

The Corporation of the City of Kawartha Lakes

Agenda

Regular Council Meeting

CC2019-01

Tuesday, January 15, 2019

Closed Session Commencing at 1:00 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 Ron Ashmore

Councillor Pat Dunn

Councillor Doug Elmslie

Councillor Patrick O'Reilly

Councillor Tracy Richardson

Councillor Kathleen Seymour-Fagan

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 CC2019-01.4.1
Closed Session Minutes, Regular Council Meeting of December 11, 2018
Municipal Act, 2001 s.239(2)(b)
 - 4.2 CORP2019-003
Bargaining Mandate - Professional Firefighters
Labour Relations or Employee Negotiations
Municipal Act, 2001 s.239(2)(d)
Liana Patterson, Manager, Human Resources
 - 4.3 ED2019-002
Re-appointment of Municipal Heritage Committee Members
Personal Matters About Identifiable Individuals
Municipal Act, 2001 s.239(2)(b)
Debra Soule, Economic Development Officer - Arts, Culture and Heritage
 - 4.4 EA2019-001
Appointments to Development Charges Task Force
Personal Matters About Identifiable Individuals
Municipal Act, 2001 s. 239(2)(b)
Adam Found, Manager of Corporate Assets
 - 4.5 CLK2019-001
Appointment of Municipal Livestock Predation Investigators and Valuers
Personal Matters About Identifiable Individuals
Municipal Act, 2001 s.239(2)(b)
Joel Watts, Deputy Clerk
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. **Council Minutes** 15 - 38
 - Regular Council Meeting Minutes - December 11, 2018**
 - Special Council Meeting Minutes - December 13, 2018**
 - That the Minutes of the December 11, 2018 Regular Council Meeting and the December 13, 2018 Special Council Meeting, be received and adopted.
- 10. **Committee of the Whole Minutes**
- 11. **Planning Advisory Committee Minutes**
- 12. **Deputations**
- 13. **Presentations**
 - 13.1 CC2019-01.13.1
 - Memorandum of Understanding (MOU) between the City of Kawartha Lakes and the Boys and Girls Clubs of Kawartha Lakes/Boys and Girls Clubs of Kawartha Lakes Foundation**
 - (Report CAO2019-001, Item 14.1.1 on the Agenda)**
 - Ron Taylor, Chief Administrative Officer
 - Scott Robertson, Executive Director, Boys and Girls Clubs of Kawartha Lakes
 - Dave Blackburn, President and Risk Management, Executive and Governance Committee

14. Consent Matters

That all of the proposed resolutions shown in Section 14.1 and 14.2 of the Agenda be approved and adopted by Council in the order that they appear on the agenda and sequentially numbered.

14.1 Reports

14.1.1 CAO2019-001

39 - 49

Memorandum of Understanding (MOU) between the City of Kawartha Lakes and the Boys and Girls Clubs of Kawartha Lakes/Boys and Girls Clubs of Kawartha Lakes Foundation

Ron Taylor, Chief Administrative Officer

That Report CAO2019-001, **Memorandum of Understanding (MOU) between the City of Kawartha Lakes and the Boys and Girls Clubs of Kawartha Lakes / Boys and Girls Clubs of Kawartha Lakes Foundation**, be received;

That the 2019 Memorandum of Understanding (MOU), as outlined in Appendix A to Report CAO2019-001, be approved; and

That the Mayor and Clerk be authorized to execute the 2019 Memorandum of Understanding (MOU) between the City of Kawartha Lakes and the Boys and Girls Clubs of Kawartha Lakes / Boys and Girls Clubs of Kawartha Lakes Foundation.

14.1.2 CAO2019-002

50 - 68

Private Recreational Cannabis Retail Storefronts

Ron Taylor, Chief Administrative Officer

Alix Scarr, Senior Licensing Officer

That Report CAO2019-002, **Private Recreational Cannabis Retail Storefronts**, be received; and

That the City of Kawartha Lakes opt-in to allow Private Recreational Cannabis Retail Storefronts to operate in the City of Kawartha Lakes.

14.1.3 CLK2019-002

69 - 73

2018 Municipal Election Accessibility Report

Cathie Ritchie, City Clerk

That Report CLK 2018-002, **2018 Municipal Election Accessibility Report**, be received.

