

The Corporation of the City of Kawartha Lakes

Agenda

Regular Council Meeting

CC2018-11

Tuesday, May 22, 2018

Closed Session Commencing at 1:30 p.m. 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**

CR2018-
That the Closed Session agenda be adopted as circulated.
3. **Disclosure of Pecuniary Interest in Closed Session Items**
4. **Closed Session**

CR2018-
That Council convene into closed session at 1:30 p.m. in order to consider matters on the Tuesday, May 22, 2018 Closed Session Agenda and that are permitted to be discussed in a session closed to the public pursuant to Section 239(2) of the Municipal Act, S.O. 2001. S.25.
 - 4.1 CC2018-11.4.1

Closed Session Minutes, including Privileged and Confidential Minutes, Regular Council Meeting
May 8, 2018
Municipal Act, 2001, s.239(2)(b)(d)
 - 4.2 PLAN2018-045

Member Appointment - Ganaraska Forest Recreational Users Committee
Personal Matter About an Identifiable Individual
Municipal Act, 2001, s.239(2)(b)
Chris Marshall, Director of Development Services
 - 4.3 CS2018-008

Public Appointees to the Bobcaygeon Legacy C.H.E.S.T. Fund Grant Committee
Personal Matter About Identifiable Individuals
Municipal Act, 2001, s.239(2)(b)
Lisa Peimann, Executive Assistant to the Director of Community Services

4.4 RS2018-012

**Acquisition of Land for Road Purposes - Rainbow Ridge Road
Proposed or Pending Acquisition or Disposition of Land
Municipal Act, 2001, s.239(2)(c)
Laura Carnochan, Law Clerk – Realty Services**

5. Opening Ceremonies

5.1 Call Open Session to Order

5.2 O Canada

5.3 Moment of Silent Reflection

5.4 Adoption of Open Session Agenda

The Mayor requested the consent of Council to waive the City's Procedural By-law to allow two (2) additional deputations to be added to the Agenda.

CR2018-

That Council waive the Procedural By-law to allow two (2) additional deputations to be added to the Agenda; and

That the Agenda for the Open Session of the Regular Council Meeting of Tuesday, May 22, 2018, be adopted as circulated and with the following amendments:

Additions - Deputations

10.7

An application to amend the Village of Omemee Zoning By-law 1993-15 (Foley)

(Planning Recommendation PAC2018-024, Item 12.1 on the Agenda)
Shannon Foley

10.8

Secondary Plans Appeals Update

(Planning Recommendation PAC 2018-026, Item 12.1 on the Agenda)Heather Sadler

Additions - Consent Correspondence

11.2.2

Parking Requirements - Re-development of 171-183 Kent Street West

(Report PLAN2018-046, Item 11.1.2 on the Agenda)
Shelly Peeken

11.2.3

An application to amend the Village of Omemee Zoning By-law 1993-15 (Foley)

(Planning Recommendation PAC2018-024, Item 12.1 on the Agenda)
Shannon Foley

6. Disclosure of Pecuniary Interest

7. Notices and Information by Members of Council and Staff

7.1 Council

7.2 Staff

8. Matters from Closed Session

CR2018-

That Larry Melnychuk be appointed as the City of Kawartha Lakes representative to the Ganaraska Forest Recreational User Committee for a term ending December 31, 2018.

CR2018-

That the following members of the public be appointed to the Bobcaygeon Legacy C.H.E.S.T. Fund Grant Committee for the applicable term of office as stated:

Gregg Mercer for a 3 year term ending December 31, 2020

Beth Gilroy for a 3 year term ending December 31, 2020; and

Tim Young for a 3 year term ending December 31, 2020.

CR2018-

That the acquisition of Part of Lot 18, Concession B, in the Geographic Township of Mariposa, City of Kawartha Lakes, being Part of PIN: 63196-0102 (LT) for road purposes, be approved;

That staff be directed to commence the process of obtaining ownership of the required land, for the price of \$5,000.00 and all related costs of the transaction, at the City's expense;

That all costs associated with the transfer (estimated at \$11,000.00) be drawn from the Property Development Reserve;

That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this decision; and

That the necessary By-laws (to transfer title to the land and dedicate the transferred land as a road) be forwarded to Council for adoption.

