

The Corporation of the City of Kawartha Lakes

Agenda

Regular Council Meeting

CC2018-15

Tuesday, July 17, 2018

Closed Session Commencing at 1:00 p.m. Open Session Commencing at 2:00 p.m.

Victoria Room

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

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

Accessible formats and communication supports are available upon request.

1. **Call to Order**
2. **Adoption of Closed Session Agenda**
3. **Disclosure of Pecuniary Interest in Closed Session Items**
4. **Closed Session**
 - 4.1 CC2018-15.4.1
Closed Session Minutes, Regular Council meeting of May 22, 2018
Municipal Act, 2001 s.239(2)(b)(c)
 - 4.2 CC2018-15.4.2
Memo - Committee of Council
Personal Matter About an Identifiable Individual
Municipal Act, 2001 s.239(2)(b)
Cathie Ritchie, City Clerk
 - 4.3 LGL2018-004
Amos Construction
Litigation or Potential Litigation
Municipal Act, 2001 s.239(2)(e)
Robyn Carlson, City Solicitor
 - 4.4 LGL2018-005
Washington Drain
Litigation or Potential Litigation
Municipal Act, 2001 s.239(2)(e)
Robyn Carlson, City Solicitor
 - 4.5 LGL2018-006
Fenelon Falls Secondary Plan
Litigation or Potential Litigation
Municipal Act, 2001 s.239(2)(e)
Robyn Carlson, City Solicitor

- 4.6 RS2018-020
- Request to Expropriate Land for Colborne Street Pumping Station and
Forcemain Construction**
Proposed or Pending Acquisition or Disposition of Land
Municipal Act, 2001 s.239(2)(c)
Robyn Carlson, City Solicitor and Acting Manager of 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 CC2018-15.9.1 18 - 47

Regular Council Meeting Minutes of June 19, 2018

That the Minutes of the June 19, 2018 Regular Council Meeting, be
received and adopted.

10. Presentations and Deputations

- 10.1 CC2018-15.10.1

Licensing Agreement for Boathouse at 22 Walnut Street, Fenelon Falls
Report RS2018-021, Items 11.1.1 and 11.2.1 on the Agenda)
Daniel Mellen
Candice Millroy

10.2	CC2018-15.10.2	
	Licensing Agreement for Boathouse at 781 Kenstone Beach Road, Bobcaygeon (Report RS2018-022, Items 11.1.2 and 11.2.2 on the Agenda) Lucia DiLeo	
11.	Consent Matters	
	That all of the proposed resolutions shown in Section 11.1 and 11.2 of the Agenda be approved and adopted by Council in the order that they appear on the agenda and sequentially numbered.	
11.1	Reports	
11.1.1	RS2018-021 Boathouse Encroachment – 22 Walnut St., Fenelon Falls Christine Oliver, Law Clerk of Realty Services That Report RS2018-020, Boathouse Encroachment – 22 Walnut St., Fenelon Falls , be received.	48 - 56
11.1.2	RS2018-022 Boathouse Encroachment – 781 Kenstone Beach Rd., Bobcaygeon Christine Oliver, Law Clerk of Realty Services That Report RS2018-022, Boathouse Encroachment – 781 Kenstone Beach Rd., Bobcaygeon , be received.	57 - 63
11.1.3	RS2018-023 Land Management Committee Policy CP2018-007 Robyn Carlson, City Solicitor That Report RS2018-023, Land Management Committee Policy CP2018-007 , be received.	64 - 89
11.1.4	CAO2018-005 Update – Review of City and Agency Boards and Committees Ron Taylor, Chief Administrative Officer	90 - 173

That Report CAO2018-005, **Update – Review of City and Agency Boards and Committees**, be received;

That staff be directed to update the terms of reference for various Committees and Boards as generally outlined in Appendix A to Report CAO2018-005 in advance of the next term of Council for approval and subsequent recruitment; and

That the City Clerk include regular monthly Committee of the Whole meetings in future annual meeting calendars beginning the next term of Council.

