The Corporation of the City of Kawartha Lakes

Amended 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.

Pages

1. Call to Order

2. Adoption of Closed Session Agenda

3. Disclosure of Pecuniary Interest in Closed Session Items

4. Closed Session

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

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

9. Minutes

9.1 CC2018-11.9.1 14 - 40

Regular Council Meeting Minutes of May 8, 2018
Special Council Information Meeting Minutes of May 15, 2018

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

10. Presentations and Deputations

10.1 CC2018-11.10.1 41 - 67

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

10.2 CC2018-11.10.2 68 - 71

Olde Gaol Museum Lease - Victoria County Historical Society
(Report CS2018-009, Item 11.1.1 on the Agenda)
Joan Abernethy

10.3 CC2018-11.10.3 72 - 73

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

10.4 CC2018-11.10.4 74 - 75

Secondary Plans Appeals Update
(Planning Recommendation PAC 2018-026, Item 12.1 on the Agenda)
James Webster
Doug Carroll

10.5 CC2018-11.10.5 76 - 77

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.

10.6 CC2018-11.10.6 78 - 88

City's Strategic Plan
2017-2018 Progress Report
Ron Taylor, CAO

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 CS2018-009 89 - 118

Olde Gaol Museum Lease - Victoria County Historical Society
Craig Shanks, Director of Community Services

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 PLAN2018-046 119 - 135

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

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.

11.1.3 DEV2018-004 136 - 149

Development Services Department Policy Update
Chris Marshall, Director

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 PUR2018-022 150 - 152

Tender 2018-56-OT Roadside Protection – Installation and Replacement of Guiderails
Marielle van Engelen, Buyer
Richard Monaghan, Senior Engineering Technician

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.

11.1.5 PUR2018-025 153 - 157

Proposal 2018-55-CP Arena Equipment Repairs and Replacements
Ashley Wykes, Buyer
Rod Porter, Supervisor Capital and Special Projects

That Report PUR2018-025, **Proposal 2018-55-CP Arena Equipment Repairs and Replacements**, be received;

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;

That the option to renew the contract for two (2) additional, one (1) year terms be awarded based on budget and performance;

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

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

11.1.6 EA2018-013 158 - 166

Terms of Reference for Development Charges Task Force
Adam Found, Manager of Corporate Assets

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

That the terms of reference, attached as Appendix A to Report EA2018-013, 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 staff-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 RS2018-013 167 - 173

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

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 RS2018-014 174 - 182

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

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 RS2018-015 183 - 194

Surplus Declaration and Proposed Sale of City-Owned Property – Adjacent to 8 Francis Street East, Fenelon Falls
Laura Carnochan, Law Clerk – Realty Services

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 LIC2018-003 195 - 198

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

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 CORP2018-009 199 - 204

High Water Bill Adjustment Appeals Committee
Jennifer Stover, Director of Corporate Services

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.

11.2 Correspondence

11.2.1 CC2018-11.11.2.1 205 - 205

Request for Exemption from City's Noise By-law
Nisha Borshettar

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.

*11.2.2 CC2018-11.11.2.2 *206 - 208*

Parking Requirements – Re-development of 171-183 Kent Street West
(Report PLAN2018-046, Item 11.1.2 on the Agenda)
Shelly Peeken

That the May 18, 2018 correspondence from Shelly Peeken, regarding Parking Requirements – Re-development of 171-183 Kent Street West, (Report PLAN2018-046, Item 11.1.2 on the Agenda), be received.

*11.2.3 CC2018-11.11.2.3 *209 - 209*

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

That the May 17, 2018 correspondence from Shannon Foley, regarding an application to amend the Village of Omemee Zoning By-law 1993-15 (Foley), (Planning Recommendation PAC2018-024, Item 12.1 on the Agenda), be received.

11.3 Items Extracted from Consent

11.3.1 CC2018-11.11.3.1 210 - 214

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

12. Committee of the Whole and Planning Committee Minutes

12.1 CC2018-11.12.1 215 - 225

Planning Advisory Committee Meeting Minutes of May 9, 2018

That the Minutes of the May 9, 2018 Planning Advisory Committee Meeting be received and the recommendations be adopted.

12.1.1 CC2018-11.12.1.1 226 - 234

Bill 139 and the Local Planning Appeal Tribunal Presentation
Anna Kalnina, Planner II

13. Petitions

14. Other or New Business

15. By-Laws

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 CC2018-11.15.1.1 235 - 262

A By-law to Authorize the Borrowing of Serial Debentures in the Principal Amount of $2,775,852.59

15.1.2 CC2018-11.15.1.2 263 - 291

A By-law to Authorize the Borrowing of Serial Debentures in the Principal Amount of $1,891,449.21

15.1.3 CC2018-11.15.1.3 292 - 321

A By-law to Authorize the Borrowing of Serial Debentures in the Principal Amount of $2,308,249.47

15.1.4 CC2018-11.15.1.4 322 - 323

A By-law to Appoint a Municipal Law Enforcement Officer for the City of Kawartha Lakes (T. Stewart)

15.1.5 CC2018-11.15.1.5 324 - 325

A By-law to Appoint an Area Weed Inspector for the City of Kawartha Lakes (T. Stewart)

15.1.6 CC2018-11.15.1.6 326 - 327

A By-law to Appoint a Municipal Law Enforcement Officer for the City of Kawartha Lakes (C. Neamtz)

15.1.7 CC2018-11.15.1.7 328 - 329

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 CC2018-11.19.1 330 - 330

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

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

The Corporation of the City of Kawartha Lakes

Minutes

Regular Council Meeting

CC-2018-09
Tuesday, May 8, 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

Mayor Letham called the Meeting to order at 1:30 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

CAO R. Taylor, City Clerk C. Ritchie, Deputy Clerk A. Rooth, Directors J. Rojas, C. Shanks, J. Stover and R. Sutherland and Manager L. Patterson were also in attendance.

2. Adoption of Closed Session Agenda

CR2018-262
Moved By Councillor Elmslie
Seconded By Councillor James

That the Closed Session agenda be adopted as circulated.

Carried

3. Disclosure of Pecuniary Interest in Closed Session Items

There were no declarations of pecuniary interest noted.

4. Closed Session

CR2018-263
Moved By Councillor Yeo
Seconded By Councillor Breadner

That Council convene into closed session at 1:30 p.m. in order to consider matters on the Tuesday, May 8, 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.

Carried

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, A. Veale and E. Yeo were in attendance.

CAO R. Taylor, City Clerk C. Ritchie and Deputy Clerk A. Rooth 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 shared the following message:

> Last Friday, May 4th, we lost an outstanding person and City employee. Dana Piercey passed away suddenly at the age of 48. Dana was dedicated to serving the public and she did that exceptionally well, with compassion and humour. She was a nurse at Victoria Manor for over 20 years before moving to Human Services where she worked at reception for the past four and a half years. She will be missed.

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

5.4 Adoption of Open Session Agenda

CR2018-268
Moved By Councillor Junkin
Seconded By Councillor Jilesen

That the Agenda for the Open Session of the Regular Council Meeting of Tuesday, May 8, 2018, be adopted as circulated and with the following amendments:

Addition - Deputation

Item 10.3

Arena Working Group Update
(Item 11.2.4 on the Agenda)
Tracy Richardson

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

Mayor Letham:

- Welcome to Ashley Webster, the new Executive Assistant to Mayor and Council.
- This is staff appreciation month. Thank you to staff for all of the work they do.

Councillor Miller:

- The Kinmount Committee for Economic Development Annual Dinner and Silent Auction was a success.

Councillor Polllard:

- All are invited to the Valentia Church and Community Centre on May 12th at 1:00 p.m. for a Silent Auction, Live Auction and Pie Auction.

Councillor Martin

- Mother’s day is on May 13th.
- Trinity United Church celebrates their 187th Anniversary on May 13th.

Councillor O'Reilly:

- The Lindsay and District Chamber of Commerce Evening of Excellence 2018 Awards is June 1st at the Lakeview Arts Barn.
- The 2018 Lindsay MS Walk and Hike for Hospice events took place this past weekend.
- The opening for the second phase of Adelaide Place has been postponed.

7.2 Staff

8. Matters from Closed Session

Item 4.2

Staff was given direction regarding CUPE 1167 Settlement Ratification.

Item 4.3

CR2018-269
Moved By Councillor O'Reilly
Seconded By Councillor Elmslie

That the 2017 Environmental Hero of the Year Award be presented to the nominee at the May 15, 2018 Special Council Meeting on behalf of the City.

Carried

9. Minutes

9.1 CC2018-09.9.1

Regular Council Meeting Minutes of April 24, 2018

CR2018-270
Moved By Councillor Yeo
Seconded By Councillor Pollard

That the Minutes of the April 24, 2018 Regular Council Meeting, be received and adopted.

Carried

10. Presentations and Deputations

10.1 CC2018-09.10.1

Request for Council Resolution to Deem Bikefest Concert a Municipally Significant Event
Doug Hellawell

Doug Hellawell attended Council to provide information on the Bikefest event, noting that this event has a significant economic impact on the community and partners with and supports local charities. He requested that Council pass a resolution to deem the Bikefest Concert as a Municipally Significant Event.

CR2018-271
Moved By Councillor Seymour-Fagan
Seconded By Councillor Strangway

That the deputation of Doug Hellawell regarding **Request for Council Resolution to Deem Bikefest Concert a Municipally Significant Event,** be received.

Carried

10.2 CC2018-09.10.2

Forbert Memorial Pool Parking Lot Petition
(Item 13.1 on the Agenda)
Bob and Sylvia Peters

Bob and Sylvia Peters attended Council to speak to the submitted petition regarding the Forbert Memorial Pool parking lot. Mr. Peters expressed safety and maintenance concerns and requested that Council take immediate action to maintain the parking lot and make paving of the parking lot a priority.

CR2018-272
Moved By Councillor Pollard
Seconded By Councillor Junkin

That the deputation of Bob and Sylvia Peters regarding the **Forbert Memorial Pool Parking Lot Petition,** (Item 13.1 on the Agenda), be received.

Carried

10.3 CC2018-09.10.3

Arena Working Group Update
(Item 11.2.4 on the Agenda)
Tracy Richardson

Tracy Richardson thanked Council and staff, on behalf of the Manvers Community Centre, for the opportunity to work in partnership with the City to keep their Community Centre open.

CR2018-273
Moved By Councillor Martin
Seconded By Councillor Stauble

That the deputation of Tracy Richardson regarding the **Arena Working Group Update, (**Item 11.2.4 on the Agenda), be received.

Carried

11. Consent Matters

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

Item 11.1.1 - Councillor Elmslie
Item 11.1.4 - Councillor Dunn

Item 11.2.2 - Councillor Seymour-Fagan
Item 11.2.4 - Mayor Letham
Item 11.2.5 - Councillor James
Item 11.2.6 - Councillor Dunn

Moved By Councillor Seymour-Fagan
Seconded By Councillor Strangway

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, 11.1.4, 11.2.2, 11.2.4, 11.2.5 and 11.2.6

Carried

11.1 Reports

11.1.2 PUR2018-021

Tender 2018-49-CT Supply and Delivery of One Low Floor Conventional Transit Bus
Marielle van Engelen, Buyer

CR2018-274

That Report PUR2018-021, **Tender 2018-49-CT Supply and Delivery of One Low Floor Conventional Transit Bus,** be received;

That Crestline Coach Limited of Saskatoon, SK, be selected for the award of Tender 2018-49-CT for the Supply and Delivery of One Low Floor Conventional Transit Bus and the optional feature of a backup camera for a total tender price of $144,366.00, plus HST; and

That the Purchasing Division be authorized to issue a purchase order.

Carried

11.1.3 PLAN2018-038

Deeming By-law Application D30-2018-008 - Rochetta
Janet Wong, Planner II

CR2018-275

That Report PLAN2018-038, **Deeming By-law Application D30-2018-008 - Rochetta**, be received;

That a Deeming By-law respecting Lots 16 and 17, Registered Plan 179, substantially in the form attached as Appendix D to Report PLAN2018-038, be approved and adopted by Council; and

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

Carried

11.1.5 EA2018-012

Recommended 2018 Development Charges Task Force
Adam Found, Manager of Corporate Assets

CR2018-276

That Report EA2018-012, **Recommended 2018 Development Charges Task Force**, be received; and

That staff prepare terms of reference for a 2018 Development Charges Task Force and present them to Council for consideration and approval as soon as practicable.

Carried

11.1.6 HH2018-005

Habitat for Humanity Municipal Incentives
Hope Lee, Administrator/Manager of Housing

CR2018-277

That Report HH2018-005, **Habitat for Humanity Municipal Incentives**, be received;

That the City Treasurer transfer $87,583 to the Development Charge (DC) Reserve Fund to compensate the DC Reserve Fund for the revenue foregone by providing a DC exemption to Habitat for Humanity for its five-home project on Hamilton Street in Lindsay;

That the transfer be funded by the General Contingency Reserve (1.32090) in the amount of $38,059, Water Infrastructure Reserve (1.32050) in the amount of

$21,473 and Sewer Infrastructure Reserve (1.32030) in the amount of $28,051; and

That the transfer be apportioned across the various applicable service-specific accounts of the DC Reserve Fund in proportion to their respective DC rates.

Carried

11.2 Correspondence

11.2.1 CC2018-09.11.2.1

Request for Council Resolution to Deem Bikefest Concert a Municipally Significant Event
Doug Hellawell

CR2018-278

That the correspondence from Doug Hellawell requesting a Council Resolution to deem the Bikefest Concert a municipally significant event, be received.

Carried

11.2.3 CC2018-09.11.2.3

Trap, Neuter and Release (TNR) Program for Feral Cats
Geoff Carpentier

CR2018-279

That the April 26, 2018 correspondence from Geoff Carpentier, regarding **Trap, Neuter and Release (TNR) Program for Feral Cats**, be received.

Carried

11.3 Items Extracted from Consent

Items 11.2.2, 11.2.4 and 11.1.4 were moved forward on the agenda to be dealt with next sequentially.

11.2.2 CC2018-09.11.2.2

Memo - Bobcaygeon Bikefest Permit Request
Craig Shanks, Director of Community Services

CR2018-280
Moved By Councillor Seymour-Fagan
Seconded By Councillor Strangway

That the memorandum from Director Shanks dated May 8, 2018 and entitled, Bobcaygeon Bikefest Permit Request, be received; and

That the 2018 Bobcaygeon Bikefest Event be declared by Council a Municipally Significant Event for the purpose of Bikefest Inc. being eligible to apply for the SOP from the AGCO to host a licensed dance/concert at the Bobcaygeon/Verulam Community Centre on June 23, 2018.

Carried

11.2.4 CC2018-09.11.2.4

Memo - Arena Working Group Update
Andy Letham, Mayor

CR2018-281
Moved By Councillor Martin
Seconded By Councillor Pollard

That the memo from Mayor Letham dated May 8, 2018 regarding, Arena Working Group Update, be received.

Carried

11.1.4 ENG2018-012

Barron Boulevard Sidewalk Petition Update
Juan Rojas, Director of Engineering and Corporate Assets

CR2018-282
Moved By Councillor Dunn
Seconded By Councillor Breadner

That Report ENG2018-012, **Barron Boulevard Sidewalk Petition Update**, be received.

Carried

Moved By Councillor Breadner
Seconded By Councillor Dunn

That staff be directed defer installation of the sidewalk on Barron Boulevard until the subdivision is connected by a sidewalk.

Motion Failed

CR2018-283
Moved By Councillor Junkin
Seconded By Councillor Pollard

That staff be directed to proceed with the installation of the sidewalk on Barron Boulevard as required in the associated subdivision agreement.

Carried

11.1.1 CORP2018-004

2017 Q4 Capital Close
Nicole Owens, Junior Accountant

CR2018-284
Moved By Councillor Elmslie
Seconded By Councillor Strangway

That Report CORP2018-004, **2017 Q4 Capital Close**, be received;

That the capital projects identified in Attachment A to Report CORP2018-004 be approved to be closed due to completion;

That the balances in the table below be transferred to or from the corresponding reserves;

Reserve	Report Closing Balance
Capital Projects Reserve	($254,192.41)
Capital Projects Reserve – Victoria Manor	($150,390.44)
Public Works Fleet Reserve	$173,212.22
K.L. Police Services Contingency Reserve	$32,331.02

Water Infrastructure Reserve	$23,929.38
Sewer Infrastructure Reserve	$30,501.28

That an additional $241,094.80 of debenture debt be allocated to project 9711401 – Energy Saving Performance Control to fund the project deficit and bring the project balance to zero;

That an additional $39,102.51 of debenture debt be allocated to project 9981302 – Birch Point Estates Drinking Water to fund the project deficit and bring the project balance to zero;

That an additional $326,000.00 of debenture debt be allocated to project 9981603 – Thornhill Reservoir, Venting to fund the project deficit and bring the project balance to zero;

That an additional $6,764.76 of debenture debt be allocated to project 9981506 – Mariposa Estates WDS, Construction to fund the project deficit and bring the project balance to zero;

That an additional $21,307.09 of City Development Charges be allocated to project 9121501 – RD1401 Rural Resurfacing to fund the project deficit and bring the project balance to zero;

That an additional $47,528.02 of City Development Charges be allocated to project 9981606 – Mill Street Watermain to fund the project deficit and bring the project balance to zero;

That an additional $15,000.00 of City Development Charges be allocated to project 9981621 – St David Street Sewer Interconnect to fund the project deficit and bring the project balance to zero;

That n additional $449.30 of City Parkland Reserve be allocated to project 9501604 – Picnic Table & Bench Replacement to fund the project deficit and bring the balance to zero upon project closure;

That an additional $2,145.98 of City Parkland Reserve be allocated to project 9501610 – Sports Field Improvements to fund the project deficit and bring the balance to zero upon project closure;

That he following projects be granted an extension to June 30, 2018:

932161401 - Fire Station Capital Repairs
932170701 - Communication Equipment
932170801 - Extrication Equipment
938170200 - Paramedic Equipment
938170301 - Replace Light Duty Vehicle
938170401 - Replacement Ambulance
950160700 - Ice Plant/System Equip Replace
950162200 – Arena and Pool Syst and Equip Upgrades
953150300 - HVAC Replacements
983161400 - Traffic Improvements
994152501 - Transit - Calling of Stops
983150100 - Bridge Recon, Rehab and Design
983160100 - Bridge Reconstruction
983161800 - Roads Portion of WWW Projects
998151001 - Huron Street Watermain Replace
998160701 - East St N Watermain Replace

That the following projects be granted an extension to December 31, 2018:

932170201 - Bethany Firehall
983150600 - Urban/Rural Recon Projects
983160600 - Urban/Rural Reconstruct Projects

983170300 - Urban /Rural Reconstruction
983170800 - Road Restoration WWW Projects
983171001 - Streetlights
997131000 - Landfills - Cell Construction
997141000 - Landfills - Cell Construction
997161201 - Eldon Landfill Const - Phase 3
997170200 - Landfill Site Works
998151201 - Lindsay WPCP Upgrade
998151501 - Lindsay WPCP Septage Receiving
998151601 - Fenelon Falls Ellice St SPS Up
998152200 - GlenelgStE Watermain Repl-Dsgn
998160501 - Pinewood Production Well
998160800 - Fenelon Falls Watermain Upgrade
998161401 - Kings Bay - RBC Units Upg/Repl
998162001 - Adelaide St N Sewer
991150300 - Depot/Sand/Salt Build Rep-East
991150400 - Depot/Sand/Salt Build Rep-West

That project 998110100 – Omemee WPC Plant Upgrades completion date be extended to December 31, 2019;

That project 938180202 – Ambulance Remount be closed and the remaining budget of $165,000.00 be transferred and combined with 938180203 – Ambulance Remount;

That projects 953180107 Basement Interiors City Hall with a balance of $19,004.29, 953180108 – Flooring City Hall with a balance of $40,000.00, and

953180110 – Cabinet and Fixtures City Hall with a balance of $24,741.76 be closed and remaining budgets transferred to 953180106 – Electrical Systems City Hall with a balance of $29,789.96;

That $25,000 be transferred from the budget of project 953180111 – Various Accessibility Retrofits to project 953180120 – Lindsay Service Centre Reconfiguration to commit the funds to retrofits made within the Lindsay Service Centre; and

That $114,346 of surpluses left in WW0882, C0885 and C0151 and the Fenelon Water Plant be transferred to the Capital Reserve.

Carried

CR2018-285
Moved By Councillor Elmslie
Seconded By Councillor Junkin

That Staff be directed to initiate a review of the City's capital close and procurement policies, and related supporting policies and processes, in 2019, and include consideration for capital project cycle times, budget estimates and actuals, and project reporting.

Carried

CR2018-286
Moved By Councillor Dunn
Seconded By Councillor James

That staff report back to Council by Q3 of 2018 to provide details on why project extensions were required for all projects granted an extension to December 31, 2018, as identified in Report CORP2018-004.

Carried

11.2.5 CC2018-09.11.2.5

Memo - Weldon Road Intersection Improvements
Gord James, Councillor

Moved By Councillor James
Seconded By Councillor Dunn

That the Memo from Councillor James dated May 8th, 2018 regarding, Weldon Road Intersection Improvements, be received; and

That Staff are directed to remove the four way stop and install a half light at the intersection of CKL Road 36 and Weldon Road by summer of 2018 to be funded from the Capital Reserve.

Motion Failed

CR2018-287
Moved By Councillor Junkin
Seconded By Councillor Miller

That the Memo from Councillor James dated May 8th, 2018 regarding, Weldon Road Intersection Improvements, be received; and

That a half light pedestrian signal at the intersection of CKL Road 36 and Weldon Road be included in the 2019 budget for consideration.

Carried

11.2.6 CC2018-09.11.2.6

Memo - Surplusing of Parkland/Greenspace
Pat Dunn, Councillor

CR2018-288
Moved By Councillor Dunn
Seconded By Councillor Miller

That the Memo from Councillor Dunn dated May 8, 2018 regarding Surplusing of Parkland/Greenspace, be received;

That Staff be requested to identify all parkland and/or greenspace currently declared surplus or being considered for surplus declaration;

That Staff bring forward recommendations respecting the disposition process and public notification/consultation provision early in the surplus process;

That any surplus park or greenspace planned for disposition in the 2018 workplan be deferred until a future year;

That any City-owned lands, parkland or otherwise, being reviewed and/or recommended to be transferred to or utilized by the Kawartha Lakes Haliburton Housing Corporation for the provision of affordable housing development continue to be brought forward on a project-specific basis to Council for consideration; and

That a report be brought back to Council by Q3, 2018.

Carried

12. Committee of the Whole and Planning Committee Minutes

13. Petitions

13.1 CC2018-09.13.1

Forbert Memorial Pool Parking Lot Petition
Bob Peters

CR2018-289
Moved By Councillor Seymour-Fagan
Seconded By Councillor Junkin

That the petition received from Bob Peters regarding the Forbert Memorial Pool Parking Lot, be received; and

That the matter be referred to staff for a short term maintenance solution with a report back to Council on a long term plan for the Forbert Memorial Pool building and parking lot.

Carried

14. Other or New Business

15. By-Laws

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

CR2018-290
Moved By Councillor Dunn

That the By-Laws shown in Section 15.1 of the Agenda, namely: Items 15.1.1 to and including 15.1.3 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 2018-080

A By-law to Appoint an Inspector and Municipal Law Enforcement Officer for the City of Kawartha Lakes (J. Legros)

15.1.2 By-law 2018-081

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 631160811 (LT), described as Lots 16 and 17, Plan 179, Geographic Township of Bexley, now City of Kawartha Lakes

15.1.3 By-law 2018-082

A By-law to Impose Special Annual Drainage Rates Upon Land in Respect of which Money is Borrowed Under the Tile Drainage Act (Verbik)

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 2018-083

A By-law to Confirm the Proceedings of a Regular Meeting of Council, Tuesday, May 8, 2018

CR2018-291
Moved By Councillor Breadner
Seconded By Councillor Dunn

That a by-law to confirm the proceedings of a Regular Council Meeting held Tuesday, May 8, 2018 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

20. Adjournment

CR2018-292
Moved By Councillor Yeo
Seconded By Councillor Macklem

That the Council Meeting adjourn at 3:39 p.m.

Carried

Read and adopted this 22nd day of May, 2018.

Andy Letham, Mayor	Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

Minutes

Special Council Information Meeting

CC2018-10
Tuesday, May 15, 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, K. Seymour-Fagan, H. Stauble, S. Strangway, A. Veale and E. Yeo were in attendance.

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

Late Arrival: Councillor J. Pollard 1:23 p.m.

Early Departure: Councillor P. Dunn 4:22 p.m.

Absent: Councillor R. Macklem

2. Adoption of Agenda

CR2018-293
Moved By Councillor Elmslie
Seconded By Councillor Strangway

That the Agenda for the Open Session of the Special Council Information Meeting of Tuesday, May 15, 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 CC2018-10.4.1

KLAAC Accessibility Awareness Awards Presentation
Andy Letham, Mayor
Stephen Strangway, Councillor
Crystal Morrissey, Vice-Chair of the Kawartha Lakes Accessibility Advisory Committee (KLAAC)
Joan Skelton
Elizabeth Peeters
Sharon Coupland

Councillor Strangway gave introductory remarks and introduced members of the Accessibility Advisory Committee (AAC) present at the meeting. J. Skelton, E. Peeters, C. Morrissey and S. Coupland, members of the AAC, announced each award recipient and provided a brief overview of their achievement. Mayor Letham, Chair N. Price, Councillor Strangway and Accessibility Officer B. Condie presented each award. Congratulation was extended to all award recipients:

Outstanding Contribution - Business - Your Dollar Store with More
Outstanding Contribution - Community Group - Workforce Development Board
Outstanding Contribution - Adult - John Cuthbert
Outstanding Contribution - City of Kawartha Lakes Employee - Christina Sisson, Supervisor, Development Engineering
Outstanding Design - Cambridge Street United Church and Lindsay Curling Club
Barbara McArthur Award of Distinction - Verna Humphries

CR2018-294
Moved By Councillor Strangway
Seconded By Councillor Veale

That the **KLAAC Accessibility Awareness Awards Presentation**, be received.

Councillor Pollard arrived in Council Chambers at 1:23 p.m.

4.2 CC2018-10.4.2

2017 Environmental Hero of the Year Award
Andy Letham, Mayor
Gord Miller, Councillor
Pat Warren, Chair of the City of Kawartha Lakes Environmental Advisory Committee (KLEAC)

Councillor Miller provided opening remarks. P. Warren, Chair of the City of Kawartha Lakes Environmental Advisory Committee, provided a brief overview of the Award Recipient. Ms. Candice Millroy was the recipient of the 2017 Environmental Hero of the Year Award for her environmental stewardship at Langton Public School. Ms. Millroy accepted the award from Mayor Letham, Councillor Miller and Chair P. Warren.

CR2018-295
Moved By Councillor Pollard
Seconded By Councillor Martin

That the **2017 Environmental Hero of the Year Award Presentation**, be received.

Carried

4.3 CC2018-10.4.3

Ross Memorial Hospital Update
Dr. Bert Lauwers, RMH CEO
Val Harris, RMH Board Chair
Dr. Peter McLaughlin, PRHC CEO
Adair Ireland-Smith, PRHC Board Chair

Dr. Bert Lauwers, RMH CEO, Wanda Percival, RMH Board Vice-Chair and Dr. Peter McLaughlin, PRHC CEO attended Council to provide an update on Ross Memorial Hospital and potential integration of services with the Peterborough Regional Health Centre.

CR2018-296
Moved By Councillor Dunn
Seconded By Councillor Miller

That the presentation by Dr. Bert Lauwers, RMH CEO, Wanda Percival, RMH Board Vice-Chair and Dr. Peter McLaughlin, PRHC CEO, regarding the **Ross Memorial Hospital Update**, be received.

Carried

4.4 CC2018-10.4.4

Sienna Senior Living - Victoria Manor Update
Sanja Freeborn, Vice President of Operations
Joanne Dykeman, Executive Vice President, Operations

Sanja Freeborn, Vice President of Operations, Joanne Dykeman, Executive Vice President, Operations, and Pamela Kulas, Administrator, provided an update from Sienna Senior Living on Victoria Manor.

CR2018-297
Moved By Councillor Martin
Seconded By Councillor Pollard

That the presentation by Sanja Freeborn, Vice President of Operations, Joanne Dykeman, Executive Vice President, Operations and Pamela Kulas, Administrator, regarding **Sienna Senior Living - Victoria Manor Update**, be received.

Carried

The meeting recessed at 2:32 p.m. and reconvened at 2:43 p.m.

4.5 CC2018-10.4.5

Kawartha Lakes Health Care Initiative Update
Dr. Sheila-Mae Young, President
Cindy Snider, Recruitment and Retention Coordinator and Medical Education Coordinator

Dr. Sheila-Mae Young provided an update on the Kawartha Lakes Health Care Initiative.

CR2018-298
Moved By Councillor Miller
Seconded By Councillor Yeo

That the presentation by Dr. Sheila-Mae Young, President, regarding the **Kawartha Lakes Health Care Initiative Update**, be received.

Carried

4.6 CC2018-10.4.6

Update on Plant A Row Grow A Row Program and Community Food Environment
Marina Hodson, Chair, Haliburton-Kawartha Lakes Poverty Reduction Roundtable
Heather Kirby, General Manager, Kawartha Lakes Food Source
Liza Hancock, Program Coordinator, Plant a Row, Grow a Row

Jessica Knot, Poverty Reduction Coordinator, and Heather Kirby, General Manager, Kawartha Lakes Food Source, provided an update on the Plant A Row Grow A Row Program and Community Food Environment.

CR2018-299
Moved By Councillor Stauble
Seconded By Councillor Martin

That the presentation by Jessica Knot, Poverty Reduction Coordinator, and Heather Kirby, General Manager of Kawartha Lakes Food Source, regarding an **Update on Plant A Row Grow A Row Program and Community Food Environment**, be received.

Carried

4.7 CC2018-10.4.7

Request for Designation of Old Mill Heritage Conservation District
John Ireland

John Ireland attended Council to request their consideration of the designation of an Old Mill Heritage Conservation District.

CR2018-300
Moved By Councillor Stauble
Seconded By Councillor Strangway

That the deputation of John Ireland, regarding **Request for Designation of Old Mill Heritage Conservation District**, be received and referred to staff for a report back to Council.

Carried

4.8 CC2018-10.4.8

Request for Licence Agreement Regarding Gate Posts
Tammy Murray
Irvin Flight

Tammy Murray attended Council to request they reconsider a decision of the Land Management Committee and approve a Licence Agreement to allow her to retain the gate posts that were installed on the road allowance adjacent to her property.

CR2018-301
Moved By Councillor Martin
Seconded By Councillor Yeo

That the deputation of Tammy Murray regarding the **Request for Licence Agreement Regarding Gate Posts**, be received.

Carried

CR2018-302
Moved By Councillor Yeo
Seconded By Councillor Breadner

That the Request from Tammy Murray for a Licence Agreement regarding Gate Posts located at 782 Frank Hill Road, be referred to the next Regular Council Meeting for a decision of Council.

Carried

4.9 CC2018-10.4.9

Fire Services Master Plan Update
Mark Pankhurst, Fire Chief

Darryl Culley of Emergency Management and Training Inc. presented the Fire Service Master Plan update.

Councillor Dunn left the Council Chambers at 4:22 p.m. and did not return.

CR2018-303
Moved By Councillor Breadner
Seconded By Councillor Stauble

That the presentation by Darryl Culley of Emergency Management and Training Inc. regarding the **Fire Services Master Plan Update**, be received.

Carried

5. Reports

6. Closed Session

7. Matters from Closed Session

8. Confirming By-Law

8.1 By-law 2018-084

A By-law to Confirm the Proceedings of a Special Information Meeting of Council, Tuesday, May 15, 2018

CR2018-304
Moved By Councillor James
Seconded By Councillor Strangway

That a by-law to confirm the proceedings of a Special Council Information Meeting held Tuesday, May 15, 2018 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

9. Adjournment

CR2018-305
Moved By Councillor Yeo
Seconded By Councillor Breadner

That the Council Meeting adjourn at 4:57 p.m.

Carried

Read and adopted this 22nd day of May, 2018.

Andy Letham, Mayor	Cathie Ritchie, City Clerk

10.1

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: *

Victoria County Historical Society

Address: *

50 Victoria Avenue North

City/Town/Village:

Lindsay

Province: *

Ontario

Postal Code:

K9V 4G3

Telephone: *

705-324-3404

Email: *

info2@oldegaolmuseum.ca

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: *

Jessica Wilson

Sara Walker-Howe

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

In February 2018, the Society was dealt a blow when the Museum Manager, David Wesley, resigned. At that time the Society discovered an absence of promised fundraising initiatives and grant applications. While members of the Board have stepped up to fill the roles required to manage the museum, including supervising volunteers and applying for grants, the fundraising initiatives have taken longer than anticipated to come to fruition.

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

We are asking Council to pay the Society's hydro and water costs through to the end of 2019, to provide grass cutting and snow clearing services, and an annual grant of $2500 to cover insurance costs.

Fulfillment of this request will ensure the building and collection are looked after while the Society works toward building sustainable operational funding and sufficient personnel to carry out fundraising initiatives.

Signature:

Sara Walker-Howe.

Date:

May 8, 2018

Please complete this form and return to the City Clerk's Office: Fax: 705-324-8110 Email: 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.

Victoria County Historical Society
Deputation to Council
May 22, 2018

The Victoria County Historical Society is a not-for-profit heritage organization that runs the Olde Gaol museum at 50 Victoria Ave North in Lindsay. It is a registered charity. The museum serves the community in many ways and manages projects that are both local and national in scope. The museum has a permanent collection of approximately 10,000 artefacts valued at $500,000 for insurance. Recent exhibitions and projects include WWI Comes to Life: an exhibition that shared the lesser known stories of the Canadian men and women who served behind the frontlines in the support and supply networks during the First World War; and Their Votes Counted, a 2017 exhibition commemorating the one hundredth anniversary of women voting for the first time in a Canadian federal election. The museum provides educational programming, lectures, workshops, walking tours, exhibits and serves as a space for other community groups to meet. There is no doubt that the museum provides a valuable service and contributes to an exceptional quality of life to the people of Lindsay, Kawartha Lakes and beyond.

The city generously gave the society use of the building and a lease was signed in 2000 which the museum has resided in since 2011. Over the years the society has spent $500,000 on capital upgrades to the building. The lease is up for renewal in 2019.

The society has funded its operations and projects through both grants and fundraising. Unfortunately, most grant programs won't fund operating expenses with the exception of the Community Museums Operating Grant (otherwise known as CMOG), funded by the govt. of Ontario. CMOG is the only grant that funds operating expenses that is available for museums such as ours. Unfortunately, in 2015 the grant application we submitted wasn't successful and then in 2016 the grant was closed for review, so that we were no longer able to reapply. It remains closed for the 2018-2019 application year. In 2015, 2016 and part of 2017 operating expenses and salaries of staff at the museum were funded through the WWI and TVC grants administration and professional fees categories. As these projects are complete now, we cannot continue to fund the museum in this way. The museum staff have applied for additional project grants so that portions of

them can be applied to operating expenses but so far these applications have not been successful so have therefore run out of funds to operate the museum.

According to a 2014 Ontario Museums Association report, municipal support is key to a museum's success. This has been demonstrated for the museums in Fenelon Falls and Bobcaygeon. This report highlighted that 84% of Ontario museums are municipally funded and that municipal revenues represent about one-third of revenues of museums with budgets under $140,000. The report notes museums are significant economic drivers. Museums spend $758 million in communities across the province; they employ 10,765 Ontarians. Museums are intertwined with the tourism industry and contribute to the $28B cultural GDP.

The city of Kawartha Lakes funds Fenelon Falls' Maryboro lodge and supports the Boyd Museum in Bobcaygeon. The Olde Gaol Museum is asking for city relief support in funding hydro, water, lawn and parking lot maintenance and insurance up to $12,500/year. These are specific requests related to operating expenses not eligible under granting programs that we are applying for. They will enable the museum to fundraise to support programming and to focus on assessing our funding model to ensure the museum is sustainable into the future.

In January, 2018 the Museum Manager resigned and the management of the museum was taken over by the volunteers on the board. Although many of us have full time jobs, we support the museum with our time, expertise and financial resources. Volunteers have been planning fundraising and carrying out fundraisers to sustain the museum whilst writing grant applications in order to fund future projects relevant to the people of Kawartha Lakes.

The City's Strategic Plan has identified the goals of fostering a vibrant and growing economy and an exceptional quality of life. According to the Ontario Museums Association report a museum brings economic value to a community. In 2016, in Ontario alone, tourism receipts brought $1.2B and visitor spending contributed $1B in municipal tax revenue. The 2017 Government of Canada Survey of Heritage Institutions reported museums and other heritage institutions in Canada generate over $2.5B in revenue, attendance to all heritage institutions reached a record 75.3 million in 2015, and the heritage sector employs 36,300 people.

The museum is a vital asset to the community and we ask that you thoughtfully consider the request. The funds requested are desperately needed to keep the museum open for the next year until the board is able to develop a sustainable fundraising plan and see the efforts of that plan come to fruition.

VICTORIA COUNTY HISTORICAL SOCIETY

Executive summary

Business Strategy
- Introduction
  - History of Victoria County Historical Society
  - Mission
  - Vision
  - Value to Community
- Current Position
  - Achievements
    - Collection
    - Capital Investment
  - Competitive Advantage

Marketing strategy

Operational plan
  - Facility Requirements

Human resources plan
- Board of Directors
- Staff
- Volunteers
- Business support organizations

Financial Information
  - Capital Assets
  - Revenue Recognition
  - Contributed Services
  - Allocated Expenses
- Financial Forecast
  - Short Term
  - Long Term

Executive summary

Museums and historical societies seek to preserve the histories of their communities by telling the stories of the past for the education of the present and the improvement of the future. The concept of a museum solely being “a building with old stuff” is changing, and the Victoria County Historical Society (the Society) has and is continuing to demonstrate this evolution toward a museum that provides dynamic, quality, educational programming to the public both inside and outside a building.

A museum brings economic value to a community. In 2016, in Ontario alone, tourism receipts brought $1.2B and visitor spending contributed $1B in municipal tax revenue. The 2017 Government of Canada Survey of Heritage Institutions reported museums and other heritage institutions in Canada generate over $2.5B in revenue, attendance to all heritage institutions reached a record 75.3 million in 2015, and the heritage sector employs 36,300 people.

In Ontario, 84% of museums are municipally funded. According to the Ontario Museum Association (OMA) 2014 report, municipal revenues represent over one-half of total revenues for museums with revenues between $160,000 and $1.9 million. Municipal revenues represent about one-third of revenues of the smallest museums with budgets under $140,000. The report notes museums are significant economic drivers. Museums spend $758 million in communities across the province; they employ 10,765 Ontarians. Museums are intertwined with the tourism industry and contribute to the $28B cultural GDP.

The OMA report also notes municipal support is key to museum success. This has been demonstrated for the museums in Fenelon Falls and Bobcaygeon.

The Society has for the better part of the past 60 years managed to gather an impressive, sizeable collection of artefacts pertinent to the history of Lindsay and the (former) Ops, Emily and Mariposa townships. The collection includes approximately 10,000 artefacts (inventory is still in progress) valued at $500,000 for insurance. The Society has also managed to maintain a public museum for most of those years.

During the 1961 Victoria County centennial year, construction began on a purpose built museum. Located at 435 Kent Street West, the facility formally opened on July 4, 1962. Shortly before the turn of the twenty-first century, the Victoria County Historical Society began looking for a new place to exhibit its collection. Lindsay’s old gaol became available in February 2003 with its close as a correctional facility, and in 2011, the new museum opened.

A non-profit heritage organization, the Society is a registered charity that works to increase community awareness, appreciation, involvement, and support of the Olde Gaol Museum and Kawartha Lakes’ cultural heritage.

Business Strategy

Introduction

History of Victoria County Historical Society

The quest to preserve history in the Lindsay area began as early as 1900, and within a few years a group of prominent local citizens were seeking out meeting space in the basement of the Lindsay Public Library's newly opened Carnegie building. Early historians included Dr. George Hall in Little Britain and George W. Beall in Lindsay.

In its present form the Society dates back to 1957. Founding members began collecting artefacts that depicted early life in the county and established a museum in 1959 in the abandoned CPR Station on Caroline Street, but this facility was soon deemed to be too small for the Society's use as a museum. In 1962, the museum relocated to the Ernest Thompson Seton property, just west of the Lindsay Square Mall. In addition to the main building with displays of artefacts, the property also included a log cabin and an old barn. The cabin was originally built in 1868 by Robert Muir in Digby Township. It was moved to Lindsay and rebuilt in 1976. The barn and driveshed was built in 1854 by Col. Dennison of Coboconk. In 1997, the museum was put up for sale after deteriorating building conditions made it impossible to keep the environmental conditions required to preserve the artefacts. Until a new building was found, the museum moved into the Ontario Government building at 322 Kent Street West. With the construction of the SuperJail, the Society had the opportunity to move into the municipal jail on Victoria Avenue North. Fundraising efforts began, but it wasn't until 2011 when the Old Gaol Museum opened it doors to the public.

Mission

The Victoria County Historical Society (VCHS) is a non-profit heritage organization that works to increase community awareness, appreciation, involvement, and support of the Olde Gaol Museum and Victoria County's (City of Kawartha Lakes') cultural heritage.

Vision

Through the museum and its community outreach initiatives, the Society features, celebrates and shares educational content to the public based on significant events in Canada's history and how they link to the local community.

Value to Community

The richness of the history and education in quality programs and displays has an emotional impact that leaves visitors with a memorable experience.

The Society is incredibly fortunate to have an Educational Committee that is composed of retired and practicing teachers, who volunteer their time to deliver programs to local students.

- The programs are designed and delivered by the museum's Education Committee and are popular with area schools. They give children a window into local history through interpretation and engagement with the museum's many artifacts.
- The programs have been developed by teachers and are directly aligned with the expectations of the Ontario curriculum. As such, they are a wonderful complement to what is being taught in area classrooms.
- The programs have been very well received. Students and teachers have responded enthusiastically and attendance is strong.
- The programs offer a chance to honour the history of this area and to keep it alive for the young people who are growing up here.

Through the museum and programming, the Society has a world-wide reach visitors from all corners of the world. The Society adds both economic and social value to the community at present and for future generations.

Reviews from TripAdvisor:

- "I didn't expect to be so impacted by my visit to the Olde Gaol Museum but I really was. It truly allows one to connect with the cruelty of our recent past and how hard the face of 'justice' can be to look at. The exhibits lend a reality to the experience of the people of the past. Also the stories that are featured really show the harsh reality of capital punishment and also the female experience as social deviants. Thank you for the opportunity!"
- "I visited the gaol house with my wife and elderly uncle, whilst on a holiday trip from the UK. I have to say my main reason for visiting was to see the Neil Young memorabilia. However, whilst I obviously enjoyed looking at one of my favourite musicians artifacts and information, the rest of the museum was well worth a visit too. The young lady who provided a guide service, was very interesting and informative, and the look around the gaol House was enjoyable. A someone else says, a hidden jewel,."

Current Position

The industry of museums is currently in a state of flux. The act of viewing a collection of items is an activity that appeals to a waning sector of the public. These days, more and more visitors are looking to partake in memorable experiences. Museums are having to change what they do,

moving away from collecting objects to telling stories and creating programming that provides experiences. Collections won't disappear altogether, but artefacts will be carefully curated to preserve the heritage of the community, while also being used to inform and inspire programming.

For the past several years the Society has adapted in order to keep audiences engaged. Programming has included stage productions at the Academy Theatre. Speaking engagements have been held at nursing homes. The Society has produced publications, and hosted dinner events with musical performances. These programming events not only bring the museum out into the community, but also require collaboration with other organizations. While collaboration is inherently a good thing, it does increase the scale of an event, requiring longer preparation periods, larger venues, and bigger budgets.

Because the museums are changing, so is the funding model. Over the past several years, operational funding has been excluded from granting programs, leaving museums to increase community programming, while also scrambling to raise operational costs through fundraising, and leaving much of the organization to be run by volunteers.

Achievements

Aside from the achievement of creating the Olde Gaol Museum, the Society has managed to attract national attention through its exhibition programming.

In 2015 and 2016, the *First World War Comes To Life* exhibit components, along with an interpretive staff of nine individuals, travelled across Canada, bringing local artefacts and stories to audiences in Gander, St. John's, Halifax, Louisbourg, and Montreal. Within Ontario, the project travelled to many destinations, from the shores of the Detroit River to Ottawa. This fully-animated, interactive exhibit shared the lesser known stories of Canadian men and women who served behind the frontlines during WWI. The project enjoyed a total attendance of well over half a million visitors on-site. Awareness about the project reached over one million Canadians through promotional campaigns and online presence.

Another exhibit that garnered national attention was *Their Votes Counted*. In 2017, this exhibit opened in Ottawa with the Honourable Maryam Monsef, MP, on May 9 with a private reception on Parliament Hill. The exhibition marks the 100th anniversary of women voting for the first time in a Canadian federal election. *Their Votes Counted* is a fully-bilingual, travelling exhibition curated by the Society in partnership with the Canadian Nurses Association and made possible through the Department of Canadian Heritage. The exhibit has so far travelled locally and to St. Boniface Hospital in Winnipeg.

Collection

The Society has an impressive collection of artefacts predominantly from the Kawartha Lakes area, representing everyday life from the time the area was settled to the 1940s. The main areas of the collection are costumes and accessories, glass, household furnishings and decorative arts and utility objects of the household or business. As well, the collection includes several one-of-a-kind pieces that highlight the medical profession in the former Victoria County, the agricultural history, children's playthings, First Nations' heritage, the Sir Sam Hughes Great War collection as well as other artefacts in a variety of categories.

A few highlights include:

- The John McNeely McCrea wooden miniatures (on permanent loan from the Royal Ontario Museum)
- The Beall family scrapbooks, including drawings, photographs, and newspaper clippings of historic Lindsay
- W.A. Goodwin's artwork and related archival material
- Records and artefacts from the Edmund Gregory drug store -- the first drug store in Canada
- Bound hard copies of the Lindsay Post newspaper
- Archival material about the Hon. Albert E. Matthews -- Ontario's longest serving Lieutenant Governor
- Artefacts and archival material from the Lindsay Kinsman Band (courtesy of Chuck Golden)
- Uniforms of local women who served as military nurses during WWI
- Various artefacts, models, and archival materials covering the history and development of railways in Lindsay and surrounding area.

A collection of over 10,000 artefacts requires hours and hours of custodianship. In addition to environmental and pest control, the artefacts need ongoing preservation employing best practices established by Canadian Conservation Institute. Some items require highly specialized conservation work. A good example of this is Sir Sam Hughes's uniform. The Canadian Conservation Institute (a Department of Canadian Heritage) heard about the uniform and offered to restore it at no charge to the Society, in the name of preserving this important piece of heritage. This is merely one item in the collection. There are many more artefacts in need of such attention.

The collection is not capitalized but rather acquisitions are expensed in the year acquired. Contributed items are recorded as contributions and collections acquisitions at their fair market value at the date of contribution if the fair market value is reasonably determinable. All preservation costs are expensed in the period incurred.

Proceeds from sale or disposition of items from the collection are internally restricted for reinvesting in the collection or the direct maintenance and preservation of the collection.

Currently, the Society is providing custodianship of the collection through the work of volunteers, but the collection belongs to the public. It has an insured value of $500,000.