9. Minutes

9.1 CC2018-11.9.1

21 - 47

Regular Council Meeting Minutes of May 8, 2018

Special Council Information Meeting Minutes of May 15, 2018

CR2018-

That the Minutes of the May 8, 2018 Regular Council Meeting and the May 15, 2018 Special Council Information Meeting, be received and adopted.

| | | |
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| 10. | Presentations and Deputations | |
| 10.1 | <p>CC2018-11.10.1</p> <p>Olde Gaol Museum Lease - Victoria County Historical Society (Report CS2018-009, Item 11.1.1 on the Agenda) Victoria County Historical Society Jessica Wilson Sara Walker-Howe</p> <p>CR2018- That the deputation of Jessica Wilson and Sara Walker-Howe, regarding the Olde Gaol Museum Lease - Victoria County Historical Society (Report CS2018-009, Item 11.1.1 on the Agenda), Victoria County Historical Society, be received.</p> | 48 - 74 |
| 10.2 | <p>CC2018-11.10.2</p> <p>Olde Gaol Museum Lease - Victoria County Historical Society (Report CS2018-009, Item 11.1.1 on the Agenda) Joan Abernethy</p> <p>CR2018- That the deputation of Joan Abernethy, regarding Olde Gaol Museum Lease - Victoria County Historical Society, (Report CS2018-009, Item 11.1.1 on the Agenda), be received.</p> | 75 - 78 |
| 10.3 | <p>CC2018-11.10.3</p> <p>Proposed Surplus Declaration, Closure and Sale of Various Unopened Road Allowances Adjacent to 1684 Victoria Road, Bexley (Report RS2018-014. Item 11.1.8 on the Agenda) James Webster</p> <p>CR2018- That the deputation of James Webster, regarding Proposed Surplus Declaration, Closure and Sale of Various Unopened Road Allowances Adjacent to 1684 Victoria Road, Bexley, (Report RS2018-014. Item 11.1.8 on the Agenda), be received.</p> | 79 - 80 |
| 10.4 | <p>CC2018-11.10.4</p> <p>Secondary Plans Appeals Update (Planning Recommendation PAC 2018-026, Item 12.1 on the Agenda) James Webster Doug Carroll</p> | 81 - 82 |

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| | <p>CR2018- That the deputation of James Webster and Doug Carroll, regarding the Secondary Plans Appeals Update, (Planning Recommendation PAC 2018-026, Item 12.1 on the Agenda), be received.</p> | |
| 10.5 | <p>CC2018-11.10.5</p> <p>Parking Requirements – Re-development of 171-183 Kent Street West (Report PLAN2018-046, Item 11.1.2 on the Agenda) Marco Pietrangelo, APG Kent Properties Corp.</p> <p>CR2018- That the deputation of Marco Pietrangelo of APG Kent Properties Corp, regarding Parking Requirements – Re-development of 171-183 Kent Street West, (Report PLAN2018-046, Item 11.1.2 on the Agenda), be received.</p> | 83 - 84 |
| 10.6 | <p>CC2018-11.10.6</p> <p>City's Strategic Plan 2017-2018 Progress Report Ron Taylor, CAO</p> <p>CR2018- That the presentation by CAO Taylor, regarding City's Strategic Plan 2017-2018 Progress Report, be received.</p> | 85 - 95 |
| 11. | <p>Consent Matters</p> <p>CR2018- 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 11.1.1, 11.1.2, 11.1.6, 11.1.9 and 11.1.11.</p> | |
| 11.1 | <p>Reports</p> | |
| 11.1.1 | <p>CS2018-009</p> <p>Olde Gaol Museum Lease - Victoria County Historical Society Craig Shanks, Director of Community Services</p> | 96 - 125 |

CR2018-

That Report CS2018-009, **Olde Gaol Museum Lease – Victoria County Historical Society**, be received;

That the City provide interim relief to the Victoria County Historical Society by providing the payment of utility invoices (Hydro One and Water costs) associated with the Olde Gaol Museum, to the end of Q1 2019: and,

That the Victoria County Historical Society report back to Council no later than the end of Q1 of 2019 with a Business Plan and Operating Model to guide the terms and conditions of a new lease agreement for the occupation of the Olde Gaol Museum.

11.1.2

PLAN2018-046

126 - 142

Parking Requirements – Re-development of 171-183 Kent Street West
Ian Walker, Planning Officer – Large Developments

CR2018-

That Report PLAN2018-046, **Parking Requirements – Re-development of 171-183 Kent Street West**, be received;

That the report be referred back to staff;

That staff enter into meaningful discussion with the Lindsay Downtown Business Improvement Area;

That staff complete the appropriate research to determine the cost of a parking spot;

That staff determine whether there is in fact enough available parking to sell to the developer; and

That staff report back to Council by end of June 2018.

CR2018-

That Report PLAN2018-046, **Parking Requirements – Re-development of 171-183 Kent Street West**, be received; and

That Council requires cash-in-lieu of parking for the re-development of 171-183 Kent Street West, Lindsay, in the sum of \$76,362.64 as cash in lieu for 100 parking spaces.