11.1.5

CLK2018-007

174 - 177

Delegation of Authority – Restricted Acts

Cathie Ritchie, City Clerk

That Report CLK2018-007, **Delegation of Authority – Restricted Acts**, be received; and

That the Municipal Clerk be directed to prepare the necessary by-law prior to Nomination Day, delegating authority to the Chief Administrative Officer from July 27, 2018 to December 3, 2018 to enact the restricted powers of Council (Section 275(3)) during the Lamé Duck period.

11.1.6

CORP2018-012

178 - 191

2018 Q2 Capital Close

Nicole Owens, Junior Accountant

That Report CORP2018-012, **2018 Q2 Capital Close**, be received;

That the capital projects identified in Attachment A to Report CORP2018-012 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	\$644,843.88
Public Works Fleet Reserve	\$14,764.64
Sewer Infrastructure Reserve	\$186,943.50

That \$104.89 be withdrawn from Development Charges – Fire and applied to project 932170801 – Fire, Extrication Equipment to address the deficit;

That an additional \$5,000 from the Capital Reserves be allocated to 950180306 – Bike Repair/Tire Pump Station as per requirements specified within OMCC Grant acceptance as per DEV2018-003, By-law 2018-018;

That project 953180112 – LSC Windows be closed and the remaining budget of \$187,583.08 and all associated expenses be transferred to project 953170300 – LSC Windows;

That project 950180113 – Logie Park be closed and all remaining budget and expenses totaling \$1,111,000.00 be transferred to multi-year project 950151801 – Logie Park;

That project 950180112 – Trail & Shoreline Restoration be closed and all remaining budget and expenses totaling \$150,000 be transferred to multi-year project 950153301 – Trail & Shoreline Restoration;

That project 950164000 – City Boat Launches be closed and the remaining budget of \$50,734.69 be transferred to 950180109 – City Boat Launches;

That project 950170300 – City Boat Launches be closed and the deficit of \$37,494.34 be transferred to 950180109 – City Boat Launches;

That project 950170500 – Cemetery Site Works be closed and the remaining balance of \$49,376.26 be transferred to corresponding projects within 950180400 – Cemetery Site Works;

That project 950170601 – 50/50 Community Park Projects be closed and the remaining budget of \$12,229.20 be transferred to 950180110 – 50/50 Community Park Projects;

That project 950170701 – Wilson Estates be closed and the remaining budget of \$100,830.75 be transferred to 950180111 – Wilson Estates;

That project 950170901 – Park Furniture be closed and the remaining budget of \$32,799.27 be transferred to 950180301 – Park Furniture;

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

- 928170301 - Upgrade/Replace Communication Equipment
- 928170401 - Upgrade/Replace Client Hardware
- 928170601 - Replace Printers
- 928171901 - Purchase Parks & Rec Software
- 932161401 - Fire Station Capital Repairs
- 932170501 - Equipment Replacement
- 938170200 - Paramedic Equipment

938170301 - Replace Light Duty Vehicle
 938170401 - Replacement Ambulance
 950170100 - Playgrounds - Various Locations
 950170401 - Old Mill Park Dam Replacement
 950170800 - Arena & Community Centre Equipment
 950171000 - Arenas & Community Centres
 950171101 - Victoria Park Armoury Repair
 950171501 - Bobcaygeon Library
 953150801 - City Hall – Roof and Atrium
 953170200 - Building Services
 983170100 – Bridges
 983170600 - Gravel Resurfacing
 983170700 - Road Lifecycle Extension
 983171301 - Municipal Drains
 998151201 - Lindsay WPCP Upgrade
 998152200 – Glenelg St E Watermain Replacement & Design
 998170100 - Water & Wastewater – Watermains
 998170300 - Water & Sanitary
 998170601 – Fenelon Water Treatment Plant Modifications
 998170701 - Bobcaygeon Main Breaker
 994171601 - Ice Machine Replacement
 994172400 - Transit Hub and Shelters

That the following projects be granted an extension to December 31, 2019:

928151500 - ERP System
 953170501 - Development 68 Lindsay St N
 998151801 - Ridout St SPS – Pumps & Flow Meter
 998161701 - Lindsay WPCP Upgrade-Construct
 998170500 - Water & Wastewater – Upgrades
 997146001 - Fenelon Landfill - Admin Building
 997146301 - Laxton Landfill Site
 997166101 - Pump Chamber Construction

That project 997170200 – Landfill Site Works completion date be extended to December 31, 2020.