Capital Investment

The Society has made significant improvements to the building of more than $500,000. The bulk of the funds required for these reparations came from fundraising efforts and grant contributions, including an Ontario Ministry of Culture, “SuperBuild” grant of $479,000. The work to the building includes the addition of a ramp and stair lift for accessibility, the interior arched doorways, relocation of the stairs, accessible washrooms, reparations to the floors and ceilings, associated electrical work, installation of sprinkler system and fire alarm, roof reparations, and repointing of the exterior walls.

Constructed in 1863, the building is designated under Part IV of the Ontario Heritage Act. Historically known as the “County Gaol,” the Lindsay Jail is an important historic and architectural landmark with a long history in Lindsay. In 1861, Provisional Independence was granted to the County of Victoria and Lindsay was to become the County Town. J. Storm, a noted Toronto architect drew the original plans, Mr. Kestevan was the builder. The building was completed in 1863 and is constructed of limestone and white brick in Italianate design, quite common among 19th century jails, distinguished by strong symmetrical, round headed windows. Designation of the exterior portion of the building was recommended because of the historical and architectural significance pursuant to the provisions of the Ontario Heritage Act.

Competitive Advantage

The Victoria County Historical Society was established informally in 1957 and formally incorporated in 1976, making it the oldest historical society in the municipality. The Society established the first museum in the municipality in 1957. When the public hears “museum” or “historical society” they think of this Society and this museum.

One advantage for Society is the location of the Olde Gaol Museum in the former municipal jail. The historic building provides a venue that is different to the other museums in area. The building was constructed in 1863 and retains most of the original elements, including the jail cells, making for a unique venue that incorporates a prominent piece of the municipality’s history. The building has also been an attraction to production companies looking for a Victorian jail setting for filming movies and television programs.

Visitors to the Olde Gaol Museum enjoy learning about the facility itself, along with the history and heritage of Lindsay and the surrounding area. They are parents and grandparents wanting to share memories with children. They are tourists from far and wide. They are researchers and historians, writers and journalists. Visitors also include students from the local schools; teachers incorporate visits to the museum as part of the curriculum.

The Society tends to not think of the other museums in Kawartha Lakes as competitors because the Society's collection does not duplicate or replace the work of the other museums. The Society's collection and interests focus on Lindsay, and the (former) Ops, Emily and Mariposa townships. These former townships do not have museums. Occasionally, a collection or exhibit may overlap with the work of another museum in Kawartha Lakes, and in that case, the Society prefers to work with other museums in partnership and collaboration to the benefit of all.

That said, the Society is at a disadvantage to the museums of Fenelon Falls and Bobcaygeon, as those museums receive municipal support. This advantage allows these museums to focus on providing better experiences for visitors because they do not have to provide for their own operating costs.

Marketing strategy

Marketing currently includes press releases (which are frequently enacted upon by local newspapers for full articles and interviews), printed poster campaigns, social media marketing, and-- perhaps the greatest marketing asset-- word-of-mouth. The Society believes in building relationships with its audience and visitors, making the time to provide each guest with a memorable experience that translates to repeat visits. Unless grant funding includes advertising, there is no budget for marketing in operational costs, making the Society largely dependent on word-of-mouth.

Visitors to the Society's Olde Gaol Museum tend to fall into a few of the Ontario Ministry of Tourism's categories of tourists: family memory builders, knowledge seekers, up & coming explorers, connected explorers, and solitaires. As a strategy, the Society tends to focus marketing efforts on reaching those specific target audiences.

Operational plan

The museum's day-to-day operations currently includes seasonal hours. After the Victoria Day weekend in May, the museum opens to visitors for full-time hours until the autumn when the museum closes for viewing except by appointment. During the summer season, student employees, hired under a federal grant, are essential part of operations by providing the visitors

with tours, by providing programming, and performing other essential tasks. Through the dormant half of the year, the visits are by appointment only, but staff and volunteers continue to work behind the scenes preparing exhibits, researching, planning programming, applying for grants, collaborating with other organizations, managing the collection, and much more. Current year-round staff includes a researcher, administration assistant, data entry, and exhibit development-- all on a volunteer basis.

The current seasonal operations exclude the museum from applying for most grant sources, and over the next three to five years, the museum needs to move to full-time, year-round hours and hire full-time paid staff in order to qualify to apply for these grants. The museum has also been advised to open for evening hours, but will need to hire staff to be available for these hours.

Collection management is currently being done by volunteer staff and board directors-- none of whom are qualified curators. The Society immediately requires a qualified curator with knowledge of local history to assess the collection and provide direction for future acquisitions and deaccessions. Then, the museum needs access to a curator on a regular basis to assess donations and advise on storage and restoration needs. While grant funding could be sought for the curatorial assessment, regular access to a curator would need to become part of operational funding.

[See attached SWOT analysis of collection management -- Appendix A]

Facility Requirements

The Society requires a space to display artefacts from the collection, environmentally-controlled storage space to preserve the collection, office space (for records management, research, and administration), and space to provide programming including educational programming for school visits.

Currently, the facility is an old jail, a designated heritage building. But this does not always have to be the location of the museum.

In the future, the Society would like to see itself in a cultural centre, a shared space with the Kawartha Art Gallery, and other community partners, where programming would be facilitated alongside display space for some of the collection. The Society would like to see the collection in rotation while being housed in environmentally controlled conditions in a designated storage facility.

Human resources plan

It takes many people to run a museum. Although in the past the Society was able to employ full-time and part-time staff, currently the museum is run entirely by volunteers and a volunteer board of directors.

Board of Directors

President/Chair
Vice-President
Secretary
Treasurer
Directors - 11 positions total

Staff

Manager (Vacant)
Curator (Vacant)
Conservator (Vacant)
Registrar/Data Entry (Volunteer)
Educator (Volunteer)
Interpreter(s)/Museum Tour Guide(s) (Summer Students)
Exhibit Designer(s) (Volunteer)

Volunteers

Education Committee
Fundraising Committee
Gardener & Groundskeeper

While the Society desperately requires a curator, the biggest gap in the team is a foundation executive director, someone's whose sole job is to establish and grow a community foundation that will support the Society's operational and capital costs. Ideally, this foundation will work for both the Society and the Kawartha Art Gallery in a partnership, and eventually, roll into the community centre's foundations.

Business support organizations

There are many organizations the Society has been working closely with-- Kawartha Art Gallery, Spinners and Weavers, Trillium Lakeland District School Board-- but perhaps the biggest partner and source of support is staff, management and Councillors of the City of Kawartha Lakes.

The Society is a member of the Kawartha Lakes Heritage Network, Ontario Museums Association, Ontario Historical Society Association, and Canadian Museums Association.

Financial Information

Capital Assets

The Society's average annual revenues is less than $500,000 and as a result, the Society is not required to record capital assets on the statement of financial position and amortize the costs over the estimated useful life. Purchased capital assets are recorded at cost. Contributed capital assets are recorded at fair market value at the date of contribution. Additions to capital assets, both purchased and contributed, are recorded as capital purchases in the statement of operations in the year of acquisition.

Revenue Recognition

The Society follows the deferral method of accounting for contributions. Restricted contributions are recognized as revenue in the year in which the related expenditures are incurred. Unrestricted contributions are recognized as revenue when received or receivable when the amount to be received can be reasonably estimated and collection is reasonably assured.

Contributed Services

Volunteers contribute a significant number of hours per year to assist the Society in carrying out its activities. Because of the difficulty of determining their fair value, contributed services are not recognized in the financial statements.

Allocated Expenses

The Society's primary operating activities consist of operating the "Olde Gaol Museum" in Lindsay, Ontario. Common general support expenses are allocated by identifying the appropriate basis of allocating each component of expense, and applies that basis consistently each year.

Administrative salaries and wages are allocated to certain special projects based on the amount of time spent on these special projects during the year.

General museum overhead and other operating expenses are allocated to special projects on a reasonable and consistent basis.

[See Cash Flow Statement attached -- Appendix B]

Financial Forecast

Short Term

Financial considerations for the short term focus primarily on fundraising events to cover operational costs. These events need to assure the public that the museum is not closing and also serve as reminders that the museum is ever-changing; exhibits are not static and programming is constantly under development.

These short-term events should help to build museum membership and increase the number of tours and small donations. The Society intends to make the museum a prominent tourist destination for Lindsay and all of Kawartha Lakes.

The Society has the support of the local media, as well as many local organizations. Without paying for marketing, the Society has experienced good attendance at events and expects to continue to do so in the future.

In the short-term, the Society will be bringing in temporary exhibits. These displays will be available for three weeks at a time with the aim to increase the number of visitors to the museum, and to remind the public that one visit is not enough; the museum is changing.

In the short-term, the Society is building relationships with other organizations. The Society currently partners with the Spinners and Weavers, who share space in the museum; with Lindsay Little Theatre; with I.E. Weldon's students and teachers; with various church groups; and will continue to build these relationships over the next year through a variety of

programming. The Society is also partnering with the Kawartha Art Gallery. The Society has also invited Sweet Kitchen Lindsay to collaborate on upcoming events and to make use of the community room. And the Society will continue to look for other opportunities for collaboration.

These short-term solutions also include bridges to longer-term funding strategies, because the Society is cognizant of volunteer-burnout and donor fatigue.

Long Term

Long-term planning focuses on funding operational expenses at a sustainable level through fewer events, so as to decrease the likelihood of volunteer burnout and donor fatigue, but also to build flexible funding to cover operational costs regardless of the museum's location.

When looking long-term, the Society would like to build a healthy base of museum patrons and members. The Society will continue to solicit sponsors for exhibits and seek donor funding on a larger scale.

The Society intends to build a relationship with Curve Lake, who have already provided curatorial assistance with the collection, and to continue to promote truth and education. The Society does not intend to replace the work at Curve Lake but to provide opportunity for farther reach and a wider audience.

The Society intends to explore use of a Community Foundation to build funds that will cover operational costs. This option is new to the community as a whole and to the Society in particular, so time is needed to educate the Board and the public. The Society will also explore options such as a group foundation with other museums and a partnership foundation with the Kawartha Art Gallery.

The Society will continue towards completing the inventory process and curating the collection to a more sustainable size. This will require some time to justify the collection and de-access items, but will ultimately result in lowering costs long-term. The collection belongs to the public, and the Society hopes in the long-term there will be means of proper storage to preserve items of local value.

The Society intends to build operational funding into grant proposals wherever and whenever possible. The changing requirements of grant programs are showing that operational funds won't be eligible expenses. The Society needs to explore options and look at other funding models.

The Society intends to further its relationship with the Kawartha Art Gallery, while educating the public on what a combined art gallery and museum means for the community, while preparing

for the eventual community centre. There is a public education component that needs to take place so the community understands the benefits associated with a combined program for the museum and art gallery. While at the same time, the Society believes both organizations need to spend time devising a proper business model and plan for future collaborations and partnerships. Museums with art galleries disqualify for some grants, so time is required to figure out future funding models and other grant sources, if need be.

SWOT Chart: Strengths, Weaknesses, Opportunities and Threats

Name: Ian McKechnie

Current Challenge Facing My Museum: "Collection Conundrums"

Issue	Strengths	Weaknesses	Opportunities	Threats
Type of Collection	The Kawartha Lakes Historical Society is fortunate to have in its collection a number of **truly unique items, with local provenance, that tell fascinating stories**. In some cases, these stories have not been adequately told for a generation or more, while others have not been told at all. Examples include: the works of W.A. Goodwin (a socialist, vegetarian, agnostic painter and decorator whose drawings, oil paintings,	For six decades, the KLHS has had something of **an unrestrained acquisitions policy** (see below), which has led to it accumulating items uncritically and unquestioningly. As a result, the museum has been left with collections of cumbersome Victorian furniture, Edwardian tea sets, pressed glass, scattered farm implements, unidentifiable photographs, and other	The changing museum world over the last several years has given us the opportunity to take a good look at our collection, **and allow older collecting biases to gradually give way to the unique story-telling possibilities** the collection offers. The result of this approach has been – as discussed in further detail below – a series of events, exhibits, and other initiatives inspired by those items in the collection that until	The **ambiguity among the broader public** about just what the museum's role is stands as a possible threat, albeit one that can be mitigated through strong public awareness and education campaigns. As long as the public sees the museum as being little more than an "old curiosity shop," it will be in danger of continuing to collect for the sake of collecting. The fact that some museum board

	and watercolours capture the origins of our region's outdoor tourism industry); the stories, letters, and uniforms of local women who served in various capacities during the First World War; and a collection of wooden models crafted by John McNeely McCrea, which depict settler life in the area.	"antiques," **many with little or no local provenance**. **Public education in the community regarding the role and function of a museum has been sporadic**, at best (see "Threats," at right). Until the public is made aware that museums are not simply depositories for unwanted antiques, this weakness will remain.	recently simply sat on shelves or were shut up in storage. Deaccessioning some artefacts, and/or reassigning others to a "working collection," where they can actually be used for public demonstration (e.g. pump organs, which are meant to be played, not collect dust in a corner), present another opportunity.	members, volunteers, and staff have held on to **dated concepts of museums** (or have at least resisted the possibility of embracing a more balanced worldview of museums and their function in the community) has not been helpful.
Acquisition Policies	From its founding in 1957, museum leadership has by and large **made efforts to keep to its mandate when making acquisitions**. It has not tried (at least not deliberately) to collect items that have no local provenance (e.g. lobster	Despite efforts to keep acquisitions in the focus provided for by the KLHS mandate, various factors (**personal tastes and preferences, narrow interpretations of local history, and well-meaning attempts to appease donors of artefacts**) have resulted	**Existing policies focus more on process of acquisition rather than content**. A partial or complete revision of existing acquisition policies will be necessary, both to clarify the role of the museum in the community (mandate)	As noted, an acquisition policy that permits public opinion alone to have the upper hand in what the museum does or does not accept, will result in the weaknesses described throughout this SWOT analysis. In this case a **weak policy/policies**

	crates, or prospecting tools). Moreover, **it has been quick to recognize the intrinsic cultural value of collections** (like that of W.A. Goodwin, see above), rather than simply their aesthetic or monetary value, as a major factor in deciding whether or not to accept items.	in the museum simply accepting more than it can realistically handle. There has also been **a tendency to privilege certain collections over others** (see below, "Integration of Collections and Programming").	and how that mandate should influence what it does and does not accept for donation.	**(and quite possibly a weak, or at least ambiguous, mandate)** is a threat.
Care of Collection	**Standard museum policies for care of collections have generally been followed**, albeit sometimes half-heartedly. As such, the collection remains in reasonably good condition. Specialized [acid-free] boxes and paper are used throughout, often complemented by waterproof, plastic	Though it does provide reasonable exhibit and public programming space, **the building in which the collection is currently kept (a Victorian-era jail) is not a suitable place for a museum**. **Space is sorely lacking (due to unrestrained acquisition habits) and climate control is difficult to manage**. Meanwhile, funding to	There are presently serious conversations taking place about the museum eventually moving into a dedicated cultural and heritage centre (either in a new building, or an older structure repurposed to house both an art gallery and a museum). **Such a facility would have the proper space requirements and climate controls**, thus	Although the proposed cultural and heritage centre presents an exciting opportunity, **it will very likely take some years to develop**. Unfortunately, the conversations surrounding its development thus far have been dampened by **egotism and a serious lack of transparency**. Until such time as this new

	storage containers. Proper procedures are followed for the accessioning of artefacts, **though this process could and should be fully digitized**.	hire a dedicated conservator is nonexistent just now, and the methods and personality of the conservator with which the museum has been working was questionable.	bringing the museum up to par with many other institutions and thus potentially make it more eligible for certain types of funding.	facility can get up and running, the museum's collection will likely remain in its current, less-than-desirable state. Suggestions have been made for an interim storage and exhibition space, but they raise more questions than provide answers.
Integration of Collections and Programming	Over the last several years, the museum has worked with a number of community partners to develop heritage-themed dinners, stage shows, commemorative observances, walking tours, pop-up exhibits, and other initiatives **that engage the public at a variety of levels both within the museum and beyond its walls** – all of which	For many decades, **certain stories and collections were privileged by the historical society**. The stories surrounding famous politicians and military leaders (e.g. Leslie Frost and Sir Sam Hughes), for example, were given prime exhibit space by museum leadership while other stories were quietly ignored.	Once the museum comes to terms with what kind of collection it wants and how it wants to "showcase" this collection for the public, the opportunities are almost limitless: **digital media projects; developing more and frequent pop-up exhibits in both the museum space and elsewhere; working in**	As with so much in the museum world, **the greatest threats relating to the integration of collections and programming involve finances and leadership**. Many of the opportunities that naturally arise out of the institution's strengths will not get beyond the drawing board without

	have been inspired by our artefact and archival collections. **The museum also has an excellent education committee** which has done much in the way of making the collection interesting and engaging for local schools.	Indigenous items, while generally treated with respect, were not given the context that is needed to properly tell their story. More recently, the manager exhibited a tendency to latch on to certain stories of personal interest to him, and devote enormous financial and human resources into seeing that those stories were told as ostentatiously as possible, while ignoring or devaluing the opportunities to recognize others.	**conjunction with the dramatic arts community; building ties with the local Indigenous communities; strengthening existing educational programming; furthering existing partnerships with local businesses, churches, service clubs, social service agencies, and artists; and working on some projects jointly with other museums in the region**.	adequate funding and sound leadership. A leader who lacks the confidence of those around him or her, and who lacks the vision necessary to see that plans are implemented, is just as much a threat as is not having the required financial and human resources to bring these exciting opportunities to fruition.

CASH FLOW STATEMENT	2008	2009	2010
	$	$	$
CASH PROVIDED FROM (USED FOR)			
Operating activities			
Excess (deficiency) of revenues over expenses for the year	1,181.00	44,054.00	37,447.00
Items not affecting cash			
Donations of artifacts and capital assets			
Contributed artifacts expense			
Change in non-cash working capital items			
Decrease (increase) in accounts receivable	(1,440.00)	(35,980.00)	2,996.00
Increase in prepaid expenses and deposits	877.00	(1,090.00)	(54.00)
Decrease in HST receivable			
Increase (decrease) in accounts payable and accrued liabilities	1,997.00	635.00	(4,571.00)
Increase (decrease) in government remittances payable			
Increase (decrease) in deferred contributions	2,000.00	72,057.00	(60,068.00)
Increase (decrease) in cash	2,000.00	29,116.00	(24,250.00)
Cash - beginning of year	12,213.00	16,828.00	45,944.00
Cash - end of year	16,828.00	45,944.00	21,694.00

*as reported on Financial Statements prepared by Collins Barrow

2011	2012	2013	2014	2015	2016
$	$	$	$	$	$
(9,960.00)	(11,305.00)	14,560.00	(7,156.00)	23,708.00	3,515.00
			(5,360.00)	(1,880.00)	
			5,360.00	1,880.00	
		14,560.00	(7,156.00)	23,708.00	
9,074.00	(200.00)	(100.00)	(1,656.00)	1,956.00	(31,709.00)
89.00	86.00	100.00 -		(10,000.00)	10,000.00
		2,391.00	1,503.00	(18,557.00)	(19,061.00)
7,098.00	(13,665.00)	2,021.00	(609.00)	13,682.00	27,240.00
	18,155.00	1,248.00	183.00	(1,431.00)	
9,199.00		3,307.00	(18,875.00)	89,087.00	69,864.00
(2,898.00)	(6,929.00)	23,527.00	(26,610.00)	98,445.00	49,762.00
21,694.00	18,796.00	9,849.00	33,376.00	6,766.00	105,211.00
18,796.00	9,849.00	33,376.00	6,766.00	105,211.00	154,973.00

May 15, 2018

To: Mayor Andy Letham and City Council
City of Kawartha Lakes

Respected Mayor Letham, respected members of City Council,

My name is Jim Garbutt and I write to you today as Vice Chair of the Kawartha Lakes Culture and Heritage Network, a collective of Museums and Historical Organizations from across this City.

It has come to the Network's attention that our members, the Victoria County Historical Society (VCHS) and the Lindsay Olde Gaol are experiencing significant financial hardship and are reaching out to you for much needed funding assistance. On behalf of the Culture and Heritage Network, I offer this Letter of Support of their request for help.

I can speak personally to the considerable efforts and dedication of the volunteers and staff of the VCHS and Olde Gaol who through quality programming and informative displays of artifacts from across the former County of Victoria tell the stories of our rich local history. In conjunction with other Network members, they are part of the significant draw that attracts visitors and tourists to this area who inject considerable dollars into the local economy.

Heritage Tourism is the fastest growing form of tourism in Canada and tourism is one of the top two economic drivers in this City.

I hope that you will give serious consideration to the requests of the VCHS and the Olde Gaol for financial assistance.

Sincerely,

Jim Garbutt
Vice Chair
Kawartha Lakes Culture and Heritage Network

10.2

KAWARTHA LAKES

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: *

Joan Abernethy

Address: *

[redacted]

City/Town/Village:

[redacted]

Province: *

Ontario

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: *

Joan Abernethy

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

I may want to respond to the deputation the Kawartha Lakes Historical Society board intends to make to council on behalf of its membership on 22 May 2018. Because the board will not share with its members any details of what it intends to say in its deputation to council, I can provide no further details of the matter except to say that my interests are in accuracy and transparency and that what I say will respond to what the Kawartha Lakes Historical Society representative(s) say.

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

The Kawartha Lakes Historical Society has struggled for years with problems that are repeated over and over again. I hope what I may say can serve the interests of transparency in the hope that the Kawartha Lakes Historical Society can recover from the difficulties that have plagued it for so long and become a viable heritage business interest in the future.

Signature:

Date:

10 May 2018

Please complete this form and return to the City Clerk's Office:
Fax: 705-324-8110 Email: agendaitems@kawarthalakes.ca

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To: Mayor Letham and Council
From: Joan Abernethy
Re. 22 May 2018 Deputation

Mayor Letham, Councillors,

I will make my deputation as a resident of the City of Kawartha Lakes and a member of the Kawartha Lakes Historical Society ("the Society"), formerly Victoria County Historical Society.

I served the Society as Vice-President for two years until April 2017.

During that time, the Society struggled with the same financial instability challenges it has struggled with for decades and that it continues to struggle with today, and which persist.

1) The Olde Gaol Museum collection is too big for a volunteer board to administer.

When it began, the Victoria County Historical Society represented the county but now, despite its name change, it is unclear if it represents the City of Kawartha Lakes or, as other historical societies in the City serve Kirkfield, Omemee, Coboconk, etc., only Lindsay. The financial management needs are quite different for one than for the other.

2) There is a belief among many volunteer directors in the not-for-profit sector that financial mismanagement is acceptable "because everybody does it", that it is unfixable, and that it is necessary to hide it from a public that doesn't understand.

While it is obviously not true that literally everybody does it, the data show that 50% of Canadian not-for-profit corporations do struggle with financial mismanagement. (Ref.1) The belief is common in the culture but it is poison to building a lasting success.

Not-for-profit organizations in Canada lose a median of over $100,000 every year to financial mismanagement and fraud. (Ref.2)

Volunteer boards are particularly vulnerable to financial mismanagement and fraud because their directors are often trusting and financially unsophisticated.

The directors buy into the rationale that it is okay to mismanage funding because it serves some "greater good" and then, when they realize they are in trouble, and in an effort to preserve their reputation and keep their problem a secret, they exacerbate the damage by lying to the community, blaming creditors, firing employees who complain, intimidating directors who object and paying expenses out of their own pockets.

That creates not only an insular organization hostile to the public; it also creates conflicts of interest that lead to organization corruption. It erodes public confidence, causes widespread cynicism and distrust, and alienates investments and donations.

The good news is that 50% of not-for-profit organizations do not struggle with financial mismanagement. The Society has the potential to be one of those but only if it gets the help it needs to become financially transparent and accountable.

I therefore support the Society's request for financial support but, because it is critical to the interests of the Kawartha Lakes community that this longstanding challenge be corrected, I also ask Council for the following:

1) An appointment to the Society's board, and to the boards of other not-for-profits struggling with financial mismanagement, of a financially literate councillor who will help the Society recruit financially literate directors and to create among them a three-person financial committee responsible for overseeing the administering of a budget separate from the administration of Society programs and operations.

2) Make available to all not-for-profit organizations in the City, and provide to the Society immediately, help to write and implement a small business plan to market products, services and programs that will generate revenue sufficient to support a skeleton staff so the Olde Gaol Museum can keep its doors open for six hours a day, five days a week, year around. It is essential to its success that it be open and inviting.

3) Clarity about whether Council intends the Society to administer the Olde Gaol Museum on behalf of the city or Lindsay, so it can make informed planning decisions.

4) Financial oversight for so long as the City financially supports the Society.

References

1. https://www.humanityfinancial.ca/top-5-financial-management-risks-for-canadian-nfpo-board-members/

2. https://www.cpacanada.ca/en/members-area/profession-news/2016/january/not-for-profit-fraud

3. https://assets.kpmg.com/content/dam/kpmg/ca/pdf/2018/03/not-for-profit-fraud-kpmg-canada.pdf

4. https://www.bdo.ca/en-ca/insights/industries/not-for-profit-education/best-practices-for-not-for-profit-boards-of-direct/

10.3

KAWARTHA LAKES

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: *

JR Webster (Jim)

Address: *

[redacted]

City/Town/Village:

[redacted]

Province: *

ONT.

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: *

Jim Webster

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

Road Closings etc - Victoria Road
Regd Plan #113

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

To be available to answer any questions or address any issues that may arise (if any).

Signature:

Date: April 27-2018

Please complete this form and return to the City Clerk's Office:
Fax: 705-324-8110 Email: agendaitems@kawarthalakes.ca

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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: *

James R. Webster (Jim)

Address: *

[redacted]

City/Town/Village:

[redacted]

Province: *

Ontario

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: *

Jim Webster and Doug Carroll

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

See Schedule "A" attached.

SCHEDULE "A"

Jim Webster's corporation, Black Bear Estates Inc. has property within the original Village of Fenelon Falls boundaries together with adjacent acreage in the former Township of Fenelon, abutting the north side of Fenelon Falls.

Most of this property appears to have been deleted from the development designation in the last version of the Fenelon Falls Secondary Plan. All of the property had been included in the previous version. No explanation has been given for the deletion and there has been no consultation provided to Mr. Webster by the City of Kawartha Lakes Planning with respect to the deletion. A significant portion of the property has had a residential development designation since the late 1980's, most of which has now been deleted.
Another property holder who has a large acreage received a development designation in the latest version of the Secondary Plan on lands which had no previous development designation. I do not understand the merits or rationale of why this has been done.

I am requesting that council direct that the latest plan proposals be referred back to City of Kawartha Lakes Planning with direction that there be discussions between City of Kawartha Lakes Planning and interested property owners.

If the plan proceeds as is it will be appealed to the OMB. The requested discussions may or may not avoid an OMB appeal.

10.4

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: *

APG Kent Properties Corp.

Address: *

231 Millway Avenue, Unit 11

City/Town/Village:

Vaughan

Province: *

ON

Postal Code:

L4K 3W7

Telephone: *

905 669-0666

Email: *

marco@citymark.ca

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: *

Marco Pietrangelo

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

Grand Hotel Redevelopment Cash-in-Lieu (CIL) Parking

1. The new Grand Hotel project will provide 67 new parking spaces
2. The current parking requirement for the propsed development is 167 spaces.
3. We are requesting approval to pay cash in lieu for the outstanding 100 parking spaces
4. We are asking that the CIL calculaton be ammended. The calculation should be equivalent to the formula for other developments in Lindsay, specifically the Rexall development.

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

Council approval of cash in lieu payment for 100 spaces.
Council ammend the formula for the total payment of CIL to be equal the Rexall development, $763.63 per space

Signature:

Date:

May 14,2018

Please complete this form and return to the City Clerk's Office:
Fax: 705-324-8110 Email: agendaitems@kawarthalakes.ca

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CKL Strategic Plan

2017-18 Progress Report

Ron Taylor, CAO

2016-2019 Strategic Plan

2016-2019 Strategic Plan

Our Mission - Providing responsible, efficient and effective services.

2016-2019 Strategic Plan

Our Values:

- Collaboration
- Continuous Improvement
- Excellence
- Innovation
- Results

2016-2019 Strategic Plan

Strategic Goals

A Vibrant & Growing Economy

An Exceptional Quality of Life

A Healthy Environment

Strategic Enablers

Responsible Fiscal Resource Management

Effective Human Resources

Municipal Service Excellence

Efficient Infrastructure & Asset Management

= good government

A Vibrant and Growing Economy

- Increased construction activity
- Increased visitation
- New job creation
- Increased farm revenues
- Supporting infrastructure

An Exceptional Quality of Life

- Increased affordable housing
- Enhanced accessibility
- Expanded parks and facilities
- Enhanced culture and heritage
- Revitalizing downtowns

A Healthy Environment

- Adapting to climate change
- Clean water
- Reducing and diverting waste

Good Government

- Fiscally responsible service delivery
- Efficient management of assets
- Municipal service excellence
- Effective human resource management
- Enhanced communications

2017-18 Progress Report

- To be distributed in final tax bills city-wide
- Scorecard to be posted online in the coming weeks
- Continue to complete, execute and review Council's 30 stated priorities in the Plan

Our Vision

Naturally beautiful, offering an exceptional lifestyle.

The Corporation of the City of Kawartha Lakes

Council Report

Report Number CS2018-009

Date: May 22, 2018
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier:

Subject: **Olde Gaol Museum Lease – Victoria County Historical Society**

Author Name and Title: Craig Shanks, Director of Community Services

Recommendations:

RESOLVED 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.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The City of Kawartha Lakes owns the Olde Gaol Museum located at 50 Victoria Avenue North, Lindsay. The facility is currently occupied and managed through a lease agreement (see Appendix A) with the Victoria County Historical Society This operation and management agreement has been in existence since 2000.

The current lease has all costs associated with operating the facility to be at the expense of the Victoria County Historical Society. As expressed in their deputation, the Society is currently experiencing some financial hardships and is requesting some interim City support and relief. They are also hoping to work with the City to be able to produce and agree upon a new Lease Agreement for the use of, and management of, the museum facility. Staff is recommending that the new lease be developed and executed no later than April 1, 2019.

Rationale:

As stated, the Olde Gaol Museum facility is currently occupied, operated and managed by the Victoria County Historical Society. The current lease was entered into in 2000 and is in need of update. Times have changed significantly since this agreement was entered into, and both the Society and City would benefit as a new agreement would specify and clarify the roles and responsibilities while also being realistic of expectations of both entities.

However, as a result of their current financial hardships, the Society is requesting some relief to assist them in the transition to entering into this new lease agreement. This relief being requested equates to approximately $12,500 (2018) with staff recommending the provision of approximately $10,000 in relief.

Activity	Relief Request (2018)
Hydro Utility Payments	$7,000
Water Utility Payments	$1,000
Lawn and Parking Lot Maintenance	$2,000
Insurance Relief	$2,500 (Recommendation to Deny)
Total Relief (2018)	**$10,000**

Staff is not recommending funds for the relief of the Insurance payments as Council has been requested to provide similar coverage in the past and it has been denied. A precedent could be set that in all probability could lead to many other such requests for operating budget assistance.

As well, staff is hopeful that a new lease agreement and the attached Society Business Strategy (see Appendix B) will allow the Society to become more sustainable and prevent relief coverage from being required in future years.

As a City-owned facility it is important to realize that if the invoices were to be defaulted on, as owner of the facility the City would be accountable. Therefore,

as Council has done for previous “Cultural” organizations housed within City owned facilities, the provision of utility relief is being recommended. Also, as the City maintains the lawn and the parking lots at the neighbouring City Hall and Human Resources facilities the City will determine a way to provide for such services at this location at minimal cost.

Finally, the City has reviewed the Museum facility and has determined that at this time the current use, as a facility to provide a cultural experience and provide a space for that service provision is the best use of the building. An alternative City need for this facility is not feasible or in the City’s best interests at this time.

Other Alternatives Considered:

Council could choose not to provide interim relief to the Victoria County Historical Society for the purposes of paying utilities or to provide lawn and parking lot maintenance for the Museum facility. However, as this is a City facility, and as Council has in the past provided some form of financial relief for “Cultural” organizations renting and/or managing City-owned space for the purposes of providing their services, staff are recommending providing interim financial relief for utility payments and lawn and parking lot maintenance. Ultimately, if the Society were not able to pay their utility or maintenance bills, or were to disband, as the owner of the facility the costs would be incurred by the City.

The Society is also requesting for Council to provide funds ($2,500) for the coverage of insurance costs. This is a request that has been made to Council previously by other groups and has been denied. It is not recommended by staff as the precedent of providing such coverage would have a potential significant impact on the City in regards to similar requests by other City organizations.

Finally, the Society is also requesting that this relief be extended to the end of the 2019 calendar year. Staff is not recommending this as it is hoped that the Society will report back to Council with a sound and sustainable Business Plan that will guide the terms and conditions of a new lease agreement. It is recommended that the new lease agreement be negotiated and executed no later than April 1, 2019.

Financial/Operation Impacts:

The recommendations in this report would have an impact of approximately $10,000 on the City’s 2018 Operating Budget as there is currently no funds budgeted for this. An additional approximate $2500 would be budgeted in 2019 to continue relief to the end of Q1 2019.

If Council were to choose to also provide funds for the purpose of covering the Society’s insurance costs, an additional $2,500 would be incurred. If Council did choose to provide all of this relief for the 2019 calendar year as well, an

additional approximate $12,500 would be required for the 2019 Operating Budget.

It is important to acknowledge that the Society has contributed significant capital improvement funds to Museum facility upgrades in the past (exceeding $500,000). The future lease agreement should establish a funding model that considers appropriate capital vs. operating/rent expenses to the appropriate parties.

Relationship of Recommendations to the 2016-2019 Strategic Plan:

This report speaks to the City's Strategic Plan in two important aspects:

- It supports the Goal of An Exceptional Quality of Life by supporting a key priority of Access to Community and Human/Health Services.
- It supports a key enabler of the Strategic Plan to have Well Managed and Maintained Assets that will make possible Efficient Infrastructure and Asset Management.

Consultations:

CAO
Corporate Services
Victoria County Historical Society

Attachments:

Appendix A

2016-1929VictoriaCo
untyHistoricalSociety-

Appendix B

Olde Gaol Business
Plan.pdf

Department Head E-Mail: cshanks@kawarthalakes.ca

Department Head: Craig Shanks, Director of Community Services

COPY OF LEASE BETWEEN THE VICTORIA COUNTY HISTORICAL SOCIETY
and the
COUNTY OF VICTORIA

signed December 20,2000

IN PURSUANCE of the Short Forms of Leases Act, R.S.O. 1990, c. S.11, as amended, between THE CORPORATION OF THE COUNTY OF VICTORIA, hereinafter called the "County", as Landlord, and THE VICTORIA COUNTY HISTORICAL SOCIETY, hereinafter called the "Society", as Tenant.

WHEREAS the County is a municipal corporation pursuant to the provisions of the Municipal Act, R.S.O. 1990, c. M.45, as amended;

AND WHEREAS the County is the registered owner of those lands and premises more particularly described on Schedule "A" attached hereto and generally called the "Old Jail", on Victoria Avenue North, in the Town of Lindsay, and in the County of Victoria;

AND WHEREAS the Society is a not for profit corporation by way of Letters Patent issued to its incorporators on the 3 day of August, 1976, under Part III of the Corporations Act, R.S.O. 1990, c. C.38, as amended.

AND WHEREAS the County has for many years leased these lands to Her Majesty The Queen as represented by the Minister of Government Services in and for the Province of Ontario, for the purpose of the operation of a provincial correctional facility;

AND WHEREAS the County has received notice that upon completion of the construction of the new mega-jail facility on County of Victoria Highway No. 36 the Province of Ontario will no longer have use of the Old Jail;

AND WHEREAS for some time now the Society has expressed to the County its interest in relocating to the site of the Old Jail and its courtyards the exhibits and displays associated with the Museum facility owned and operated by the Society and currently temporarily housed in a building owned by Her Majesty the Queen in Right of Ontario and municipally known as 322 Kent Street West, in the Town of Lindsay, in the County of Victoria;

AND WHEREAS the Society has made representations to the Council of the Corporation of the County of Victoria seeking permission to enter into a formal lease of the Old Jail;

AND WHEREAS the Council of the Corporation of the Town of Lindsay did by By-Law No. 2000-68 duly enacted on the 11th day of September, 2000, pursuant to the Ontario Heritage Act, R.S.O. 1990, c. O.18, s.29, designate the Old Jail a property to be of historic or architectural value or interest.

AND WHEREAS the Society is aware that any lease to be entered into by the County with respect to the Old Jail must be approved of by the Transition Board of the new City of Kawartha Lakes to come into being on January 1, 2001 pursuant to an Order of Professor Harry Kitchen made the 19th day of April, 2000.

IN CONSIDERATION of the sum of $2.00 and other valuable consideration now paid by each party to the other the parties agree as follows:

1. In this indenture, the "Demised Area" shall mean the whole of the building referred to as the Old Jail situate upon the lands comprising Lot 13, North of Francis Street, in the Town of Lindsay, in the County of Victoria together with the courtyards immediately adjacent to that building and currently used in connection with the correctional facility now operated upon such lands.

2. (a) The Landlord hereby demises and leases the Demised Premises to the Tenant subject to the rights in the nature of easements set out in clause 2(2) hereof, for a term of twenty (20) years commencing January 1, 2002 or such earlier date as the parties may in writing agree upon, and expiring December 31, 2021, on the terms and conditions set out in this indenture.

(b) The Landlord and any agency (whether governmental or otherwise) owning or operating a public utility as that term is defined in the Public Utilities Act, R.S.O. 1990, c. P.52, or the Public Utilities Corporations Act, R.S.O. 1990, c. P.53, and their respective successors and assigns shall have the right:

(i) to install, maintain, repair, replace, reconstruct, enlarge, inspect or test any pipes, cable, meters or other plant whatsoever on, under or adjacent to the Demised Area as part of, appurtenant to or in connection with any such public utility, and

(ii) by their respective officers, employees, agents and contractors, to enter upon the Demised Area, with or without all necessary or convenient gear and equipment, for the purposes set out in clause (b)(i) hereof.

3. The Tenant shall pay the Landlord rent consisting of a fixed annual portion of $1.00, if demanded, payable on the 1st day of January in each and every year during the currency of this indenture.

4. (a) The Tenant covenants with the Landlord:

(i) to pay rent;

(ii) to pay all charges (including penalties and interest) for water, electricity and other utilities supplied to the Demised Area, directly to the supplier thereof in each case;

(iii) to pay all such taxes or rates, if any, applicable as a result of the occupation by the Tenant of the Demised Area;

(iv) not to make changes in surfacing, grade or landscaping, at or on the Demised Area, except in accordance with plans therefor which have been submitted to, and approved by, the County, such approval not to be unreasonably withheld, and to make any such changes expeditiously in a good and workerlike manner (including proper clean-up) to the satisfaction of the County;

(v) to keep the Demised Area in a clean and well-ordered condition, and not to permit any rubbish, refuse, debris

or other objectionable material to be stored, or to accumulate therein, all to the satisfaction of the County;

(vi) to use the Demised Area only as a Heritage and Cultural Centre;

(vii) not to assign or sublet or enter into an agreement with any other agency or corporation for the use of all or any portion of the Demised Area without leave of the County, which leave may be reasonably withheld;

(viii) not to erect any signs, buildings or other non-landscaping structure on the Demised Area without the written consent of the County;

(ix) to assume all responsibility for the paving, yard maintenance, routine building repair, upkeep and snow removal of the Demised Area;

(x) to ensure that nothing is done or kept at or on the Demised Area which is or may be a nuisance, or which causes damage to or interference with normal usage of any adjoining property, provided that the use referred to in paragraph (v), and the vehicles, supplies and equipment necessarily incidental thereto shall not be deemed to be, in and of themselves, a nuisance;

(xi) to take at its own expense all measures necessary to ensure to the County's satisfaction that the plant of or appurtenances to any municipal service or public utility now or in the future on, under or adjacent to the Demised Area, is adequately protected against damage, impairment, destruction or loss;

(xii) not to store inflammable or explosive substances on the Demised Area;

(xiii) to comply with all federal, provincial and municipal laws, by-laws, rules and regulations affecting the Demised Area, including the obtaining of all necessary permits and licences, and to save the Landlord harmless from any liability or cost suffered by it as a result of failure of the Tenant to do so;

(xiv) upon termination of the tenancy, at its own risk and expense, to remove from the Demised Area within thirty (30) days, any fixtures and chattels belonging to it, with all damage, if any, caused by such removal made good by it, and to leave the Demised Area neat, clean, level and free of all

waste material, debris and rubbish, all to the County's satisfaction, and

(xv) that upon failure by the Tenant to comply with any covenant(s) incumbent upon it under this indenture within seven (7) days after written notice requiring such compliance is given by the Landlord to the Tenant, the Landlord may enter the Demised Area and fulfil such covenant(s) at the sole expense of the Tenant, who shall forthwith upon being invoiced therefor reimburse the Landlord who in default of such reimbursement may collect same as rent owing and in arrears.

(b) The Tenant accepts the Demised Area in the condition existing at the date of the commencement of the Term and the Tenant shall be responsible for the cost of any grading, fencing or other alteration or improvements required in order to prepare the Demised Area for the purpose set out in paragraph (vi) of clause 4(a).

5. It is understood and agreed between the Landlord and the Tenant that the Heritage and Cultural Centre constructed on the lands herein shall be a Community Centre, and any person, persons or organization whatsoever shall be permitted entry to that Centre, subject to those reasonable rules and regulations as might be imposed by the Tenant.

6. It is further understood and agreed between the Landlord and the Tenant that the Tenant will make available to the Landlord at such time or times, and upon reasonable advance notice having been given by the Landlord to the Tenant, such meeting space or spaces within the Demised Area as the Landlord may deem necessary or advisable for special events.

7. Except as may be otherwise agreed upon in writing, the Tenant covenants that the entrance to the Demised Area shall be from Victoria Avenue North and the exit from the Demised Area shall be to Victoria Avenue North and the Tenant shall cause proper signs in this regard to be erected.

8. (a) The parties acknowledge and agree that the use of the Demised Area shall be mutually beneficial to both parties and both parties shall do all things necessary to co-operate in this regard.

(b) Subject to occasional times of high usage events, both parties shall endeavour not to conduct special events requiring parking for a large number of cars at the same time.

(c) Where both parties knowingly plan to conduct large events simultaneously, the parties shall secure alternative additional parking and to clearly and conspicuously post notice of the location of such alternative additional parking.

9. (a) If the Tenant or any assignee or subtenant makes an assignment for the benefit of creditors, or becomes insolvent or commits an act of bankruptcy as defined by the Bankruptcy and Insolvency Act, R.S.C. 1985, c. B-3, or if the leasehold interest created by this indenture is at any time seized or taken in execution or in attachment, or if the Tenant or any corporate assignee or subtenant is subjected to voluntary or compulsory liquidation or winding-up, or if the Demised Area becomes abandoned, then, at the option of the Landlord, the leasehold shall cease, the Term shall be at an end, the rent for the then next ensuing year shall immediately become due and payable and the Landlord may re-enter and take possession.

(b) Notwithstanding any present or future Act of the Ontario Legislature, none of the Tenant's goods and chattels on the Demised Area shall at any time during the Term be exempt from levy by distress for rent in arrears, and the Tenant, having waived any such exemption, shall by this clause be estopped from setting up any such exemption in any proceedings between the parties.

(c) This indenture makes provision for re-entry by the Landlord on non-payment of rent or non-performance of covenants.

10. (a) The Tenant shall at all times indemnify and save harmless the Landlord from and against any and all manner of claims, demands, losses, costs, charges, actions and other proceedings whatsoever (including those under or in connection with the Workplace Safety and Insurance Act, S.O. 1997, c.16, Sch. A, or any successor legislation), made or brought against, suffered by or imposed on the Landlord or its property in respect of any loss, damage or injury (including fatal injury) to any person or property (including, without restriction, employees, agents and property of the Landlord or of the Tenant) directly or indirectly arising out of, resulting from or sustained as a result of the Tenant's occupation or use of, or any operation in connection with, the Demised Area or any fixtures or chattels therein except to the extent attributable to the Landlord's negligence.

(b) The Tenant shall, at all times during the currency of the Term and any renewal thereof, at its own expense maintain in force insurance coverage with respect to the Demised Area and its use and occupation thereof, and shall provide the Landlord with certificates of a policy or policies of an insurance company or companies to the Landlord for:

(i) insurance against loss by such insurable hazards as the Landlord may from time to time reasonably request, and

(ii) liability insurance for bodily injury,

death or property damage up to $10,000,000.00.

Every policy or policies of insurance maintained shall provide cross-liability coverage and waiver of subrogation, and the Landlord may require the Tenant to supply evidence thereof from time to time. Alternatively, the Landlord may require that it be named as an additional insured upon every such policy or policies.

(c) The Tenant shall at all times indemnity and save harmless the Landlord from and against any and all claims, demands, losses, costs, charges, actions and other proceedings under the Construction Lien Act, R.S.O. 1990, c. C.30, in connection with any work done for the Tenant at or on the Demised Area, and shall at its own expense promptly see to the removal from the registered title to the Demised Area, of every claim for lien or certificate of action having to do with such work and in any event within fifteen (15) days of being notified in writing by the Landlord to do so, failing which the Landlord may see to such removal and recover the expense and all attendant costs from the Tenant as rent owing and in arrears.

(d) The Landlord assumes no responsibility for damage by fire, theft or otherwise whatsoever, to the goods, chattels, fixtures and improvements of the Tenant or of any other person except to the extent caused by the negligence of the Landlord or any person(s) for whom the Landlord is at law responsible.

(e) The provisions of this clause 10 will continue to apply, notwithstanding cessation of the tenancy created by this indenture, throughout the period(s) during which activities take place pursuant to paragraphs (xiii) and (xiv) of clause 4(a) of the indenture.

11. If, at the expiration of the Term, the Tenant remains in possession with the consent of the Landlord but without any further written agreement, a tenancy from year to year shall not be created by implication of law or otherwise, but the Tenant shall be deemed to be a monthly tenant only at a rental payable monthly in advance at the rate payable at the expiration of the Term or renewal and otherwise upon and subject to the terms and conditions contained in this indenture.

12. (a) Subject to clause 2(b) of this indenture, the Landlord covenants with the Tenant for quiet enjoyment.

(b) The Landlord shall make reasonable efforts to complete any exercise by the Landlord of its rights under clause 2(b) of this indenture, expeditiously, and upon such completion shall restore the Demised Area substantially to its condition immediately prior to such exercise.

13. (a) Any notice pursuant to any of the provisions of this indenture shall be deemed to have been

properly given if delivered in person, or mailed by prepaid registered post addressed:

(i) in the case of notice to the Landlord to: 26 Francis Street, P.O. Box 9000, Lindsay, Ontario, K9V 5R9

(ii) in the case of notice to the Tenant to: 50 Victoria Avenue North, Lindsay, Ontario, K9V 4G3

or to such other address as either party may notify the other of, and in the case of mailing as aforesaid, such notice shall be deemed to have been received by the addressee, in the absence of a major interruption in postal service affecting the handling or delivery thereof, on the fourth business day, excluding Saturdays, next following the date of mailing.

(b) Where under this indenture certain approval authority has been reserved to the County, such authority may be exercised by the County's Chief Administrative Officer or his or her designate. The authority of the chief Administrative Officer shall not be deemed to be exhausted by any individual exercise thereof, and in the matters for which he or she is to be responsible under this indenture, the Chief Administrative Officer shall be the sole judge whose opinion and exercise of discretion shall not be subject to review in any manner whatsoever except as expressly otherwise indicated in this indenture.

14. (a) All sums, for rent or otherwise, payable to the Landlord under this indenture shall bear interest commencing the fifteenth day next following the failing due thereof, at the then current rate of interest charged to the Landlord by its bankers until the actual date of payment.