CR2018-

That staff be directed to meet with the Lindsay Downtown Business Improvement Area and bring a report back to Council regarding the financial information on the cost of parking in downtown Lindsay at the last meeting in June 2018.

11.1.3

DEV2018-004

143 - 156

Development Services Department Policy Update
Chris Marshall, Director

CR2018-

That Report DEV2018-004 **Development Services Department Policy Update**, be received;

That the following policies be rescinded and removed from the policy manual:

203 CAO 043 Waiving of Minor Variance Fee - Accessibility

070 ED 003 Delegation of Authority, Tourism Kiosks

021 ED 001 Economic Development Partnership Fund 2002

047 ED 002 Merchandising, City of Kawartha Lakes Logo and Promotional Material 2002; and

That Policy C 178 PLAN 001 - Telecommunications and Antenna System Siting Policy be amended as outlined in Attachment A to Report DEV2018-004.

11.1.4

PUR2018-022

157 - 159

Tender 2018-56-OT Roadside Protection – Installation and Replacement of Guiderails

Marielle van Engelen, Buyer

Richard Monaghan, Senior Engineering Technician

CR2018-

That Report PUR2018-022, **Tender 2018-56-OT Roadside Protection – Installation and Replacement of Guiderails**, be received;

That Peninsula Construction Inc. of Fonthill be selected for the award of Tender 2018-56-OT for Roadside Protection – Installation and Replacement of Guiderails, for a tendered amount of \$175,207.50, not including HST;

That Council approve the four (4) one year terms included within the tender, 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 Tender 2018-56-OT Roadside Protection – Installation and Replacement of Guiderails; and

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

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| 11.1.5 | PUR2018-025 | 160 - 164 |
| <p>Proposal 2018-55-CP Arena Equipment Repairs and Replacements Ashley Wykes, Buyer Rod Porter, Supervisor Capital and Special Projects</p> <p>CR2018-</p> <p>That Report PUR2018-025, Proposal 2018-55-CP Arena Equipment Repairs and Replacements, be received;</p> <p>That Cimco Refrigeration a Division of Toromont Industries Ltd., of Toronto, be selected for the award of proposal 2018-55-CP Arena Equipment Repairs and Replacement for the proposal cost \$593,998.00 not including HST;</p> <p>That the option to renew the contract for two (2) additional, one (1) year terms be awarded based on budget and performance;</p> <p>That subject to receipt of the required documents, the Mayor and City Clerk be authorized to execute the agreement to award proposal 2018-55-CP; and</p> <p>That the Financial Services Division be authorized to issue a purchase order.</p> | | |
| 11.1.6 | EA2018-013 | 165 - 173 |
| <p>Terms of Reference for Development Charges Task Force Adam Found, Manager of Corporate Assets</p> | | |

CR2018-

That Report EA2018-013, **Terms of Reference for Development Charges Task Force**, be received;

That the terms of reference be amended to include a review of the commercial rate for development charges, including comparison with other comparable municipalities with a report back to Council on the results of the review and options to decrease commercial development charges;

That the terms of reference, attached as Appendix A to Report EA2018-013, as amended, be adopted as the basis for a Development Charges Task Force;

That public notice be provided in accordance with applicable policy to solicit applications from qualified persons for appointment to the Development Charges Task Force; and

That a set of recommended appointments to the Development Charges Task Force be prepared in accordance with applicable policy and presented to Council to finalize establishment of this committee.

11.1.7

RS2018-013

174 - 180

Proposed Surplus Declaration, Closure and Sale of a Portion of Shoreline Road Allowance adjacent to 181 McCrackin Avenue, Carden
Laura Carnochan, Law Clerk – Realty Services

CR2018-

That Report RS2018-013, **Proposed Surplus Declaration, Closure and Sale of a Portion of Shoreline Road Allowance adjacent to 181 McCrackin Avenue, Carden**, be received;

That the subject property, being the shoreline road allowance adjacent to 181 McCrackin Avenue, in the Geographic Township of Carden, City of Kawartha Lakes be declared surplus to municipal needs;

That Council support, in principle, the closure of the shoreline road allowance and sale to the adjoining owners in accordance with the provisions of By-law 2018-020, as amended, and the Municipal Act, 2001 and subject to the parties entering into a conditional agreement of purchase and sale;

That staff be directed to commence the process to stop up and close the said portion of the road allowance;

That any deputation or public input in opposition of the closing, if any, shall be considered, and if appropriate, a by-law (with any amendments deemed necessary) to close the road and authorize its disposition shall be passed; and

That the Mayor and Clerk be authorized to execute any documents to facilitate the road closing and conveyance of the lands.