11.1.7

CORP2018-013

192 - 194

High Bill Adjustment 5 Sussex St N

Jennifer Stover, Director of Corporate Services

That Report CORP2018-013, **High Bill Adjustment 5 Sussex St N**, be received;

That Council approve the recommendation of the High Water Bill Appeal Committee and provide a credit of \$1,293.24, plus applicable penalty, to the account at 5 Sussex St N, Lindsay as a one-time exemption to the Section 8.0 of the High Bill Adjustment Policy; and

That staff review and report back to Council on the High Water Bill Adjustment Policy with consideration to removing the restriction on income producing properties.

11.1.8

CORP2018-014

195 - 197

High Bill Adjustment 18 Francis St, Fenelon Falls

Jennifer Stover, Director of Corporate Services

That Report CORP2018-014, **High Bill Adjustment 18 Francis St Fenelon Falls**, be received; and

That Council approve the recommendation of the High Water Bill Appeal Committee and provide a credit of \$1,298.56, plus applicable penalty, to the account at 18 Francis St Fenelon Falls as a one-time exemption to section 8.0 of the High Bill Adjustment Policy.

11.1.9

PUR2018-030

198 - 203

2018-57-CP Engineering and Design Services for Lindsay Water Pollution Control Plant Upgrades – Phase 1

Linda Lee, Buyer

Nafiur Rahman, Senior Engineering Technician

That Report PUR2018-030, **2018-57-CP Engineering and Design Services for Lindsay WPCP Upgrades – Phase 1**, be received;

That Cima Canada Inc., of Bowmanville, be awarded 2018-57-CP Engineering and Design Services for Lindsay WPCP Upgrades – Phase 1, as the highest scoring Proponent;

That subject to receipt of the required documents, the Mayor and Clerk be authorized to execute the agreements to award the contract; and

That the Purchasing Division be authorized to issue a Purchase Order.

11.1.10	PUR2018-031	204 - 206
	<p>2018-69-CQ Road Lifecycle Extension – Single Surface Treatment Linda Lee, Buyer Mike Farquhar, Supervisor, Technical Services</p> <p>That Report PUR2018-031, 2018-69-CQ, Road Lifecycle Extension, Single Surface Treatment, be received;</p> <p>That Royel Paving, a division of CRH Canada Group Inc. of Oakville be selected for the award of Quotation 2018-69-CQ Road Lifecycle Extension, Single Surface Treatment for the quoted price of \$107,380.00 plus HST; and</p> <p>That subject to receipt of the required documents, the Purchasing Division be authorized to issue a purchase order.</p>	
11.1.11	PUR2018-032	207 - 209
	<p>2018-74-CQ Sylvan Crescent Reconstruction Deficiency Work Launa Lewis, Supervisor of Financial Services Corby Purdy, Supervisor/Infrastructure, Design, Construction</p> <p>That Report PUR2018-032, 2018-74-CQ Sylvan Crescent Reconstruction Deficiency Work, be received;</p> <p>That Hard-Co- Construction Ltd. be selected for the award of Quotation 2018-74-CQ Sylvan Crescent Reconstruction Deficiency Work for the quoted price of \$199,900.00 plus HST;</p> <p>That funding in the amount of \$135,000.00 be released from the Capital Reserve for the purpose of awarding this contract;</p> <p>That subject to receipt of the required documents, the Mayor and Clerk be authorized to sign the agreement; and</p> <p>That Purchasing be authorized to issue a purchase order.</p>	
11.1.12	PLAN2018-056	210 - 222
	<p>Request for Municipal Council Support Resolution Confirmation (Ground Mount Solar Projects, 1674 County Road 36, Geographic Township of Verulam) Ian Walker, Planning Officer – Large Developments</p>	

