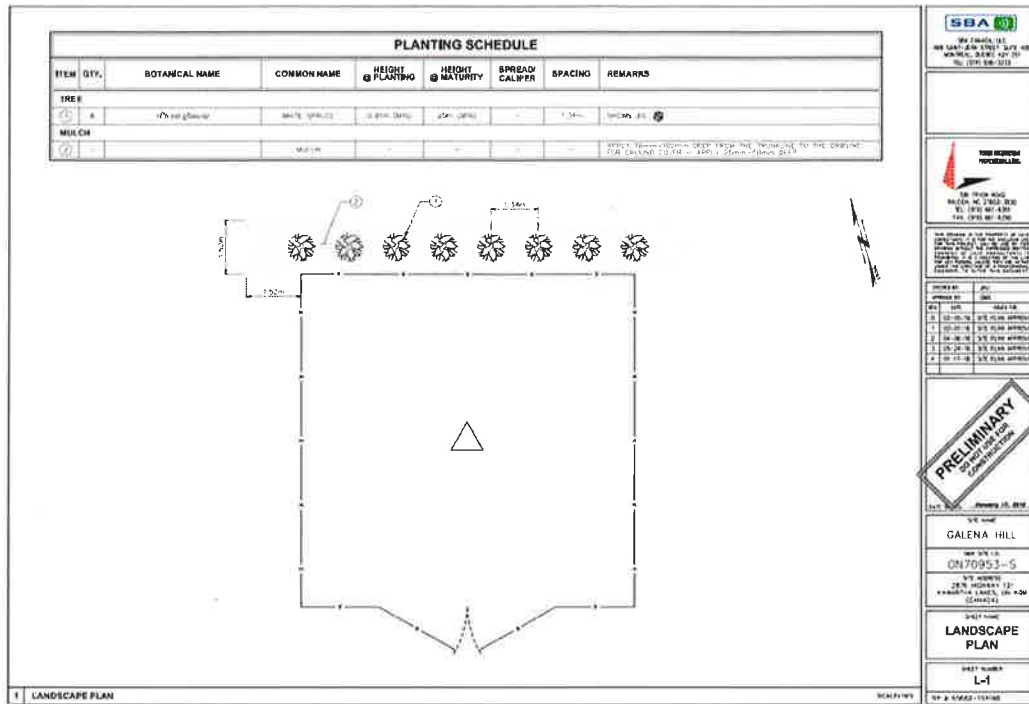
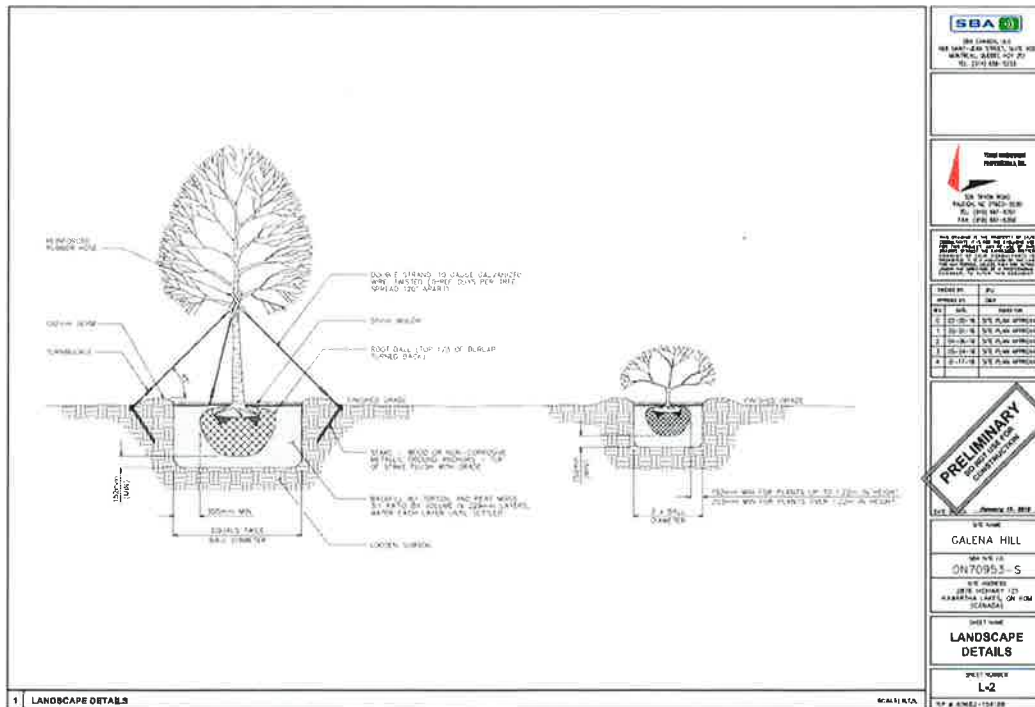


Figure 6 – Landscape Details





# 6.0

## COMPLIANCE WITH GENERAL REQUIREMENTS

A proponent is responsible to ensure that the location of the proposed facility and the construction of the proposed facility is in compliance with Section 7.0 of Innovation, Science and Economic Development's CPC-2-0-03. The CPC states that "in addition to roles and responsibilities for site sharing, land-use consultation and public consultation, proponents must also fulfill other important obligations including: compliance with Health Canada's Safety Code 6 guideline for the protection of the general public; compliance with radio frequency immunity criteria; notification of nearby broadcasting stations; environmental considerations; and Transport Canada/NAV Canada aeronautical safety responsibilities". The information below expands on these requirements as they relate to the proposed telecommunications tower and provides further information on how SBA will satisfy these requirements prior to construction of the proposed facility.

### 6.1 Radio Frequency Exposure Limits and Immunity

SBA attests that the wireless telecommunications facility described in this justification report will be installed and operated on an ongoing basis so as to comply with Health Canada's Safety Code 6, as may be amended from time to time, for the protection of the general public including any combined effects of nearby installations within the local radio environment. SBA also attests that the

installation will be designed and operated in accordance with Innovation, Science and Economic Development Canada's immunity criteria as outlined in EMCAB-2 in order to minimize the malfunctioning of electronic equipment in the local surroundings.

### 6.2 Proximity of Proposed Structure to Broadcasting Undertakings

In cases where the proposed tower exceeds 30 metres in height above ground level, the proponent is required to notify operators of AM, FM and TV undertakings within 2 kilometres due to the potential impacts that the proposed structure might have on these broadcasting undertakings. SBA Canada attests that the above noted operators will be notified prior to construction of the proposed telecommunications tower.

### 6.3 Canadian Environmental Assessment Act

SBA Canada attests that the proposed telecommunications facility described in this justification report will be installed and operated in a manner that respects the local environment and that complies with other statutory requirements, such as those under the Canadian Environmental Protection Act, 1999 and others. As per the Canadian Environmental Assessment Act 2012, the proposed telecommunications facility is not incidental to a designated project and is not proposed on federal land.

### 6.4 Aeronautical Safety and Federal Aeronautical Clearances

NAV Canada and Transport Canada are the federal agencies responsible for determining the impact of tall structures on air navigation systems. These

federal agencies also determine whether any marking/lighting requirements are necessary to proposed structures. As a proponent of a telecommunication tower, you are responsible to ensure that the location of the proposed facility does not interfere with the operation of aircraft in the surrounding airspace. To this end, proponents are required to submit two applications, one to NAV Canada and one to Transport Canada.

Attestation Letter has been prepared and has been stamped by a licensed Professional Engineer (Appendix F).

NAV Canada determines if the proposed tower or site poses any risk to navigational aids or aerodromes. If not, the proposed tower location and elevation are inserted into the relevant aeronautical charts and publications. NAV Canada issues a letter to the proponent indicating if there are any risks associated with the location or if there are any objections.

Transport Canada also reviews the proposed site and determines if the proposed structure requires lighting or paint markings to ensure that the tower is visible to aircraft through all conditions. A letter is provided to the proponent that outlines the lighting and painting requirements for a particular site.

As a result of the above noted items, land use authority and/or public concerns over the use of lights or flashing are not within the control of the proponent as it is dictated under the federal mandate of the Aeronautics Act (1985).

The proposed communication tower will meet all necessary aeronautical obstruction marking requirements, including painting and lighting, as instructed by Transport Canada and NAV Canada. SBA attests that the requirements as indicated by Transport Canada and NAV Canada will be adhered to. The responses from Transport Canada and NAV Canada have been attached in **Appendix D** and **Appendix E**.

## 6.5 Attestation to Communication Tower Quality

SBA attests that the proposed tower structure will be designed to CSA specification *S37-01, Antennas, Towers & Antenna Support Structures* and shall be fabricated & erected by Canadian companies that adhere to CSA fabrication & safety standards. An





The Biglieri Group Ltd.  
20 Leslie Street, Suite 121, Toronto ON M4M 3L4  
T 416-693-9155 | F 416-693-9133

# 7.0

## CONCLUSION

SBA Canada has conducted a thorough and comprehensive investigation of potential sites for new communication antennas and has determined that a new communication tower is necessary as there are no suitable alternative structures within the search radius used to determine the most suitable location for the telecommunications tower given existing towers within the area. SBA proposes a 75-metre guyed wire telecommunications tower (77-metre with lightning rod) in order to allow for co-location of multiple carriers on the tower in order to provide stronger signal strength to a variety of mobile customers in the area.

TBG has reviewed the City of Kawartha Lakes Telecommunications System Protocol (2012) and has determined that all of the site selection criteria are met. There are no publicly owned lands located within the search radius for the proposed telecommunications tower. There are no existing towers or appropriate hydro transmission towers located within the search radius for the proposed telecommunications tower. The proposed telecommunications tower is proposed to be located on a parcel of land designated as Rural, in a sparsely populated area. The proposed telecommunications tower is not within close proximity to any future residential areas, community and institutional uses, historical downtown areas, or waterfront areas. The tower compound is located approximately 450 metres from the closest neighbouring building. The proposed telecommunications tower is proposed in a Rural area with no lands designated for residential uses or schools within 120 metres. The proposed telecommunications tower is not located within or within close proximity to a settlement area boundary. The proposed telecommunications tower is proposed to be located outside of the environmentally sensitive areas on the subject site.

APPENDIX "D"  
13/21  
to  
REPORT PLAN 2018-049

FILE NO. D44-2018-001

Once the City of Kawartha Lakes has the opportunity to review the proposed telecommunications tower, TBG on behalf of SBA Canada, will proceed with the Public Consultation Process as outlined in Appendix 1 of CPC-2-0-03. This process will be initiated in partnership with the City of Kawartha Lakes to ensure that all of the public notification requirements are satisfied.

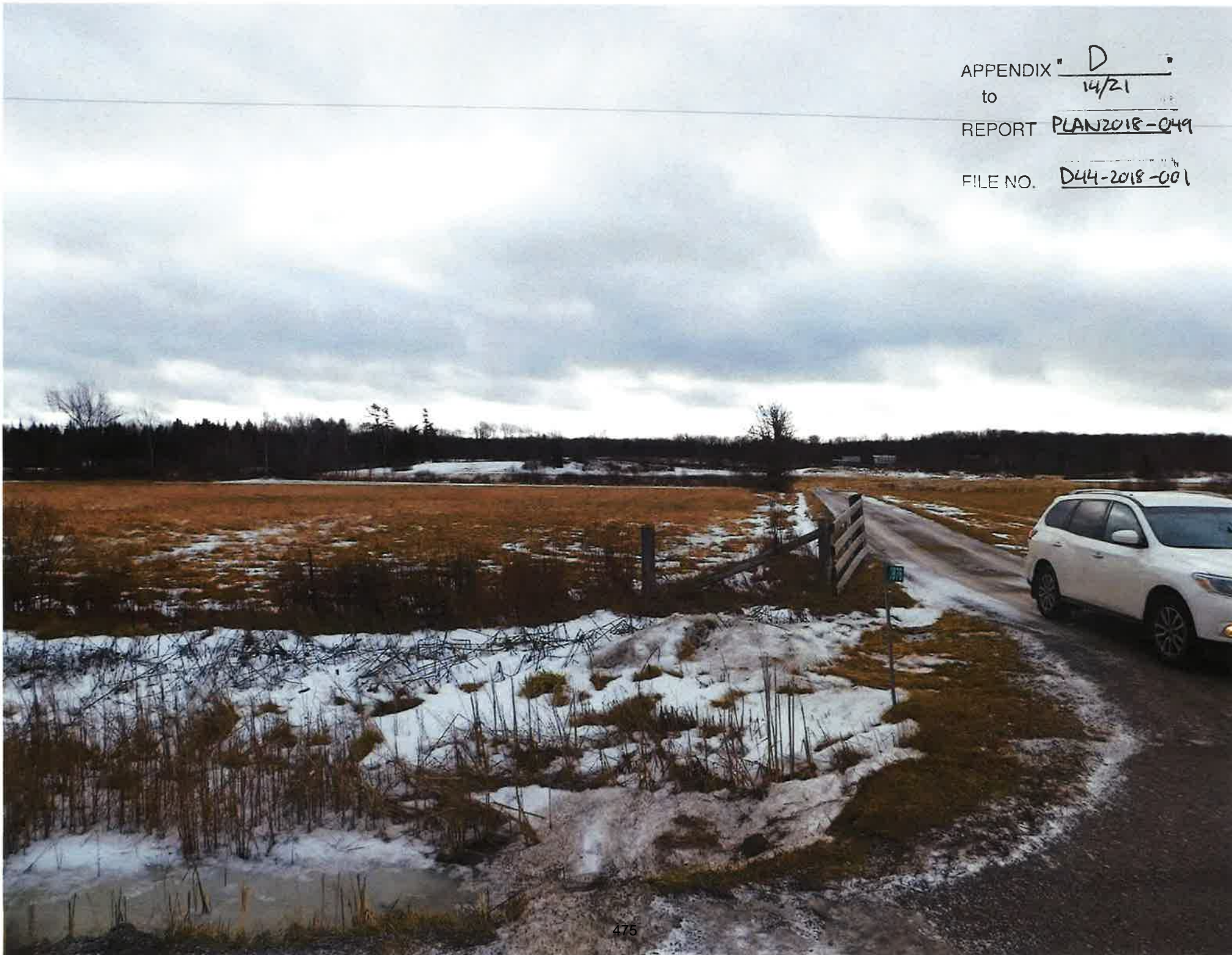
For general information relating to antenna systems, please review Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website at <http://www.ic.gc.ca/towers>.

We trust you will find all in order, however if you have any questions or require further information, please do not hesitate to contact the undersigned.

Respectfully submitted,  
**THE BIGLIERI GROUP LTD.**

**Melinda Holland, M.Pl.**  
**Planner**

APPENDIX " D "  
to 14/21  
REPORT PLAN2018-049  
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APPENDIX " D "  
to 15/21  
REPORT PLAN2018-049

FILE NO. D44-2018-001





APPENDIX " D "  
to 16/21  
REPORT PLAN 2018-049  
FILE NO. D44-2018-001





APPENDIX \* D .  
to 17/21  
REPORT PLAN 2018-0491  
FILE NO. D44-2018-0011





APPENDIX " D "  
to 18/21  
REPORT PLAN 2018-049  
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APPENDIX "D"  
to 19/21  
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FILE NO. 044-2018-001



PHOTO RENDERING PROVIDED BY TOWER ENGINEERING PROFESSIONALS, INC.





APPENDIX " D "  
to 20/21  
REPORT PLAN 2018-049  
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APPENDIX " D "  
to 21/21  
REPORT PLAN 2018-049  
FILE NO. D44-2018-001



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# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number EA2018-014**

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**Date:** June 19<sup>th</sup>, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** All Wards

**Title:** Implications of Lowering the Traffic Volume Threshold for the Paving of Gravel Roads

**Description:** This report reviews the estimated servicing and financial implications of lowering the traffic volume threshold for the paving of gravel roads.

**Author and Title:** Adam Found, Manager of Corporate Assets

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### **Recommendation(s):**

**That Report EA2018-014, Implications of Lowering the Traffic Volume Threshold for the Paving of Gravel Roads, be received.**

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

At the Council Meeting of October 24<sup>th</sup>, 2017, Council adopted the following resolution:

### **CR2017-933**

**Moved By** Councillor Strangway

**Seconded By** Councillor Elmslie

**RESOLVED THAT** staff be directed to investigate costing and service implications of revising the traffic volume threshold to warrant hard-topping of gravel roads from an annual average daily traffic (AADT) level of 400 to an AADT of both 200 or 300 with a report back to Council by end of Q2 2018.

**CARRIED**

This report addresses that direction.

The implications of lowering the gravel-to-hardtop threshold of 400 AADT (measured in vehicles per day) was previously examined by staff in 2013 through Council report PW2013-015, attached hereto as Appendix A. Based on that examination and budgetary constraints, the report did not recommend lowering the threshold. Through CR2017-933, Council has directed staff to revisit this matter and bring forward the present report to Council.

## **Rationale:**

According to the 2016 Roads Needs Study, the City has an inventory of approximately 895Km of assumed gravel road, of which an estimated 52Km have AADT of 200 or larger. The inventory of gravel roads making up this latter figure is summarized in Appendix B attached hereto. In terms of the service level categories underlying the 10-Year Gravel Resurfacing Plan, this inventory is distributed as follows:

1. 200 ≤ AADT < 300: 40.85Km
2. 300 ≤ AADT < 400: 9.20Km
3. 400 ≤ AADT: 1.76Km

Hereinafter, this inventory is referred to as “high-volume gravel roads”. Due to general growth in traffic volume, the quantity of high-volume gravel roads has increased by about 4.0Km between 2011 and 2016. Also owing to such growth, about 1.76Km of gravel road now surpasses the 400 AADT warrant threshold for paving. Still, high-volume gravel roads represent less than 6% of the total of 895Km of gravel road assumed by the City.

For the purpose of this report, the term “paving” refers to the upgrading a gravel road to a hardtop surface through the application of surface treatment (aka tar and chip). As discussed at length in Report PW2013-015, a natural tradeoff exists respecting the paving of a gravel road. On the one hand paving provides for an enhanced service level and decreased operating costs, while on the other it entails increased lifecycle (capital + operating) costs primarily due to the relatively large upfront capital investment required.

While operational efficiencies arise from the paving of a gravel road, this benefit, at current lifecycle cost trends and service levels, is more than offset by the increased capital costs associated with surface treatment. This holds even in the case of high-volume gravel roads, which are on an enhanced gravel resurfacing cycle (5-8 years instead of the standard 10 years).

Hence, the increased service level conferred by paving a gravel road must be weighed against the associated increased lifecycle cost. At the centre of this report is the 400 AADT mark the City has fixed for the purpose of this weighing of benefits and costs. That is, a gravel road is considered a candidate for paving once its traffic volume reaches at least 400 AADT.

| Table 1: Projected Lifecycle Costs for High-Volume Gravel Roads Over 15 Years if Left Unpaved (2019\$) |             |                    |                  |           |                |                   |            |
|--|-------------|--------------------|------------------|-----------|----------------|-------------------|------------|
| Traffic Volume Range   | Length (Km) | Capital            | Operating        |           |                |                   | Total      |
|  |             | Gravel Resurfacing | Calcium Chloride | Grading   | Winter Control | Other Maintenance |            |
| 200 ≤ AADT < 300   | 40.850      | 1,413,640          | 964,994          | 793,557   | 2,360,921      | 2,368,389         | 7,901,501  |
| 300 ≤ AADT < 400   | 9.201       | 447,135            | 217,356          | 178,742   | 531,777        | 533,459           | 1,908,469  |
| 400 ≤ AADT   | 1.758       | 90,675             | 41,529           | 34,152    | 101,605        | 101,926           | 369,886    |
| Total  | 51.809      | 1,951,450          | 1,223,879        | 1,006,451 | 2,994,302      | 3,003,774         | 10,179,856 |

| Table 2: Projected Lifecycle Costs for High-Volume Gravel Roads Over 15 Years if Paved in 2019 (2019\$) |             |                          |                          |               |                |                   |            |
|---|-------------|--------------------------|--------------------------|---------------|----------------|-------------------|------------|
| Traffic Volume Range  | Length (Km) | Capital                  |                          |               | Operating      |                   | Total      |
|   |             | Double Surface Treatment | Single Surface Treatment | Pulverization | Winter Control | Other Maintenance |            |
| 200 ≤ AADT < 300  | 40.850      | 3,952,374                | 902,454                  | 306,494       | 2,360,921      | 2,157,764         | 9,680,008  |
| 300 ≤ AADT < 400  | 9.201       | 890,238                  | 203,270                  | 69,035        | 531,777        | 486,018           | 2,180,337  |
| 400 ≤ AADT  | 1.758       | 170,094                  | 38,838                   | 13,190        | 101,605        | 92,862            | 416,589    |
| Total   | 51.809      | 5,012,706                | 1,144,562                | 388,719       | 2,994,302      | 2,736,643         | 12,276,933 |

| Table 3: Projected Incremental Lifecycle Costs Over 15 Years if High-Volume Gravel Roads are Paved in 2019 (2019\$) |             |           |            |           |
|---|-------------|-----------|------------|-----------|
| Traffic Volume Range  | Length (Km) | Capital   | Operating  | Total     |
| 200 ≤ AADT < 300  | 40.850      | 3,747,682 | -1,969,175 | 1,778,507 |
| 300 ≤ AADT < 400  | 9.201       | 715,408   | -443,540   | 271,868   |
| 400 ≤ AADT  | 1.758       | 131,448   | -84,745    | 46,702    |
| Total   | 51.809      | 4,594,538 | -2,497,460 | 2,097,077 |

Based on current service levels, maintenance practices and various recent data (e.g. tender prices, Financial Information Return reports etc.), Tables 1-3 summarize lifecycle cost projections for high-volume gravel roads depending on whether they remain with a gravel surface or are paved. To provide for comparability between gravel and hardtop road surfaces, the tables align with the 15-year lifecycle expected of a hardtop road surface whereby paving is set to occur in 2019. For simplicity, cost figures in the tables are normalized to 2019 dollars, based on an assumed inflation rate of 2%/year, and have not been discounted to present value.

Double surface treatment of high-volume gravel roads is estimated to cost about \$5.0M if done in 2019. This does not include future capital costs associated with single surface treatment (a capital intervention typically in year 8 to maintain the 15-year lifecycle) and eventual pulverization of the hardtop road surface at the end of its lifecycle. Table 3 projects incremental lifecycle costs by cost type, indicating renewal and operation of high-volume gravel roads, if paved, would cost an estimated \$2.1M more over the 15-year horizon.

### **Other Alternatives Considered:**

As staff is not recommending a change to the 400 AADT threshold, no alternatives to Council's receiving this report are being considered or proposed by staff at this time. Should Council nonetheless resolve to lower this threshold, staff suggests direction of the following form, where "X" stands for the new desired threshold, be added to the resolution of the present report:

**"That** proposed capital budgets identify for upgrade to a hardtop surface only those gravel roads for which the annual average daily traffic (AADT) is at least "X" vehicles per day; and

**That** updates to the 5-Year Roads Capital Plan, 10-Year Gravel Resurfacing Plan, Asset Management Plan and Long-Term Financial Plan reflect this enhanced level of service."

### **Financial/Operation Impacts:**

Council's receiving this report has no financial impact. However, should Council elect to lower the 400 AADT threshold, the expected resulting financial impacts are those indicated by Tables 1-3 herein.

### **Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:**

N/A

## **Consultations:**

Supervisor of Technical Services

## **Attachments:**

Appendix A: Report PW2013-015



Report  
PW2013-015.pdf

Appendix B: Inventory of High-Volume Gravel Roads



Inventory of  
High-Volume Gravel R

**Department Head E-Mail:** [jrojas@kawarthalakes.ca](mailto:jrojas@kawarthalakes.ca)

**Department Head:** Juan Rojas, Director of Engineering and Corporate  
**Assets**

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number PW-2013-015**

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**Date:** September 24, 2013

**Time:** 2:00 p.m.

**Place:** Council Chambers

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**Ward Community Identifier:** All

**Subject**      **Proposed Five-Year Gravel Resurfacing Plan, Gravel vs. Hardtop Cost Analysis and Review of Gravel-to-Hardtop Upgrading Criteria**

**Author/Title:** Adam Found  
Senior Engineering Technician

**Signature:**

Michael Farquhar  
Supervisor, Technical Services

**Signature:**

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### **Recommendation(s):**

**RESOLVED THAT** Report PW-2013-015, **Proposed Five-Year Gravel Resurfacing Plan, Gravel vs. Hardtop Cost Analysis and Review of Gravel-to-Hardtop Upgrading Criteria**, be received.

**THAT** Council endorses the Proposed Five-Year Gravel Resurfacing Plan in principle, as generally outlined in Appendix 1 to Report PW2013-015 as a guide for prioritizing and coordinating annual gravel resurfacing needs from 2014 to 2018; and

**THAT** staff be directed to update the Five-Year Gravel Resurfacing Plan annually through Council's capital budget deliberations based on annual identified road project priorities and budget circumstances.

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**DEPARTMENT HEAD:**

**TREASURER/OTHER:**

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**CHIEF ADMINISTRATIVE OFFICER**

## Background:

At the October 23, 2012 Council Meeting the following resolution was passed:

***RESOLVED THAT*** staff be requested to develop a five year plan for gravel roads maintenance and upgrades including an in-depth evaluation of the long-term cost of gravel versus hardtop surface;

***THAT*** the report identify the current criteria to upgrade a road from gravel to hardtop and include consideration of expansion of the criteria for the circumstances related to change of land use such as the approval of a new subdivision; and

***THAT*** staff report back by the end of the third quarter 2013.

### **CARRIED CR2012-1148**

The purpose of this report is to address Council Resolution CR2012-1148 and provide Council with relevant background information on gravel resurfacing and hardtop roads.

#### **Gravel Resurfacing**

Gravel resurfacing is an integral part of maintaining the structure of a rural gravel road system. Gravel roads depreciate over time due to regular wear and tear caused by weather, traffic, winter maintenance and other factors. To offset this depreciation and restore an adequate level of service, gravel roads need to be resurfaced with a lift of fresh gravel on a regular basis.

Resurfacing increases the ability of a road to:

- Be graded properly
- Maintain a proper crown
- Maintain surface integrity
- Accept and maintain calcium chloride and residual calcium chloride
- Facilitate roadside drainage
- Resist the formation of potholes

Broadly speaking, gravel roads in the City of Kawartha Lakes have been resurfaced with a lift of 7.5 cm (3 inches) about every 5 -15 years depending on road conditions, traffic volumes and a number of other considerations. Ideally, a lift thickness of at least 10.0 cm (4 inches) should be applied in most circumstances; however lift thickness and resurfacing frequency can be traded off to some extent.



Each year, the City undertakes a capital gravel resurfacing program to provide improvements to the approximately 930 km of gravel road (representing approximately 1/3 of the City's road system) within the City. Some gravel roads may require resurfacing every 3 - 5 years (higher traffic volumes and significant truck traffic) while others may require gravel resurfacing only every 15 years (short dead-end roads with low traffic volumes) depending on road factors and lift thickness applied. Historically, the City has applied a lift thickness of only 7.5 cm whereas the minimum ideal lift thickness is 10.0 cm given the current state and degree of utilization of the City's gravel road system. Table 1 below compares actual and minimum ideal gravel resurfacing application rates:

| Table 1 - Gravel Resurfacing Application Rates   |           |                       |           |
|--|-----------|-----------------------|-----------|
| Scenario   | Lift (cm) | Tonnes/m <sup>2</sup> | Tonnes/Km |
| Actual: Historical Average   | 7.5       | 0.169                 | 844       |
| Minimum Ideal: 2014 Onward   | 10.0      | 0.225                 | 1125      |
| Based on an average road width of 5.0 m and a gravel density of 2.25 tonnes/m <sup>3</sup> . |           |                       |           |

The Department of Public Works hence plans to apply 10.0 cm lifts going forward, and on this basis Table 2 below summarizes the cost of the gravel resurfacing program for 2013 and 2014 (projected) on a per tonne and a per km basis:

| Table 2 - Average Gravel Resurfacing Costs  |              |                         |                          |         |                |                          |         |
|---|--------------|-------------------------|--------------------------|---------|----------------|--------------------------|---------|
| Cost Centre   | 2013         |                         |                          |         | Projected 2014 |                          |         |
|   | \$ Per Tonne | \$ Per Km @ 7.5 cm Lift | \$ Per Km @ 10.0 cm Lift | %       | \$ Per Tonne   | \$ Per Km @ 10.0 cm Lift | %       |
| Supply  | 5.81         | 4,901                   | 6,534                    | 54.41%  | 5.98           | 6,731                    | 53.73%  |
| Haulage   | 3.16         | 2,666                   | 3,554                    | 29.60%  | 3.25           | 3,661                    | 29.23%  |
| Quality Assurance   | 0.06         | 51                      | 68                       | 0.56%   | 0.06           | 70                       | 0.56%   |
| Calcium Chloride  | 0.42         | 356                     | 474                      | 3.95%   | 0.43           | 489                      | 3.90%   |
| Net HST   | 0.17         | 140                     | 187                      | 1.56%   | 0.17           | 193                      | 1.54%   |
| Staff & Equipment   | 1.06         | 893                     | 1,191                    | 9.92%   | 1.23           | 1,384                    | 11.05%  |
| Total   | 10.67        | 9,007                   | 12,009                   | 100.00% | 11.13          | 12,526                   | 100.00% |
| Based on an average road width of 5.0 m and a productivity factor of 225 tonnes/hour. Staff & equipment costs for 2014 reflect the Collective Agreement and anticipated 2014 fleet rates, and all other 2014 costs reflect a 3.0%/annum inflationary factor over 2013 values in the interest of being conservative. |              |                         |                          |         |                |                          |         |

As indicated in Table 2, supply and haulage of gravel together represent over 80% of total cost and moving ahead with the minimum ideal lift thickness of 10.0

cm staff project gravel resurfacing will cost \$11.13/tonne or \$12,526/km in 2014 for the average road section.

For the four years prior to 2011, annual gravel resurfacing funding allowed the City to maintain a 7.7-year cycle of the gravel road system but with a mere 7.5 cm lift application. That said, in several of the years noted above, the expenditures made for gravel resurfacing were significantly less than the approved budget for this cost centre (based on a review of tender reports for this time period).

Recent funding levels however have more than doubled this cycle time, even with maintaining the low 7.5 cm lift application, as indicated in Table 3 below:

| Table 3 - Annual Gravel Resurfacing Quantities  |             |         |       |           |               |
|---|-------------|---------|-------|-----------|---------------|
| Scenario  | Budget (\$) | Tonnes  | Km    | Lift (cm) | Cycle (years) |
| Actual: 2007-2010 Average   | 907,761     | 101,700 | 120.5 | 7.5       | 7.7           |
| Actual: 2011-2013 Average   | 420,119     | 42,900  | 50.8  | 7.5       | 18.3          |
| Actual: 2013  | 483,000     | 49,400  | 58.5  | 7.5       | 15.9          |
| Minimum Ideal: 2014   | 1,164,956   | 104,625 | 93.0  | 10.0      | 10.0          |
| Proposed: 2014  | 1,000,000   | 89,810  | 79.8  | 10.0      | 11.6          |
| Minimum Ideal: 2015   | 1,199,905   | 104,625 | 93.0  | 10.0      | 10.0          |
| <p>Based on an average road width of 5.0 m and a 930 km gravel road system. The 2007-2010 averages for tonnes and km are based on 2009 and 2010 only since corresponding quantities could not be retrieved for 2007 or 2008.</p> <p>The 2011-2013 average and 2013 quantities exclude the Municipality of Clarington's 50% share of the 2013 Boundary Road gravel resurfacing project. 2014 quantities are based on average 2014 costs as projected in Table 2 and 2015 quantities are based on a 3.0% inflationary factor over projected 2014 costs in the interest of being conservative.</p> |             |         |       |           |               |

Since 2011, funding for gravel resurfacing has been down by more than 50% of average pre-2011 budget levels noted above while gravel costs have risen faster than inflation. Given the state of the City's gravel road system and with the average section of gravel road conveying 82 vehicles/day, a 7.5 cm lift application rate is insufficient to maintain gravel road integrity and effectively mitigate potholes. Staff now consider a lift application of 10.0 cm to be minimally ideal (also a typical, minimum industry standard). With funding continued at 2011-2013 average levels and moving forward with a 10.0 cm lift application, the cycle time of the City's gravel road system would increase by 1/3 from about 18 years to about 24 years (though this impact is not shown in Table 3), with lower-traffic roads incurring a much longer cycle.

As for the ideal gravel resurfacing frequency, it depends on many factors, a major one of which is average annual daily traffic (AADT) as it is a significant determinant of road depreciation and a strong indicator of the benefit to road users. Clearly, low AADT roads (e.g. dead ends) and roads with adequate road bases will not require gravel resurfacing as frequently as high AADT roads and roads with inadequate road bases. Ideal gravel resurfacing frequency also depends critically on the lift thickness applied. The thicker the lift applied, the less frequent gravel resurfacing is required. This tradeoff however is limited in that lift thickness has diminishing returns to resurfacing frequency extension. Given this limitation and with the average gravel road section in the City having an AADT of 82, staff believe resurfacing the average gravel road section approximately every 10 years would be minimally ideal, recognizing that high-traffic gravel roads will require about a 5-year cycle.

Current funding levels are insufficient if the City is to provide at least a minimal level of service in regard to gravel resurfacing going forward. To reposition the importance of this program and shift it back on track, staff are proposing through the capital budgeting process that gravel resurfacing funding be increased to a level that would permit at least a 10-year cycle with a 10.0 cm lift application, occurring in two steps: \$1,000,000 of funding in 2014 and \$1,200,000 in funding for 2015 with annual inflationary increases applied thereafter as required. Staff has offset the proposed 2014 increase in funding with proposed decreases elsewhere in the Capital Budget and expect to make similar accommodations for the proposed 2015 increase.<sup>1</sup>

### Hardtop Roads in Rural Areas

A rural hardtop (i.e. hi-float surface treatment) road is often considered an alternative to a gravel road. While compared to gravel roads, hardtop roads provide a higher level of service and generally have lower maintenance costs (initially), the tradeoff is that hardtop roads have substantial upfront and interim capital costs. However, when hardtop roads are constructed on inadequate road base or are left in place beyond their useful life, their operating costs often exceed that for gravel roads and the level of service can often fall below that of gravel roads. Proper construction of a hardtop surface often requires road base repairs and roadside upgrades (e.g. ditching). The average useful life of a hardtop road is 15 years provided a single surface treatment (SST) investment is made in about year 8 of the initial double surface treatment (DST) investment's lifecycle.

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<sup>1</sup> It should be noted that approximately 45% the proposed 2014 gravel resurfacing program is to be funded from aggregate reserves. In the future, this funding may be focused on aggregate haul routes subject once the secondary haul route plan is complete.

There are two components to the cost of a road: capital and operating. A capital work is defined as either a reconstruction of the road or an otherwise substantial improvement made to the road intended to extend its useful life. Capital works are normally incurred infrequently and generally provide a stream of benefits lasting more than one year. In contrast, an operation is defined as an act of ongoing or regular maintenance to a road intended to maintain its expected useful life. Operations normally recur at least annually and generally provide a stream of benefits lasting less than one year. Like any other asset, the total cost of a road is defined as the present value of the sum of operating and amortized capital costs over the useful life of the road.

While gravel and hardtop roads share a number of operating cost centres, such as ditching and roadside grass cutting, there are some cost centres they do not share as indicated in Table 4 below:

| Table 4 - Major Cost Centres Not Common Between Gravel and Rural Hardtop Roads |                           |   |                                |   |
|--|---------------------------|---|--------------------------------|---|
| Cost Classification  | Gravel Roads              |   | Rural Hardtop Roads            |   |
|  | Cost Centre               | Average Frequency   | Cost Centre                    | Average Frequency                                   |
| Capital  | Gravel Resurfacing        | Every 10 years  | Double Surface Treatment (DST) | Every 15 years                                      |
|  |                           |   | Single Surface Treatment (SST) | 8th year of DST lifecycle                           |
| Operating  | Grading & Gravel Patching | 2-5 times during April-November for grading and as needed in the spring for gravel patching | Pothole Repair and Patching    | Variable: light at first then heavier with road age |
|  | Calcium Chloride          | Annually during May-June  |                                |   |

Generally speaking, and as indicated later in the report, the total cost in present value of a hardtop road vastly exceeds that of a gravel road. However, cost is only one-half of the equation; the total benefit derived from the level of service provided by the road is just as important. Since hardtop roads provide a level of service higher than that provided by gravel roads, the additional benefit provided by hardtop can make hardtop a worthwhile investment. Hence, the decision to (or not to) hardtop a gravel road will depend heavily on the extent of this additional benefit. While this benefit often difficult to quantify, it can generally be approximated using measures such as traffic counts, household density and current/forecasted demand estimates. Criteria can be developed around such measures such that the decision to hardtop a gravel road can be made as objectively as possible. The current inventory of hardtop or low-cost bituminous roads within the City is 997 km, or roughly 37% of the entire road inventory.