- 14.1.4 CORP2019-001 74 - 76
- High Bill Adjustment – 88 Mary Street West, Lindsay**
Linda Liotti, Manager, Revenue and Taxation
- That** Report CORP2019-001, **High Bill Adjustment – 88 Mary Street West, Lindsay**, be received;
- That** Council approve the recommendation of the High Water Bill Appeal Committee and provide a credit of \$12,402.09, plus waive penalty and interest from the date of the meeting, to the account at 88 Mary Street West, Lindsay as a one-time exemption; and
- That** Staff review the policy with consideration to limiting consecutive estimate readings on utility accounts to two billing cycles.
- 14.1.5 CORP2019-002 77 - 79
- High Bill Adjustment – 4071 County Rd 121, Kinmount**
Linda Liotti, Manager, Revenue and Taxation
- That** Report CORP2019-002, **High Bill Adjustment – 4071 County Rd 121, Kinmount**, be received; and
- That** Council approve the recommendation of the High Water Bill Appeal Committee and provide a credit of \$1,067.49, plus waive penalty and interest from the date of this meeting, to the account at 4071 County Rd 121, Kinmount as a one-time exemption.
- 14.1.6 PUR2019-001 80 - 83
- 2018-98-CP Environmental Assessment for Second Fenelon Falls Area Crossing**
Linda Lee, Buyer
Martin Sadowski, Senior Engineering Technician
- That** Report PUR2019-001, **2018-98-CP – Environmental Assessment for Second Fenelon Falls Area Crossing**, be received;
- That** Dillion Consulting be selected for the award of 2018-98-CP Environmental Assessment for Second Fenelon Falls Area Crossing for the total quoted amount of \$228,369.00 plus HST;
- 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 Procurement Division be authorized to issue a Purchase Order.

14.1.7	ED2019-001	84 - 87
	<p>Proposed Designation of 41 Melbourne St. W, Lindsay, under Part IV of the Ontario Heritage Act as a Property of Cultural Heritage Value and Interest</p> <p>Debra Soule, Economic Development Officer – Arts, Culture and Heritage</p> <p>That Report ED2019-001, Proposed Designation of 41 Melbourne St. W, Lindsay under Part IV of the Ontario Heritage Act as a Property of Cultural Heritage Value and Interest, be received;</p> <p>That Council endorse the Municipal Heritage Committee’s recommendation to designate 41 Melbourne St. W. in Lindsay under Part IV of the Ontario Heritage Act as being of cultural heritage value and interest;</p> <p>That staff be authorized to proceed to designate the subject property under Part IV of the Ontario Heritage Act, including preparation and circulation of a Notice of Intention to Designate, and preparation of a designating by-law; and</p> <p>That the designating by-law be presented to Council for its consideration after the notification process has been completed.</p>	
14.1.8	EA2019-002	88 - 96
	<p>Revised Terms of Reference for Development Charges Task Force</p> <p>Adam Found, Manager of Corporate Assets</p> <p>That Report EA2019-002, Revised Terms of Reference for Development Charges Task Force, be received; and</p> <p>That the revised terms of reference, attached as Appendix A to Report EA2019-002, be adopted for the Development Charges Task Force.</p>	
14.1.9	WWW2019-001	97 - 113
	<p>Lindsay Water Pollution Control Plant Provincial Officer’s Order Number 1-JX6KE</p> <p>Amber Hayter, Supervisor, Water and Wastewater Operations</p> <p>That Report WWW2019-001, Lindsay Water Pollution Control Plant Provincial Officer’s Order Number 1-JX6KE, be received.</p>	

Agreement for the Kinmount Water System

Kayla Strackholder, Contract Coordinator

That Report WWW2019-002, **Agreement for the Kinmount Water System**, be received;

That the agreement between the Corporation of the City of Kawartha Lakes, Trent Lakes and Minden Hills for Cross Boundary Agreement, attached as Appendix A to Report WWW2019-002, be approved; and

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

Amendments to By-law 2014-255, Requirement to Connect to Municipal Services

Amber Hayter, Supervisor, Water and Wastewater Operations

That Report WWW2019-003, **Amendments to By-law 2014-255, Requirement to Connect to Municipal Services**, be received; and