That Report PLAN2018-056, **Request for Municipal Council Support Resolution Confirmation**, be received;

That Council of the City of Kawartha Lakes supports the construction and operation of the Project on the Lands described as 1674 County Road 36, Geographic Township of Verulam. This resolution's sole purpose is to enable the Supplier to achieve Notice to Proceed under its FIT Contract and may not be used for the purpose of any other form of municipal approval in relation to the FIT Contract or Project or for any other purpose;

That the Chief Administrative Officer and Director of Development Services be authorized to sign the required Independent Electricity System Operator (IESO) forms on behalf of Council for the ground mount solar project at 1674 County Road 36, Geographic Township of Verulam, which was previously endorsed; and

That this resolution shall expire 12 months after its adoption by Council.

11.1.13 PLAN2018-059 223 - 232

Deeming By-law Application D30-2018-010 – 1590839 Ontario Inc. (Haslam)

Janet Wong, Planner II

That Report PLAN2018-059, **Deeming By-law Application D30-2018-010 - 1590839 Ontario Inc. (Haslam)**, be received;

That a Deeming By-law respecting Lots 3 and 4, Registered Plan 57M-734, substantially in the form attached as Appendix E to Report PLAN2018-059, 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.

11.1.14 PLAN2018-061 233 - 236

Downtown Parking Space Update

Chris Marshall, Director

That Report PLAN2018-061, **Downtown Parking Space Update**, be received.

11.1.15 PLAN2018-064 237 - 245

Removal of Holding (H) Symbol (317 Ranchers Road, Township of Fenelon - Tow-All-Inc. c/o Lucas Lowell)

Mark LaHay, Planner II

That Report PLAN2018-064, respecting Part of Lot 14, Concession 7, being Part 3, 57R-6073, geographic Township of Fenelon, **Tow-All-Inc. c/o Lucas Lowell – Application D06-2018-019**, be received;

That Zoning By-Law Amendment application D06-2018-019 identified as 317 Ranchers Road, City of Kawartha Lakes, as generally outlined in Appendix C to Report PLAN2018-064, 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.

11.1.16 ENG2018-011 246 - 261

Engineering Policy Review Update

Juan Rojas, Director of Engineering and Corporate Assets

That Report ENG2018-011, **Engineering Policy Review Update**, be received;

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

063 EPW 001 Street Lighting Assumption Policy; and

That the following policies be updated as outlined in the respective attachments to Report ENG2018-011:

071 EPW 004 Pre-Servicing of Subdivision Lands (as per Appendix A)

077 EPW 005 Streetlight Warrant Policy (as per Appendix B)

115 EPW 008 Right of Way Widths (as per Appendix C)

123 EPW 009 Roadway Level of Service Policy - Maintenance Priority Classification System (as per Appendix D)

11.1.17 ENG2018-013 262 - 299

Site Plan Agreement Securities and Fees

Juan Rojas, Director of Engineering and Corporate Assets

That Report ENG2018-013, **Site Plan Agreement Securities and Fees**, be received;

That site plan securities for engineering related work on the private property not be required;

That the Development Application Approval Process User Fee be increased to 3.7%; and

That the Guide to the Site Plan Approval Process and the City's Fees and Charges By-law be amended to reflect these changes.

11.1.18 ENG2018-015 300 - 303

Airport 2018 Capital Budget Update

Juan Rojas, Director of Engineering and Corporate Assets

That Report ENG2018-015, **Airport 2018 Capital Budget Update**, be received;

That 2018 Capital Program AP1802 – Airport Facilities Program, be closed and \$10,000 allocated to this program be transferred to Capital Reserves; and

That 2018 Capital Program AP1801 – Airport Siteworks Program, be increased by \$10,000 for Minor Airside Improvements and be funded from Capital Reserve.