In 2012 report ENG2012-014 "Proposed Five-Year Roads Capital Plan (2013-2017)" was brought forward by Development Services and adopted by Council by the following resolution:

***RESOLVED THAT*** Report ENG2012-014, "Proposed Five-Year Roads Capital Plan (2013-2017)", be received;

***THAT*** Council endorses the Proposed Five-Year Roads Capital Plan as generally outlined in Appendix "A" to "D" respectively to Report ENG2012-014 as a guide for prioritizing and coordinating annual road capital projects from 2013 to 2017' and

***THAT*** staff be directed to update the Five-Year Roads Capital Plan annually through Council's capital budget deliberations based on annual project approvals and changes in project priorities and budget circumstances.

#### **CARRIED CR2012-1072**

Report ENG2012-014 outlined criteria given for the upgrade of an existing gravel road to a hardtop road with the main trigger being an AADT of 600 vehicles per day or greater, with the exception of boundary road requests and Council resolutions for the consideration in future capital budgets. The report also conducted a cost comparison of hardtop roads and asphalt roads within rural residential areas, where roughly 186 km of the road network could be considered to lie in rural residential areas of which 30 km were already included in the 5-year hi-float plan. The report stated at the time that the treatment type of a DST (double hi-float) and fog seal would be used within these areas and that on a case-by-case basis hot mix asphalt would be utilized.

#### **Addressing CR2012-1148**

This report builds on the background information presented above, Report PW-2013-001, Proposed 2013 Gravel Resurfacing Program (dated February 12, 2013) and Report ENG2012-014, Proposed Five-Year Roads Capital Plan (2013-2017), (dated October 2, 2013) to address Council Resolution CR2012-1148.

This resolution directed staff at Public Works and Development Services to take action on the following four specific matters by September 30<sup>th</sup>, 2013:

1. Develop a 5-year capital gravel resurfacing plan for 2014-2018.
2. With a report to Council:
  - a. Evaluate the long-term cost of gravel vs. hardtop surface.

- b. Identify the current criteria to upgrade a road from gravel to hardtop.
- c. Consider expansion of the criteria in relation to changes in land use.

Public Works and Engineering Division of Development Services have collaborated to address this resolution.

## **Rationale:**

This section details the 5-Year Capital Gravel Resurfacing Plan, cost analysis of gravel vs. hardtop road surface and the review of criteria for upgrading gravel to hardtop.

### 5-Year Capital Gravel Resurfacing Plan

Department of Public Works staff has developed a Five-Year Capital Gravel Resurfacing Plan, attached herein as Appendix 1 and summarized below in Table 5 showing estimated tonnages:

| <b>Table 5: Five-Year Gravel Resurfacing Plan Summary</b> |               |                |               |                |               |                |
|---|---------------|----------------|---------------|----------------|---------------|----------------|
| Year  | West Area     |                | East Area     |                | City          |                |
|   | Km            | Tonnes         | Km            | Tonnes         | Km            | Tonnes         |
| 2014  | 42.32         | 50,270         | 37.41         | 40,000         | 79.73         | 90,270         |
| 2015  | 46.81         | 53,010         | 49.71         | 55,370         | 96.52         | 108,380        |
| 2016  | 54.72         | 57,920         | 44.78         | 50,100         | 99.50         | 108,020        |
| 2017  | 49.01         | 50,800         | 58.09         | 59,550         | 107.10        | 110,350        |
| 2018  | 48.51         | 51,780         | 48.95         | 57,020         | 97.46         | 108,800        |
| <b>Total</b>  | <b>241.36</b> | <b>263,780</b> | <b>238.94</b> | <b>262,040</b> | <b>480.31</b> | <b>525,820</b> |

The five-year plan:

- Currently covers approximately 50% of the City's gravel road system over 2014-2018 and is based on planned 2014 and proposed 2015-2018 capital funding levels, leaving room to add provisional roads each year.
- Establishes a vision moving forward and will be updated annually based on historical resurfacing projects, road conditions, identified problematic road sections, traffic patterns and information from IssueTraq.
- Will assist in determining resurfacing priorities on an ongoing basis subject capital funding levels and periodic amendments based on changing conditions and priorities.

- Moves away from the status quo of piecemeal and geographically-fragmented allocation of gravel, rationalizing allocation into rotating geographic clusters where reasonably possible to reduce costs and ensure roads are resurfaced more holistically.

### Evaluation of Long-Term Cost of Gravel vs. Hardtop (i.e. Hi-Float)

As noted earlier, the long-term cost of a hardtop road vastly exceeds that of a comparable gravel road, as detailed in Table 6 below:

| Table 6 - Cost Analysis: High-Traffic Gravel Road vs. Rural Hardtop Road |                     |                                      |                   |  |  |  |            |
|--|---------------------|--------------------------------------|-------------------|--|--|--|------------|
| Road Type  | Cost Classification | Cost Centre                          | Lifecycle (years) | Undiscounted Cost Per Km Per Occurrence (\$) | Year in Which Cost is Incurred During Lifecycle of DST | Present Discounted Cost Per Km Over Lifecycle of DST |            |
|  |                     |                                      |                   |  |  | By Cost Centre (\$)                                  | Total (\$) |
| High-Traffic Gravel  | Capital             | Gravel Resurfacing (10.0 cm Lift)    | 5                 | 12,526                                       | 1, 6 and 11  | 27,825   | 87,124     |
|  | Operating           | Grading, Patching & Calcium Chloride | 1                 | 1,367  | Each Year  | 13,322   |            |
|  |                     | Other                                | 1                 | 4,718  | Each Year  | 45,977   |            |
| Rural Hardtop  | Capital             | Double Surface Treatment (DST)       | 15                | 76,220                                       | 1  | 76,220   | 135,688    |
|  |                     | Single Surface Treatment (SST)       | 7                 | 11,897                                       | 8  | 7,409  |            |
|  | Operating           | Pothole Repair & Patching            | 1                 | 624  | Each Year  | 6,083  |            |
|  |                     | Other                                | 1                 | 4,718  | Each Year  | 45,977   |            |

All costs are per km and are projected for 2014. Capital costs are based on a standard road width of 5.0 m and on 2013 Capital Budget and tender results inflated by 3%/annum to 2014. Operating costs are based on actual total roads maintenance costs (including administration) incurred in 2012 inflated by 3%/annum to 2014 where the \$14,145,724 spent in 2012 has been apportioned as much as possible between gravel and hardtop roads. Costs per km are based on a 930 km gravel road system and a 1,750 km combined asphalt/hardtop road system of which 1,000 km are hardtop. A gravel road is considered high-traffic if requires gravel resurfacing every 5 years.

A financial cost is undiscounted if it is the current dollar value that will actually be spent, whereas a financial cost is discounted (i.e. in present value) if it reflects the preference for costs to be deferred into the future. Present value for this table is based on an assumed internal rate of return of 7.0%/annum over the useful life of an investment/expenditure, hence there is an indifference between spending \$1.00 now and spending \$1.07 a year from now.



The total present discounted cost per km of a hardtop surface today is more than 55% of that for a gravel surface over the expected lifecycle of a hardtop surface. This gap would be even larger had hardtop been compared to a low-traffic gravel road that would be resurfaced only every 10 years instead of every 5 years.

### Criteria for Upgrading Gravel to Hardtop

As previously noted, Report ENG2012-014 was brought forward based upon the analysis undertaken through the 2011 Roads Needs Study which outlined the immediate, 1-5 and 6-10 year needs of the City's road inventory. Based upon these needs, target levels for program funding were established within the Urban Rural Resurfacing, Hot Mix and Hi-Float programs for maintaining an overall network adequacy of 72%. Due to the size of the network and limited tax base, the upgrading of a gravel road with less than 600 AADT was not considered by Engineering Division except through a boundary road request or resolution made through Council, for consideration. Based on the 2011 roads needs data, there are currently no gravel road sections that meet or exceed the 600 AADT threshold, however 48 km of gravel road have an AADT between 200 and 400 vehicles and 854 km of gravel roads have less than 200 AADT.

If the City was to consider upgrading gravel roads outside of the stated criteria, then it should consider sections with 200-400 AADT only (a total of 48 km) and then further identify ones with higher truck traffic. The capital cost to upgrade this 48 km inventory to hardtop is estimated at \$3 to \$4 million by the Engineering Division. In comparison, the City's budget for the 2013 Hi-Float program is \$2.2 million for the resurfacing of existing hardtop roads with the exception of \$50,000 for upgrading of two boundary roads sections. Based on a 10-year upgrading forecast, the City would need to add \$360,000 to \$400,000 per year in addition to the current Hi-Float program to maintain the 72% target road adequacy level of service as well as to upgrade the additional 48 km of gravel road.

Otherwise, the City would have to decrease the amount of annual hardtop resurfacing from the existing capital Hi-Float program to create the necessary budgetary room, which will invariably lower road adequacy and level of service. If this latter alternative is adopted without any additional funding to the Hi-Float program to account for the addition of 48 km to the hardtop inventory, Engineering Division estimates that road adequacy will fall from 72% to approximately 55%. The Engineering Division does not recommend such a decrease in level of service.

Through the capital budgeting process, the Engineering Division is instead proposing a revamping of the Hi-Float program. Under this proposal, the program name would change to Rural Resurfacing and the scope of work would allow for the use of asphalt products on sections of road classified as rural

residential areas found in the 5 year plan. Asphalt will generally last 7-8 years longer than hardtop. The method being proposed is largely based on spot repair and overlaying of hardtop roads with an HL-2 high-stability asphalt product instead of undertaking conventional pulverization followed by DST. Over the past 8 years in the City, this method has in fact been implemented on a pilot basis on certain road sections which have been monitored for deterioration of condition. Monitoring has revealed that the HL-2 overlay has outperformed equally-aged hardtop surfaces.

Through utilizing this method of upgrading deteriorated hardtop rural residential roads with an asphalt product, the lifecycle of existing hardtop is extended and future capital costs therefore deferred, creating the potential to realize cost savings. These savings could then be applied to the upgrading of gravel road sections within rural residential areas where demand for hardtop is particularly high despite lower AADT counts. Such an approach would need to be facilitated by long-term planning to ensure cost savings are identified and applied effectively.

### **Other Alternatives Considered:**

Council may choose to maintain existing gravel resurfacing funding levels, reject the new Rural Resurfacing program being presented through the 2014 capital budgeting process and/or add new roads into the hardtop road inventory. Increases to capital funding for programs supporting hardtop roads would be required to maintain road system adequacy should Council choose to increase the hardtop road inventory.

### **Financial Considerations:**

To achieve an acceptable level of service with regard to gravel resurfacing, funding for this program should be increased to at least \$1.2 million/year based on current costs and prices. In present value, the total (capital + operating) cost of a rural hardtop road over its lifecycle exceeds that of a comparable high-traffic gravel road by over 55%.

Staff therefore do not recommend upgrading all of the City's 48 km of gravel road with AADT > 200 to hardtop, but would rather encourage Council to consider the more precise and targeted approach via the Rural Resurfacing program being presented through the 2014 capital budgeting process.

Actual annual capital budgets for gravel resurfacing and hardtop programs will be approved by Council during annual capital budget deliberations.

## **Relationship of Recommendation(s) To Strategic Priorities:**

1. **Enhancing Tourism;**
2. **Managing Aggregates;**
3. **Developing a Knowledge-Based Economy** (with a focus on the water and agricultural sectors for job creation); and
4. **Creating Connections** (with a focus on infrastructure, communications and relationships)

This report and recommendations therein, support either directly or indirectly priorities 1, 2 and 4.

## **Review of Accessibility Implications of Any Development or Policy:**

Not applicable.

## **Servicing Comments:**

Not applicable.

## **Consultations:**

Doug Downing, Area Manager of Roads Operations – West  
Pat Russell, Area Manager of Roads Operations – East  
Michelle Hendry, Director of Public Works  
Ron Taylor, Director of Development Services

## **Attachments:**

Appendix 1 – Proposed Five-Year Capital Gravel Resurfacing Plan



5 Year Gavel  
Resurfacing - Septem

---

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**E-Mail:** [afound@city.kawarthalakes.on.ca](mailto:afound@city.kawarthalakes.on.ca)  
[mfarquhar@city.kawathatlakes.on.ca](mailto:mfarquhar@city.kawathatlakes.on.ca)

**Department Head:** Michelle Hendry, Public Works  
Ron Taylor, Development Services

**Department File:**

| High-Volume Gravel Roads (≥200 AADT) as Per 2016 Roads Needs Study |                             |                                  |                                |                       |      |             |           |
|--|-----------------------------|----------------------------------|--------------------------------|-----------------------|------|-------------|-----------|
| Section Number   | Road                        | From                             | To                             | Boundary Municipality | AADT | Length (Km) | Width (m) |
| 10475  | Zion Rd.                    | 400 Metres east of Simcoe Street | Fingerboard Rd.                |                       | 205  | 2.667       | 5.50      |
| 10910  | Beacroft Rd.                | Ramsey Rd.                       | Zion Rd.                       |                       | 221  | 1.358       | 5.00      |
| 11275  | Taylor's Rd. (Mariposa)     | Farmstead Rd.                    | Highway #7                     |                       | 243  | 1.352       | 5.00      |
| 20670  | Fleetwood Rd. (Manvers)     | 1.1 Km East of Janetville Rd.    | Chipmunk Rd. (Manvers)         |                       | 260  | 1.913       | 7.00      |
| 20775  | Manvers/Scugog Townline     | Mount Joy Road                   | Telecom Rd.                    | Scugog                | 398  | 0.333       | 6.00      |
| 20780  | Manvers/Scugog Townline     | Telecom Rd.                      | Devitt's Rd.                   | Scugog                | 398  | 1.105       | 6.00      |
| 21010  | Porter Rd. (Manvers)        | Highway #7A                      | 2.5 Km North of Highway #7A    |                       | 216  | 2.500       | 6.00      |
| 21050  | Glamorgan Rd.               | Sandaraska Rd.                   | 700m N of Sandaraska Road      | Cavan-Monaghan        | 260  | 0.709       | 5.00      |
| 21080  | Dranoel Rd.                 | Syer Line                        | Highway #7A                    | Cavan-Monaghan        | 216  | 1.625       | 6.00      |
| 21810  | Stoney Creek Rd.            | Highway #35                      | 0.4 Km West of Highway #35     |                       | 434  | 0.400       | 5.50      |
| 21930  | Old Mill Rd.                | Crosswind Rd.                    | Highway #7                     |                       | 304  | 3.103       | 4.50      |
| 21955  | Heights Rd.                 | 0.4 Km North of Mount Horeb Rd.  | Crosswind Rd.                  |                       | 288  | 0.735       | 5.20      |
| 40670  | Quaker Rd.                  | Eden Rd.                         | Opmar Rd.                      |                       | 232  | 1.933       | 5.00      |
| 40700  | Black School Rd.            | Simcoe St. (Eldon/Mariposa)      | K.L. Rd. 46 (Eldon/Mariposa)   |                       | 216  | 3.065       | 6.00      |
| 40850  | Eden Rd.                    | Quaker Rd.                       | Peniel Rd.                     |                       | 221  | 1.389       | 6.00      |
| 40860  | Eden Rd.                    | Black School Rd.                 | The Glen Rd.                   |                       | 271  | 1.380       | 6.00      |
| 40865  | Opmar Rd.                   | Highway #7                       | Thunder Bridge Rd.             |                       | 304  | 2.000       | 5.00      |
| 40870  | Opmar Rd.                   | Thunder Bridge Rd.               | Quaker Rd.                     |                       | 304  | 0.757       | 5.00      |
| 41100  | Peniel Rd.                  | Elm Tree Rd.                     | Blackbird Rd.                  |                       | 266  | 1.100       | 4.70      |
| 41105  | Peniel Rd.                  | Blackbird Rd.                    | Monarch Rd.                    |                       | 266  | 0.281       | 4.70      |
| 41180  | Powles Rd. (Fenelon)        | Country Lane (Fenelon)           | Highway #35                    |                       | 415  | 1.358       | 5.50      |
| 41260  | Mark Rd. (Fenelon)          | Chamber's Rd.                    | 0.3 Km South of Hollowtree Rd. |                       | 205  | 4.133       | 6.00      |
| 41465  | Wagar Rd.                   | Admiral Dr.                      | Gillis St.                     |                       | 242  | 0.136       | 4.00      |
| 41475  | Daytonia Beach Rd.          | Long Beach Rd.                   | Pleasure St.                   |                       | 209  | 0.456       | 4.50      |
| 41480  | Daytonia Beach Rd.          | Pleasure St.                     | North End                      |                       | 209  | 0.719       | 4.50      |
| 50655  | Post Rd.                    | Cheese Factory Rd.               | K.L. Rd. 36                    |                       | 260  | 2.290       | 4.50      |
| 50865  | Kennedy Bay Rd.             | Elder St.                        | North End                      |                       | 293  | 0.125       | 5.00      |
| 60595  | Mount Nebo Rd.              | Meadowview Rd.                   | Cottingham Rd. (Emily)         |                       | 210  | 1.815       | 5.50      |
| 60665  | Orange Corners Rd.          | Cottingham Rd. (Emily)           | Highway #7                     |                       | 205  | 1.412       | 5.50      |
| 60815  | St. Luke's Rd.              | Esker Rd.                        | 0.4 Km West of Sturgeon Rd.    |                       | 332  | 1.903       | 6.00      |
| 70000  | Hartley Rd.                 | 0.1 Km North of Robinson Ave.    | Portage Rd.                    |                       | 232  | 0.807       | 6.00      |
| 70900  | Robinson Ave.               | Hartley Rd.                      | East End                       |                       | 222  | 0.713       | 6.50      |
| 70935  | Whitetail Rd.               | Killarney Bay Rd.                | Balsam Grove Rd. (Fenelon)     |                       | 221  | 1.396       | 5.00      |
| 71195  | Country Lane (Fenelon)      | Glenarm Rd.                      | Whitetail Rd.                  |                       | 266  | 1.480       | 4.50      |
| 71200  | Country Lane (Fenelon)      | Whitetail Rd.                    | Pearn's Rd.                    |                       | 266  | 0.615       | 4.50      |
| 91240  | Hilton's Point Rd. (Laxton) | Beechnut Rd. (Laxton)            | Laxton Township 8th Line       |                       | 210  | 0.684       | 6.00      |
| 91245  | Hilton's Point Rd. (Laxton) | Laxton Township 8th Line         | Sugar Bush Rd. (Laxton)        |                       | 210  | 0.301       | 6.00      |
| 91250  | Hilton's Point Rd. (Laxton) | Sugar Bush Rd. (Laxton)          | Acorn Rd.                      |                       | 210  | 1.761       | 6.00      |
|  |                             |                                  |                                | Total / Average       |      | 51.809      | 5.48      |

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number ENG2018-007**

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**Date:** June 19, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

---

**Ward Community Identifier:** All wards

**Subject:** LAS Proposal, LED Streetlight Replacement Program (Lindsay)

### **Recommendation(s):**

**RESOLVED THAT** Report ENG2018-007 LAS Proposal, LED Streetlight Replacement Program (Lindsay), be received;

**THAT** staff be directed to enter into a contract with LAS and Realterm Energy to implement a staged LED streetlight replacement program in Lindsay in the amount of \$335,394 with options for the 2<sup>nd</sup> and 3<sup>rd</sup> phases of the project.

**THAT** the Mayor and Clerk be authorized to sign the agreement.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

## **Background:**

In 2014/15 the Office of Strategy Management undertook a review of hydro billing for the City. An agreement was in place with Local Authority Service (LAS) and the City to allow for bulk purchasing of hydro for City's facilities and street lighting. A review and update of the agreement occurred so that all city hydro accounts would be included allowing maximum savings to be realized. As an arm of the Association of Municipalities for Ontario (AMO), LAS provides various programs to meet the needs of municipalities such as energy consumption data management, components of asset management and a street lighting program. The City engaged LAS in education programs for staff and because an existing agreement was in place, engaged LAS to audit our street light program.

LAS is an auxiliary group of AMO that works with Municipalities on energy supply partnerships such as bulk purchasing power, natural gas or diesel fuel and selling it back at costs to help moderate commodity increases for Municipalities. LAS has also developed a program through its partnership with Realterm Energy for working with and facilitating LED streetlight upgrade projects with Municipalities.

A meeting was set up with LAS, the Office of Strategy Management and Engineering and Corporate Assets to review LAS's proposal for the replacement of 2,247 streetlights in Lindsay. From this meeting Staff and LAS conducted an energy audit of the streetlights in Lindsay. Based on this audit it was found that there were 2,247 HPS (high pressure sodium) and decorative lights in Lindsay which consumed an estimate 1,347,019 kWh. Through the audit it was concluded the City could reduce its streetlight energy consumption by 58% through replacing its old HPS street lighting with newer, more efficient and longer life LED streetlights.

At the time of the audit it was estimated that streetlight energy and maintenance costs were in the range of \$372,000 yearly. After upgrading it was estimated the City would save \$229,000 yearly, reducing its energy and maintenance costs for streetlights yearly in Lindsay to \$143,000.

After reviewing this audit and projected capital budgeting for the City's current capital streetlight replacement program, staff requested LAS to revise the audit as a staged approach to replacing the existing streetlights in Lindsay over a three year period (see appendix B) in order to spread out the total estimated project cost of \$1,237,540. This phasing for the full implementation is proposed over 2018 to 2020. It is estimated that costs in phase 2 (2019) and phase three (2020) would be \$470,400 per year to implement.

The City had previously completed a LED Streetlight upgrade project of over 800 streetlights through the Energy savings performance contract the City had with Honeywell Ltd, over 2014 and 2015 (report ED2014-013). This saw the

replacement of older HPS streetlights in the communities of Fenelon Falls, Bobcaygeon and Coboconk.

### **Rationale:**

This project falls within the Corporate Strategic Plan for providing responsible, efficient and effective services. In this situation it would mean the beginning of the effective upgrade of the City's streetlight service in Lindsay as well as responsibly reducing the City's energy consumption and costs for providing that streetlight service.

The first phase would include the replacement of 522 streetlight fixtures on the east side of Lindsay.

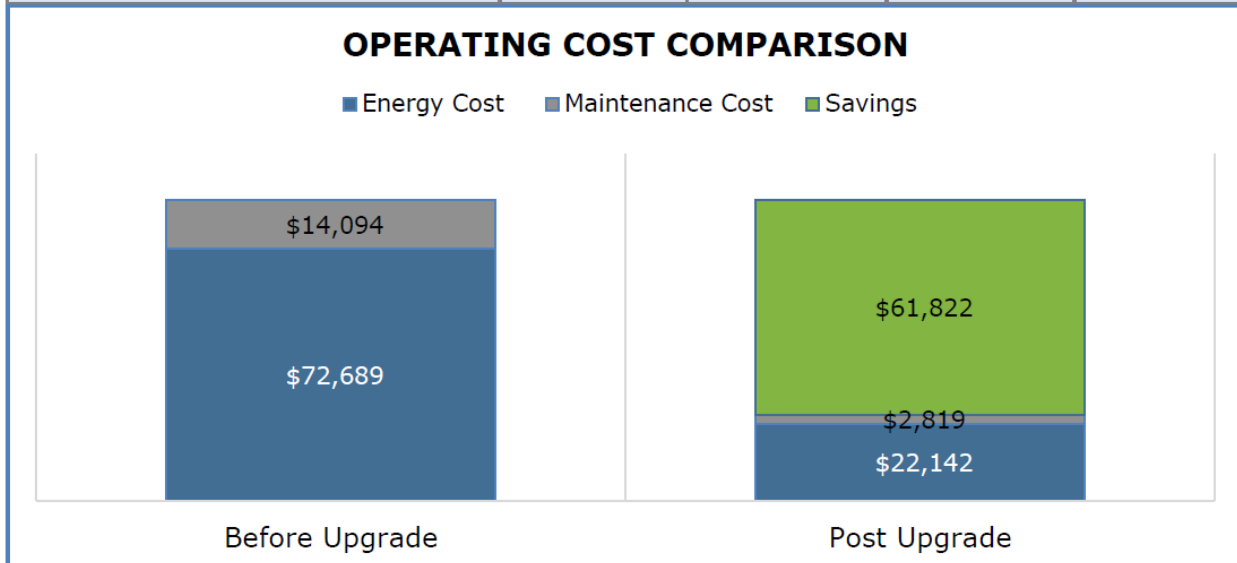
To fund the first phase of this project, the existing streetlight budgets from 2016-2018 in the amount of \$323,768.31 would be utilized. The estimated project cost after IESO grant is \$287,903.59.

The City has applied for an IESO (Independent Electricity System Operator) grant for the entire phase of the project which is approximately \$206,013. For the first phase the grant amount would be \$44,358.00.

The Chart below outlines the energy and operational savings the City will realize after phase 1 of the project is complete. Through upgrading 522 existing streetlights to LED lights the City will reduce its energy consumption by 215,456 kWh per year as well as reducing its overall operational and energy cost by \$61,822 yearly. This places the pay back period for the phase at 3.9 years based on operational and energy saving.



| PARAMETER                            | BEFORE<br>UPGRADE | POST-<br>UPGRADE | VARIANCE | PERCENT |
|--------------------------------------|-------------------|------------------|----------|---------|
| Number of Fixtures                   | 522               | 522              |          |         |
| Annual Electricity Consumption (kWh) | 308,794           | 93,338           | 215,456  | 70%     |
| Annual Electricity Costs             | \$72,689          | \$22,142         | \$50,547 | 70%     |
| Annual Maintenance Cost              | \$14,094          | \$2,819          | \$11,275 | 80%     |
| Total Streetlights Expenditures      | \$86,783          | \$24,961         | \$61,822 | 71%     |
| Average Annual Cost per Fixture      | \$166             | \$48             | \$118    | 71%     |



If Council chooses to enter into an agreement with LAS for the implementation of this project, there would be no cost for the investment grade audit already completed by LAS. LAS would be responsible for the procurement process on behalf of the City, ensuring that they are in compliance with the City's Purchasing Policy and any applicable trade agreements. They would also be responsible for the contract administration and implementation of the replacement project. The City currently has a purchasing relationship with LAS in the form of bulk electricity purchasing for the City, established through Council Report T-FIN 2006-46. This new proposed agreement would be furthering the City's pre-existing relationship with LAS by helping the City advance its corporate energy management plan through the replacement of outdated streetlights.

### Other Alternatives Considered:

If Council chooses not to enter into an agreement for implementation of this LED streetlight replacement project then the City would be responsible for the cost of the investment grade audit done by LAS in the amount of \$29,000. The City could look at implementing the project itself, however, it is recommended that the City utilize the expertise and bulk purchasing agreements that LAS has already established in order to complete this project.

## Financial/Operation Impacts:

| Project                             | Budget    | Other<br>Committe<br>d Funds | Balance   | LAS<br>Project<br>Cost<br>including<br>HST | HST<br>Rebate | Conting<br>ency | IESO<br>Incentive<br>Rebate | Total<br>Project<br>Cost | Project<br>Balance |
|-------------------------------------|-----------|------------------------------|-----------|--|---------------|-----------------|-----------------------------|--------------------------|--------------------|
| 983181001<br>983171001<br>983161301 | \$330,000 | \$6,232                      | \$323,768 | \$335,394                                  | \$33,361      | \$30,203        | \$44,358                    | \$287,878                | \$35,890           |

As stated in the background staff recommends using pre-existing Streetlight program accounts to fund the first phase of this project. Staff is recommending completing over 3 phases, as such the other 2 phases would be budgeted through future capital budgets under the Capital streetlight replacement program in 2019 and in 2020 in a estimated amount of \$470,400 per year to implement the entire project. It should be noted that in order to receive the full IESO grant all works need to be completed by 2020.

## Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

The recommendations of this report align with the following goals of the Corporate Strategic Plan:

- Goal 1 – A Vibrant and Growing Economy: An effective helps support municipal infrastructure that is essential for a prosperous and growing economy, especially in the areas of the City.
- Goal 3 – A Heathy Environment: By reducing the City's overall energy consumption and reducing operating costs

## Consultations:

Finance ,Purchasing,Office of strategic management

## Attachments:



Investment grade  
audit.pdf

**Department Head E-Mail:** jrojas@kawarthalakes.ca

**Department Head:** Juan Rojas, Director of Engineering and Corporate Assets



# **Investment Grade Audit for the City of Kawartha Lakes (Fixtures Located East Side of Lindsay)**

LED Streetlighting Conversion

May 24, 2018

O-0160

## **Primary Contact:**

Scott Vokey  
Director of Government Relations and Community Solutions  
RealTerm Energy Corp.  
2160, de la Montagne Street, Montreal, Quebec H3G 2T3  
866-422-5202  
[svokey@realtermenergy.com](mailto:svokey@realtermenergy.com)

**REALTERM**  
ENERGY

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May 24, 2018

Juan Rojas  
The City of Kawartha Lakes  
26 Francis Street  
Lindsay, ON, K9V 5R8

Dear Mr. Rojas,

We are pleased to present this Investment Grade Audit of the streetlight network located on the east side of Lindsay for the City of Kawartha Lakes. This revised IGA supersedes all previous IGA reports presented to the City of Kawartha Lakes.

We have concluded our detailed analysis of your streetlight system to reflect the proposed upgrade to LEDs based on our GIS/GPS mapping. The existing streetlights to be upgraded to LEDs under the scope of work of the IGA presented are currently consuming 308,794 kWh. By upgrading to LEDs, your projected annual energy consumption will fall substantially to 93,338 kWh, resulting in 215,456 kWh of energy savings, equivalent to 70% consumption reduction.

The total project cost is \$296,809 including allowances for rewiring, fusing, arm replacement and other installation allowances listed in Section 7.2. – Allowances. The estimated available incentives are \$44,358 from IESO.

We look forward to moving your project to the next phase. We will arrange for a conference call to discuss the contents of this report in the next few days, but until then please feel free to contact us should you have any questions.

Yours truly,



Sean Neely, President  
[sneely@realtermenergy.com](mailto:sneely@realtermenergy.com)

## 1. EXECUTIVE SUMMARY

|  |                           |  |
|--|---------------------------|--|
| <b>Technical/<br/>Environmental<br/>Assessment</b> | Title                     | City of Kawartha Lakes LED Streetlight Conversion  |
|  | Baseline                  | 447 HID <sup>(1)</sup> Cobrahead fixtures,<br>1 HID Sentinel fixture<br>69 HID Decorative fixtures<br>5 HID Flood lights<br>Total demand: 71.5 kW<br>Annual energy consumption: 308,794 kWh<br>Annual operating hours: 4,320 |
|  | Technology Employed       | Smart ready LED Fixtures   |
|  | Technology Provider(s)    | Cree, Acuity Brands, King Luminaire  |
|  | Technical Specifications  | 7-PIN, Smart ready fixtures<br>Colour temp: 3,000K<br>Average life ≥ 100,000 hours<br>CRI ≥ 70, IP ≥ IP 65   |
|  | Fixture Warranty          | 10 years   |
|  | Annual Energy Savings     | 215,456 kWh (70%)  |
| <b>Financial<br/>Assessment</b>                    | Financing Scheme          | Capital Purchase (Kawartha Lakes-financed)   |
|  | Total Project Cost        | \$296,809  |
|  | <b>IESO Incentive</b>     | <b>\$44,358</b>  |
|  | Net Project Cost          | \$252,451  |
|  | Average Price per Fixture | \$484  |
|  | Project Reference Period  | 23 Years   |
|  | Payback Period            | 3.9 Years  |
| <b>Organizational<br/>Assessment</b>               | Time Schedule             | TBD  |

(1) – High Intensity Discharge

## 2. INTRODUCTION

RealTerm Energy has examined in detail the City of Kawartha Lakes' existing streetlight network records to produce this Investment Grade Audit. Our analysis included the following stages:

- Evaluate existing GPS/GIS data of the entire streetlight inventory of the City

Apply appropriate LED-based lighting designs

Update the replacement LED fixtures from the desktop review

Examine in detail the City's utility bills

Establish baseline results for energy consumption and maintenance costs

Revise estimated project costs and savings potential

A summary of our findings is shown below:

| PARAMETER  | IGA RESULT       |
|--|------------------|
| Number of Fixtures                               | 522              |
| Type of Fixture                                  | HPS/MV           |
| Energy Savings (%)                               | 69.8%            |
| Energy Consumption (kWh)                         | 308,794          |
| Projected Annual Energy Costs                    | \$72,689         |
| Annual Maintenance Cost                          | \$14,094         |
| Average Annual Cost per Fixture                  | \$166.25         |
| Total Annual Operating Cost                      | \$86,783         |
| <b>Total Project Costs</b>                       | <b>\$296,809</b> |
| Incentives (IESO)                                | -\$44,358        |
| <b>Net Project Costs <u>after</u> Incentives</b> | <b>\$252,451</b> |



### 3. GPS MAPPING

RealTerm Energy conducted a complete GIS inventory of the City of Kawartha Lakes' streetlights and used the information derived from this review to develop a detailed picture of Kawartha Lakes' current streetlighting network which includes the following:

- Accurate count of all fixtures and fixture types

Wattage of each existing fixture

Length of fixture arms, fixture heights, setbacks from roadway, pole spacing, etc.

Exact GPS coordinates

Road classifications

Utility pole ID numbers (when available)

From this data, we established a profile of Kawartha Lakes' streetlight inventory (for fixtures in Scope) and defined key parameters such as demand and energy consumption. This then allowed us to accurately estimate energy savings potential associated with the LED upgrade.

A detailed breakdown of the revised lighting inventory, obtained from the GIS/GPS audit is presented below:

#### 3.1. GPS Inventory (Actual)

| TYPE  | SYSTEM WATTAGE | QTY        | DEMAND (kW) |
|---|----------------|------------|-------------|
| <b>COBRAHEAD FIXTURES</b>   |                |            |             |
| Cobrahead - HPS - 70W   | 100            | 266        | 26.6        |
| Cobrahead - HPS - 100W  | 130            | 75         | 9.8         |
| Cobrahead - HPS - 150W  | 190            | 83         | 15.8        |
| Cobrahead - HPS - 250W  | 310            | 23         | 7.1         |
| Sentinel - HPS - 250W   | 310            | 1          | 0.3         |
| <b>Subtotal (Cobrahead)</b>   |                | <b>448</b> | <b>59.6</b> |
| <b>DECORATIVE FIXTURES</b>  |                |            |             |
| Decorative - Victorian Lantern Post Top Type II - 100W  | 130            | 46         | 6.0         |
| Decorative - Victorian Lantern Side Mount - 100W  | 130            | 14         | 1.8         |
| Decorative - Victorian Lantern Post Top - 100W  | 130            | 8          | 1.0         |
| Decorative - Cube Post Top - 400W   | 460            | 1          | 0.5         |
| Floodlight - 250W   | 310            | 2          | 0.6         |
| Floodlight - 400W   | 460            | 2          | 0.9         |
| Floodlight - 1000W  | 1080           | 1          | 1.1         |
| <b>Subtotal (Decorative)</b>  |                | <b>74</b>  | <b>11.9</b> |
| <b>TOTAL</b>  |                | <b>522</b> | <b>71.5</b> |
| <b>Notes:</b> For simplicity, Sentinel fixtures have been categorized as Cobraheads and any Floodlights have been categorized as Decoratives. |                |            |             |

## 4. LED REPLACEMENT INVENTORY

The reduced demand following the LED streetlight upgrade will directly impact the annual energy consumption, measured in kWh. Our findings show that the demand will be reduced by 49.9 kW. This will result in energy savings of 70% over the current consumption, equivalent to 215,456 kWh annually. The table below illustrates the proposed changes to Kawartha Lakes' inventory, based on our examination of the GPS data and lighting design results (see next page for more details on our design methodology).