(b) The Tenant shall pay to the Landlord all the Landlord's legal costs, on a solicitor and client basis, of all actions or other proceedings in which the Landlord participates in connection with, or arising out of the obligations of the Tenant under this indenture or arising out of the Tenant's occupation of the Demised Area, except to the extent that the Landlord is not successful therein.

15. (a) No condonation, excusing or overlooking by the Landlord of any default, breach or non-observance of any of the Tenant's obligations under this indenture at any time or times shall affect the Landlord's remedies or rights with respect to any subsequent (even if by way of continuation) default, breach or non-observance.

(b) No waiver shall be inferred from or implied by anything done or omitted by the Landlord.

(c) Any written waiver by the Landlord shall have effect only in accordance with its express terms.

(d) All rights and remedies of the Landlord under this indenture shall be cumulative and not alternative.

16. (a) The termination of the Term by expiry or otherwise shall not affect the liability of either party to this indenture to the other with respect to any obligation under this indenture which has accrued up to the date of such termination but not been properly satisfied or discharged.

(b) The Tenant acknowledges that there are no covenants, representations, warranties, agreements or conditions expressed or implied, collateral or otherwise forming part of or in any way affecting or relating to this indenture other than as set out in this indenture, which constitutes the entire agreement between the parties concerning the Demised Area and which may be modified only by further written agreement under seal.

(c) The provisions of this indenture shall be binding upon, and enure to the benefit of, the parties and their respective successors and (where applicable), permitted assigns.

17. The Landlord acknowledges and consents in principle to the intention of the Tenant in its conversion of the Demised Area into a Heritage and Cultural Centre to restore certain of the original 1800's attributes of the interior for which there will be restoration and exhibit construction undertakings, including parking. The Tenant has obtained a cost estimate of $800,000.00.

The Landlord and the Tenant covenant and agree that in the event that the Tenant is unable on or before January 1, 2002 to secure the funding necessary to complete its intended undertakings, the Tenant shall be relieved and released from all obligations under this indenture.

The Landlord acknowledges and agrees that the Tenant may make application to the Landlord's successor for an extension in the date to secure funding to January 1, 2002.

18. The Tenant acknowledges that as of January 1, 2001, the County will no longer be in existence by reason of the Order of Professor Harry Kitchen dated the 19th day of April, 2000.

The Landlord and the Tenant covenant and agree that this indenture is subject to the approval of the Transition Board of the City of Kawartha Lakes and that it shall not become final and binding upon the Landlord until approved of by the said Transition Board.

Notwithstanding that the Transition Board for the City of Kawartha Lakes may have approved the execution of this indenture, the Landlord shall be relieved and released from all obligations under this indenture in the event that the Municipal Council of the new City shall, prior to January 1, 2002, give notice in writing to the Tenant of such Council having decided upon an alternative municipal use for the Old Jail building.

19. The Landlord and the Tenant acknowledge that the Demised Area, or certain portions of it, have been designated by By-Law No. 2000-68 enacted by the Council of The Corporation of the Town of Lindsay on the 11th day of September, 2000, as being a building of historic or architectural value or interest. It is the intention of the Landlord to support, encourage and facilitate the conservation, protection and preservation of those portions of the Demised Area so designated pursuant to section 29 of the Ontario Heritage Act, R.S.O. 1990, c. O.18, as well as other non-designated portions of the Demised Area.

The Landlord and the Tenant both desire to conserve the aesthetic and scenic character and condition of the Demised Area and the present historical, architectural, aesthetic and scenic character and condition of the exterior and interior of the Old Jail. To this end, the Landlord and the Tenant desire that there be established a Committee, involving representatives of both of the parties, to oversee the preparation of the drawings illustrating the architectural and engineering renovations and restoration of the Old Jail building.

Notwithstanding the creation and operation of such Committee, the final approving authority remains the Landlord.

In witness whereof the parties have affixed their corporate seals attested to by the hands of their officers in that behalf duly authorized.

THE CORPORATION OF THE
COUNTY OF VICTORIA

Per: _____
John Macklem - Warden

Per: _____
George Brown - Clerk

THE VICTORIA COUNTY HISTORICAL
SOCIETY

Per: _____
Lorraine Petzold - President

Per: _____
- Secretary

Schedule "A"

Lot 13, North of Francis Street,
Town of Lindsay,
County of Victoria

VICTORIA COUNTY HISTORICAL SOCIETY

Executive summary

Business Strategy
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  - History of Victoria County Historical Society
  - Mission
  - Vision
  - Value to Community
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    - Collection
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Executive summary

What does a museum do? What is the purpose of a historical society? Museums and historical societies seek to preserve the histories of their communities by telling the stories of the past for the education of the present and the improvement of the future. The concept of a museum solely being “a building with old stuff” is changing, and the Victoria County Historical Society (the Society) has and is continuing to demonstrate this evolution toward a museum that provides dynamic, quality, educational programming to the public both inside and outside a building.

A museum brings economic value to a community. In 2016, in Ontario alone, tourism receipts brought $1.2B and visitor spending contributed $1B in municipal tax revenue. The 2017 Government of Canada Survey of Heritage Institutions reported museums and other heritage institutions in Canada generate over $2.5B in revenue, attendance to all heritage institutions reached a record 75.3 million in 2015, and the heritage sector employs 36,300 people.

In Ontario, 84% of museums are municipally funded. According to the Ontario Museum Association’s 2014 report, municipal revenues represent over one-half of total revenues for museums with revenues between $160,000 and $1.9 million. Municipal revenues represent about one-third of revenues of the smallest museums with budgets under $140,000. The report notes museums are significant economic drivers. Museums spend $758 million in communities across the province; they employ 10,765 Ontarians. Museums are intertwined with the tourism industry and contribute to the $28B cultural GDP.

The OMA report also notes municipal support is key to museum success. This has been demonstrated for the museums in Fenelon Falls and Bobcaygeon.

The Society has for the better part of the past 60 years managed to gather an impressive, sizeable collection of artefacts pertinent to the history of Lindsay and the (former) Ops, Emily and Mariposa townships. The collection includes approximately 10,000 artefacts (inventory is still in progress) valued at $500,000 for insurance. The Society has also managed to maintain a public museum for most of those years.

A non-profit heritage organization, the Society is a registered charity that works to increase community awareness, appreciation, involvement, and support of the Olde Gaol Museum and Kawartha Lakes’ cultural heritage.

Business Strategy

Introduction

History of Victoria County Historical Society

The quest to preserve history in the Lindsay area began as early as 1900, and within a few years a group of prominent local citizens were seeking out meeting space in the basement of the Lindsay Public Library's newly opened Carnegie building. Early historians included Dr. George Hall in Little Britain and George W. Beall in Lindsay.

In its present form the Society dates back to 1957. Founding members began collecting artefacts that depicted early life in the county and established a museum in 1959 in the abandoned CPR Station on Caroline Street, but this facility was soon deemed to be too small for the Society's use as a museum. In 1962, the museum relocated to the Ernest Thompson Seton property, just west of the Lindsay Square Mall. In addition to the main building with displays of artefacts, the property also included a log cabin and an old barn. The cabin was originally built in 1868 by Robert Muir in Digby Township. It was moved to Lindsay and rebuilt in 1976. The barn and driveshed was built in 1854 by Col. Dennison of Coboconk. In 1997, the museum was put up for sale after deteriorating building conditions made it impossible to keep the environmental conditions required to preserve the artefacts. Until a new building was found, the museum moved into the Ontario Government building at 322 Kent Street West. With the construction of the SuperJail, the Society had the opportunity to move into the municipal jail on Victoria Avenue North. Fundraising efforts began, but it wasn't until 2011 when the Old Gaol Museum opened it doors to the public.

During the 1961 Victoria County centennial year, construction began on a purpose built museum. Located at 435 Kent Street West, the facility formally opened on July 4, 1962. Shortly before the turn of the twenty-first century, the Victoria County Historical Society began looking for a new place to exhibit its collection. Lindsay's old gaol became available in February 2003 with its close as a correctional facility, and in 2011, the new museum opened.

Mission

The Victoria County Historical Society (VCHS) is a non-profit heritage organization that works to increase community awareness, appreciation, involvement, and support of the Olde Gaol Museum and Victoria County's (City of Kawartha Lakes') cultural heritage.

Vision

Through the museum and its community outreach initiatives, the Society features, celebrates and shares educational content to the public based on significant events in Canada's history and how they link to the local community.

Value to Community

The richness of the history and education in quality programs and displays has an emotional impact that leaves visitors with a memorable experience.

The Society is incredibly fortunate to have an Educational Committee that is composed of retired teachers, volunteering their time to deliver programs to local students.

- The programs are designed and delivered by the museum's Education Committee and are popular with area schools. They give children a window into local history through interpretation of and engagement with the museum's many artifacts.
- The programs have been developed by teachers and are directly aligned with the Expectations of the Ontario Curriculum. As such, they are a wonderful complement to what is being taught in area classrooms.
- The programs have been very well received. Students and teachers have responded enthusiastically.
- The programs offer a chance to honour the history of this area and to keep it alive for the young people who are growing up here.

Through the museum and programming, the Society has a reach that is world-wide with tourists from all corners of the world. The Society adds both economic and social value to the community at present and for future generations.

Reviews from TripAdvisor:

- "I didn't expect to be so impacted by my visit to the Olde Gaol Museum but I really was. It truly allows one to connect with the cruelty of our recent past and how hard the face of 'justice' can be to look at. The exhibits lend a reality to the experience of the people of the past. Also the stories that are featured really show the harsh reality of capital punishment and also the female experience as social deviants. Thank you for the opportunity!"
- "I visited the gaol house with my wife and elderly uncle, whilst on a holiday trip from the UK. I have to say my main reason for visiting was to see the Neil Young memorabilia. However, whilst I obviously enjoyed looking at one of my favourite musicians artifacts and information, the rest of the museum was well worth a visit too. The young lady who provided a guide service, was very interesting and informative, and the look around the gaol House was enjoyable. A someone else says, a hidden jewel,."

Current Position

The industry of museums is currently in a state of flux. The act of viewing a collection of items is an activity that appeals to a waning sector of the public. These days, more and more visitors are looking to partake in memorable experiences. Museums are having to change what they do, moving away from collecting items to telling stories and creating programming that provides experiences. Collections won't disappear altogether, but artefacts will be carefully curated to preserve the heritage of the community, while also being used to inform and inspire programming.

For the past several years the Society has made adaptations to keep up with this transition period. Programming has included stage productions at the Academy Theatre. Speaking engagements have been held at nursing homes. The Society has produced publications, and hosted dinner events with musical performances. These programming events not only bring the museum out into the community, but also require collaboration with other organizations. While collaboration is inherently a good thing, it does increase the scale of an event, requiring longer preparation periods, larger venues, and bigger budgets.

Because the museum industry is changing, the sector is also altering the funding of museums. Over the past several years, operational funding has been excluded from grant monies, leaving museums to increase community programming, while also scrambling to raise operational costs through fundraising, and leaving much of the organization to be run by volunteers.

Achievements

Aside from the achievement of creating the Olde Gaol Museum, the Society has managed to attract national attention through its exhibition programming.

In 2015 and 2016, the *First World War Comes To Life* exhibit components, along with an interpretive staff of nine individuals, travelled across Canada, bringing local artefacts and stories to audiences in Gander, St. John's, Halifax, Louisbourg, and Montreal. Within Ontario, the project travelled to many destinations, from the shores of the Detroit River to Ottawa. This fully-animated, interactive exhibit shared the lesser known stories of Canadian men and women who served behind the frontlines during WWI. The project enjoyed a total attendance of well over half a million visitors on-site. Awareness about the project reached over one million Canadians through promotional campaigns and online presence.

Another exhibit that garnered national attention was *Their Votes Counted*. In 2017, this exhibit opened in Ottawa with Maryam Monsef, MP, on May 9 with a private reception on Parliament Hill. The exhibition marks the 100th anniversary of women voting for the first time in a Canadian

federal election. *Their Votes Counted* is a fully-bilingual, travelling exhibition curated by the Society in partnership with the Canadian Nurses Association and made possible through the Department of Canadian Heritage. The exhibit has so far travelled locally and to St. Boniface Hospital in Winnipeg.

Collection

The Society has an impressive collection of artefacts mainly from the Kawartha Lakes area representing everyday life from the time the area was settled to the 1940s. The main areas of the collection are costumes and accessories, glass, household furnishings and decorative arts and utility objects of the household or business. As well, the collection includes several one-of-a-kind pieces that highlight the medical profession in the former Victoria County, the agricultural history, children's playthings, First Nations' heritage, the Sir Sam Hughes Great War collection as well as other artefacts in a variety of categories.

A few highlights include:

- The John McNeely McCrea wooden miniatures (on permanent loan from the Royal Ontario Museum)
- The Beall family scrapbooks, including drawings, photographs, and newspaper clippings of historic Lindsay
- W.A. Goodwin's artwork and related archival material
- Records and artefacts from the Edmund Gregory drug store -- the first drug store in Canada
- Bound hard copies of the Lindsay Post newspaper
- Archival material about the Hon. Albert E. Matthews -- Ontario's longest serving Lieutenant Governor
- Artefacts and archival material from the Lindsay Kinsman Band (courtesy of Chuck Golden)
- Uniforms of local women who served as military nurses during WWI
- Various artefacts, models, and archival materials covering the history and development of railways in Lindsay and surrounding area.

A collection of over 10,000 artefacts requires hours and hours of custodianship. In addition to environmental and pest control, the artefacts need ongoing maintenance to retain preservation. Some items require specialized conservation skills. A good example of this is Sir Sam Hughes's uniform. The Canadian Conservation Institute, Department of Canadian Heritage, heard about the uniform and offered to restore it at no charge to the Society, in the name of preserving this piece of heritage. This is merely one item in the collection. There are many more artefacts in need of such attention.

The collection is not capitalized but rather acquisitions are expensed in the year acquired. Contributed items are recorded as contributions and collections acquisitions at their fair value at

the date of contribution if the fair value is reasonably determinable. All preservation costs are expensed in the period incurred.

Proceeds from sale or disposition of items from the collection are internally restricted for reinvesting in the collection or the direct maintenance and preservation of the collection.

Currently, the Society is providing custodianship of the collection through the work of volunteers, but the collection belongs to the public. It has an insured value of $500,000.

Capital Investment

The Society has made significant improvements to the building of more than $500,000. The bulk of the funds required for these reparations came from fundraising efforts and grant contributions, including an Ontario Ministry of Culture, “SuperBuild” grant of $479,000. The work to the building includes the addition of a ramp and stair lift for accessibility, the interior arched doorways, relocation of the stairs, accessible washrooms, reparations to the floors and ceilings, associated electrical work, installation of sprinkler system and fire alarm, roof reparations, and repointing of the exterior walls.

Constructed in 1863, the building is designated under Part IV of the Ontario Heritage Act. Historically known as the “County Gaol,” the Lindsay Jail is an important historic and architectural landmark with a long history in Lindsay. In 1861, Provisional Independence was granted to the County of Victoria and Lindsay was to become the County Town. J. Storm, a noted Toronto architect drew the original plans, Mr. Kestevan was the builder. The building was completed in 1863 and is constructed of limestone and white brick in Italianate design, quite common among 19th century jails, distinguished by strong symmetrical, round headed windows. Designation of the exterior portion of the building was recommended because of the historical and architectural significance pursuant to the provisions of the Ontario Heritage Act.

Competitive Advantage

The Victoria County Historical Society was established informally in 1957 and formally incorporated in 1976, making it the oldest historical society in the municipality. The Society established the first museum in the municipality in 1957. When the public hears “museum” or “historical society” they think of this Society and this museum.

One advantage for Society is the location of the Olde Gaol Museum in the former municipal jail. The historic building provides a venue that is different to the other museums in area. The building was constructed in 1863 and retains most of the original elements, including the jail cells, making for a unique venue that incorporates a prominent piece of the municipality’s

history. The building has also been an attraction to production companies looking for a Victorian jail setting for filming movies and television programs.

Visitors to the Olde Gaol Museum enjoy learning about the facility itself, along with the history and heritage of Lindsay and the surrounding area. They are parents and grandparents wanting to share memories with children. They are tourists from far and wide. They are researchers and historians, writers and journalists. Visitors also include students from the local schools; teachers incorporate visits to the museum as part of the curriculum.

The Society tends to not think of the other museums in Kawartha Lakes as competitors because the Society's collection does not duplicate or replace the work of the other museums. The Society's collection and interests focus on Lindsay, and the (former) Ops, Emily and Mariposa townships. These former townships do not have museums. Occasionally, a collection or exhibit may overlap with the work of another museum in Kawartha Lakes, and in that case, the Society prefers to work with other museums in partnership and collaboration to the benefit of all.

That said, the Society is at a disadvantage to the museums of Fenelon Falls and Bobcaygeon, as those museums receive municipal support. This advantage allows these museums to focus on providing better experiences for visitors because they do not have to provide for their own operating costs.

Marketing strategy

Marketing currently includes press releases (which are frequently enacted upon by local newspapers for full articles and interviews), printed poster campaigns, social media marketing, and-- perhaps the greatest marketing asset-- word-of-mouth. The Society believes in building relationships with its audience and visitors, making the time to provide each guest with a memorable experience that translates to repeat visits. Unless grant funding includes advertising, there is no budget for marketing in operational costs, making the Society largely dependent on word-of-mouth.

Visitors to the Society's museum tend to fall into a few of the Ontario Ministry of Tourism's categories of tourists: family memory builders, knowledge seekers, up & coming explorers, connected explorers, and solitaires. As a strategy, the Society tends to focus marketing efforts on reaching those specific target audiences.

Operational plan

The museum's day-to-day operations currently includes seasonal hours. After the Victoria Day

weekend in May, the museum opens to visitors for full-time hours until the autumn when the museum closes for viewing except by appointment. During the summer season, student employees, hired under a federal grant, are essential part of operations by providing the visitors with tours, by providing programming, and performing other essential tasks. Through the dormant half of the year, the visits are by appointment only, but staff and volunteers continue to work behind the scenes preparing exhibits, researching, planning programming, applying for grants, collaborating with other organizations, managing the collection, and much more. Current year-round staff includes a researcher, administration assistant, data entry, and exhibit development-- all on a volunteer basis.

The current seasonal operations excludes the museum from most grant sources, and over the next three to five years, the museum needs to move to full-time, year-round hours and hire full-time paid staff in order to qualify to apply for these grants. The museum has also been advised to open for evening hours, but will need to hire staff to be available for these hours.

Collection management is currently being done by volunteer staff at the museum and by board directors-- none of whom are qualified curators. The Society immediately requires a curatorial assessment by a qualified curator with knowledge of local history to “right size” the collection and provide direction for future acquisitions. Then, the museum needs access to a curator on a regular basis to assess donations and advise on storage and restoration needs. While grant funding could be sought for the curatorial assessment, regular access to a curator would need to become part of operational funding.

[See attached SWOT analysis of collection management -- Appendix]

Facility Requirements

The Society requires a space to display artefacts from the collection, environmentally-controlled storage space to preserve the collection, office space (for records management, research, and administration), and space to provide programming including educational programming for school visits.

Currently, the facility is an old jail, a designated heritage building. But this does not always have to be the location of the museum.

In the future, the Society would like to see itself in a cultural centre, a shared space with the Kawartha Art Gallery, and other community partners, where programming would be facilitated alongside display space for some of the collection. The Society would like to see the collection in rotation while being housed in environmentally controlled conditions in a proper archive.

Human resources plan

It takes many people to run a museum. Although in the past the Society was able to employ full-time and part-time staff, currently the museum is run entirely by volunteers and a volunteer board of directors.

Board of Directors

President/Chair
Vice-President
Secretary
Treasurer
Directors - 11 positions total

Staff

Manager (Vacant)
Curator (Vacant)
Conservator (Vacant)
Registrar/Data Entry (Volunteer)
Educator (Volunteer)
Interpreter(s)/Museum Tour Guide(s) (Summer Students)
Exhibit Designer(s) (Volunteer)

Volunteers

Education Committee
Fundraising Committee
Gardener & Groundskeeper

While the Society desperately requires a curator, the biggest gap in the team is a foundation executive director, someone's whose sole job is to establish and grow a community foundation that will support the Society's operational and capital costs. Ideally, this foundation will work for both the Society and the Kawartha Art Gallery in a partnership, and eventually, roll into the community centre's foundations.

Business support organizations

There are many organizations the Society has been working closely with-- Kawartha Art Gallery, Spinners and Weavers, Trillium Lakeland District School Board-- but perhaps the biggest partner and source of support is staff, management and Councillors of the City of Kawartha Lakes.

Financial Information

Capital Assets

The Society's average annual revenues is less than $500,000 and as a result, the Society is not required to record capital assets on the statement of financial position and amortize the costs over the estimated useful life. Purchased capital assets are recorded at cost. Contributed capital assets are recorded at fair value at the date of contribution. Additions to capital assets, both purchased and contributed, are recorded as capital purchases in the statement of operations in the year of acquisition.

Revenue Recognition

The Society follows the deferral method of accounting for contributions. Restricted contributions are recognized as revenue in the year in which the related expenditures are incurred. Unrestricted contributions are recognized as revenue when received or receivable when the amount to be received can be reasonably estimated and collection is reasonably assured.

Contributed Services

Volunteers contribute a significant number of hours per year to assist the Society in carrying out its activities. Because of the difficulty of determining their fair value, contributed services are not recognized in the financial statements.

Allocated Expenses

The Society's primary operating activities consist of operating the "Olde Gaol Museum" in Lindsay, Ontario. Common general support expenses are allocated by identifying the

appropriate basis of allocating each component of expense, and applies that basis consistently each year.

Administrative salaries and wages are allocated to certain special projects based on the amount of time spent on these special projects during the year.

General museum overhead and other operating expenses are allocated to special projects on a reasonable and consistent basis.

[See Cash Flow Statement attached -- Appendix .]

Financial Forecast

Short Term

Financial considerations for the short term focus primarily on fundraising events to cover operational costs. These events need to assure the public that the museum is not closing and also serve as reminders that the museum is ever-changing; exhibits are not static and programming is constantly under development.

These short-term events should help to build museum membership and increase the number of tours and small donations. The Society intends to make the museum a prominent tourist destination for Lindsay and all of Kawartha Lakes.

The Society has the support of the local media, as well as many local organizations. Without paying for marketing, the Society has experienced good attendance at events and expects to continue to do so in the future.

In the short-term, the Society will be bringing in temporary exhibits. These displays will be available for three weeks at a time with the aim to increase the number of visitors to the museum, and to remind the public that one visit is not enough; the museum is changing.

In the short-term, the Society is building relationships with other organizations. The Society currently partners with the Spinners and Weavers, who share space in the museum; with Lindsay Little Theatre; with I.E. Weldon's students and teachers; with various church groups; and will continue to build these relationships over the next year through a variety of programming. The Society is also partnering with the Kawartha Art Gallery. The Society has also invited Sweet Kitchen Lindsay to collaborate on upcoming events and to make use of the community room. And the Society will continue to look for other opportunities for collaboration.

These short-term solutions also include bridges to longer-term funding strategies, because the Society is cognizant of volunteer-burnout and donor fatigue.

Long Term

Long-term planning focuses on funding operational expenses at a sustainable level through fewer events, so as to decrease the likelihood of volunteer burnout and donor fatigue, but also to build flexible funding to cover operational costs regardless of the museum's location.

When looking long-term, the Society would like to build a healthy base of museum patrons and members. The Society will continue to solicit sponsors for exhibits and seek donor funding on a larger scale.

The Society intends to build a relationship with Curve Lake, who have already provided curatorial assistance with the collection, and to continue to promote truth and education. The Society does not intend to replace the work at Curve Lake but to provide opportunity for farther reach and a wider audience.

The Society intends to explore use of a Community Foundation to build funds that will cover operational costs. This option is new to the community as a whole and to the Society in particular, so time is needed to educate the Board and the public. The Society will also explore options such as a group foundation with other museums and a partnership foundation with the Kawartha Art Gallery.

The Society will continue towards completing the inventory process and curating the collection to a more sustainable size. This will require some time to justify the collection and de-access items, but will ultimately result in lowering costs long-term. The collection belongs to the public, and the Society hopes in the long-term there will be means of proper storage to preserve items of local value.

The Society intends to build operational funding into grant proposals wherever and whenever possible. The changing requirements of grant funding is showing that operational costs won't be included. The Society needs to explore options and look at other funding models.

The Society intends to further its relationship with the Kawartha Art Gallery, while educating the public on what this partnership means, on what a combined art gallery and museum means for the community, while preparing for the eventual community centre. There is a public education component that needs to take place so the community understands the benefits associated with a combined program for the museum and art gallery. While at the same time, the Society believes both organizations need to spend time devising a proper business model and plan for

future collaborations and partnerships. Museums with art galleries disqualify for some grants, so time is required to figure out future funding models and other grant sources, if need be.

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PLAN2018-046

Date: **May 22, 2018**
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: Ward 12 – Lindsay

Title: Parking Requirements – Re-development of 171-183 Kent Street West

Description: Request to the City for the collection of cash-in-lieu of parking for the re-development of the property in accordance with the provisions of the Town of Lindsay Zoning By-law

Author and Title: **Ian Walker, Planning Officer – Large Developments**

Recommendations:

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.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The owner of these lots proposes to demolish the existing three storey hotel/restaurant building at 171 Kent Street West, known as The Grand hotel, and the existing two storey mixed commercial and residential building at 171-183 Kent Street West, and to construct a new three (3) storey commercial building. The current proposed development will require 167 parking spaces, and the developer is only able to provide 67 on-site parking spaces.

The applicant submitted a Minor Variance application to the City's Committee of Adjustment to request relief from the "Central Commercial (CC) Zone" provisions and the "General Provisions for All Zones" sections of the zoning by-law to request 4 reliefs: a) to reduce the required parking; b) to reduce the required accessible parking; c) to reduce the number of loading spaces; and d) to reduce the front yard setback. At the Committee meeting on February 15, 2018, the applicant withdrew the request to reduce the required parking, and proceeded with the other 3 requests. The front yard setback and loading space requests were granted, and the reduction to the number of accessible parking spaces was denied. As a result of withdrawing the request to reduce parking through a minor variance, the applicant has chosen to request entering into an agreement with the City for the payment of cash-in-lieu of parking for all required deficient parking spaces. As such, they have requested to make a presentation to Council on the May 22, 2018 meeting for the consideration of cash-in-lieu of parking.

Owner:	APG Kent Street Properties Corp. – Neil Arbour
Applicant:	Monsey Consulting Group Inc. – Dean Aziz
Legal Description:	Plan 38 Lots 2 and 3 South of Kent Street, 57R-5785 Part of Part 1, former Town of Lindsay, City of Kawartha Lakes; and Plan 38 Lots 4 to 7 and Part Lot 8, 57R-7668 Parts 2 and 3 and Part of Part 1, former Town of Lindsay, City of Kawartha Lakes
Designation:	"Central Business District Commercial" on Schedule 'A' of the Town of Lindsay Official Plan
Zone:	"Central Commercial (CC) Zone" on Schedule 'A' of the Town of Lindsay Zoning By-law No. 2000-75
Lot Area:	2,327.5 square metres (25,053.8 square feet)
Site Servicing:	Municipal sanitary sewer, storm sewer and water supply
Existing Uses:	Tavern, Restaurant, Commercial, and 8 Residential Units
Adjacent Uses:	North: Kent St W; Lindsay Service Centre; Library East: Commercial (Bakery); Cambridge St S; Bank (Scotia) South: Vacant Land (Parking); Russell St W. West: Commercial (Kent Place); Victoria Ave S.

Rationale:

The property is located on Kent Street West, between Cambridge Street South and Victoria Avenue South, in Lindsay. See Appendix 'A'. It contains an existing three (3) storey hotel/restaurant and two (2) storey mixed commercial and residential building, constructed circa 1900 (MPAC). The new three (3) storey building is proposed to have retail stores and a restaurant on the first floor and offices on the second and third floors. Staff has discussed various alternatives with the owner and applicant for the parking requirement regarding this proposal.

The parking ratios contained in the Town of Lindsay Zoning By-law is the same for suburban sites as they are in the downtown core. However, in the downtown core, the By-law allows that cash-in-lieu of parking may be considered by Council as an alternative to providing on-site parking. Historically, properties in many downtown areas have been built to the front lot line, and provide little or no on-site parking. The Zoning By-law considers that if a building is converted to a new use and/or if an addition is constructed, that the existing parking deficiency is not required to be addressed, however, it does require the difference in parking to be addressed (e.g. the difference between the new required total and the previous required total). For a demolition and replacement or brand new build, it requires the full complement of on-site parking be provided, or alternatively, that cash-in-lieu of parking may be considered as an alternative for any parking deficiency.

Section 40.(1) of the Planning Act allows for a municipality to enter into an agreement with an owner of a building, exempting them from providing and/or maintaining parking facilities required by a by-law. Section 40.(2) of the Act provides for the payment of money to the municipality as consideration for granting of this exemption. The money will be collected by the City at the time of execution of the Site Plan Agreement, and goes into a special account which can be used for providing and/or maintaining municipal parking. To date, City Council has not passed any by-laws setting a standard rate for cash-in-lieu of parking, anywhere within the City. The only by-law which is currently in place and which was passed by the local Council prior to 2001 applies to the former Village of Fenelon Falls, where the rate is $4,000 per space. Since 2001, applicants within the Former Town of Lindsay have sought relief from Council via cash-in-lieu of parking, to proceed with their development, as follows:

- In 2007, Development Services staff recommended collection of $40,000 cash-in-lieu for the re-development of the properties at 43, 47, and 49-51 Kent Street West, based on a formula for recognizing that the parking standards in the downtown core are not typically the same as in a suburban setting. The rationale for the calculation is provided in Appendix 'C'. It set the basis for the current staff recommendation and other monies collected. The result was a value of approximately $1,379 per space based on the staff recommendation. Council chose to receive $20,000 cash-in-lieu for 29 parking spaces;
- In 2015, Council received $10,500 cash-in-lieu for 7 parking spaces, for the re-development and conversion of the building and property at 25 King

Street. This was based on a value of $1,500 per space, and was approved by the Ontario Municipal Board.

In 2007, Richard Danziger, Director of Development Services recommended using the following three-step process to calculate cash-in-lieu of parking for the Rexall Development in downtown Lindsay;

i. The cash-in-lieu payment be based on a 50% reduction to the zoning requirement for parking;
ii. The cash-in-lieu payment be taken based on the remaining spaces not provided for on-site; and
iii. The number of spaces in step ii. above be multiplied by the $4,000 requirement for parking spaces in the Fenelon Falls cash-in-lieu of parking by-law.

For the Rexall Development this calculation resulted in $1,379 cash in lieu of parking payment for a total of $40,000. Staff brought a report forward to Council for this payment but after reviewing the report, Council decided to cut this payment in half such that the applicant paid $20,000 for the 29 deficient parking spaces or **$689.65** per parking space.

In 2015, the Ontario Municipal Board agreed with the 2007 staff recommendation of $1,379 per parking space but recommended indexing this payment to $1,500 per parking space to equal 2015 dollars.

Using the precedent set by the Rexall Development, the Grand Redevelopment would pay the following cash in lieu of parking:

i. The cash-in-lieu payment be based on a 50% reduction to the zoning requirement for parking which would equal 84 spaces (167 divided by 2);
ii. The cash-in-lieu payment be taken based on the remaining spaces not provided for on-site which would equal 17 spaces (84 spaces minus 67 spaces provided); and
iii. The number of spaces in step ii. above (17) be multiplied by an indexed $4,491.92 requirement for parking spaces for a total of $76,362.64

There are multiple ways to determine what value to collect for cash-in-lieu of parking:

a) Use the Rexall precedent with an indexed total amount as explained above;
b) Use an indexed value per parking space based on the 2007 recommended value of $1,379.00 (indexed value $1,548). This would total $154,800;
c) Take a value of $4,000.00 per space (or 2018 indexed value of $4,491.92) for all deficient spaces. This would equal $449,192;
d) Determine the true cost per space of providing the new parking spaces on another property (which will vary depending on the type of structure, location, etc.); or
e) Take a nominal value of $1.00 for all deficient spaces.

In the absence of knowing the exact value of constructing new parking, and/or until such time as Council passes a by-law setting the value for the taking of cash-in-lieu of parking, staff would recommend being consistent with the recommendations which formed the basis for past Council decisions. Staff would therefore recommend alternative a) above.

The City's Transportation Master Plan recognizes the general need to expand municipal parking capacity in the downtown areas of Lindsay, Fenelon Falls and Bobcaygeon. This is based on the population and employment forecasts in the Growth Management Strategy, as a result of the Provincial Growth Plan, which forecasts the City reaching a permanent population of 107,000 by 2041. On April 24, 2018, Council passed Resolution CR2018-255, to commission a Downtown Parking Strategy project which will examine parking issues in downtown areas more closely, to substantiate specific needs and develop proposed solutions for future parking needs.

The Transportation Master Plan identified there are in excess of 500 municipal parking spaces available in the downtown area. On-street parking is available on Kent Street West, Cambridge Street South, and Victoria Avenues South and North. Off-street parking is available in municipal and private lots to the east (along William Street North and South) and to the north (between Kent Street West and Peel Street).

As noted above, the applicant had requested that the Committee of Adjustment consider a variance to reduce the number of required parking spaces from 167 spaces to 67 spaces. At the Committee meeting of February 15, 2018, members of the public spoke in opposition to the minor variance request to reduce parking on this property for two main reasons: on the basis of the value of cash-in-lieu to be taken; and on the reduction of 100 spaces not being minor. Based on the discussion at the Committee meeting, the owner chose to withdraw this variance request and come forward to Council with a request to pay cash-in-lieu of parking, in accordance with Section 40 of the Planning Act.

Other Alternatives Considered:

The original proposal received December 1, 2017 provided approximately 26 on-site surface parking spaces. In the meantime, the applicant has revised the proposal to provide an additional 50 underground parking spaces, for a total of 67 parking spaces on-site. The property owner is also pursuing other alternatives, such as the purchase of other vacant nearby properties to be consolidated with their land holdings, for the purpose of increasing the availability of on-site or nearby parking for this development.

Financial/Operation Impacts:

There will be financial impacts which cannot currently be quantified at this time, as the true costs of adding new parking in the downtown area are not known.

Depending on the alternative chosen, the City may be in a position to receive cash-in-lieu of parking.

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
-

This application aligns with the vibrant and growing economy strategic goal as it increases the available employment opportunities in the downtown core.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City. Accessible standards will be implemented through the Site Plan Agreement, and permits issued under the Ontario Building Code (OBC).

Servicing Implications:

The lot is connected to full municipal services in the Lindsay municipal service area.

Consultations:

- Transportation Master Plan;
- Report DEV2007-083, Parking Requirements – Re-development of 41, 43 & 59-51 Kent St. W., Lindsay
- Public Consultation through Minor Variance Application D20-2018-006

Attachments:

The following attached documents may include scanned images of appendixes, 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

PLAN2018-046
Appendix A.pdf

Appendix 'B' – Letter dated April 19, 2018 from Bryan Green, APG Kent Street Properties Corp. (property owner)

PLAN2018-046
Appendix B.pdf

Appendix 'C' – Report DEV2007-083

PLAN2018-046
Appendix C.pdf

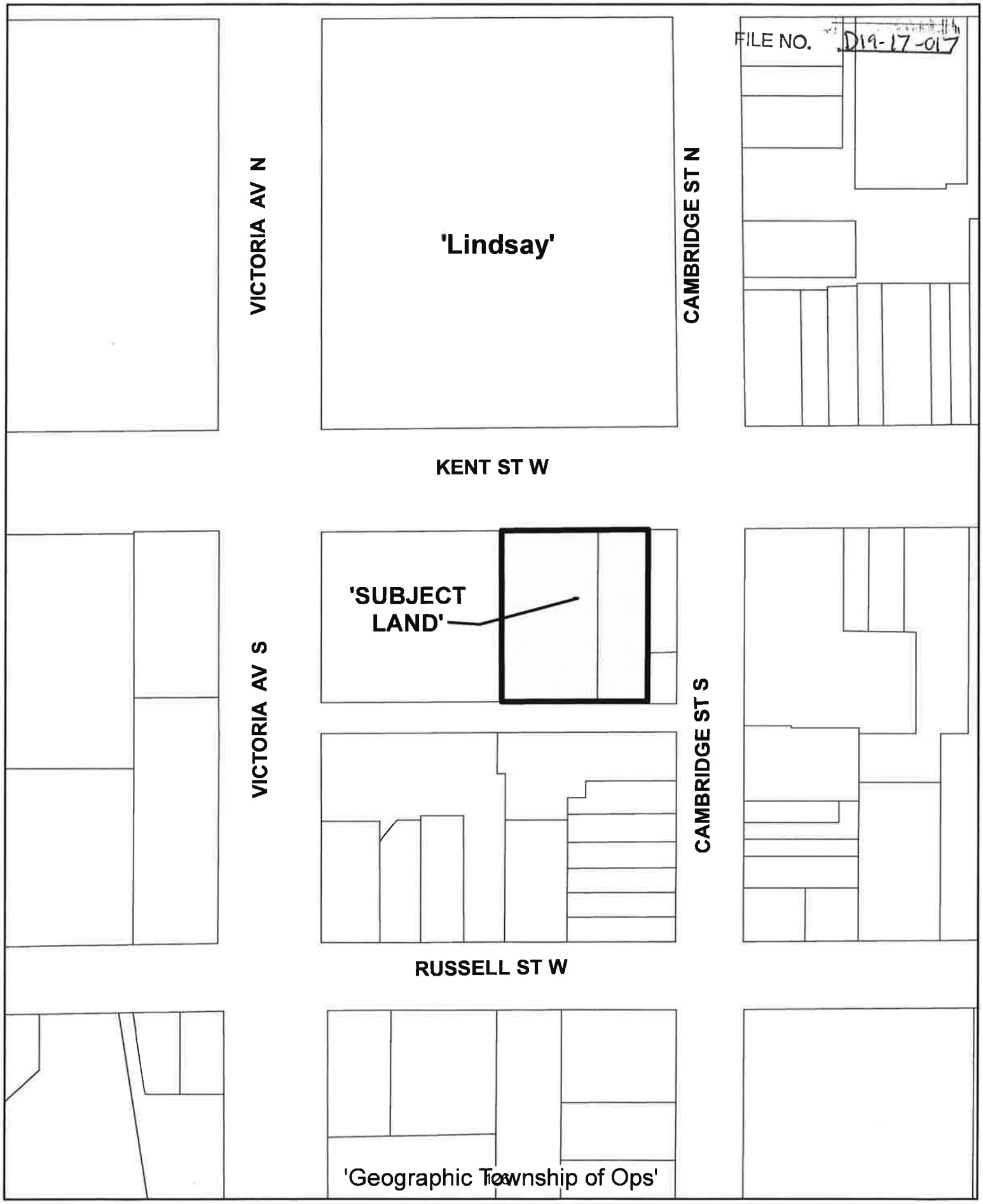
Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall, Director, Development Services

Department File: D19-17-017

APPENDIX "A"
to
REPORT PLAN 2018-046

FILE NO. D19-17-017



APPENDIX "B"
to
REPORT PLAN2018-046
FILE NO. D19-17-017

APG Kent Street Properties Corp.
231 Millway Ave., Unit 11
Concord, Ontario L4K 3W7

April 19th, 2018

City of Kawartha Lakes
26 Francis Street
Lindsay, Ontario
K9V 5R8

Attention: Mr. Chris Marshall

Dear Mr. Marshall

Re: Grand Hotel Redevelopment Project 171-182 Kent Street West

We are writing to you further to the Committee of Adjustments meeting to inform you we intend to proceed with the processing of our site plan application and wish to request the option of paying cash-in-lieu for the remaining required parking spaces. We acknowledge the rate for cash-in-lieu payment is determined by Council but ask that a reasonable and fair rate equal to others that have developed in the downtown be used. Thus, being said, we would request this item be scheduled for the May 22nd, 2018 council meeting if at all possible. It is our intention to present our proposal/commitment and speak to this matter at Council. Please let us know at your earliest convenience if this is a matter you will consider.

Yours very truly,
APG Kent Street Properties Corp.

Bryan Green

DPW 2007-12.5.3(1)

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

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to
REPORT PLAN2018-046
FILE NO. D19-17-017

REPORT

DEV2007-083

Meeting Date: June 19, 2007 **Meeting Time:** 1:30 p.m. - REGULAR MEETING **Meeting Place:** Council Chambers **Development and Public Works Services Committee**	**WARD:** 12

Subject: **Parking Requirements – Re-development of 43, 47 & 49-51 Kent Street West, Lindsay**

Author: **Richard Danziger, Director** **Signature:**

RECOMMENDATION(S):

THAT Report DEV2007-083, "Parking Requirements – Re-development of 43, 47 & 49-51 Kent Street West, Lindsay", be received; and

THAT Council require cash-in-lieu of parking for the re-development of 43, 47 and 49-51 Kent Street West, Lindsay in the sum of $40,000.00; or alternatively

THAT Council advise the City's Committee of Adjustment that it has no objection to a variance reducing the parking requirements for the re-development of 43, 47 and 49-51 Kent Street West, Lindsay from 39 spaces to 10 spaces; or alternatively

THAT no action be taken on this matter until a review of the parking policies of the Lindsay Official Plan for downtown Lindsay is undertaken and existing policies are confirmed or new policies are adopted.

DIRECTOR: **OTHER:**

TREASURER **(if applicable)** **CHIEF ADMINISTRATIVE OFFICER**

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BACKGROUND:

The owners of a block of land located at the south-east intersection of York Street and Kent Street West in Lindsay are proposing to re-develop the site for a 10,000 square foot drug store. The site is shown on Appendix "1" to this report, and is comprised of four parcels of land including 43, 47 and 49-51 Kent Street West as well as part of a closed alleyway off York Street and a lot south of the alleyway.

The developers are proposing to raze the existing buildings, fronting Kent Street, and develop the drug store with 10 parking spaces, which would be accessed from York Street.

Aside from any other issues, one of the most significant issues facing this development is the provision of parking, in compliance with the requirements of the Lindsay Zoning By-Law. The proposed development will require 39 parking spaces and the developer is only able to provide 10 new parking spaces.

RATIONALE:

Attached as Appendix "2" to this report is a letter dated June 4, 2007 from A & L Investments Limited, the owners of the properties in question. In essence, the developer is requesting accommodation by Council to permit the development of the site with fewer parking spaces than that required by by-law.

The current Town of Lindsay Zoning By-Law, i.e. By-Law 2000-75, has the same parking requirement for downtown Lindsay as it does in the area of Kent Street where Loblaws and the Lindsay Square Mall are located. Prior to the adoption of By-Law 2000-75, the then Lindsay Zoning By-Law required no parking for buildings in downtown Lindsay.

In the Lindsay Official Plan, which was adopted in 2000, there is a specific section which deals with parking:

> **"5.1.5 Parking**
>
> Parking needs in the Downtown Area will be assessed in order to provide adequate off-street parking in the Downtown Area. Where property becomes available in suitable locations, Council may acquire property to reduce parking deficiencies. All new development or re-development shall be encouraged to provide sufficient parking on-site to accommodate the proposed use. If such parking cannot be provided, the Town may collect cash-in-lieu pursuant to Section 40 of the *Planning Act* to be used expressly for the provision of additional parking spaces in an appropriately defined area."

In terms of interpreting the above policy, the applicants argue that the words "shall be encouraged" and "the Town may collect cash-in-lieu" does not contemplate a mandatory requirement for development in the downtown area to either provide parking or cash-in-lieu of parking. The writer would argue that, given the words in Section 5.1.5 and the fact that the zoning by-law was amended to require parking in the downtown, there is a

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clear indication that there certainly was an intent to address apparent parking deficiencies in Lindsay's downtown.

Policy 5.1.5, in the writer's opinion, does create problems for downtown development. As indicated previously, the existing zoning by-law requires the same amount of parking for a development occurring in the Loblaws/Lindsay Square Mall area, where lots are quite large, as it does for small downtown lots which may be fully occupied by a building.

In the writer's experience, it is rare that municipalities require the same parking ratios in downtown areas as they do in suburban development. It is not unusual to see exemptions for parking in downtown areas or, alternately, much reduced parking ratios for downtown development.

If a building was to burn down in downtown Lindsay and the owner was to attempt to rebuild the building, assuming they had no parking to begin with, they would have to provide the full amount of required parking or, alternately, provide cash-in-lieu of parking. From the writer's experience, this approach usually results in no re-development occurring in a downtown area because of the expense of providing parking, as compared to suburban locations.

Additionally, the public has played a significant role in the provision of downtown parking. This is true in Lindsay as well as Bobcaygeon and Fenelon Falls. Since none of the downtowns have seen any real re-development, the issue of downtown parking has remained dormant until this time, except in Fenelon Falls.

In the writer's experience with several smaller downtowns, the general policy has been to accept whatever parking was originally provided for a given floor area and only require parking for additional floor space over what existed at the commencement of a re-development. In other words, if a building contained 10,000 square feet and provided no parking, and a developer wished to re-develop the site for a 20,000 square foot building, additional parking would only be calculated on the incremental 10,000 square feet.

The writer suggests that the parking policy in the Lindsay Official Plan be re-written to permit the re-development or re-use of buildings without any additional parking requirement, so long as the re-use of the building remains within the four walls of existing development and, if there is a re-development, parking only be required for floor space which is incrementally greater than that which existed on site.

This policy modification would allow the reuse of existing buildings without having concerns over incurring additional parking requirements and would only require parking for incremental floor space, as opposed to what exists on a given lot.

The overall thrust for parking in the downtown should be to reduce the parking requirement by 50%, exempt existing floor space from parking requirements and require cash-in-lieu for any parking spaces still required but not physically provided.

In terms of the subject application, the buildings at 43, 47 and 49-51 Kent Street West totally fill the existing lots and no parking was provided. The applicants, however, do provide parking on the vacant alleyway and lot immediately behind their buildings. This

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parking is relatively uncontrolled and appears to be occupied by whoever can get to the site first.

Council has at least three options in terms of dealing with the subject request:

a) Section 40 of the *Planning Act*
Section 40 of the *Planning Act* allows Council to exempt an owner from providing parking. The Section states:

> "**40.** (1) **Agreement exempting owner from requirement to provide parking.** – Where an owner or occupant of a building is required under a by-law of a local municipality to provide and maintain parking facilities on land that is not part of a highway, the council of the municipality and such owner or occupant may enter into an agreement exempting the owner or occupant, to the extent specified in the agreement, from the requirement of providing or maintaining the parking facilities.
>
> (2) **Payment of money.** – An agreement entered into under subsection (1) shall provide for the making of one or more payments of money to the municipality as consideration for the granting of the exemption and shall set forth the basis upon which such payment is calculated."

Money collected in this matter has to be placed under a special account which can only be used for the provision or improvement of parking.

In the Village of Fenelon Falls, in the downtown area, parking deficiencies are subject to a cash-in-lieu payment of $4,000.00 a space. Currently there is one business that is paying cash-in-lieu of parking which will eventually total $60,000.00.

In the subject instance Council could exempt the subject site from parking requirements and require that the by-law deficiency of 29 spaces be paid for in the form of cash-in-lieu of parking. If the Fenelon Falls standard of $4,000.00 is used the payment would amount of $116,000.00.

In some cases municipalities have charged as little as $1.00 a space because of the desire to encourage re-development in a downtown area.