11.1.19 HS2018-002 304 - 306

Kawartha Lakes Health Care Initiative: Return of Service Incentive Repayment

Rod Sutherland, Director, Human Services

That Report HS2018-002, **Kawartha Lakes Health Care Initiative: Return of Service Incentive Repayment**, be received; and

That Kawartha Lakes Health Care Initiative retain the repaid Doctor recruitment incentive for the sole purpose of supporting upcoming recruitment incentives prior to further Doctor Recruitment Reserve funding being requested from the City.

11.2	Correspondence	
11.2.1	CC2018-15.11.2.1	307 - 307
	<p>Licensing Agreement for Boathouse at 22 Walnut Street, Fenelon Falls Daniel Mellen Candice Millroy</p> <p>That the June 5, 2018 e-mail correspondence from Daniel Mellen and Candice Millroy, regarding a Licensing Agreement for Boathouse at 22 Walnut Street, be received.</p>	
11.2.2	CC2018-15.11.2.2	308 - 308
	<p>Licensing Agreement for Boathouse at 781 Kenstone Beach Road, Bobcaygeon Pasquale Di Leo Lucia Di Leo</p> <p>That the July 5, 2018 correspondence from Pasquale and Lucia Di Leo, regarding a Licensing Agreement for Boathouse at 781 Kenstone Beach Road, Bobcaygeon, be received.</p>	
11.2.3	CC2018-15.11.2.3	309 - 311
	<p>Memo - Fence-Viewer Resignation Joel Watts, Deputy Clerk</p> <p>That the July 17, 2018 memorandum from Joel Watts, Deputy Clerk, regarding Fence-Viewer Resignation, be received;</p> <p>That the notice of resignation, dated June 29, 2018, of Fence-Viewer Charles Clarke, be received; and</p> <p>That a by-law to amend by-law 2015-024 be presented to Council for adoption to reflect the resignation, effective the date of the by-law adoption.</p>	
11.2.4	CC2018-15.11.2.4	312 - 313
	<p>Policy Update - AMO Stands with Canada and Ontario on NAFTA Andy Letham, Mayor</p>	

That the June 25, 2018 e-mail correspondence from the Association of Municipalities of Ontario (AMO), regarding Policy Update - AMO Stands with Canada and Ontario on NAFTA, be received;

11.2.5

CC2018-15.11.2.5

314 - 314

Request for Noise By-law Exemption

Alex Mitchell

That the June 19, 2018 e-mail correspondence from Alex Mitchell regarding a **Request for Noise By-law Exemption**, be received; and

That the exemption of the City's Noise By-law 2005-025, as amended, for the wedding event being held at 30 Regent Street, Lindsay, from 4:00 p.m. on August 25, 2018 to 1:00 a.m. on August 26, 2018, be approved.

11.2.6

CC2018-15.11.2.6

315 - 315

Request for Noise By-law Exemption

Russell Wilmot

Kaitlin Jubb

That the July 7, 2018 correspondence from Kaitlin Jubb and Russell Willmont regarding a **Request for Noise By-law Exemption**, be received; and

That the exemption of the City's Noise By-law 2005-025, as amended, for the wedding event being held at Shadow Lake Road 2, Cottage 44, from 3:00 p.m. on August 5, 2018 to 1:00 a.m. on August 6, 2018, be approved.

11.2.7

CC2018-15.11.2.7

316 - 316

Preserving Canada's Heritage: The Foundation for Tomorrow

Catherin McKenna, Minister of Environment and Climate Change

That the June 26, 2018 correspondence from Catherin McKenna, Minister of Environment and Climate Change, regarding **Preserving Canada's Heritage: The Foundation for Tomorrow**, be received.