Following input from the Municipality, our design team developed photometric design plans utilizing 3000K colour temperature LED luminaires throughout the City.

### 4.1. LED Replacements (Actual, Post-Upgrade)

| LDC                         | TYPE  | WATTAGE | QTY        | DEMAND (kW) | DLC* | COLOUR-TEMP. |
|-----------------------------|---|---------|------------|-------------|------|--------------|
| <b>COBRAHEAD FIXTURES</b>   |   |         |            |             |      |              |
| Hydro One                   | 33W_BXSPR-HO-HT-2ME-60W-30K-UL-SV-N-Q4                      | 33      | 257        | 8.5         | DLC  | 3,000K       |
| Hydro One                   | 33W_BXSPR-HO-HT-3ME-60W-30K-UL-SV-N-Q4                      | 33      | 37         | 1.2         | DLC  | 3,000K       |
| Hydro One                   | 38W_BXSPR-HO-HT-2ME-60W-30K-UL-SV-N-Q5                      | 38      | 20         | 0.8         | DLC  | 3,000K       |
| Hydro One                   | 43W_BXSPR-HO-HT-2ME-60W-30K-UL-SV-N-Q6                      | 43      | 3          | 0.1         | DLC  | 3,000K       |
| Hydro One                   | 43W_BXSPR-HO-HT-3ME-60W-30K-UL-SV-N-Q6                      | 43      | 47         | 2.0         | DLC  | 3,000K       |
| Hydro One                   | 55W_BXSPR-HO-HT-2ME-60W-30K-UL-SV-N-Q8                      | 55      | 30         | 1.7         | DLC  | 3,000K       |
| Hydro One                   | 62W_BXSPR-HO-HT-2ME-60W-30K-UL-SV-N-Q9                      | 62      | 25         | 1.6         | DLC  | 3,000K       |
| Hydro One                   | 62W_BXSPR-HO-HT-3ME-60W-30K-UL-SV-N-Q9                      | 62      | 8          | 0.5         | DLC  | 3,000K       |
| Hydro One                   | 88W_BXSP1-HO-HT-2ME-100W-30K-UL-SV-N-Q8                     | 88      | 14         | 1.2         | DLC  | 3,000K       |
| Hydro One                   | 88W_BXSP1-HO-HT-3ME-100W-30K-UL-SV-N-Q8                     | 88      | 1          | 0.1         | DLC  | 3,000K       |
| Hydro One                   | 107W_BXSP2-HO-HT-2ME-165W-30K-UL-SV-N-Q4                    | 107     | 2          | 0.2         | DLC  | 3,000K       |
| Hydro One                   | 125W_BXSP2-HO-HT-2ME-165W-30K-UL-SV-N-Q6                    | 125     | 2          | 0.3         | DLC  | 3,000K       |
| Hydro One                   | 143W_BXSP2-HO-HT-3ME-165W-30K-UL-SV-N-Q7                    | 143     | 1          | 0.1         | DLC  | 3,000K       |
| Hydro One                   | 88W_BXSP1-HO-HT-3ME-100W-30K-UL-SV-N-Q8,<br>NEED 8 FEET ARM | 88      | 1          | 0.1         | DLC  | 3,000K       |
| <b>Subtotal (Cobrahead)</b> |   |         | <b>448</b> | <b>18.3</b> |      |              |

Initials: \_\_\_\_\_

| LDC                          | TYPE  | WATTAGE | QTY        | DEMAND (kW) | DLC*    | COLOUR-TEMP. |
|------------------------------|---|---------|------------|-------------|---------|--------------|
| <b>DECORATIVE FIXTURES</b>   |   |         |            |             |         |              |
| Hydro One                    | 46W_247CL 20LEDE70 MVOLT 3K R5 DDB P7 PCLL NL                         | 46      | 8          | 0.4         | DLC     | 3,000K       |
| Hydro One                    | 39W_247CL 10LEDE10 MVOLT 3K R3 P7 PCLL HSS NL                         | 39      | 45         | 1.8         | NOT DLC | 3,000K       |
| Hydro One                    | 39W_247CL 10LEDE10 MVOLT 3K R2 P7 PCLL HSS NL                         | 39      | 1          | 0.0         | NOT DLC | 3,000K       |
| Hydro One                    | 40W_K601D-S-P4NL-III-40(SSL)7030-120-PR7-3K-BK                        | 40      | 14         | 0.6         | DLC     | 3,000K       |
| Hydro One                    | 79W_PSLED PK2 MVOLT FL 30K 4 GYSDP 10KVIL PER7 DLL 04 63 (TILTED 40)  | 79      | 4          | 0.3         | DLC     | 3,000K       |
| Hydro One                    | 46W_247CL 20LEDE70 MVOLT 3K R5 DDB P7 PCLL NL Square                  | 46      | 1          | 0.0         | DLC     | 3,000K       |
| Hydro One                    | 199W_PSLED PK5 MVOLT FL 30K 4 GYSDP 10KVIL PER7 DLL 04 63 (TILTED 40) | 199     | 1          | 0.2         | DLC     | 3,000K       |
| <b>Subtotal (Decorative)</b> |   |         | <b>74</b>  | <b>3.3</b>  |         |              |
| <b>TOTAL</b>                 |   |         | <b>522</b> | <b>21.6</b> |         |              |

\*DLC-listed products are LED products that have been tested at a DLC-approved laboratory and comply with specified performance and energy efficiency criteria. These products are eligible for IESO incentive. For further information please visit the DesignLights Consortium website at [www.designlights.org](http://www.designlights.org).

The 'Not DLC-listed' products are not eligible for the IESO incentive. Please note that in the table above, two types of decorative luminaires are not eligible for IESO incentives as they are not DLC-listed. We have chosen these lights and are recommending them to you because in our professional opinion they are of equivalent quality and energy efficiency, and have the same type of independent testing as that done for DLC-listed lights. Because they are made in smaller quantities the manufacturer has simply not paid to submit them to the DLC list.

## 4.2. Forecasted Changes in Energy Demand

| Parameter                | IGA Result |
|--------------------------|------------|
| Demand, baseline (kW)    | 71.5       |
| Demand post-upgrade (kW) | 21.6       |
| Difference (kW)          | 49.9       |

Initials: \_\_\_\_\_

## 5. LED LIGHTING DESIGN

RealTerm Energy's technical evaluation team reviewed the collected geospatial dataset and formulated a hybrid approach to completing the roadway designs for Kawartha Lakes. After evaluating the configuration of each light fixture for road classification, pedestrian activity, pole spacing, mounting height, arm length and curb setback, we have concluded that Kawartha Lakes can achieve the same or better lighting levels than those under its current streetlights. We have implemented a design solution of selected LED luminaires that follows RP-8-2014 recommendations, where the recommendations are possible within the existing infrastructure configuration (RP-8 is a recommended, though not required, practice for roadway illumination).

The reason that a portion of Kawartha Lakes' luminaires do not meet RP-8 may be due to several factors, including:

- Inadequate pole spacing (poles are spaced too far apart),  
Insufficient mounting height, or  
Missing light fixtures (at essential locations to eliminate gaps).

**Our analysis concludes that in all instances where RP-8 could not be achieved with a new LED fixture, this was already the case for the existing fixture.** In such instances, photometric design has been utilized to select an LED luminaire in which the wattage and distribution pattern combine to meet or exceed the existing lighting levels.

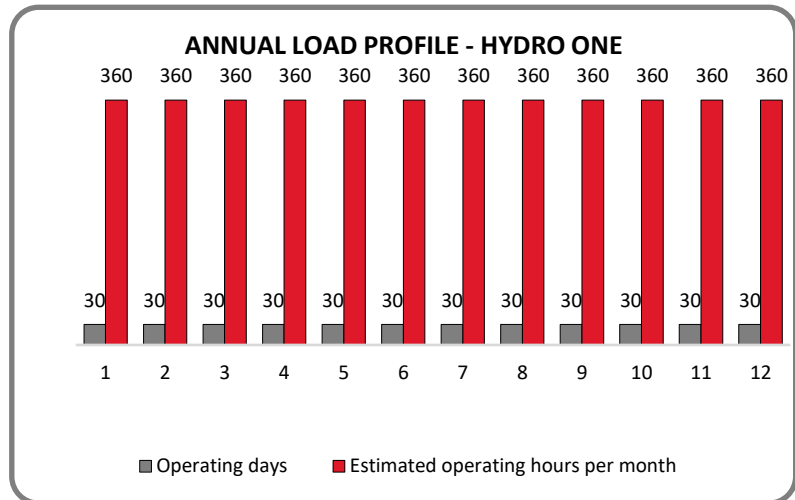
Based on the replacement luminaires detailed in the following pages, we anticipate that the impact on the City's annual energy consumption will be as follows:

| Parameter                                     | IGA Results |
|---|-------------|
| Current Annual Energy Consumption (kWh)       | 308,794     |
| Projected LED Annual Energy Consumption (kWh) | 93,338      |
| Annual Savings (kWh)                          | 215,456     |

## 6. ENERGY AND COST SAVINGS ANALYSIS

### 6.1. Hydro One's Load Profile

Streetlights are generally not metered, but rather deemed to be 'on' and are therefore billed based on a load profile, determined by the utility company. The annual load profile is a critical part of the baseline calculation, used to project the actual energy consumption and future energy savings that will be realized after the upgrade. The load profile utilized by Hydro One, Kawartha Lakes' utility company, appears on the right.

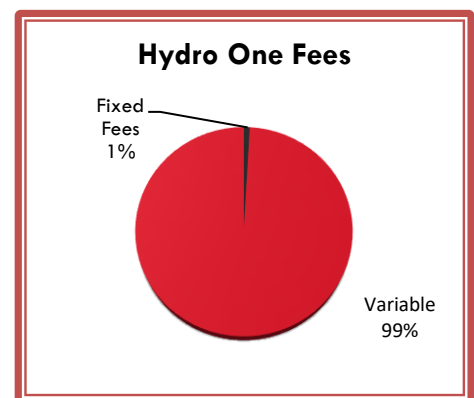


### 6.2. Baseline Energy Calculations

Utilities charge two types of fees: fixed and variable. Fixed fees are constant both before and after the upgrade as they are charged on a per connection basis. Variable fees are based on consumption and therefore decrease following an upgrade to LEDs. Higher fixed fees as a percentage of the total bill result in lower dollar savings potential from the upgrade due to a change in energy consumption.

In the case of Hydro One, the fixed fees are almost negligible, close to 1%. Since Hydro One has very low fixed fees, almost all the demand savings will show up in the municipality's billing.

|              | Fixed Fees | Variable Fees | Total Energy Cost |
|--------------|------------|---------------|-------------------|
| Baseline     | \$54       | \$72,635      | \$72,689          |
| Post-upgrade | \$54       | \$22,088      | \$22,142          |
| Savings      |            |               | -\$50,547         |



### 6.3. Baseline Maintenance Analysis

Based on our experience with Ontario communities of similar size and location, we have estimated current maintenance costs at \$27/fixture/year. We conservatively estimate that ongoing LED maintenance will equate to 80% savings over current HPS expenditures, or approximately \$11,275 savings in the first year. The current yearly maintenance cost is approximately \$14,094 for the portion of the streetlight system covered in this IGA, and will drop to approximately \$2,819 after the conversion.

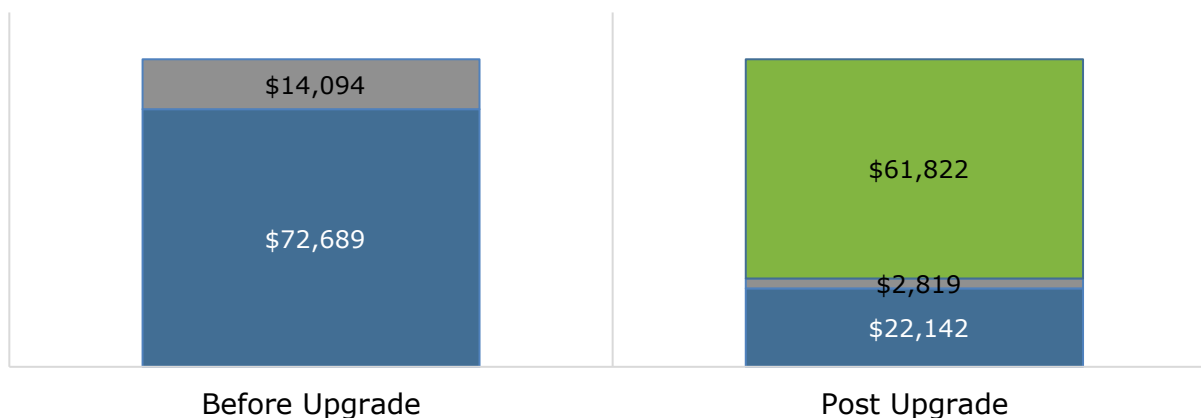
Different manufacturers propose varying estimates for ongoing maintenance costs of LED fixtures. While it is unrealistic to assume that no annual maintenance will be required, the fixtures themselves do not contain components that require periodic replacement (such as HPS bulbs and ballasts). Although actual maintenance costs are likely to be a mere fraction of our estimate in any given year, we recommend incorporating this figure into municipal budgets to account for periodic cleaning or other eventualities over the life of the fixture and not covered under the manufacturer's 10-year warranty.

### 6.4. ENERGY AND MAINTENANCE COST COMPARISON

| PARAMETER                            | BEFORE<br>UPGRADE | POST-<br>UPGRADE | VARIANCE | PERCENT |
|--------------------------------------|-------------------|------------------|----------|---------|
| Number of Fixtures                   | 522               | 522              |          |         |
| Annual Electricity Consumption (kWh) | 308,794           | 93,338           | 215,456  | 70%     |
| Annual Electricity Costs             | \$72,689          | \$22,142         | \$50,547 | 70%     |
| Annual Maintenance Cost              | \$14,094          | \$2,819          | \$11,275 | 80%     |
| Total Streetlights Expenditures      | \$86,783          | \$24,961         | \$61,822 | 71%     |
| Average Annual Cost per Fixture      | \$166             | \$48             | \$118    | 71%     |

#### OPERATING COST COMPARISON

■ Energy Cost ■ Maintenance Cost ■ Savings



## 7. PROJECT COSTS: CAPITAL PURCHASE

In a Capital Purchase financing option, or a "Design, Upgrade and Transfer", the City arranges the financing of the project. Typically, this would be from a source similar to Infrastructure Ontario, which has low-cost interest rates.

### 7.1. Project Costs and Savings

| PROJECT COSTS            |                  |
|--------------------------|------------------|
| Number of Fixtures       | 522              |
| Total Project Costs      | \$296,809        |
| Incentive                | \$44,358         |
| <b>Net Project Costs</b> | <b>\$252,451</b> |
| Price per Fixture        | \$484            |

**Note regarding the available incentives:**

*The above incentive amount is calculated using the 2016 IESO guidelines in force before June 2016 as the City has already received a preapproved amount from Hydro One. The final IESO amount is subject to Hydro One's approval based on the quantity and the types of installed fixtures.*

Initials: \_\_\_\_\_



## 7.2. Allowances

The total project cost includes provisional allowances as detailed below:

| Provisional Items            | Cobrahead |          | Decorative |          |
|------------------------------|-----------|----------|------------|----------|
|                              | %         | Quantity | %          | Quantity |
| Re-wiring                    | 95%       | 425      | 10%        | 8        |
| Re-fusing                    | 100%      | 448      | 100%       | 74       |
| Fuse Holder Replacement      | 100%      | 448      | 45%        | 33       |
| Arm Replacement              | 1%        | 4        | 0%         | -        |
| Secondary Connection Refresh | 30%       | 134      | 0%         | -        |

### Billing of Provisional Items

The work covered by the allowances listed above are recommended as they will minimize the likelihood of service calls over the life of the fixtures, greatly reducing maintenance costs. Following the installation phase, should fewer than the estimated provisional amounts be required (rewiring, refusing, arm replacement, etc.), the costs shall be adjusted in the final billing, based on actual work performed. During the installation phase, if additional work is required, the City will be notified first before allowances are exceeded. Any additional work must first be authorized by the municipality and will be handled as a change order.

### Luminaires near high voltage wires within a restricted zone:

In the case of cobrahead fixtures located near high voltage wires within a restricted zone, we identified 3 different approaches to address and solve the issue while ensuring safety. The exact quantity of the fixtures located within the restricted zone can only be identified in the installation phase.

1. Safety is always the number one priority, and to that end, we will assess each site with the goal of relocating the affected luminaire to a safe location. This may involve the services of an engineer and additional costs imposed by Hydro One both of which will become a pass-through to the Municipality. However, we anticipate that there is a return to the Municipality through lower maintenance costs (fewer service calls) to the luminaire in the future.
2. Engage the services of high voltage crews to replace the existing luminaires. Please note, this comes at a premium price. This option is not recommended, as it does not solve any future access issues.
3. RealTerm Energy supplies the fixtures only (uninstalled), and the municipality works in conjunction with the local utilities to organize the installation.

If, during the installation, we find luminaires near high tension wires within a restricted zone, we will work with your municipal staff to determine which approach the City prefers.

## 8. FINANCIAL APPRAISAL OF THE CAPITAL OPTION

| CAPITAL OPTION *       |     |
|------------------------|-----|
| Payback Period (Years) | 3.9 |

*\*Payback period of the project, before including any financing costs.*

### 8.1. Loan Costs

Infrastructure Ontario offers loans at favourable rates to most municipalities seeking to improve their civic infrastructure. Interest rates vary with market conditions and are set at the prevailing rate at the time the loan is advanced. The table below summarizes payment options that would be available to fund the project through Infrastructure Ontario. Please note, these rates change daily and are submitted below for evaluative and budgeting purposes.

| CAPITAL COST* | TERM (YEARS) | INTEREST RATE | ANNUAL PAYMENT  | COST OF BORROWING |
|---------------|--------------|---------------|-----------------|-------------------|
| \$252,451     | 10           | 3.23%         | <b>\$29,545</b> | \$42,996          |

*\* Investment cost less IESO rebate*

### 8.2. Net Savings After Financing Costs

| Year                  | 1               | 2               | 3               | 4               | 5               | 6               | 7               | 8               | 9               | 10              |
|-----------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Annual Savings        | \$61,822        | \$63,564        | \$65,356        | \$67,199        | \$69,096        | \$71,046        | \$73,053        | \$75,118        | \$77,242        | \$79,427        |
| <b>Loan Repayment</b> | <b>\$29,545</b> | <b>\$29,545</b> | <b>\$29,545</b> | <b>\$29,545</b> | <b>\$29,545</b> | <b>\$29,545</b> | <b>\$29,545</b> | <b>\$29,545</b> | <b>\$29,545</b> | <b>\$29,545</b> |
| Cash Flow             | \$32,277        | \$34,019        | \$35,811        | \$37,654        | \$39,551        | \$41,501        | \$43,508        | \$45,573        | \$47,697        | \$49,882        |
| Cumulative Cash Flow  | \$32,277        | \$66,297        | \$102,108       | \$139,763       | \$179,314       | \$220,815       | \$264,324       | \$309,897       | \$357,595       | \$407,477       |

We have assumed that an Infrastructure Ontario loan with an amortization term of 10 years would optimize the overall savings potential to the City.

As can be seen, there are significant savings from the outset of the project, net of financing costs.

## 9. CALCULATION ASSUMPTIONS

1. The electricity cost savings were calculated based on Hydro One's current rates valid at the date of the preparation of this IGA. This information can be obtained online on the Ontario Energy Board website<sup>1</sup>. The annual energy savings were calculated based on the data collected by the GIS/GPS survey and based on the LED luminaires proposed by RTE. Any changes in the data obtained will change the energy consumption and cost savings.
2. In Ontario, all electricity rates reflect the wholesale electricity price. In the streetlight rate, the variations of the wholesale electricity prices are reflected by the Monthly Average Hourly Price and the Global Adjustment (updated monthly). In our calculation for Monthly Average Hourly Price we used \$0.01709/kWh and for Global Adjustment we used \$0.10019/kWh. These prices are the average prices of the last 12 months. The current and the historic Monthly Average Hourly Prices and Global adjustment prices are available on the IESO website<sup>2</sup>.
3. We have assumed that the saveONenergy program will continue to be in effect as promised, using the currently published rates (those used for the preapproval), and that there will be no unexpected delays on the part of our partners, which would prevent us from meeting the deadline for the City to receive this incentive. While we will do everything we can to meet the requirements of this program and to gain this incentive for the City, RealTerm Energy cannot take responsibility for those aspects which are outside of its control.
4. After the first year, the energy and maintenance costs' inflation rates are 3% and 2%, respectively.
5. The final project inventory and associated energy savings are subject to change based on modifications to the scope of work (i.e. removed/added luminaires, field design changes, etc.) outlined in this IGA report and are to be confirmed in the Final Installation Report (FIR) following the completion of the project close-out. The FIR will then be used to complete the billing change to the Utility/LDC to reflect the actual installed LED inventory, which will ultimately determine the actual energy and cost savings.

<sup>1</sup> Ontario Energy Board. Electricity Distribution Rate Applications. Retrieved May 2018, from <http://www.ontarioenergyboard.ca/OEB/Industry/Regulatory+Proceedings/Applications+Before+the+Board/Electricity+Distribution+Rates>

<sup>2</sup> Independent Electricity System Operator. Price Overview - Monthly Average Hourly Prices, By Year. Retrieved May 2018, from <http://www.ieso.ca/Pages/Power-Data/price.aspx>

Initials: \_\_\_\_\_

## 10. GREENHOUSE GAS REDUCTION

| ESTIMATED GREENHOUSE GAS REDUCTION*               | IGA Results |
|---|-------------|
| Current Annual Energy Consumption (kWh)           | 308,794     |
| Projected LED Annual Energy Consumption (kWh)     | 93,338      |
| Annual kWh Savings                                | 215,456     |
| Estimated Annual GHG Reduction (metric tonnes)    | 9           |
| GHG Reduction over Luminaire Life (metric tonnes) | 213         |

\* GHG emissions depend on the electricity supply mix of the jurisdiction and time of use. These have been calculated using the most current, verified emissions factors found in the average emissions for 2014, released by Environment Canada in the 2016 National Inventory Report.



## 11. CONCLUSION AND RECOMMENDATION

We have implemented a designed solution of selected LED luminaires that follows the RP-8-2014 guidelines for as many of the streetlight locations as possible, with replacement of luminaires specified in accordance with the road classification and wattages.

This combination of LED luminaires will result in energy consumption savings of 215,456 kWh per year over the incumbent HPS fixtures, which is equivalent to 70% energy savings.

If the City of Kawartha Lakes chooses to move forward with the Design, Upgrade and Transfer option, the total project cost will be \$296,809 which includes the upgrade of some elements of the lighting infrastructure such as fuses, fuse holders, wires, davit arms and secondary connections as stated in section 7.2 - Allowances. The City should expect a payback period of 3.9 years with an IESO incentive of \$44,358.

The next steps to start the implementation of this new technology and start seeing energy and maintenance savings are as follows:

- Meeting to review IGA with staff and RealTerm Energy team

- Approval of the IGA

- Submit IESO rebate (prepared by RealTerm, but municipal staff must submit)

- Review contract to proceed with project

- Sign contract.

## 12. TERMS AND CONDITIONS

The total project cost includes the following scope of work:

1. Data collection including GIS/GPS mapping of the existing and proposed luminaires
2. Photometric Lighting Designs
3. Remove 447 existing HID cobrahead fixtures and supply and install 447 cobrahead LED luminaires with photocell controllers
4. Remove 1 existing HID sentinel fixture, supply and install 1 cobrahead LED luminaire with a new davit arm and photocell controller
5. Remove 69 existing HID decorative luminaires and supply and install 69 decorative LED luminaires with photocell controllers
6. Remove 5 existing HID Floodlights and supply and install 5 LED Floodlights with photocell controllers
7. All provisions and allowance detailed on Section 7.2 – Allowances
8. ESA permits and inspection of work
9. Recycling of the removed HID luminaires
10. Project management
11. The Municipality GIS database will be updated once installation is complete to include final LED Inventory installed, date, type, location, etc.
12. Commissioning
13. Completing billing change(s) on your behalf based on the new LED lighting system installed by RealTerm Energy and based on the information provided by the Municipality and Utility regarding the metered and unmetered lights. RealTerm Energy assumes that the information provided by both parties are accurate and reflects the current state of the actual inventory
14. Third party quality control for a sample of 20 installed LED luminaires. Based upon this sample, should further action be required to correct any deficiencies observed in the installation, remedial work and any associated costs shall be borne by the installer
15. Applying on your behalf for the available IESO incentives. The final incentive amount will be determined by the Utility and is not guaranteed by RealTerm Energy
16. RealTerm Energy and our Installation Contractor warrant all workmanship completed within the work area for a period of one (1) year following the completion date of the installation
17. The luminaire and photocell are covered by their manufacturers' warranties for 10 and 12 years, respectively
18. This IGA is valid until August 31, 2018
19. The total project cost is in Canadian dollars and does not include the HST

Initials: \_\_\_\_\_

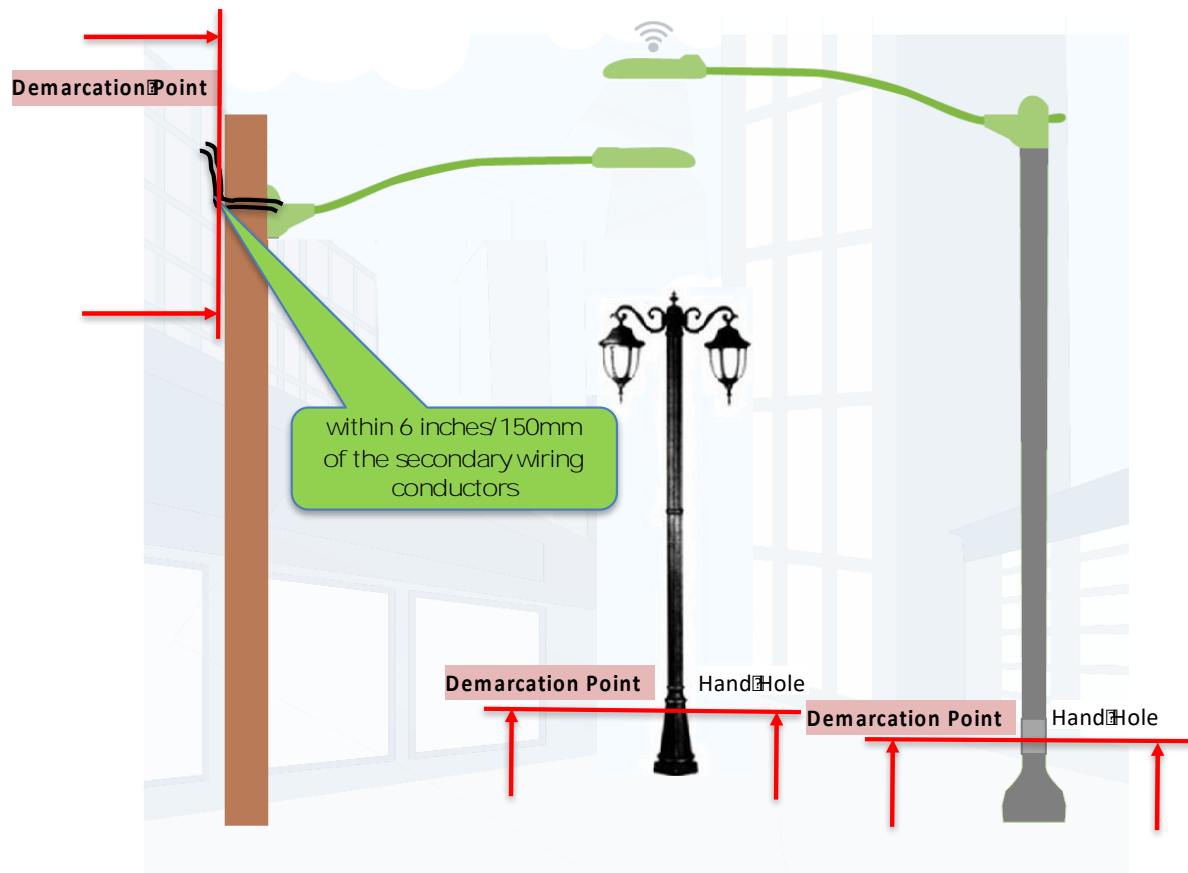
For greater clarity, the scope of work set forth herein shall constitute the sole and entire scope of work for the Project and supersedes all prior and contemporaneous understandings, agreements, representations and warranties, both written and oral, with respect to the Project. The Parties have not relied on any statement, representation, warranty or agreement of the other Party or of any other person acting on such Party's behalf, including any representations, warranties, or agreements arising from statute or otherwise in law, except for the representations, warranties, or agreements expressly contained in this Agreement. Without limitation of the foregoing, the parties acknowledge and agree that the following items are not included in the scope of work, nor the total project cost:

1. Any cost related to upgrading your existing lighting/electrical systems to provincial and or federal standards.
2. Any cost related with the replacement of the existing relays for the group-controlled streetlights (controller box).
3. Any fees related to the connections to the secondary bus in the unlikely case that your Utility insists on charging a fee.
4. Any other fees which may be charged by a third party.
5. Any costs related to works beyond the Demarcation Point, described as follows:
  - Work performed on the electrical system by RealTerm Energy will be confined to the luminaire and an area between the agreed upon "*Demarcation Point*" (in the majority of cases a point within 6 inches/150mm of the secondary wiring conductors) on what is referred to as the "tail". This is the location at which a fuse and fuse holder should exist and acts as a disconnect to allow easy service, protect the new luminaire and wiring from voltage surges and provide a safe working environment. In the event that a fuse and fuse holder do not exist, they will be installed.
  - For decorative poles and stand-alone underground-fed units the "*Demarcation Point*" is located at the base of the pole in the "Hand Hole". Where overhead feeds are in use, the "*Demarcation Point*" is located at the base of the arm holding the fixture, where the connection is made to the secondary wires.
  - If RealTerm Energy dispatches a maintenance contractor and the required repairs are outside of the work areas, we will recommend a solution and communicate this information to the Client for approval before proceeding.

Initials: \_\_\_\_\_



## 13. SCOPE OF WORK DIAGRAM



The foregoing excluded items and any other items not included within the scope of work may be provided by RealTerm Energy at an additional cost pursuant to a separate written agreement or amendment between the parties only. The above list of exclusions is not meant to be exhaustive, as network site conditions vary, and shall not operate in any way to limit the exclusions of this paragraph or imply any obligation or duty on the party of RealTerm Energy to complete any work other than the specifically defined scope of work set forth herein.

Juan Rojas  
The City of Kawartha Lakes  
26 Francis Street  
Lindsay, ON, K9V 5R8

The information contained herein will form part of the Installation contract documents as well as the Scope of Work for the LED Streetlighting conversion project. The undersigned is authorized to sign on behalf of the municipality and accepts the terms and conditions of this Investment Grade Audit O-0160\_Kawartha Lakes\_ON\_IGA-2018-05-24.

Please review and acknowledge by initializing the following sections:

- LED REPLACEMENT INVENTORY (Page 7-8)
- PROJECT COSTS & CAPITAL PURCHASE (Page 12)
- CALCULATION ASSUMPTIONS (Page 15)
- TERMS & CONDITIONS (Page 18-19)

---

Authorized Signature

---

Name (please print)

---

Title (please print)

---

Date

## APPENDIX A: SITE SPECIFIC FIXTURE REPLACEMENTS

| Type       | Qty. | Replacement            | Before  | After   |
|------------|------|------------------------|---|---|
| Cobrahead  | 427  | Cree<br>BXSPR_HO       |    |    |
| Cobrahead  | 15   | Cree<br>BXSP1_HO       |    |    |
| Cobrahead  | 5    | Cree<br>BXSP2_HO       |  |  |
| Sentinel   | 1    | Cree<br>BXSP1_HO       |  |  |
| Floodlight | 5    | PSLED<br>Acuity Brands |  |  |

|   |    |                      |  |   |
|---|----|----------------------|--|---|
| Victorian Post Top Lantern                | 54 | 247CL Acuity Brands  |   |  |
| Decorative Cube Post Top                  | 1  | 247CL Acuity Brands  |   |  |
| Decorative - Victorian Lantern Side Mount | 14 | K601D King Luminaire |  |  |

**Note:** The above sample images are for illustrative purpose only.

## APPENDIX B: LUMINAIRE SPEC SHEETS

The Luminaire Spec Sheets are attached in a separate electronic file.

## APPENDIX C: LUMINAIRE PRODUCT WARRANTY

The Luminaire warranty documents are attached in a separate electronic file.



## APPENDIX D: LIGHTING DESIGN LAYOUTS

The designs of the proposed LED luminaires are attached in a separate electronic file.

## APPENDIX E: WARRANTY SERVICE AGREEMENT

The Warranty Service Agreement is attached as a separate electronic file. The Municipality will be required to sign it.

## APPENDIX F: STANDARD CONTRACT

The standard contract document is included as a separate electronic file.

# **The Corporation of the City of Kawartha Lakes**

## **Council Report**

**Report Number HH2018-004**

---

**Date:** June 19<sup>th</sup>, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

---

**Ward Community Identifier:**

**Title:** KLH Housing Corporation: New Communities through Leveraging Older Homes – Part 3

**Description:** Creating new Affordable Housing developments through the sale of 27 older homes: Phase 2 – Bond East and Phase 2 – Lindsay Street North.

**Author and Title:** Hope Lee, Administrator/Manager of Housing

---

**Recommendation(s):**

**That** Report HH2018-004, KLH Housing Corporation: New Communities through Leveraging Older Homes – Part 3, be received;

**That** subject to the necessary by-laws and agreements being forwarded to Council for approval, and the successful completion of such planning and development processes as the City may require, the proposed “New Communities through Leveraging Older Homes – Part 3” provided as Attachment A to Report HH2018-004 be approved, including the following project characteristics:

Phase 2 – Bond Street East, Lindsay

1. approval for the sale of eleven (11) single and semi-detached KLH Housing Corporation units transferred by the Province to KLH in 2001, specific properties as identified in Attachment A, and their replacement with eleven (11) newly constructed housing unit to be rented as Rent Geared to Income (RGI) units through a rent supplement agreement between the City and KLH;
2. approval for the completion of financing for cash flow and borrowing facilities in the City’s own name, with the City then lending the funds to KLH;
3. approval for the transfer of land to KLH;

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_

4. approval that any and all fees, charges, levies or securities imposed or controlled by the City be waived or provided to KLH as municipal incentives as identified in Attachment A of Report HH2018-004 to support the development of the eleven (11) reconstructed and the five (5) additional units that will be created; and

Phase 2 – Lindsay Street North, Lindsay

1. approval for the sale of sixteen (16) single and semi-detached KLH Housing Corporation units transferred by the Province to KLH in 2001, specific properties as identified in Attachment A, and their replacement with sixteen (16) newly constructed housing unit to be rented as Rent Geared to Income (RGI) units through a rent supplement agreement between the City and KLH;
2. approval for the completion of financing for cash flow and borrowing facilities in the City's own name, with the City then lending the funds to KLH;
5. approval to provide the land through a 40 year lease between the City and KLH;
3. approval that any and all fees, charges, levies or securities imposed or controlled by the City be provided to KLH as municipal incentives as identified in Attachment A of Report HH2018-004 to support the development of the sixteen (16) reconstructed and the eight (8) additional units that will be created; and

**That** the CAO be authorized to approve any of the required municipal incentives needed to implement the projects outlined in Attachment A of Report HH2018-004.

## **Background:**

Since 2007, KLH has explored the feasibility and developed business plans to sell some, or all of their 16 single detached and 48 semi-detached units that are older, lack accessibility features and are less energy efficient. KLH would then reinvest the proceeds into new, more efficient multi-residential affordable housing in Lindsay, with the goal of increasing the overall supply of rental housing within the community.

Throughout 2013-2017, KLH sold 37 existing KLH homes in Lindsay (four of which were purchased by existing KLH tenants) and leveraged the proceeds to create 57 new units.