That Section 2.01 of By-law 2014-255 be amended to read: "Subject to section 2.02 herein the owner of any Building as defined herein where such service or services have capacity, shall be responsible for the physical installation of a private sanitary lateral and/or private water service at the Owners expense and shall be responsible for the payment of all fees and charges payable to the Municipality for the installation and connection of a municipal sanitary lateral and/or water service in accordance with the provisions of this By-law and any and all by-laws governing connections to municipal drinking water systems and wastewater collection systems upon failure and/or the need for replacement of their existing private water supply and/or sewage/septic disposal system(s). For further explanation refer to Appendix 1: Connection Diagram."; and

That Section 2.02 of By-law 2014-255 be amended to read: "Subject to section 2.01, in the event that water and/or wastewater services become available after the date of passage of this By-law, persons described in section 2.01 shall connect their premises directly to the services in accordance with section 2.01 upon failure of their water and/or sewage/septic disposal system(s)."; and

That Section 2.03 by By-Law 2014-255 be amended to read: "Notwithstanding sections 2.01 and 2.02, in the event that:

2. the non-municipal source of potable water for a premises described in Section 2.01 or 2.02 is or may be contaminated or otherwise unsuitable for drinking water as determined by the Medical Officer of Health under the Health Protection and Promotion Act, R.S.O. 1990, c.H.7, as amended; or
3. the private sanitary sewage septic system servicing a premises described in Section 2.01 or 2.02 is or may contravene the Environmental Protection Act, R.S.O 1990, c.E.19 or the Building Code Act, 1992, S.O. 1992, c.23; then

the owner of the premises shall connect the premises to the services immediately.

That Section 2.04 of By-law 2014-255 be amended to read: “Any connection required to be made by an owner under this by-law shall be made as soon as reasonably possible following the failure of the existing private water and/or sewage/septic disposal system(s).”; and

That Section 2.05 of By-law 2014-255 be amended to read: “Any appeals or requests for exemptions from sections 2.01, 2.02, 2.03 and 2.04 of this By-law shall be forwarded to the High Water Bill Adjustment and Mandatory Service Connection Appeals Committee as per Section 24.00 of By-law 2018-039 “A By-Law to Regulate Water and Wastewater Services in the City of Kawartha Lakes”, as amended”; and

That Section 2.06 of By-law 2014-255 be amended to read: “Subject to section 2.01, 2.02 or 2.03 of this By-law any Owner of a Building on land that meet the requirements to connect to the municipal water and/or wastewater services shall be billed the Fixed Rate charges for water and/or wastewater as per the provisions of the By-law to Regulate Water and Wastewater Services in the City of Kawartha Lakes (By-law 2018-039, as amended) and the consolidated fees By-law 2018-234, as amended following three (3) months of the mailing of a notice to the Owner shown on the current tax roll.”; and

That Section 4.01 of By-law 2014-255 be amended to read: “If the Owner fails to make a connection required by the conditions set out in this By-law, the City may make the connection at the sole expense of the Owner and for this purpose may enter into and upon the property of the Owner in accordance with section 435 to 439 inclusive of the Municipal Act, 2001. Failure to connect within a reasonable time from failure shall constitute an offence.”; and

That the necessary amending By-law be brought forward for adoption.

High Water Bill Appeals Committee Terms of Reference Amendment

Amber Hayter, Supervisor, Water and Wastewater Operations

That Report WWW2019-004, **High Water Bill Appeals Committee Terms of Reference Amendment**, be received;

That the title of Section 24.00 of By-law 2018-039 be amended to read: "Section 24.00: High Water Bill Adjustment and Mandatory Service Connection Appeals Committee";

That Section 24.01 of By-law 2018-039 be amended to read: "**High Water Bill Adjustment and Mandatory Service Connection Appeals Committee:** A High Water Bill Adjustment and Mandatory Service Connection Appeals Committee is established to hear and rule on appeals pertaining to high water bill adjustments and the requirement for mandatory service connection (required by Sections 2.01, 2.02 and 2.03 of By-law 2014-255, as amended).";

That Section 24.02 of By-law 2018-039 be amended to read: "**Authority:** The High Water Bill Adjustment and Mandatory Service Connection Appeals Committee may recommend to Council approval of high water bill adjustments or exemptions from mandatory service connections without prejudice or precedent to any other similar matter.";