11.1.8

RS2018-014

181 - 189

Proposed Surplus Declaration, Closure and Sale of Various Unopened Road Allowances Adjacent to 1684 Victoria Road, Bexley
Laura Carnochan, Law Clerk – Realty Services

CR2018-

That Report RS2018-014, **Proposed Surplus Declaration, Closure and Sale of Various Unopened Road Allowances Adjacent to 1684 Victoria Road, Bexley**, be received;

That the subject lands, being various unopened road allowances adjacent to 11684 Victoria Road, in the Geographic Township of Bexley, City of Kawartha Lakes, more particularly described in Appendix A, be declared surplus to municipal needs;

That the closure of the various unopened road allowances and sale to the adjoining owner, be supported, in principle, in accordance with the provisions of By-law 2018-020, as amended, and the Municipal Act, 2001 and subject to the parties entering into a conditional agreement of purchase and sale;

That staff be directed to commence the process to stop up and close the said portion of the road allowance;

That any deputation or public input in opposition of the closing, if any, shall be considered, and if appropriate, a by-law (with any amendments deemed necessary) to close the road and authorize its disposition shall be passed;

That a deeming by-law be passed contemporaneously with the disposition; and

That the Mayor and Clerk be authorized to sign all documents to facilitate the road closing and conveyance of the lands.

11.1.9

RS2018-015

190 - 201

Surplus Declaration and Proposed Sale of City-Owned Property – Adjacent to 8 Francis Street East, Fenelon Falls

Laura Carnochan, Law Clerk – Realty Services

CR2018-

That Report RS2018-015, **Surplus Declaration and Proposed Sale of City-Owned Property – Adjacent to 8 Francis Street East, Fenelon Falls**, be received;

That the City-owned property adjacent to 8 Francis Street East, and legally described as Part of Lot 2, S/S of Francis Street and E/S of Colborne Street, Plan 17, in the Geographic Township of Fenelon, designated as Part 1 on Plan 57R-4516, being PIN 63152-0093 (LT), be declared surplus to municipal needs;

That the subject property be investigated and, if suitable, prepared and offered for direct sale to the adjacent landowner, pursuant to Instrument No. R256881, and in accordance with City of Kawartha Lakes By-Law 2018-020, as amended, and any current or future policies in place, and sold for no less than the appraised value plus any and all costs associated with the transaction;

That all costs associated with investigating, preparing or marketing the property be taken from the Property Development Reserve;

That the Manager of Realty Services or the CAO be permitted to negotiate the legal fees, appraisal costs, survey costs, Registry costs, and advertising costs with a potential purchaser of the subject property;

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;

That the Manager of Realty Services or the CAO be permitted to fully execute all surplus municipal land listing documentation and any documentation associated with the receipt of an offer to purchase surplus municipal land for the full appraised value plus any and all costs associated with the transaction; and

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

11.1.10

LIC2018-003

202 - 205

Old Dog Brewing Company (By The Glass) Liquor Licence
Alix Hick, Senior Licensing Officer

CR2018-

That Report LIC2018-003, **Old Dog Brewing Company (By The Glass) Liquor Licence**, be received; and

That Council support the issuance of a Manufacturers Limited Liquor Sales (By The Glass) Liquor Licence to Old Dog Brewing Company for their facility at 30 King Street E., Bobcaygeon.

11.1.11 CORP2018-009 206 - 211

High Water Bill Adjustment Appeals Committee

Jennifer Stover, Director of Corporate Services

CR2018-

That Report CORP2018-009, **High Water Bill Adjustment Appeals Committee**, be received; and

That Councillor James, Councillor Veale and Councillor Breadner be appointed to the High Water Bill Adjustment Appeals Committee, in accordance with By-law 2018-039, for the remainder of this term of Council;

That the Terms of Reference for the Committee be amended to include both High Water Bill Adjustment and Mandatory Connection Appeals; and

That the necessary by-law amendments and revised terms of reference be brought forward to Council.

11.2 Correspondence

11.2.1 CC2018-11.11.2.1 212 - 212

Request for Exemption from City's Noise By-law

Nisha Borshettar

CR2018-

That the May 11, 2018 correspondence from Nisha Borshettar, regarding a request for an exemption to the Noise By-law, be received; and

That the wedding event to be held at Eganridge Resort and Spa, 26 Country Club Drive, Fenelon Falls, be exempt from Noise By-law 2005-025, as amended, for the following dates and times:

From June 6, 2018 at 3:00 p.m. to June 7th at 12:30 a.m.