Part 1 included:

- a 29 unit new community at 1 Devan Court in Lindsay consisting of townhomes and stacked apartments
- 13-3 bedrooms, 2-2 bedrooms and 14-1 bedrooms
- 22 rented on a RGI model (18 provided through the City's rent supplement and 4 provided through the Ministry of Health)
- 7 rented at 80% of average market rent with a housing allowance available to tenants with incomes too low to afford the 80%
- a portion of the property was sold to Habitat on which they will create 5 affordable homeownership homes

Part 2 included:

- a 12 unit new community at 5 Bond East in Lindsay consisting of townhomes
  - 12-3 bedrooms
  - 9 rented on a RGI model (through a City rent supplement agreement)
  - 3 rented at 80% of average market rent with a housing allowance available to tenants with incomes too low to afford the 80%
- a 16 unit addition to 48 St Paul Street in Lindsay consisting of apartments
  - 9-1 bedrooms, 7-2 bedrooms
  - 10 rented on a RGI model (through a City rent supplement agreement)
  - 6 rented at 80% of average market rent with a housing allowance available to tenants with incomes too low to afford the 80%

Part 1 and 2 have provided a successful template for future regeneration initiatives.

The next and final phase for the older homes, Part 3, will use revenue from 27 sales to create 40 new units. KLH is proposing to create these new units through

two new developments, in Lindsay, through partnerships with the City of Kawartha Lakes.

Part 3 will include:

### **Phase 2 – Bond Street East (portion of Shaft Park)**

In discussion with Community Services, an opportunity to utilize a portion of Shaft Park for housing purposes was realized. This presented a favorable site for KLH being adjacent to the new development at 5 Bond Street East. Part of the 5 Bond Street project included KLH bringing Bond Street East to a municipal standard. Including another development on that road ensures that KLH will justify the road construction cost to the project. With the City's donation of a portion of Shaft adjacent to Bond Street East, KLH would be able to develop a new 16 unit community consisting of townhomes and stacked apartments. KLH worked with Community Services to identify the portion of Shaft Park that would be utilized to ensure that a park component was still retained as well as retaining a shoreline portion to continue the connectivity of the walking trails.

### **Phase 2 – Lindsay Street North (more northerly portion of 68 Lindsay St N)**

A portion of the property being utilized for new Human Services Offices and 24 units of affordable housing for the homeless population will remain undeveloped. KLH will develop the property to the north of the existing project, through a lease, while the City retains ownership. While the City could chose to donate that portion of land, like suggested for Shaft Park, the lease model would be consistent with the 24 units currently under construction. KLH would be able to develop a new 24 apartment building with amenity space on the ground floor for services and programming needs of the tenants who will occupy the units.

### **Rationale:**

The board approved KLH Business Plan for these projects, Attachment A, provides detail to support the recommendations of this report including:

- Housing need
- Sale of existing homes
- Proposed development site and target market
- Feasibility and potential benefits and risks
- Timeline
- Conceptual drawings for the overall site and site plan/elevations for the two developments



In addition to this report:

- Report RS2018-017, also being presented to Council on June 19, 2018, deals specially with the land lease for Phase 2 – North portion of Lindsay Street North
- Report RS2018-018, also being presented to Council on June 19, 2018, deals specially with the land transfer for Phase 2 – Bond Street East

### **Financial/Operation Impacts:**

These two new developments have the following financial characteristics:

- The proceeds from the sale of existing housing units would be the largest source of financing for the capital cost of the two developments (approximately \$5.4M in revenue from sales).
- The proposed financing model, whereby the City would be the lender to the KLH for construction and long-term financing, eliminates the need for CMHC mortgage insurance, thereby reducing the capital cost. No municipal tax support would be needed for debt servicing costs. Because the lender is not a bank or other such lender, no securities will be held against the property by another organization.
- Municipal in kind support through land donation, long term land lease, and exemption from paying fees, charges, levies or securities related to the development process reduce capital costs and in turn reduces the need for long-term debt financing and related annual debt servicing costs. Municipal incentives have been supported by the City in a variety of affordable housing projects since 2005 and further enhanced through the Affordable Housing Framework adopted by Council on December 12<sup>th</sup>, 2017 and revised Municipal Housing Facilities (MHF) By-law 2018-057.
- Both developments will be based on a financial model which will provide rental revenue to cover the debt payments and expenses without any increase to the KLH operating subsidy request to the City.
- A rent supplement agreement between KLH and the City will ensure that the RGI model is maintained in the twenty-seven (27) replacement units
- KLH would achieve lower operating and capital costs for the twenty-seven (27) replacement units as compared to the existing units to be replaced.
- The City will receive increased revenue from property tax once the units are developed

### **Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:**

The recommendations of this report directly support the Actions under Goal 2: An Exceptional Quality of Life in the City of Kawartha Lakes Strategic Plan 2016-2019, specifically 2.2.2 Enhance access to community and human/health services and 2.2.3 Increase the supply of affordable housing.

## **Review of Accessibility Implications of Any Development or Policy:**

Both developments will incorporate accessibility requirements and needs.

## **Servicing Implications:**

There are no servicing implications apparent at this time; however, servicing will be reviewed in detail through the development approval phases.

## **Consultations:**

KLH Housing Corporation  
Solicitor, City of Kawartha Lakes  
Treasurer, City of Kawartha Lakes

## **Attachments:**

Attachment A      KLH Housing Corp – New Communities through Leveraging Older Homes – Part 3 – Business Plan



Phase 3 -  
Regeneration - May 3

**Department Head E-Mail:** [rsutherland@kawarthalakes.ca](mailto:rsutherland@kawarthalakes.ca)

**Department Head:** Rod Sutherland

**The Kawartha Lakes-Haliburton Housing Corporation  
(KLH Housing Corp)**

**New Communities through Leveraging Older Homes – Part 3**

**Phase 2 – Bond Street East Lindsay  
&  
Phase 2 – Lindsay Street North Lindsay**

**March 2018**

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## Executive Summary

The Kawartha Lakes-Haliburton Housing Corporation (KLH) wishes to continue with its successful regeneration of its older single and semi-detached homes. This, Part 3, will complete KLH's plans to sell and leverage a total of 64 older homes. Part 1, completed in 2015 at Devan Court in Lindsay created 29 new units from 18 home sales and Part 2, which will be completed this year at 5 Bond Street East and 48 St Paul Street, both in Lindsay, will create 38 new units from 19 home sales. Part 3 contemplates 40 new units through 27 home sales completed by 2021.

The model proposes a mix of rents that will benefit a range of tenancies including a minimum of 27 units based on a rent geared to income model. It also anticipates that any units with rents at or below 100% of the average market rent for the area will benefit from municipal incentives through the City's Municipal Housing Facilities Bylaw and Affordable Housing Framework. This will assist to reduce upfront capital costs (rezoning application fees, building permit fees, development charges, parkland dedication fees, exemption for site plan securities, etc).

The strengths of KLH's business plan for the proposed Part 3 include:

- Primarily financed through the sale of existing older, less energy efficient and lacking accessibility feature, KLH homes;
- Energy efficient, renewal energy and barrier free design options;
- Opportunities for partnerships with community organizations providing support services; and
- Partnership between the City and KLH assisting both to meet their goals of increasing the new supply of affordable housing in both the City's Strategic Plan and the 10 Year Housing & Homelessness Plan.

## Introduction

### Kawartha Lakes-Haliburton Housing Corporation (KLH)

The City of Kawartha Lakes is the municipal Service Manager (SM) responsible for the administration of approximately 1,100 units of affordable housing located within the communities of Lindsay, Bobcaygeon, Fenelon Falls, Omemee, Haliburton, Wilberforce and Minden. The housing includes multi-residential, semi-detached and single detached dwellings. As the SM, the City oversees six housing corporations under the *Housing Services Act* (HSA) and three housing corporations under Municipal Housing Facility Agreements. These providers include the Kawartha Lakes-Haliburton Housing Corporation.

The Kawartha Lakes-Haliburton Housing Corporation (KLH) is the largest of the nine housing corporations, the City of Kawartha Lakes being its sole shareholder. KLH was one of forty seven housing corporations formed in 2001 following the provincial transfer of social housing to municipalities (SM). The province created KLH within the Business Corporation Act and then transferred the former provincially owned housing to that Corporation. KLH operates under a governance board model. The Board composition includes 3 council representatives (2 from CKL and 1 from the County) and 6 individuals from the geographical area. Directors serve 4 year terms with the option of serving two 4 year terms before retiring from the board. KLH does not employ staff but rather purchases services through the City. The CEO is the only direct report to the Board with the CEO role falling within the City position of Administrator/Manager of Housing.

KLH currently owns 705 units of housing (with another 64 under development) including:

- market rent units (100% or more of the average for the area)
- affordable rental units (80% of the average for the area)
- rent geared to income (RGI) units (not to exceed 30% of the tenants gross income)

While the HSA permits housing providers such as the KLH to sell housing units after first receiving consent from the SM, the law requires that the number of RGI households not be reduced.

Consistent with communities across Ontario, the City of Kawartha Lakes has a limited supply of decent, affordable housing available to low and moderate-income households. The significant majority of the new housing development occurring in the community is targeted to the ownership market and regrettably is priced well beyond the affordability threshold of most low and moderate-income households.

KLH continues to play an active role in finding creative solutions to increase rental housing and to maintain the number of rent geared to income units within its portfolio as illustrated in Table 1.



**Table 1 Summary of New Development by KLH**

| <b>Occupancy Year</b> | <b>Location</b>                      | <b>Total # of Units</b> | <b># Replacing Sales</b> | <b>Net New Units</b> |
|-----------------------|--------------------------------------|-------------------------|--------------------------|----------------------|
| 2013                  | Haliburton<br>(WP Phase 1)           | 24                      | 0                        | 24                   |
| 2015                  | Lindsay<br>(Devan Court)             | 29                      | 18                       | 11                   |
| 2017                  | Minden<br>(Pinegrove Place)          | 12                      | 0                        | 12                   |
| 2018                  | Lindsay<br>(Flynn Gardens)           | 16                      | 10                       | 6                    |
| 2018                  | Lindsay<br>(Bond by the River)       | 12                      | 9                        | 3                    |
| 2019                  | Lindsay<br>(68 Lindsay Street North) | 24                      | 0                        | 24                   |
| 2019                  | Haliburton<br>(WP Phase 2)           | 12                      | 0                        | 12                   |
|                       |                                      | <b>129</b>              | <b>37</b>                | <b>92</b>            |

**KLHs Regeneration Focus**

Since 2007, KLH has explored the feasibility and developed business plans to sell some, or all of their 16 single detached and 48 semi-detached units that are older, lack accessibility features and are less energy efficient. KLH would then reinvest the proceeds into new, more efficient multi-residential affordable housing in Lindsay, with the goal of increasing the overall supply of rental housing within the community.

Throughout 2013-2017, KLH sold 37 existing KLH homes in Lindsay (four of which were purchased by existing KLH tenants) and leveraged the proceeds to create 57 new units.

Part 1 included:

- a 29 unit new community at 1 Devan Court in Lindsay consisting of townhomes and stacked apartments
- 13-3 bedrooms, 2-2 bedrooms and 14-1 bedrooms
- 22 rented on a RGI model (18 provided through the City's rent supplement and 4 provided through the Ministry of Health)
- 7 rented at 80% of average market rent with a housing allowance available to tenants with incomes too low to afford the 80%
- a portion of the property was sold to Habitat on which they will create 5 affordable homeownership homes

Part 2 included:

- a 12 unit new community at 5 Bond East in Lindsay consisting of townhomes
  - 12-3 bedrooms
  - 9 rented on a RGI model (through a City rent supplement agreement)
  - 3 rented at 80% of average market rent with a housing allowance available to tenants with incomes too low to afford the 80%
- A 16 unit addition to 48 St Paul Street in Lindsay consisting of apartments
  - 9-1 bedrooms, 7-2 bedrooms
  - 10 rented on a RGI model (through a City rent supplement agreement)
  - 6 rented at 80% of average market rent with a housing allowance available to tenants with incomes too low to afford the 80%

Part 1 and 2 have provided a successful template for future regeneration initiatives.

The next and final Part for the older homes, Part 3, will use revenue from 27 sales to create 40 new units. KLH is proposing to create these new units through two new developments, in Lindsay, through partnerships with the City of Kawartha Lakes.

Part 3 will include:

- Phase 2 – Bond Street East (portion of Shaft Park) - In discussion with Community Services, an opportunity to utilize a portion of Shaft Park for housing purposes was realized. This presented a favorable site for KLH being adjacent to the new development at 5 Bond Street East. Part of the 5 Bond Street project included KLH bringing Bond Street East to a municipal standard. By including another development on that road, ensures that KLH will see an improved benefit helping to justify the road construction cost to the project. With the City's donation of a portion of Shaft adjacent to Bond Street East, KLH would be able to develop a new 16 unit community consisting of townhomes and stacked apartments.
- Phase 2 – Lindsay Street North (more northerly portion of 68 Lindsay St N) - A portion of the property being utilized for new Human Services Offices and 24 units of affordable housing for the homeless population will remain undeveloped. KLH would develop the property, through a lease, while the City retained ownership. While the City could chose to donate that portion of land, like suggested for Shaft Park, the lease model would be consistent with the 24 units currently under construction. KLH would be able to develop a new 24 apartment building with amenity space on the ground floor for services and programming needs of the tenants who will occupy the units.

## Housing Needs

### Vacancy Rates

Statistics compiled by CMHC and published in its Fall 2017 *Rental Market Report*, reveal that vacancy rates across apartment types for the City of Kawartha Lakes remain below the 1% figure considered to be an unacceptable balance between the supply and demand (Table 2). This low vacancy rate and overall lack of supply is experienced daily as households try to locate a rental opportunity.

**Table 2 Vacancy Rates**

| <b>Private Apartment Vacancy Rates (%) by Bedroom Type - Ontario –Kawartha Lakes (Non-CMA Centers)</b> |                  |                 |                  |                 |                  |                 |                 |                 |
|--|------------------|-----------------|------------------|-----------------|------------------|-----------------|-----------------|-----------------|
| <b>Centre</b>  | <b>1-Bedroom</b> |                 | <b>2-Bedroom</b> |                 | <b>3-Bedroom</b> |                 | <b>TOTAL</b>    |                 |
|  | <b>Oct 2016</b>  | <b>Oct 2017</b> | <b>Oct 2016</b>  | <b>Oct 2017</b> | <b>Oct 2016</b>  | <b>Oct 2017</b> | <b>Oct 2016</b> | <b>Oct 2017</b> |
| Kawartha Lakes CA  | 0.4              | 0.6             | 0.3              | 0.9             | 0.0              | 0.0             | 0.3             | 0.8             |
| Ontario 10,000+  | 2.0              | 1.6             | 2.1              | 1.6             | 2.7              | 1.8             | 2.1             | 1.6             |

Source: CMHC Rental Market Report, Ontario (Fall 2017)

### Average Rents

Average rents for purpose built rental units in Kawartha Lakes are increasing regularly, as an example they rose from \$938 in 2015 to \$996 in 2017. A lack of supply and low vacancy rate contributes to increasing rents with landlords able to raise rents and still have significant interest. Table 3 shows Kawartha Lakes average rents below average rents in Ontario; however they remain out of reach for moderate to low income households. In 2016, 51.6% of all renters in Kawartha Lakes were facing housing affordability challenges (spending 30% or more on housing costs).

**Table 3 Average Rents**

| <b>Private Apartment Average Rents (\$) by Bedroom Type - Ontario – Kawartha Lakes</b> |                  |                 |                  |                 |                   |                 |                 |                 |
|--|------------------|-----------------|------------------|-----------------|-------------------|-----------------|-----------------|-----------------|
| <b>Centre</b>  | <b>1-Bedroom</b> |                 | <b>2-Bedroom</b> |                 | <b>3-Bedroom+</b> |                 | <b>Total</b>    |                 |
|  | <b>Oct 2016</b>  | <b>Oct 2017</b> | <b>Oct 2016</b>  | <b>Oct 2017</b> | <b>Oct 2016</b>   | <b>Oct 2017</b> | <b>Oct 2016</b> | <b>Oct 2017</b> |
| Kawartha Lakes CA  | 847              | 871             | 1,101            | 1,075           | 1,239             | 1,246           | 987             | 996             |
| Ontario 10,000+  | 995              | 1,044           | 1,154            | 1,208           | 1,407             | 1,450           | 1,089           | 1,140           |

The average Kawartha Lakes rent amounts exceed what a typical household earning minimum wage or receiving benefits under Ontario Works (OW), or Ontario Disability Support Program (ODSP) could afford to pay in rent. Table 4 shows the 2018 shelter rates for households receiving OW and ODSP.

**Table 4 2018 Shelter Rates**

| <b>Ontario Works and ODSP Shelter Rates</b> |           |             |
|---|-----------|-------------|
| <b>Case Type</b>                            | <b>OW</b> | <b>ODSP</b> |
| Single                                      | \$384     | \$489       |
| Couple                                      | \$632     | \$769       |
| Single Parent + 1 child                     | \$632     | \$769       |
| Single Parent + 2 children                  | \$686     | \$833       |
| Couple + 1 child                            | \$686     | \$833       |
| Couple + 2 children                         | \$744     | \$904       |

### Financially Assisted Waiting Lists

There are a total of 1,142 subsidized housing units in Kawartha Lakes and Haliburton (726 units in Lindsay, 181 units in the rest of CKL and 235 in the County). Information from the City's Housing Help Division shows that as of December 31<sup>st</sup>, 2017 there were 1,375 households waiting for one of those units (491 senior households, 311 households with dependents and 573 households without dependents). In 2017 only 80 of the 1,142 units vacated. Average wait times range from 3-5 years.

Table 5 breaks down households waiting for a one, two or three bedroom unit and also by seniors since these are the sizes and types of housing being proposed. It has been broken down to show Lindsay separate from the rest of the City and from the County. It is important to realize that some households may be double counted below; for example a household may have selected a unit that is in Lindsay as well as a unit in Omemee or a unit in Minden. The senior households in the last column would have also been counted primarily in the 1 bedroom column as well. They have been separated to show that populations needs specifically. Units are assigned based on occupancy standards where a single or couple would only qualify for a one bedroom whereas a couple with two children would qualify for either a two or three bedroom.

**Table 5 Waiting List**

| <b>Waiting List as of December 31, 2017</b> |                  |                  |                  |                |
|---|------------------|------------------|------------------|----------------|
|   | <b>1 bedroom</b> | <b>2 bedroom</b> | <b>3 bedroom</b> | <b>Seniors</b> |
| Lindsay Only                                | 743              | 197              | 129              | 335            |
| Rest of CKL Only                            | 318              | 10               | 0*               | 156            |
| County Only                                 | 357              | 51               | 49               | 199            |
| Totals                                      | 1,418            | 258              | 178              | 690            |

\*there are currently no 3 bedroom units in the rest of CKL therefore no waiting list

Data in Table 5 indicates the need for housing for all types of households in the SM area. However, Lindsay is the location of choice for the redevelopment of single and family housing. The need for housing for all housing types is significantly greater in Lindsay than in other parts of the SM area. Further, it would be difficult to justify

reducing the number of affordable housing units (through the sale of the 27 existing KLH homes) in Lindsay given the strong need in that area.

While the City of Kawartha Lakes has been successful in accessing and delivering new affordable housing funding and rent assistance dollars available from the Federal and Provincial governments in the past few years, there continues to be a significant need for affordable housing in the Kawartha Lakes - Haliburton SM Area due to:

- gaps between social assistance shelter allowance rates/basic seniors pensions/minimum wage earnings and average rents;
- low vacancy rates; and
- limited multi-residential housing, which is generally more affordable, being built by the private sector.

Therefore KLH, in partnership with governments and community organizations, continues to look for innovative ways to enhance and expand the supply of affordable housing.

## Sale of Existing Homes

### Rational

In 2007, staff carried out an inventory assessment and building audit of all KLH housing stock, including its detached and semi-detached stock. Of these, 16 are single detached and 48 are semi-detached units as described in Table 6 below, with an average age of 50 years.

**Table 6 Detached and Semi-Detached**

| Number of detached and semi-detached units by bedroom count |           |           |           |           |          |
|---|-----------|-----------|-----------|-----------|----------|
|   | 2-bedroom | 3-bedroom | 4-bedroom | 5-bedroom | Total    |
| Single detached units                                       | 2         | 14        | 0         | 0         | 16 units |
| Semi-detached units   | 10        | 24        | 10        | 4         | 48 units |

Several key considerations were examined in determining the feasibility of selling the scattered housing units:

- The upgrades needed to the units if remaining in the portfolio;
- The amount of revenue the scattered homes could potentially provide if they were sold;
- The ability of tenants to purchase the home in which they live; and
- Maintaining service level standards under the Housing Services Act (HSA).

As stated earlier, the target stock is averaging 50 years. Over the next five years, it was estimated that \$16,000 per unit would be needed to carry out capital improvements (e.g., roofing, flooring, foundations, plumbing and electrical upgrades). It should be noted that none of the units under consideration for sale have any accessible features,

nor would they be able to be added easily. There is concern about the potential costs to KLH that might be generated by the Accessibility for Ontarians with Disabilities Act, Built Environment Standard. It may better for KLH to focus on creating new accessible housing rather than undertaking costly renovations of existing homes which are over 50 years old.

To get a more precise value of the homes to be sold a professional appraisal reviewed a selection of KLH single and semi-detached properties in 2012 and again in 2015. The value of the units was assessed between \$145,000 to \$170,000. However, due to market conditions, average sale prices have increased.

### **Average Sales for Part 1 & 2**

Table 7 reflects average sale prices of the 37 homes sold to finance Part 1 & 2 regeneration projects.

| <b>Table 7 Average Sale Prices Part 1&amp;2<br/>Home Sales between 2014-17</b> |                    |                     |
|--|--------------------|---------------------|
| <b>Year</b>  | <b>Number Sold</b> | <b>Average Sale</b> |
| 2014   | 7                  | \$155,714           |
| 2015   | 18                 | \$155,444           |
| 2016   | 7                  | \$187,849           |
| 2017   | 4                  | \$232,250           |

### **Addresses of 37 Homes Sold for Part 1 & 2**

52, 64 and 66 St David Street  
 108 Short Avenue and 67 Colborne Street East  
 18, 20, 22, 26, 28, 30, 32, 34, 36, 40 and 46 Northlin Park Road  
 3, 39, 46, 47, 49, 50 and 57 Maryknoll Avenue  
 16 & 20 Logie Street  
 134,140, 144 and 146 King Street  
 12, 20, 22 and 24 Westwood Court  
 2, 4 and 6.5 Kawartha Drive  
 145 Queen Street

### **Addresses of 27 Homes to Sell for Part 3**

58 St David Street  
 16, 24, 38, 42 and 44 Northlin Park Road  
 1, 41, 43, 45, 48, 51, 52, 53 and 55 Maryknoll Avenue  
 14 and 18 Logie Street  
 124, 130, 142 & 154 King Street  
 10, 14, 16 and 18 Westwood Court  
 6 Kawartha Drive  
 143 Queen Street

### Requirement to Meet Service Level Standards (SLS)

When the Province transferred social housing responsibilities to municipal governments, there were a significant number of provincial rules regarding the administration of this housing as set out under the previous Social Housing Reform Act (SHRA), now the Housing Services Act (HSA). One such feature is the establishment of Service Level Standards (SLS) for each SM area. The SLS identify both the number of households in significant housing need who must be housed in the existing social housing stock and setting out the maximum income levels for those in need. This means that for each Service Manager area, there are a required number of households that are assisted under Regulation 370/11 of the Act. This regulation sets out for each service manager area:

- (a) The prescribed number of households whose income is not greater than the household income limit prescribed for the service area; and
- (b) The prescribed number of high-need households.

The household income levels and high need levels by bedroom for the City of Kawartha Lakes are indicated below in Table 8 and Table 9 respectively.

**Table 8 Household Income Limits**

| <b>Household Income Limits under HSA</b> |           |           |            |
|--|-----------|-----------|------------|
| 1-bedroom                                | 2-bedroom | 3-bedroom | 4+-bedroom |
| \$31,000                                 | \$37,500  | \$43,000  | \$51,500   |

**Table 9 High Need Levels**

| <b>High Need under HSA</b> |           |           |            |
|----------------------------|-----------|-----------|------------|
| 1-bedroom                  | 2-bedroom | 3-bedroom | 4+-bedroom |
| \$18,600                   | \$22,500  | \$25,800  | \$30,900   |

As stated in Regulation 367/11, Schedule 4 of the HSA, there are to be 871 households in the City of Kawartha Lakes whose income level is no greater than the household income limits above and of those at least 522 are to be high need households.

In summary, the City of Kawartha Lakes must ensure that all households' incomes are at or below the household income limit upon initial occupancy. The single and semi units are all 100% RGI units. However at a certain point as the households situation improves and their income increases, it only does so to a market rent established for the type of unit. As the units are all RGI should the income change for these households, their rent will change accordingly.

**Table 10 2018 Market Rents**

| <b>KLH 2018 Market Rents in Single/Semis</b> |           |            |
|--|-----------|------------|
| 2-bedroom                                    | 3-bedroom | 4+-bedroom |
| \$1,091                                      | \$1,281   | \$1,281    |



The Ministry of Municipal Affairs and Housing (MMAH) has been very supportive of KLH's regeneration initiative. MMAH has shared the KLH initiative as a successful model including connecting other housing providers/municipalities with KLH to review the model and including the model as a best practice in a 2014 publication.

### Replacement Rational

KLH is well underway in a multi-year initiative to use single and semi-detached homes in a creative way. Both KLH and the City of Kawartha Lakes have endorsed the goal of selling off all of the homes, through various Parts, with the objective of not only replacing the number of homes but also to increase the number of KLH affordable homes. There are the additional benefits of the new housing stock being both accessible as well as more energy efficient than the homes being sold.

An important decision resulting from the sale of the homes is whether the replacement units should all be located in the community of Lindsay (as all of the homes being sold are located in Lindsay) and whether all of three bedroom family units must be replaced with new three bedroom homes.

It is worth noting that there is approximately the same number of two bedroom family households on the waiting list as there are three and four bedroom households combined. Therefore it seems reasonable to replace some of the homes being sold with a mixture of both two bedroom and three bedroom units.

Part 1 and Part 2 sales (37) replace 2 and 3 bedroom units as well as add 1 bedroom units as will Part 3. The results of all three Parts are illustrated in Table 11.

**Table 11 Number of Units by Bedroom Size**

| <b>Number of Units by Bedrooms Size</b> |            |                  |            |                  |            |                  |            |                  |            |              |            |
|---|------------|------------------|------------|------------------|------------|------------------|------------|------------------|------------|--------------|------------|
| <b>1 bedroom</b>                        |            | <b>2 bedroom</b> |            | <b>3 bedroom</b> |            | <b>4 bedroom</b> |            | <b>5 bedroom</b> |            | <b>Total</b> |            |
| <b>Sold</b>                             | <b>New</b> | <b>Sold</b>      | <b>New</b> | <b>Sold</b>      | <b>New</b> | <b>Sold</b>      | <b>New</b> | <b>Sold</b>      | <b>New</b> | <b>Sold</b>  | <b>New</b> |
| 0                                       | 53         | 12               | 13         | 38               | 31         | 10               | 0          | 4                | 0          | 64           | 97         |

Given that more than half of the households on the waiting list are looking for housing in Lindsay, the sale of homes in Lindsay should not result in a decrease in the number of units in Lindsay.

Similarly, given the large percentage of the households on the City of Kawartha Lakes waiting list are single or couple households, it is reasonable that a significant portion of the additional housing created due to leveraging of the homes be used to create one bedroom apartments which have the longest wait times (typically a 5 year wait for applicants). Since there are a high percentage of seniors, it is also reasonable to create some units specifically for seniors.

In addition to reflecting on the needs of the current waiting list, the changes in household size in Lindsay from 2006 to 2016 support the creation of smaller units. In 2006 the census data reflected 2,645 one person households increasing to 3,130 one person households in 2016. Between 2006 and 2016, both 3 person households and 4 or more person households decreased. 3 person households decreased by 175 and 4 or more decreased by 165 households.

## Tenant Relocation

The homes sold for Part 1 and Part 2 (37 homes in total) were identified through two approaches:

1. If the tenant had the ability to purchase the home they were living in (secure their own mortgage) they were provided with the sale price (based on the last sale or the current market value less the 3.5% real estate fees). In some cases these tenants were also eligible to receive down payment assistance through the City's Homeownership program funding (with the City giving them priority over other applicants and if funding was available at the time); and
2. At the time of vacant possession through a notice from the tenant that they were moving, through a mandatory transfer (over housed or through a mediated agreement) or when an eviction occurred.

The decision during Part 1 & 2 was that tenants would not be asked to relocate to a KLH unit (including new units) of the same size and type in order for a sale to occur. There are two options available that support the relocation approach; a notice where the landlord and tenant mutually agree or a notice with at least 60 days' notice at the end of a month. Tenants in this situation would always be offered a transfer to another KLH unit. KLH will use this approach in addition to the two approaches used in Part 1 and Part 2. It will allow KLH to have access and sell some of the units more quickly and while the real estate market is attractive in order to leverage more revenue toward the new developments.

The remaining 27 homes to be sold to leverage Part 3, will be identified through the following tenant relocation plan:

1. Tenants will be relocated to other KLH units (including the newly constructed units) of the same size and type. In most cases tenants will be relocated and vacant possession will be obtained prior to listing the home for sale. Tenants being relocated will be offered moving assistance through KLH.
2. Tenants who are able to purchase the home they are currently renting from KLH will receive priority to Homeownership program funds through the City (if and when available) with access to \$50,000 in down payment assistance. Homes will be sold to the tenants in accordance with the KLH Property Disposition Policy.
3. Homes vacated by tenants who provide notice they are leaving, are required to move through transfer or mediated agreement or who are evicted will be sold when vacant possession is obtained and the unit has been restored.

## Part 3 - Proposed Development Sites and Target Market

### Phase 2 – Bond Street East Lindsay (see Figure 2 & 3)

The Bond Street site would sever and rezone a portion of Shaft Park (approximately .6 of an acre) adjacent to Bond Street East. The proposed three storey townhouse and stacked apartment model would include 16 units in total. The eleven units sold to finance this site will need to be replaced within the site under a rent geared to income model in order to continue to meet the SLS. In the same fashion as Devan, 5 Bond and 48 St Paul (Part 1 & 2 Regeneration) a rent supplement agreement between KLH and the City through 100% municipal funding will allow KLH to provide the RGI model to the tenant. The breakdown of Bond will include:

**Table 12 Bond Street East RGI/Market Rent Breakdown**

| <b>Bedroom Size</b> | <b>Total Number of Units</b> | <b>Rent Supplement (RGI model)</b> | <b>100% Average Market Rent</b> |
|---------------------|------------------------------|------------------------------------|---------------------------------|
| 1 bedroom           | 6                            | 4                                  | 2                               |
| 2 bedroom           | 4                            | 3                                  | 1                               |
| 3 bedroom           | 6                            | 4                                  | 2                               |
|                     | <b>16</b>                    | <b>11</b>                          | <b>5</b>                        |

### Phase 2 – Lindsay Street North Lindsay (see Figure 4 & 5)

The Lindsay Street North site would include a second building on the more northerly portion where the new Human Services/Affordable Housing build is currently under construction. It is proposed to include a three storey apartment building, for seniors with 24 units in total. The 24 units would encompass the 2<sup>nd</sup> and 3<sup>rd</sup> floors while the ground floor would include “commercial” space for programming and services for seniors. This programming and service would be provided through partnerships that KLH creates or expands with other community partners/agencies that specialize in these services or programming. The 16 units sold to finance this site will need to be replaced within the site under a rent geared to income model. As recommended above for Bond Street, this will be completed through a rent supplement agreement with the City. Like the adjacent building, the City and KLH will enter into a 40 year lease with KLH providing a portion of its revenue from the sub-tenants back to the City as a contribution toward debenture payments/operating expenses. The breakdown of Lindsay North will include:

**Table 13 Lindsay Street North RGI/Market Rent Breakdown**

| <b>Bedroom Size</b> | <b>Total Number of Units</b> | <b>RGI model</b> | <b>100% Average Market Rent</b> |
|---------------------|------------------------------|------------------|---------------------------------|
| 1 bedroom           | 24                           | 16               | 8                               |

## **Part 3 - Feasibility and Potential Benefits and Risks**

### **Phase 2 – Bond Street – Capital Costs, Financial Contributions & Long Term Debt**

The estimated all in capital cost of developing the 16 unit, 3 storey building is \$4.6 million. The construction costs are based on \$185 per square foot based on the most recent Altus construction cost guide (2018) for a 3 storey wood frame residential townhouse structure, within the GTA. A \$10 per square foot premium considering the construction timing is into the future has been included. Re-investing the funds generated by the sale of single/semi-detached homes (estimated at \$2.2 million in total) would offer the opportunity to create an increased number of rental housing units. By applying the proceeds from the sale of 11 single/semi-detached units, there will be a net gain of 5 units. Along with the sale revenue, KLH would contribute \$100,000 in reserves. KLH would also apply for other programs such as CMHC's Seed Funding program and/or the National Housing Co-Investment Fund. The target market outlined earlier and in Table 12 support a viable operating model was a debt ratio of 1.01. This scenario results in long term financing of just under \$2 million or 43% financed (based on a 30 year amortization).

The financial model anticipates the following municipal incentives and support, the majority of which the City has provided to KLH on multiple occasions in the past and of which the new Affordable Housing Framework supports.

- The portion of Shaft Park land provided at no cost
- Application fees and costs associated with rezoning the portion of land
- Site Plan application fees and the requirement to provide a security waived
- Development Charges
- Building Permit Fees
- Relief from Parkland Levy, servicing connection fees, DAAP fees, and any other fees or charges imposed or controlled by the City related to the new developments
- Debenture secured by the City, repaid by KLH
- Cash flow throughout development and construction, as needed

### **Phase 2 – Lindsay Street North Lindsay – Capital Costs, Financial Contributions & Long Term Debt**

The estimated all in capital cost of developing the 24 unit, 3 storey building is \$9.6 million. The construction costs are based on \$245 per square foot based on the most recent Altus construction cost guide (2018) for a Class B office building (under 5 stories with surface parking), within the GTA. This was used due to the commercial/residential nature of the proposed build. The building will match the adjacent build and include the same net zero target with both solar and geothermal. Re-investing the funds generated by the sale of single/semi-detached homes (estimated at \$3.2 million in total) would offer the opportunity to create an increased number of rental housing units. By applying the proceeds from the sale of 16 single/semi-detached units, there will be a net gain of 8 units. Along with the sale revenue, KLH would contribute \$100,000 in reserves. KLH would also apply for CMHC's Seed Funding program and/or the National Housing Co-

Investment Fund. The target market outlined earlier and in Table 13 support an annual lease payment of approximately \$230,000.

The financial model anticipates the following municipal incentives and support, the majority of which the City has provided to KLH on multiple occasions now and of which the Affordable Housing Framework supports.

- A 40 year lease, as a schedule to the 68 Lindsay Street building
- Assistance to prepare and submit applications for Brownfield remediation funding
- Assistance to prepare and submit Record of Site condition to the Ministry of the Environment
- Relief from tipping fees related to any remediation of the site not secured through remediation funding
- Simplified site plan process without a formal site plan, similar to the 68 Lindsay Street model
- Development Charges
- Building Permit Fees
- Relief from Parkland Levy, servicing connection fees, DAAP fees, or any other fees and charges controlled or imposed by the City related to the new developments
- Debenture secured by the City, repaid through annual lease payments
- Cash flow throughout development and construction, as needed

### Proposed Rents

The proposed rents will include both affordable (80% of CMHC average) and market (CMHC average). The most current CMHC average market rents (AMR) available are from the fall 2017 report. The proposed rents, based on the fall 2017 report, are reflected in Table 3. However, they will be adjusted at the time of occupancy to reflect the current market conditions.

### Benefits to the City

Certainly the most visible benefit to the City would be the addition of 40 new affordable and market rental units, an objective of the City's strategic plan. The two developments will assist in revitalization of the neighborhood and repurposing of a portion of parkland no longer needed (see Figure 1). It will add well maintained, safe and affordable, mixed tenure rental housing to the community. It will also contribute in assisting to help find at least another 13 households on the City's waiting list affordable housing and it will provide a better housing option for 27 existing.