If Council were to pursue the options of cash-in-lieu of parking for this development, the writer would suggest that it be based on the following:

i. The cash-in-lieu payment be based on a 50% requirement for parking as compared to the existing by-law requirement, i.e. 20 spaces vs. 39 spaces.
ii. The cash-in-lieu payment be taken for 10 spaces, i.e. 20 spaces minus the 10 provided on site.
iii. The cash-in-lieu payment be $40,000.00, i.e. 10 spaces x $4,000.00.

In effect the cash-in-lieu payment per space, based on the existing by-law, would be $1,379.00 per space.

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b) Amendments to Official Plan and Zoning By-Law
Council could proceed to initiate amendments to the Lindsay Official Plan and Zoning By-Law to exempt the change in use of existing buildings from additional parking requirements and only require the provision of extra parking for additions to buildings, over and above that which existed at the time of development.

Simply requiring parking for additions works well so long as there is a building to start with. In the case of demolitions, the existing floor space immediately prior to demolition can be determined and that floor space can be exempted from parking requirement. In the case of lots which have been vacant for some period of time, the existing floor space prior to demotion will have to be established from historical records or other satisfactory evidence.

c) Committee of Adjustment
The applicants do have an application before the Committee of Adjustment seeking a minor variance from the parking requirement. Although the writer is not convinced that the Committee of Adjustment should be dealing with this issue because of the existing Official Plan policy, Council could indicate its support for the requested variance which could assist the Committee in coming to its decision on this matter. The City could concurrently amend its downtown Lindsay parking policies while the Committee of Adjustment deals with this issue.

In conclusion, the writer would suggest that attempting to require downtown development to provide the same parking as a suburban development will only stifle all types of development in the Central Business District. There simply is not the space or financial incentive to re-develop in the downtown if parking requirements are seen as onerous. Traditionally, municipalities have played a role in the provision of downtown parking because of the nature of older downtowns and the need for public/private solutions to downtown parking.

Because Council has not addressed alternative b) above and that process could take some time, the writer suggests that alternatives a) and c) above are the only ones open to Council at this time. In setting the cash-in-lieu payment Council has the option of setting it at a very low figure and, in effect, implement option b) in principle for the proposed development at Kent Street West and York Street.

OTHER ALTERNATIVES CONSIDERED:

The alternatives to this issue have been discussed under the rationale section.

FINANCIAL CONSIDERATIONS:

Depending on the alternative chosen, the City may be in a position to receive cash-lieu of parking.

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RELATIONSHIP OF RECOMMENDATIONS TO 2002-2012 VISION:

The City's Vision sees the various downtowns of the municipality as strong cultural and commercial attracters. Assisting in parking would be an incentive for a stronger downtown.

REVIEW OF ACCESSIBILITY IMPLICATIONS OF ANY DEVELOPMENT/POLICY

Not applicable at this time.

CONSULTATIONS:

Consultations were held with the Applicants, the City's Legal Counsel and Staff.

ATTACHMENTS:
Appendix "1" – Location of Property
Appendix "2" – Letter dated June 4, 2007 from A & L Investments Limited (property owners)

Phone: (705) 324-9411 Ext. 239 **1-888-822-2225**	**Director: Richard Danziger**
E-Mail: rdanziger@city.kawarthalakes.on.ca	**Dept. File: D20-07-044**

APPENDIX "1"
to
REPORT DEV2007-083 5.3(7)
FILE NO. D20-07-044

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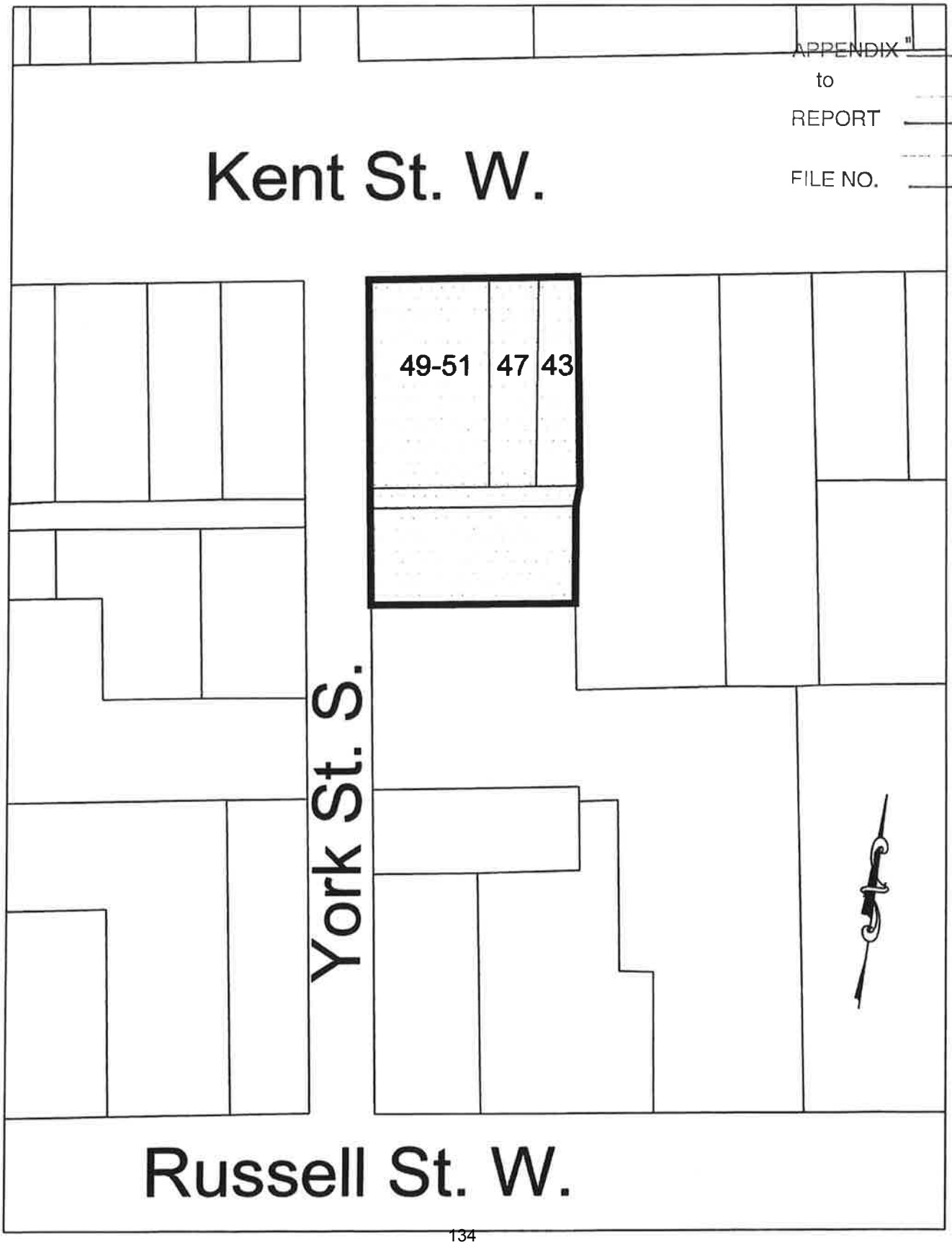

APPENDIX "2" to REPORT DEV2007-083 FILE NO. D20-07-044

APPENDIX "C" to REPORT FILE NO. 8/8

RECEIVED
JUN 07 2007
City of Kawartha Lakes
Development Services
Planning Division

A&L
INVESTMENTS
LIMITED

June 4, 2007

DELIVERED BY HAND

City of Kawartha Lakes
Development Services
180 Kent Street West
Lindsay, Ontario
K9V 2Y6

Attention: Richard Danziger, Director

Dear Richard

Re: Site Re-Development - Council Meeting – June 26, 2007

Further to our meeting today, we would request that we be added to the agenda for the June 26, 2007 Council Meeting. As discussed we are re-developing the buildings municipally known as 43, 47 and 49-51 Kent Street West. The site is currently occupied by three buildings with a total gross floor area of approximately 15,000 sq. ft. We are proposing to re-develop the site and construct a new single retail commercial building consisting of approximately 10,500 sq.ft. The current buildings which as stated are approximately 15,000 sq. ft. have no parking associated with them. Accordingly the new development will be approximately 4500 sq. ft. smaller. Under the proposed development the land adjacent to 43, 47 and 49-51 Kent Street on York Street would be merged with the new development and would provide ten (10) new parking spots. While this is twenty nine (29) spaces less than required under the current by-law, it does provide ten (10) more parking spaces than currently exists to service what will be a smaller building than currently exists. Although the current by-law does not provide and exception to the parking requirements for the downtown as the previous by-law did, the request is consistent with the intent of the Official Plan which in Section 5.1.5 states that within the downtown area that new development shall be "encouraged" to provide sufficient parking on-site to accommodate the proposed use. The official Plan does not contemplate a mandatory requirement for the Downtown Area and in this case, the new development will in fact provide ten (10) official new parking spaces to service as noted a retail area that has approximately 4500 gross square footage less than currently exists on the site.

If you have any questions, please do not hesitate to contact the undersigned.

Yours truly
A & L INVESTMENTS LIMITED
Per:

Shawn Marr

25 Imperial Street, Suite 200, Toronto, ON, M5P 1B9 **Tel.** (416) 484-1230 **Fax** (416) 484-9899

The Corporation of the City of Kawartha Lakes

Council Report

Report Number DEV2018-004

Date: May 22, 2018
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: All

Title: Development Services Department Policy Update

Description: Request to Amend and Rescind Development Services Council Policies

Author and Title: Chris Marshall, Director of Development Services

Recommendation(s):

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.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

At the direction of Executive Committee, Development Services staff reviewed existing Council Policies related to the Division. The review involved analyzing the current policies and determining which ones are no longer valid and which ones need to be updated. At the February 8, 2018 Executive Committee meeting a verbal update on the proposed changes was received.

This report addresses that direction.

Rationale:

Staff reviewed the current documents in accordance with the new structure for Policies, Management Directives and Standard Operating Procedures. It is agreed by staff and the Executive Committee that four of the current Development Services policies are no longer valid and should be rescinded and one should be updated to reflect new Federal Guidelines. Below is the rational for rescinding and amending the policies.

Policy 203 CAO 043 – Waiving of Minor Variance Fee Accessibility

The intent of this policy was to waive the minor variance application fee for applicants who were looking to construct accessible entrances to their buildings. The criteria to be eligible for waiving the fee were unrealistic and no one ever applied for this fee waiver. As an alternative to this policy, the Planning Department has included a reduced application fee as part of the Fee Bylaw for variances related to the construction of accessible entrances.

Policy 070 ED 003 – Tourism Kiosks

The policy speaks to two kiosks but there are actually five tourism kiosks. The policy is out of date and it was determined that a Management Directive would be more appropriate for the ongoing maintenance of these kiosks.

Policy 021 ED 001 – Economic Development Partnership Fund

This policy was actually rescinded by a Council motion on November 10, 2015 but was never removed from the list of policies.

Policy 047 ED 002 – Merchandising, City of Kawartha Lakes Logo and Promotional Material

The City of Kawartha Lakes Logo and promotional material is included in the City’s new Communications Advertising and Marketing Management Directive so this policy is no longer needed.

Policy C 178 PLAN 001 – Telecommunications and Antenna System Siting Policy

This policy was developed to assist staff and Council to process requests from telecommunications companies to construct new cell towers in the City. Staff has updated this policy to reflect new Federal Guidelines for cell towers. The changes recommended to this policy have been outlined in the attached policy.

Financial/Operation Impacts:

There are no financial implications to this 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

This report is operational and is an administrative matter and does not align with any of the Strategic Priorities.

Review of Accessibility Implications of Any Development or Policy:

N/A

Servicing Implications:

N/A

Consultations:

Director of Public Works

Executive Committee

Attachments:

Appendix A: Telecommunications and Antenna System Siting Policy

2018.02.26 - C 178 PLAN 001 - Telecomm

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall

City of Kawartha Lakes — Catch the Kawartha spirit	**CORPORATE POLICY AND PROCEDURES MANUAL**

Policy No:			
C	**178**	**PLAN**	**001**

Policy Name: **Telecommunications and Antenna System Siting Policy**

DEVELOPED BY:	**Ron Taylor**	**DATE:**	**Developed at Request of Council**
DEPARTMENT:	**Development Services – Planning Division**		
ADOPTED BY:	**Council**	**DATE:**	**May 22, 2012**
RESOLUTION NUMBER:	**CR2012-559**	**EFFECTIVE:**	**May 22, 2012**
CROSS-REFERENCE:		**REVISIONS:**	

DEFINITIONS:

Alternative tower structures: shall mean man-made support structures that camouflage or conceal the presence of antennas or towers such as flagpoles, clock towers, church steeples, street lights, artificial trees and other everyday features. This definition shall not include towers supported by guyed wires.

Antenna: shall mean a device for transmitting and receiving electromagnetic waves, wireless communications signals or other communication signals.

Antenna System: shall mean an antenna and some sort of supporting structure, normally a tower.

City: shall mean the various Departments of the Corporation of the City of Kawartha Lakes.

Co-location: shall mean the placement of one or more antenna on the same telecommunications tower or alternative tower structures.

Equipment Shelter: shall mean a structure containing equipment necessary to transmit and receive signals.

Land-use Authority (LUA): shall mean representatives of the Corporation of the City of Kawartha Lakes, including City Council and staff.

Proponent: shall mean the land owner and/or company that is proposing the construction of an antenna or telecommunications system.

Telecommunications Carrier: shall mean a person who owns or operates a transmission facility used by that person or another person to provide telecommunications services to the public for compensation.

Telecommunications Facilities: shall mean the physical antenna and tower (antenna system), and including the base; all mechanical and support components of the tower; and any associated equipment shelters.

Telecommunications Towers: shall mean structures designed and constructed to support one or more antennas, including lattice towers, monopoles and guyed towers.

POLICY, PROCEDURE, AND IMPLEMENTATION:

1.0 GOALS & OBJECTIVES

1.01 The purpose of the Telecommunication System Protocol is to provide proponents with policies and procedures for the installation of new telecommunications towers within the City of Kawartha Lakes. The goals and objectives of the policies are designed to:

a) promote a wireless telecommunications system within the City that provides appropriate service and capacity levels to business, emergency services, and residents;

b) encourage site selection that minimizes the number of tower locations and their visual impact on the surrounding landscape;

c) discourage site selection within or adjacent to sensitive environmental features;

d) provide for public input to the approvals process for area residents as prescribed by Industry Canada and/or when a proposal does not meet the requirements established by this policy; and,

e) provide development and locational criteria and requirements for new telecommunications towers.

2.0 JURISDICTION

2.01 Telecommunication systems are regulated and approved by the federal government under the jurisdiction of Industry Canada, and as such, are not subject to municipal official plan policies and zoning regulations established under the Planning Act. Notwithstanding, Industry Canada still requires proponents to contact the local Land-use Authority as a part of the consultation process, and to schedule a public information session for area residents. Proponents are encouraged to present their proposals for preconsultation and review to ensure that requirements of both the City and relevant external agencies are addressed. Industry Canada requires proponents to receive concurrence from the local Land-use Authority prior to commencing construction of any new telecommunications facility which is not exempted from the consultation process.

Accordingly, proponents of telecommunication systems within the City of Kawartha Lakes (the "City") are required to submit a formal telecommunications tower review application with the necessary review fees for approval. Planning staff will then circulate the application for review in accordance with Section 5.04 of this policy, and will present a report and recommendation to City Council for consideration. Should the City and the proponent not be able to reach consensus on a proposal, Industry Canada may intervene in an attempt to settle the impasse.

3.0 SITE SELECTION CRITERIA

3.01 The installation of new telecommunications facilities is generally discouraged unless all other options for co-location within the carrier's search area have been explored and are not considered to be technically viable. The preferred methods of achieving additional capacity are:

a) co-location of antennas on existing towers or structures within the City or within adjacent municipalities;

b) location of new telecommunications facilities on publicly owned lands and/or buildings;

c) use of alternative tower structures that are less obtrusive;

d) clustering of new towers adjacent to existing telecommunications facilities; and,

e) location of new telecommunications facilities on hydro transmission towers or within or adjacent to existing hydro transmission corridors.

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;

b) The distance between new telecommunications towers and existing and future residential areas; community and institutional uses; historical downtown areas; and waterfront areas should be maximized;

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 and/or schools;

d) Alternative tower structures are recommended to be implemented for new tower locations within and/or surrounding a settlement area, as identified in the City of Kawartha Lakes land use planning documents, and shall be designed to achieve the City's urban design objectives;

e) There shall be no negative impact on significant natural features or hazard land areas. New telecommunications tower installations will not be permitted areas which are designated and/or zoned as environmentally sensitive areas, and shall be setback a minimum of 30 metres from a waterbody or watercourse;

f) New 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 telecommunication facility (the tower or the guyed wires, whichever is greater);

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 proponent;

h) Locations and heights where Transport Canada will require lighting on the tower should be avoided;

i) Telecommunication facilities shall not be permitted on lands without direct access from an open and maintained road or within an unopened road allowance; and

j) Advertising shall not be permitted on any telecommunications facility.

4.0 SITE DEVELOPMENT CRITERIA

4.01 New Telecommunications Facilities

The following site development criteria shall be considered in the design and layout of new telecommunications facilities:

a) Trees and shrubs shall be planted around the perimeter fencing and the guy wire bases to mitigate the visual impact of the tower and equipment shelter;

b) Identification signage of the carrier(s), measuring 0.5 square metres or less may be permitted on the equipment shelter or perimeter fencing;

c) Where alternative tower structures are not feasible, telecommunication towers and equipment shelters shall blend in with the predominant colour of the surrounding area subject to Transport Canada requirements;

d) Security lighting required for the shelter or base area as well as the driveway shall meet the Illuminating Engineering Society of North America (IESNA) lighting guidelines and utilize full cut-off lighting fixtures.

4.02 Roof top Antennas or Existing Structures

When locating telecommunications facilities on roof tops or existing structures, and notwithstanding Industry Canada exemptions from local Land-use Authority review of telecommunications towers less than 15 metres in height, the City requests compliance by carriers to minimize the visual impacts of such facilities by considering the following design techniques:

a) Alternative tower structures should be utilized where possible;

b) The City encourages these types of installations on commercial and industrial buildings with larger roof areas to minimize the aesthetic views of these facilities;

c) The overall height of new roof top antennae should be minimized and should not project beyond the vertical projection of the building;

d) Equipment shelters on roof tops should be set back a minimum of 3 metres from the edge of the roof;

e) The colour and architectural style of the antenna and equipment shelter shall blend in with the building or structure; and

f) The City will encourage residential buildings greater than 6 storeys in height to be pre-designed to accommodate telecommunication facilities.

4.03 Telecommunication carriers shall be encouraged to remove facilities that have not been in use for six months or more, within 90 days of the end of the six month period.

5.0 CONSULTATION PROCESS

5.01 Municipal Preconsultation Process

Proponents proposing a new telecommunications tower shall submit an application to the City's Preconsultation Committee for agency circulation and review. This process will provide information and guidance from all necessary review agencies on site selection, land use compatibility, environmental constraints, visual concerns, and compliance with the requirements of this policy. Abutting upper-tier and lower-tier municipalities will be circulated where a proposal is within 200 metres of the abutting municipality, or three times the tower height, whichever is greater.

5.02 Application Process

A proponent proposing a new telecommunications tower, roof top structure, or change to an existing telecommunications facility is required to submit a telecommunications facility application for approval by the Development Services Department – Planning Division. These applications will not be processed in accordance with Section 41 of the Planning Act. Application fees are payable with submission of an application as prescribed in the City's approved Planning Application Fees.

Applications for New Telecommunications Facilities

An application for a new telecommunications facility will require the following information to be submitted to the Planning Division:

a) A completed application form;

b) A justification report from the proponent detailing a thorough investigation relating to the sharing (co-location) of infrastructure and the use of existing structures for the proposed infrastructure. Should the proposal not be able to co-locate or utilize existing structures, a detailed reasoning for the location of a new antenna is required. Alternatives shall be explored in the justification report as well. Justification for the proposed height shall be required;

c) A detailed site plan prepared by an Ontario Land Surveyor (OLS) or Professional Engineer (P.Eng.) illustrating the proposed installation shall be provided. The site plan shall include: a key map, the location of the proposed tower, property lines, existing and proposed site grading, existing structures, proposed structures, landscaping, entrance details, access and driveways, parking, and setbacks from all nearby property lines, including confirmation of compliance with setbacks required under Section 3.02 of this protocol;

d) Information on security lighting where proposed;

e) A map of the surrounding area illustrating all setbacks from adjacent property lines, setbacks to the nearest residential, community facility

and/or institutional uses, and setbacks to areas with residential, community facility and/or institutional zoning;

f) Stamped engineered drawings of the proposed telecommunications facility;

g) Pictures of the proposed site; and

h) Authorization from the owner of the land.

Applications for Roof Top or Existing Structures

An application for new telecommunication facilities on roof tops or existing structures, requiring consultation with the City by Industry Canada, will include the following information to be submitted to the Planning Division;

a) A statement from the proponent on the need for any increase in proposed tower height if applicable;

b) A plan showing the location of the proposed antenna and associated facilities on the roof top or structure;

c) Two sets of stamped engineered drawings that identify the antenna and associated facilities to be constructed on the building roof top or structure and any other information required by the Building Division;

d) Upon review of the site plan, the Planning Division may require the carriers to submit pictures of the building or structure with the proposed antenna and equipment shelter superimposed on the picture from four directions; north, south, east and west; and

e) Demonstrated conformity with Section 4.02 of this policy.

Applications to Alter Existing Facilities

Where modifications to the site are proposed to non-exempt classes of telecommunications facilities, which may include, but not be limited to, an increase in the height of the tower in excess of 25%, additional equipment shelters or entrances, an amendment to an agreement may be required. Submission requirements to the Planning Division will be determined in consultation with the proponent.

5.03 Public Consultation Process

Industry Canada provides Land-use Authorities with two (2) options for undertaking a public consultation process as part of a proposal to construct new telecommunications facilities:

- The City can include a public consultation process as part of this protocol, whereby it determines its level of participation in the process; or
- Alternatively, the proponent is required to adhere to Industry Canada's default public consultation process contained in Section 4.2 of the

Radiocommunication and Broadcasting Antenna Systems (CPC-2-0-03, as amended from time to time) should the City not adopt a separate process in this protocol.

While Industry Canada permits the Land-use Authority (City) to develop its own public consultation process, the City has opted for a proponent-lead public consultation process in accordance with Industry Canada's policies. The City will require the proponent to provide a record of the public consultation process, including comments provided by the public as well as the carrier's response to those public comments, as part of their application for approval with the City. Notwithstanding the Industry Canada notification requirements to adjacent properties, the City will request that all property owners within 120 metres, or three times the tower height as measured from the base of the tower, whichever is greater, are notified of the proposal. All residents that required notification will also be notified when a recommendation will be forwarded to Council for consideration.

5.04 Endorsement Process

Telecommunications Facility Agreement

A telecommunications facility agreement will be required for the construction of a new telecommunications facility as well as a new roof top equipment shelter or a new equipment shelter necessary to accommodate co-location of the antenna not exempted by Industry Canada. The agreement shall be signed by the landowner and telecommunications carrier but will not be registered on title. The agreement will contain provisions relating to the following matters:

a) Site and grading plan drawings;

b) Lighting information;

c) Building and entrance permits as required;

d) Security deposits for site works and mechanisms for their release;

e) Road widenings and easements as required;

f) A commitment to remove all structures upon expiration of the lease or use of tower;

g) A commitment to accommodate other carriers on site where feasible; and

h) Other conditions as required by the City.

Once the Planning Division has reviewed the application and is ready to provide a recommendation to Council in support the proposal, a draft telecommunications facility agreement and conditions of approval will be prepared.

Council Endorsement

Once the Planning Division has reviewed the application and is ready to provide a recommendation on the proposal, a report will be forwarded to Council with a rationale and recommendations for expressing either support or opposition to the proposal. The report will also contain conditions of endorsement and a draft telecommunications facility agreement. Council will make a decision on the proposal and a formal resolution will be forwarded to the proponent; Industry Canada; and the Member of Parliament once the telecommunications facility agreement is completed, where applicable.

The City will endeavor to provide a decision on projects within the 120 day approvals timeframe established by Industry Canada. The approval timeframe will be based upon the submission of a complete application, in accordance with Industry Canada's guidelines, as amended from time to time.

6.0 INDUSTRY CANADA EXCLUSIONS

6.01 Industry Canada has listed certain types of installations for which the proponent is exempted from consulting with the City of Kawartha Lakes and/or the public. For all installations, the General Requirements contained in Section 7 of the *Radiocommunication and Broadcasting Antenna Systems* (CPC-2-0-03) must still be fulfilled.

Section 6 of the *Radiocommunication and Broadcasting Antenna Systems*, as amended from time to time, outlines the following exclusions:

- **New Antenna Systems**: including masts, towers or other antenna-supporting structure, where the height is less than 15 metres above ground level. This exclusion does not apply to antenna systems proposed by telecommunications carriers, broadcasting undertakings, or third party tower owners;
- **Existing Antenna Systems**: where modifications are made, antennas added or the tower replaced (where the replacement is similar to the original design and location), including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial antenna system installation that existed prior to the initial date of this policy. No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to antenna systems using purpose built antenna supporting structures with a height of less than 15 metres above ground level operated by telecommunications carriers, broadcasting undertakings, or third party tower owners;
- **Non-Tower Structure**: antennas on buildings, water towers, lamp posts, etc. provided that the height above ground of the non-tower

structure, exclusive of appurtenances, is not increased by more than 25%;

- **Temporary Antenna Systems**: used for special events or emergency operations and must be removed within three (3) months after the start of the emergency or special event;
- **Maintenance**: of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure; and
- **Maintenance**: of an antenna system's painting or lighting in order to comply with Transport Canada's requirements;

Height is measured from the lowest ground level at the base, including the foundation, to the tallest point of the antenna system. This may include an antenna, lightning rod, aviation obstruction lighting or some other appurtenance. Any attempt to artificially reduce the height (addition of soil, aggregate, etc.) will not be included in the calculation or measurement of the height of the antenna system.

Individual circumstances vary with each antenna system installation and modification, and the exclusion criteria above should be applied in consideration of local circumstances. Consequently, it may be prudent for the proponents to consult the local Land-use Authority and the public even though the proposal meets an exclusion noted above. Therefore, when applying the criteria for exclusion, proponents should consider such things as:

- the antenna system's physical dimensions, including the antenna, mast, and tower, compared to the local surroundings;
- the location of the proposed antenna system on the property and its proximity to neighbouring residents;
- the likelihood of an area being a community-sensitive location; and
- Transport Canada’s marking and lighting requirements for the proposed structure.

Proponents who are not certain if their proposed structure is excluded, or whether consultation may still be prudent, are advised to contact Industry Canada for guidance.

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PUR2018-022

Date: May 22, 2018
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: ALL

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

Author and Title: Marielle van Engelen, Buyer
Richard Monaghan, Senior Engineering Technician

Recommendation(s):

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.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

As per Section 3.1 of the Council Policy, procurement awards for tenders valued at $100,000 or greater that contain a change in scope, have an irregular result as per Section 5.0, are a Single or Sole Source, or are anticipated to result in the Council approved budget being exceeded (by $10,000 or greater) must be approved by Council. As there are less than three bids, this process is deemed irregular.

Installation and replacement of guiderails is a component of the Road Operations Division of the Public Works Department work program. It is an ongoing initiative to improve roadside protection devices and manage deficiencies in regard to Ontario Provincial Standards and Minimum Maintenance Standards.

Tender 2018-56-OT Roadside Protection – Installation and Replacement of Guiderails was released for advertising in accordance with the Purchasing Policy.

The tender closed on April 26, 2018 and was opened in public by Andy Letham, Mayor and Marielle van Engelen, Buyer, with the following results:

Tender Received From	Total Tender Amount Read at Public Opening (excluding HST)
Peninsula Construction Inc. Fonthill, ON	$175,207.50
Borall Fence & Guide Rail Contractors Ltd. Waubaushene, ON	$184,894.05

Bids were checked for mathematical errors and compliancy of the tender call.

References were checked and found to be favorable.

Rationale:

The three main functions of the Roadside Protection program for Public Works are to bring existing deficient guiderail up to current industry standards, to repair guiderail damaged by vehicle impact, and to install new guiderail sections where warranted.

By completing this work, the City is keeping our guiderail assets in a functional state of repair and maintaining compliance with modern safety standards, which provides protection to the motoring public from hazards alongside the road.

Staff recommends 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.

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 with the lowest, compliant bid being recommended for award of this project.

Financial/Operation Impacts:

Account Number	Operating Budget	Tender Amount (incl. HST)	HST Rebate	Total Tender Cost	Operating Balance
19200.74454	$197,150	$197,985	($19,693)	$178,291	$18,859

Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

This project aligns with the Corporate Strategic Plan as follows;

Enabler 4 – Efficient Infrastructure and Asset Management

Installing guiderail at new locations provides protection to motorists from hazards located off the road (steep drop offs, water, etc.). This in general improves the safety of our road network. The other component of this project is to replace aging three cable guiderail installations that may offer limited protection to new steel beam guiderail that offers more physical protection as well as reduced operational demands in the future.

Department Head E-Mail: brobinson@kawarthalakes.ca

Department Head: Bryan Robinson, Director of Public Works

Department File: 2018-56-OT

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PUR2018-025

Date: May 22, 2018
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: Various

Title: Proposal 2018-55-CP Arena Equipment Repairs and Replacements

Author and Title: Ashley Wykes, Buyer
Rod Porter, Supervisor Capital and Special Projects

Recommendation(s):

That Report PUR2018-025 Proposal 2018-55-CP Arena Equipment Repairs and Replacements be received;

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;

That the option to renew the contract for two (2) additional, one (1) year terms be awarded based on budget and performance;

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

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

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The City has multiple arena facilities, the majority of which were built between 1974 and 1978. Due to the age of the infrastructure and the previous lack of investment, considerable capital improvements are required in order to keep the buildings operational. Staff identified multiple projects in the 2018 capital budget as priorities for equipment repair and replacement and feel that the replacement of this equipment will have a positive impact on the operational efficiency, including the building's energy consumption. In some cases, it has been suggested that the older units currently providing the dehumidification service can be replaced by one unit based on improvements in technology.

As the arena equipment ages and reaches the end of its useful life so does the structural infrastructure supporting the equipment. Furthermore, over the last 40 years health and safety requirements have changed and/or increased with regards to working at heights, safety platforms, railings, guards and ladders. With these changes in mind a plan has been put in place to improve/replace this infrastructure under a separate procurement process, funded from the same capital budget program.

The objective during the procurement process was to secure a vendor that specializes in arena equipment maintenance and capital repairs/replacements. The vendor is tasked with completing capital arena repairs and equipment replacements at nine (9) of the City's arena facilities. The successful contractor must have the capability of completing repairs and equipment replacement at multiple facilities simultaneously as the majority of the repairs need to be completed during the off season (April 1st to September 1st) and be complete prior to September facility rentals and plant startup. As scheduling was a challenge and assuring the work was completed in a safe and timely fashion, as well as limiting the number of contractors on site at one time in a facility all the projects were combined into one procurement process.

Request for Proposal 2018-55-CP was released according to the Purchasing Policy and closed May 10, 2018. It was opened in public by Andy Letham, Mayor and Launa Lewis, Supervisor of Financial Services.

Cimco Refrigeration, a Division of Toromont Industries Ltd. was the only company to submit a proposal.

The proposal was evaluated with no issues identified.

Rationale:

Cimco Refrigeration has worked closely with the City for many years. The partnership has grown as Cimco has a qualified and experienced group of refrigeration and arena maintenance technicians while supported by a professional technical sales team and administration staff. Cimco continues to work with the City to introduce more cost and energy effective solutions for the City's arena infrastructure. As a value added feature Cimco researches and applies for all applicable rebate grants including but not limited to save on energy grants. The grant process is completed on the City's behalf and Cimco has the administrative support to manage the process. The City and Cimco are in the process of compiling a long term maintenance and capital replacement plan with a goal to extend the life of the current equipment while planning, budgeting and prioritizing for the equipment's capital replacement.
It is recommended 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

Other Alternatives Considered:

No other alternative is being considered as the highest scoring proponent is being recommended through an open, fair and transparent process.

Financial/Operation Impacts:

Funding for this project was approved in the 2018 Capital budget.

Capital Project Number	Project Budget	Other Committed Funds	Capital Project balance	Purchase Amount (excl. HST)	10% Contingency	HST Payable	Total Amount	Project Balance
950180501 LRC Brine & Pumps	$90,000	$0	$90,000	$79,998	$7,999	$0	$87,998	$2,001
950180510 Omemee Brine Header	$35,000	$0	$35,000	$62,000	$6,200	$0	$68,200	($33,200)
950180508 Oakwood Electrical	$20,000	$0	$20,000	$40,000	$4,000	$0	$44,000	($24,000)
950180509 LB Electrical & LB Chiller	$60,000	$0	$60,000	$185,000	$18,500	$0	$203,500	($143,500)
950180512 LB Desiccant	$45,000	$0	$45,000	$41,000	$4,100	$0	$45,100	($100)
950180513 Oakwood Desiccant	$90,000	$0	$90,000	$41,000	$4,100	$0	$45,100	$44,900
950180514 Ops Desiccant	$90,000	$1,600	$88,400	$41,000	$4,100	$0	$45,100	$43,300
950180515 Manvers Desiccant	$90,000	$1,600	$88,400	$41,000	$4,100	$0	$45,100	$43,300
950180516 Omemee Desiccant	$90,000	$0	$90,000	$41,000	$4,100	$0	$45,100	$44,900
950180511 Woodville Condenser	$40,000	$0	$40,000	$22,000	$2,200	$0	$24,200	$15,800
Total	$650,000	$3,200	$646,800	$593,998	$59,399	$0	$653,398	($6,598)

There is a 10% contingency added to this project in order to cover any unforeseen issues. With the contingency the project is $6,598 over budget, however without the contingency, the project will be $52,802 under budget with a total spend of $593,998 excluding HST. Therefore, at this time, staff are not requesting any additional financing. The expectation is that the contingency will not be used to its full extent, and therefore this project will come in under budget. HST is 100% recoverable on this project.
As part of the request for proposal, vendors were required to submit applications for the desiccant units on the City's behalf for the Ontario Save on Energy incentive grant, through Hydro One. The project has been pre-approved for funding in the amount of $9,134.75 which will reduce the total expenditure from $593,998.00 to $584,863.25 not including HST. The City will be in receipt of the grant funding upon final confirmation that the desiccant unit installations are complete.
As per suggestion by industry professionals, staff are only recommending replacement of one of the desiccant units per facility. Staff will monitor the effectiveness and efficiency of this equipment to ensure proper functionality. If it is determined that one unit cannot handle the load, a future capital project will be requested to replace the second older unit (the second older unit will remain in the facility as a back up to ensure that the dehumidification service is sufficient).

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

The replacement and repair of arena equipment relates to the strategic enabler of efficient infrastructure and asset management.

Consultations:

Junior Accountant

Department Head E-Mail: cshanks@kawarthalakes.ca

Department Head: Craig Shanks

Department File: 2018-55-CP

The Corporation of the City of Kawartha Lakes

Council Report

Report Number EA2018-013

Date: May 22nd, 2018
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: All

Title: Terms of Reference for Development Charges Task Force

Description: This report requests Council to adopt recommended terms of reference for a Development Charges Task Force to aid in the formulation of a new development charges by-law

Author and Title: Adam Found, Manager of Corporate Assets

Recommendation(s):

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

That the terms of reference, attached as Appendix A to Report EA2018-013, 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 staff-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.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

At the Council Meeting of May 8th, 2018, Council adopted the following resolution:

That Report EA2018-012, **Recommended 2018 Development Charges Task Force**, be received; and

That staff prepare terms of reference for a 2018 Development Charges Task Force and present them to Council for consideration and approval as soon as practicable.

Recommendation of Report EA2018-012 Approved by Council[1]

This report addresses that direction.

Rationale:

Council established a Development Charges (DC) Task Force to provide advice and recommendations regarding the 2015 DC by-law update. Through this committee, stakeholders and the public contributed meaningfully to the formulation of By-Law 2015-224 (A By-Law to Impose Development Charges in the City of Kawartha Lakes) and its supporting background study. This engagement was of tremendous benefit to the 2015 DC by-law update and provided for a degree of public consultation considerably beyond the minimum required by the Development Charges Act.

Recognizing this, staff recommends Council adopt the terms of reference in Appendix A as a prerequisite to establishment of a similar task force for the forthcoming 2018 DC by-law update. With terms of reference in place, staff will solicit applications from qualified persons for appointment to the task force. Upon concluding the application process, a staff report will be brought to Council to establish the task force with recommended appointments.

As staff is targeting Q1, 2019 for completion of the DC by-law update, the task force is expected to operate largely during Q3-Q4, 2018. Given the fluidity of DC by-law updates, the recommended terms of reference align expiration of the term of appointment for the task force with public release of the background study in accordance with Section 10(4) of the Development Charges Act. The background study, including the draft DC by-law, is expected to be made publicly available in November, 2018. As required under the Development Charges Act, this will be followed by at least one public meeting at Council prior to enactment of the new DC by-law.

[1] Council resolution number to be determined through adoption of the minutes for the May 8th meeting of Council.

Other Alternatives Considered:

No other alternatives are being considered at this time as the terms of reference in Appendix A are those recommended by staff based on experience with the 2015 DC Task Force.

Financial/Operation Impacts:

As task force membership is on a voluntary basis and staff liaison and other support costs are already budgeted, establishment of a DC Task Force has no added financial impact on the City.

Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

N/A

Consultations:

Director of Engineering and Corporate Assets
Director of Development Services
Chief Administrative Officer

Attachments:

Appendix A: Recommended Terms of Reference for Development Charges Task Force

Terms of Reference for DC Task Force.pd

Department Head E-Mail: jrojas@kawarthalakes.ca

Department Head: Juan Rojas, Director of Engineering and Corporate Assets

TERMS OF REFERENCE

NAME: City of Kawartha Lakes (CKL) Development Charges Task Force

MISSION:

The CKL Development Charges Task Force is a volunteer task force appointed by City Council. The Development Charges Task Force will provide advice and recommendations to Staff regarding the formulation of a development charges by-law to replace By-Law 2015-224 (A By-Law to Impose Development Charges in the City of Kawartha Lakes).

OBJECTIVES:

Recognizing the intended Mission, the objectives of the Task Force are:

1. To provide a forum for stakeholders and the general public to make representations regarding the formulation of a development charges by-law to replace By-Law 2015-224, including the supporting background study.

2. To provide advice and recommendations to Staff regarding the formulation of a development charges by-law to replace By-Law 2015-224, including the supporting background study.

The Task Force will abide by any terms and conditions which may be set out by the City's Council, CAO, Clerk, Solicitor, Auditor and/or Insurer for any activities relating to Task Force business.

ROLES AND RESPONSIBILITIES:

Roles and responsibilities of the Task Force include:

1. Compliance with the Municipal Act including the Accountability and Transparency Section;

2. No direct representations of the City to Provincial or Federal Governments; and

3. Following the by-laws and policies established by Council.

ACTIVITIES:

The following are the activities to be conducted by the Task Force:

1. Provide advice and recommendations to Staff regarding the formulation of a development charges by-law to replace By-Law 2015-224, including the supporting background study, and make final recommendations to Staff prior to finalization of the background study by the City for public consumption.

2. Through public meetings, facilitate a forum providing Council, Staff, stakeholders and the general public an opportunity to make representations regarding the formulation of a development charges by-law to replace By-Law 2015-224, including the supporting background study.

3. Disseminate relevant information regarding the Task Force's work to interested stakeholders and other parties as may be appropriate.

COMPOSITION:

The Task Force shall have a minimum of seven (7) and maximum of eleven (11) members representing Council, various stakeholders and the general public. Among the appointed membership, there shall be a minimum of:

- one (1) member of City Council;
- two (2) representatives from among local development or business associations based in the City of Kawartha Lakes;
- two (2) representatives from among active local developers, builders or business owners based in the City of Kawartha Lakes; and
- two (2) representatives from among the general public resident in the City of Kawartha Lakes.

Task Force members will be appointed by Council in accordance with established policy.

All appointed voting members may be represented at meetings by a designated alternate (if applicable). A designated alternate must be formally designated by an appointed member in writing to the Task Force. Designated alternates must be approved by the Task Force and are subject to all of the requirements and criteria set out in the Terms of Reference.

It is acknowledged that there are no per diems for any Task Force positions and it is acknowledged that none of the above positions shall be paid for their services.

TERM OF APPOINTMENT:

The Task Force is appointed to make final recommendations to Staff prior to finalization of the background study by the City for public consumption. Members will be appointed until the background study is officially made publicly available by the City in accordance with Section 10(4) of the Development Charges Act.

Any term extension shall be requested of Council via a report prior to the expiration date with the final decision over extension being that of Council.

RESOURCES:

For the Task Force, the Engineering and Corporate Assets Department will provide support in the form of advice, day-to-day liaison and information sharing. The Development Services Department will provide for the recording secretary and meeting coordination for the Task Force. Members of Staff expected to attend Task Force meetings as required include the Manager of Corporate Assets, Chief Building Official and City Treasurer.

TIMING OF MEETINGS:

Meetings will be held on a set day and time as may be determined by the Task Force or at the call of the Chair.

ADMINISTRATION:

Any responsibilities not clearly identified within these Terms of Reference shall be the responsibility of the City of Kawartha Lakes. Council may, at its discretion, change the Terms of Reference at any time. Any changes proposed to these Terms of Reference by the Task Force shall be recommended to Council via the Director of Engineering and Corporate Assets through a report to Council.

APPOINTMENT OF OFFICERS:

The Task Force shall appoint such executive positions as it deems necessary to ensure its operations, and shall as a minimum, at its first meeting, elect from the membership a chairperson and a vice-chairperson. Development Services staff shall serve as the Secretary.

MEETINGS:

The Task Force shall hold a minimum of four (4) meetings within its term. The Chair shall cause notice of the meetings, including the agenda for the meetings, to be provided to members of the Task Force a minimum of five (5) business days prior to the date of each meeting. Quorum for meetings shall be a majority of the members of the Task Force.

PROCEDURES:

Procedures for the meetings of the Task Force shall be governed by Procedural By-law and Legislation or, where both of these are silent, by Robert's Rules of Order.

CLOSED MEETINGS:

The Task Force may, upon affirmative vote of the majority of its members present at a meeting, determine to hold any meeting or part of a meeting as a closed session in order to discuss sensitive personal issues or legal matters. If the Task Force elects to hold a closed session, all persons not entitled to vote (with the exception of the staff liaison and visiting members of Council, if any, and all persons excepted by the members) shall vacate the premises where the meeting is taking place. Closed meetings can only be held in accordance with Section 239 of the Municipal Act. Prior to the commencement of closed session, a resolution shall be passed stating the general nature of the matter to be discussed and what section of the Municipal Act applies.

AGENDAS AND MINUTES:

A copy of the Agenda shall be provided to the Clerk's Office at the same time it is provided to Task Force Members.

Minutes of all meetings of the Task Force shall be forwarded by the Development Services Department to the Clerk's Office not later than two weeks after the meeting. Action items requested of staff and/or Council will be brought to the attention of the Development Services Department at that time. The Clerk's Office will electronically circulate the minutes to all members of Council for their information. The Clerk's Office will maintain a set of printed minutes on file for public review.

REPORTS:

Any recommendations of the Task Force requiring Council direction or approval will be forwarded by Staff to Council in a formal written report on the City report template. It will be the responsibility of the Task Force to identify those recommendations for the Engineering and Corporate Assets Department to prepare the report.

CONFLICTS OF INTEREST:

Members shall abide by the rules outlined within the Municipal Conflict of Interest Act and shall disclose the pecuniary interest to the Secretary and absent himself or herself from meetings for the duration of the discussion and voting (if any) with respect to that matter.

ERRORS/OMISSIONS:

The accidental omission to give notice of any meeting of the Task Force to its members, or the non-receipt of any notice by any member, or any error in any

notice that does not affect its substance, does not invalidate any resolution passed or any proceedings taken at the meeting. Any member of the Task Force may at any time waive notice of any meeting.

MEETING ATTENDANCE:

Any member of the Task Force, who misses three consecutive meetings, without being excused by the Task Force, may be removed from the Task Force. The Task Force must make recommendations, by a report to Council, for the removal of any member in accordance with adopted policy. Due to the limited term of appointment for this Task Force, it is expected that members will regularly attend scheduled meetings and/or be represented by an approved designated alternate.

LOCATION OF MEETINGS:

The location of the meetings will be set by the Task Force.

PURCHASING POLICY:

This Task Force has no purchasing or procurement responsibilities.

BUDGET:

This Task Force is not responsible for a budget.

VOLUNTEER POSITIONS:

Unless approved by Council, as part of the Terms of Reference or establishing by-law, all Task Force memberships are considered volunteer positions. Mileage costs and other minor expenses related to committee activities may only be eligible for reimbursement subject to budget approvals by Council.

INSURANCE:

The Task Force shall follow any guidelines and/or recommendations required by the City's insurer.

DISSOLUTION:

At the discretion of Council, the Task Force may be dissolved by resolution of Council, or dissolved upon the mandate of the Task Force being fulfilled.

EXPULSION OF MEMBER:

The Committee may recommend to Council the expulsion of a member or Council may remove a member for reasons as listed, but not limited to, the

member being in contravention of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act, the Provincial Offences Act, the Municipal Conflict of Interest Act; disrupting the work of the Committee or other legal issues. The process for expulsion of a member is outlined within Policy Number 028 CAO 002.

The Corporation of the City of Kawartha Lakes

Council Report

Report Number RS2018-013

Date: May 22, 2018
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: 1

Title: Proposed Surplus Declaration, Closure and Sale of a Portion of Shoreline Road Allowance adjacent to 181 McCrackin Avenue, Carden

Author and Title: Laura Carnochan, Law Clerk – Realty Services

Recommendations:

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.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The Land Management Committee received a request from the owner of 181 McCrackin Avenue, legally described as Part of Lot 23, Concession 3, Carden as in R244023; Together with R244023; Subject to a Right of Way to be Used in Common with Others Entitled Thereto, to Allow the Most Reasonable Access to the Government Travelled Road[1], over Part of Lot 23, Concession 3, in the Geographic Township of Carden, City of Kawartha Lakes, being Part 4 on Plan 57R-3647, to purchase the portion of shoreline road allowance that is adjacent to their property.

Numerous sections of the shoreline road allowance adjacent to waterfront properties in this area on Lake Dalrymple have previously been stopped up, closed and sold to the adjoining land owners either by the City or the previous municipality. This land could not be used to develop a travelled road, therefore, the Land Management Committee is recommending that Council support this request.

Public Notice advertising the potential surplus declaration and sale of the subject shoreline road allowance was completed by newspaper circulation in the Kawartha Lakes this Week on the 19th and 26th days of April and the 3rd day of May, 2018. No expressions of concern were received from the public.

Appendix A is a map showing the general area of the property, Appendix B is an aerial photo of the subject property (note that the property lines are slightly off), Appendix C is a map of the subject property.

The purpose of this report is to advise Council that the Land Management Committee recommends that the subject lands be declared surplus to municipal needs and that approval be given, in principle, for the closure and sale of the requested portion of shoreline road allowance to the adjacent landowners.

Rationale:

Shoreline road allowances exist on many lakes within the City of Kawartha Lakes. Although many of these allowances were never opened as public municipal roads, they remain public property. Recreational and residential property owners of "lakefront" property often do not own "their" lots right up to the water's edge. In many circumstances, the adjacent private owner has encroached onto this space and utilized it as a lot addition.