That Section 24.03 of By-law 2018-039 be amended to read: "**Composition and Appointment:** The High Water Bill Adjustment and Mandatory Service Connection Appeals Committee shall be comprised of three members of Council appointed by Council.";

That Section 24.04 of By-law 2018-039 be amended to read: "**Term:** The Term of the Appointment of the High Water Bill Adjustment and Mandatory Service Connection Appeals Committee shall be the same as the term of Council.";

That Section 24.05 of By-law 2018-039 be amended to read: "**Administration:** The High Water Bill Adjustment and Mandatory Service Connection 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.";

That Section 24.06 of By-law 2018-039 be amended to read: "**Governance:** The High Water Bill Adjustment and Mandatory Service Connection Appeals Committee shall be governed by the City's Procedural Water and Wastewater By-Law as amended from time to time by Council. With respect to Mandatory Service Connection

appeals, appeals/exemptions to requirements of Sections 2.01, 2.02 and 2.03 of By-law 2014-255 “A By-Law to Require Owners of Buildings to Connect Such Buildings to Drinking Water Systems and/or Wastewater Collection Systems in the City of Kawartha Lakes” (as amended), shall be considered by the Committee.”;

That the proposed terms of reference for the High Water Bill Adjustment and Mandatory Service Connection Appeals Committee, as outlined in Appendix C to Report WWW2019-004 be approved; and

That the necessary amending By-law be brought forward for adoption.

14.2 Correspondence

14.2.1 CC2019-01.14.2.1 221 - 221

Private Recreational Cannabis Retail Storefronts
Report CAO2019-002, Item 14.1.2 on the Agenda
Lindsay and District Chamber of Commerce
Bob Armstrong, President

That the December 17, 2018 correspondence from Bob Armstrong, President of the Lindsay and District Chamber of Commerce, regarding **Private Recreational Cannabis Retail Storefronts**, Report CAO2019-002, Item 14.1.2 on the Agenda, be received.

14.2.2 CC2019-01.14.2.2 222 - 222

Private Recreational Cannabis Retail Storefronts
Report CAO2019-002, Item 14.1.2 on the Agenda
Cannapiece Corporation
John Mutton, President and Chief Executive Officer

That the December 10, 2018 e-mail correspondence from John Mutton, President and CEO of Cannapiece Corporation, regarding **Private Recreational Cannabis Retail Storefronts**, Report CAO2019-002, Item 14.1.2 on the Agenda, be received.

14.2.3 CC2019-01.14.2.3 223 - 224

Private Recreational Cannabis Retail Storefronts
Report CAO2019-002, Item 14.1.2 on the Agenda
Haliburton, Kawartha, Pine Ridge District Health Unit
Lisa Kaldeway, Health Promoter

That the December 10, 2018 correspondence from Lisa Kaldeway, Health Promoter for the Haliburton, Kawartha, Pine Ridge District Health Unit, regarding **Private Recreational Cannabis Retail Storefronts**, Report CAO2019-002, Item 14.1.2 on the Agenda, be received.

14.2.4 CC2019-01.14.2.4 225 - 227

Private Recreational Cannabis Retail Storefronts
Report CAO2019-002, Item 14.1.2 on the Agenda
 Lindbrook Developments Inc.
 Wally Ciastko, President

That the December 10, 2018 correspondence from Wally Ciastko, President of Lindbrook Developments Inc., regarding **Private Recreational Cannabis Retail Storefronts**, Report CAO2019-002, Item 14.1.2 on the Agenda, be received.

14.2.5 CC2019-01.14.2.5 228 - 228

City of Kawartha Lakes Police Service Student Engagement
 Brian Button

That the correspondence from Brian Button, regarding **City of Kawartha Lakes Police Service Student Engagement**, be received and forwarded to the City of Kawartha Lakes Police Services Board.