Financially the City will see the following:

1. Increased property tax revenue from the development at Shaft Park
2. KLH's operating and capital subsidy request to the City will decrease by approximately \$250,000 realizing the expenses that will not be needed for the 27 older units
3. Rent supplement expenses annually for the 27 replacement RGI units of approximately \$100,000

## Marketing Risks

The affordable units will be made available to low-moderate income singles, couples, families or seniors from the City's centralized list or the City's homeless by name list at rents based on a rent geared to income model through the rent supplement agreement (the market rent will never exceed 80% of the CMHC AMR). With numerous households on the waiting lists, KLH is confident there will be rapid take up of the units. Some will likely be filled with existing KLH tenants living in the singles and semis to be sold who would relocate to one of these two new locations. With very little market rental available the new units at the CMHC average market rent will also be attractive in the community. There is confidence that the market units will also see a rapid take up. KLH does have other market units and a waiting list of 39 households.

## Part 3 - Timeline

A project such as this would offer the positive steps of transforming a portion of KLH's stock into new energy efficient, low maintenance accessible residential units while potentially supporting the transition of a few of the existing residents from tenants into homeowners.

Table 14 provides a description of the high level next steps and the approximate timing. More detailed project schedules would be created following approval by City Council in June.

**Table 14 High Level Next Steps**

| <b>Description</b>  | <b>Timeline</b>  |
|---|--|
| KLH adopts the Part 3 Regeneration business plan and submits to the City  | March 2018   |
| CKL Land Management Committee supports land considerations  | April 2018   |
| City Council approves the land donation, land lease and other municipal incentives and supports outlined in the business plan                             | June 2018  |
| Formal Pre-consultation process with the City on the two sites (informal discussions occurred with Community Services and Planning informing Figures 1-5) | July-August 2018   |
| Rezoning for Phase 2 Bond begins  | September 2018<br>(could take approximately 1 year to complete)  |
| Phase 1 & 2 ESA, Funding Applications and Remediation of Phase 2 Lindsay Street begins  | September 2018<br>(could take approximately 1 year to complete)  |
| Record of Site Condition filed and approved following successful remediation  | September 2019<br>(could take approximately 6 months to receive) |
| Site Plan and Building Permit   | Fall/Winter 2019   |



| Description          | Timeline                                  |
|----------------------|---|
| Construction Tenders | Late 2019, Early 2020                     |
| Construction         | 2020-2021<br>(approximately 12-14 months) |
| Occupancy            | Spring/Summer 2021                        |

Throughout, there will continue to be the sale of the balance of the 27 existing KLH homes in order to provide the necessary equity for these two developments. While it is expected that most, if not all, of the 27 existing homes will be sold by the time of occupancy of these two new developments, if there is the delay in the timing of the sales, as mentioned above, the City of Kawartha Lakes will be able to provide a short term cash flow loan to KLH until the 27 sales are complete.

## The Team

### Kawartha Lakes-Haliburton Housing Corporation (KLH)

KLH operates as a separate corporation from the SM under the *Business Corporation Act*, though the City of Kawartha Lakes is its sole shareholder. KLH is governed by its own Board of Directors. KLH's mission is to provide a variety of good quality, safe, accessible, sustainable and affordable housing options for households in the City of Kawartha Lakes and the County of Haliburton, with a priority focus on low income, the homeless and people with special needs. The project will require KLH staff resources throughout for various responsibilities related to development and project coordination, as well as communicating with KLH tenants who may be purchasing their homes or possibly moving to the new developments.

### Real Estate Broker

As with Part 1 and 2, KLH will require real estate services in order to assist with the marketing and sale of the 27 homes. In accordance with the KLH Property Disposition Policy KLH will engage the real estate services by conducting an Expression of Interest. The properties will be marketed through the MLS system.

### Development Consultant

KLH will engage the services of a development consultant to assist with project coordination, funding applications, to lead the municipal planning approval, etc.

### Architectural Firm

Ron Awde Architects have been engaged to assist KLH in creating conceptual drawings as seen in Figures 1-5. No decision has been made at this time for the architectural and other consultants required for the development phase. An architect with experience in the design of multi-residential developments will be selected and will be required to



include the other consultants needed such as civil, engineering, electrical and mechanical.

### **Construction Firm**

No Decision has been made at this time. A firm with experience in the construction of multi-residential developments will be selected through a competitive process.

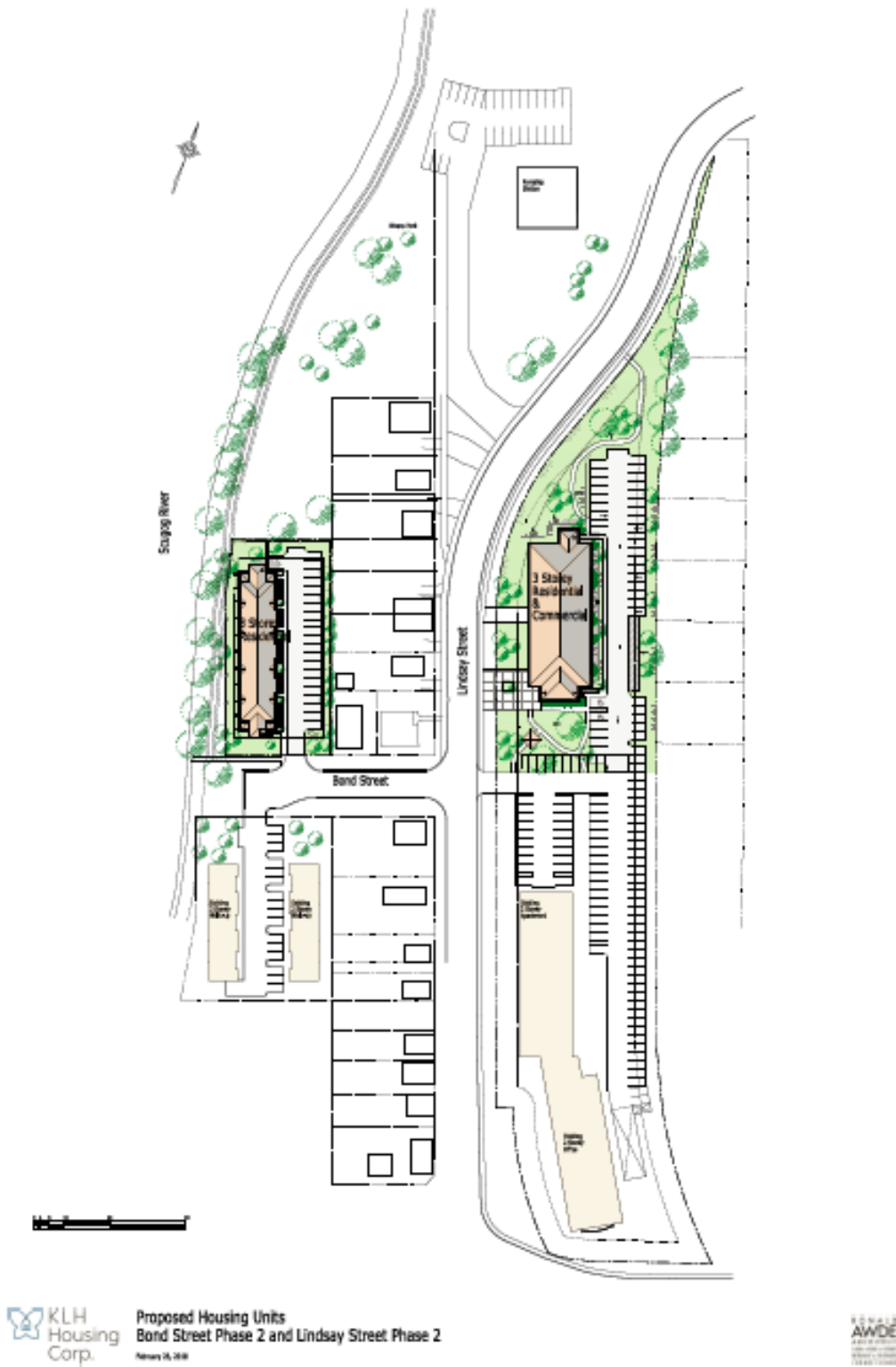
### **Property Management**

KLH will use their existing property management expertise to manage the proposed rental units.

### **Conclusion**

Given the housing demands in Kawartha Lakes in terms of increasing rents and decreasing vacancy rates, this new development is a good opportunity to enhance and expand the supply of affordable and market rental housing in Lindsay. In keeping with the City of Kawartha Lakes' planning objectives, this project contributes to the "provision of a wide range of residential types and tenures to ensure access to all segments of the population" (Official Plan Environmental Action Plan). It's also assists the City in meeting goals and objectives of the Strategic Plan, the 10 Year Housing and Homelessness Plan and the Affordable Housing Framework. It presents KLH with the opportunity to help create a mixed income community of rental housing meeting its vision, mission and goals. Existing tenants will have the opportunity to purchase their current semi-detached or detached home or move to a new energy efficient, low maintenance accessible residential unit.

Figure 1



## Figure 2



Figure 3



Proposed Housing Units  
Bond Street Phase 2  
February 27, 2022

RONALD  
AWDE  
ARCHITECT  
CLUBHOUSE - STREET  
HOSPITALITY - CALIFORNIA  
TEL: (415) 774-4110

### Figure 4

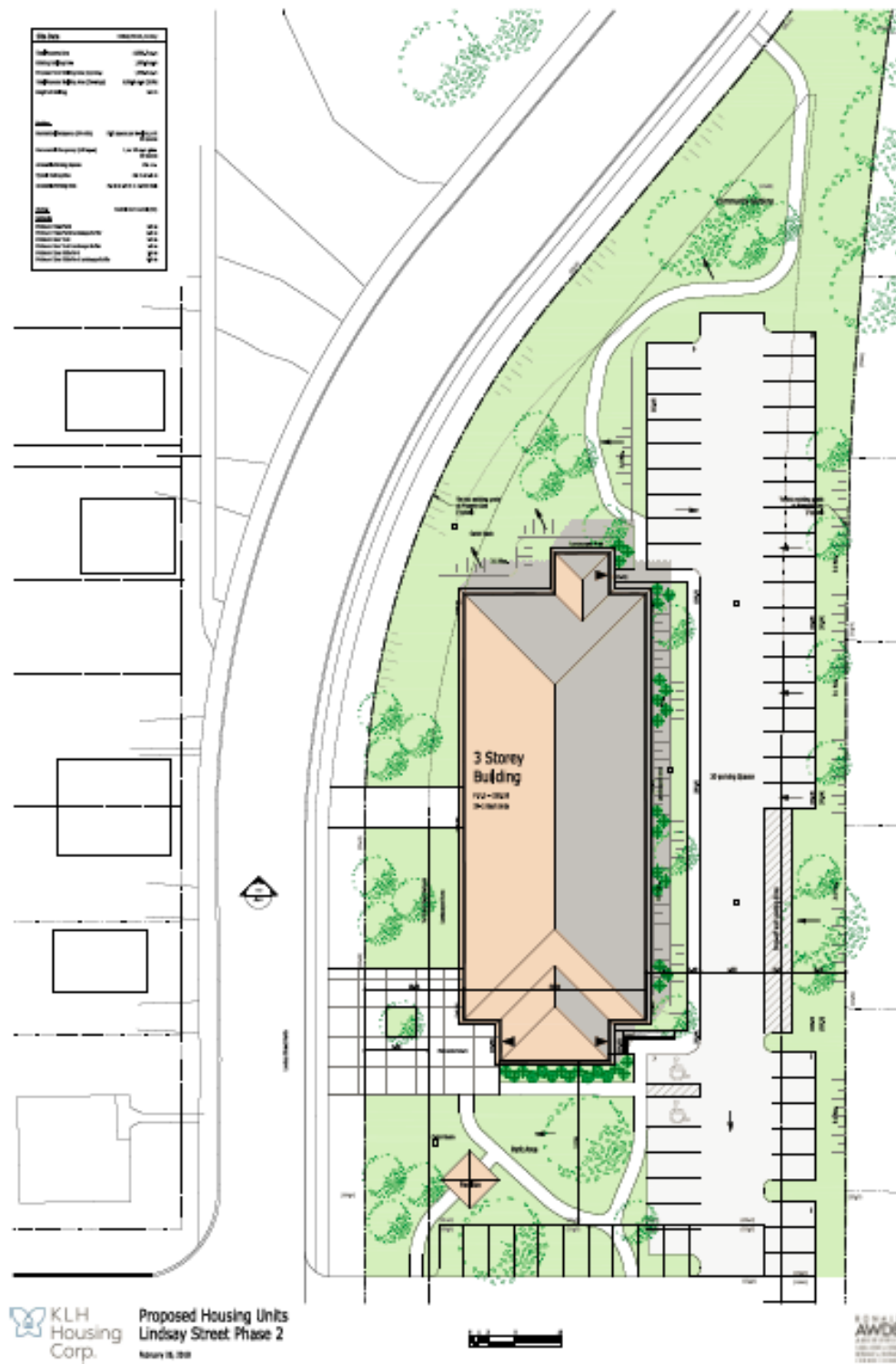


Figure 5



West Elevation  
scale 1:100



East Elevation  
scale 1:100



Proposed Housing Units  
Lindsay Street Phase 2  
February 27, 2018

RONALD  
AWDE  
ARCHITECT  
LAW OFFICE  
STEWART & CO. LLP  
712.462.7744

## Council Report

Report Number HH2018-005

---

**Date:** June 19<sup>th</sup>, 2018  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

---

**Ward Community Identifier:**

**Title:** 2017 Annual Housing & Homelessness Plan (HHP) Report

**Description:** Annual report for the 10 Year HHP

**Author and Title:** Hope Lee, Administrator/Manager of Housing

---

**Recommendation(s):**

**That** Report HH2018-005, 2017 Annual Housing & Homelessness Plan (HHP) Report, be received for information purposes.

**Department Head:**\_\_\_\_\_

**Financial/Legal/HR/Other:**\_\_\_\_\_

**Chief Administrative Officer:**\_\_\_\_\_



## **Background:**

On February 11<sup>th</sup>, 2014, Council approved the “Building Strong Communities – 10 Year Housing & Homelessness Plan”

The HHP is consistent with legislation, Ontario Regulations and the provincial Housing Policy Statement, and:

- Identifies current and future housing needs;
- Sets out objectives and targets (goals) relating to housing needs;
- Proposes actions to meet the goals; and,
- Establishes a process to measure and report progress towards meeting the goals.

Each year, by June 30<sup>th</sup>, an annual report on progress of the plan must be made available to the Ministry and to the public. The report will provide details on the measures taken to meet the objectives of the plan.

## **Rationale:**

The fourth annual report, highlighting 2017, is included as Attachment A. Copies of the report will be made available to the public through the City and County websites and through distribution to key stakeholders.

## **Financial/Operation Impacts:**

There are no financial considerations to this report.

## **Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:**

This report aligns with the Strategic Goal of an Exceptional Quality of Life.

## **Consultations:**

Program Supervisor, Housing Help

## **Attachments:**

Attachment A      2017 Annual Report



KL\_Housing  
Report-Final Draft.pd

**Department Head E-Mail:** rsutherland@kawarthalakes.ca

**Department Head:** Rod Sutherland, Director, Human Services

# Building Strong Communities

10 Year Housing & Homelessness Plan  
2017 Annual Report



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# The City of Kawartha Lakes

As Service Manager (SM) for Kawartha Lakes and Haliburton County, the City of Kawartha Lakes is responsible for the financial support of existing social housing and serves a key role in the delivery of new affordable housing programs. The SM also administers homeless support and homelessness prevention programs.

SMs are required, as part of the Province's Long-term Affordable Housing Strategy and the **Housing Services Act**, to complete a 10 Year Housing and Homelessness Plan (HHP). The City adopted its 10 Year Plan in February 2014. This is the fourth annual report reflecting 2017 progress.



68 Lindsay Street, Lindsay



For the full Housing and Homelessness Plan and background reports visit the City's website: [www.kawarthalakes.ca](http://www.kawarthalakes.ca)

## Message from the City Mayor & County Warden

Our vision is to provide adequate, stable, affordable, well maintained and diverse housing choices with access to a variety of flexible supports enabling people to meet their housing needs throughout their lifetime. To plan for affordable housing and homelessness needs for 2014-2023, the HHP has seven goals derived from studies and reports with the themes generated from a combination of community consultation, a project coordinating committee and municipal staff input.

Although the City of Kawartha is the designated Service Manager for both the City and the County, the County and the City actively collaborate in order to ensure that housing and homelessness is addressed throughout the area.

Annually a progress report on our local HHP is created in order to keep the public informed on the progress and especially to help the community to remain engaged. In order to achieve the objectives and actions, community engagement and significant collaboration is needed.

We are proud of the accomplishments made toward meeting the goals of the plan in 2017 which include:

- assisting 900 households to retain their housing through Homelessness Prevention Supports
- assisting 32 previously homeless individuals and families to find housing
- adoption of the Affordable Housing Framework
- creation of 22 portable housing benefits and 46 housing allowances

We are pleased to share this year's report with you and look forward to our ongoing accomplishments.



**Andy Letham**  
**Mayor, City of Kawartha Lakes**



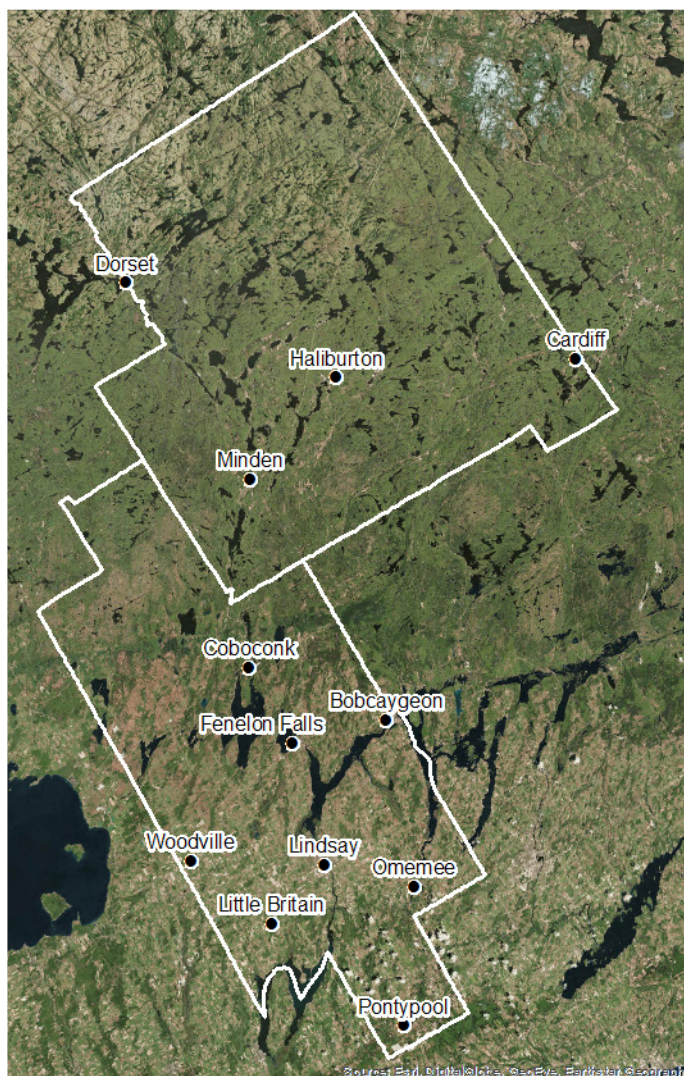
**Brent Devolin**  
**Warden, County of Haliburton**



## Area Context

**The City of Kawartha Lakes** covers a land area of 3,067 square kilometres, a population of approximately 75,420 residents and has over 250 lakes. The County Simcoe and the District of Muskoka are to the northwest, the County of Haliburton to the northeast, to the east is the County of Peterborough and on the south and southwest is Durham Region.

**The County of Haliburton** also known as the Haliburton Highlands, is comprised of four separate municipalities covering over 4,000 square kilometres of natural landscapes and over 600 lakes. The County is home to approximately 18,065 residents. As previously noted, the County is to the northeast of the City and shares boundaries with the District of Muskoka, Hastings County, the District of Nipissing and the County of Peterborough.

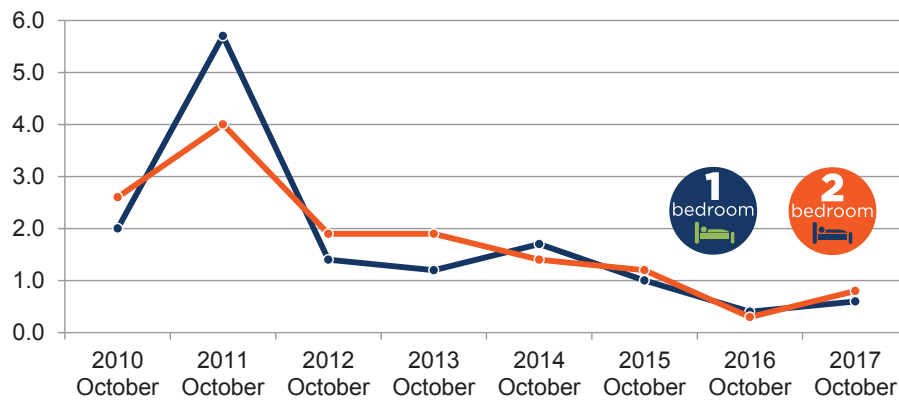


## Principles

- Housing is a social determinant of health
- Homelessness prevention and rapid rehousing through a Housing First approach are key to ending long-term homelessness
- People should have access to affordable housing in good repair within or close to the community of their choice
- All persons have the right to be treated with dignity and respect
- Investing in affordable housing fosters inclusive communities and supports economic development



## Vacancy Rate



## Average Market Rent

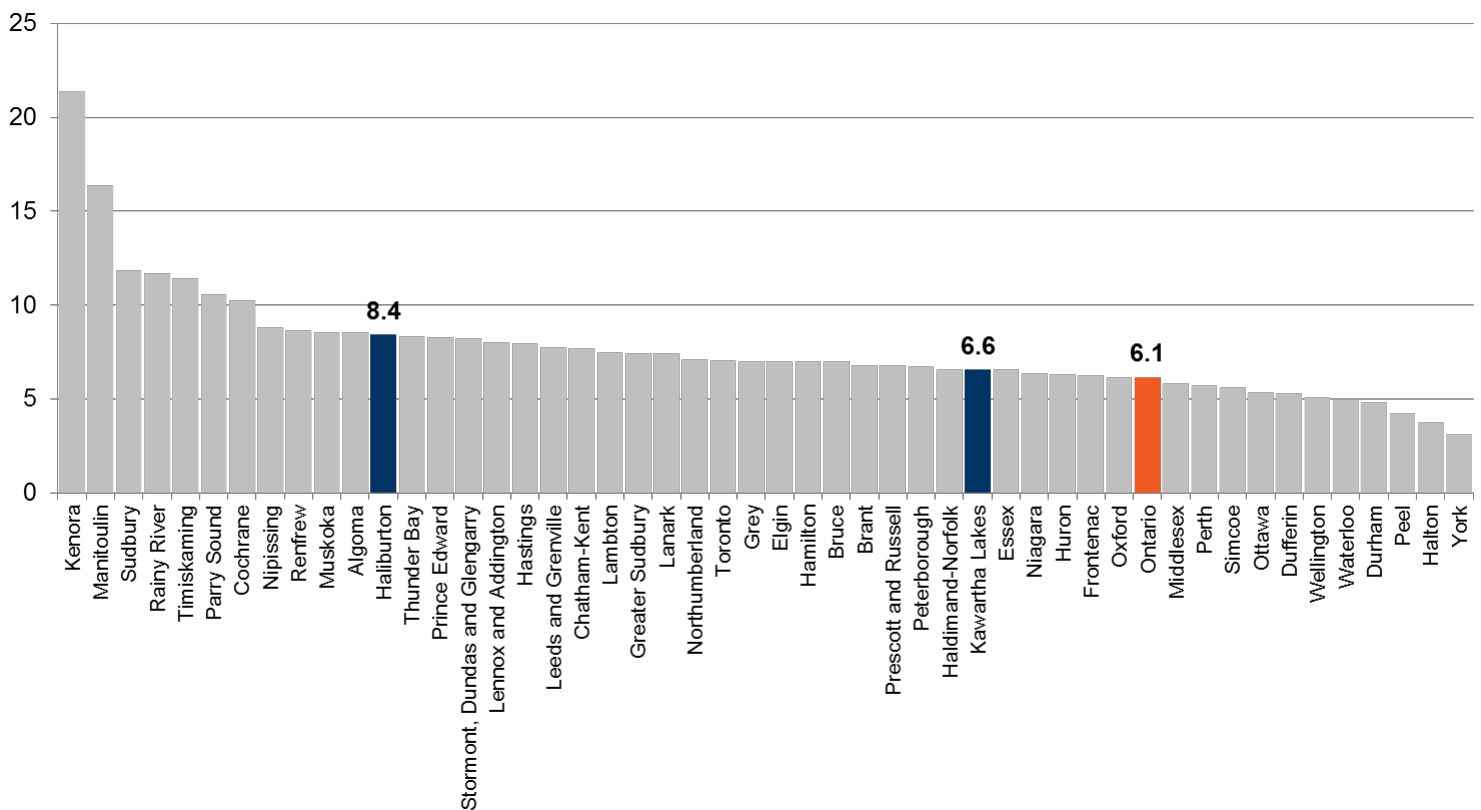
City of Kawartha Lakes and the County of Haliburton  
2017 average rent by bedroom



CMHC Rental Market Report – Ontario  
Highlights – Fall 2017 (CD) profiles

## Condition of Dwellings

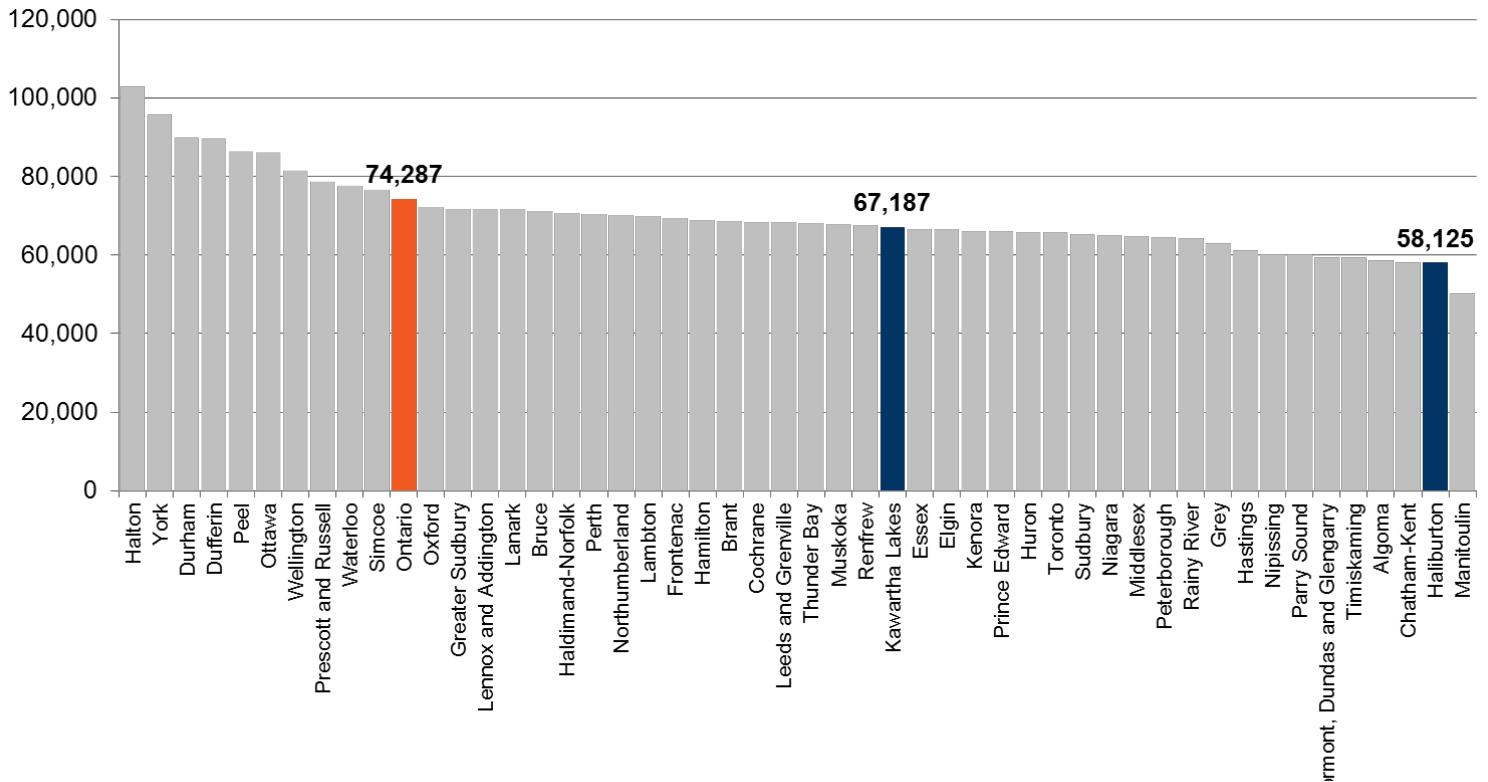
Percentage of Dwellings Where Major Repairs Needed (%)



Statistics Canada (2016 Census). Census Division (CD) profiles

## Income

### Median Household Income in 2016 (\$)



Canadian Rental Housing Index

## Shelter Costs - Renters

| Kawartha Lakes            |          |          |
|---------------------------|----------|----------|
| Spending on Shelter Costs | 2011 (%) | 2016 (%) |
| Less than 30% of income   | 54.0     | 48.3     |
| 30% or more of income     | 46.0     | 51.7     |
| Total                     | 100.0    | 100.0    |
| Haliburton                |          |          |
| Spending on Shelter Costs | 2011 (%) | 2016 (%) |
| Less than 30% of income   | 61.3     | 50.5     |
| 30% or more of income     | 38.7     | 49.5     |
| Total                     | 100.0    | 100.0    |

## Key Housing Themes

- Smaller households are the predominant household type
- A continuum of housing options are needed for a growing seniors population
- There is a limited supply of private market rental housing, particularly in the affordable range
- Improving the diversity of housing stock geared to seniors and smaller households (including improved accessibility) is a key issue
- The Service Manager's portfolio of social and affordable housing makes a significant contribution to the supply of rental housing
- Energy efficiency and the quality of housing is a key concern
- There are very few culturally-specific housing options and services for aboriginal households
- There is a government policy shift away from emergency shelter and short-term solutions towards providing permanent, affordable housing with supports
- Building upon the system's capacity to provide housing with supports is a necessary strategy to reduce homelessness
- There is a high degree of collaboration between community organizations providing information and supports to help at-risk households



**Riverview Apartments - 71 Melbourne Street East, Lindsay**

# Housing System

Not every household has the same housing needs. Factors such as household size, household income, occupants' stages-in-life and other contributing circumstances determine the requirements to maintain appropriate, stable and affordable housing.

## Some factors which influence housing needs:



Household Size



Household Income



Stage of Life








Housing is considered affordable if shelter costs account for less than 30 per cent of before-tax household income. We know the homeowners in the City of Kawartha Lakes spend 17.7 per cent of their income towards housing, where homeowners in the County of Haliburton spend 20.8 per cent towards shelter costs. However, renters in both regions are paying considerably more than 30 per cent of their income towards housing costs, as demonstrated on page 7.



More than 30% of income going to housing costs

The chart on the next page provides an outline describing the range of housing programs and services available to households experiencing housing instability and affordability challenges. The housing system and programs highlighted in this report work to support households transitioning to more independent housing situations while recognizing some households may require ongoing housing subsidies and/or support services due to unique life circumstances and associated financial barriers.

# Housing System

|                  | Homelessness  | Emergency Shelter   | Supportive Housing   | Financially Assisted Housing  | Affordable Rental Housing   | Affordable Home Ownership   | Market Rental & Ownership Housing  |
|------------------|---|---|--|---|---|---|--|
|                  |    |  |   |  |   |  |                   |
|                  | <b>Emergency housing responses</b>  |   | <b>Ongoing housing subsidies and housing support services</b>  |   | <b>Capital construction funding and down payment assistance</b>   |   | <b>Market options available</b>  |
| Housing Programs | <ul style="list-style-type: none"> <li>• Homelessness prevention benefits</li> <li>• Housing Help services</li> <li>• Emergency shelters</li> </ul> |   | <ul style="list-style-type: none"> <li>• Housing First program for homeless households</li> <li>• Financially assisted housing</li> </ul>  |   | <ul style="list-style-type: none"> <li>• Home ownership down payment assistance</li> <li>• Low-income home owner repair and accessibility program (Kawartha Haliburton Renovates)</li> </ul>  |   | <ul style="list-style-type: none"> <li>• Household can support market housing costs</li> </ul>       |
| Income           | <b>\$0 - \$14,000</b>   |   | <b>\$14,001 - \$25,000</b>   |   | <b>\$25,001 - \$76,100</b>  |   | <b>\$76,101 and up</b>   |
| System Capacity  | <ul style="list-style-type: none"> <li>• <b>19</b> Emergency shelter beds</li> </ul>  |   | <ul style="list-style-type: none"> <li>• <b>778</b> Rent-geared to income units</li> <li>• <b>116</b> Housing allowances</li> <li>• <b>136</b> Rent Supplement units</li> <li>• <b>35</b> PHB</li> </ul> |   | <ul style="list-style-type: none"> <li>• <b>100</b> Homeowner grants issued since 2007 (70 in CKL and 30 in the County)</li> <li>• <b>99</b> Renovated homes since 2014 (55 in CKL and 44 in the County)</li> <li>• <b>128</b> New affordable apartment units since 2009</li> <li>• <b>3</b> Habitat for Humanity homes built since 2016</li> </ul> |   | 455 new dwelling units created in 2017 as follows:<br>335 Kawartha Lakes<br>120 County of Haliburton |

# Progress Highlights

## Homelessness Prevention Support

- ✓ Available to eligible low-income households in Kawartha Lakes and the County of Haliburton.
- ✓ Of the 1.5 in 10 households who responded to our follow-up outreach 91% remain housed after 3 months.



**128** Electricity Arrears



**226** Moving Costs



**13** Mortgage Arrears



**900 households**  
received various  
homelessness prevention  
supports during 2017



**25** Property Tax Arrears



**408** Rent Deposits



**129** Rent Arrears



# Progress Highlights

## Success Stories

### Homelessness Prevention Supports



#### Low-income couple

John and Mary struggle to earn enough income to pay for their monthly expenses. John occasionally receives some income as a subcontractor and Mary works two part-time jobs. During a period of time when work wasn't available they got behind in their \$950/month rent as well as their vehicle insurance and cell phone bills.

Housing Help was able to help them with their rent arrears in order to prevent eviction.

A few months later during a follow up call John and Mary stated that they still remain at the same apartment and are doing much better and reported that they haven't been late with paying rent since receiving the help for their rental arrears. They have also got caught up on their other bills.

### Kawartha Haliburton Renovates



#### Single – Senior

Jane struggles with maintaining a small home while receiving less than \$2,000/month in pension income, while faced with an ongoing medical condition. Even though Jane still has a mortgage she often found that her property taxes and utilities cost more than her mortgage payments. The cost to heat her home using electricity was too much so she put most of her effort into heating her home with wood. Jane applied and was successfully granted for funding through the Kawartha Haliburton Renovates program allowing her to have a new propane furnace installed.

Jane has since reported that the program helped a lot and she went from lugging firewood into her house to simply pushing a button to turn on the new furnace.



## Housing First Program

### Low-income single with child



Bob recently became separated and lost his job. As a result of this difficult time he and his child spent some time at the local homeless shelter. While at the shelter Bob got connected to one of the intensive case managers who began working with him to get him and his son connected to supports and programs. Bob and his son also found a new home and were provided with a Portable Housing Benefit. Bob recently stated that the supports he received gave back his confidence to take back control in his life and that the case managers helped him navigate the system and ‘had his back’ when no one else would.