[1] Subject to a Right of Way to be Used in Common with Others Entitled Thereto, to Allow the Most Reasonable Access to the Government Travelled Road relates to a private road located on the subject property and allows those entitled access over said private road.

Other Alternatives Considered:

Council may decide not to sell the shoreline road allowance and derive no financial benefit whatsoever. That would be inconsistent with past practice and is not recommended in this circumstance.

Financial/Operation Impacts:

The parties will be asked to enter into a conditional Agreement of Purchase and Sale with a non-refundable $1,000.00 deposit to cover initial road closing costs. The price for shoreline road allowance properties was established by By-law 2018-020, as amended, and is set at $23.00 per linear foot of water frontage for shoreline road allowances adjacent to lakes, together with all costs of the transaction plus a $1,500.00 fee to cover the City's staff time expenses. Accordingly, total recovery is estimated at $2,645.00 for the shoreline.

The City will gain a one-time payment for its capital asset to be determined based on the frontage according to a survey. This is in keeping with the disposition by-law as it relates to shoreline road allowances.

Relationship of Recommendations to the 2016-2019 Strategic Plan:

This report aligns with the strategic goal of a “vibrant and growing economy” and the strategic enabler of “efficient asset management.”

Consultations:

Land Registry Office
Land Management Committee
Planning – Maps

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

Department Head E-Mail: rcarlson@kawarthalakes.ca

Department Head: Robyn Carlson

Department File: L06-18-RS011

Date:

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Date:

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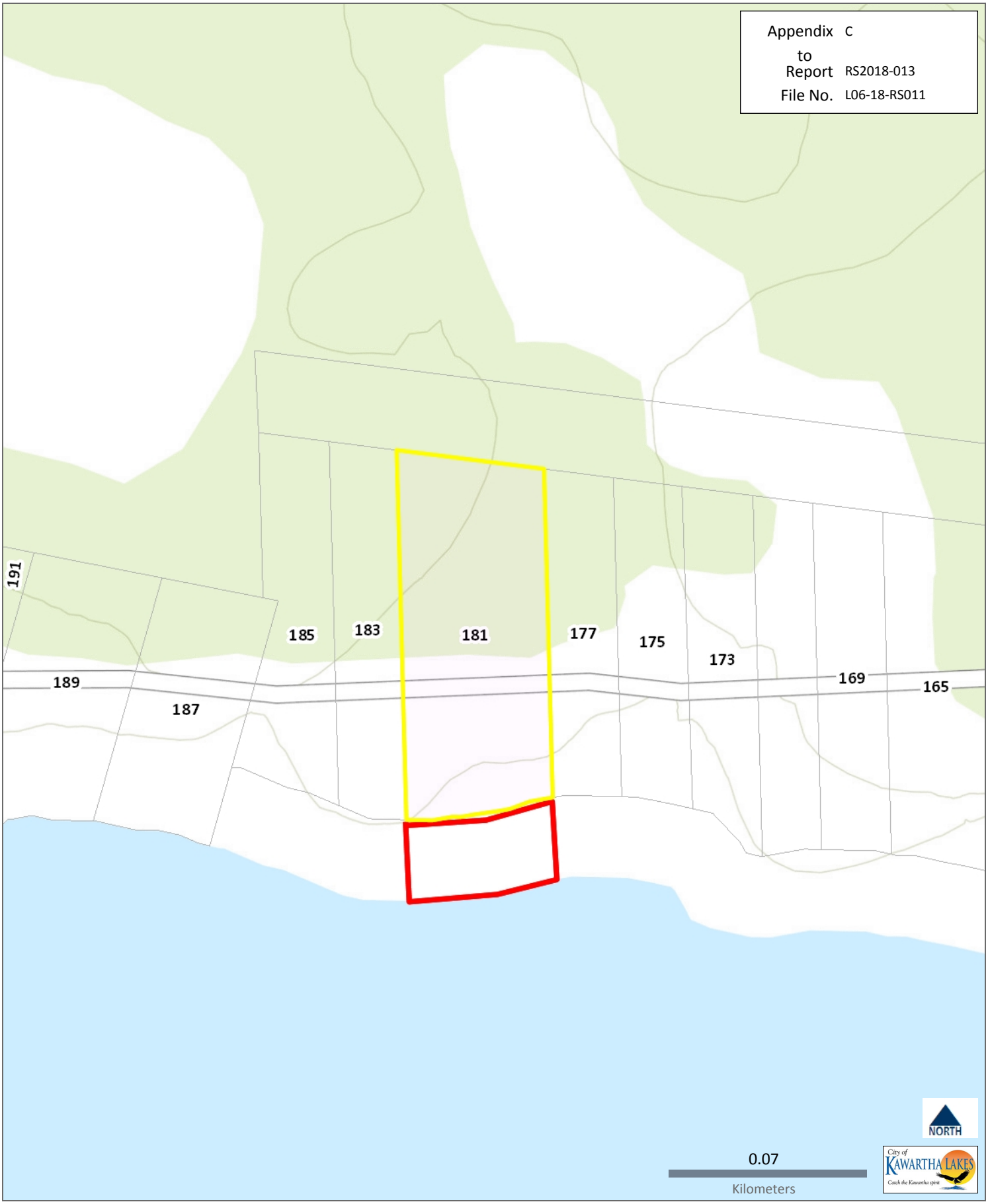

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The Corporation of the City of Kawartha Lakes

Council Report

Report Number RS2018-014

Date: May 22, 2018
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: 1

Title: Proposed Surplus Declaration, Closure and Sale of Various Unopened Road Allowances Adjacent to 1684 Victoria Road, Bexley

Author and Title: Laura Carnochan, Law Clerk – Realty Services

Recommendations:

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.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The Land Management Committee received a request from the owner of 1684 Victoria Road, in the Geographic Township of Bexley, City of Kawartha Lakes, to purchase various unopened road allowances, more particularly described in Appendix A, in the Geographic Township of Bexley, City of Kawartha Lakes which are adjacent to their property.

These unopened roads border parcels of land in a plan of subdivision, which the developer/owner no longer wishes to develop.

The request was reviewed by the Land Management Committee at their meeting held on February 12, 2018 and the Committee had no concerns with the stop up, closure and conveyance of the various unopened road allowances. The Planning department has requested that a deeming by-law be passed for all undeveloped lots within the associated subdivision.

Public Notice advertising the potential surplus declaration and sale of the subject road allowances was completed by newspaper circulation in the Kawartha Lakes this Week on the 19th and 26th days of April and the 3rd day of May, 2018.

Appendix A is a detailed description of the various unopened road allowances which are subject to this request, Appendix B is a map showing the general location of the subject lands, Appendix C is an aerial photo, Appendix D is a map of the subject lands, and Appendix E is a copy of Plan 113.

The purpose of this report is to advise Council that the Land Management Committee recommends that the subject lands be declared surplus to municipal needs and that approval be given, in principle, for the closure and sale of the requested portions of road allowance to the adjoining owner.

Rationale:

The Land Management Committee and Public Works Department have concluded that this unopened road allowance is not needed for municipal purposes.

The applicant owns property on either side of the road allowance. Therefore, it is logical that the subject road allowances be conveyed to them as the only adjoining owner.

The subject road allowances do not lead to water, they border private property, and therefore, the stop up, closure and sale would not contravene section 8.00 of By-law 2018-020, as amended.

Other Alternatives Considered:

Council may decide not to sell the subject road allowances. That would be inconsistent with past practice and is not recommended in this circumstance.

Financial/Operation Impacts:

The applicant will be asked to enter into a conditional agreement of purchase and sale with a non-refundable $1,000.00 deposit to cover initial road closing costs. The road allowance would be conveyed directly to the applicant for nominal consideration, in accordance with section 12.02 of By-law 2018-020, as amended, being the transition provision. All costs of the transaction plus a $1,500.00 fee to cover the City's staff time expenses will be paid for by the applicant.

Accordingly, this transaction will be cost and revenue neutral for the City.

Relationship of Recommendations to the 2016-2019 Strategic Plan:

This report aligns with the strategic goal of a “vibrant and growing economy” and the strategic enabler of “efficient asset management.”

Consultations:

Land Registry Office
Land Management Committee
Planning – Maps

Attachments:

Appendix A – Legal Descriptions

Appendix A - Legal Descriptions.pdf

Appendix B – General Location Map

Appendix B - General Location Map.pdf

Appendix C – Aerial Photo

Appendix C - Aerial Photo.pdf

Appendix D – Map

Appendix D - Map.pdf

Appendix E – Plan 113

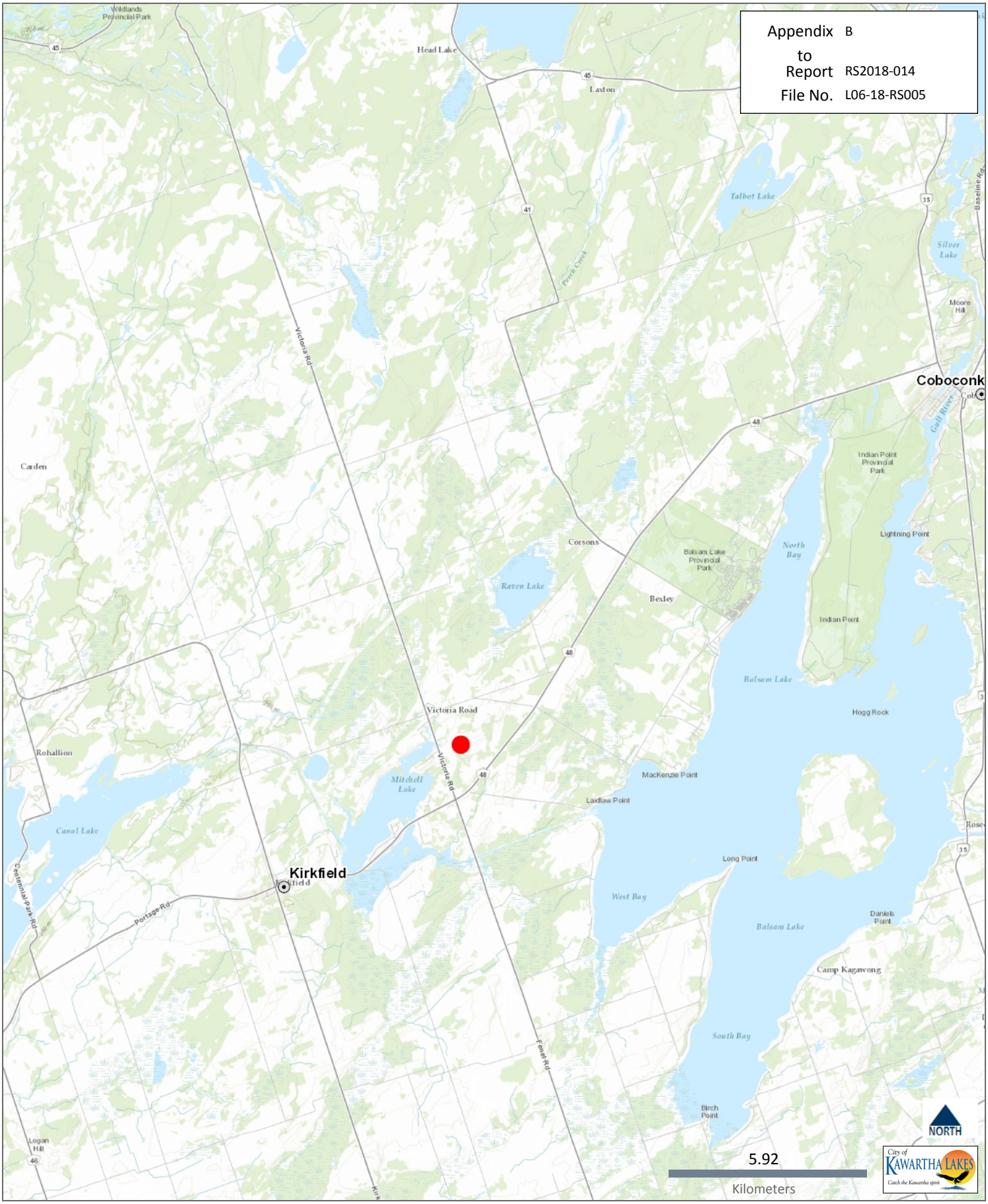
Appendix E - Plan 113.pdf

Department Head E-Mail: rcarlson@kawarthalakes.ca

Department Head: Robyn Carlson

Department File: L06-18-RS005

PIN	Legal Description
63116-0314 (LT)	John Street, Plan 113, in the Geographic Township of Bexley, City of Kawartha Lakes
63116-0315 (LT)	Richmond Street, Plan 113, East of Grass River, in the Geographic Township of Bexley, City of Kawartha Lakes
63116-0318 (LT)	Albert Street, Plan 113, South of Grass River, in the Geographic Township of Bexley, City of Kawartha Lakes
63116-0319 (LT)	Molson Street, Plan 113, West of Albert Street, in the Geographic Township of Bexley, City of Kawartha Lakes
63116-0320 (LT)	Molson Street, Plan 113, East of Albert Street, in the Geographic Township of Bexley, City of Kawartha Lakes
63116-0321 (LT)	Elm Street, Plan 113, in the Geographic Township of Bexley, City of Kawartha Lakes
63116-0332 (LT)	Road Allowance Between Concession North of Portage Road and Concession South of Portage Road (AKA Portage Road), West of R377135, in the Geographic Township of Bexley, City of Kawartha Lakes



Date:

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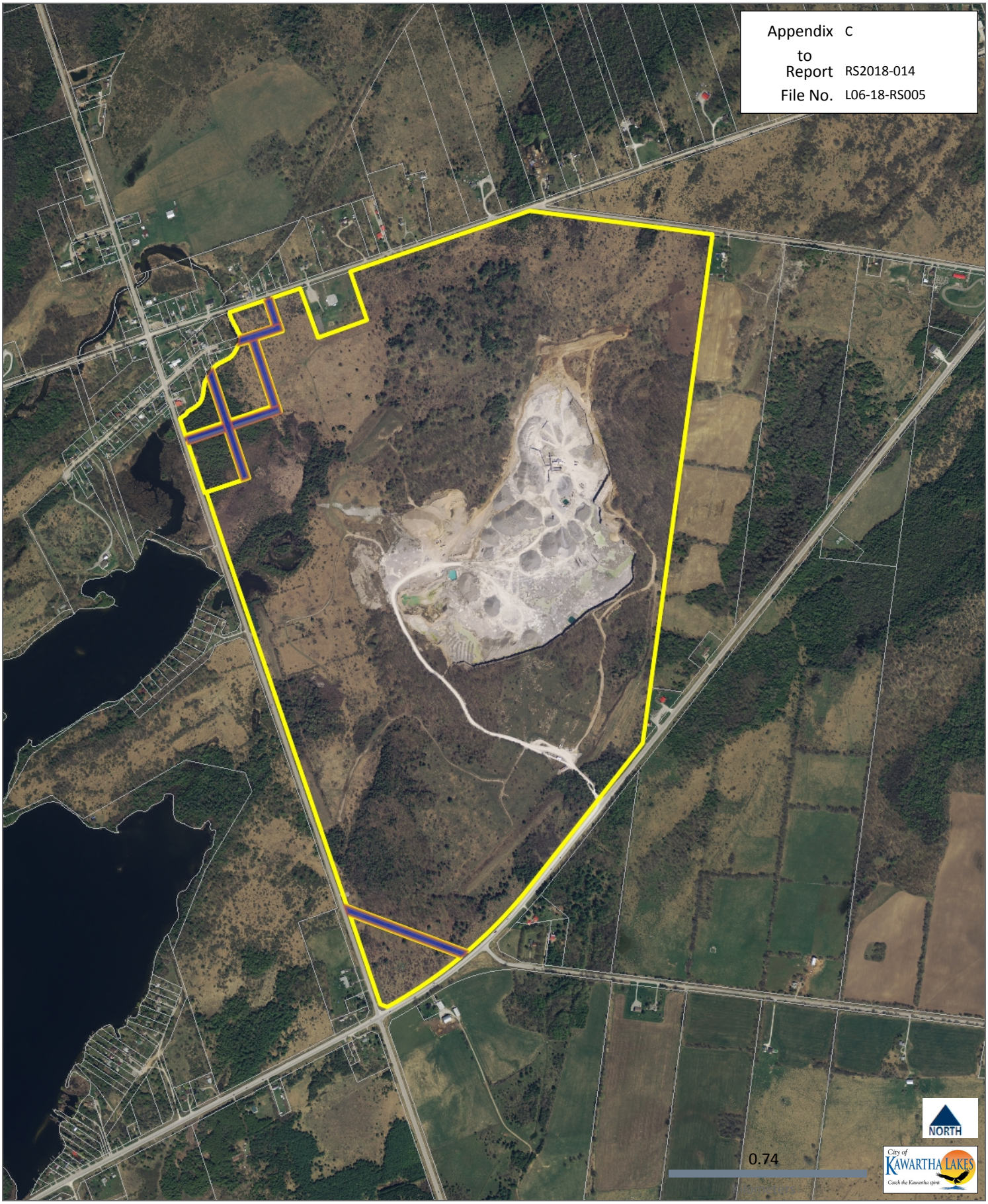

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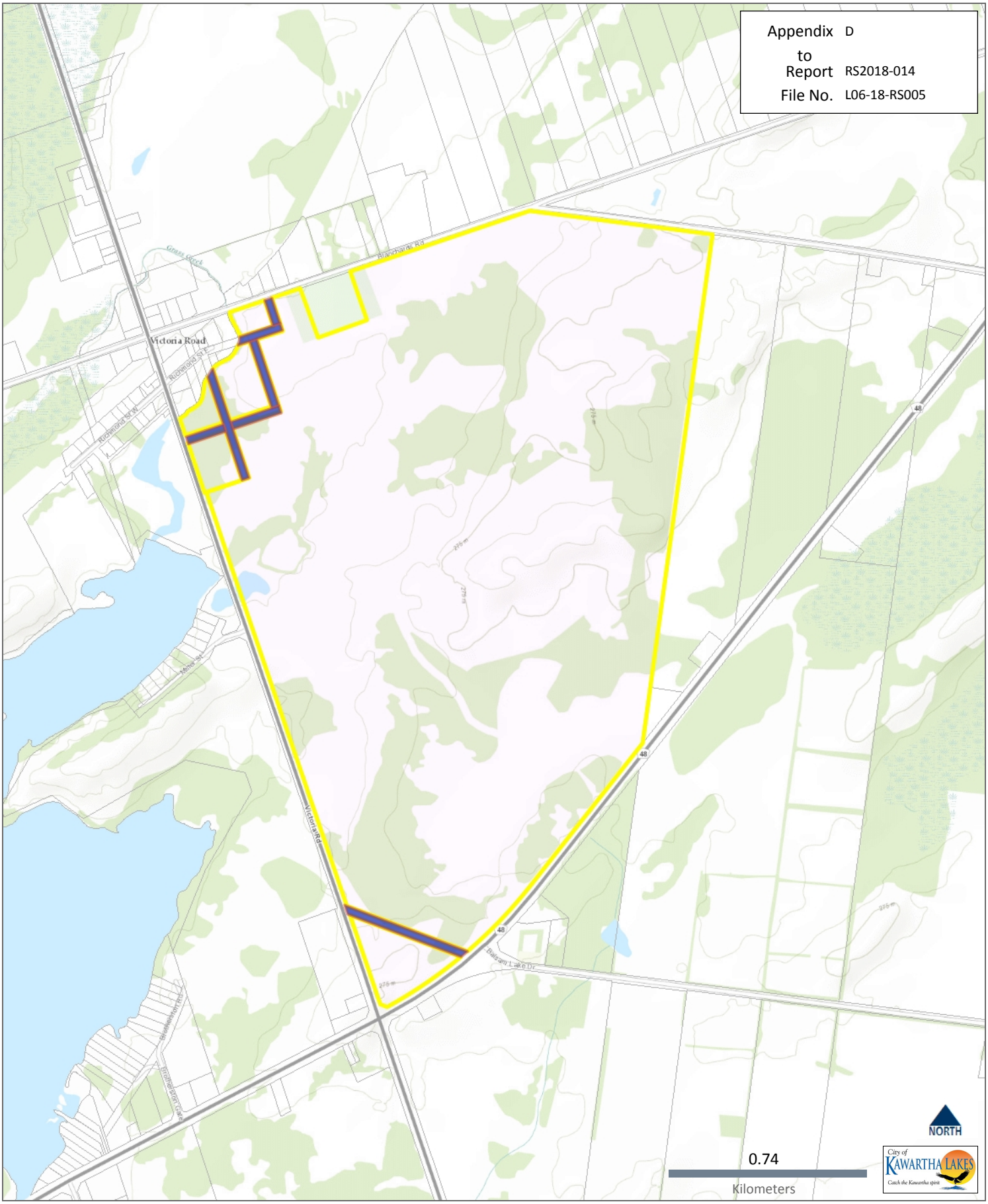
Date:



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113

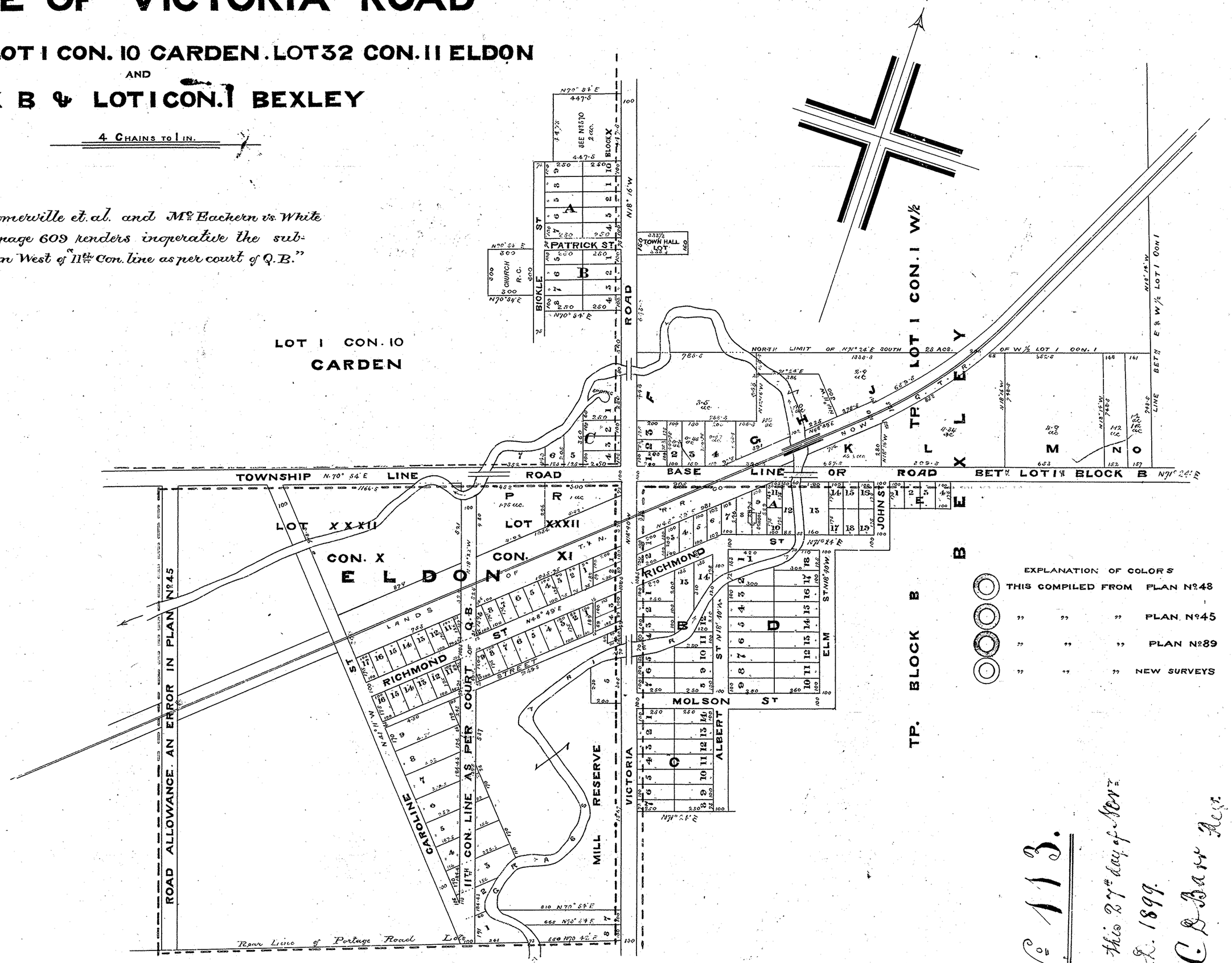
MUNICIPAL PLAN OF THE VILLAGE OF VICTORIA ROAD

BEING PART LOT 1 CON. 10 CARDEN. LOT 32 CON. 11 ELDON AND BLOCK B & LOT 1 CON. 1 BEXLEY

4 CHAINS TO 1 IN.

NOTE.-
Mc Eachern vs. Somerville et. al. and Mc Eachern vs. White et al 37 U.C.Q.B. page 609 renders inoperative the sub-division of this plan West of "11th Con. line as per court of Q.B."

No. 113



No. 113.
Registered this 27th day of Nov.
A.D. 1899.
C. B. Barr Agt.

CERTIFIED TO BE A TRUE COPY OF PLAN _____
REGISTERED IN THE REGISTRY OFFICE FOR THE
REGISTRY DIVISION OF _____

DATE _____ REGISTRAR _____

I hereby certify that this plan accurately shows the manner in which the lands included therein have been surveyed and subdivided by me and that said plan is correct and is prepared under the provisions of the Registry Act and under the instructions of the Municipal Councils of the Townships of Elden & Bexley and of Carden, said instructions being also hereby certified to by the Reeves and clerks of the said councils affixing their signatures and the seals of the said Corporations hereunto.

Dated this 21st day of Nov. A.D. 1899

George Smith
A Registered Ontario Land Surveyor

Reeve of the Township of Carden
Clerk of the Township of Bexley

Signed and sealed in presence of John Cameron

Archibald McFarlane
Reeve of the Township of Elden
John A. Jackson
Clerk of the Township of Elden

Appendix E to Report RS2018-014 File No. L06-18-RS005

The Corporation of the City of Kawartha Lakes

Council Report

Report Number RS2018-015

Date: May 22, 2018
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: 6

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

Author and Title: Laura Carnochan, Law Clerk – Realty Services

Recommendations:

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;

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

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.

Background:

At the Council Meeting of July 11, 2017 Council adopted the following resolution:

> **CR2017-640**
> **Moved By** Councillor Elmslie
> **Seconded By** Councillor Yeo
>
> **RESOLVED THAT** Report RS2017-009, **Surplus Declaration and Sale of 8 Francis Street East, legally described as Part Lot 2 South of Francis Street and East of Colborne Street designated as Part 1 on Plan 57R-4516, in the former Geographic Township of Fenelon, City of Kawartha Lakes**, be received;
> **THAT** the property be referred back to staff to be reviewed with the intent to refurbish the washroom facilities at this location and that the cost be included in the 2018 budget; and
> **THAT** staff look for a tenant to replace the former tenancy of the OPP.
>
> A recorded vote was requested by Councillor Elmslie.

Recorded	**For**	**Against**	**Absent**
Mayor Letham		X	
Councillor Breadner		X	
Councillor Dunn	X		
Councillor Elmslie	X		
Councillor James		X	

Councillor Jilesen		X	
Councillor Junkin		X	
Councillor Macklem		X	
Councillor Martin	X		
Councillor Miller	X		
Councillor O'Reilly	X		
Councillor Pollard		X	
Councillor Seymour-Fagan	X		
Councillor Stauble	X		
Councillor Strangway	X		
Councillor Veale	X		
Councillor Yeo	X		
Results	**10**	**7**	**0**

CARRIED

At the Special Council Meeting of October 31, 2017, Council subsequently denied the inclusion of a budget line for the refurbishment of the building located on the subject property:

Moved By Councillor Elmslie
Seconded By Councillor Strangway

RESOLVED THAT Program BP1801, Francis Street East Public Washroom, be added to the budget in the amount of $90,000.00 to be funded from tax support.

MOTION FAILED

As the building cannot be rented out in its current state of disrepair, and as no budget funding was provided by Council in the 2018 Capital Budget, the Land Management Committee was supportive of the subject property being advanced to Council for consideration as surplus land and sale to the abutting landowner.

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 19th and 26th days of April and the 3rd day of May, 2018, and circulation in the Peterborough this Week on the 18th and 25th days of April and the 2nd day of May, 2018. In addition, a "Potential Surplus Property" sign was posted on the subject property for a period of the three weeks, which corresponded with the newspaper advertising period.

Appendix A is a map showing the general area of the subject property, Appendix B is an aerial photo of the subject property, and Appendix C is a map of the subject property.

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 in accordance with City of Kawartha Lakes By-Law 2018-020, as amended.

Rationale:

Initial registry searches have been conducted and reviewed and there are no restrictions noted on title that would prevent the City from selling the subject property.

The property is the location of a former OPP Building and Public Washrooms. There was an agreement between the former Corporation of the Village of Fenelon Falls and the former owner of the abutting property, Sobko Food Market Limited, that Sobko Food Market Limited shall have the first opportunity of acquiring the subject property at a fair market price if the subject property is not required for Municipal purposes. A copy of the Agreement is attached as Appendix D. Sobko Food Market Limited has since been dissolved, but the current abutting property owner has been notified of the potential surplus declaration and sale and has expressed interest in purchasing the property.

Realty Services has not received any comments from members of the public expressing concerns with regards to the potential surplus declaration and sale of this property.

Other Alternatives Considered:

Council may decide not to sell the subject property and derive no financial benefit whatsoever. That would be inconsistent with past practice and is not recommended in this circumstance.

Financial/Operation Impacts:

In keeping with past practice, we are requesting that all costs associated with investigating and preparing the subject property for sale, including but not limited to registry search costs, survey fees, appraisal fees, real estate listing fees, real estate commission, and legal fees, be taken from the Property Development Reserve.

The consideration paid for the subject property shall be no less than the current appraised value, plus all costs associated with the transaction.

The successful sale of the subject property will result in proceeds to the City which will be credited to the Sale of Land Revenue Account and then transferred to the Property Development Reserve.

Relationship of Recommendations to the 2016-2019 Strategic Plan:

This report aligns with the strategic goal of a “vibrant and growing economy” and the strategic enabler of “efficient asset management”.

Consultations:

Land Management Committee
Land Registry Office
Planning – Maps

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 – Instrument No. R256881

Appendix D - Registered Instrumer

Department Head E-Mail: rcarlson@kawarthalakes.ca

Department Head: Robyn Carlson

Department File: L06-17-RS008

Date:

THIS MAP IS NOT TO BE USED FOR NAVIGATION
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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:

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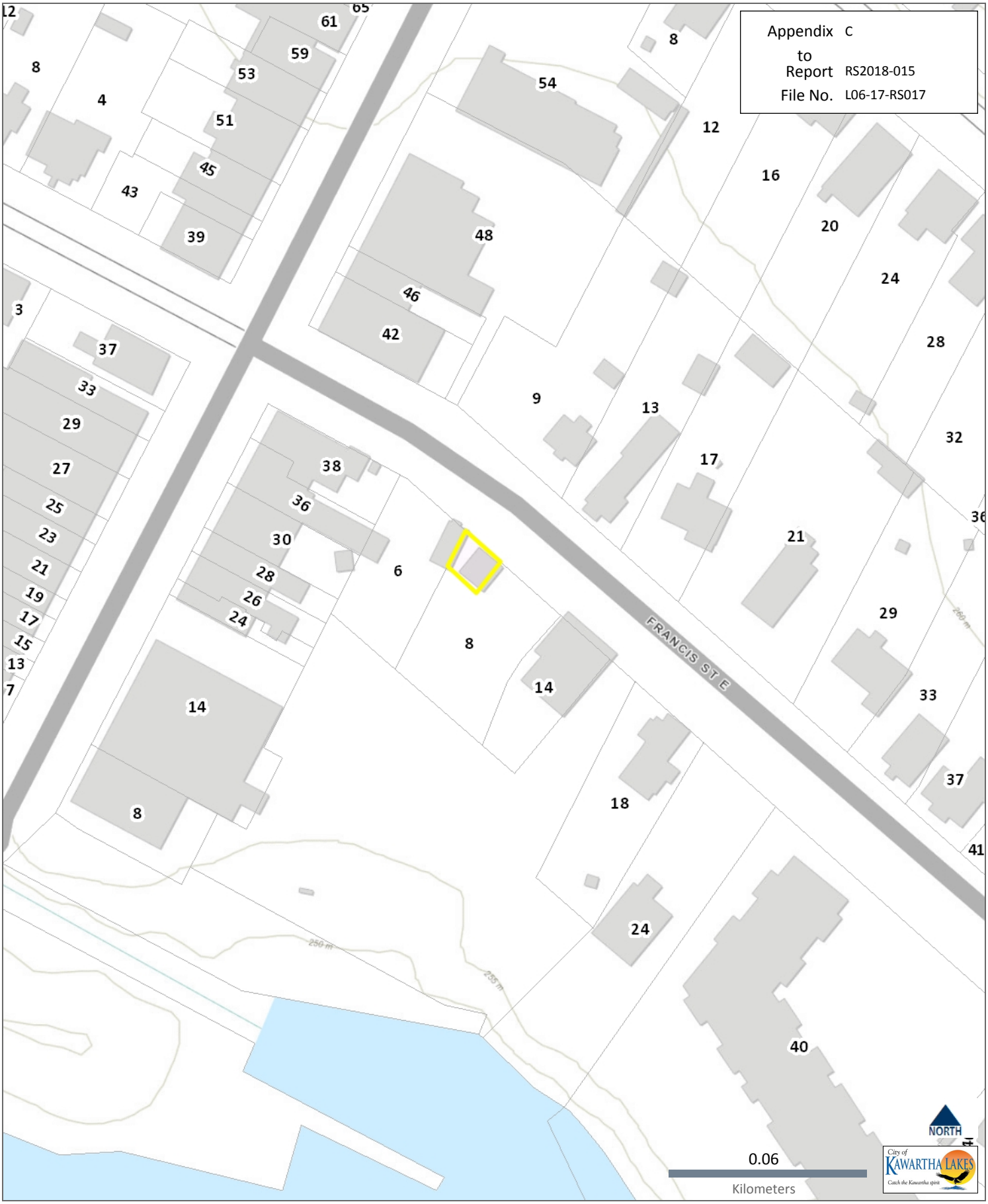

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Date:

Appendix D
to
Report RS2018-015
File No. L06-17-RS017

Province of Ontario

Document General

Form 4 — Land Registration Reform Act, 1984

FOR OFFICE USE ONLY

NUMBER 256881

CERTIFICATE OF REGISTRATION

'89 SEP 26 P4:12

VICTORIA No. 57 LINDSAY

Elizabeth Ann Sagaway

LAND REGISTRAR

(1) Registry [X] Land Titles [ ]

(2) Page 1 of 2 pages

(3) Property Identifier(s) Block Property

Additional: See Schedule [ ]

(4) Nature of Document

AGREEMENT RE RIGHT OF FIRST ~~OPPORTUNITY~~ REFUSAL

(5) Consideration

NIL

Dollars $

(6) Description

All that Part of Lot 2, south of Francis Street and east of Colborne Street according to Registered Plan 100 and being designated as Part One on Reference Plan deposited in the Registry Office for the Registry Division of Victoria (No. 57) as Plan 57R-4516.

New Property Identifiers

Additional: See Schedule [ ]

Executions

Additional: See Schedule [ ]

(7) This Document Contains: (a) Redescription New Easement Plan/Sketch [ ] (b) Schedule for: Description [ ] Additional Parties [ ] Other [X]

(8) This Document provides as follows:

SEE SCHEDULE ATTACHED

Continued on Schedule [X]

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature Y	M	D
THE CORPORATION OF THE VILLAGE OF FENELON FALLS (Owner)		XXXX	XXX	XXX

(11) Address for Service P.O. Box 179, Fenelon Falls, Ontario. K0M 1N0.

(12) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature Y	M	D
SOBKO FOOD MARKET LIMITED (Applicant)	PER: John Sobko John Sobko - President, I have the authority to bind the Corporation	1989	09	15

(13) Address for Service P.O. Box 1119, Fenelon Falls, Ontario. K0M 1N0.

(14) Municipal Address of Property

Fenelon Falls, Ontario.
K0M 1N0.

(15) Document Prepared by:

Joni d.S. Fernandes,
Messrs. MORRIS/ROSE/LEDGETT
Barristers and Solicitors,
2600 York Centre,
145 King Street West,
Toronto, Ontario.
M5H 3K4.

FOR OFFICE USE ONLY

Fees and Tax	
Registration Fee	22.00
LTT	Nil A
Total	22.00

October, ~~August~~, 1987

AGREEMENT made this 2nd day of

BETWEEN:

THE CORPORATION OF THE VILLAGE OF FENELON FALLS

OF THE FIRST PART

AND

SOBKO FOOD MARKET LIMITED

OF THE SECOND PART

1. SOBKO FOOD MARKET LIMITED has agreed to purchase and THE CORPORATION OF THE VILLAGE OF FENELON FALLS has agreed to sell the lands comprising PART TWO on Plan 57R-4516, ~~copy of which is attached hereto~~. The consideration for the purchase and sale is the sum of one dollar and other good and valuable consideration, receipt of which is hereby acknowledged.

2. THE CORPORATION OF THE VILLAGE OF FENELON FALLS will retain PART ONE on said Plan, the said land being presently used for public washrooms.

If at any future time, the said lands are not required for Municipal purposes and if the CORPORATION OF THE VILLAGE OF FENELON FALLS shall decide to convey the land, SOBKO FOOD MARKET LIMITED shall have the first opportunity of acquiring the same at a fair market price, and in the event of dispute, the price to be determined by two arbitrators, one chosen by the Municipality and one by Sobko Food Market Limited.

WITNESSETH the Corporate Seals of the said Corporations duly attested by their proper officers in that behalf:

THE CORPORATION OF THE VILLAGE OF FENELON FALLS

Reeve Barclay Taylor

Clerk Mary Baker

SOBKO FOOD MARKET LIMITED

President John Sobko

3

DYE & DURHAM CO. LIMITED
Form No. 600
(Amended Aug. 1, 1988)

Form 1 - Land Transfer Tax Act
Affidavit of Residence and of Value of the Consideration

Refer to all instructions on reverse side.

IN THE MATTER OF THE CONVEYANCE OF *(insert brief description of land)* Part of Lot 2, according to Registered Plan 100, being designated as Part Two on Reference Plan 57R-4516, in the Village of Fenelon Falls, in the County of Victoria

BY *(print names of all transferors in full)* THE CORPORATION OF THE VILLAGE OF FENELON FALLS

TO *(see instruction 1 and print names of all transferees in full)* SOBKO FOOD MARKET LIMITED

I, *(see instruction 2 and print name(s) in full)* JOHN SOBKO

MAKE OATH AND SAY THAT:

1. I am *(place a clear mark within the square opposite that one of the following paragraphs that describes the capacity of the deponent(s))*: *(see instruction 2)*

☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;

☐ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;

☐ (c) A transferee named in the above-described conveyance;

☐ (d) The authorized agent or solicitor acting in this transaction for *(insert name(s) of principal(s))* _____ described in paragraph(s) (a), (b), (c) above; *(strike out references to inapplicable paragraphs)*

☒ (e) The President, ~~Vice-President, Manager, Secretary, Director, or Treasurer~~ authorized to act for *(insert name(s) of corporation(s))* Sobko Food Market Limited _____ described in paragraph(s) (a), (b), (c) above; *(strike out references to inapplicable paragraphs)*

☐ (f) A transferee described in paragraph( ) *(insert only one of paragraph (a), (b) or (c) above, as applicable)* and am making this affidavit on my own behalf and on behalf of *(insert name of spouse)* _____ who is my spouse described in paragraph ( ) *(insert only one of paragraph (a), (b) or (c) above, as applicable)* and as such, I have personal knowledge of the facts herein deposed to.

2. *(To be completed where the value of the consideration for the conveyance exceeds $250,000).*

I have read and considered the definition of "single family residence" set out in clause 1(1)(ja) of the Act. The land conveyed in the above-described conveyance

☐ contains at least one and not more than two single family residences.

☐ does not contain a single family residence.

☐ contains more than two single family residences. *(see instruction 3)*

Note: Clause 2(1) (d) imposes an additional tax at the rate of one-half of one per cent upon the value of consideration in excess of $250,000 where the conveyance contains at least one and not more than two single family residences.

3. I have read and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clauses 1(1)(f) and (g) of the Act and each of the following persons to whom or in trust for whom the land is being conveyed in the above-described conveyance is a "non-resident corporation" or a "non-resident person" as set out in the Act. *(see instructions 4 and 5)* none

4. **THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:**

(a) Monies paid or to be paid in cash	$ NIL	
(b) Mortgages (i) Assumed *(show principal and interest to be credited against purchase price)*	$ NIL	
(ii) Given back to vendor	$ NIL	
(c) Property transferred in exchange *(detail below)*	$ NIL	
(d) Securities transferred to the value of *(detail below)*	$ NIL	
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	$ NIL	
(f) Other valuable consideration subject to land transfer tax *(detail below)*	$ NIL	
(g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO LAND TRANSFER TAX *(Total of (a) to (f))*	$ NIL	$ NIL
(h) VALUE OF ALL CHATTELS - Items of tangible personal property *(Retail Sales Tax is payable on the value of all chattels unless exempt under the provisions of the "Retail Sales Tax Act", R.S.O. 1980, c.454, as amended)*		$ NIL
(i) Other consideration for transaction not included in (g) or (h) above		$ NIL
(j) TOTAL CONSIDERATION		$ NIL

All Blanks Must Be Filled In. Insert "NIL" Where Applicable.

5. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. *(see instruction 6)* n/a

6. If the consideration is nominal, is the land subject to any encumbrance? n/a

7. Other remarks and explanations, if necessary. ~~xxxxx~~ Registration of Right of First Opportunity and not an option, not a conveyance for Land Transfer Tax purposes.

Sworn before me at the City of Toronto, ~~Municipality of Metropolitan Toronto,~~ TOWN OF LINDSAY;
in the
this 15th day of September, 1989.

Robert M'Leod
A Commissioner for taking Affidavits, etc.

John Sobko
signature(s)
John Sobko

Property Information Record

A. Describe nature of instrument: Transfer/Deed of Land

B. (i) Address of property being conveyed *(if available)* Fenelon Falls, Ontario. K0M 1N0.

(ii) Assessment Roll No. *(if available)* not assigned

C. Mailing address(es) for future Notices of Assessment under the Assessment Act for property being conveyed *(see instruction 7)*
P.O. Box 1119, Fenelon Falls, Ontario. K0M 1N0.

D. (i) Registration number for last conveyance of property being conveyed *(if available)* n/a

(ii) Legal description of property conveyed: Same as in D.(i) above. Yes ☐ No ☐ Not known ☒

E. Name(s) and address(es) of each transferee's solicitor
Joni d.S. Fernandes,
Messrs. Morris/Rose/Ledgett,
2600 - 145 King Street West,
Toronto, Ontario,
M5H 3K4.

For Land Registry Office use only
REGISTRATION NO.
Land Registry Office No.
Registration Date

The Corporation of the City of Kawartha Lakes

Council Report

Report Number LIC2018-003

Date: May 22, 2018
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: Ward 13

Subject: Old Dog Brewing Company (By The Glass) Liquor Licence

Author Name and Title: Alix Hick, Senior Licensing Officer

Recommendation(s):

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.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

Prior to the issuance of a Manufacturers Limited Liquor Sales Licence, commonly known as a By the Glass Liquor Sales Licence, the Alcohol and Gaming Commission of Ontario requires the Council of the municipality in which a brewery is located to pass a resolution in support of the issuance of licence.

Rationale:

A Manufacturer's Limited Liquor Sales Licence allows eligible Ontario wineries and breweries to sell and serve their products for consumption on their manufacturing site where the sale is primarily aimed at promoting the manufacturer's product and either providing an enhanced tourist experience or fulfilling an educational purpose.
Old Dog Brewing Company is situated in Bobcaygeon, one of the prime tourism areas in the municipality. By being able to serve their product by the glass during tours of the brewery, it is anticipated that the brewery tour experience will become an attraction that will bring tourists to the area.

Other Alternatives Considered:

If Council declines to pass a resolution supporting the issuance of a Manufacturers Limited Liquor Sales (By the Glass) Liquor Licence to Old Dog Brewing Company, the business will not be able to offer tasting as part of the brewery tour.

Financial/Operation Impacts:

N/A

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

By supporting the issuance of a Manufacturers Limited Liquor Sales (By the Glass) Liquor Licence to Old Dog Brewing Company, Council will be supporting two objectives of the 2016-2019 Strategic Plan: a stronger more diversified economy, and enhanced tourism.

Review of Accessibility Implications of any Development or Policy:

N/A

Servicing Implications:

N/A

Consultations:

N/A

Attachments:

Request to Mayor & Council from Old Dog

Department Head E-Mail: critchie@kawarthalakes.ca

Department Head: Cathie Ritchie, City Clerk

Old Dog
BREWING COMPANY inc.
your new best friend

His Worship Mayor Andy Letham and Council
City of Kawartha Lakes
P.O. Box 9000, 26 Francis Street,
Lindsay, ON, K9V 5R8

May 8, 2018

Dear Mayor Letham and Council,

I appreciate the support that you have already given me and am writing to request that you now pass a resolution in support of the issuance of a liquor licence for my establishment, Old Dog Brewing Company Inc. in Bobcaygeon.

The licence will be a Manufacturer´s Limited Liquor Sales Licence called a "by-the-glass" licence. This will allow for the sale and service of the beer manufactured on site, providing an enhanced tourist experience and education.

A small taproom and retail space will be located in the original building at 30 King Street East in Bobcaygeon, with the brewery being housed in the addition that we are in the process of building. It is expected that we will be open for business in the middle of summer.

Old Dog Brewing Company is currently a licenced Contract Brewer with the AGCO under licence number MFB1028190.

Thank you for your continued support.

Sincerely Yours,

Scott Nichol
Owner
Old Dog Brewing Company Inc.

30 King Street East
Bobcaygeon, Ontario
K0M 1A0

705-731-1123
www.olddogbrewing.com
scott@olddogbrewing.com

The Corporation of the City of Kawartha Lakes

Council Report

Report Number CORP2018-009

Date: May 22, 2018
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: All

Title: High Water Bill Adjustment Appeals Committee

Author and Title: Jennifer Stover, Director of Corporate Services

Recommendation(s):

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

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.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

At the Council Meeting of June 6, 2017, Council adopted the following resolution:

CR2017-497

RESOLVED THAT Report CORP2017-017, High Water Bill Appeals, be received;

THAT an Appeal Body for High Water Bills be established to hear and adjudicate applications relating to high water bill appeals with the same decision making powers as the Property Standards Committee; and

THAT staff provide an establishing by-law by the end of Q3, 2017 for consideration.

Further to that, at the Council Meeting of October 10, 2017, Council adopted the following resolution:

CR2017-878

RESOLVED THAT Report CORP2017-026, High Water Bill Adjustment Appeals Committee, be received;

THAT By-law 2011-260, being a By-law to Govern Water and Wastewater Services in the City of Kawartha Lakes, be amended to include terms of reference a High Water Bill Adjustment Appeals Committee by adding the following:

High Water Bill Adjustment Appeals Committee: A High Water Bill Adjustment Appeals Committee is established to hear and rule on appeals against High Water Bill Adjustment decisions.

Authority: The High Water Bill Adjustment Appeals Committee may recommend to Council approval of high water bill adjustments without prejudice or precedent to any other similar matter.

Composition and Appointment: The High Water Bill Adjustment Appeals Committee shall be comprised of three members of Council appointed by Council.