11.3	Items Extracted from Consent	
12.	Committee of the Whole and Planning Committee Minutes	
12.1	CC2018-15.12.1	317 - 325
	Planning Advisory Committee Meeting Minutes of July 4, 2018	
	That the Minutes of the July 4, 2018 Planning Advisory Committee Meeting be received and the recommendations be adopted.	
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 15.1.12 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	CC2018-15.15.1.1	326 - 327
	A By-law to Delegate Authority for Decisions to the Chief Administrative Officer for Restricted Acts after Nomination Day in the City of Kawartha Lakes	
15.1.2	CC2018-15.15.1.2	328 - 331
	A By-law to Provide Tax Relief to Certain City of Kawartha Lakes Property Owners who are Low Income Elderly Persons, Low Income Persons Between the Ages of 55 And 64, Low Income Disabled Persons or Ontario Disability Support Program Recipients for the Year 2018	
15.1.3	CC2018-15.15.1.3	332 - 336
	A By-law to Provide Water Rate Relief to Certain City of Kawartha Lakes Property Owners who are Low Income Elderly Persons, Low Income Persons Between the Ages of 55 and 64, Low Income Disabled Persons or Ontario Disability Support Program Recipients	

15.1.4	CC2018-15.1.4	337 - 337
	A By-law to Amend By-law 2015-024, being A By-law to Appoint Fence-Viewers for the City of Kawartha Lakes	
15.1.5	CC2018-15.15.1.5	338 - 340
	A By-law to Designate 15 Cluxton Street, Kinmount in the City of Kawartha Lakes as being of Cultural Heritage Value and Interest	
15.1.6	CC2018-15.15.1.6	341 - 342
	A By-Law to Deem Part of a Plan of Subdivision, Previously Registered for Lands Within Kawartha Lakes, <u>Not</u> to be a Registered Plan of Subdivision in Accordance with the Planning Act, PIN 63269-0299 (Lt) and PIN 63269-0300 (LT), Described as Lot 3 and Lot 4, 57M-734, Geographic Township of Manvers, now City of Kawartha Lakes (File D30-2018-010, Report PLAN2018-059, respecting 13 and 17 Sandbourne Drive – 1590839 Ontario Inc)	
15.1.7	CC2018-15.15.1.7	343 - 347
	A By-Law to Amend the City of Kawartha Lakes Official Plan to Add a Special Provision to Land within the City Of Kawartha Lakes (File D06-2018-013, Report PLAN2018-057, respecting Part Lot 13, Concession 7, Geographic Township of Manvers, identified as 804 Highway 7A – Sutcliffe)	
15.1.8	CC2018-15.15.1.8	348 - 351
	A By-Law to Amend the Township of Manvers Zoning By-Law No. 87-06 to Rezone Land within the City Of Kawartha Lakes (File D06-2018-013, Reports PLAN2018-036 and PLAN2018-057, respecting Part Lot 13, Concession 7, geographic Township of Manvers, identified as 804 Highway 7A – Sutcliffe)	
15.1.9	CC2018-15.15.1.9	352 - 354
	A By-Law to Amend the Township of Ops Zoning By-Law No. 93-30 to Rezone Land within the City Of Kawartha Lakes (File D06-2018-001, Report PLAN2018-060, respecting East Half of Lot 22, Concession 57, Geographic Township of Ops, identified as 417 Fieldside Road)	

15.1.10	CC2018-15.15.1.10	355 - 355
	A By-law to Repeal By-law 2011-260, (as amended), being a By-Law to Govern Water and Wastewater Services	
15.1.11	CC2018-15.15.1.11	356 - 359
	A By-law to Set the Remuneration Level to be Paid to the Municipal Council in the City of Kawartha Lakes	
15.1.12	CC2018-15.15.1.12	360 - 365
	A By-law to Authorize An Application for Approval to Expropriate Land	
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	CC2018-15.19.1	366 - 366
	A By-law to Confirm the Proceedings of a Regular Meeting of Council, Tuesday, July 17, 2018	
20.	Adjournment	