### Low-income single adult



Michael was living at the homeless shelter and when he got connected to the Housing First program. The program staff provided him valuable support connections which lead him in the right direction providing him with many new opportunities to get back on his feet. Michael reports: “I would never have found a place like this without their help. The staff help me every day with all sorts of different problems. They helped me get a doctor in town and they come to my medical appointments. I really appreciate that they come by just to talk when I need to talk with someone. Their support helped to relieve a lot of stress.”

# Progress on Addressing Homelessness

During the Registry Week in August 2016:



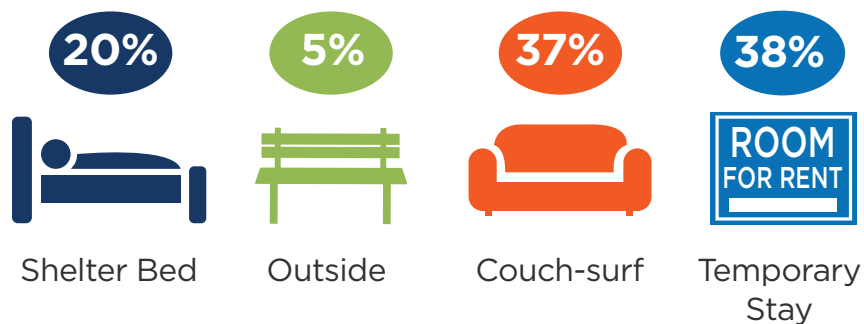
**136** individuals were identified as homeless

**111** of those individuals completed the Health and Social Needs Survey

## Top 3 groups in need:



## Where these individuals were sleeping:



# Progress on Addressing Homelessness

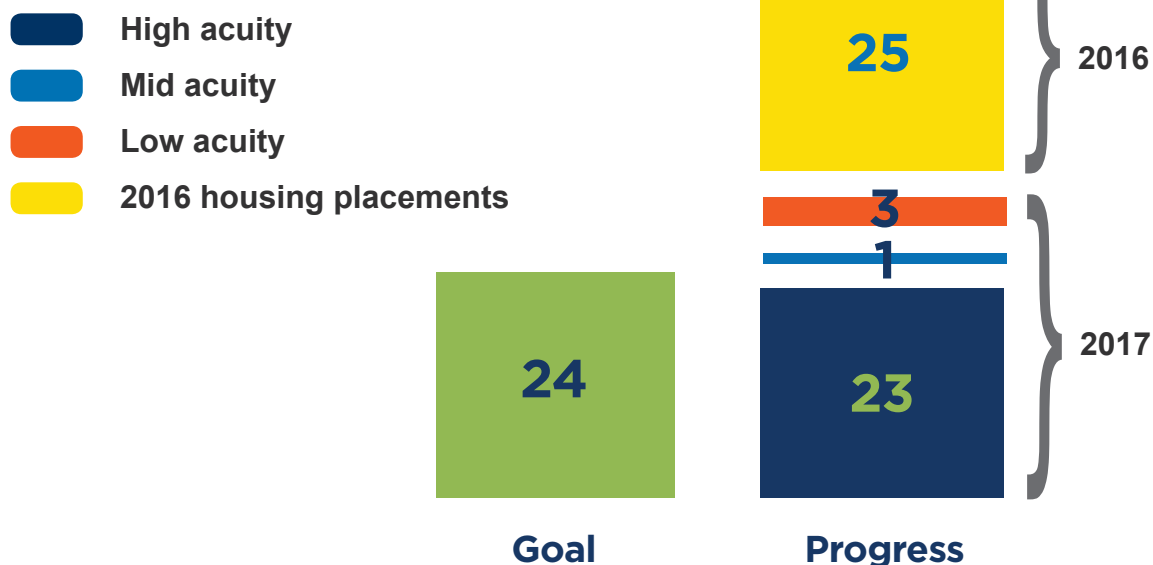
## Acuity of Need

- **High acuity** – These are individuals that face complex and often multiple co-occurring wellness challenges around physical, mental health or substance use and require intensive and sometimes permanent supportive housing
- **Mid acuity** – These are individuals who typically have faced some financial stress as well as some challenges around one or two areas of wellness, where rapid re-housing with temporary supports can resolve their housing crisis
- **Low acuity** – These are individuals who have generally faced homelessness due to financial causes and their homelessness can be resolved by accessing homelessness preventions benefits such as last month's rent funding

**UPDATE:** since Registry Week 2016:

**17 homeless individuals and families** have also been assessed using the Health and Social Survey since Registry Week. These individuals and families **have been linked to appropriate supports and housing services.**

## Permanent Housing Placements



# Progress on Addressing Homelessness

## Homelessness Investments

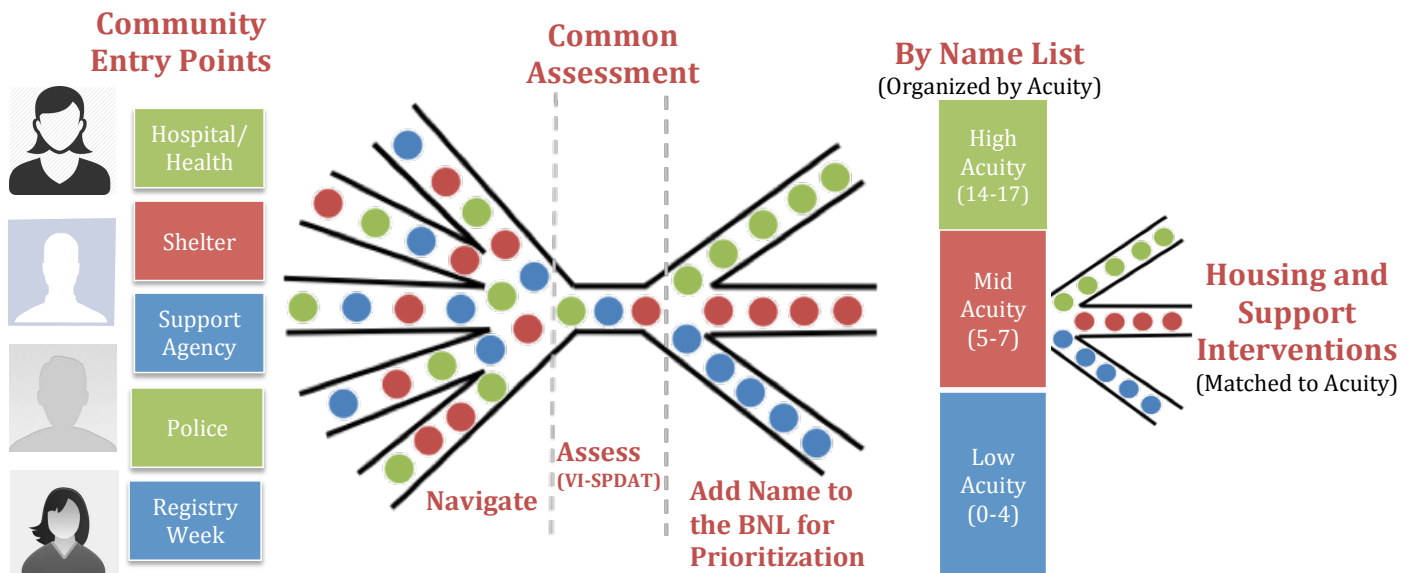
| Program  | Funder                | Agency   | Number of People Served in 2017 |
|--|-----------------------|--|---------------------------------|
| Homelessness Partnering Strategy - 3 year funding toward intensive case management for the homelessness population | Federal government    | A Place Called Home/FourCAST                               | 8-10                            |
| Central East Local Health Integration network – clinical case management for mental health and addictions          | Provincial government | Haliburton Highlands Mental Health/ Ross Memorial Hospital | 10-12                           |
| Home for Good – Clinical case management positions and housing support workers                                     | Provincial government | Services purchased through FourCAST                        | 24                              |
| Homelessness program – Clinical case management position, housing support workers and trustee                      | Municipal             | A Place Called Home/FourCAST                               | 20-24                           |
| Portable Housing benefits  | Municipal             | Paid to landlord of individual or family                   | 10                              |
| Portable Housing benefits  | Provincial government | Paid to landlord of individual or family                   | 9                               |

# Progress on Addressing Homelessness

## Housing First Program Development

### Coordinated Entry System

Coordinated Entry System and By Name Lists have been identified as key features of homelessness response systems that are successfully working towards ending long-term homelessness in their communities. Coordinated Entry ensures that all people are offered equitable access to the available resources dedicated to addressing homelessness in the community. Coordinated Entry uses common, system wide assessment and process to ensure that people get connected to the best possible solutions for shelter and permanent housing. A By Name List (BNL) is a real-time list of all known individuals and families experiencing homelessness in the CKLH area. The names on the BNL are organized based on the depth of need of the individual or family, and helps the larger system to match those households with appropriate permanent housing options and/or supports to resolve their homelessness.

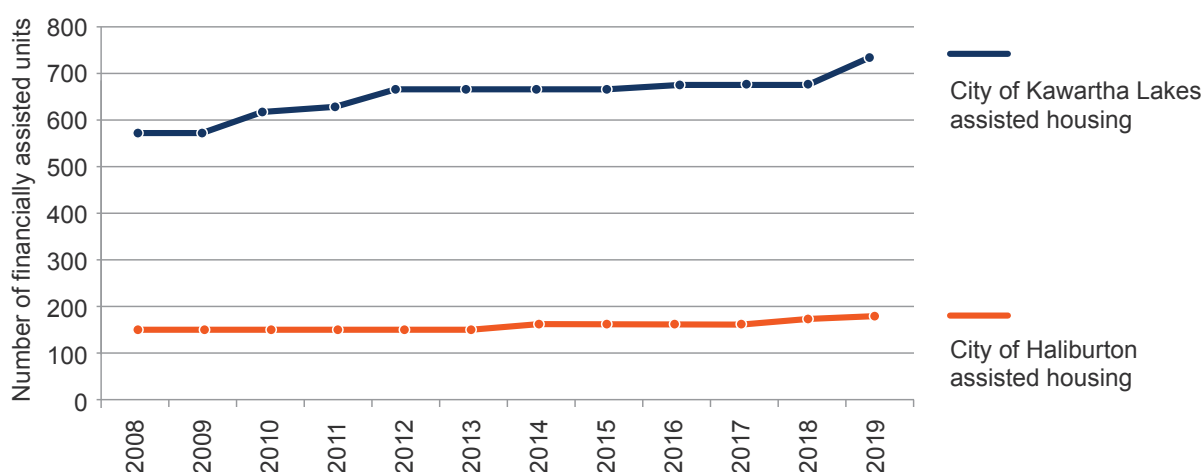


# Financially Assisted Housing

Ontario is divided into 47 service manager areas to support the delivery of a variety of provincially regulated social service programs. The City of Kawartha Lakes' Human Services Department is the service manager for The City of Kawartha Lakes and the County of Haliburton. It administers, among other things, the local financially assisted housing and homelessness system.

The service manager is required to maintain 871 financially assisted housing units providing rent-geared-to income housing to eligible low-income households. Of the mandated 871 units, one municipally managed provider and five non-profit housing providers own and operate 778 units. The other units are provided through rent supplement payments to private landlords and other non-profit housing providers.

In 2016, the federal and provincial governments established the Social Infrastructure Fund (SIF), which provides funding to support local housing affordability initiatives. SIF includes the Social Housing Improvement Program (SHIP) component, which provides capital funding to maintain the quality of social housing within the province. The program supports the repair and renovation of existing social housing units and helps conserve energy and water to reduce utility costs for social housing tenants and the social housing non-profit housing providers.



## Types of Financially Assisted Housing Available in Kawartha Lakes and County of Haliburton

### **What Is Rent –Geared-to-Income Housing? 778 Units**

Rent is generally calculated based on 30 per cent of a household's before-tax income, subject to legislated exceptions. For those in receipt of social assistance rent is calculated based on a portion of the shelter allowance paid to social assistance recipients as per legislation.

### **What is A Housing Allowance? 116 Units**

Some housing allowances are made available, primarily in the affordable housing units, because 80% of average market rent is not affordable to those with very low incomes. Unlike RGI, the housing allowance is a fixed monthly amount paid to the landlord to reduce the amount of rent the household will pay. The fixed amount is calculated by the housing department and only assessed annually. It does not fluctuate like RGI does each time the households income changes.

### **What is Rent Supplement Housing? 136 Units**

The City partners with landlords in order to offer RGI within their units. The housing department calculates the amount of rent the household will pay the landlord based on RGI guidelines. The City pays the landlord the difference between that amount and the agreed upon market rent.

### **What is a Portable Housing Benefit? 21 Units**

Unlike the current financially assisted housing system, a portable housing benefit is not tied to a specific unit so people have more choice about where they live. This means recipients won't lose their subsidy if they need to move to attend school, start a new job, or be closer to family members, as long as they remain living within the City of Kawartha Lakes of the County of Haliburton region.



# New Financially Assisted Housing

## Projects completed in 2017

### Pinegrove Place – 57 Parkside Street, Minden



- 12 new one bedroom units
- April 2017 - occupancy
- Developer – KLH Housing Corp.
- Primary Funding source – Federal/Provincial

## Construction started in 2017

### Bond on the River – 5 Bond Street East, Lindsay



- 12 new two and three townhouse units
- September 2018 - scheduled occupancy date
- Developer – KLH Housing Corp.
- Primary Funding source –KLH Housing Corp. regeneration project

### Flynn Gardens Expansion – 48 St. Paul Street, Lindsay



- 16 new one and two bedroom units
- July 2018 - scheduled occupancy date
- Developer – KLH Housing Corp.
- Primary Funding source –KLH Housing Corp. regeneration project

### 68 Lindsay Street, Lindsay



- 24 new one bedroom units
- Winter 2019 – scheduled occupancy date
- Developer – KLH Housing Corp.
- Primary Funding source –Federal/Provincial

# Contact

## City of Kawartha Lakes—Housing Help Division



705-878-9367

1-844-878-9367



[housinghelp@kawarthalakes.ca](mailto:housinghelp@kawarthalakes.ca)



[www.klhhousinghelp.ca](http://www.klhhousinghelp.ca)



[www.facebook.com/KLHHousingHelp](https://www.facebook.com/KLHHousingHelp)

### Kawartha Lakes Office

37 Lindsay Street South, Unit A

Lindsay, ON K9V 2L9

### Haliburton Office

49 Maple Avenue, Unit 8

Haliburton, ON K0M 1S0



June 11, 2018

To the Mayor and Council of the The City of Kawartha Lakes;

Vertical Horizons Aggregates Inc located at 431 Black School Road, Woodville; is hereby requesting a temporary exemption of the noise bylaw 2005-025 from June 2018 – Dec 31, 2018 to supply gravel and sand to a Department of Highways project in Manchester, ON.

The contractor on the project is Dufferin Construction.

- The contact person from Dufferin is Rick Geary
  - Phone 705-325-7447
  - [Rick.geary@ca.crh.com](mailto:Rick.geary@ca.crh.com)
- The contact person from Vertical Horizons Aggregates Inc is Joshua Fawcett
  - Phone: 705-432-3213
  - [josh@verticalhorizons.com](mailto:josh@verticalhorizons.com)

The reason this permission is needed is because Dufferin Construction will be working overnight with nightly road closures from 7:00pm to 7:00am, therefore material will need to be shipped to the jobsite overnight.

Thank you for your consideration on the matter. I am available for any further questions.

Thank you,

Joshua Fawcett

**The Corporation of the City of Kawartha Lakes**  
**Minutes**  
**Planning Advisory Committee Meeting**

**PC2018-06**  
**Wednesday, June 6, 2018**  
**1:00 P.M.**  
**Council Chambers**  
**City Hall**  
**26 Francis Street, Lindsay, Ontario K9V 5R8**

**Members:**  
**Mayor Andy Letham**  
**Councillor Brian Junkin**  
**Councillor Rob Macklem**  
**Councillor Gord Miller**  
**Councillor Patrick O'Reilly**  
**Councillor Heather Stauble**  
**Councillor Andrew Veale**  
**Mike Barkwell**  
**Debbie Girard**

**Accessible formats and communication supports are available upon request.**

**1. Call to Order and Adoption of Agenda**

Chair O'Reilly called the meeting to order at 1:00 p.m. Mayor A. Letham, Councillors B. Junkin, R. Macklem, G. Miller, H. Stauble and A. Veale and M. Barkwell and D. Girard were in attendance.

Deputy Clerk and Recording Secretary J. Watts, Director of Engineering J. Rojas, Manager of Planning R. Holy, Manager of Parks Recreation and Culture J. Johnson, Supervisor of Development Engineering C. Sisson, Senior Engineering Technician J. Newbury, and Planners II D. Harding, M. LaHay and I. Walker were also in attendance.

The Chair opened the meeting and introduced Planning Advisory Committee and the members of staff present.

**Moved By** Councillor Miller

**Seconded By** Councillor Veale

**That** the agenda for the Wednesday, June 6, 2018 Planning Advisory Committee Meeting be adopted as amended and circulated.

**Carried**

**Moved By** Councillor Stauble

**Seconded By** M. Barkwell

**That** the Procedural By-law 2014-266 be waived to permit the addition of a deputation from Dorothy Carroll and Joe McColl, regarding Report PLAN2018-050 (Item 7.2 on the Amended Agenda).

**Carried**

**2. Declarations of Pecuniary Interest**

There were no declarations of pecuniary interest noted.

**3. Public Meeting**

The Chair stated that, as required under the Planning Act, a public meeting is being held prior to the City of Kawartha Lakes Council making decisions on the following planning matters.

**3.1 PLAN2018-052**

An application to amend the Township of Verulam Zoning By-law 6-87 to permit the additional uses of a single detached dwelling, restaurant, take-out restaurant and contractor's yard at 2071 CKL Road 36 (Bryans Family Camping)  
David Harding, Planner II

The Chair requested staff to advise on the manner of giving notice for the proposed Zoning By-law Amendment. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Mr. Harding confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500m, and a sign was posted the subject property. He summarized the application, explaining that it proposes to permit a year-round restaurant (with a take-out component), a contractor's yard, and a single detached dwelling. The application appears to conform to the Growth Plan and appears to be consistent with the Provincial Policy Statement. Mr. Harding summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report additional comments were received from the Kawartha Region Conservation Authority (KRCA) expressing concerns with the location of structures and their ingress/egress within the floodplain. Staff are recommending that the application be referred back to staff to address any issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City Departments and that any comments and concerns have been addressed. Mr. Harding, Ms. Sisson, and Mr. Holy responded to questions from Committee members.

The Chair inquired if the applicant wished to speak to the application.

Doug Carroll of DC Planning Services spoke on behalf of the owner. He stated that they had received the comments from the KRCA, and noted that their comments do not oppose the uses on the land, but rather the possible locations provided on the sketch. He stated that the sketch is conceptual, and that they are aware that no new building or access is permitted to be built on a flood plain. He noted the application's conformity with the Growth Plan, consistency with the Provincial Policy Statement, and conformity with the Official Plan. He requested that a motion be adopted to draft a zoning by-law and forward it to Council for approval. Mr. Carroll responded to questions from Committee members. The Chair inquired if anyone wished to speak to the application. No other persons spoke to the application.

The Public Meeting concluded at 1:20 p.m.

**4. Business Arising from Public Meeting**

4.1 Item 3.1

**PAC2018-029**

**Moved By** Councillor Veale

**Seconded By** Councillor Miller

**Recommend that** Report PLAN2018-052, respecting Part of Lot 6, Concession 3, geographic Township of Verulam, and identified as 2071 CKL Road 36 – Application D06-2018-016, be received; and

**That** Zoning By-law Amendment application D06-2018-016, respecting Part of Lot 6, Concession 3, Geographic Township of Verulam and proposing to permit the additional uses of a single detached dwelling, restaurant, take-out restaurant, and contractors yard, be supported;

**That** a by-law permitting the proposed uses be prepared and be brought forward to Council for adoption; and

**That** the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

**Carried**

**5. Deputations**

5.1 PC2018-06.5.1

Michael Bissett, Bousfields Inc.

Relating to Report PLAN2018-050, Item 7.2 on the Agenda

Mr. Bissett, speaking on behalf of Bromont Homes, noted that he had read the report, and agreed with the recommendations. He made himself available to questions from the Committee members.

**Moved By** Councillor Veale

**Seconded By** M. Barkwell

**That** the deputation of Michael Bissett, Bousfields Inc, regarding Report PLAN2018-050, be received.

**Carried**

5.2 PC2018-06.5.2



Dorothy Carroll

Joe McColl

Relating to Report PLAN2018-050, Item 7.2 on the Agenda

Dorothy Carroll spoke on behalf of herself and Joe McColl, both residents in the local area. She expressed concern about the high volume of traffic in the area, the increased usage and the dangers of the intersection of Angeline St. and Orchard Park Rd. She noted that a second entrance from Angeline St in the area of Alcorn Dr. would help alleviate congestion in emergency situations, and that a traffic light should be considered at the Orchard Park intersection. She expressed the need for a park in the subdivision, as the former park location was replaced with new building lots and the Storm Water Management Pond cannot be used for parkland. Finally she stated that a sidewalk should be extended along the west side of Angeline St. from David Dr. to the subdivision. She concluded that she thought this would be a really nice place to live if these considerations are adopted.

**Moved By** Councillor Miller

**Seconded By** Mayor Letham

**That** the deputation of Dorothy Carroll, regarding Report PLAN2018-050, be received.

**Carried**

**6. Correspondence**

**7. City of Kawartha Lakes Reports**

**7.1 PLAN2018-042**

Applications to amend the Lindsay Official Plan from the Residential to Residential-Commercial designation and to amend the Lindsay Zoning By-law from the Residential (R3) Zone to Mixed Residential Commercial (MRC-S\*) Special Exception Zone to permit either a residential use or limited commercial uses on the property identified as 21 Victoria Avenue North, Lindsay (1035479 Ontario Limited – Rick Carter)  
Mark LaHay, Planner II

Mr. LaHay confirmed that a Public Meeting on this matter was held on March 7, 2018 in accordance with the Planning Act. He summarized the applications, explaining that it proposes to change the land-use designation from Residential to Residential-Commercial, and to change the zone category from Residential Three (R3) Zone to a Mixed Residential Commercial (MRC-S\*) Special Exception Zone. The change will permit a residential or limited commercial use such as a personal service establishment/clinical movement education workspace. The applications conform to the Growth Plan and are consistent with the Provincial Policy Statement. Mr. LaHay noted no public comments had been received to date, and that agency comments were noted in his report. Staff supports the applications and are recommending that the application be referred to Council for approval. Mr. LaHay and Ms. Sisson responded to questions from Committee members.

**PAC2018-030**

**Moved By** Mayor Letham

**Seconded By** Councillor Miller

**Recommend that** Report PLAN2018-042, respecting Part Lot 14, South of Wellington Street, Town Plan, former Town of Lindsay, 1035479 Ontario Limited – Rick Carter – Applications D01-2018-001 and D06-2018-009, be received;

**That** a By-law to implement Official Plan Amendment application D01-2018-001 respecting Part Lot 14, South of Wellington Street, Town Plan, former Town of Lindsay, now City of Kawartha Lakes, substantially in the form attached as Appendix C to Report PLAN2018-042 be approved and adopted by Council;

**That** a By-law to implement Zoning By-law Amendment application D06-2018-009 respecting Part Lot 14, South of Wellington Street, Town Plan, former Town of Lindsay, now City of Kawartha Lakes, substantially in the form attached as Appendix D to Report PLAN2018-042 be approved and adopted by Council; and

**That** the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of these applications.

**Carried**

7.2 PLAN2018-050

Applications for Official Plan and Zoning By-law Amendments together with a Revised Draft Plan of Subdivision to permit a 146 lot residential subdivision for single detached dwellings on the west side of Angeline Street North, Lindsay

(CIC Developments Inc.)

Ian Walker, Planning Officer - Large Developments

Mr. Walker confirmed that a Public Meeting on this matter was held on March 7, 2018 in accordance with the Planning Act. He summarized the application, explaining that it proposes to modify the existing draft approved plan of subdivision originally approved in 1994. He noted that the revised draft plan of subdivision consists of 146 single detached dwelling residential lots and 5 blocks: 1 block for a storm water management pond; 1 block for a road widening; 1 block for a residential reserve; and 2 blocks for walkways, one of which will also be used as an emergency access. The application conforms to the Growth Plan and is consistent with the Provincial Policy Statement. Mr. Walker summarized the comments received to date, as detailed in his report. Staff are recommending that the application be referred to Council for approval. Mr. Walker and Ms. Jenn Johnson - Manager, Parks, Recreation and Culture responded to questions from Committee members.

**PAC2018-031**

**Moved By** Councillor Veale

**Seconded By** Mayor Letham

**Recommend that** Report PLAN2018-050, respecting Part of Lot 24, Concession 4 (Formerly Ops) 57R-7234, Parts 9 to 14, Former Town of Lindsay, CIC Developments Inc. – Applications D01-2018-002, D06-2018-010, D05-2018-002 and D05-18-032, be received;

**That** a By-law to implement the proposed Official Plan Amendment, substantially in the form attached as Appendix 'C' be referred to Council for adoption;

**That** the zoning by-law amendment, substantially in the form attached as Appendix D be referred to Council for approval and adoption;

**That** the Revised Draft Plan of Subdivision (16T-88009), Application D05-2018-002 and D05-18-032, as shown on Appendix B and the conditions substantially in the form attached as Appendix E to Report PLAN2018-050, be approved and adopted by Council;

**That** the street names of Connolly Road, Hancock Crescent, and Hennessey Crescent be added to the City's list of street names, and replace any previously approved street names as shown on the proposed red-lined Revised Draft Plan of Subdivision in Appendix B, and be referred to Council for approval;

**That** in accordance with Section 34(17) of the Planning Act, Council having considered the change to the proposed Zoning By-law Amendment deems no further public notice to be necessary; and

**That** the Mayor and Clerk be authorized to execute any documents required by the approval of these applications.

**Carried**

**8. Adjournment**

**Moved By** D. Girard

**Seconded By** M. Barkwell

**That** the Planning Advisory Committee Meeting adjourn at 2:02 p.m.

**Carried**

**Recommendations made at the June 6, 2018 Planning Advisory Committee Meeting:**

**PAC2018-029**

**Moved By** Councillor Veale

**Seconded By** Councillor Miller

**Recommend that** Report PLAN2018-052, respecting Part of Lot 6, Concession 3, geographic Township of Verulam, and identified as 2071 CKL Road 36 – Application D06-2018-016, be received; and

**That** Zoning By-law Amendment application D06-2018-016, respecting Part of Lot 6, Concession 3, Geographic Township of Verulam and proposing to permit the additional uses of a single detached dwelling, restaurant, take-out restaurant, and contractors yard, be supported;

**That** a by-law permitting the proposed uses be prepared and be brought forward to Council for adoption; and

**That** the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

**PAC2018-030**

**Moved By** Mayor Letham

**Seconded By** Councillor Miller

**Recommend that** Report PLAN2018-042, respecting Part Lot 14, South of Wellington Street, Town Plan, former Town of Lindsay, 1035479 Ontario Limited – Rick Carter – Applications D01-2018-001 and D06-2018-009, be received;

**That** a By-law to implement Official Plan Amendment application D01-2018-001 respecting Part Lot 14, South of Wellington Street, Town Plan, former Town of Lindsay, now City of Kawartha Lakes, substantially in the form attached as Appendix C to Report PLAN2018-042 be approved and adopted by Council;

**That** a By-law to implement Zoning By-law Amendment application D06-2018-009 respecting Part Lot 14, South of Wellington Street, Town Plan, former Town of Lindsay, now City of Kawartha Lakes, substantially in the form attached as Appendix D to Report PLAN2018-042 be approved and adopted by Council; and

**That** the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of these applications.

**PAC2018-031**

**Moved By** Councillor Veale

**Seconded By** Mayor Letham

**Recommend that** Report PLAN2018-050, respecting Part of Lot 24, Concession 4 (Formerly Ops) 57R-7234, Parts 9 to 14, Former Town of Lindsay, CIC Developments Inc. – Applications D01-2018-002, D06-2018-010, D05-2018-002 and D05-18-032, be received;

**That** a By-law to implement the proposed Official Plan Amendment, substantially in the form attached as Appendix 'C' be referred to Council for adoption;

**That** the zoning by-law amendment, substantially in the form attached as Appendix D be referred to Council for approval and adoption;

**That** the Revised Draft Plan of Subdivision (16T-88009), Application D05-2018-002 and D05-18-032, as shown on Appendix B and the conditions substantially in the form attached as Appendix E to Report PLAN2018-050, be approved and adopted by Council;

**That** the street names of Connolly Road, Hancock Crescent, and Hennessey Crescent be added to the City's list of street names, and replace any previously approved street names as shown on the proposed red-lined Revised Draft Plan of Subdivision in Appendix B, and be referred to Council for approval;

**That** in accordance with Section 34(17) of the Planning Act, Council having considered the change to the proposed Zoning By-law Amendment deems no further public notice to be necessary; and

**That** the Mayor and Clerk be authorized to execute any documents required by the approval of these applications.

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018-**

### **A By-law to Appoint a Municipal Law Enforcement Officer for the City of Kawartha Lakes**

#### **Recitals**

1. Section 15 of the Police Services Act R.S.O. 1990, c.P.15 authorizes municipal councils to appoint municipal law enforcement officers, who are peace officers for the purpose of enforcing their by-laws.
2. Council considers it advisable to appoint an individual to serve as a municipal law enforcement officer.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-      .**

#### **Section 1.00: Definitions and Interpretation**

##### **1.01 Definitions:** In this by-law,

**“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

**“Council” or “City Council”** means the municipal council for the City;

**“Manager of Municipal Law Enforcement”** means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

##### **1.02 Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

##### **1.03 Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

##### **1.04 Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.



## **Section 2.00: Appointments**

- 2.01 **Municipal Law Enforcement Officer:** Devin Camplin is appointed as a Municipal Law Enforcement Officer for the City of Kawartha Lakes in accordance with section 15 of the Police Services Act R.S.O. 1990, c.P.15.
- 2.02 **Reporting Relationship:** Devin Camplin shall report to and be under the direction of the Manager of Municipal Law Enforcement.

## **Section 3.00: Administration and Effective Date**

- 3.01 **Administration of the By-law:** The Manager of Municipal Law Enforcement is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 19<sup>th</sup> day of June, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018-**

### **A By-law to Appoint an Area Weed Inspector for the City of Kawartha Lakes**

#### **Recitals**

1. Weed inspectors are required to enforce the Weed Control Act, R.S.O. 1990, c. W.5.
2. Paragraph 6(1) of the Weed Control Act, R.S.O. 1990, c. W.5 states that the council of every upper-tier and single tier municipality shall by-law appoint one or more persons as area weed inspectors to enforce the Weed Control Act, R.S.O. 1990, c. W. 5 in the area within the council's jurisdiction and fix their remuneration or other compensation.
3. Council deems it appropriate to appoint Municipal Law Enforcement Officers as Weed Inspectors.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018- .**

#### **Section 1.00: Definitions and Interpretation**

##### **1.01 Definitions:** In this by-law,

**“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

**“Council” or “City Council”** means the municipal council for the City;

**“Manager of Municipal Law Enforcement”** means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

##### **1.02 Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

##### **1.03 Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

##### **1.04 Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-

law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

## **Section 2.00: Appointments**

- 2.01 **Municipal Weed Inspector:** Devin Camplin is appointed as an Area Weed Inspector for The Corporation of the City of Kawartha Lakes.

## **Section 3.00: Duties and Responsibilities**

- 3.01 The duties and responsibilities of the Area Weed Inspector are set out in the Statutes and Regulations of the Province of Ontario and in the By-laws and Policies of The Corporation of the City of Kawartha Lakes, which exist or may be passed in future.
- 3.02 The Area Weed Inspector shall report to and be under the direction of the Manager Municipal Law Enforcement of The Corporation of the City of Kawartha Lakes.

## **Section 4.00: Remuneration**

- 4.01 The Area Weed Inspector shall receive remuneration in accordance with the City's Collective Agreement with the Canadian Union of Public Employees.

## **Section 5.00: Notice**

- 5.01 Written notice of this by-law shall be given to the chief inspector appointed under Section 2 of the Weed Control Act R.S.O. 1990, c.W.5 by the Manager of Municipal Law Enforcement.

## **Section 6.00: Administration and Effective Date**

- 6.01 **Administration of the By-law:** The Manager of Municipal Law Enforcement is responsible for the administration of this by-law.
- 6.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 19th day of June, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018-\_\_\_\_**

### **A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes**

#### **Recitals**

1. Private property owners find it convenient to have certain municipal by-laws enforced by members of their own staff. The City receives requests, from time to time, for the appointment of citizens as municipal law enforcement officers for limited purposes.
2. The City has received such a request from the General Manager of the Lindsay Agricultural Society for enforcement on the Lindsay Exhibition Grounds.
3. Section 15 of the Police Services Act, R.S.O. 1990, c.P.15 authorizes municipal councils to appoint municipal law enforcement officers, who are peace officers for the purpose of enforcing their by-laws.
4. The Manager of Municipal Law Enforcement recommends that the person put forward be appointed for limited enforcement purposes.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-\_\_.**

#### **Section 1.00: Definitions and Interpretation**

##### **1.01 Definitions:** In this by-law,

**“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

**“Council” or “City Council”** means the municipal council for the City;

**“Manager of Municipal Law Enforcement”** means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

##### **1.02 Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

##### **1.03 Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

## **Section 2.00: Appointments**

- 2.01 **Appointment:** James C. LaPointe is appointed as a Municipal Law Enforcement Officer for the limited purpose of enforcement of the applicable Kawartha Lakes parking by-laws and regulations at the property known as “Lindsay Exhibition Grounds”, located at 354 Angeline Street South, Lindsay.
- 2.02 **Provincial Offences Officer:** James C. LaPointe is appointed as a Provincial Offences Officer for the limited purpose of enforcement of the applicable Kawartha Lakes parking by-laws and regulations at the property known as “Lindsay Exhibition Grounds”, located at 354 Angeline Street South, Lindsay, in accordance with the provisions of the Provincial Offences Act, R.S.O. 1990, c.P. 33.

## **Section 3.00: Administration and Effective Date**

- 3.01 **Administration of the By-law:** The Manager of Municipal Law Enforcement is responsible for the administration of this by-law.
- 302 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 19<sup>th</sup> day of June, 2019.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018-\_\_\_\_**

### **A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes**

#### **Recitals**

1. Private property owners find it convenient to have certain municipal by-laws enforced by members of their own staff. The City receives requests, from time to time, for the appointment of citizens as municipal law enforcement officers for limited purposes.
2. The City has received such a request from the General Manager of the Lindsay Agricultural Society for enforcement on the Lindsay Exhibition Grounds.
3. Section 15 of the Police Services Act, R.S.O. 1990, c.P.15 authorizes municipal councils to appoint municipal law enforcement officers, who are peace officers for the purpose of enforcing their by-laws.
4. The Manager of Municipal Law Enforcement recommends that the person put forward be appointed for limited enforcement purposes.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-\_\_.**

#### **Section 1.00: Definitions and Interpretation**

##### **1.01 Definitions:** In this by-law,

**“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

**“Council” or “City Council”** means the municipal council for the City;

**“Manager of Municipal Law Enforcement”** means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

##### **1.02 Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

##### **1.03 Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

## **Section 2.00: Appointments**

- 2.01 **Appointment:** David B. Lavallee is appointed as a Municipal Law Enforcement Officer for the limited purpose of enforcement of the applicable Kawartha Lakes parking by-laws and regulations at the property known as “Lindsay Exhibition Grounds”, located at 354 Angeline Street South, Lindsay.
- 2.02 **Provincial Offences Officer:** David B. Lavallee is appointed as a Provincial Offences Officer for the limited purpose of enforcement of the applicable Kawartha Lakes parking by-laws and regulations at the property known as “Lindsay Exhibition Grounds”, located at 354 Angeline Street South, Lindsay, in accordance with the provisions of the Provincial Offences Act, R.S.O. 1990, c.P. 33.