Term: The Term of the Appointment of the High Water Bill Adjustment Appeals Committee shall be the same as the term of Council.

Administration: The High Water Bill Adjustment Appeals Committee shall

ensure that a member of City staff is assigned the role of secretary to the Committee with duties and obligations required in accordance with the Municipal Act.

Governance: The High Water Bill Adjustment Committee shall be governed by this by-law and the City's Procedural By-Law, as amended from time to time by Council.

And;
THAT the necessary amending by-Law be brought forward for adoption.

The terms of reference are included in the By-law 2018-039. This report addresses the establishment of the High Water Bill Adjustment Appeals Committee.

Rationale:

Council approved a High Water Bill Policy in April, 2017 to provide staff with direction on providing relief to property owners. The terms of reference were approved in October 2017 however the Committee was never formally established.

The Management Directive, attached as Appendix A, establishes a guideline for the appeal process.

Other Alternatives Considered:

As the Committee does not have the authority to approve relief, Council could opt to disband the Committee and have any/all high water bill adjustment appeals be heard directly to Council.

Financial/Operation Impacts:

As the high water bill adjustments are limited to one per property, the financial implications of providing relief are minimal relative to the total water/wastewater revenue.

Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

Strategic Enabler – Responsible Fiscal Resource

Attachments:

Appendix A – Management Directive

MD2018-xx High Water Appeals Comm

Department Head E-Mail: jstover@kawarthalakes.ca

Department Head: Jennifer Stover

Management Directive

Management Directive No.:	MD2018-XXX
Management Directive Name:	High Water Bill Adjustment Appeals Committee
Date Approved by CAO or Designated Person:	May 22,2018
Date revision approved by CAO or Designated Person:	
Related SOP, Management Directive, Council Policy, Forms	CP2017-006 High Bill Adjustment Policy

Directive Statement and Rationale:
To establish a management framework for the High Water Bill Adjustment Appeals Committee

Scope:
Applies to all members of the City of Kawartha Lakes High Water Bill Adjustment Appeals Commitee. This policy shall not be taken to alter the terms or any Collective Agreement.

Management Directive:

Meeting Frequency and Purpose:

- Meetings will occur once per quarter.
- The purpose of the meeting will be:
    - To provide a venue for property owner's to appeal for relief on their water/wastewater bill beyond the High Water Bill Policy;
    - For staff to update the Committee on any water/wastewater billing matters.

Property Owner:

- The property owner shall notify the City, in writing, that they wish to have their water/wastewater bill reviewed by the Committee.
- The property owner may make a written deputation or verbal deputation to the Committee.
- It is the responsibility of the property owner to maintain their account in good standing.
- Interest will continue to accrue on any outstanding balances.
- Property owner's may only make one appeal per property.

Meeting Process:

- Staff will notify the property owner of the meeting date and advise them of the process, including their obligation to maintain their account in good standing.
- Agenda for the meeting will be available the Wednesday prior to the meeting.
- Property Owner's will have the opportunity to make a deputation at the meeting.
- Staff will provide the Committee with a report for each appeal providing an explanation of the matter from staff perspective
- The Committee has the authority to deny a request for relief.
- The Committee may make a recommendation to Council to provide relief.
- In recommending relief, the Committee shall refer to the High Bill Adjustment Policy for guidance.
- The amount of relief recommended by the Committee shall not exceed the level of relief that would otherwise be provided under the High Bill Adjustment Policy.

Notification of Decision:

- Staff will notify the property owner of the Committee and/or Council's decision.
- In the event that relief is provided, a credit will be applied to the account.
- The credit will also include the interest that accrued on the amount of the relief only.

Revision History:

Proposed Date of Review:

Revision	Date	Description of changes	Requested By
0.0	[Date]	Initial Release	

May 11, 2018

Mayor and Council
Office of the City Clerk
26 Francis St, Box 9000
Lindsay ON K9V 5R8

RE: Noise By-Law Exemption Request | Wedding Event | June 6 – 8 of 2018

Dear Mayor and Council,

I am writing to request for a **Noise By-law exemption** for the duration of our stay (June 6 – 8) at Eganridge Resort & Spa located at 26 Country Club Dr, Fenelon Falls, ON K0M 1N0.

I am holding my wedding celebrations at Eganridge Resort & Spa which will take place for the period of three days - June 6th, 7th and 8th of this year. Jason Friedmann is my point of contact at the resort who is fully aware of all details concerning my wedding. He can be contacted via email at jason@eganridge.com

All events will be hosted outdoors (weather permitting) and will include a professional DJ artist playing music. Event times for each day are listed below:

June 6th – 3pm to 11pm

June 7th – 6pm to 11pm

June 8th – 12pm to 3pm and 6pm to 11pm

I would greatly appreciate your approval of my request. Please don't hesitate to call or email me for any questions/concerns you might have.

Thank you in advance.

Sincerely,

Nisha Borshettar
[redacted]

11.2.2

Shelly Peeken
[redacted]

Date: May 18, 2018

City of Kawartha Lakes
Chris Marshall, Director of Development Services
26 Francis Street
Lindsay, Ontario

RE: PLAN2018-046, Parking Requirements – Re-development of 171-183 Kent Street West

Dear Mr. Marshall:

I have had the opportunity to review PLAN2018-046 and the recommendations contained therein, as it relates to cash-in-lieu of parking. **While I generally support development in the Downtown, I object to the recommendations for cash-in-lieu of parking provided in Plan 2018-046 and I request that Council vote against the recommendation.**

Specifically, I believe that the rationale and recommended methodology for calculating cash-in-lieu falls short for the following reasons:

1. The precedence argument disregards the significant differences between prior developments in the community and the proposed redevelopment project, including:
    a. The scale of the proposed project is significantly larger than the properties referenced in the rationale;
    b. The location of the proposed project (Downtown Lindsay) varies from two of the properties referenced in the rationale; and
    c. The uses of the proposed project vary from the properties referenced in the rationale.
2. The value attributed to the parking spaces is arbitrary and unsubstantiated.

Recommendation

I recommend that the City adopt a different methodology for determining cash-in-lieu of parking for this proposed project. If the project includes an office component of approximately 26,000 square feet (and assuming an 85% efficiency ratio and a conservative 250 square feet per office worker), the additional number of workers that the office component alone would place on the Downtown is equivalent to 88 people. This excludes any parking demand from the grade-level retail component and visitors to the office component. On this basis, the parking requirements of the proposed project and uses would be significantly higher than the parking to be provided on-site by the Developer (ie. 67 spaces).

My recommended methodology for calculating cash-in-lieu of parking in Downtown Lindsay is as follows:

1. Determine the value of the land associated with a parking space; and

2. Add the cost to construct a parking space, considering that the City would likely have to create not only surface parking, but also additional garage parking (ie. above-grade structure).

As an example:

1. Value of the Land:

   - Currently, the City is offering for sale a parcel of land within Downtown Lindsay (7 William Street South), at $193,000, which is equivalent to $1,103,871 per acre. Assuming that the property sells at 90% of list price, the transaction would reflect a sale price of $993,484 per acre, or $22.80 per square foot (PSF).

2. Cost to Construct Parking:

   - Based on the Canadian Cost Guide 2017 published by Altus Group, the cost to construct surface parking spaces range from $5.00 to $15.00 per square foot. The cost to construct a detached parking garage (above grade) ranges from $50.00 to $130.00 per square foot. Notably, the costs provided by Altus do not include soft costs, such as architectural and engineering fees.

   - The Town of Lindsay Comprehensive Zoning By-Law No. 2000-75, as amended, requires that a parking space comprise 2.75m by 6.7m (18.425 m2, or 198 square feet), plus additional space for driveways.

   - Using the above figures and for illustrative purposes, a conservative cash-in-lieu of parking calculation in Downtown Lindsay could be estimated as such:

Proposed Cash-In-Lieu of Parking Calculation - EXAMPLES

FORMULA: (Land Value PSF + Cost PSF) x	Parking Space Size	=	Estimated Cash In Lieu $
EXAMPLE - SURFACE PARKING SPACE			
Calculation: ($22.80 + $5.00) x	198	=	$5,504 per parking space
	For 100 Spaces		$550,440
EXAMPLE - DETACHED PARKING SPACE			
Calculation: ($11.40 + $50.00) x *(Land @ $22.80 divided by 2, assumes bi-level structure)*	198	=	$12,157 par parking space
	For 100 Spaces		$1,215,720

Based on the methodologies presented in Plan 2018-046, total cash-in-lieu of parking could range from a low of $1 to upwards of $449,192. The recommendation provided in Plan 2018-046 to accept $76,363 as cash-in-lieu of parking is arbitrary and insufficiently supported. **I recommend that the City consider hiring a designated commercial real estate appraiser with the Appraisal Institute of Canada to assist in the determination of the REAL cost to provide substitute parking in the Downtown.** With a sound methodology in place, the City can more readily negotiate the amount of cash-in-lieu of parking in connection with the proposed project.

The REAL cost to provide substitute parking in Downtown Lindsay should be substantiated and quantified, rather than based on arbitrary methodologies. The City has a responsibility to balance both private development and community interests. I believe that, with a sound cash-in-lieu of parking methodology in place, the City will be in a much stronger position to promote the proposed project while also ensuring that the Downtown has adequate parking for the community.

Sincerely,

S. Peeken

Shelly Peeken, AACI, P.App, B.A. (Hons.), D.U.L.E.

Shannon Foley
5 King St. East
Omemee, ON K0L2W0
May 17, 2018

Dear,
Mayor and Council
c/o Office of the City Clerk
26 Francis Street
P.O. Box 9000
Lindsay, ON K9V 5R8

I am writing to you as the owner of property 5 King St.East, Omemee. I purchased this property listed as a multi-family residence in 2017. The seller had renovated this property into two (2) functional residential units and had put an application in place to adjust the zoning to reflect this. This was part of the purchase and sale agreement, that the seller would complete this application for me to make this my home. That was my intent with the purchase. To give me an opportunity to become a home buyer. My income and the rental income allowing me the ability to have an investment opportunity as a first time home buyer. I have good, reliable tenants occupying the upper unit and I reside in the lower unit. My tenants and I have both made each unit our own home. I do not require commercial intent with the property. My understanding with the zoning change is that it still allows for commercial capability. In future the possibility is still there for someone to have that use. In present time, I am hopeful that a modification to the zoning can be considered, to allow for its current function, permitting the two (2) residential dwelling units. This would provide relief for myself and my tenants to know we have legitimate homes.

Thank you for your time and consideration on this matter.

Shannon

The Corporation of the
City of Kawartha Lakes
Public Works
12 Peel Street
P.O. Box 9000
Lindsay, Ontario K9V 5R8
Tel: 705-324-9411 Ext. 1143
Toll Free: 1-888-822-2225
www.kawarthalakes.ca

Bryan Robinson, P. Eng.,
Director of Public Works

Memo

To: **Mayor Andy Letham and Members of Council**

From: **Bryan Robinson, Director of Public Works**

Cc: **Ron Taylor, C.A.O.**

Date: **For May 15, 2018**

Re: **782 Frank Hill Road**

A public deputation is scheduled to be presented to Council on May 15, 2018 regarding a request for encroachment agreement for posts installed without authorization on the City's road allowance. This memo is being provided as background information on the matter.

Public Works first became aware of reports of misuse of a water access in June of 2017. The owners of the adjacent property at 782 Frank Hill Road purchased the property on November 21, 2016. Since the Spring of 2017, they have been having difficulty with members of the public blocking their driveway and trespassing.

In early October of 2017 they took measures to prevent access into their own hands by placing large boulders into the road allowance thereby blocking the water access. Public Works was made aware of the activity and subsequently removed the rocks. It was clarified to the owners that this property is not an official boat launch. This property is primarily designated for use by fire services as a collection point for water hauling purposes. As such the water access must remain open and accessible. This property is also public water access in keeping with Council's desire to maintain access to our waterways.

In further effort to prevent unwanted entry to their property, on October, 2017 the residents proceeded to install two large steel posts (Images on Page 4) on city property which they intended to use to support a gate to their property. At the time the residents believed the posts to be on their property. The residents did

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not contact the City to request road occupancy to perform the work nor did they undertake the necessary legal survey work to confirm the location of the posts. The City visited the site and confirmed our belief that the posts were illegally installed on City property and issued notice on October 20, 2017 to remove the posts or the City would do so.

During a December 19, 2017 conversation with the owners' representative, it was confirmed that via legal survey the posts are on City property.

The City reached out to the owners' representative and asked for proposed timeline for removal and was provided with a response stating: "With respect to the moving of the posts, no prompt action could be taken in December as the ground was frozen. However, as soon as the ground has thawed and the posts can be moved I have been told that this will be done." The City then provided a deadline of April 15, 2018 to have the posts removed or the City would do so at the owners' expense.

During the window given to the owners to remove the posts, the City received a request through the Land Management Committee for a license agreement for the posts. While the matter was in review, Staff felt it inappropriate to remove the posts.

Land Management Committee reviewed the request on April 10, 2018 and confirmed the posts needed to be removed from the road allowance. The owners were then provided a new deadline of May 13, 2018 to remove the posts. The Land Management Committee decision on this matter was guided by City policies, standards and objectives.

Subsequent to this, the Clerk's Office has received a deputation request to ask Council for reconsideration of the decision of the Land Management Committee. As a result of the deputation request, Staff has suspended any further action until the matter is heard by Council.

These posts were installed without permit or authorization from the City within the road allowance. The City's encroachment by-law, approved by Council, outlines the process to address these situations. The posts are inappropriate for a gate fence and pose a risk to the motoring public in the event of collision. In addition,

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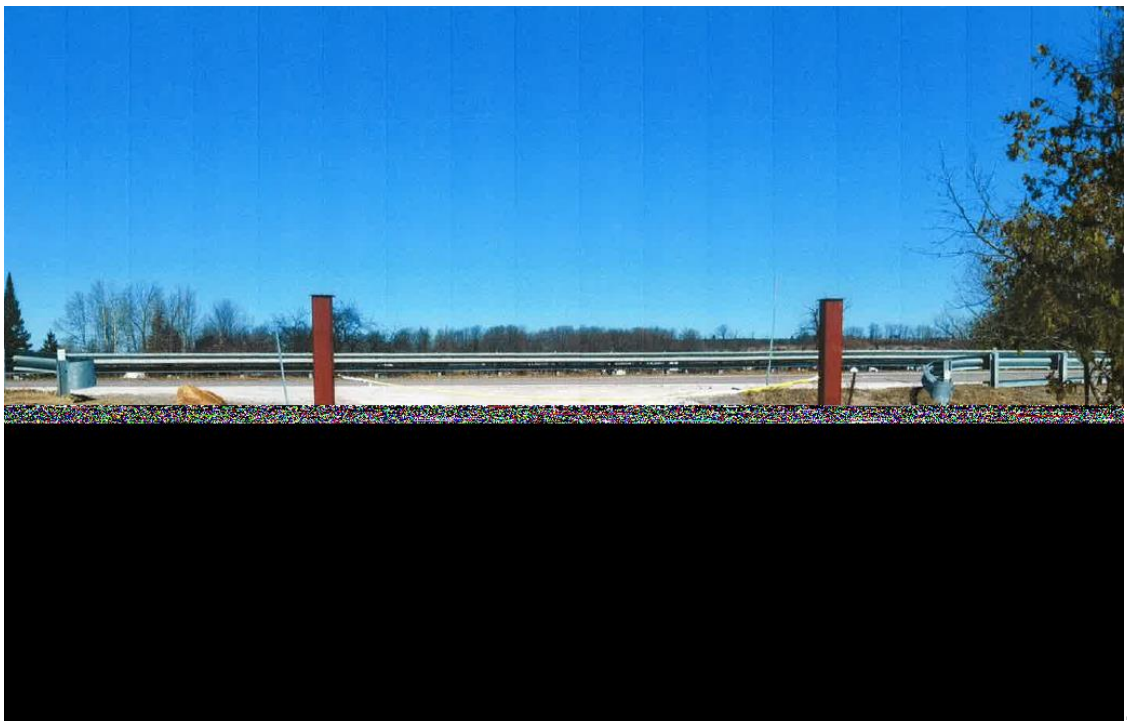
there is a potential the posts could pose an impedance to the movement of emergency service vehicles.

Staff recommend that Council receives the deputation only (and not approve the encroachment of these posts and potential gate at this location). If so, then staff would continue to enforce the removal of the posts from our property.



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Bryan Robinson, P. Eng.,
Director of Public Works

Google Maps

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The Corporation of the City of Kawartha Lakes

Minutes

Planning Advisory Committee Meeting

PC2018-05
Wednesday, May 9, 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 1:01p.m. Mayor A. Letham, Councillors B. Junkin, R. Macklem, H. Stauble and A. Veale and M. Barkwell and D. Girard were in attendance.

Deputy Clerk and Recording Secretary J. Watts, Manager of Planning R. Holy, City Solicitor R. Carlson, Supervisor of Policy Planning L. Barrie, Supervisor of Development Engineering C. Sisson, Economic Development Officer L. Newton, and Planners II David Harding, Anna Kalnina, Mark LaHay were also in attendance.

Early Departure: M. Barkwell at 2:31 p.m.

Absent: G. Miller

The Chair opened the meeting and introduced Planning Advisory Committee and the members of staff present.

2. Declarations of Pecuniary Interest

Committee Member M. Barkwell identified a pecuniary interest to Item 7.1 (Report PLAN2018-039) as he represents a buyer for lands in the Future Development Area referred to in the report. He noted that he would be present for the public meeting to hear the comments and Ms. Barrie's presentation, but would vacate his seat for any vote. Mr. Barkwell left the meeting at 2:31 p.m. prior to the vote on the staff recommendation.

No other declarations of pecuniary interest were 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 PLAN2018-040

An application to amend the City of Kawartha Lakes Official Plan and Township of Mariposa Zoning By-law 94-07 to permit the creation of a residential lot at 408-422 Ranch Road (Muirhead)
David Harding, Planner II

The Chair requested staff to advise on the manner of giving notice for the proposed Official Plan and Zoning By-law Amendments. 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 an existing single detached dwelling (422 Ranch Road) on approximately 0.54 hectares of land to be severed from the balance of the agricultural property, which is approximately 40.2 hectares. The balance of the agricultural property contains a second dwelling and agricultural buildings (408 Ranch Road). Full consistency with the Provincial Policy Statement, and conformity with the Growth Plan will be established with further review of the application and any comments. Mr. Harding summarized the comments received to date, as detailed in his report. Staff are recommending that the application be referred back to staff for further review. He responded to questions from Committee members.

The Chair inquired if the applicant wished to speak to the application.

Nolan Drumm of EcoVue Consulting spoke on behalf of the applicant. He stated that the second dwelling unit on the current property was constructed for a family member with special needs, and now since their passing the dwelling unit has become to much of a financial burden to maintain. He stated that an Agricultural Impact Study has been conducted, and that the application would have no negative impact on the surrounding agricultural lands. He responded to questions from Committee members.

The Chair inquired if anyone wished to speak to the application.

Jim Richardson, of 376 Ranch Road, identified that cattle had been using the agricultural lands in the past, and that this was the first year the property and barn had not been used for livestock.

No other persons spoke to the application.

3.2 PLAN2018-041

An application to amend the Village of Omemee Zoning By-law 1993-15 (Foley)
Mark LaHay, 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. LaHay confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 120m, and a sign was posted the subject property. He summarized the application, explaining that it proposes to permit, in addition to all the permitted General Commercial (C1) Zone uses, two (2) residential dwelling units in an existing building that does not presently contain another permitted General Commercial (C1) Zone use. The application appears to conform to the Growth Plan and appears to be consistent with the Provincial Policy Statement. Mr. LaHay 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 several parties. Community Services identified no concerns with the application. Also, a series of similar pieces of correspondence opposed to the application, due to perceived conflicts with the Official Plan, Zoning By-law, and Downtown Revitalization Plan, and a reduction in the amount of commercial space available in Omemee, were received from:

- Don and Bonnie Mitchell
- Julie Kellett
- Heather Grassie
- James Caton & Nonie Taylor
- Brian McCuaig
- Ray and Donna Hunter
- David and Hilda Vair
- Craig Follett
- Joanne Windrem
- William McQuade
- Veronica Wickens
- Douglas Kennedy
- Lynn Christie
- Cara Mitchell

Further comments received from Matthew Hutchison supporting rezoning the property to residential and applying a historic designation to building. Staff are recommending that the application be referred back to staff for further review and processing until such time as comments have been received from all circulated agencies and City Departments, and that any comments and concerns have

been addressed. He responded to questions from Committee members.

The Chair inquired if the applicant wished to speak to the application.

Kevin Duguay of Community Planning and Consulting Inc. spoke on behalf of the applicant. He provided an overview of the application and the property, and he stated that he has reviewed all the public responses, and specified that the zoning proposal does not remove the commercial zoning component, however does permit two residential units in the building. He does not believe that the zoning change will change the character of the Omemee Downtown area, and emphasized that the application is compliant and consistent with the relevant planning documents. Overall he stated the application represents good planning, and thanked staff for their assistance. He responded to question 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 1:34 p.m.

4. Business Arising from Public Meeting

4.1 Item 3.1

PAC2018-023
Moved By Councillor Stauble
Seconded By Councillor Macklem

Recommend that Report PLAN2018-040, respecting Part of Lot 17, Concession 3, geographic Township of Mariposa, and identified as 408-422 Ranch Road, Muirhead – Applications D01-2018-003 and D06-2018-011, be received; and

That the proposed Official Plan and Zoning By-law Amendments respecting Applications D01-2018-003 and D06-2018-011, be referred back 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.

Carried

4.2 Item 3.2

PAC2018-024
Moved By Mayor Letham
Seconded By Councillor Veale

Recommend that Report PLAN2018-041, respecting Part Lots 2 & 3, Plan 109, Former Village of Omemee, and identified as 5 King Street East, Foley – Application D06-2018-012, be received; and

That the proposed Zoning By-law Amendment respecting Application D06-2018-012, be referred back 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.

Carried

5. Deputations

6. Correspondence

7. City of Kawartha Lakes Reports

7.1 PLAN2018-039

Secondary Plans Appeals Update
Leah Barrie, Policy Planning Supervisor

The Chair noted that following a brief presentation from Ms. Barrie, a Public Meeting as per the definition in the City's Procedural By-law would be held to take public comments on the report.

Ms. Barrie introduced herself to the committee and gave an overview of the current status of the various Secondary Plan appeals. She emphasized that while public comments would be received today, it is not a statutory public meeting. She stated that City staff has prepared revisions to address various issues raised in the appeals by the Ministry of Municipal Affairs. She provided an overview of the various revisions as noted in her report, noting that they focused on three key categories: Urban Settlement Area Boundaries, Future Development Areas, and Secondary Suites. She stated that there will be an opportunity to present the revisions at the next prehearing conference scheduled in October of 2018. Ms. Barrie, Mr. Holy, and Ms. Carlson responded to questions from the Committee members.

Note to Minutes: Resolutions to Item 7.1 were adopted following Items 7.1.1 and 7.1.2.

PAC2018-026
Moved By Councillor Stauble
Seconded By Councillor Veale

Recommend 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.

Carried

PAC2018-027
Moved By Mayor Letham
Seconded By Councillor Veale

Recommend that staff report back to the Planning Advisory Committee regarding the classification and designation of lands held by Vizatimet Farms Ltd. at the northeast corner of CKL Road 36 and CKL Road 17.

Carried

7.1.1 PC2018-05.7.1.1

Public Comments

The Chair opened the meeting to public comments at 2:06 p.m.

John Passalacqua, spoke on behalf of Vizatimet Farms Ltd and provided an overview of the project located near the corners of CKL Road 36 and CKL Road 17 in Lindsay. He provided an overview of his correspondence submitted to the committee, noting their concerns with the Prime Agricultural designation on the lands, the removal of the future residential designation (with a request to change the designation to Rural), and site servicing concerns. He requested that Council direct staff to work together with their organization to have the lands redesignated as Rural, noting their desire to work as equal stake holders.

Michael Testaguzza, spoke on behalf of the Biglieri Group Ltd in relation to the Vizatimet Farms Ltd. property, noting their desire to have the lands redesignated from Prime Agricultural to Rural. He stated that they are seeking a Council

resolution to direct staff to meet with Biglieri to report how the lands can be redesignated.

Richard Taylor spoke on behalf of his client, Fenelon Trails Inc. and stated that they are encouraged by the staff report, and want to achieve a settlement between all parties as certainty helps the economic position of his client. They are requesting that the Fenelon Falls Secondary Plan appeal be segregated out of the other appeals, as they believe that would provide a better prospect for a resolution.

Doug Carroll spoke on behalf of Jim Webster (Black Bear Estates Inc.) and expressed frustration with the comments from the Province regarding their lands, as he stated that the lands are currently on serviceable lands with a conceptual plan of subdivision. He provided an overview of his correspondence submitted to the committee and requested that the Fenelon Falls Settlement Area boundary and Fenelon Falls Servicing Boundary encompass all the Webster land and the redesignation of lands as residential, deletion of the significant woodlands and unevaluated wetlands, and the removal of repetitive policies in his correspondence be adopted by Council.

Committee Member M. Barkwell left the meeting at 2:31 p.m. and did not return to the Council Chambers.

The Chair closed the meeting to public comments at 2:43 p.m.

7.1.2 PC2018-05.7.1.2

Correspondence Received

PAC2018-025
Moved By Councillor Junkin
Seconded By Councillor Stauble

Recommend that, the correspondence received and circulated to the members of the committee from:

- Vizatimet Farms Ltd.
- Richard Taylor
- The Biglieri Group
- DC Planning Services Inc.

regarding Report PLAN2018-039, Secondary Plans Appeals Update, be received.

Carried

7.2 PLAN2018-044

Information Report on the Local Planning Appeal Tribunal
Anna Kalnina, Planner II

Ms. Kalnina provided a presentation to the Committee on the overview of the recent changes to the land use planning and appeal system as a result of Bill 139. Her presentation highlighted the background to the changes and when the LPAT (Local Planning Appeals Tribunal) replaced the OMB (Ontario Municipal Board), the transition rules, key changes to the appeal process, and new consistency and conformity tests. She also illustrated when there may be two-part appeals, how are non-decision appeals treated, and identified other changes that are now in-force. She responded to questions from the committee members. The committee requested that the presentation be attached to the minutes for circulation to Council.

PAC2018-028
Moved By Councillor Veale
Seconded By Mayor Letham

Recommend that Report PLAN2018-044, Information Report on the Local Planning Appeal Tribunal, be received.

Carried

8. Adjournment

Moved By Councillor Macklem
Seconded By D. Girard

That the Planning Advisory Committee Meeting adjourn at 3:08 p.m.

20180509 Bill 139
and the Local Plannin

Recommendations made at the May 9, 2018 Planning Advisory Committee Meeting:

PAC2018-023
Moved By Councillor Stauble
Seconded By Councillor Macklem

Recommend that Report PLAN2018-040, respecting Part of Lot 17, Concession 3, geographic Township of Mariposa, and identified as 408-422 Ranch Road, Muirhead – Applications D01-2018-003 and D06-2018-011, be received; and

That the proposed Official Plan and Zoning By-law Amendments respecting Applications D01-2018-003 and D06-2018-011, be referred back 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.

PAC2018-024
Moved By Mayor Letham
Seconded By Councillor Veale

Recommend that Report PLAN2018-041, respecting Part Lots 2 & 3, Plan 109, Former Village of Omemee, and identified as 5 King Street East, Foley – Application D06-2018-012, be received; and

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- DC Planning Services Inc.

regarding Report PLAN2018-039, Secondary Plans Appeals Update, be received.

PAC2018-026
Moved By Councillor Stauble
Seconded By Councillor Veale

Recommend 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.

PAC2018-027
Moved By Mayor Letham
Seconded By Councillor Veale

Recommend that staff report back to the Planning Advisory Committee regarding the classification and designation of lands held by Vizatimet Farms Ltd. at the northeast corner of CKL Road 36 and CKL Road 17.

PAC2018-028
Moved By Councillor Veale
Seconded By Mayor Letham

Recommend that Report PLAN2018-044, Information Report on the Local Planning Appeal Tribunal, be received.

Bill 139 and the Local Planning Appeal Tribunal

Overview of changes to the land use planning and appeal system

May 22, 2018

Background

- In 2016, the Province initiated the Ontario Municipal Board (OMB) review
  - Purpose: create faster, fairer and more affordable hearings
- Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017 has taken effect as of April 3, 2018
- The Local Planning Appeal Tribunal (LPAT) has replaced the OMB
  - Major change in comparison to the former appeal process

Transition Rules

- Appeals before the OMB as of Royal Assent (Dec. 12, 2017) – subject to old rules (OMB)
- Appeals between the Royal Assent and Proclamation (April 3, 2018) – depends when a complete application was received
  - Before Royal Assent – subject to old rules
  - After Royal Assent – subject to new LPAT rules
- Appeals after proclamation – subject to new LPAT rules

Key Changes

For Official Plan Amendments (OPAs) and Zoning By-law Amendments (ZBAs)

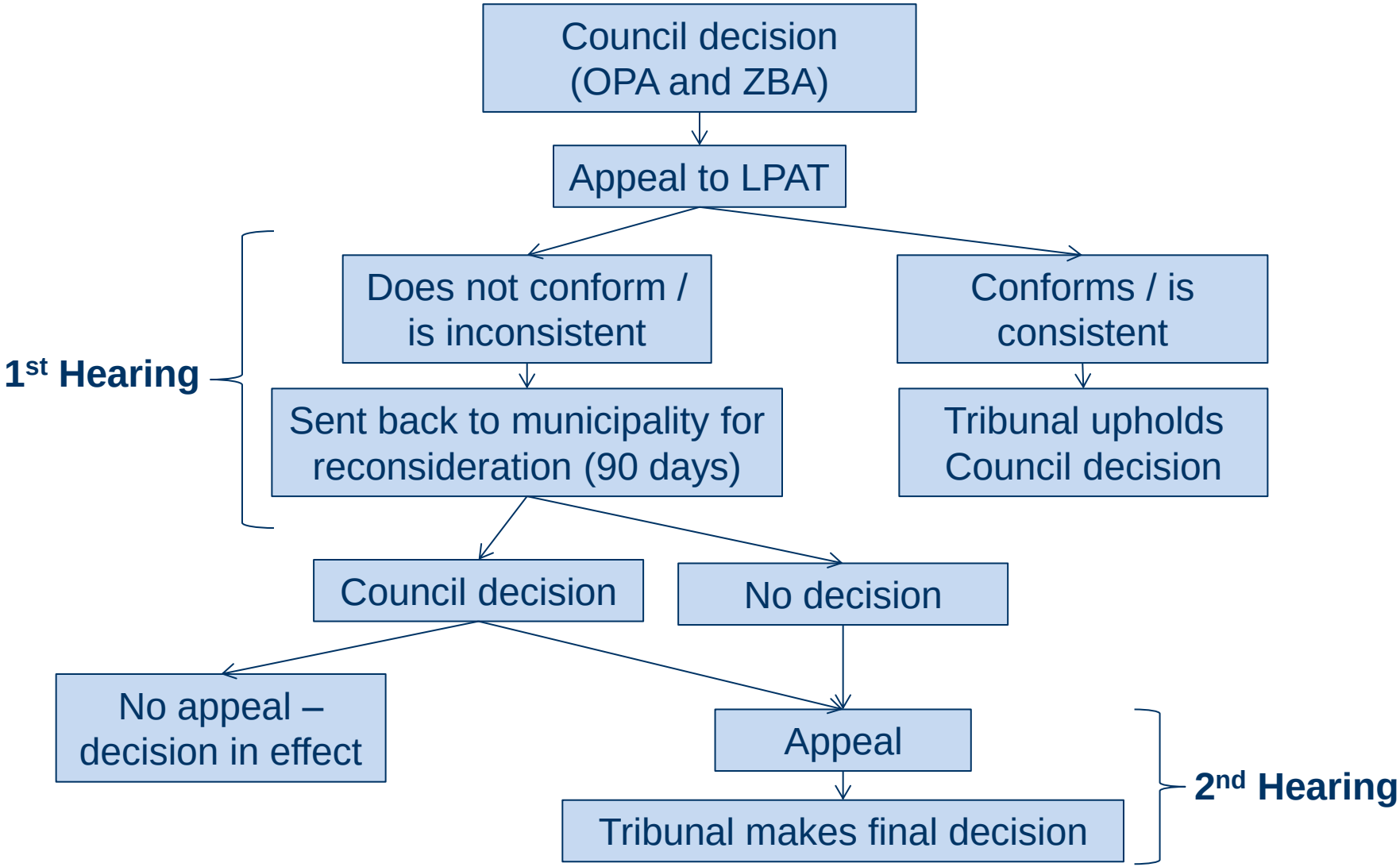
Key Changes	Ontario Municipal Board (Old)	Local Planning Appeal Tribunal (New)
Hearing procedure	De Novo (new) Hearings	LPAT reviews Council decision based on written record (no new evidence)
Appeal test	“Good planning” test	Consistency / conformity test
Number of hearings	OMB’s decision is final (unless appealed to the Divisional Court)	Two-part appeal - in some cases, there may be two hearings
Length of hearings	Hearings as long as required	Oral evidence significantly limited
Hearing format	A formal and legalistic superior court model	Less adversarial hearings - no cross-examination and only LPAT may call witnesses
Party status	Party status determined during pre-hearing conference	The only parties as of right are the City and an applicant

Consistency / Conformity Test

- LPAT may overturn a Council decision only if it is inconsistent with the PPS, does not conform/conflicts with provincial plans, and/or does not conform with the City's Official Plan

- Appeals to municipal refusal or non-decision appeals must meet a two-part test:
  - The existing part or parts of the OP affected do not meet the consistency/conformity
  - The proposed amendment meets the consistency/conformity

Two-Part Appeal



Non-Decision Appeal

Council does not make a decision within the prescribed timeline (OPA and ZBA)

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Appeal to LPAT

↓

1. The existing part or parts of the OP affected do not meet the consistency/conformity
2. The proposed amendment meets the consistency/conformity

↓

Tribunal makes final decision

Other Changes

- Longer decision timelines (+30 days for OPAs and ZBAs)
- Restricted appeal rights
  - No appeals of provincial decision regarding a new OP or an OP update
  - No ability to appeal an Interim Control By-law
- Moratorium
  - No amendments to new Secondary Plans for 2 years
- Local Planning Appeal Support Centre
  - Provide information, guidance and support for citizens who want to participate in the appeal process

Summary

- A lot of changes for major applications (OPAs and ZBAs)
- A strong emphasis on the written appeal record, which has to be the same as the record before Council
- Consistency/conformity test
  - LPAT must dismiss an appeal of a Council decision that passes the test
  - LPAT must remit a decision back to Council to reconsider it if it does not pass the test
  - LPAT must substitute its decision where a Council decision did not pass the test in the second hearing
  - LPAT must make a decision where there was no decision (first and second hearing)
- The City is better positioned to defend our decisions when the Official Plan is consistent/conforms with the provincial policies and plans
- Staff are working to update notices to reflect the changes

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

BY-LAW NUMBER 2018-085

A BY-LAW OF THE CORPORATION OF THE CITY OF KAWARTHA LAKES TO AUTHORIZE THE BORROWING UPON AMORTIZING DEBENTURES IN THE PRINCIPAL AMOUNT OF $2,775,852.59TOWARDS THE COST OF THE BRIDGE RECONSTRUCTION, BRIDGE BUILD REHABILITATION AND RECONSTRUCTION, RURAL RESURFACING PROGRAM

AND WHEREAS subsection 401 (1) of the *Municipal Act*, *2001*, as amended (the "Act") provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS subsection 408 (2.1) of the Act provides that a municipality may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work;

AND WHEREAS the Council of The Corporation of The City of Kawartha Lakes (the "Municipality") has passed the By-law or By-laws, as applicable, enumerated in column (1) of Schedule "A" attached hereto and forming part of this By-law authorizing the capital work described in column (2) of Schedule "A" (individually a "Capital Work" and collectively the "Capital Works", as the case may be), and authorizing the entering into of a Financing Agreement dated effective as of April 30, 2018 for the provision of temporary and long term borrowing from Ontario Infrastructure and Lands Corporation ("OILC") in respect of the Capital Work(s) (the "Financing Agreement") and the Municipality desires to issue debentures for the Capital Work(s) in the amount or respective amounts, as applicable, specified in column (5) of Schedule "A";

AND WHEREAS before authorizing the Capital Work(s) and before authorizing any additional cost amount and any additional debenture authority in respect thereof the Council of the Municipality had its Treasurer calculate an updated limit in respect of its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable regulation and, prior to the Council of the Municipality authorizing the Capital Work(s), each such additional cost amount and each such additional debenture authority, the Treasurer determined that the estimated annual amount payable in respect of the Capital Work(s), each such additional cost amount and each such additional debenture authority, would not cause the Municipality to exceed the updated limit and that the approval of the Capital Work(s), each such additional cost amount and each such additional debenture authority, by the Ontario Municipal Board pursuant to such regulation was not required;

AND WHEREAS the Municipality has submitted an application to OILC for long term borrowing through the issue of debentures to OILC in respect of the Capital Work(s) (the "Application") and the Application has been approved;

AND WHEREAS to provide long term financing for the Capital Work(s) and to repay certain temporary advances in respect of the Capital Work(s) made by OILC pursuant

to the Financing Agreement, it is now deemed to be expedient to borrow money by the issue of amortizing debentures in the principal amount of $2,775,852.59 dated June 01, 2018 and maturing on June 01, 2028, and payable in semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2028, both inclusive on the terms hereinafter set forth;

NOW THEREFORE THE COUNCIL OF The Corporation of The City of Kawartha Lakes ENACTS AS FOLLOWS:

1. For the Capital Work(s), the borrowing upon the credit of the Municipality at large of the principal amount of $2,775,852.59 and the issue of amortizing debentures therefor to be repaid in semi-annual instalments of combined principal and interest as hereinafter set forth, are hereby authorized.

2. The Mayor and the Treasurer of the Municipality are hereby authorized to cause any number of amortizing debentures to be issued for such amounts of money as may be required for the Capital Work(s) in definitive form, not exceeding in total the said principal amount of $2,775,852.59 (the "Debentures"). The Debentures shall bear the Municipality's municipal seal and the signatures of Mayor and the Treasurer of the Municipality, all in accordance with the provisions of the Act. The municipal seal of the Municipality and the signatures referred to in this section may be printed, lithographed, engraved or otherwise mechanically reproduced. The Debentures are sufficiently signed if they bear the required signatures and each person signing has the authority to do so on the date he or she signs.

3. The Debentures shall be in fully registered form as one or more certificates in the principal amount of $2,775,852.59, in the name of OILC, or as OILC may otherwise direct, substantially in the form attached as Schedule "B" hereto and forming part of this By-law with provision for payment of principal and interest (other than in respect of the final payment of principal and outstanding interest on maturity upon presentation and surrender) by pre-authorized debit in respect of such principal and interest to the credit of such registered holder on such terms as to which the registered holder and the Municipality may agree.

4. In accordance with the provisions of section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011*, as amended from time to time hereafter, as security for the payment by the Municipality of the indebtedness of the Municipality to OILC under the Debentures (the "Obligations"), the Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding the amounts that the Municipality fails to pay OILC on account of the Obligations and to pay such amounts to OILC from the Consolidated Revenue Fund.

5. The Debentures shall all be dated June 01, 2018, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The Debentures shall bear interest at the rate of 3.28% per annum and mature during a period of 10 year(s) from the date thereof payable semi-annually in arrears as described in this section. The Debentures shall be paid in full by June 01, 2028 and be payable in equal semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2028, both inclusive, save and except for the last instalment which may vary slightly

from the preceding equal instalments, as set forth in Schedule “C” attached hereto and forming part of this By-law (“Schedule “C”).

6. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a “**Toronto Business Day**”) and if any date for payment is not a Toronto Business Day, payment shall be made on the next following Toronto Business Day.

7. Interest shall be payable to the date of maturity of the Debentures and on default shall be payable on any overdue amounts both before and after default and judgment at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debentures for such amounts plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amounts become overdue for so long as such amounts remain overdue and the Municipality shall pay to the registered holders any and all costs incurred by the registered holders as a result of the overdue payment. Any amounts payable by the Municipality as interest on overdue principal or interest and all costs incurred by the registered holders as a result of the overdue payment in respect of the Debentures shall be paid out of current revenue. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

   “**Prime Rate”** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of this Debenture: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the “**Reference Banks**”) as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the “Prime Rate” shall be the arithmetic mean of the rates quoted by those Reference Banks.

8. In each year in which a payment of equal semi-annual instalments of combined principal and interest becomes due in respect of the Capital Work(s) including the last ‘non-equal’ instalment, there shall be raised as part of the Municipality’s general levy the amounts of principal and interest payable by the Municipality in each year as set out in Schedule “C” to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.

9. The Debentures may contain any provision for their registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

10. The Municipality shall maintain a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of the cancellations, exchanges, substitutions and transfers of Debentures, may be

recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

11. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of the Debentures as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

12. The Debentures will be transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, the Mayor and the Treasurer shall issue and deliver a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations as directed by the transferee, in the case of a transfer or as directed by the registered holder in the case of an exchange.

13. The Mayor and the Treasurer shall issue and deliver new Debentures in exchange or substitution for Debentures outstanding on the registry with the same maturity and of like form which have become mutilated, defaced, lost, subject to a mysterious or unexplainable disappearance, stolen or destroyed, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case when a Debenture is mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

14. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of this By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

15. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

16. Reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of any of the principal and interest cheques (if any) that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder.

18. The Mayor and the Treasurer are hereby authorized to cause the Debentures to be issued, one or more of the Clerk and Treasurer are hereby authorized to generally do all things and to execute all other documents and other papers in the name of the Municipality in order to carry out the issue of the Debentures and the Treasurer is authorized to affix the Municipality's municipal seal to any of such documents and papers.

19. The money received by the Municipality from the sale of the Debentures to OILC, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to their issue, if any, shall be apportioned and applied to the Capital Work(s) and to no other purpose except as permitted by the Act.

20. Subject to the Municipality's investment policies and goals, the applicable legislation and the terms and conditions of the Debentures, the Municipality may, if not in default under the Debentures, at any time purchase any of the Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including, without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Municipality may in its discretion determine.

21. This By-law takes effect on the day of passing.

By-law read a first and second time this 22nd day of May, 2018

By-law read a third time and finally passed this 22nd day of May, 2018

Andy Letham Mayor	Cathie Ritchie Clerk

The Corporation of The City of Kawartha Lakes

Schedule "A" to By-law Number 2018-085

(1)	(2)	(3)	(4)	(5)	(6)
By-law	**Project Description**	**Approved Amount to be Financed Through the Issue of Debentures**	**Amount of Debentures Previously Issued**	**Amount of Debentures to be Issued**	**Term of Years of Debentures**
2018-050	Bridge Reconstruction	$931,000.62	$0.00	$2,775,852.59	10 year(s)
	Bridge build rehabilitation and reconstruction	$1,082,787.52			
	Rural Resurfacing Program	$762,064.45			

The Corporation of The City of Kawartha Lakes

Schedule "B" to By-law Number 2018-085

No. 2018-085

$2,775,852.59

C A N A D A
Province of Ontario
The Corporation of The City of Kawartha Lakes

FULLY REGISTERED INTEREST RATE 3.28% AMORTIZING DEBENTURE

The Corporation of The City of Kawartha Lakes (the "Municipality"), for value received, hereby promises to pay to

ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("OILC")

or registered assigns, subject to the Conditions attached hereto which form part hereof (the "Conditions"), upon presentation and surrender of this debenture (or as otherwise agreed to by the Municipality and OILC) by the maturity date of this debenture (June 01, 2028), the principal amount of

TWO MILLION SEVEN HUNDRED SEVENTY FIVE THOUSAND EIGHT HUNDRED FIFTY TWO DOLLAR FIFTY NICE CENT

---------- ($2,775,852.59) ----------

by equal semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2028, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, in the amounts set forth in the attached Amortizing Debenture Schedule (the "Amortization Schedule") and subject to late payment interest charges pursuant to the Conditions, in lawful money of Canada. Subject to the Conditions: interest shall be paid until the maturity date of this debenture, in like money in semi-annual payments from the closing date (June 01, 2018) or from the last date on which interest has been paid on this debenture, whichever is later, at the rate of 3.28 % per annum, in arrears, on the specified dates, as set forth in the Amortization Schedule; and interest shall be paid on default at the applicable rate set out in the Amortization Schedule both before and after default and judgment. The payments of principal and interest and the outstanding amount of principal in each year are shown in the Amortization Schedule.

The Municipality, pursuant to section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011* (the "OILC Act, 2011") hereby irrevocably agrees that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding any amounts that the Municipality fails to pay OILC on account of indebtedness evidenced by this debenture, and to pay such amounts to OILC from the Consolidated Revenue Fund.

This debenture is subject to the Conditions.

DATED at The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018

IN TESTIMONY WHEREOF and under the authority of By-law Number 2018-085 of the Municipality duly passed on the 22nd day of May, 2018 (the “By-law”), this debenture is sealed with the municipal seal of the Municipality and signed by the Mayor and by the Treasurer thereof.

Date of Registration: June 01, 2018

_____	(Seal)_____
Andy Letham,Mayor	Carolyn Daynes,Treasurer

OILC hereby agrees that the Minister of Finance is entitled to exercise certain rights of deduction pursuant to section 25 of the OILC Act, 2011 as described in this debenture.

Ontario Infrastructure and Lands Corporation

by: _____	by:_____
Authorized Signing Officer	Authorized Signing Officer

LEGAL OPINION

We have examined the By-law of the Municipality authorizing the issue of amortizing debentures in the principal amount of $2,775,852.59 dated June 01, 2018 and maturing on June 01, 2028 payable in equal semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2028, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments as set out in Schedule “C” to the By-law.

In our opinion, the By-law has been properly passed and is within the legal powers of the Municipality. The debenture issued under the By-law in the within form (the “Debenture”) is the direct, general, unsecured and unsubordinated obligation of the Municipality. The Debenture is enforceable against the Municipality subject to the special jurisdiction and powers of the Ontario Municipal Board over defaulting municipalities under the *Municipal Affairs Act*. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter.

June 01, 2018

_____

Staples and Swain Professional Corporation

CONDITIONS OF THE DEBENTURE

Form, Denomination, and Ranking of the Debenture

1. The debentures issued pursuant to the By-law (collectively the "Debentures" and individually a "Debenture") are issuable as fully registered Debentures without coupons.

2. The Debentures are direct, general, unsecured and unsubordinated obligations of the Municipality. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Municipality except for the availability of money in a sinking or retirement fund for a particular issue of debentures.

3. This Debenture is one fully registered Debenture registered in the name of OILC and held by OILC.

Registration

4. The Municipality shall maintain at its designated office a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

Title

5. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of Debentures, including this Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

Payments of Principal and Interest

6. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any Payment Date including the maturity date. Principal of and interest on the Debentures are payable by the Municipality to the persons registered as holders in the registry on the relevant record date. The Municipality shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding Payment Date.

7. The Municipality shall make all payments in respect of equal semi-annual instalments of combined principal and interest including the last 'non-equal' instalment on the Debentures on the Payment Dates commencing on December 01, 2018 and ending on June 01, 2028 as set out in Schedule "C" to the By-law, by pre-authorized debit in respect of such interest and principal to the credit of the registered holder on such terms as the Municipality and the registered holder may agree.

8. The Municipality shall pay to the registered holder interest on any overdue amount of principal or interest in respect of any Debenture, both before and after default and judgment, at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debenture for such amount plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amount becomes overdue for so long as such amount remains overdue and the Municipality shall pay to the registered holder any and all costs incurred by the registered holder as a result of the overdue payment.

9. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

10. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a "**Toronto Business Day**"), and if any date for payment is not a Toronto Business Day, payment shall be made on the next following Toronto Business Day as noted on the Amortization Schedule.

11. The Debentures are transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferee, in the case of a transfer or as directed by the registered holder in the case of an exchange.

12. The Municipality shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable

disappearance, theft or destruction, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed Debenture) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

13. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of the By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

14. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

15. Reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed principal and interest cheques (if any) may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

16. If OILC elects to terminate its obligations under the financing agreement entered into between the Municipality and OILC, pursuant to which the Debentures are issued, OILC, at its discretion, shall assess any losses that it may incur as a result of the termination as follows: if on the date of termination the outstanding principal balance on the Debentures is less than the net present value of the Debentures, the Municipality shall pay the difference between these two amounts to OILC.

Notices

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Municipality or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a

Toronto Business Day (as defined in section 10 of these Conditions) then such notice may be given on the next following Toronto Business Day.

Time

18. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

19. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

Definitions:

(a) "**Prime Rate"** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of this Debenture: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "Prime Rate" shall be the arithmetic mean of the rates quoted by those Reference Banks.

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

Schedule “C” to By-law Number 2018-085

Loan.....: 1958
Name.....: Kawartha Lakes, The Corporation of The City of
Principal: 2,775,852.59
Rate.....: 03.2800
Term.....: 120
Matures..: 06/01/2028

Pay #	Date	Amount Due	Principal Due	Interest Due	Rem. Principal
1	12/01/2018	163,921.69	118,397.71	45,523.98	2,657,454.88
2	06/01/2019	163,921.69	120,339.43	43,582.26	2,537,115.45
3	12/01/2019	163,921.69	122,313.00	41,608.69	2,414,802.45
4	06/01/2020	163,921.69	124,318.93	39,602.76	2,290,483.52
5	12/01/2020	163,921.69	126,357.76	37,563.93	2,164,125.76
6	06/01/2021	163,921.69	128,430.03	35,491.66	2,035,695.73
7	12/01/2021	163,921.69	130,536.28	33,385.41	1,905,159.45
8	06/01/2022	163,921.69	132,677.08	31,244.61	1,772,482.37
9	12/01/2022	163,921.69	134,852.98	29,068.71	1,637,629.39
10	06/01/2023	163,921.69	137,064.57	26,857.12	1,500,564.82
11	12/01/2023	163,921.69	139,312.43	24,609.26	1,361,252.39
12	06/01/2024	163,921.69	141,597.15	22,324.54	1,219,655.24
13	12/01/2024	163,921.69	143,919.34	20,002.35	1,075,735.90
14	06/01/2025	163,921.69	146,279.62	17,642.07	929,456.28
15	12/01/2025	163,921.69	148,678.61	15,243.08	780,777.67
16	06/01/2026	163,921.69	151,116.94	12,804.75	629,660.73
17	12/01/2026	163,921.69	153,595.25	10,326.44	476,065.48
18	06/01/2027	163,921.69	156,114.22	7,807.47	319,951.26
19	12/01/2027	163,921.69	158,674.49	5,247.20	161,276.77
20	06/01/2028	163,921.69	161,276.75	2,644.94	0.00
		3,278,433.82	2,775,852.59	502,581.23	

No. 2018-085

$2,775,852.59

C A N A D A
Province of Ontario
The Corporation of The City of Kawartha Lakes

FULLY REGISTERED INTEREST RATE 3.28% AMORTIZING DEBENTURE

The Corporation of The City of Kawartha Lakes (the "Municipality"), for value received, hereby promises to pay to

ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("OILC")

or registered assigns, subject to the Conditions attached hereto which form part hereof (the "Conditions"), upon presentation and surrender of this debenture (or as otherwise agreed to by the Municipality and OILC) by the maturity date of this debenture (June 01, 2028), the principal amount of

TWO MILLION SEVEN HUNDRED SEVENTY FIVE THOUSAND EIGHT HUNDRED FIFTY TWO DOLLAR FIFTY NINE CENT

---------- ($2,775,852.59) ----------

by equal semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2028, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, in the amounts set forth in the attached Amortizing Debenture Schedule (the "Amortization Schedule") and subject to late payment interest charges pursuant to the Conditions, in lawful money of Canada. Subject to the Conditions: interest shall be paid until the maturity date of this debenture, in like money in semi-annual payments from the closing date (June 01, 2018), or from the last date on which interest has been paid on this debenture, whichever is later, at the rate of 3.28 % per annum, in arrears, on the specified dates, as set forth in the Amortization Schedule; and interest shall be paid on default at the applicable rate set out in the Amortization Schedule both before and after default and judgment. The payments of principal and interest and the outstanding amount of principal in each year are shown in the Amortization Schedule.

The Municipality, pursuant to section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011* (the "OILC Act, 2011") hereby irrevocably agrees that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding any amounts that the Municipality fails to pay OILC on account of indebtedness evidenced by this debenture, and to pay such amounts to OILC from the Consolidated Revenue Fund.

This debenture is subject to the Conditions.

DATED at The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018

IN TESTIMONY WHEREOF and under the authority of By-law Number 2018-085 of the Municipality duly passed on the 22nd day of May, 2018 (the “By-law”), this debenture is sealed with the municipal seal of the Municipality and signed by the Mayor and by the Treasurer thereof.

Date of Registration: June 01, 2018

_____	(Seal)_____
Andy Letham,Mayor	Carolyn Daynes,Treasurer

OILC hereby agrees that the Minister of Finance is entitled to exercise certain rights of deduction pursuant to section 25 of the OILC Act, 2011 as described in this debenture.

Ontario Infrastructure and Lands Corporation

by: _____	by:_____
Authorized Signing Officer	Authorized Signing Officer

LEGAL OPINION

We have examined the By-law of the Municipality authorizing the issue of amortizing debentures in the principal amount of $2,775,852.59 dated June 01, 2018 and maturing on June 01, 2028 payable in equal semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2028, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments as set out in Schedule “C” to the By-law

In our opinion, the By-law has been properly passed and is within the legal powers of the Municipality. The debenture issued under the By-law in the within form (the “Debenture”) is the direct, general, unsecured and unsubordinated obligation of the Municipality. The Debenture is enforceable against the Municipality subject to the special jurisdiction and powers of the Ontario Municipal Board over defaulting municipalities under the *Municipal Affairs Act*. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter.

June 01, 2018

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Staples and Swain Professional Corporation

CONDITIONS OF THE DEBENTURE

Form, Denomination, and Ranking of the Debenture

1. The debentures issued pursuant to the By-law (collectively the "Debentures" and individually a "Debenture") are issuable as fully registered Debentures without coupons.

2. The Debentures are direct, general, unsecured and unsubordinated obligations of the Municipality. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Municipality except for the availability of money in a sinking or retirement fund for a particular issue of debentures.

3. This Debenture is one fully registered Debenture registered in the name of OILC and held by OILC.

Registration

4. The Municipality shall maintain at its designated office a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

Title

5. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of Debentures, including this Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

Payments of Principal and Interest

6. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any Payment Date including the maturity date. Principal of and interest on the Debentures are payable by the Municipality to the persons registered as holders in the registry on the relevant record date. The Municipality shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding Payment Date.

7. The Municipality shall make all payments in respect of equal semi-annual instalments of combined principal and interest including the last 'non-equal' instalment on the Debentures on the Payment Dates commencing on December 01, 2018 and ending on June 01, 2028, as set out in Schedule "C" to the By-law, by pre-authorized debit in respect of such interest and principal to the credit of the registered holder on such terms as the Municipality and the registered holder may agree.

8. The Municipality shall pay to the registered holder interest on any overdue amount of principal or interest in respect of any Debenture, both before and after default and judgment, at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debenture for such amount plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amount becomes overdue for so long as such amount remains overdue and the Municipality shall pay to the registered holder any and all costs incurred by the registered holder as a result of the overdue payment.

9. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

10. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a "**Toronto Business Day**"), and if any date for payment is not a Toronto Business Day, payment shall be made on the next following Toronto Business Day as noted on the Amortization Schedule.

11. The Debentures are transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferee, in the case of a transfer or as directed by the registered holder in the case of an exchange.

12. The Municipality shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable

disappearance, theft or destruction, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed Debenture) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

13. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of the By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

14. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

15. Reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed principal and interest cheques (if any) may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

16. If OILC elects to terminate its obligations under the financing agreement entered into between the Municipality and OILC, pursuant to which the Debentures are issued, OILC, at its discretion, shall assess any losses that it may incur as a result of the termination as follows: if on the date of termination the outstanding principal balance on the Debentures is less than the net present value of the Debentures, the Municipality shall pay the difference between these two amounts to OILC.

Notices

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Municipality or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a

Toronto Business Day (as defined in section 10 of these Conditions) then such notice may be given on the next following Toronto Business Day.

Time

18. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

19. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

Definitions:

(a) "**Prime Rate"** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of this Debenture: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "Prime Rate" shall be the arithmetic mean of the rates quoted by those Reference Banks.

Loan.....: 1958
Name.....: Kawartha Lakes, The Corporation of The City of
Principal: 2,775,852.59
Rate.....: 03.2800
Term.....: 120
Matures..: 06/01/2028

Pay #	Date	Amount Due	Principal Due	Interest Due	Rem. Principal
1	12/01/2018	163,921.69	118,397.71	45,523.98	2,657,454.88
2	06/01/2019	163,921.69	120,339.43	43,582.26	2,537,115.45
3	12/01/2019	163,921.69	122,313.00	41,608.69	2,414,802.45
4	06/01/2020	163,921.69	124,318.93	39,602.76	2,290,483.52
5	12/01/2020	163,921.69	126,357.76	37,563.93	2,164,125.76
6	06/01/2021	163,921.69	128,430.03	35,491.66	2,035,695.73
7	12/01/2021	163,921.69	130,536.28	33,385.41	1,905,159.45
8	06/01/2022	163,921.69	132,677.08	31,244.61	1,772,482.37
9	12/01/2022	163,921.69	134,852.98	29,068.71	1,637,629.39
10	06/01/2023	163,921.69	137,064.57	26,857.12	1,500,564.82
11	12/01/2023	163,921.69	139,312.43	24,609.26	1,361,252.39
12	06/01/2024	163,921.69	141,597.15	22,324.54	1,219,655.24
13	12/01/2024	163,921.69	143,919.34	20,002.35	1,075,735.90
14	06/01/2025	163,921.69	146,279.62	17,642.07	929,456.28
15	12/01/2025	163,921.69	148,678.61	15,243.08	780,777.67
16	06/01/2026	163,921.69	151,116.94	12,804.75	629,660.73
17	12/01/2026	163,921.69	153,595.25	10,326.44	476,065.48
18	06/01/2027	163,921.69	156,114.22	7,807.47	319,951.26
19	12/01/2027	163,921.69	158,674.49	5,247.20	161,276.77
20	06/01/2028	163,921.69	161,276.75	2,644.94	0.00
		3,278,433.82	2,775,852.59	502,581.23	

CERTIFICATE

To: **Staples and Swain Professional Corporation**

And To: **OILC**

IN THE MATTER OF an issue of a 10 year(s), 3.28% amortizing debenture of The Corporation of The City of Kawartha Lakes (the "Municipality") in the principal amount of $2,775,852.59, authorized by Debenture By-law Number 2018-085 (the "Debenture By-law");

AND IN THE MATTER OF authorizing by-laws of the Municipality enumerated in Schedule "A" to the Debenture By-law.

I, Cathie Ritchie, Clerk of the Municipality, **DO HEREBY CERTIFY THAT**:

1. The Debenture By-law was finally passed and enacted by the Council of the Municipality on the May 22, 2018 in full compliance with the *Municipal Act, 2001*, as amended (the "Act") at a duly called meeting at which a quorum was present. Forthwith after the passage of the Debenture By-law, the same was signed by the Mayor and the Clerk and sealed with the municipal seal of the Municipality.

2. The authorizing by-law referred to in Schedule "A" to the Debenture By-law (the "Authorizing By-law") have been enacted and passed by the Council of the Municipality in full compliance with the Act at a meeting at which a quorum was present. Forthwith after the passage of the Authorizing By-law the same was signed by the Mayor and by the Clerk and sealed with the municipal seal of the Municipality.

3. With respect to the undertaking of the capital works described in the Debenture By-law (individually a "Capital Work" and collectively the "Capital Works"), before the Council of the Municipality exercised any of its powers in respect of the Capital Work(s)**,** and before authorizing any additional cost amount and any additional debenture authority in respect thereof, the Council of the Municipality had its Treasurer calculate the updated limit in respect of the relevant annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable debt and financial obligation limits regulation. In this connection, before the Council of the Municipality authorized the Capital Work(s)**,** each such additional cost amount and each such additional debenture authority, the Treasurer determined that the estimated annual amount payable in respect of the Capital Work(s), each such additional cost amount and each such additional debenture authority, would not cause the Municipality to reach or exceed its updated limit. Accordingly, the Council of the Municipality authorized the Capital Work(s), each such additional cost amount and each such additional debenture authority, without the approval of the Ontario Municipal Board pursuant to the applicable debt and financial obligation limits regulation.

4. No application has been made or action brought to quash, set aside or declare invalid the Debenture By-law or the Authorizing By-law nor have the same been in any way repealed, altered or amended and the Debenture By-law and the Authorizing By-law are now in full force and effect.

5. All of the recitals contained in the Debenture By-law and the Authorizing By-law are true in substance and fact.

6. To the extent that the public notice provisions of the Act are applicable, the Authorizing By-law and the Debenture By-law have been enacted and passed by the Council of the Municipality in full compliance with the applicable public notice provisions of the Act.

7. None of the debentures authorized to be issued by the Authorizing By-law have been previously issued.

8. The respective principal amount of debentures which is to be issued pursuant to the Debenture By-law in respect of the Capital Work(s) does not exceed the respective net cost of such Capital Work(s) to the Municipality.

9. The debenture certificate issued pursuant to the Debenture By-law (the "OILC Debenture") has been signed by Mayor and by the Treasurer of the Municipality. The OILC Debenture is in all respects in accordance with the Debenture By-law and in issuing the OILC Debenture in the amount of $2,775,852.59 which is now being issued to Ontario Infrastructure and Lands Corporation pursuant to the Debenture By-law, the Municipality is not exceeding its borrowing powers.

10. The Municipality is not subject to any restructuring order under part V of the Act or other statutory authority, accordingly, no approval of the Authorizing By-law and of the Debenture By-law and/or of the issue of the OILC Debentures is required by any transition board or commission appointed in respect of the restructuring of the municipality.

11. The Authorizing By-law and the Debenture By-law and the transactions contemplated thereby do not conflict with, or result in a breach or violation of any statutory provisions which apply to the Municipality or any agreement to which the Municipality is a party or under which the Municipality or any of its property is or may be bound, or, to the best of my knowledge, violate any order, award, judgment, determination, writ, injunction or decree applicable to the Municipality of any regulatory, administrative or other government or public body or authority, arbitrator or court.

DATED at the The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018.

[AFFIX SEAL] _____
Cathie Ritchie, Clerk

CERTIFICATE OF SIGNATURE AND NO LITIGATION

TO: **Staples and Swain Professional Corporation**

And To: **OILC**

IN THE MATTER OF an issue of a 10 year(s), 3.28% amortizing debenture of The Corporation of The City of Kawartha Lakes (the "Municipality") in the principal amount of $2,775,852.59, authorized by Debenture By-law Number 2018-085 (the "Debenture By-law")

I, Carolyn Daynes, Treasurer of the Municipality, do hereby certify that on or before June 01, 2018, I as Treasurer, signed the fully registered amortizing debenture numbered 2018-085 in the principal amount of $ 2,775,852.59 dated June 01, 2018, registered in the name of Ontario Infrastructure and Lands Corporation and authorized by the Debenture By-law (the "OILC Debenture").

I further certify that on or before June 01, 2018, the OILC Debenture was signed by Andy Letham, Mayor of the Municipality at the date of the execution and issue of the OILC Debenture, that the OILC Debenture was sealed with the seal of the Municipality, and that the OILC Debenture is in all respects in accordance with the Debenture By-law.

I further certify that the said Andy Letham is the duly elected Mayor of the Municipality and that I am the duly appointed Treasurer of the Municipality and that we were severally authorized under the Debenture By-law to execute the OILC Debenture in the manner aforesaid and that the OILC Debenture is entitled to full faith and credence.

I further certify that no litigation or proceedings of any nature are now pending or threatened, attacking or in any way attempting to restrain or enjoin the issue and delivery of the OILC Debenture or in any manner questioning the proceedings and the authority under which the same is issued, or affecting the validity thereof, or contesting the title or official capacity of the said Mayor or myself as Treasurer of the Municipality, and no authority or proceedings for the issuance of the OILC Debenture or any part of it has been repealed, revoked or rescinded in whole or in part.

DATED at The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018.

_____
Carolyn Daynes
Treasurer

I, Cathie Ritchie, Clerk of the Municipality do hereby certify that the signature of Carolyn Daynes, Treasurer of the Municipality described above, is true and genuine.

[AFFIX SEAL]

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Cathie Ritchie Clerk

DEBENTURE TREASURER'S CERTIFICATE

To: **Staples and Swain Professional Corporation**

And To: **OILC**

IN THE MATTER OF an issue of a 10 year(s), 3.28% amortizing debenture of The Corporation of The City of Kawartha Lakes (the "Municipality") in the principal amount of $2,775,852.59, authorized by Debenture By-law Number 2018-085 (the "Debenture By-law")

AND IN THE MATTER OF authorizing by-laws of the Municipality enumerated in Schedule "A" to the Debenture By-law.

I, Carolyn Daynes,Treasurer of the Municipality, **DO HEREBY CERTIFY THAT**:

1. The Municipality has received from the Ministry of Municipal Affairs and Housing its annual debt and financial obligation limit for the relevant years.

2. With respect to the undertaking of the capital works described in the Debenture By-law (individually a "Capital Work" and collectively the "Capital Works"), before the Council of the Municipality authorized the Capital Work(s), and before authorizing any additional cost amount and any additional debenture authority in respect thereof, the Treasurer calculated the updated relevant debt and financial obligation limit in accordance with the applicable debt and financial obligation limits regulation (the "Regulation"). The Treasurer thereafter determined that the estimated annual amount payable in respect of the Capital Work(s)**,** each such additional cost amount and each such additional debenture authority, would not cause the Municipality to reach or to exceed the relevant updated debt and financial obligation limit as at the date of the Council's approval. Based on the Treasurer's determination, the Council of the Municipality authorized the Capital Work(s)**,** each such additional cost amount and each such additional debenture authority, without the approval of the Ontario Municipal Board pursuant to the Regulation.

3. As at the date hereof the Municipality has not reached or exceeded its updated annual debt and financial obligation limit for 2018.

4. In updating the relevant debt and financial obligation limit(s), the estimated annual amount payable described in Section 4(2) of the Regulation was determined based on current interest rates and amortization periods which do not, in any case, exceed the lifetime of any of the purposes of the Municipality described in such section, all in accordance with generally accepted accounting principles for local governments as recommended, from time to time, by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

5. The term within which the debentures to be issued for the Municipality in respect of the Capital Work(s) pursuant to the Debenture By-law are made payable does not exceed the lifetime of such Capital Work(s).

6. The principal amount now being financed through the issue of debentures pursuant to the Debenture By-law in respect of the Capital Work(s) does not exceed the net cost of each such Capital Work(s) to the Municipality.

7. The money received by the Municipality from the sale of the debentures issued pursuant to the Debenture By-law, including any premium, and any earnings derived from the investment of that money after providing for the expenses related to their issue, if any, shall be apportioned and applied to the Capital Work(s), and to no other purpose except as permitted by the *Municipal Act, 2001*.

8. The representations and warranties of the Municipality set out in paragraph 2 of the Financing Agreement (as defined in the Debenture By-law) were true and correct as of the date of the request to purchase the debentures in respect of the Capital Work(s) pursuant to the Debenture By-law and are true and correct as of the date hereof.

DATED at The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018.

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[AFFIX SEAL] Carolyn Daynes, Treasurer

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

BY-LAW NUMBER 2018-086

A BY-LAW OF THE CORPORATION OF THE CITY OF KAWARTHA LAKES TO AUTHORIZE THE BORROWING UPON AMORTIZING DEBENTURES IN THE PRINCIPAL AMOUNT OF $1,891,449.21TOWARDS THE COST OF THE MARIPOSA ESTATES DISTRIBUTION SYSTEM, THORNHILL RESERVOIR VENTING, LINDSAY WTP CHEMICAL BULK TANK REPLACEMENT, VIMY ST W W MAIN REPLACEMENT CONSTRUCTION, RUSSELL ST W WATERMAIN REPLACEMENT, LINDSAY VERULAM TOWER EXTERIOR COATING SYSTEM, ELGIN ST WATER SANITARY D C PHASE 1, BOND ST W ADELAIDE TO SUSSEX W S D C

AND WHEREAS subsection 401 (1) of the *Municipal Act*, *2001*, as amended (the "Act") provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS subsection 408 (2.1) of the Act provides that a municipality may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work;

AND WHEREAS the Council of The Corporation of The City of Kawartha Lakes (the "Municipality") has passed the By-law or By-laws, as applicable, enumerated in column (1) of Schedule "A" attached hereto and forming part of this By-law authorizing the capital work described in column (2) of Schedule "A" (individually a "Capital Work" and collectively the "Capital Works", as the case may be), and authorizing the entering into of a Financing Agreement dated effective as of April 30, 2018 for the provision of temporary and long term borrowing from Ontario Infrastructure and Lands Corporation ("OILC") in respect of the Capital Work(s) (the "Financing Agreement") and the Municipality desires to issue debentures for the Capital Work(s) in the amount or respective amounts, as applicable, specified in column (5) of Schedule "A";

AND WHEREAS before authorizing the Capital Work(s) and before authorizing any additional cost amount and any additional debenture authority in respect thereof the Council of the Municipality had its Treasurer calculate an updated limit in respect of its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable regulation and, prior to the Council of the Municipality authorizing the Capital Work(s), each such additional cost amount and each such additional debenture authority, the Treasurer determined that the estimated annual amount payable in respect of the Capital Work(s), each such additional cost amount and each such additional debenture authority, would not cause the Municipality to exceed the updated limit and that the approval of the Capital Work(s), each such additional cost amount and each such additional debenture authority, by the Ontario Municipal Board pursuant to such regulation was not required;

AND WHEREAS the Municipality has submitted an application to OILC for long term borrowing through the issue of debentures to OILC in respect of the Capital Work(s) (the "Application") and the Application has been approved;

AND WHEREAS to provide long term financing for the Capital Work(s) and to repay certain temporary advances in respect of the Capital Work(s) made by OILC pursuant to the Financing Agreement, it is now deemed to be expedient to borrow money by the issue of amortizing debentures in the principal amount of $1,891,449.21 dated June 01, 2018 and maturing on June 01, 2038, and payable in semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2038, both inclusive on the terms hereinafter set forth;

NOW THEREFORE THE COUNCIL OF The Corporation of The City of Kawartha Lakes ENACTS AS FOLLOWS:

1. For the Capital Work(s), the borrowing upon the credit of the Municipality at large of the principal amount of $1,891,449.21 and the issue of amortizing debentures therefor to be repaid in semi-annual instalments of combined principal and interest as hereinafter set forth, are hereby authorized.

2. The Mayor and the Treasurer of the Municipality are hereby authorized to cause any number of amortizing debentures to be issued for such amounts of money as may be required for the Capital Work(s) in definitive form, not exceeding in total the said principal amount of $1,891,449.21 (the "Debentures"). The Debentures shall bear the Municipality's municipal seal and the signatures of Mayor and the Treasurer of the Municipality, all in accordance with the provisions of the Act. The municipal seal of the Municipality and the signatures referred to in this section may be printed, lithographed, engraved or otherwise mechanically reproduced. The Debentures are sufficiently signed if they bear the required signatures and each person signing has the authority to do so on the date he or she signs.

3. The Debentures shall be in fully registered form as one or more certificates in the principal amount of $1,891,449.21, in the name of OILC, or as OILC may otherwise direct, substantially in the form attached as Schedule "B" hereto and forming part of this By-law with provision for payment of principal and interest (other than in respect of the final payment of principal and outstanding interest on maturity upon presentation and surrender) by pre-authorized debit in respect of such principal and interest to the credit of such registered holder on such terms as to which the registered holder and the Municipality may agree.

4. In accordance with the provisions of section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011*, as amended from time to time hereafter, as security for the payment by the Municipality of the indebtedness of the Municipality to OILC under the Debentures (the "Obligations"), the Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding the amounts that the Municipality fails to pay OILC on account of the Obligations and to pay such amounts to OILC from the Consolidated Revenue Fund.

5. The Debentures shall all be dated June 01, 2018, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The Debentures shall bear interest at the rate of 3.59% per annum and mature during a period of 20 year(s) from the date thereof payable semi-annually in arrears as described in this section. The Debentures shall be paid in full by June 01, 2038 and be payable in equal semi-annual instalments of combined principal and interest on

the first day of December and on the first day of June in each of the years 2018 to 2038, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, as set forth in Schedule "C" attached hereto and forming part of this By-law ("Schedule "C").

6. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a "**Toronto Business Day**") and if any date for payment is not a Toronto Business Day, payment shall be made on the next following Toronto Business Day.

7. Interest shall be payable to the date of maturity of the Debentures and on default shall be payable on any overdue amounts both before and after default and judgment at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debentures for such amounts plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amounts become overdue for so long as such amounts remain overdue and the Municipality shall pay to the registered holders any and all costs incurred by the registered holders as a result of the overdue payment. Any amounts payable by the Municipality as interest on overdue principal or interest and all costs incurred by the registered holders as a result of the overdue payment in respect of the Debentures shall be paid out of current revenue. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

   "**Prime Rate"** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of this Debenture: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "Prime Rate" shall be the arithmetic mean of the rates quoted by those Reference Banks.

8. In each year in which a payment of equal semi-annual instalments of combined principal and interest becomes due in respect of the Capital Work(s) including the last 'non-equal' instalment, there shall be raised as part of the Municipality's general levy the amounts of principal and interest payable by the Municipality in each year as set out in Schedule "C" to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.

9. The Debentures may contain any provision for their registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

10. The Municipality shall maintain a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars

of the Debentures held by them respectively and in which particulars of the cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

11. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of the Debentures as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

12. The Debentures will be transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, the Mayor and the Treasurer shall issue and deliver a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations as directed by the transferee, in the case of a transfer or as directed by the registered holder in the case of an exchange.

13. The Mayor and the Treasurer shall issue and deliver new Debentures in exchange or substitution for Debentures outstanding on the registry with the same maturity and of like form which have become mutilated, defaced, lost, subject to a mysterious or unexplainable disappearance, stolen or destroyed, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case when a Debenture is mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

14. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the

provisions of this By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

15. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

16. Reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of any of the principal and interest cheques (if any) that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder.

18. The Mayor and the Treasurer are hereby authorized to cause the Debentures to be issued, one or more of the Clerk and Treasurer are hereby authorized to generally do all things and to execute all other documents and other papers in the name of the Municipality in order to carry out the issue of the Debentures and the Treasurer is authorized to affix the Municipality's municipal seal to any of such documents and papers.

19. The money received by the Municipality from the sale of the Debentures to OILC, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to their issue, if any, shall be apportioned and applied to the Capital Work(s) and to no other purpose except as permitted by the Act.

20. Subject to the Municipality's investment policies and goals, the applicable legislation and the terms and conditions of the Debentures, the Municipality may, if not in default under the Debentures, at any time purchase any of the Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including, without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Municipality may in its discretion determine.

21. This By-law takes effect on the day of passing.

By-law read a first and second time this 22nd day of May, 2018

By-law read a third time and finally passed this 22nd day of May, 2018

Andy Letham Mayor	Cathie Ritchie Clerk

The Corporation of The City of Kawartha Lakes

Schedule "A" to By-law Number 2018-086

(1)	(2)	(3)	(4)	(5)	(6)
By-law	**Project Description**	**Approved Amount to be Financed Through the Issue of Debentures**	**Amount of Debentures Previously Issued**	**Amount of Debentures to be Issued**	**Term of Years of Debentures**
2018-050	Mariposa Estates Distribution System	$8,555.39	$0.00	$1,891,449.21	20 year(s)
	Thornhill Reservoir Venting	$47,185.33			
	Lindsay WTP Chemical Bulk Tank Replacement	$461,211.60			
	Vimy St W W Main Replacement Construction	$172,091.30			
	Russell St W Watermain Replacement	$56,595.09			
	Lindsay Verulam Tower Exterior Coating System	$699,907.68			
	Elgin St Water Sanitary D C Phase 1	$419,967.68			
	Bond St W Adelaide to Sussex W S D C	$25,935.24			

The Corporation of The City of Kawartha Lakes

Schedule "B" to By-law Number 2018-086

No. 2018-086

$1,891,449.21

C A N A D A
Province of Ontario
The Corporation of The City of Kawartha Lakes

FULLY REGISTERED INTEREST RATE 3.59% AMORTIZING DEBENTURE

The Corporation of The City of Kawartha Lakes (the "Municipality"), for value received, hereby promises to pay to

ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("OILC")

or registered assigns, subject to the Conditions attached hereto which form part hereof (the "Conditions"), upon presentation and surrender of this debenture (or as otherwise agreed to by the Municipality and OILC) by the maturity date of this debenture (June 01, 2038), the principal amount of

ONE MILLION EIGHT HUNDRED NINETY ONE THOUSAND FOUR HUNDRED FORTY NINE DOLLAR TWENTY ONE CENT

---------- ($1,891,449.21) ----------

by equal semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2038, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, in the amounts set forth in the attached Amortizing Debenture Schedule (the "Amortization Schedule") and subject to late payment interest charges pursuant to the Conditions, in lawful money of Canada. Subject to the Conditions: interest shall be paid until the maturity date of this debenture, in like money in semi-annual payments from the closing date (June 01, 2018) or from the last date on which interest has been paid on this debenture, whichever is later, at the rate of 3.59 % per annum, in arrears, on the specified dates, as set forth in the Amortization Schedule; and interest shall be paid on default at the applicable rate set out in the Amortization Schedule both before and after default and judgment. The payments of principal and interest and the outstanding amount of principal in each year are shown in the Amortization Schedule.

The Municipality, pursuant to section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011* (the "OILC Act, 2011") hereby irrevocably agrees that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding any amounts that the Municipality fails to pay OILC on account of indebtedness evidenced by this debenture, and to pay such amounts to OILC from the Consolidated Revenue Fund.

This debenture is subject to the Conditions.

DATED at The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018

IN TESTIMONY WHEREOF and under the authority of By-law Number 2018-086 of the Municipality duly passed on the 22nd day of May, 2018 (the “By-law”), this debenture is sealed with the municipal seal of the Municipality and signed by the Mayor and by the Treasurer thereof.

Date of Registration: June 01, 2018

_____	(Seal)_____
Andy Letham,Mayor	Carolyn Daynes, Treasurer

OILC hereby agrees that the Minister of Finance is entitled to exercise certain rights of deduction pursuant to section 25 of the OILC Act, 2011 as described in this debenture.

Ontario Infrastructure and Lands Corporation

by: _____	by:_____
Authorized Signing Officer	Authorized Signing Officer

LEGAL OPINION

We have examined the By-law of the Municipality authorizing the issue of amortizing debentures in the principal amount of $1,891,449.21 dated June 01, 2018 and maturing on June 01, 2038 payable in equal semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2038, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments as set out in Schedule “C” to the By-law.

In our opinion, the By-law has been properly passed and is within the legal powers of the Municipality. The debenture issued under the By-law in the within form (the “Debenture”) is the direct, general, unsecured and unsubordinated obligation of the Municipality. The Debenture is enforceable against the Municipality subject to the special jurisdiction and powers of the Ontario Municipal Board over defaulting municipalities under the *Municipal Affairs Act*. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter.

June 01, 2018

_____

Staples and Swain Professional Corporation

CONDITIONS OF THE DEBENTURE

Form, Denomination, and Ranking of the Debenture

1. The debentures issued pursuant to the By-law (collectively the "Debentures" and individually a "Debenture") are issuable as fully registered Debentures without coupons.

2. The Debentures are direct, general, unsecured and unsubordinated obligations of the Municipality. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Municipality except for the availability of money in a sinking or retirement fund for a particular issue of debentures.

3. This Debenture is one fully registered Debenture registered in the name of OILC and held by OILC.

Registration

4. The Municipality shall maintain at its designated office a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

Title

5. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of Debentures, including this Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

Payments of Principal and Interest

6. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any Payment Date including the maturity date. Principal of and interest on the Debentures are payable by the Municipality to the persons registered as holders in the registry on the relevant record date. The Municipality shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding Payment Date.

7. The Municipality shall make all payments in respect of equal semi-annual instalments of combined principal and interest including the last 'non-equal' instalment on the Debentures on the Payment Dates commencing on December 01, 2018 and ending on June 01, 2038 as set out in Schedule "C" to the By-law, by pre-authorized debit in respect of such interest and principal to the credit of the registered holder on such terms as the Municipality and the registered holder may agree.

8. The Municipality shall pay to the registered holder interest on any overdue amount of principal or interest in respect of any Debenture, both before and after default and judgment, at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debenture for such amount plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amount becomes overdue for so long as such amount remains overdue and the Municipality shall pay to the registered holder any and all costs incurred by the registered holder as a result of the overdue payment.

9. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

10. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a "**Toronto Business Day**"), and if any date for payment is not a Toronto Business Day, payment shall be made on the next following Toronto Business Day as noted on the Amortization Schedule.

11. The Debentures are transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferee, in the case of a transfer or as directed by the registered holder in the case of an exchange.

12. The Municipality shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable

disappearance, theft or destruction, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed Debenture) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

13. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of the By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

14. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

15. Reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed principal and interest cheques (if any) may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

16. If OILC elects to terminate its obligations under the financing agreement entered into between the Municipality and OILC, pursuant to which the Debentures are issued, OILC, at its discretion, shall assess any losses that it may incur as a result of the termination as follows: if on the date of termination the outstanding principal balance on the Debentures is less than the net present value of the Debentures, the Municipality shall pay the difference between these two amounts to OILC.

Notices

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Municipality or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a

Toronto Business Day (as defined in section 10 of these Conditions) then such notice may be given on the next following Toronto Business Day.

Time

18. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

19. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

Definitions:

(a) "**Prime Rate"** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of this Debenture: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "Prime Rate" shall be the arithmetic mean of the rates quoted by those Reference Banks.

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

Schedule “C” to By-law Number 2018-086

Loan.....: 1959
Name.....: Kawartha Lakes, The Corporation of The City of
Principal: 1,891,449.21
Rate.....: 03.5900
Term.....: 240
Matures..: 06/01/2038

Pay #	Date	Amount Due	Principal Due	Interest Due	Rem. Principal
1	12/01/2018	66,681.75	32,730.24	33,951.51	1,858,718.97
2	06/01/2019	66,681.75	33,317.74	33,364.01	1,825,401.23
3	12/01/2019	66,681.75	33,915.80	32,765.95	1,791,485.43
4	06/01/2020	66,681.75	34,524.59	32,157.16	1,756,960.84
5	12/01/2020	66,681.75	35,144.30	31,537.45	1,721,816.54
6	06/01/2021	66,681.75	35,775.14	30,906.61	1,686,041.40
7	12/01/2021	66,681.75	36,417.31	30,264.44	1,649,624.09
8	06/01/2022	66,681.75	37,071.00	29,610.75	1,612,553.09
9	12/01/2022	66,681.75	37,736.42	28,945.33	1,574,816.67
10	06/01/2023	66,681.75	38,413.79	28,267.96	1,536,402.88
11	12/01/2023	66,681.75	39,103.32	27,578.43	1,497,299.56
12	06/01/2024	66,681.75	39,805.22	26,876.53	1,457,494.34
13	12/01/2024	66,681.75	40,519.73	26,162.02	1,416,974.61
14	06/01/2025	66,681.75	41,247.06	25,434.69	1,375,727.55
15	12/01/2025	66,681.75	41,987.44	24,694.31	1,333,740.11
16	06/01/2026	66,681.75	42,741.12	23,940.63	1,290,998.99
17	12/01/2026	66,681.75	43,508.32	23,173.43	1,247,490.67
18	06/01/2027	66,681.75	44,289.29	22,392.46	1,203,201.38
19	12/01/2027	66,681.75	45,084.29	21,597.46	1,158,117.09
20	06/01/2028	66,681.75	45,893.55	20,788.20	1,112,223.54
21	12/01/2028	66,681.75	46,717.34	19,964.41	1,065,506.20
22	06/01/2029	66,681.75	47,555.91	19,125.84	1,017,950.29
23	12/01/2029	66,681.75	48,409.54	18,272.21	969,540.75
24	06/01/2030	66,681.75	49,278.49	17,403.26	920,262.26
25	12/01/2030	66,681.75	50,163.04	16,518.71	870,099.22
26	06/01/2031	66,681.75	51,063.47	15,618.28	819,035.75
27	12/01/2031	66,681.75	51,980.06	14,701.69	767,055.69
28	06/01/2032	66,681.75	52,913.10	13,768.65	714,142.59
29	12/01/2032	66,681.75	53,862.89	12,818.86	660,279.70
30	06/01/2033	66,681.75	54,829.73	11,852.02	605,449.97
31	12/01/2033	66,681.75	55,813.92	10,867.83	549,636.05
32	06/01/2034	66,681.75	56,815.78	9,865.97	492,820.27
33	12/01/2034	66,681.75	57,835.63	8,846.12	434,984.64
34	06/01/2035	66,681.75	58,873.78	7,807.97	376,110.86
35	12/01/2035	66,681.75	59,930.56	6,751.19	316,180.30
36	06/01/2036	66,681.75	61,006.31	5,675.44	255,173.99
37	12/01/2036	66,681.75	62,101.38	4,580.37	193,072.61
38	06/01/2037	66,681.75	63,216.10	3,465.65	129,856.51

39	12/01/2037	66,681.75	64,350.83	2,330.92	65,505.68
40	06/01/2038	66,681.51	65,505.68	1,175.83	0.00
		---	---	---	
		2,667,269.76	1,891,449.21	775,820.55	

No. 2018-086

$1,891,449.21

C A N A D A
Province of Ontario
The Corporation of The City of Kawartha Lakes

FULLY REGISTERED INTEREST RATE 3.59% AMORTIZING DEBENTURE

The Corporation of The City of Kawartha Lakes (the "Municipality"), for value received, hereby promises to pay to

ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("OILC")

or registered assigns, subject to the Conditions attached hereto which form part hereof (the "Conditions"), upon presentation and surrender of this debenture (or as otherwise agreed to by the Municipality and OILC) by the maturity date of this debenture (June 01, 2038), the principal amount of

ONE MILLION EIGHT HUNDRED NINETY ONE THOUSAND FOUR HUNDRED FORTY NINE DOLLAR TWENTY ONE CENT

---------- ($1,891,449.21) ----------

by equal semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2038, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, in the amounts set forth in the attached Amortizing Debenture Schedule (the "Amortization Schedule") and subject to late payment interest charges pursuant to the Conditions, in lawful money of Canada. Subject to the Conditions: interest shall be paid until the maturity date of this debenture, in like money in semi-annual payments from the closing date (June 01, 2018), or from the last date on which interest has been paid on this debenture, whichever is later, at the rate of 3.59 % per annum, in arrears, on the specified dates, as set forth in the Amortization Schedule; and interest shall be paid on default at the applicable rate set out in the Amortization Schedule both before and after default and judgment. The payments of principal and interest and the outstanding amount of principal in each year are shown in the Amortization Schedule.

The Municipality, pursuant to section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011* (the "OILC Act, 2011") hereby irrevocably agrees that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding any amounts that the Municipality fails to pay OILC on account of indebtedness evidenced by this debenture, and to pay such amounts to OILC from the Consolidated Revenue Fund.

This debenture is subject to the Conditions.

DATED at The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018

IN TESTIMONY WHEREOF and under the authority of By-law Number 2018-086 of the Municipality duly passed on the 22nd day of May, 2018 (the “By-law”), this debenture is sealed with the municipal seal of the Municipality and signed by the Mayor and by the Treasurer thereof.

Date of Registration: June 01, 2018

_____	(Seal)_____
Andy Letham,Mayor	Carolyn Daynes, Treasurer

OILC hereby agrees that the Minister of Finance is entitled to exercise certain rights of deduction pursuant to section 25 of the OILC Act, 2011 as described in this debenture.

Ontario Infrastructure and Lands Corporation

by: _____	by:_____
Authorized Signing Officer	Authorized Signing Officer

LEGAL OPINION

We have examined the By-law of the Municipality authorizing the issue of amortizing debentures in the principal amount of $1,891,449.21 dated June 01, 2018 and maturing on June 01, 2038 payable in equal semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2038, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments as set out in Schedule “C” to the By-law

In our opinion, the By-law has been properly passed and is within the legal powers of the Municipality. The debenture issued under the By-law in the within form (the “Debenture”) is the direct, general, unsecured and unsubordinated obligation of the Municipality. The Debenture is enforceable against the Municipality subject to the special jurisdiction and powers of the Ontario Municipal Board over defaulting municipalities under the *Municipal Affairs Act*. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter.

June 01, 2018

_____

Staples and Swain Professional Corporation

CONDITIONS OF THE DEBENTURE

Form, Denomination, and Ranking of the Debenture

1. The debentures issued pursuant to the By-law (collectively the "Debentures" and individually a "Debenture") are issuable as fully registered Debentures without coupons.

2. The Debentures are direct, general, unsecured and unsubordinated obligations of the Municipality. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Municipality except for the availability of money in a sinking or retirement fund for a particular issue of debentures.

3. This Debenture is one fully registered Debenture registered in the name of OILC and held by OILC.

Registration

4. The Municipality shall maintain at its designated office a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

Title

5. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of Debentures, including this Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

Payments of Principal and Interest

6. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any Payment Date including the maturity date. Principal of and interest on the Debentures are payable by the Municipality to the persons registered as holders in the registry on the relevant record date. The Municipality shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding Payment Date.

7. The Municipality shall make all payments in respect of equal semi-annual instalments of combined principal and interest including the last 'non-equal' instalment on the Debentures on the Payment Dates commencing on December 01, 2018 and ending on June 01, 2038, as set out in Schedule "C" to the By-law, by pre-authorized debit in respect of such interest and principal to the credit of the registered holder on such terms as the Municipality and the registered holder may agree.

8. The Municipality shall pay to the registered holder interest on any overdue amount of principal or interest in respect of any Debenture, both before and after default and judgment, at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debenture for such amount plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amount becomes overdue for so long as such amount remains overdue and the Municipality shall pay to the registered holder any and all costs incurred by the registered holder as a result of the overdue payment.

9. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

10. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a "**Toronto Business Day**"), and if any date for payment is not a Toronto Business Day, payment shall be made on the next following Toronto Business Day as noted on the Amortization Schedule.

11. The Debentures are transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferee, in the case of a transfer or as directed by the registered holder in the case of an exchange.

12. The Municipality shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable

disappearance, theft or destruction, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed Debenture) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

13. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of the By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

14. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

15. Reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed principal and interest cheques (if any) may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

16. If OILC elects to terminate its obligations under the financing agreement entered into between the Municipality and OILC, pursuant to which the Debentures are issued, OILC, at its discretion, shall assess any losses that it may incur as a result of the termination as follows: if on the date of termination the outstanding principal balance on the Debentures is less than the net present value of the Debentures, the Municipality shall pay the difference between these two amounts to OILC.

Notices

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Municipality or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a

Toronto Business Day (as defined in section 10 of these Conditions) then such notice may be given on the next following Toronto Business Day.

Time

18. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

19. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

Definitions:

(a) "**Prime Rate"** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of this Debenture: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "Prime Rate" shall be the arithmetic mean of the rates quoted by those Reference Banks.

Loan.....: 1959
Name.....: Kawartha Lakes, The Corporation of The City of
Principal: 1,891,449.21
Rate.....: 03.5900
Term.....: 240
Matures..: 06/01/2038

Pay #	Date	Amount Due	Principal Due	Interest Due	Rem. Principal
1	12/01/2018	66,681.75	32,730.24	33,951.51	1,858,718.97
2	06/01/2019	66,681.75	33,317.74	33,364.01	1,825,401.23
3	12/01/2019	66,681.75	33,915.80	32,765.95	1,791,485.43
4	06/01/2020	66,681.75	34,524.59	32,157.16	1,756,960.84
5	12/01/2020	66,681.75	35,144.30	31,537.45	1,721,816.54
6	06/01/2021	66,681.75	35,775.14	30,906.61	1,686,041.40
7	12/01/2021	66,681.75	36,417.31	30,264.44	1,649,624.09
8	06/01/2022	66,681.75	37,071.00	29,610.75	1,612,553.09
9	12/01/2022	66,681.75	37,736.42	28,945.33	1,574,816.67
10	06/01/2023	66,681.75	38,413.79	28,267.96	1,536,402.88
11	12/01/2023	66,681.75	39,103.32	27,578.43	1,497,299.56
12	06/01/2024	66,681.75	39,805.22	26,876.53	1,457,494.34
13	12/01/2024	66,681.75	40,519.73	26,162.02	1,416,974.61
14	06/01/2025	66,681.75	41,247.06	25,434.69	1,375,727.55
15	12/01/2025	66,681.75	41,987.44	24,694.31	1,333,740.11
16	06/01/2026	66,681.75	42,741.12	23,940.63	1,290,998.99
17	12/01/2026	66,681.75	43,508.32	23,173.43	1,247,490.67
18	06/01/2027	66,681.75	44,289.29	22,392.46	1,203,201.38
19	12/01/2027	66,681.75	45,084.29	21,597.46	1,158,117.09
20	06/01/2028	66,681.75	45,893.55	20,788.20	1,112,223.54
21	12/01/2028	66,681.75	46,717.34	19,964.41	1,065,506.20
22	06/01/2029	66,681.75	47,555.91	19,125.84	1,017,950.29
23	12/01/2029	66,681.75	48,409.54	18,272.21	969,540.75
24	06/01/2030	66,681.75	49,278.49	17,403.26	920,262.26
25	12/01/2030	66,681.75	50,163.04	16,518.71	870,099.22
26	06/01/2031	66,681.75	51,063.47	15,618.28	819,035.75
27	12/01/2031	66,681.75	51,980.06	14,701.69	767,055.69
28	06/01/2032	66,681.75	52,913.10	13,768.65	714,142.59
29	12/01/2032	66,681.75	53,862.89	12,818.86	660,279.70
30	06/01/2033	66,681.75	54,829.73	11,852.02	605,449.97
31	12/01/2033	66,681.75	55,813.92	10,867.83	549,636.05
32	06/01/2034	66,681.75	56,815.78	9,865.97	492,820.27
33	12/01/2034	66,681.75	57,835.63	8,846.12	434,984.64
34	06/01/2035	66,681.75	58,873.78	7,807.97	376,110.86
35	12/01/2035	66,681.75	59,930.56	6,751.19	316,180.30
36	06/01/2036	66,681.75	61,006.31	5,675.44	255,173.99
37	12/01/2036	66,681.75	62,101.38	4,580.37	193,072.61
38	06/01/2037	66,681.75	63,216.10	3,465.65	129,856.51
39	12/01/2037	66,681.75	64,350.83	2,330.92	65,505.68
40	06/01/2038	66,681.51	65,505.68	1,175.83	0.00
		2,667,269.76	1,891,449.21	775,820.55	

CERTIFICATE

To: **Staples and Swain Professional Corporation**

And To: **OILC**

IN THE MATTER OF an issue of a 20 year(s), 3.59% amortizing debenture of The Corporation of The City of Kawartha Lakes (the "Municipality") in the principal amount of $1,891,449.21, authorized by Debenture By-law Number 2018-086 (the "Debenture By-law");

AND IN THE MATTER OF authorizing by-laws of the Municipality enumerated in Schedule "A" to the Debenture By-law.