14.2.6 CC2019-01.14.2.6 229 - 231

Memo - Speeding in School Pick-up and Drop-off Zones
 Pat Dunn, Councillor

That the memo from Councillor Pat Dunn dated January 15, 2019 and entitled, **Speeding in School Pick-up and Drop-off Zones**, be received;

That staff be directed to review the feasibility of reducing the speed limit from 80km/hr to 60km/hr between Snug Harbour Road and the Central East Correctional Facility on City Road 36 during school bus pick-up and drop-off times; and

That staff report back to Council no later than the end of the first quarter of 2019.

14.2.7 CC2019-01.14.2.7 232 - 232

Memo - Support for Canada's Energy Sector
 Ron Ashmore, Councillor

That the memo from Councillor Ron Ashmore dated January 7, 2019 and entitled, **Support for Canada's Energy Sector**, be received;

That, as completing critical pipeline infrastructure is vital to the whole country economically and environmentally, the Council of the City of Kawartha Lakes fully support the completion of these pipelines and the employment and tax revenue that it will give our country; and

That this resolution be circulated to the Prime Minister of Canada, Provincial Premiers and the Association of Municipalities of Ontario.

14.3 Items Extracted from Consent

15. **Petitions**

16. **Other or New Business**

17. **By-Laws**

That the By-Laws shown in Section 15.1 of the Agenda, namely: Items 17.1.1 to and including 17.1.11 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

17.1 By-Laws by Consent

17.1.1 CC2019-01.17.1.1 233 - 235

A By-law to Authorize Borrowing from Time to Time to Meet Current Expenditures During the Fiscal Year ending December 31, 2019 in the City of Kawartha Lakes

17.1.2 CC2019-01.17.1.2 236 - 237

A By-law to Appoint a Member of Council to the City of Kawartha Lakes Committee of Adjustment for 2019 and to Repeal By-law 2018-004

17.1.3 CC2019-01.17.1.3 238 - 239

A By-law to Repeal By-law 2010-100, as Amended, being A By-Law to Establish a Municipal Service Board to be Known as Kawartha Lakes Municipal Airport Board to Govern, Control, Operate and Manage the City's Provision of a Municipal Airport in the City of Kawartha Lakes

17.1.4	CC2019-01.17.1.4	240 - 241
	A By-law to Repeal By-law 2012-172, as Amended, being A By-Law to Provide Authority for Certain Officials to Sign and Execute Various Documents on Behalf of the Kawartha Lakes Airport Board	
17.1.5	CC2019-01.17.1.5	242 - 244
	A By-Law to Stop Up and Close Part of the Original Shore Road Allowance referenced as Talbot Street on Plan 15, Part of the west half of Lot 27, Concession 2, in the Geographic Township of Eldon, City of Kawartha Lakes, Designated as Part 2 on Plan 57R-9489 and Part 1 on 57R-10673, and to Authorize the Sale of the Land to the Abutting Owners	
17.1.6	CC2019-01.17.1.6	245 - 247
	A By-Law to Stop Up and Close Part of the Shore Road Allowance Along the Gull River, in the Geographic Township of Somerville, City of Kawartha Lakes, Designated as Part 1 on Plan 57R-10667, and to Authorize the Sale of the Land to the Abutting Owners	
17.1.7	CC2019-01.17.1.7	248 - 250
	A By-law to Amend By-law 2014-255, being Mandatory Connection By-Law	
17.1.8	CC2019-01.17.1.8	251 - 253
	A By-law to Amend By-law 2018-039, being A By-law to Regulate Water and Wastewater Services in the City of Kawartha Lakes	
17.1.9	CC2019-01.17.1.9	254 - 257
	A By-law to Designate the Sellen Log Cabin on Fire Route 52, Somerville, Concession Rd. 2, Fenelon Falls in the City of Kawartha Lakes as Being of Cultural Heritage Value and Interest	
17.1.10	CC2019-01.17.1.10	258 - 261
	A By-law to Designate 910 Hartley Road, Woodville, City of Kawartha Lakes as being of Cultural Heritage Value and Interest (Palestine Community Hall)	
17.2	By-Laws Extracted from Consent	
18.	Notice of Motion	

- 19. Closed Session (If Not Completed Prior to Open Session)
- 20. Matters from Closed Session
- 21. Confirming By-Law
 - 21.1 CC2019-01.21.1 262 - 262
 - A By-law to Confirm the Proceedings of a Regular Meeting of Council, Tuesday, January 15, 2019
- 22. Adjournment