## **Section 3.00: Administration and Effective Date**

- 3.01 **Administration of the By-law:** The Manager of Municipal Law Enforcement is responsible for the administration of this by-law.
- 302 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 19<sup>th</sup> day of June, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk



# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018-\_\_\_\_**

### **A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes**

#### **Recitals**

1. Private property owners find it convenient to have certain municipal by-laws enforced by members of their own staff. The City receives requests, from time to time, for the appointment of citizens as municipal law enforcement officers for limited purposes.
2. The City has received such a request from the General Manager of the Lindsay Agricultural Society for enforcement on the Lindsay Exhibition Grounds.
3. Section 15 of the Police Services Act, R.S.O. 1990, c.P.15 authorizes municipal councils to appoint municipal law enforcement officers, who are peace officers for the purpose of enforcing their by-laws.
4. The Manager of Municipal Law Enforcement recommends that the person put forward be appointed for limited enforcement purposes.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-\_\_.**

#### **Section 1.00: Definitions and Interpretation**

##### **1.01 Definitions:** In this by-law,

**“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

**“Council” or “City Council”** means the municipal council for the City;

**“Manager of Municipal Law Enforcement”** means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

##### **1.02 Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

##### **1.03 Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

## **Section 2.00: Appointments**

- 2.01 **Appointment:** Julie A. McIntyre is appointed as a Municipal Law Enforcement Officer for the limited purpose of enforcement of the applicable Kawartha Lakes parking by-laws and regulations at the property known as “Lindsay Exhibition Grounds”, located at 354 Angeline Street South, Lindsay.
- 2.02 **Provincial Offences Officer:** Julie A. McIntyre is appointed as a Provincial Offences Officer for the limited purpose of enforcement of the applicable Kawartha Lakes parking by-laws and regulations at the property known as “Lindsay Exhibition Grounds”, located at 354 Angeline Street South, Lindsay, in accordance with the provisions of the Provincial Offences Act, R.S.O. 1990, c.P. 33.

## **Section 3.00: Administration and Effective Date**

- 3.01 **Administration of the By-law:** The Manager of Municipal Law Enforcement is responsible for the administration of this by-law.
- 302 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 19<sup>th</sup> day of June, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018-**

### **A By-Law to Stop Up and Close Part of the Original Shore Road Allowance Lying in Front of Lot 23, Concession 3 Along Lake Dalrymple, in the Geographic Township of Carden, City of Kawartha Lakes, Designated as Part 1 on Reference Plan 57R-10672, and to Authorize the Sale of the Land to the Abutting Owners**

#### **Recitals**

1. Pursuant to the Municipal Act, 2001, Council is empowered to stop up, close and to sell any part of a highway under its jurisdiction;
2. The land described in Schedule “A” attached forms part of the original shore road allowance along Lake Dalrymple and has been declared to be surplus to municipal needs.
3. It is desirable to stop up and close that part of the original shore road allowance along Lake Dalrymple described in Schedule “A” attached to this by-law and to authorize the sale of the land to the abutting owner.
4. Notice of intention of City Council to pass this by-law was given by ad notice duly published in the Kawartha Lakes This Week newspaper in the City of Kawartha Lakes on the 19<sup>th</sup> and 26<sup>th</sup> days of April, 2018 and the 3<sup>rd</sup> day of May, 2018, in accordance with the provisions of the Municipal Act, 2001 and By-law 2018-020, as amended.
5. The proposed by-law came before Council for consideration at its regular meeting on the 19<sup>th</sup> day of June, 2018 at 2:00 p.m. and at that time no person objected to the proposed by-law nor claimed that his land would be prejudicially affected.
6. The sale of this land was approved by City Council on the 22<sup>nd</sup> day of May, 2018 by the adoption of Report RS2018-013 by CR2018-329.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018- .**

#### **Section 1.00: Definitions and Interpretation**

##### **1.01 Definitions:** In this by-law,

**“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

**"City Clerk"** means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

**"Council" or "City Council"** means the municipal council for the City;

**1.02 Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words "include" and "including" are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

**1.03 Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

**1.04 Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

**Section 2.00: Shoreline Road Closure and Sale**

**2.01 Closure and Sale:** That part of the original shore road allowance described in Schedule "A" attached to this by-law has been declared to be surplus to municipal needs and is hereby stopped up, closed and authorized to be sold to the abutting owner for \$23.00 per linear foot of water frontage, being the sum of Three Thousand One Hundred Six Dollars and Sixty-Six Cents (\$3,106.66) plus HST, if applicable, plus the cost of the reference plan, advertising, registrations, City staff time expense, legal fees and disbursements, and any other costs incurred by the City in connection to this transaction.

**Section 3.00: Effective Date**

**3.01 Effective Date:** This By-law shall come into force on the date it is finally passed by Council and has been deposited on title in the Registry Office for the Registry Division of Victoria (No. 57).

By-law read a first, second and third time, and finally passed, this 19<sup>th</sup> day of June, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

## **Schedule A**

### **Description of Land to be Stopped Up, Closed and Conveyed to the Abutting Owner**

Part of the Original Shore Road Allowance Lying in Front of Lot 23, Concession 3  
Along Lake Dalrymple, in the Geographic Township of Carden, City of Kawartha  
Lakes, designated as Part 1 on Reference Plan 57R-10672

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018-**

### **A By-law to Amend By-Law 2018-020, A By-Law to Regulate the Disposition of Municipal Real Property in and for the Corporation of the City of Kawartha Lakes**

#### **Recitals**

1. Section 270(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires every municipal Council to adopt and maintain policies with respect to its sale and other disposition of land.
2. Council of the City of Kawartha Lakes has established procedures, including those regarding the giving of notice to the public, governing the sale or other disposition of real property and governing the acquisition of real property. Those procedures are set out in By-law 2018-020, as amended.
3. Resolution CR2018-\_\_\_\_ directs that By-Law 2018-020 be amended to include an exception to the appraisal requirement if the disposition of land is to the Kawartha Lakes Haliburton Housing Corporation.
4. Resolution CR2018-\_\_\_\_ further directs that By-Law 2018-020 be amended to include an exception to the requirement for full cost recovery if the disposition of land is to the Kawartha Lakes Haliburton Housing Corporation.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018- .**

#### **Section 1.00: Definitions and Interpretation**

##### **1.01 Definitions:** In this by-law,

**“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

**"City Clerk"** means the person appointed by Council to carry out the duties of the clerk described in section 228 of the *Municipal Act, 2001*;

**“Council” or “City Council”** means the municipal council for the City;

##### **1.02 Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

## **Section 2.00: Amendments**

- 2.01 **Section 3.00: Procedures Concerning the Sale of Land in Class One:** Section 3.04 of By-law 2018-020 is amended by adding the following:

Or (c) The disposition is to the Kawartha Lakes Haliburton Housing Corporation for the purpose of providing affordable housing.

- 2.02 **Section 10.00: Full Cost Recovery:** Section 10.00 of By-Law 2018-020 is amended by adding the following:

10.03 Exception: Section 10.01 does not apply to applications by the Kawartha Lakes Haliburton Housing Corporation, and the City will bear the cost of these transactions.

## **Section 3.00: Effective Date**

- 3.01 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 19<sup>th</sup> day of June, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk



# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018-**

### **A By-law to Authorize the Execution of an Agreement between The Association of Municipalities of Ontario (AMO) and The Corporation of the City of Kawartha Lakes for Funding Under the Main Street Revitalization Initiative**

#### **Recitals**

1. Council, by Resolution CR2018-XXX, approved entering into an agreement with The Association of Municipalities of Ontario (AMO) for Funding Under the Main Street Revitalization Initiative.
2. This by-law authorizes the Agreement to be executed by the City.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-      .**

#### **Section 1.00: Definitions and Interpretation**

##### **1.01 Definitions:** In this by-law,

**“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

**“City Clerk”** means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

**“Council” or “City Council”** means the municipal council for the City;

**“Director of Development Services”** means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council;

**“Mayor”** means the Chief Executive Officer of the City.

##### **1.02 Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

##### **1.03 Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

## **Section 2.00: Approval and Authorization**

- 2.01 **Approval:** The agreement attached to this By-law as Schedule A is approved.
- 2.02 **Authorization:** The Mayor and City Clerk are authorized to sign the agreement attached to this By-law as Schedule A, and to affix the corporate seal to it.

## **Section 3.00: Administration and Effective Date**

- 3.01 **Administration of the By-law:** The Director of Development Services is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 19<sup>th</sup> day of June, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk



Municipal Funding  
Agreement Ontario's

## **MUNICIPAL FUNDING AGREEMENT**

### **ONTARIO'S MAIN STREET REVITALIZATION INITIATIVE**

This Agreement made as of 1st day of April, 2018.

#### **BETWEEN:**

##### **THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO**

(referred to herein as "AMO")

#### **AND:**

##### **THE CITY OF KAWARTHA LAKES**

(a municipal corporation pursuant to the Municipal Act, 2001, referred to herein as the "Recipient")

**WHEREAS** the Province of Ontario is making \$26 million available for allocation for the purposes of supporting municipal Main Street Revitalization Initiatives in Ontario;

**WHEREAS** the Province of Ontario, Ontario municipalities as represented by AMO are signatories to Ontario's Main Street Revitalization Initiative Transfer Payment Agreement on March 12, 2018 (the "OMAFRA-AMO Agreement"), whereby AMO agreed to administer Main Street Revitalization funds made available to all Ontario municipalities, excluding Toronto;

**WHEREAS** the OMAFRA-AMO Transfer Payment Agreement contains a framework for the transfer of provincial funds to Ontario lower-tier and single-tier municipalities represented by AMO;

**WHEREAS** the Recipient wishes to enter into this Agreement in order to participate in Ontario's Main Street Revitalization Initiative;

**WHEREAS** AMO is carrying out the fund administration in accordance with its obligations set out in the OMAFRA-AMO Agreement and it will accordingly undertake certain activities and require Recipients to undertake activities as set out in this Agreement.

**THEREFORE** the Parties agree as follows:

#### **1. DEFINITIONS AND INTERPRETATION**

- 1.1 **Definitions.** When used in this Agreement (including the cover and execution pages and all of the schedules), the following terms shall have the meanings ascribed to them below unless the subject matter or context is inconsistent therewith:

**“Agreement”** means this Agreement, including the cover and execution pages and all of the schedules hereto, and all amendments made hereto in accordance with the provisions hereof.

**“Annual Report”** means the duly completed report to be prepared and delivered to AMO as described in Section 7.2 and Section 2 of Schedule D.

**“Association of Municipalities of Ontario (AMO)”** means a legally incorporated entity under the Corporations Act, 1990 R.S.O. 1990, Chapter c.38.

**“Communication Report”** means the duly completed report to be prepared and delivered to AMO as described in Section 7.1 and Section 1 of Schedule D.

**“Community Improvement Plan”** has the meaning as defined under section 28(1) of the Planning Act, R.S.O. 1990, c. P.13.

**“Contract”** means an agreement between the Recipient and a Third Party whereby the latter agrees to supply a product or service to an Eligible Project in return for financial consideration.

**“Effective Date”** is April 1, 2018.

**“Eligible Costs”** means those expenditures described as eligible in Schedule C.

**“Eligible Projects”** means projects as described in Schedule B.

**“Eligible Recipient”** means a

- a. Municipality or its agent (including its wholly owned corporation); and
- b. Non-municipal entity, including for profit, non-governmental and not-for profit organizations, on the condition that the Municipality(ies) has (have) indicated support for the Eligible Project through a formal grant agreement between the Municipality and the non-municipal entity.

**“Event of Default”** has the meaning given to it in Section 11.1 of this Agreement.

**“Funds”** mean the Funds made available to the Recipient through the Main Street Revitalization Initiative, a program established by the Government of Ontario. Funds are made available pursuant to this Agreement and includes any interest earned on the said Funds. For greater certainty: (i) Funds transferred to another Municipality in accordance with Section 6.2 of this Agreement, other than as set out in Sections 7.1(a), (c) and (f), are to be treated as Funds by the Municipality to which the Funds are transferred and are not to be treated as Funds by the Recipient; and (ii) any Funds transferred to a non-municipal entity in accordance with Section 6.3 of this Agreement shall remain as Funds under this Agreement for all purposes and the Recipient shall continue to be bound by all provisions of this Agreement with respect to such transferred Funds.

**“Ineligible Costs”** means those expenditures described as ineligible in Schedule C.

**“Lower-tier Municipality”** means a Municipality that forms part of an Upper-tier Municipality for municipal purposes, as defined under the Municipal Act, 2001 S.O. 2001, c.25.

**“Municipal Fiscal Year”** means the period beginning January 1st of a year and ending December 31st of the same year.

**“Municipality” and “Municipalities”** means every municipality as defined under the Municipal Act, 2001 S.O. 2001 c.25.

**“Municipal Physical Infrastructure”** means municipal or regional, publicly or privately owned, tangible capital assets primarily for public use or benefit in Ontario.

**“Ontario”** means Her Majesty in Right of Ontario, as represented by the Minister of Agriculture, Food and Rural Affairs.

**“Parties”** means AMO and the Recipient.

**“Project Completion Date”** means the Recipient must complete its Project under this Agreement by March 31, 2020.

**“Recipient”** has the meaning given to it on the first page of this Agreement.

**“Results Report”** means the report prepared and delivered to AMO by the Recipient by which reports on how Funds are supporting progress towards achieving the program objective, more specifically described in Section 3 of Schedule D.

**“Single-tier Municipality”** means a municipality, other than an upper-tier municipality, that does not form part of an upper-tier municipality for municipal purposes as defined under the Municipal Act, 2001, S.O. 2001 c. 25.

**“Third Party”** means any person or legal entity, other than the Parties to this Agreement who participates in the implementation of an Eligible Project by means of a Contract.

**“Transfer By-law”** means a by-law passed by Council of the Recipient pursuant to Section 6.2 and delivered to AMO in accordance with that section.

**“Unspent Funds”** means the amount reported as unspent by the Recipient as of December 31, as submitted in the Recipient’s Annual Report.

## 1.2 Interpretations:

**Herein, etc.** The words “herein”, “hereof” and “hereunder” and other words of similar import refer to this Agreement as a whole and not any particular schedule, article, section, paragraph or other subdivision of this Agreement.

**Currency.** Any reference to currency is to Canadian currency and any amount advanced, paid or calculated is to be advanced, paid or calculated in Canadian currency.

**Statutes.** Any reference to a federal or provincial statute is to such statute and to the regulations made pursuant to such statute as such statute and regulations may at any time be amended or modified and in effect and to any statute or regulations that may be passed that have the effect of supplementing or superseding such statute or regulations.

**Gender, singular, etc.** Words importing the masculine gender include the feminine or neuter gender and words in the singular include the plural, and vice versa.

## **2. TERM OF AGREEMENT**

- 2.1 **Term.** Subject to any extension or termination of this Agreement or the survival of any of the provisions of this Agreement pursuant to the provisions contained herein, this Agreement shall be in effect from the date set out on the first page of this Agreement, up to and including March 31, 2020.
- 2.2 **Amendment.** This Agreement may be amended at any time in writing as agreed to by AMO and the Recipient.
- 2.3 **Notice.** Any of the Parties may terminate this Agreement on written notice.

## **3. RECIPIENT REQUIREMENTS**

- 3.1 **Communications.** The Recipient will comply with all requirements outlined, including providing upfront project information on an annual basis, or until all Funds are expended for communications purposes in the form described in Section 7.1 and Section 1 of Schedule D.
  - a) Unless otherwise directed by Ontario, the Recipient will acknowledge the support of Ontario for Eligible Projects in the following manner: "The Project is funded [if it is partly funded the Recipient should use "in part"] by the Ontario Ministry of Agriculture, Food and Rural Affairs."
  - b) The Recipient shall notify Ontario within five (5) business days of planned media events or announcements related to the Project, organized by the Recipient to facilitate the attendance of Ontario. Media events and announcements include, but are not limited to, news conferences, public announcements, official events or ceremonies, and news releases.
- 3.2 **Contracts.** The Recipient will award and manage all Contracts in accordance with its relevant policies and procedures and, if applicable, in accordance with the Canadian Free Trade Agreement and applicable international trade agreements, and all other applicable laws.
  - a) The Recipient will ensure any of its Contracts for the supply of services or materials to implement its responsibilities under this Agreement will be

awarded in a way that is transparent, competitive, consistent with value for money principles and pursuant to its adopted procurement policy.

#### 4. ELIGIBLE PROJECTS

- 4.1 **Eligible Projects.** Costs directly and reasonably incurred by the Recipient for construction, renewal, renovation or redevelopment or material enhancement activities funded under existing Community Improvement Plan financial incentive programs or activities funded under the Municipal Physical Infrastructure category, including projects in downtown or main street areas, as defined through an existing Community Improvement Plan or other municipal land use planning policy that will support the role of small businesses in main street areas as more specifically described in Schedule B and Schedule C
- 4.2 **Recipient Fully Responsible.** The Recipient is fully responsible for the completion of each Eligible Project in accordance with Schedule B and Schedule C.

#### 5. ELIGIBLE COSTS

- 5.1 **Eligible Costs.** Schedule C sets out specific requirements for Eligible and Ineligible Costs.
- 5.2 **Discretion of Ontario.** Subject to Section 5.1, the eligibility of any items not listed in Schedule B and/or Schedule C to this Agreement is solely at the discretion of Ontario.
- 5.3 **Unspent Funds.** Any Unspent Funds, and any interest earned thereon, will be subject to the terms and conditions of this Agreement.
- 5.4 **Reasonable Access.** The Recipient shall allow AMO and Ontario reasonable and timely access to all documentation, records and accounts and those of their respective agents or Third Parties related to the receipt, deposit and use of Funds and Unspent Funds, and any interest earned thereon, and all other relevant information and documentation requested by AMO or Ontario or their respective designated representatives for the purposes of audit, evaluation, and ensuring compliance with this Agreement.
- 5.5 **Retention of Receipts.** The Recipient will keep proper and accurate accounts and records of all Eligible Projects including invoices and receipts for Eligible Expenditures in accordance with the Recipient's municipal records retention by-law and, upon reasonable notice, make them available to AMO and Ontario.

#### 6. FUNDS

- 6.1 **Allocation of Funds.** AMO will allocate and transfer Funds on the basis of the formula determined by Ontario.
- 6.2 **Transfer of Funds to a Municipality.** Where a Recipient decides to allocate and transfer Funds to another Municipality (the "Transferee Municipality"):



- a) The allocation and transfer shall be authorized by by-law (a "Transfer By-law"). The Transfer By-law shall be passed by the Recipient's council and submitted to AMO as soon thereafter as practicable. The Transfer By-law shall identify the Transferee Municipality and the amount of Funds the Transferee Municipality is to receive for the Municipal Fiscal Year specified in the Transfer By-law.
- b) The Recipient is still required to submit an Annual Report in accordance with Sections 7.1 (a), (c) and (f) hereof with respect to the Funds transferred.
- c) No transfer of Funds pursuant to this Section 6.2 shall be effected unless and until the Transferee Municipality has either (i) entered into an agreement with AMO on substantially the same terms as this Agreement, or (ii) has executed and delivered to AMO a written undertaking to assume all of the Recipient's obligations under this Agreement with respect to the Funds transferred; in a form satisfactory to AMO.

**6.3 Transfer of Funds to a non-municipal entity.** Where a Recipient decides to support an Eligible Project undertaken by an Eligible Recipient that is not a Municipality:

- a) The provision of such support shall be authorized by a grant agreement between the Municipality and the Eligible Recipient in support of a Community Improvement Plan. The grant agreement shall identify the Eligible Recipient, and the amount of Funds the Eligible Recipient is to receive for that Eligible Project.
- b) The Recipient shall continue to be bound by all of the provisions of this Agreement notwithstanding any such transfer including the submission of an Annual Report in accordance with Section 7.2.
- c) No transfer of Funds pursuant to this Section 6.3 shall be effected unless and until the non-municipal entity receiving the Funds has executed and delivered to the Municipality the grant agreement.

**6.4 Use of Funds.** The Recipient acknowledges and agrees the Funds are intended for and shall be used only for Eligible Expenditures in respect of Eligible Projects.

**6.5 Payout of Funds.** The Recipient agrees that all Funds will be transferred by AMO to the Recipient upon full execution of this Agreement.

**6.6 Use of Funds.** The Recipient will deposit the Funds in a dedicated reserve fund or other separate distinct interest bearing account and shall retain the Funds in such reserve fund, or account until the Funds are expended or transferred in accordance with this Agreement. The Recipient shall ensure that:

- a) any investment of unexpended Funds will be in accordance with Ontario law and the Recipient's investment policy; and,

- b) any interest earned on Funds will only be applied to Eligible Costs for Eligible Projects, more specifically on the basis set out in Schedule B and Schedule C.
- 6.7 **Funds advanced.** Funds transferred by AMO to the Recipient shall be expended by the Recipient in respect of Eligible Costs. AMO reserves the right to declare that Unspent Funds after March 31, 2020 become a debt to Ontario which the Recipient will reimburse forthwith on demand to AMO for transmission to Ontario.
- 6.8 **Expenditure of Funds.** The Recipient shall expend all Funds by March 31, 2020.
- 6.9 **GST & HST.** The use of Funds is based on the net amount of goods and services tax or harmonized sales tax to be paid by the Recipient net of any applicable tax rebates.
- 6.10 **Limit on Ontario's Financial Commitments.** The Recipient may use Funds to pay up to one hundred percent (100%) of Eligible Expenditures of an Eligible Project.
- 6.11 **Stacking.** If the Recipient is receiving funds under other programs in respect of an Eligible Project to which the Recipient wishes to apply Funds, the maximum contribution limitation set out in any other program agreement made in respect of that Eligible Project shall continue to apply.
- 6.12 **Insufficient funds provided by Ontario.** If Ontario does not provide sufficient funds to AMO for this Agreement, AMO may terminate this Agreement.

## **7. REPORTING REQUIREMENTS**

- 7.1 **Communication Report.** Immediately upon execution of this Agreement the Recipient shall report to AMO any Eligible Project being undertaken in the current Municipal Fiscal Year in the form described in Schedule D.
- 7.2 **Annual Report.** The Recipient shall report in the form in Schedule D due by May 15th following the Municipal Fiscal Year on:
  - a) the amounts received from AMO under this Agreement;
  - b) the amounts received from another Eligible Recipient;
  - c) the amounts transferred to another Eligible Recipient;
  - d) amounts paid by the Recipient in aggregate for Eligible Projects;
  - e) amounts held at year end by the Recipient in aggregate, including interest, to pay for Eligible Projects;
  - f) indicate in a narrative the progress that the Recipient has made in meeting its commitments and contributions; and,

- g) a listing of all Eligible Projects that have been funded, indicating the Eligible Project category, project description, amount of Funds, total project cost, start date, end date and completion status.

- 7.3 **Results Report.** The Recipient shall account in writing for results achieved by the Funds through a Results Report to be submitted to AMO. Specifically the Results Report shall document performance measures achieved through the investments in Eligible Projects in the form described in Section 3 of Schedule D.

## 8. RECORDS AND AUDIT

- 8.1 **Accounting Principles.** All accounting terms not otherwise defined herein have the meanings assigned to them; all calculations will be made and all financial data to be submitted will be prepared in accordance with generally accepted accounting principles (GAAP) in effect in Ontario. GAAP will include, without limitation, those principles approved or recommended for local governments from time to time by the Public Sector Accounting Board or the Canadian Institute of Chartered Accountants or any successor institute, applied on a consistent basis.
- 8.2 **Separate Records.** The Recipient shall maintain separate records and documentation for the Funds and keep all records including invoices, statements, receipts and vouchers in respect of Funds expended on Eligible Projects in accordance with the Recipient's municipal records retention by-law. Upon reasonable notice, the Recipient shall submit all records and documentation relating to the Funds to AMO and Ontario for inspection or audit.
- 8.3 **External Auditor.** AMO and/or Ontario may request, upon written notification, an audit of Eligible Project or an Annual Report. AMO shall retain an external auditor to carry out an audit of the material referred to in Sections 5.4 and 5.5 of this Agreement. AMO shall ensure that any auditor who conducts an audit pursuant to this Section of this Agreement or otherwise, provides a copy of the audit report to the Recipient and Ontario at the same time that the audit report is given to AMO.

## 9. INSURANCE AND INDEMNITY

- 9.1 **Insurance.** The Recipient shall put in effect and maintain in full force and effect or cause to be put into effect and maintained for the term of this Agreement all the necessary insurance with respect to each Eligible Project, including any Eligible Projects with respect to which the Recipient has transferred Funds pursuant to Section 6 of this Agreement, that would be considered appropriate for a prudent Municipality undertaking Eligible Projects, including, where appropriate and without limitation, property, construction and liability insurance, which insurance coverage shall identify Ontario and AMO as additional insureds for the purposes of the Eligible Projects.
- 9.2 **Certificates of Insurance.** Throughout the term of this Agreement, the Recipient shall provide AMO with a valid certificate of insurance that confirms compliance with the requirements of Section 9.1. No Funds shall be expended

or transferred pursuant to this Agreement until such certificate has been delivered to AMO.

9.3 **AMO not liable.** In no event shall Ontario or AMO be liable for:

- (a) any bodily injury, death or property damages to the Recipient, its employees, agents or consultants or for any claim, demand or action by any Third Party against the Recipient, its employees, agents or consultants, arising out of or in any way related to this Agreement; or
- (b) any incidental, indirect, special or consequential damages, or any loss of use, revenue or profit to the Recipient, its employees, agents or consultants arising out of any or in any way related to this Agreement.

9.4 **Recipient to Compensate Ontario.** The Recipient will ensure that it will not, at any time, hold Ontario, its officers, servants, employees or agents responsible for any claims or losses of any kind that the Recipient, Third Parties or any other person or entity may suffer in relation to any matter related to the Funds or an Eligible Project and that the Recipient will, at all times, compensate Ontario, its officers, servants, employees and agents for any claims or losses of any kind that any of them may suffer in relation to any matter related to the Funds or an Eligible Project. The Recipient's obligation to compensate as set out in this section does not apply to the extent to which such claims or losses relate to the negligence of an officer, servant, employee, or agent of Ontario in the performance of his or her duties.

9.5 **Recipient to Indemnify AMO.** The Recipient hereby agrees to indemnify and hold harmless AMO, its officers, servants, employees or agents (each of which is called an "Indemnatee"), from and against all claims, losses, damages, liabilities and related expenses including the fees, charges and disbursements of any counsel for any Indemnatee incurred by any Indemnatee or asserted against any Indemnatee by whomsoever brought or prosecuted in any manner based upon, or occasioned by, any injury to persons, damage to or loss or destruction of property, economic loss or infringement of rights caused by or arising directly or indirectly from:

- (a) the Funds;
- (b) the Recipient's Eligible Projects, including the design, construction, operation, maintenance and repair of any part or all of the Eligible Projects;
- (c) the performance of this Agreement or the breach of any term or condition of this Agreement by the Recipient, its officers, servants, employees and agents, or by a Third Party, its officers, servants, employees, or agents; and
- (d) any omission or other wilful or negligent act of the Recipient or Third Party and their respective officers, servants, employees or agents.

## 10. DISPOSAL

10.1 **Disposal.** The Recipient will not, without Ontario's prior written consent, sell, lease or otherwise dispose of any asset purchased or created with the Funds or

for which Funds were provided, the cost of which exceed \$50,000 at the time of sale, lease or disposal prior to March 31, 2021.

## **11. DEFAULT AND TERMINATION**

- 11.1 **Event of Default.** AMO may declare in writing that an event of default has occurred when the Recipient has not complied with any condition, undertaking or term in this Agreement. AMO will not declare in writing that an event of default has occurred unless it has first consulted with the Recipient. Each and every one of the following events is an “Event of Default”:
- (a) failure by the Recipient to deliver in a timely manner an Annual Report or Results Report.
  - (b) delivery of an Annual Report that discloses non-compliance with any condition, undertaking or material term in this Agreement.
  - (c) failure by the Recipient to co-operate in an external audit undertaken by AMO or its agents.
  - (d) delivery of an external audit report that discloses non-compliance with any condition, undertaking or term in this Agreement.
  - (e) failure by the Recipient to expend Funds in accordance with Sections 4.1 and 6.8.
- 11.2 **Waiver.** AMO may withdraw its notice of an Event of Default if the Recipient, within thirty (30) calendar days of receipt of the notice, either corrects the default or demonstrates, to the satisfaction of AMO in its sole discretion that it has taken such steps as are necessary to correct the default.
- 11.3 **Remedies on default.** If AMO declares that an Event of Default has occurred under Section 11.1, after thirty (30) calendar days from the Recipient’s receipt of the notice of an Event of Default, it may immediately terminate this Agreement.
- 11.4 **Repayment of Funds.** If AMO declares that an Event of Default has not been cured to its satisfaction, AMO reserves the right to declare that prior payments of Funds become a debt to Ontario which the Recipient will reimburse forthwith on demand to AMO for transmission to Ontario.

## **12. CONFLICT OF INTEREST**

- 12.1 **No conflict of interest.** The Recipient will ensure that no current member of the AMO Board of Directors and no current or former public servant or office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes or policies of Ontario applies will derive direct benefit from the Funds, the Unspent Funds, and interest earned thereon, unless the provision of receipt of such benefits is in compliance with such legislation, guidelines, policies or codes.

## **13. NOTICE**

13.1 **Notice.** Any notice, information or document provided for under this Agreement will be effectively given if in writing and if delivered by hand, or overnight courier, mailed, postage or other charges prepaid, or sent by facsimile or email to the addresses, the facsimile numbers or email addresses set out in Section 13.3. Any notice that is sent by hand or overnight courier service shall be deemed to have been given when received; any notice mailed shall be deemed to have been received on the eighth (8) calendar day following the day on which it was mailed; any notice sent by facsimile shall be deemed to have been given when sent; any notice sent by email shall be deemed to have been received on the sender's receipt of an acknowledgment from the intended recipient (such as by the "return receipt requested" function, as available, return email or other written acknowledgment), provided that in the case of a notice sent by facsimile or email, if it is not given on a business day before 4:30 p.m. Eastern Standard Time, it shall be deemed to have been given at 8:30 a.m. on the next business day for the recipient.

13.2 **Representatives.** The individuals identified in Section 13.3 of this Agreement, in the first instance, act as AMO's or the Recipient's, as the case may be, representative for the purpose of implementing this Agreement.

13.3 **Addresses for Notice.** Further to Section 13.1 of this Agreement, notice can be given at the following addresses:

a) If to AMO:

Executive Director  
Main Streets Agreement  
Association of Municipalities of Ontario 200 University Avenue, Suite 801  
Toronto, ON M5H 3C6

Telephone: 416-971-9856  
Email: [mainstreets@amo.on.ca](mailto:mainstreets@amo.on.ca)

b) If to the Recipient:

Treasurer  
Carolyn Daynes  
CITY OF KAWARTHA LAKES  
26 Francis St., P.O. Box 9000  
Lindsay, ON K9V 5R8  
(705) 324-9411 x1252  
[cdaynes@kawarthalakes.ca](mailto:cdaynes@kawarthalakes.ca)

## 14. MISCELLANEOUS

14.1 **Counterpart Signature.** This Agreement may be signed in counterpart, and the signed copies will, when attached, constitute an original Agreement.

14.2 **Severability.** If for any reason a provision of this Agreement that is not a fundamental term is found to be or becomes invalid or unenforceable, in whole or in part, it will be deemed to be severable and will be deleted from this

Agreement, but all the other terms and conditions of this Agreement will continue to be valid and enforceable.

- 14.3 **Waiver.** AMO may waive any right in this Agreement only in writing, and any tolerance or indulgence demonstrated by AMO will not constitute waiver of rights in this Agreement. Unless a waiver is executed in writing, AMO will be entitled to seek any remedy that it may have under this Agreement or under the law.
- 14.4 **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario.
- 14.5 **Survival.** The Recipient agrees that the following sections and provisions of this Agreement shall extend for seven (7) years beyond the expiration or termination of this Agreement: Sections 5, 6.7, 6.8, 7, 9.4, 9.5, 11.4 and 14.8.
- 14.6 **AMO, Ontario and Recipient independent.** The Recipient will ensure its actions do not establish or will not be deemed to establish a partnership, joint venture, principal-agent relationship or employer-employee relationship in any way or for any purpose whatsoever between Ontario and the Recipient, between AMO and the Recipient, between Ontario and a Third Party or between AMO and a Third Party.
- 14.7 **No Authority to Represent.** The Recipient will ensure that it does not represent itself, including in any agreement with a Third Party, as a partner, employee or agent of Ontario or AMO.
- 14.8 **Debts Due to AMO.** Any amount owed under this Agreement will constitute a debt due to AMO, which the Recipient will reimburse forthwith, on demand, to AMO.
- 14.9 **Priority.** In the event of a conflict, the part of this Agreement that precedes the signature of the Parties will take precedence over the Schedules.

## 15. SCHEDULES

- 15.1 This Agreement, including:
- Schedule A Municipal Allocation
  - Schedule B Eligible Projects
  - Schedule C Eligible and Ineligible Costs
  - Schedule D Reporting

constitute the entire agreement between the Parties with respect to the subject matter contained in this Agreement and supersedes all prior oral or written representations and agreements.



**16. SIGNATURES**

**IN WITNESS WHEREOF**, AMO and the Recipient have respectively executed, sealed and delivered this Agreement on the date set out on the front page.

**RECIPIENT'S NAME:**

**CITY OF KAWARTHA LAKES**

\_\_\_\_\_  
Mayor Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Clerk Name

\_\_\_\_\_  
Signature

**THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO**

\_\_\_\_\_  
By Title

\_\_\_\_\_  
Signature

In the presence of:

\_\_\_\_\_  
Witness Title

\_\_\_\_\_  
Signature

**SCHEDULE A  
MUNICIPAL ALLOCATION**

**RECIPIENT'S NAME:**      **CITY OF KAWARTHA LAKES**

**ALLOCATION:**              **\$96311.6183**

The Recipient acknowledges this is a one time payment for Eligible Projects with Eligible Costs.

## **SCHEDULE B ELIGIBLE PROJECTS**

Funding is to be directed to Eligible Projects to support revitalization activities within main street areas, as defined through an existing Community Improvement Plan or any other municipal land use planning policy. Funding can be used in one or both of the following categories:

- 1. Community Improvement Plan** – construction, renewal, renovation or redevelopment or material enhancement activities that implement priority financial incentives in existing Community Improvement Plans such as:
  - a. Commercial building façade improvements
  - b. Preservation and adaptive reuse of heritage and industrial buildings
  - c. Provision of affordable housing
  - d. Space conversion for residential and commercial uses
  - e. Structural improvements to buildings (e.g. Building Code upgrades)
  - f. Improvement of community energy efficiency
  - g. Accessibility enhancements
- 2. Other Municipal Land Use Planning Policy** – construction, renewal or material enhancement activities to fund strategic Municipal Physical Infrastructure and promotional projects such as:
  - a. Signage – wayfinding/directional, and gateway.
  - b. Streetscaping and landscape improvements – lighting, banners, murals, street furniture, interpretive elements, public art, urban forestation, accessibility, telecommunications/broadband equipment, parking, active transportation infrastructure (e.g. bike racks/storage, cycling lanes and paths) and pedestrian walkways/trails.
  - c. Marketing plan implementation – business attraction and promotion activities, special events.

**SCHEDULE C**  
**ELIGIBLE AND INELIGIBLE COSTS**

**1. Eligible Costs include:**

- a. Costs directly and reasonably incurred on or after April 1, 2018 up to and including the Project Completion Date by the Recipient for construction, renewal, renovation or redevelopment or material enhancement activities funded under existing Community Improvement Plan financial incentive programs.
- b. Costs directly and reasonably incurred on or after April 1, 2018 up to and including the Project Completion Date by the Recipient for construction, renewal or material enhancement activities funded under the Municipal Physical Infrastructure category including projects in downtown or main street areas, as defined through an existing Community Improvement Plan or other municipal land use planning policy that will support the success of small businesses in main street areas.