From June 7, 2018 at 6:00 p.m. to June 8th 12:30 a.m.

From June 8, 2018 at 2:00 p.m. to June 9th at 1:00 a.m.

11.3 Items Extracted from Consent

11.3.1 CC2018-11.11.3.1

213 - 217

Request for Licence Agreement Regarding Gate Posts at 782 Frank Hill Road

(Referred from May 15, 2018 Special Council Information Meeting)

Bryan Robinson, Director of Public Works

CR2018-

That staff be directed to proceed with a licensing agreement to permit the gate posts at 782 Frank Hill Road to remain in their current location;

That, alternatively, staff pursue the severance and sale of property to accommodate the current location of the gate posts at 782 Frank Hill Road; and

That all legal fees and surveying costs related to the severance and sale of property be borne by the landowner with the sale price for the land set at \$1.00 for 4 feet of land.

CR2018-

That the May 15, 2018 memo from Director Robinson regarding a Request for Licence Agreement Regarding Gate Posts at 782 Frank Hill Road, be received.

CR2018-

That the Terms of Reference for the Land Management Committee be brought to Council for review by end of July 2018.

12. **Committee of the Whole and Planning Committee Minutes**
- 12.1 CC2018-11.12.1 218 - 228
Planning Advisory Committee Meeting Minutes of May 9, 2018

CR2018-
That the Minutes of the May 9, 2018 Planning Advisory Committee Meeting be received and the recommendations be adopted, save and except PAC2018-026.

CR2018-
That Report PLAN2018-039, **Secondary Plans Appeals Update**, be received; and

That staff be directed by Council to pursue the revisions identified in Report PLAN2018-039 through the LPAT proceedings, save and except those relating to the Fenelon Falls Secondary Plan.

CR2018-
That regarding the Fenelon Falls Secondary Plan, staff be directed to meet with the principals and their delegates for Black Bear Estates Inc. and Fenelon Trails Inc. to discuss and review the agreement with the Ministry of Municipal Affairs and Housing regarding the settlement areas and their boundaries; and

That staff report back to Council at the July 17, 2018 Regular Council Meeting on the results of these meetings.
- 12.1.1 CC2018-11.12.1.1 229 - 237
Bill 139 and the Local Planning Appeal Tribunal Presentation
Anna Kalnina, Planner II

CR2018-
That the presentation by Anna Kalnina, Planner II, regarding **Bill 139 and the Local Planning Appeal Tribunal Presentation**, be received
13. **Petitions**
14. **Other or New Business**

| | | |
|------------|--|-----------|
| 15. | By-Laws | |
| | CR2018- | |
| | That the By-Laws shown in Section 15.1 of the Agenda, namely: Items 15.1.1 to and including 15.1.7 be read a first, second and third time, passed, numbered, signed and the corporate seal attached. | |
| 15.1 | By-Laws by Consent | |
| 15.1.1 | By-law 2018-085 | 238 - 265 |
| | A By-law to Authorize the Borrowing of Serial Debentures in the Principal Amount of \$2,775,852.59 | |
| 15.1.2 | By-law 2018-086 | 266 - 294 |
| | A By-law to Authorize the Borrowing of Serial Debentures in the Principal Amount of \$1,891,449.21 | |
| 15.1.3 | By-law 2018-087 | 295 - 324 |
| | A By-law to Authorize the Borrowing of Serial Debentures in the Principal Amount of \$2,308,249.47 | |
| 15.1.4 | By-law 2018-088 | 325 - 326 |
| | A By-law to Appoint a Municipal Law Enforcement Officer for the City of Kawartha Lakes (T. Stewart) | |
| 15.1.5 | By-law 2018-089 | 327 - 328 |
| | A By-law to Appoint an Area Weed Inspector for the City of Kawartha Lakes (T. Stewart) | |
| 15.1.6 | By-law 2018-090 | 329 - 330 |
| | A By-law to Appoint a Municipal Law Enforcement Officer for the City of Kawartha Lakes (C. Neamtz) | |
| 15.1.7 | By-law 2018-091 | 331 - 332 |
| | A By-law to Appoint an Area Weed Inspector for the City of Kawartha Lakes (C. Neamtz) | |
| 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 2018-092 333 - 333

A By-law to Confirm the Proceedings of a Regular Meeting of Council, Tuesday, May 22, 2018

CR2018-

That a by-law to confirm the proceedings of a Regular Council Meeting held Tuesday, May 22, 2018 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.
- 20. Adjournment

CR2018-

That the Council Meeting adjourn at 4:45 p.m.