I, Cathie Ritchie, Clerk of the Municipality, **DO HEREBY CERTIFY THAT**:

1. The Debenture By-law was finally passed and enacted by the Council of the Municipality on the May 22, 2018 in full compliance with the *Municipal Act, 2001*, as amended (the "Act") at a duly called meeting at which a quorum was present. Forthwith after the passage of the Debenture By-law, the same was signed by the Mayor and the Clerk and sealed with the municipal seal of the Municipality.

2. The authorizing by-law referred to in Schedule "A" to the Debenture By-law (the "Authorizing By-law") have been enacted and passed by the Council of the Municipality in full compliance with the Act at a meeting at which a quorum was present. Forthwith after the passage of the Authorizing By-law the same was signed by the Mayor and by the Clerk and sealed with the municipal seal of the Municipality.

3. With respect to the undertaking of the capital works described in the Debenture By-law (individually a "Capital Work" and collectively the "Capital Works"), before the Council of the Municipality exercised any of its powers in respect of the Capital Work(s)**,** and before authorizing any additional cost amount and any additional debenture authority in respect thereof, the Council of the Municipality had its Treasurer calculate the updated limit in respect of the relevant annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable debt and financial obligation limits regulation. In this connection, before the Council of the Municipality authorized the Capital Work(s)**,** each such additional cost amount and each such additional debenture authority, the Treasurer determined that the estimated annual amount payable in respect of the Capital Work(s), each such additional cost amount and each such additional debenture authority, would not cause the Municipality to reach or exceed its updated limit. Accordingly, the Council of the Municipality authorized the Capital Work(s), each such additional cost amount and each such additional debenture authority, without the approval of the Ontario Municipal Board pursuant to the applicable debt and financial obligation limits regulation.

4. No application has been made or action brought to quash, set aside or declare invalid the Debenture By-law or the Authorizing By-law nor have the same been in any way repealed, altered or amended and the Debenture By-law and the Authorizing By-law are now in full force and effect.

5. All of the recitals contained in the Debenture By-law and the Authorizing By-law are true in substance and fact.

6. To the extent that the public notice provisions of the Act are applicable, the Authorizing By-law and the Debenture By-law have been enacted and passed by the Council of the Municipality in full compliance with the applicable public notice provisions of the Act.

7. None of the debentures authorized to be issued by the Authorizing By-law have been previously issued.

8. The respective principal amount of debentures which is to be issued pursuant to the Debenture By-law in respect of the Capital Work(s) does not exceed the respective net cost of such Capital Work(s) to the Municipality.

9. The debenture certificate issued pursuant to the Debenture By-law (the "OILC Debenture") has been signed by Mayor and by the Treasurer of the Municipality. The OILC Debenture is in all respects in accordance with the Debenture By-law and in issuing the OILC Debenture in the amount of $1,891,449.21 which is now being issued to Ontario Infrastructure and Lands Corporation pursuant to the Debenture By-law, the Municipality is not exceeding its borrowing powers.

10. The Municipality is not subject to any restructuring order under part V of the Act or other statutory authority, accordingly, no approval of the Authorizing By-law and of the Debenture By-law and/or of the issue of the OILC Debentures is required by any transition board or commission appointed in respect of the restructuring of the municipality.

11. The Authorizing By-law and the Debenture By-law and the transactions contemplated thereby do not conflict with, or result in a breach or violation of any statutory provisions which apply to the Municipality or any agreement to which the Municipality is a party or under which the Municipality or any of its property is or may be bound, or, to the best of my knowledge, violate any order, award, judgment, determination, writ, injunction or decree applicable to the Municipality of any regulatory, administrative or other government or public body or authority, arbitrator or court.

DATED at the The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018.

[AFFIX SEAL] _____
Cathie Ritchie, Clerk

CERTIFICATE OF SIGNATURE AND NO LITIGATION

TO: **Staples and Swain Professional Corporation**

And To: **OILC**

IN THE MATTER OF an issue of a 20 year(s), 3.59% amortizing debenture of The Corporation of The City of Kawartha Lakes (the "Municipality") in the principal amount of $1,891,449.21, authorized by Debenture By-law Number 2018-086 (the "Debenture By-law")

I, Carolyn Daynes, Treasurer of the Municipality, do hereby certify that on or before June 01, 2018, I as Treasurer, signed the fully registered amortizing debenture numbered 2018-086 in the principal amount of $ 1,891,449.21 dated June 01, 2018, registered in the name of Ontario Infrastructure and Lands Corporation and authorized by the Debenture By-law (the "OILC Debenture").

I further certify that on or before June 01, 2018, the OILC Debenture was signed by Andy Letham, Mayor of the Municipality at the date of the execution and issue of the OILC Debenture, that the OILC Debenture was sealed with the seal of the Municipality, and that the OILC Debenture is in all respects in accordance with the Debenture By-law.

I further certify that the said Andy Letham is the duly elected Mayor of the Municipality and that I am the duly appointed Treasurer of the Municipality and that we were severally authorized under the Debenture By-law to execute the OILC Debenture in the manner aforesaid and that the OILC Debenture is entitled to full faith and credence.

I further certify that no litigation or proceedings of any nature are now pending or threatened, attacking or in any way attempting to restrain or enjoin the issue and delivery of the OILC Debenture or in any manner questioning the proceedings and the authority under which the same is issued, or affecting the validity thereof, or contesting the title or official capacity of the said Mayor or myself as Treasurer of the Municipality, and no authority or proceedings for the issuance of the OILC Debenture or any part of it has been repealed, revoked or rescinded in whole or in part.

DATED at The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018.

_____
Carolyn Daynes
Treasurer

I, Cathie Ritchie, Clerk of the Municipality do hereby certify that the signature of Carolyn Daynes, Treasurer of the Municipality described above, is true and genuine.

[AFFIX SEAL]

_____
Cathie Ritchie Clerk

DEBENTURE TREASURER'S CERTIFICATE

To: **Staples and Swain Professional Corporation**

And To: **OILC**

IN THE MATTER OF an issue of a 20 year(s), 3.59% amortizing debenture of The Corporation of The City of Kawartha Lakes (the "Municipality") in the principal amount of $1,891,449.21, authorized by Debenture By-law Number 2018-086 (the "Debenture By-law")

AND IN THE MATTER OF authorizing by-laws of the Municipality enumerated in Schedule "A" to the Debenture By-law.

I, Carolyn Daynes,Treasurer of the Municipality, **DO HEREBY CERTIFY THAT**:

1. The Municipality has received from the Ministry of Municipal Affairs and Housing its annual debt and financial obligation limit for the relevant years.

2. With respect to the undertaking of the capital works described in the Debenture By-law (individually a "Capital Work" and collectively the "Capital Works"), before the Council of the Municipality authorized the Capital Work(s), and before authorizing any additional cost amount and any additional debenture authority in respect thereof, the Treasurer calculated the updated relevant debt and financial obligation limit in accordance with the applicable debt and financial obligation limits regulation (the "Regulation"). The Treasurer thereafter determined that the estimated annual amount payable in respect of the Capital Work(s)**,** each such additional cost amount and each such additional debenture authority, would not cause the Municipality to reach or to exceed the relevant updated debt and financial obligation limit as at the date of the Council's approval. Based on the Treasurer's determination, the Council of the Municipality authorized the Capital Work(s)**,** each such additional cost amount and each such additional debenture authority, without the approval of the Ontario Municipal Board pursuant to the Regulation.

3. As at the date hereof the Municipality has not reached or exceeded its updated annual debt and financial obligation limit for 2018.

4. In updating the relevant debt and financial obligation limit(s), the estimated annual amount payable described in Section 4(2) of the Regulation was determined based on current interest rates and amortization periods which do not, in any case, exceed the lifetime of any of the purposes of the Municipality described in such section, all in accordance with generally accepted accounting principles for local governments as recommended, from time to time, by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

5. The term within which the debentures to be issued for the Municipality in respect of the Capital Work(s) pursuant to the Debenture By-law are made payable does not exceed the lifetime of such Capital Work(s).

6. The principal amount now being financed through the issue of debentures pursuant to the Debenture By-law in respect of the Capital Work(s) does not exceed the net cost of each such Capital Work(s) to the Municipality.

7. The money received by the Municipality from the sale of the debentures issued pursuant to the Debenture By-law, including any premium, and any earnings derived from the investment of that money after providing for the expenses related to their issue, if any, shall be apportioned and applied to the Capital Work(s), and to no other purpose except as permitted by the *Municipal Act, 2001*.

8. The representations and warranties of the Municipality set out in paragraph 2 of the Financing Agreement (as defined in the Debenture By-law) were true and correct as of the date of the request to purchase the debentures in respect of the Capital Work(s) pursuant to the Debenture By-law and are true and correct as of the date hereof.

DATED at The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018.

_____

[AFFIX SEAL] Carolyn Daynes,Treasurer

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

BY-LAW NUMBER 2018-087

A BY-LAW OF THE CORPORATION OF THE CITY OF KAWARTHA LAKES TO AUTHORIZE THE BORROWING UPON AMORTIZING DEBENTURES IN THE PRINCIPAL AMOUNT OF $2,308,249.47TOWARDS THE COST OF THE DEVAN COURT HOUSING PROJECT, PINEGROVE PLACE HOUSING PROJECT

AND WHEREAS subsection 401 (1) of the *Municipal Act*, *2001*, as amended (the "Act") provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS subsection 408 (2.1) of the Act provides that a municipality may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work;

AND WHEREAS the Council of The Corporation of The City of Kawartha Lakes (the "Municipality") has passed the By-law or By-laws, as applicable, enumerated in column (1) of Schedule "A" attached hereto and forming part of this By-law authorizing the capital work described in column (2) of Schedule "A" (individually a "Capital Work" and collectively the "Capital Works", as the case may be), and authorizing the entering into of a Financing Agreement dated effective as of April 30, 2018 for the provision of temporary and long term borrowing from Ontario Infrastructure and Lands Corporation ("OILC") in respect of the Capital Work(s) (the "Financing Agreement") and the Municipality desires to issue debentures for the Capital Work(s) in the amount or respective amounts, as applicable, specified in column (5) of Schedule "A";

AND WHEREAS before authorizing the Capital Work(s) and before authorizing any additional cost amount and any additional debenture authority in respect thereof the Council of the Municipality had its Treasurer calculate an updated limit in respect of its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable regulation and, prior to the Council of the Municipality authorizing the Capital Work(s), each such additional cost amount and each such additional debenture authority, the Treasurer determined that the estimated annual amount payable in respect of the Capital Work(s), each such additional cost amount and each such additional debenture authority, would not cause the Municipality to exceed the updated limit and that the approval of the Capital Work(s), each such additional cost amount and each such additional debenture authority, by the Ontario Municipal Board pursuant to such regulation was not required;

AND WHEREAS the Municipality has submitted an application to OILC for long term borrowing through the issue of debentures to OILC in respect of the Capital Work(s) (the "Application") and the Application has been approved;

AND WHEREAS to provide long term financing for the Capital Work(s) and to repay certain temporary advances in respect of the Capital Work(s) made by OILC pursuant to the Financing Agreement, it is now deemed to be expedient to borrow money by the issue

of amortizing debentures in the principal amount of $2,308,249.47 dated June 01, 2018 and maturing on June 01, 2043, and payable in semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2043, both inclusive on the terms hereinafter set forth;

NOW THEREFORE THE COUNCIL OF The Corporation of The City of Kawartha Lakes ENACTS AS FOLLOWS:

1. For the Capital Work(s), the borrowing upon the credit of the Municipality at large of the principal amount of $2,308,249.47 and the issue of amortizing debentures therefor to be repaid in semi-annual instalments of combined principal and interest as hereinafter set forth, are hereby authorized.

2. The Mayor and the Treasurer of the Municipality are hereby authorized to cause any number of amortizing debentures to be issued for such amounts of money as may be required for the Capital Work(s) in definitive form, not exceeding in total the said principal amount of $2,308,249.47 (the "Debentures"). The Debentures shall bear the Municipality's municipal seal and the signatures of Mayor and the Treasurer of the Municipality, all in accordance with the provisions of the Act. The municipal seal of the Municipality and the signatures referred to in this section may be printed, lithographed, engraved or otherwise mechanically reproduced. The Debentures are sufficiently signed if they bear the required signatures and each person signing has the authority to do so on the date he or she signs.

3. The Debentures shall be in fully registered form as one or more certificates in the principal amount of $2,308,249.47, in the name of OILC, or as OILC may otherwise direct, substantially in the form attached as Schedule "B" hereto and forming part of this By-law with provision for payment of principal and interest (other than in respect of the final payment of principal and outstanding interest on maturity upon presentation and surrender) by pre-authorized debit in respect of such principal and interest to the credit of such registered holder on such terms as to which the registered holder and the Municipality may agree.

4. In accordance with the provisions of section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011*, as amended from time to time hereafter, as security for the payment by the Municipality of the indebtedness of the Municipality to OILC under the Debentures (the "Obligations"), the Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding the amounts that the Municipality fails to pay OILC on account of the Obligations and to pay such amounts to OILC from the Consolidated Revenue Fund.

5. The Debentures shall all be dated June 01, 2018, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The Debentures shall bear interest at the rate of 3.73% per annum and mature during a period of 25 year(s) from the date thereof payable semi-annually in arrears as described in this section. The Debentures shall be paid in full by June 01, 2043 and be payable in equal semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2043, both inclusive, save and except for the last instalment which may vary slightly

from the preceding equal instalments, as set forth in Schedule “C” attached hereto and forming part of this By-law (“Schedule “C”).

6. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a “**Toronto Business Day**”) and if any date for payment is not a Toronto Business Day, payment shall be made on the next following Toronto Business Day.

7. Interest shall be payable to the date of maturity of the Debentures and on default shall be payable on any overdue amounts both before and after default and judgment at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debentures for such amounts plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amounts become overdue for so long as such amounts remain overdue and the Municipality shall pay to the registered holders any and all costs incurred by the registered holders as a result of the overdue payment. Any amounts payable by the Municipality as interest on overdue principal or interest and all costs incurred by the registered holders as a result of the overdue payment in respect of the Debentures shall be paid out of current revenue. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

   “**Prime Rate”** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of this Debenture: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the “**Reference Banks**”) as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the “Prime Rate” shall be the arithmetic mean of the rates quoted by those Reference Banks.

8. In each year in which a payment of equal semi-annual instalments of combined principal and interest becomes due in respect of the Capital Work(s) including the last ‘non-equal’ instalment, there shall be raised as part of the Municipality’s general levy the amounts of principal and interest payable by the Municipality in each year as set out in Schedule “C” to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.

9. The Debentures may contain any provision for their registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

10. The Municipality shall maintain a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of the cancellations, exchanges, substitutions and transfers of Debentures, may be

recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

11. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of the Debentures as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

12. The Debentures will be transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, the Mayor and the Treasurer shall issue and deliver a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations as directed by the transferee, in the case of a transfer or as directed by the registered holder in the case of an exchange.

13. The Mayor and the Treasurer shall issue and deliver new Debentures in exchange or substitution for Debentures outstanding on the registry with the same maturity and of like form which have become mutilated, defaced, lost, subject to a mysterious or unexplainable disappearance, stolen or destroyed, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case when a Debenture is mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

14. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of this By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

15. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

16. Reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of any of the principal and interest cheques (if any) that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder.

18. The Mayor and the Treasurer are hereby authorized to cause the Debentures to be issued, one or more of the Clerk and Treasurer are hereby authorized to generally do all things and to execute all other documents and other papers in the name of the Municipality in order to carry out the issue of the Debentures and the Treasurer is authorized to affix the Municipality's municipal seal to any of such documents and papers.

19. The money received by the Municipality from the sale of the Debentures to OILC, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to their issue, if any, shall be apportioned and applied to the Capital Work(s) and to no other purpose except as permitted by the Act.

20. Subject to the Municipality's investment policies and goals, the applicable legislation and the terms and conditions of the Debentures, the Municipality may, if not in default under the Debentures, at any time purchase any of the Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including, without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Municipality may in its discretion determine.

21. This By-law takes effect on the day of passing.

By-law read a first and second time this 22nd day of May, 2018

By-law read a third time and finally passed this 22nd day of May, 2018

Andy Letham Mayor	Cathie Ritchie Clerk

The Corporation of The City of Kawartha Lakes

Schedule "A" to By-law Number 2018-087

(1)	(2)	(3)	(4)	(5)	(6)
By-law	**Project Description**	**Approved Amount to be Financed Through the Issue of Debentures**	**Amount of Debentures Previously Issued**	**Amount of Debentures to be Issued**	**Term of Years of Debentures**
2018-050	Devan Court Housing Project	$1,753,881.27	$0.00	$2,308,249.47	25 year(s)
	Pinegrove Place Housing Project	$554,368.20			

The Corporation of The City of Kawartha Lakes

Schedule "B" to By-law Number 2018-087

No. 2018-087

$2,308,249.47

C A N A D A
Province of Ontario
The Corporation of The City of Kawartha Lakes

FULLY REGISTERED INTEREST RATE 3.73% AMORTIZING DEBENTURE

The Corporation of The City of Kawartha Lakes (the "Municipality"), for value received, hereby promises to pay to

ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("OILC")

or registered assigns, subject to the Conditions attached hereto which form part hereof (the "Conditions"), upon presentation and surrender of this debenture (or as otherwise agreed to by the Municipality and OILC) by the maturity date of this debenture (June 01, 2043), the principal amount of

TWO MILLION THREE HUNDRED EIGHT THOUSAND TWO HUNDRED FORTY NINE DOLLAR FORTY SEVEN CENT

---------- ($2,308,249.47) ----------

by equal semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2043, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, in the amounts set forth in the attached Amortizing Debenture Schedule (the "Amortization Schedule") and subject to late payment interest charges pursuant to the Conditions, in lawful money of Canada. Subject to the Conditions: interest shall be paid until the maturity date of this debenture, in like money in semi-annual payments from the closing date (June 01, 2018) or from the last date on which interest has been paid on this debenture, whichever is later, at the rate of 3.73 % per annum, in arrears, on the specified dates, as set forth in the Amortization Schedule; and interest shall be paid on default at the applicable rate set out in the Amortization Schedule both before and after default and judgment. The payments of principal and interest and the outstanding amount of principal in each year are shown in the Amortization Schedule.

The Municipality, pursuant to section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011* (the "OILC Act, 2011") hereby irrevocably agrees that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding any amounts that the Municipality fails to pay OILC on account of indebtedness evidenced by this debenture, and to pay such amounts to OILC from the Consolidated Revenue Fund.

This debenture is subject to the Conditions.

DATED at The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018

IN TESTIMONY WHEREOF and under the authority of By-law Number 2018-087 of the Municipality duly passed on the 22nd day of May, 2018 (the “By-law”), this debenture is sealed with the municipal seal of the Municipality and signed by the Mayor and by the Treasurer thereof.

Date of Registration: June 01, 2018

_____	(Seal)_____
Andy Letham,Mayor	Carolyn Daynes,Treasurer

OILC hereby agrees that the Minister of Finance is entitled to exercise certain rights of deduction pursuant to section 25 of the OILC Act, 2011 as described in this debenture.

Ontario Infrastructure and Lands Corporation

by: _____	by:_____
Authorized Signing Officer	Authorized Signing Officer

LEGAL OPINION

We have examined the By-law of the Municipality authorizing the issue of amortizing debentures in the principal amount of $2,308,249.47 dated June 01, 2018 and maturing on June 01, 2043 payable in equal semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2043, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments as set out in Schedule “C” to the By-law.

In our opinion, the By-law has been properly passed and is within the legal powers of the Municipality. The debenture issued under the By-law in the within form (the “Debenture”) is the direct, general, unsecured and unsubordinated obligation of the Municipality. The Debenture is enforceable against the Municipality subject to the special jurisdiction and powers of the Ontario Municipal Board over defaulting municipalities under the *Municipal Affairs Act*. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter.

June 01, 2018

_____

Staples and Swain Professional Corporation

CONDITIONS OF THE DEBENTURE

Form, Denomination, and Ranking of the Debenture

1. The debentures issued pursuant to the By-law (collectively the "Debentures" and individually a "Debenture") are issuable as fully registered Debentures without coupons.

2. The Debentures are direct, general, unsecured and unsubordinated obligations of the Municipality. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Municipality except for the availability of money in a sinking or retirement fund for a particular issue of debentures.

3. This Debenture is one fully registered Debenture registered in the name of OILC and held by OILC.

Registration

4. The Municipality shall maintain at its designated office a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

Title

5. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of Debentures, including this Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

Payments of Principal and Interest

6. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any Payment Date including the maturity date. Principal of and interest on the Debentures are payable by the Municipality to the persons registered as holders in the registry on the relevant record date. The Municipality shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding Payment Date.

7. The Municipality shall make all payments in respect of equal semi-annual instalments of combined principal and interest including the last 'non-equal' instalment on the Debentures on the Payment Dates commencing on December 01, 2018 and ending on June 01, 2043 as set out in Schedule "C" to the By-law, by pre-authorized debit in respect of such interest and principal to the credit of the registered holder on such terms as the Municipality and the registered holder may agree.

8. The Municipality shall pay to the registered holder interest on any overdue amount of principal or interest in respect of any Debenture, both before and after default and judgment, at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debenture for such amount plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amount becomes overdue for so long as such amount remains overdue and the Municipality shall pay to the registered holder any and all costs incurred by the registered holder as a result of the overdue payment.

9. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

10. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a "**Toronto Business Day**"), and if any date for payment is not a Toronto Business Day, payment shall be made on the next following Toronto Business Day as noted on the Amortization Schedule.

11. The Debentures are transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferee, in the case of a transfer or as directed by the registered holder in the case of an exchange.

12. The Municipality shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable

disappearance, theft or destruction, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed Debenture) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

13. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of the By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

14. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

15. Reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed principal and interest cheques (if any) may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

16. If OILC elects to terminate its obligations under the financing agreement entered into between the Municipality and OILC, pursuant to which the Debentures are issued, OILC, at its discretion, shall assess any losses that it may incur as a result of the termination as follows: if on the date of termination the outstanding principal balance on the Debentures is less than the net present value of the Debentures, the Municipality shall pay the difference between these two amounts to OILC.

Notices

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Municipality or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a

Toronto Business Day (as defined in section 10 of these Conditions) then such notice may be given on the next following Toronto Business Day.

Time

18. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

19. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

Definitions:

(a) "**Prime Rate"** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of this Debenture: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "Prime Rate" shall be the arithmetic mean of the rates quoted by those Reference Banks.

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

Schedule “C” to By-law Number 2018-087

Loan.....: 1960
Name.....: Kawartha Lakes, The Corporation of The City of
Principal: 2,308,249.47
Rate.....: 03.7300
Term.....: 300
Matures..: 06/01/2043

Pay #	Date	Amount Due	Principal Due	Interest Due	Rem. Principal
1	12/01/2018	71,386.81	28,337.96	43,048.85	2,279,911.51
2	06/01/2019	71,386.81	28,866.46	42,520.35	2,251,045.05
3	12/01/2019	71,386.81	29,404.82	41,981.99	2,221,640.23
4	06/01/2020	71,386.81	29,953.22	41,433.59	2,191,687.01
5	12/01/2020	71,386.81	30,511.85	40,874.96	2,161,175.16
6	06/01/2021	71,386.81	31,080.89	40,305.92	2,130,094.27
7	12/01/2021	71,386.81	31,660.55	39,726.26	2,098,433.72
8	06/01/2022	71,386.81	32,251.02	39,135.79	2,066,182.70
9	12/01/2022	71,386.81	32,852.50	38,534.31	2,033,330.20
10	06/01/2023	71,386.81	33,465.20	37,921.61	1,999,865.00
11	12/01/2023	71,386.81	34,089.33	37,297.48	1,965,775.67
12	06/01/2024	71,386.81	34,725.09	36,661.72	1,931,050.58
13	12/01/2024	71,386.81	35,372.72	36,014.09	1,895,677.86
14	06/01/2025	71,386.81	36,032.42	35,354.39	1,859,645.44
15	12/01/2025	71,386.81	36,704.42	34,682.39	1,822,941.02
16	06/01/2026	71,386.81	37,388.96	33,997.85	1,785,552.06
17	12/01/2026	71,386.81	38,086.26	33,300.55	1,747,465.80
18	06/01/2027	71,386.81	38,796.57	32,590.24	1,708,669.23
19	12/01/2027	71,386.81	39,520.13	31,866.68	1,669,149.10
20	06/01/2028	71,386.81	40,257.18	31,129.63	1,628,891.92
21	12/01/2028	71,386.81	41,007.98	30,378.83	1,587,883.94
22	06/01/2029	71,386.81	41,772.77	29,614.04	1,546,111.17
23	12/01/2029	71,386.81	42,551.84	28,834.97	1,503,559.33
24	06/01/2030	71,386.81	43,345.43	28,041.38	1,460,213.90
25	12/01/2030	71,386.81	44,153.82	27,232.99	1,416,060.08
26	06/01/2031	71,386.81	44,977.29	26,409.52	1,371,082.79
27	12/01/2031	71,386.81	45,816.12	25,570.69	1,325,266.67
28	06/01/2032	71,386.81	46,670.59	24,716.22	1,278,596.08
29	12/01/2032	71,386.81	47,540.99	23,845.82	1,231,055.09
30	06/01/2033	71,386.81	48,427.63	22,959.18	1,182,627.46
31	12/01/2033	71,386.81	49,330.81	22,056.00	1,133,296.65
32	06/01/2034	71,386.81	50,250.83	21,135.98	1,083,045.82
33	12/01/2034	71,386.81	51,188.01	20,198.80	1,031,857.81
34	06/01/2035	71,386.81	52,142.66	19,244.15	979,715.15
35	12/01/2035	71,386.81	53,115.12	18,271.69	926,600.03
36	06/01/2036	71,386.81	54,105.72	17,281.09	872,494.31
37	12/01/2036	71,386.81	55,114.79	16,272.02	817,379.52
38	06/01/2037	71,386.81	56,142.68	15,244.13	761,236.84

39	12/01/2037	71,386.81	57,189.74	14,197.07	704,047.10
40	06/01/2038	71,386.81	58,256.33	13,130.48	645,790.77
41	12/01/2038	71,386.81	59,342.81	12,044.00	586,447.96
42	06/01/2039	71,386.81	60,449.56	10,937.25	525,998.40
43	12/01/2039	71,386.81	61,576.94	9,809.87	464,421.46
44	06/01/2040	71,386.81	62,725.35	8,661.46	401,696.11
45	12/01/2040	71,386.81	63,895.18	7,491.63	337,800.93
46	06/01/2041	71,386.81	65,086.82	6,299.99	272,714.11
47	12/01/2041	71,386.81	66,300.69	5,086.12	206,413.42
48	06/01/2042	71,386.81	67,537.20	3,849.61	138,876.22
49	12/01/2042	71,386.81	68,796.77	2,590.04	70,079.45
50	06/01/2043	71,386.43	70,079.45	1,306.98	0.00
		---	---	---	
		3,569,340.12	2,308,249.47	1,261,090.65	

No. 2018-087

$2,308,249.47

C A N A D A
Province of Ontario
The Corporation of The City of Kawartha Lakes

FULLY REGISTERED INTEREST RATE 3.73% AMORTIZING DEBENTURE

The Corporation of The City of Kawartha Lakes (the "Municipality"), for value received, hereby promises to pay to

ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("OILC")

or registered assigns, subject to the Conditions attached hereto which form part hereof (the "Conditions"), upon presentation and surrender of this debenture (or as otherwise agreed to by the Municipality and OILC) by the maturity date of this debenture (June 01, 2043), the principal amount of

TWO MILLION THREE HUNDRED EIGHT THOUSAND TWO HUNDRED FORTY NINE DOLLAR FORTY SEVEN CENT

---------- ($2,308,249.47) ----------

by equal semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2043, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments, in the amounts set forth in the attached Amortizing Debenture Schedule (the "Amortization Schedule") and subject to late payment interest charges pursuant to the Conditions, in lawful money of Canada. Subject to the Conditions: interest shall be paid until the maturity date of this debenture, in like money in semi-annual payments from the closing date (June 01, 2018), or from the last date on which interest has been paid on this debenture, whichever is later, at the rate of 3.73 % per annum, in arrears, on the specified dates, as set forth in the Amortization Schedule; and interest shall be paid on default at the applicable rate set out in the Amortization Schedule both before and after default and judgment. The payments of principal and interest and the outstanding amount of principal in each year are shown in the Amortization Schedule.

The Municipality, pursuant to section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011* (the "OILC Act, 2011") hereby irrevocably agrees that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding any amounts that the Municipality fails to pay OILC on account of indebtedness evidenced by this debenture, and to pay such amounts to OILC from the Consolidated Revenue Fund.

This debenture is subject to the Conditions.

DATED at The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018

IN TESTIMONY WHEREOF and under the authority of By-law Number 2018-087 of the Municipality duly passed on the 22nd day of May, 2018 (the “By-law”), this debenture is sealed with the municipal seal of the Municipality and signed by the Mayor and by the Treasurer thereof.

Date of Registration: June 01, 2018

_____	(Seal)_____
Andy Letham,Mayor	Carolyn Daynes, Treasurer

OILC hereby agrees that the Minister of Finance is entitled to exercise certain rights of deduction pursuant to section 25 of the OILC Act, 2011 as described in this debenture.

Ontario Infrastructure and Lands Corporation

by: _____	by:_____
Authorized Signing Officer	Authorized Signing Officer

LEGAL OPINION

We have examined the By-law of the Municipality authorizing the issue of amortizing debentures in the principal amount of $2,308,249.47 dated June 01, 2018 and maturing on June 01, 2043 payable in equal semi-annual instalments of combined principal and interest on the first day of December and on the first day of June in each of the years 2018 to 2043, both inclusive, save and except for the last instalment which may vary slightly from the preceding equal instalments as set out in Schedule “C” to the By-law

In our opinion, the By-law has been properly passed and is within the legal powers of the Municipality. The debenture issued under the By-law in the within form (the “Debenture”) is the direct, general, unsecured and unsubordinated obligation of the Municipality. The Debenture is enforceable against the Municipality subject to the special jurisdiction and powers of the Ontario Municipal Board over defaulting municipalities under the *Municipal Affairs Act*. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter.

June 01, 2018

_____

Staples and Swain Professional Corporation

CONDITIONS OF THE DEBENTURE

Form, Denomination, and Ranking of the Debenture

1. The debentures issued pursuant to the By-law (collectively the "Debentures" and individually a "Debenture") are issuable as fully registered Debentures without coupons.

2. The Debentures are direct, general, unsecured and unsubordinated obligations of the Municipality. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Municipality except for the availability of money in a sinking or retirement fund for a particular issue of debentures.

3. This Debenture is one fully registered Debenture registered in the name of OILC and held by OILC.

Registration

4. The Municipality shall maintain at its designated office a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

Title

5. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of Debentures, including this Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.

Payments of Principal and Interest

6. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any Payment Date including the maturity date. Principal of and interest on the Debentures are payable by the Municipality to the persons registered as holders in the registry on the relevant record date. The Municipality shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding Payment Date.

7. The Municipality shall make all payments in respect of equal semi-annual instalments of combined principal and interest including the last 'non-equal' instalment on the Debentures on the Payment Dates commencing on December 01, 2018 and ending on June 01, 2043, as set out in Schedule "C" to the By-law, by pre-authorized debit in respect of such interest and principal to the credit of the registered holder on such terms as the Municipality and the registered holder may agree.

8. The Municipality shall pay to the registered holder interest on any overdue amount of principal or interest in respect of any Debenture, both before and after default and judgment, at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debenture for such amount plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amount becomes overdue for so long as such amount remains overdue and the Municipality shall pay to the registered holder any and all costs incurred by the registered holder as a result of the overdue payment.

9. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

10. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a "**Toronto Business Day**"), and if any date for payment is not a Toronto Business Day, payment shall be made on the next following Toronto Business Day as noted on the Amortization Schedule.

11. The Debentures are transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferee, in the case of a transfer or as directed by the registered holder in the case of an exchange.

12. The Municipality shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable

disappearance, theft or destruction, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed Debenture) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.

13. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of the By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

14. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

15. Reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed principal and interest cheques (if any) may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

16. If OILC elects to terminate its obligations under the financing agreement entered into between the Municipality and OILC, pursuant to which the Debentures are issued, OILC, at its discretion, shall assess any losses that it may incur as a result of the termination as follows: if on the date of termination the outstanding principal balance on the Debentures is less than the net present value of the Debentures, the Municipality shall pay the difference between these two amounts to OILC.

Notices

17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Municipality or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a

Toronto Business Day (as defined in section 10 of these Conditions) then such notice may be given on the next following Toronto Business Day.

Time

18. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

19. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

Definitions:

(a) "**Prime Rate"** means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of this Debenture: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "Prime Rate" shall be the arithmetic mean of the rates quoted by those Reference Banks.

Loan.....: 1960
Name.....: Kawartha Lakes, The Corporation of The City of
Principal: 2,308,249.47
Rate.....: 03.7300
Term.....: 300
Matures..: 06/01/2043

Pay #	Date	Amount Due	Principal Due	Interest Due	Rem. Principal
1	12/01/2018	71,386.81	28,337.96	43,048.85	2,279,911.51
2	06/01/2019	71,386.81	28,866.46	42,520.35	2,251,045.05
3	12/01/2019	71,386.81	29,404.82	41,981.99	2,221,640.23
4	06/01/2020	71,386.81	29,953.22	41,433.59	2,191,687.01
5	12/01/2020	71,386.81	30,511.85	40,874.96	2,161,175.16
6	06/01/2021	71,386.81	31,080.89	40,305.92	2,130,094.27
7	12/01/2021	71,386.81	31,660.55	39,726.26	2,098,433.72
8	06/01/2022	71,386.81	32,251.02	39,135.79	2,066,182.70
9	12/01/2022	71,386.81	32,852.50	38,534.31	2,033,330.20
10	06/01/2023	71,386.81	33,465.20	37,921.61	1,999,865.00
11	12/01/2023	71,386.81	34,089.33	37,297.48	1,965,775.67
12	06/01/2024	71,386.81	34,725.09	36,661.72	1,931,050.58
13	12/01/2024	71,386.81	35,372.72	36,014.09	1,895,677.86
14	06/01/2025	71,386.81	36,032.42	35,354.39	1,859,645.44
15	12/01/2025	71,386.81	36,704.42	34,682.39	1,822,941.02
16	06/01/2026	71,386.81	37,388.96	33,997.85	1,785,552.06
17	12/01/2026	71,386.81	38,086.26	33,300.55	1,747,465.80
18	06/01/2027	71,386.81	38,796.57	32,590.24	1,708,669.23
19	12/01/2027	71,386.81	39,520.13	31,866.68	1,669,149.10
20	06/01/2028	71,386.81	40,257.18	31,129.63	1,628,891.92
21	12/01/2028	71,386.81	41,007.98	30,378.83	1,587,883.94
22	06/01/2029	71,386.81	41,772.77	29,614.04	1,546,111.17
23	12/01/2029	71,386.81	42,551.84	28,834.97	1,503,559.33
24	06/01/2030	71,386.81	43,345.43	28,041.38	1,460,213.90
25	12/01/2030	71,386.81	44,153.82	27,232.99	1,416,060.08
26	06/01/2031	71,386.81	44,977.29	26,409.52	1,371,082.79
27	12/01/2031	71,386.81	45,816.12	25,570.69	1,325,266.67
28	06/01/2032	71,386.81	46,670.59	24,716.22	1,278,596.08
29	12/01/2032	71,386.81	47,540.99	23,845.82	1,231,055.09
30	06/01/2033	71,386.81	48,427.63	22,959.18	1,182,627.46
31	12/01/2033	71,386.81	49,330.81	22,056.00	1,133,296.65
32	06/01/2034	71,386.81	50,250.83	21,135.98	1,083,045.82
33	12/01/2034	71,386.81	51,188.01	20,198.80	1,031,857.81
34	06/01/2035	71,386.81	52,142.66	19,244.15	979,715.15
35	12/01/2035	71,386.81	53,115.12	18,271.69	926,600.03
36	06/01/2036	71,386.81	54,105.72	17,281.09	872,494.31
37	12/01/2036	71,386.81	55,114.79	16,272.02	817,379.52
38	06/01/2037	71,386.81	56,142.68	15,244.13	761,236.84
39	12/01/2037	71,386.81	57,189.74	14,197.07	704,047.10
40	06/01/2038	71,386.81	58,256.33	13,130.48	645,790.77
41	12/01/2038	71,386.81	59,342.81	12,044.00	586,447.96
42	06/01/2039	71,386.81	60,449.56	10,937.25	525,998.40
43	12/01/2039	71,386.81	61,576.94	9,809.87	464,421.46

44	06/01/2040	71,386.81	62,725.35	8,661.46	401,696.11
45	12/01/2040	71,386.81	63,895.18	7,491.63	337,800.93
46	06/01/2041	71,386.81	65,086.82	6,299.99	272,714.11
47	12/01/2041	71,386.81	66,300.69	5,086.12	206,413.42
48	06/01/2042	71,386.81	67,537.20	3,849.61	138,876.22
49	12/01/2042	71,386.81	68,796.77	2,590.04	70,079.45
50	06/01/2043	71,386.43	70,079.45	1,306.98	0.00
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		3,569,340.12	2,308,249.47	1,261,090.65	

CERTIFICATE

To: **Staples and Swain Professional Corporation**

And To: **OILC**

IN THE MATTER OF an issue of a 25 year(s), 3.73% amortizing debenture of The Corporation of The City of Kawartha Lakes (the "Municipality") in the principal amount of $2,308,249.47, authorized by Debenture By-law Number 2018-087 (the "Debenture By-law");

AND IN THE MATTER OF authorizing by-laws of the Municipality enumerated in Schedule "A" to the Debenture By-law.

I, Cathie Ritchie, Clerk of the Municipality, **DO HEREBY CERTIFY THAT**:

1. The Debenture By-law was finally passed and enacted by the Council of the Municipality on the May 22, 2018 in full compliance with the *Municipal Act, 2001*, as amended (the "Act") at a duly called meeting at which a quorum was present. Forthwith after the passage of the Debenture By-law, the same was signed by the Mayor and the Clerk and sealed with the municipal seal of the Municipality.

2. The authorizing by-law referred to in Schedule "A" to the Debenture By-law (the "Authorizing By-law") have been enacted and passed by the Council of the Municipality in full compliance with the Act at a meeting at which a quorum was present. Forthwith after the passage of the Authorizing By-law the same was signed by the Mayor and by the Clerk and sealed with the municipal seal of the Municipality.

3. With respect to the undertaking of the capital works described in the Debenture By-law (individually a "Capital Work" and collectively the "Capital Works"), before the Council of the Municipality exercised any of its powers in respect of the Capital Work(s)**,** and before authorizing any additional cost amount and any additional debenture authority in respect thereof, the Council of the Municipality had its Treasurer calculate the updated limit in respect of the relevant annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable debt and financial obligation limits regulation. In this connection, before the Council of the Municipality authorized the Capital Work(s)**,** each such additional cost amount and each such additional debenture authority, the Treasurer determined that the estimated annual amount payable in respect of the Capital Work(s), each such additional cost amount and each such additional debenture authority, would not cause the Municipality to reach or exceed its updated limit. Accordingly, the Council of the Municipality authorized the Capital Work(s), each such additional cost amount and each such additional debenture authority, without the approval of the Ontario Municipal Board pursuant to the applicable debt and financial obligation limits regulation.

4. No application has been made or action brought to quash, set aside or declare invalid the Debenture By-law or the Authorizing By-law nor have the same been in any way repealed, altered or amended and the Debenture By-law and the Authorizing By-law are now in full force and effect.

5. All of the recitals contained in the Debenture By-law and the Authorizing By-law are true in substance and fact.

6. To the extent that the public notice provisions of the Act are applicable, the Authorizing By-law and the Debenture By-law have been enacted and passed by the Council of the Municipality in full compliance with the applicable public notice provisions of the Act.

7. None of the debentures authorized to be issued by the Authorizing By-law have been previously issued.

8. The respective principal amount of debentures which is to be issued pursuant to the Debenture By-law in respect of the Capital Work(s) does not exceed the respective net cost of such Capital Work(s) to the Municipality.

9. The debenture certificate issued pursuant to the Debenture By-law (the "OILC Debenture") has been signed by Mayor and by the Treasurer of the Municipality. The OILC Debenture is in all respects in accordance with the Debenture By-law and in issuing the OILC Debenture in the amount of $2,308,249.47 which is now being issued to Ontario Infrastructure and Lands Corporation pursuant to the Debenture By-law, the Municipality is not exceeding its borrowing powers.

10. The Municipality is not subject to any restructuring order under part V of the Act or other statutory authority, accordingly, no approval of the Authorizing By-law and of the Debenture By-law and/or of the issue of the OILC Debentures is required by any transition board or commission appointed in respect of the restructuring of the municipality.

11. The Authorizing By-law and the Debenture By-law and the transactions contemplated thereby do not conflict with, or result in a breach or violation of any statutory provisions which apply to the Municipality or any agreement to which the Municipality is a party or under which the Municipality or any of its property is or may be bound, or, to the best of my knowledge, violate any order, award, judgment, determination, writ, injunction or decree applicable to the Municipality of any regulatory, administrative or other government or public body or authority, arbitrator or court.

DATED at the The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018.

[AFFIX SEAL] _____
Cathie Ritchie, Clerk

CERTIFICATE OF SIGNATURE AND NO LITIGATION

TO: **Staples and Swain Professional Corporation**

And To: **OILC**

IN THE MATTER OF an issue of a 25 year(s), 3.73% amortizing debenture of The Corporation of The City of Kawartha Lakes (the "Municipality") in the principal amount of $2,308,249.47, authorized by Debenture By-law Number 2018-087 (the "Debenture By-law")

I, Carolyn Daynes, Treasurer of the Municipality, do hereby certify that on or before June 01, 2018, I as Treasurer, signed the fully registered amortizing debenture numbered 2018-087 in the principal amount of $ 2,308,249.47 dated June 01, 2018, registered in the name of Ontario Infrastructure and Lands Corporation and authorized by the Debenture By-law (the "OILC Debenture").

I further certify that on or before June 01, 2018, the OILC Debenture was signed by Andy Letham, Mayor of the Municipality at the date of the execution and issue of the OILC Debenture, that the OILC Debenture was sealed with the seal of the Municipality, and that the OILC Debenture is in all respects in accordance with the Debenture By-law.

I further certify that the said Andy Letham is the duly elected Mayor of the Municipality and that I am the duly appointed Treasurer of the Municipality and that we were severally authorized under the Debenture By-law to execute the OILC Debenture in the manner aforesaid and that the OILC Debenture is entitled to full faith and credence.

I further certify that no litigation or proceedings of any nature are now pending or threatened, attacking or in any way attempting to restrain or enjoin the issue and delivery of the OILC Debenture or in any manner questioning the proceedings and the authority under which the same is issued, or affecting the validity thereof, or contesting the title or official capacity of the said Mayor or myself as Treasurer of the Municipality, and no authority or proceedings for the issuance of the OILC Debenture or any part of it has been repealed, revoked or rescinded in whole or in part.

DATED at The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018.

_____
Carolyn Daynes
Treasurer

I, Cathie Ritchie, Clerk of the Municipality do hereby certify that the signature of Carolyn Daynes, Treasurer of the Municipality described above, is true and genuine.

[AFFIX SEAL]

_____
Cathie Ritchie Clerk

DEBENTURE TREASURER'S CERTIFICATE

To: **Staples and Swain Professional Corporation**

And To: **OILC**

IN THE MATTER OF an issue of a 25 year(s), 3.73% amortizing debenture of The Corporation of The City of Kawartha Lakes (the "Municipality") in the principal amount of $2,308,249.47, authorized by Debenture By-law Number 2018-087 (the "Debenture By-law")

AND IN THE MATTER OF authorizing by-laws of the Municipality enumerated in Schedule "A" to the Debenture By-law.

I, Carolyn Daynes,Treasurer of the Municipality, **DO HEREBY CERTIFY THAT**:

1. The Municipality has received from the Ministry of Municipal Affairs and Housing its annual debt and financial obligation limit for the relevant years.

2. With respect to the undertaking of the capital works described in the Debenture By-law (individually a "Capital Work" and collectively the "Capital Works"), before the Council of the Municipality authorized the Capital Work(s), and before authorizing any additional cost amount and any additional debenture authority in respect thereof, the Treasurer calculated the updated relevant debt and financial obligation limit in accordance with the applicable debt and financial obligation limits regulation (the "Regulation"). The Treasurer thereafter determined that the estimated annual amount payable in respect of the Capital Work(s)**,** each such additional cost amount and each such additional debenture authority, would not cause the Municipality to reach or to exceed the relevant updated debt and financial obligation limit as at the date of the Council's approval. Based on the Treasurer's determination, the Council of the Municipality authorized the Capital Work(s)**,** each such additional cost amount and each such additional debenture authority, without the approval of the Ontario Municipal Board pursuant to the Regulation.

3. As at the date hereof the Municipality has not reached or exceeded its updated annual debt and financial obligation limit for 2018.

4. In updating the relevant debt and financial obligation limit(s), the estimated annual amount payable described in Section 4(2) of the Regulation was determined based on current interest rates and amortization periods which do not, in any case, exceed the lifetime of any of the purposes of the Municipality described in such section, all in accordance with generally accepted accounting principles for local governments as recommended, from time to time, by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

5. The term within which the debentures to be issued for the Municipality in respect of the Capital Work(s) pursuant to the Debenture By-law are made payable does not exceed the lifetime of such Capital Work(s).

6. The principal amount now being financed through the issue of debentures pursuant to the Debenture By-law in respect of the Capital Work(s) does not exceed the net cost of each such Capital Work(s) to the Municipality.

7. The money received by the Municipality from the sale of the debentures issued pursuant to the Debenture By-law, including any premium, and any earnings derived from the investment of that money after providing for the expenses related to their issue, if any, shall be apportioned and applied to the Capital Work(s), and to no other purpose except as permitted by the *Municipal Act, 2001*.

8. The representations and warranties of the Municipality set out in paragraph 2 of the Financing Agreement (as defined in the Debenture By-law) were true and correct as of the date of the request to purchase the debentures in respect of the Capital Work(s) pursuant to the Debenture By-law and are true and correct as of the date hereof.

DATED at The Corporation of The City of Kawartha Lakes as at the 1st day of June, 2018.

_____

[AFFIX SEAL] Carolyn Daynes,Treasurer

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 Officer" 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:** Taylor Stewart 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:** Taylor Stewart 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 22 day of May, 2018.

_____	_____
Andy Letham, Mayor	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 Officer" 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:** Taylor Stewart 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 22 day of May, 2018.

Andy Letham, Mayor	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 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 Officer" 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:** Carter Neamtz 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:** Carter Neamtz 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 22 day of May, 2018.

_____	_____
Andy Letham, Mayor	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 Officer" 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:** Carter Neamtz 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 22 day of May, 2018.

Andy Letham, Mayor	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, May 22, 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, May 22, 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 22nd day of May, 2018.

Andy Letham, Mayor	Cathie Ritchie, City Clerk