**2. Ineligible Costs include:**

- a. Costs incurred prior to Effective Date or after the Project Completion Date;
- b. Any costs associated with providing the Annual and Results Reports to AMO;
- c. Any costs associated with lobbying Ontario, including other Ministries, agencies and organizations of the Government of Ontario;
- d. Costs associated with construction, renewal, renovation or redevelopment or material enhancement of all things in the following categories: highways, short-sea shipping, short-line rail, regional or local airports, and brownfield redevelopment;
- e. Costs of infrastructure construction, renewal, renovation or redevelopment or material enhancement that do not improve energy efficiency, accessibility, aesthetics of marketability of small businesses within an Recipient's main street areas; or that do not encourage strategic public investments in municipal and other public infrastructure within main street areas that will benefit small businesses; or that otherwise will likely fail to contribute to the success of main street businesses;
- f. Costs of infrastructure construction, renewal, renovation or redevelopment or material enhancement outside of the Recipient's main street areas, as defined through an existing Community Improvement Plan or other municipal land use planning policy;
- g. The cost of leasing of equipment by the Recipient, any overhead costs, including salaries and other employment benefits of any employees of the Recipient, its direct or indirect operating or administrative costs of Recipients, and more specifically its costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff, except in accordance with Eligible Costs above;
- h. Taxes, to which the Recipient is eligible for a tax rebate;
- i. Purchase of land or any interest therein, and related costs; and,
- j. Routine repair and maintenance Municipal Physical Infrastructure.

## SCHEDULE D REPORTING

### 1. Communication Report

Immediately following the Municipality executing this Agreement the Recipient will provide AMO a Communication Report in an electronic format deemed acceptable to AMO, consisting of the following:

| Project Title | Project Description | Eligible Project Category (CIP/ Municipal Physical Infrastructure | Total Project Cost | Estimate of Funds (Main Street) Spent |
|---------------|---------------------|---|--------------------|---------------------------------------|
|               |                     |   |                    |                                       |
|               |                     |   |                    |                                       |
|               |                     |   |                    |                                       |
|               |                     |   |                    |                                       |

### 2. Annual Report

The Recipient will provide to AMO an Annual Report in an electronic format deemed acceptable to AMO, consisting of the following:

- a. Financial Reporting Table: The financial report table will be submitted in accordance with the following template:

| Annual Report Financial Table                                   | Annual  | Cumulative  |
|---|---------|-------------|
|   | 20xx    | 2018 - 2020 |
| Opening Balance   | \$xxx   |             |
| Received from AMO   | \$xxx   | \$xxx       |
| Interest Earned   | \$xxx   | \$xxx       |
| Received from An Eligible Recipient                             | \$xxx   | \$xxx       |
| Transferred to an Eligible Recipient                            | (\$xxx) | (\$xxx)     |
| Spent on Eligible Projects (for each Eligible Project category) | (\$xxx) | (\$xxx)     |
| Closing Balance of Unspent Funds                                | \$xxx   |             |

- b. Project List: The Recipient will provide to AMO a project list submitted in accordance with the following template:

| Recipient | Project Title | Project Description | Eligible Project Category | Total Project Cost | Main Street Funds Used | Start & End Date | Completed?         |
|-----------|---------------|---------------------|---------------------------|--------------------|------------------------|------------------|--------------------|
|           |               |                     |                           |                    |                        |                  | Yes/No/<br>Ongoing |
|           |               |                     |                           |                    |                        |                  |                    |

### 3. Project Results.

The Results Report shall outline, in a manner to be provided by AMO, the degree to which investments in each project are supporting progress towards achieving revitalization within main street areas:

- a. Community Improvement Plan Eligible Projects
- Number of small businesses supported;
  - Total value of physical improvements;
  - Total Main Street Funds provided;
  - Total Municipal investment; and,
  - Total private investment.
- b. Municipal Physical Infrastructure Eligible Projects
- Total value of physical improvements;
  - Total Main Street Funds provided; and
  - Total municipal investment.

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018 -**

### **A By-Law To Amend The Township of Verulam Zoning By-Law No. 6-87 To Rezone Land Within The City Of Kawartha Lakes**

File D06-2018-016, Report PLAN201-052, respecting Part of Lot 6, Concession 3, geographic Township of Verulam, identified as 2017 CKL Road 36

#### **Recitals:**

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit a restaurant, take-out restaurant, contractor's yard, and a single detached dwelling.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-\_\_.**

#### **Section 1:00 Zoning Details**

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part of Lot 6, Concession 3, geographic Township of Verulam, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 6-87 of the Township of Verulam is further amended by deleting Section 12.3.3 and replacing it with the following:

“12.3.3 Highway Commercial Exception Three (C2-3) Zone

12.3.3.1 Notwithstanding Section 12.1 the only uses permitted on lands zoned C2-3 shall be the following:

- a. single detached dwelling
- b. restaurant
- c. take-out restaurant
- d. contractor's yard
- e. golf driving range and miniature golf course

12.3.3.2 C2-3 Zone Provisions

- a. Minimum Front Yard Depth 24 m
- b. Minimum Exterior Side Yard Width 40 m
- c. For the golf driving range and miniature golf course use, a minimum of one (1) parking space shall be provided per



four (4) persons design capacity of the establishment with a minimum of twenty (20) parking spaces to be provided.

All other requirements of the C2 Zone shall continue to apply to land zoned C2-3.

12.3.3.3 Notwithstanding the front yard depth and exterior side yard width requirements in Section 12.3.3.2, and the rear yard depth requirement in Section 12.2, the following requirements apply to the contractor's yard use:

- |    |   |      |
|----|---|------|
| a. | Minimum Setback to Front Lot Line         | 75 m |
| b. | Minimum Setback to Exterior Side Lot Line | 75 m |
| c. | Minimum Setback to Rear Lot Line          | 75 m |

All other yard requirements of the C2 Zone shall continue to apply.”

## **Section 2:00      Effective Date**

2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this \*\* day of \*\*\*, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018 -**

### **A By-Law To Amend The Town Of Lindsay Official Plan To Re-Designate Land Within The City Of Kawartha Lakes**

File D01-2018-001, Report PLAN2018-042, respecting Part Lot 14, South of Wellington Street, Town Plan, former Town of Lindsay, identified as 21 Victoria Avenue North – Carter

#### Recitals:

1. Sections 17 and 22 of the Planning Act, R.S.O. 1990, c. P.13, authorize Council to consider the adoption of an amendment to an Official Plan.
2. Council has received an application to amend the Town of Lindsay Official Plan to change the land-use designation to Residential-Commercial with a special provision which permits either a residential use or a specific commercial use on the property.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 52.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-\*\*\*.**

#### **Section 1:00 Official Plan Amendment Details**

- 1.01 **Property Affected:** The Property affected by this By-law is identified as Part Lot 14, South of Wellington Street, Town Plan, former Town of Lindsay, now City of Kawartha Lakes.
- 1.02 **Amendment:** Amendment No. 52 to the Town of Lindsay Official Plan, attached hereto as Schedule 'A' and forming a part of this By-law is hereby adopted.

#### **Section 2:00 Effective Date**

- 2.01 **Force and Effect:** This By-law shall come into force and take effect on the date it is finally passed, subject to the approval of the City of Kawartha Lakes in accordance with the provisions of Section 17 and 22 of the Planning Act, R. S. O. 1990, c. P.13. Notwithstanding the subsequent coming into force of the Lindsay Secondary Plan, adopted by Council on June 27, 2017, this by-law continues to be in force and effect.

By-law read a first, second and third time, and finally passed, this \*\* day of , 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

## **Schedule 'A' to By-law No. 2018-\*\*\***

The Corporation of the City of Kawartha Lakes

### **Amendment No. 52 To The Official Plan For The Town of Lindsay**

#### **Part A - The Preamble**

##### **A. Purpose**

The purpose of the official plan amendment is to change the land use designation on the property identified as 21 Victoria Avenue North from "Residential" to "Residential – Commercial" to permit either commercial or residential uses on the property. The land is also subject to an application for zoning by-law amendment.

The effect of the change would permit the operation of the proposed clinical somatic movement education workspace on the subject property while maintaining the ability to re-establish a residential use on the property in the future. These uses would not operate simultaneously.

##### **B. Location**

The subject property has a lot area of approximately 184 square metres and is known legally as Part of Lot 14, South of Wellington Street, Town Plan, former Town of Lindsay, City of Kawartha Lakes and is identified as 21 Victoria Avenue North.

##### **C. Basis**

Council has enacted this Official Plan Amendment in response to an application submitted by EcoVue Consulting Services Inc. on behalf of the owner to permit a clinical somatic movement education workspace while permitting re-establishment of a residential use at a future date on the property identified as 21 Victoria Avenue North. It is intended that a special policy be incorporated into the Town of Lindsay Official Plan to allow the clinical somatic movement workspace to operate as the primary use (in addition to a residential use) of the property but not simultaneously. One single detached dwelling unit may be permitted and parking may be permitted in the front yard. Buildings and structures may be permitted within the provisions of the implementing Zoning By-law.

The land is designated Residential as shown on Schedule "A" to the Town of Lindsay Official Plan. The land is also subject to an application for a Zoning By-law Amendment.

The proposed use and amendment to the Town of Lindsay Official Plan are justified and represent good planning for the following reasons:

1. The proposed use conforms to the relevant provincial policy documents being the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.

2. The proposed use conforms to the goals and objectives of the Residential – Commercial designation as set out in the Town of Lindsay Official Plan.
3. The proposed use is compatible and integrates well with the surrounding area.
4. The applicant has submitted background reports to demonstrate the appropriateness of the proposed use with respect to site servicing and through the submission of a Functional Servicing Report and Lot Grading and Drainage Plan.

## **Part B - The Amendment**

### **D. Introductory Statement**

All of this part of the document entitled Part B - The Amendment, consisting of the following Map 'A' constitutes Amendment No. 52 to the Official Plan for the Town of Lindsay.

### **E. Details of the Amendment**

The Official Plan for the Town of Lindsay is hereby amended as follows:

1. Schedule 'A' to the Official Plan of the Town of Lindsay is hereby amended by changing the land use designation of lands located on Part Lot 14, South of Wellington Street, Town Plan, former Town of Lindsay, being 21 Victoria Avenue North, as shown on Schedule "A" attached hereto, from the Residential to Residential – Commercial designation.

#### **2. 4.2.6 SPECIAL PROVISIONS:**

- "b) On land designated Residential – Commercial, notwithstanding policies identified within Section 4.2.1, commercial uses shall be limited to "Clinical Movement Education Workspace".

CLINICAL MOVEMENT EDUCATION WORKSPACE is defined as a commercial use in which persons are employed in providing education of movement exercises through one-on-one table work and movement practices.

Additionally, a residential use is limited to a single detached dwelling which shall not occur simultaneously with the above commercial use, despite the policies as identified in Section 4.2.1 – Permitted Uses and one dwelling unit shall be permitted, notwithstanding the policies of Section 4.2.3 – Density. Parking may also be permitted in the front yard despite the policies of Section 4.2.2 – Site Plan Control."

3. Schedule 'A' of the Town of Lindsay Official Plan is hereby amended by inserting a note that the land is subject to Special Provision 4.2.6 b) of the

Official Plan, as shown on Map 'A' as 'Land to be Re-designated Residential-Commercial'.

**F. Implementation and Interpretation**

The implementation and interpretation of this amendment shall be in accordance with the relevant policies of the Official Plan of the Town of Lindsay.

THE CORPORATION OF THE CITY OF  
**KAWARTHA LAKES**

Map 'A' to Amendment No. 52  
to the Town of Lindsay Official Plan

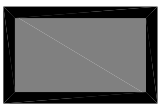
**'LINDSAY'**

Wellington Street

Subject to  
Special Provision  
4.2.6 b)

Victoria Avenue North

Peel Street



**LAND TO BE RE-DESIGNATED  
RESIDENTIAL-COMMERCIAL**

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018 -**

### **A By-Law To Amend The Town of Lindsay Zoning By-Law No. 2000-75 To Rezone Land Within The City Of Kawartha Lakes**

File D06-2018-009, Report PLAN2018-042, respecting Part Lot 14, South of Wellington Street, Town Plan, former Town of Lindsay, identified as 21 Victoria Avenue North – Carter

#### **Recitals:**

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit either a limited commercial use or a residential use on the subject land.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-\_\_.**

#### **Section 1:00 Zoning Details**

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part Lot 14, South of Wellington Street, Town Plan, former Town of Lindsay, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended to add the following section to Section 12.3:

“12.3.1.5 MRC-S15 Zone

Notwithstanding subsection 12.1 or other By-law provisions to the contrary, land zoned MRC-S15 may only be used for one of the following uses:

- a) a clinical movement education workspace; or
- b) a single detached dwelling

CLINICAL MOVEMENT EDUCATION WORKSPACE is defined as a building or part thereof in which persons are employed in providing education of movement exercises through one-on-one table work and movement practices.



Notwithstanding subsection 12.2, land zoned MRC-S15 shall be subject to the following zone provisions:

|  |              |
|--|--------------|
| a) Minimum lot area                          | 183.8 sq. m. |
| b) Minimum lot frontage                      | 8.75 m.      |
| b) Minimum front yard setback                | 5.8 m.       |
| c) Minimum interior side yard setback        | 1.25 m.      |
| d) Minimum rear yard setback                 | 2.25 m.      |
| e) Maximum lot coverage                      | 39.5%        |
| f) Maximum gross floor area as % of lot area | 39.5%        |

Notwithstanding the Standards for Minimum Parking and Driveway/Aisle Dimensions as detailed in Section 5.12 g) of this By-Law, on lands zoned MRC-S15, the minimum parking space width shall be 2.6 m.

Notwithstanding the Standards for Parking Lots and Driveways as detailed in Section 5.12 j) xi. of this By-Law, on lands zoned MRC-S15, parking shall be permitted in the front yard.

Notwithstanding Section 5.12 k) of this By-law to the contrary, the minimum number of parking spaces on land zoned MRC-S15 shall be two (2) to support a permitted commercial use up to the permitted maximum gross floor area as a percentage of lot area.”

- 1.03 **Schedule Amendment**: Schedule ‘A’ to By-law No. 2000-75 of the Town of Lindsay is further amended to change the zone category from the Residential Two (R2) Zone to the Mixed Residential Commercial Special Fifteen (MRC-S15) Zone for the land referred to as ‘MRC-S15’, as shown on Schedule ‘A’ attached to this By-law.

## **Section 2:00      Effective Date**

- 2.01 **Effective Date**: This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this \*\* day of \*\*\*, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

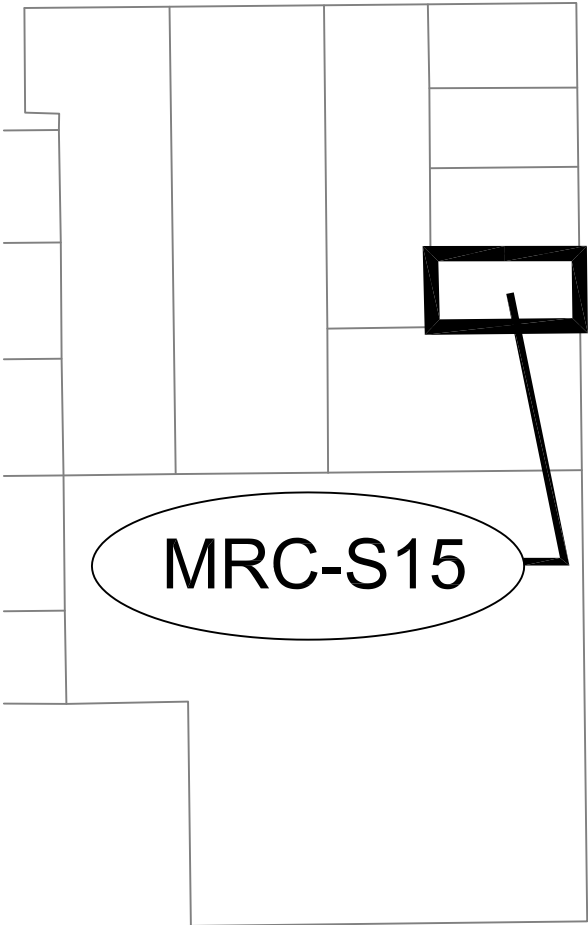
THIS IS SCHEDULE 'A' TO BY-LAW \_\_\_\_\_ PASSED

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018.

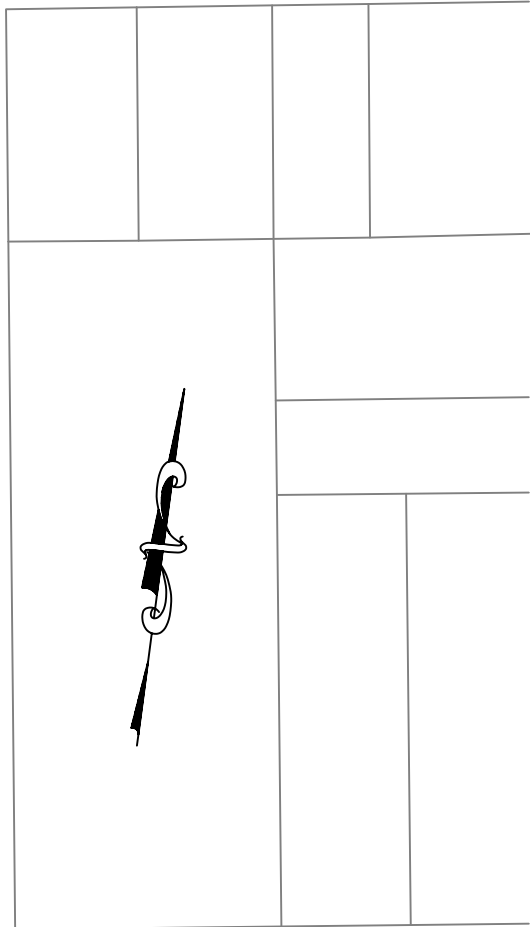
MAYOR \_\_\_\_\_ CITY CLERK \_\_\_\_\_



Wellington Street



Victoria Avenue North



Peel Street

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018-**

### **A By-Law to Amend the Town of Lindsay Official Plan to Re-designate Land within the City of Kawartha Lakes**

[File D01-2018-002, Report PLAN2018-050, respecting Part of Lot 24, Concession 4 (Formerly Ops) 57R-7234, Parts 9 to 14, Former Town of Lindsay, Vacant Land on Angeline Street North – CIC Developments Inc.]

#### **Recitals:**

1. Sections 17 and 22 of the Planning Act, R.S.O. 1990, c. P.13, authorize Council to consider the adoption of an amendment to an Official Plan.
2. Council has received an application to amend the Town of Lindsay Official Plan to amend Schedule 'A' for clarification purposes, to remove the land use designations from Schedule 'A' and allow the land use designations on Schedule 'JC2' to prevail, to facilitate the creation of one hundred and forty-six (146) residential lots and five blocks by plan of subdivision under Section 50 of the Planning Act to the property known municipally as Vacant Land on Angeline Street North.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 53.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-\*\*\*.

#### **Section 1:00 Official Plan Amendment Details**

- 1.01 **Property Affected:** The property affected by this By-law is described as Part of Lot 24, Concession 4 (Formerly Ops) 57R-7234, Parts 9 to 14, Former Town of Lindsay, now in the City of Kawartha Lakes, Vacant Land on Angeline Street North.
- 1.02 **Amendment:** Amendment No. 53 to the Town of Lindsay Official Plan, attached hereto as Schedule 'A' and forming a part of this By-law is hereby adopted.

#### **Section 2:00 Effective Date**

- 2.01 **Force and Effect:** This By-law shall come into force and take effect on the date it is finally passed, subject to the approval of the City of Kawartha Lakes in accordance with the provisions of Section 17 and 22 of the Planning Act, R. S. O. 1990, c. P.13. Notwithstanding the subsequent coming into force of the Lindsay Secondary Plan, adopted by Council on June 27, 2017, this by-law continues to be in force and effect.

By-law read a first, second and third time, and finally passed, this \*\* day of \_\_\_\_\_,  
2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

## **Schedule 'A' to By-law No. 2018-\*\*\***

The Corporation of the City of Kawartha Lakes

### **Amendment No. 53 To The Official Plan – The Town of Lindsay**

#### **Part A – The Preamble**

##### **A. Purpose**

The purpose of the official plan amendment is to remove the land use designations on Schedule 'A', and identify the subject lands as being within the Jennings Creek Community Development Plan area. The land is also subject to an application for zoning by-law amendment and revised draft plan of subdivision.

The effect of the change would clarify that development of the land is subject to the Jennings Creek Community Development Plan policies, and would permit a plan of subdivision to create one hundred and forty-six (146) residential lots within the "Residential" designation of the subject land.

##### **B. Location**

The subject land has a lot area of approximately 12.6 hectares and is located on the west side of Angeline Street North, between Joan Parkette and Jennings Creek, in the Former Town of Lindsay. The property is legally described as Part of Lot 24, Concession 4 (Formerly Ops) 57R-7234, Parts 9 to 14, Former Town of Lindsay, now City of Kawartha Lakes and identified as Vacant Land on Angeline Street North.

##### **C. Basis**

Council has enacted this official plan amendment in response to an application submitted by Bousfields Inc. on behalf of CIC Developments Inc. to permit the creation of a one hundred and forty-six (146) lot plan of subdivision on the subject land. It is intended that the lot be identified on Schedule 'A' as being within the area "Refer to Volume II, Section 2 (Schedule JC2)" to facilitate a concurrent application for the creation of a one hundred and forty-six (146) lot plan of subdivision under Section 50 of the Planning Act for the subject land known municipally as Vacant Land on Angeline Street North. No buildings or structures will be permitted within 8 metres of the top of the slope of the Jennings Creek valleylands within the provisions of the implementing zoning by-law.

The land is designated "Residential" and "Open Space, as shown on Schedule "A", and designated "Residential" as shown on Schedule "JC2", respectively, of the Town of Lindsay Official Plan. The land is also subject to an application for zoning by-law amendment and draft plan of subdivision.

The proposed use and amendment to the Town of Lindsay Official Plan is justified and represent good planning for the following reasons:

1. The proposed development conforms to relevant provincial policy documents being the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.
2. The proposed development conforms to the goals and objectives of the “Residential” designation as set out in the Town of Lindsay Official Plan.
3. The proposed use is compatible and integrates well with the surrounding area.
4. The applicant has submitted background reports to demonstrate the appropriateness of the proposed development with respect to servicing and the protection of the environment.

## **Part B - The Amendment**

### **D. Introductory Statement**

All of this part of the document entitled Part B – The Amendment, consisting of the following text and the attached map constitutes Amendment No. 53 to the Town of Lindsay Official Plan.

### **E. Details of the Amendment**

1. Schedule ‘A’ of the Town of Lindsay Official Plan is hereby amended by including the lot within the area identified as “Refer to Volume II, Section 2 (Schedule JC2)”, as shown on Map ‘A’ as ‘Subject Land’.

### **F. Implementation and Interpretation**

The implementation and interpretation of this amendment shall be in accordance with the relevant policies of the Official Plan.

THE CORPORATION OF THE CITY OF  
**KAWARTHA LAKES**

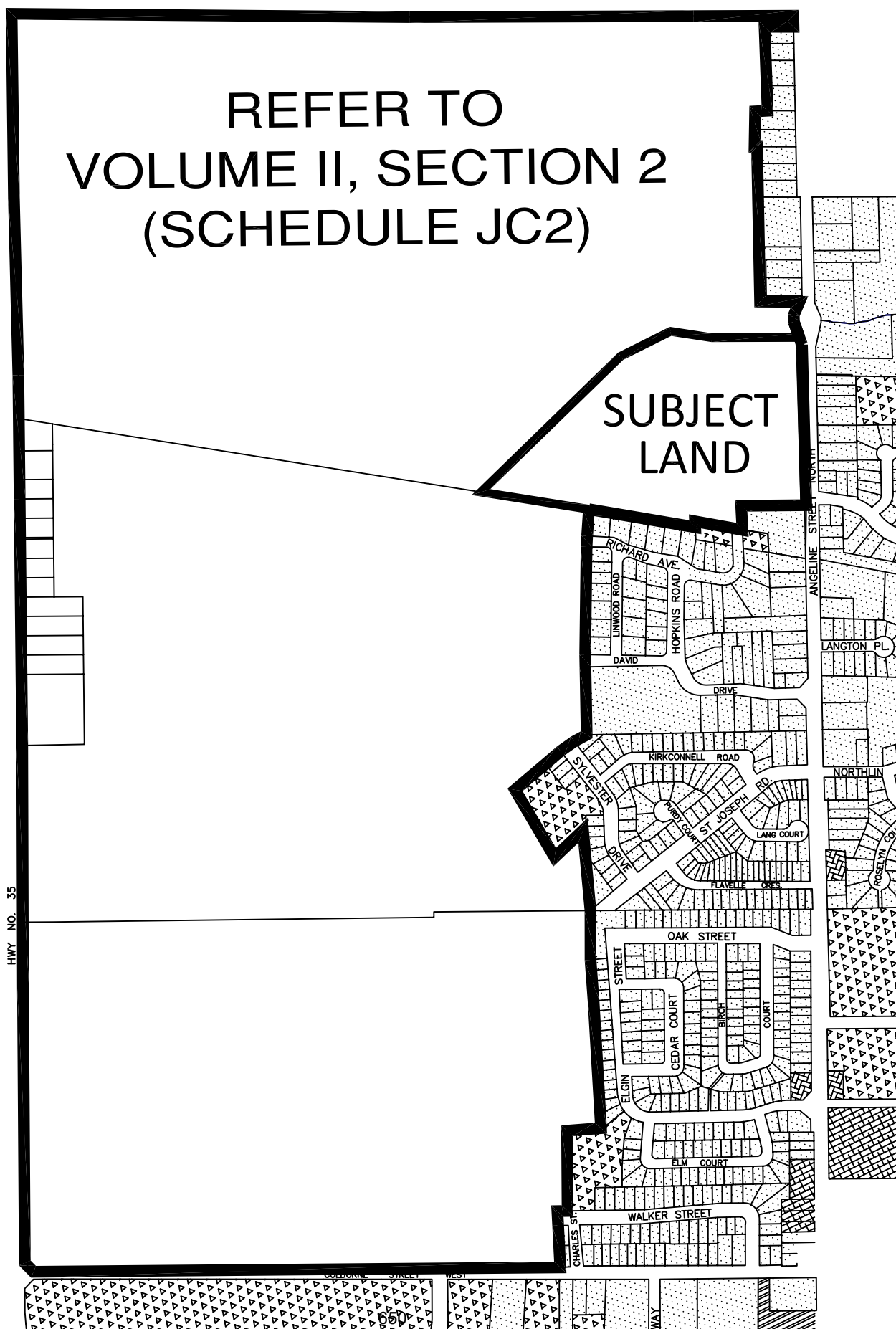
Map 'A' to Amendment No. 53  
to the Town of Lindsay Official Plan

Schedule 'A' - Town of Lindsay Official Plan

REFER TO  
VOLUME II, SECTION 2  
(SCHEDULE JC2)

SUBJECT  
LAND

HWY NO. 35





# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018 -**

### **A By-Law To Amend The Town of Lindsay Zoning By-Law No. 2000-75 To Rezone Land Within The City Of Kawartha Lakes**

[File D06-2018-010, Report PLAN2018-050, respecting Part of Lot 24, Concession 4 (Formerly Ops) 57R-7234, Parts 9 to 14, Former Town of Lindsay, identified as Vacant Land on Angeline Street North – CIC Developments Inc.]

#### **Recitals:**

1. Sections 34 and 36 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit a 146 residential plan of subdivision, and to amend the development standards on the subject land.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-\_\_.**

#### **Section 1:00 Zoning Details**

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part of Lot 24, Concession 4 (Formerly Ops) 57R-7234, Parts 9 to 14, Former Town of Lindsay, City of Kawartha Lakes.

- 1.02 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended by deleting Section 6.3.10 and replacing it with the following:

##### **6.3.10 R1-S6 Zone**

Notwithstanding the zone requirements on land zoned R1, on land zoned R1-S6, all buildings and structures shall be setback a minimum of 8 metres from the top of the slope of the Jennings's Creek valleylands.

- 1.03 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended to add the following section to Section 6.3:

##### **6.3.24 R1-S19 Zone**

Notwithstanding any other provisions of this by-law, Section 5.12 (j)(v) shall not apply.

- 1.04 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended to add the following section to Section 7.3:

7.3.42 R2-S37 Zone

Notwithstanding any other provisions of this by-law, Section 5.12 (j)(v) shall not apply.

- 1.05 **Textual Amendment:** By-law No. 2000-75 of the Town of Lindsay is further amended by deleting Section 23.3.3 and replacing it with the following:

23.3.3 OS-S2 Zone

Notwithstanding the permitted uses and zone requirements on land zoned OS, on land zoned OS-S2, the following shall also apply:

- i. A stormwater management facility shall be a permitted use.
- ii. An emergency access shall be a permitted use.
- iii. All buildings and structures shall be setback a minimum of 8 metres from the top of the slope of the Jennings's Creek valleylands.

- 1.06 **Schedule Amendment:** Schedule 'A' to By-law No. 2000-75 of the Town of Lindsay is further amended to change the zone category from the "Residential One (R1)", "Residential One Special Six (R1-S6)", "Residential One Holding Four [R1(H4)]", "Residential Two (R2)", "Open Space (OS)", and "Open Space Special Two (OS-S2)" Zones to the "Residential One (R1)", "Residential One Special Six (R1-S6)", "Residential One Special Nineteen (R1-S19)", "Residential One Holding Four [R1(H4)]", "Residential Two (R2)", "Residential Two Special Thirty-Seven (R2-S37)", "Open Space (OS)", and "Open Space Special Two (OS-S2)" Zones for the land referred to as 'R1', 'R1-S6', 'R1-S19', 'R1(H4)', 'R2', 'R2-S37', 'OS', and 'OS-S2', as shown on Schedule 'A' attached to this By-law.

## **Section 2:00 Effective Date**

- 2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Sections 34 and 36 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this \*\* day of \*\*\*, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF  
KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW \_\_\_\_\_ PASSED

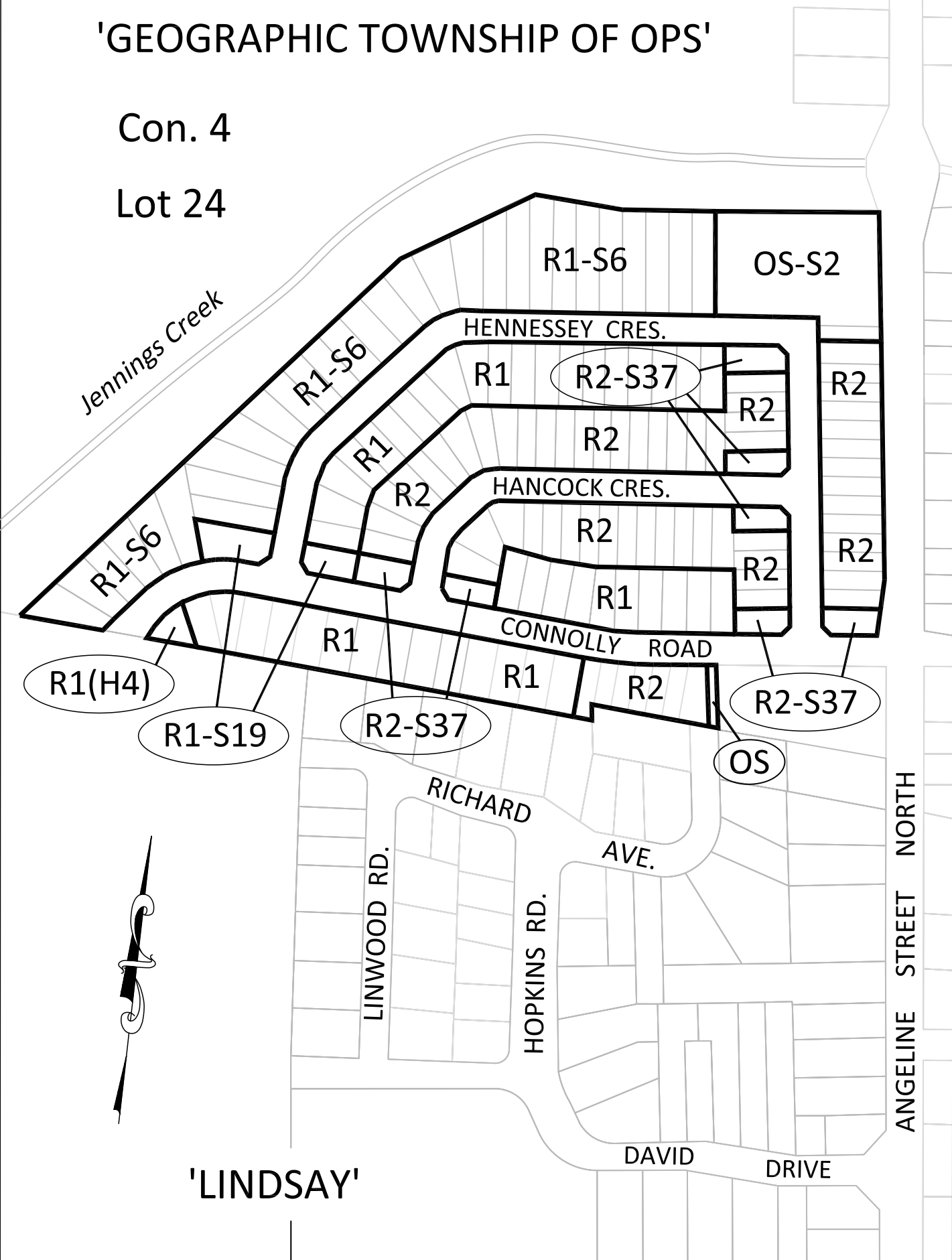
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2018

MAYOR \_\_\_\_\_ CITY CLERK \_\_\_\_\_

'GEOGRAPHIC TOWNSHIP OF OPS'

Con. 4

Lot 24



'LINDSAY'

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2018-**

### **A By-law to Amend By-law 2005-328 being A By-law to Establish Speed Limits**

#### **Recitals**

1. Council adopted Resolution CR2018-360 on June 5, 2018 directing amendments to By-law Number 2005-328 the Speed Limit By-law.
2. An amendment is required to change speed limits on Highways.
3. These changes require an amendment to the original by-law.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018- .**

#### **Section 1.00: Definitions and Interpretation**

##### **Definitions:**

All defined terms in the amending By-law take their meaning from By-law 2005-328 of the City of Kawartha Lakes.

#### **Section 2.00: Amendment Details**

- 2.01 **Schedule C:** Schedule C to By-law Number 2005-328, Highways with a speed limit of 60 Kilometres per Hour, be amended by adding the following:

| <b><u>ROAD #</u></b>              | <b><u>FROM</u></b> | <b><u>TO</u></b>                          |
|-----------------------------------|--------------------|---|
| Pigeon Lake Road<br>(CKL Road 17) | CKL Road 36        | A point 150 m south of<br>Fell's Bay Road |

#### **Section 3.00: Administration and Effective Date**

- 3.01 **Administration of the By-law:** The Director of Engineering and Corporate Assets is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 19 day of June, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

# **The Corporation of The City of Kawartha Lakes**

## **By-Law 2018-XXX**

### **A By-law to Confirm the Proceedings of a Regular Meeting of Council, Tuesday, June 19, 2018**

#### **Recitals**

1. The Municipal Act, 2001, S.O. 2001 c. 25 as amended, provides that the powers of a municipal corporation are exercised by its Council.
2. The Municipal Act, also provides that the Council's powers must be exercised by by-law.
3. For these reasons, the proceedings of the Council of The Corporation of the City of Kawartha Lakes at this meeting should be confirmed and adopted by by-law.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-XXX.**

#### **Section 1.00: Confirmation**

1.01 The actions of the Council at the following meeting:

**Tuesday, June 19, 2018 Regular Council Meeting** and each motion, resolution and other action passed or taken by the Council at that meeting is, except where prior approval of the Ontario Municipal Board is required, adopted, ratified and confirmed as if all such proceedings had been expressly embodied in this By-law.

1.02 The Mayor and the proper officials of the City are authorized and directed to do all things necessary to give effect to the actions of the Council referred to in Section 1.01 of this By-law. In addition, the Clerk is authorized and directed to affix the corporate seal to any documents which require it.

#### **Section 2.00: General**

2.01 This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 19<sup>th</sup> day of June, 2018.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk