

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

## **Amended Agenda**

### **Regular Council Meeting**

**CC2019-17**

**Tuesday, June 18, 2019**

**Open Session Commencing at 1:00 p.m.**

**Council Chambers**

**City Hall**

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

#### **Members:**

**Mayor Andy Letham**

**Deputy Mayor Doug Elmslie**

**Councillor Ron Ashmore**

**Councillor Pat Dunn**

**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**  
Adoption of Closed Session Agenda - see Item 19.
3. **Disclosure of Pecuniary Interest in Closed Session Items**  
Disclosure of Pecuniary Interest in Closed Session Items - see Item 19.
4. **Closed Session**  
Closed Session - see Item 19.
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**  
Matters from Closed Session - see Item 20.
9. **Council Minutes**
  - 9.1 CC2019-17.9.1

19 - 48

**Regular Council Meeting Minutes - May 21, 2019**  
**Special Council Meeting Minutes - May 28, 2019**

**That** the Minutes of the May 21, 2019 Regular Council Meeting and the May 28, 2019 Special Council Meeting, be received and adopted.



## **10. Presentations**

10.1 CC2019-17.10.1

### **2019 Accessibility Awareness Recognition Awards**

**Timed Appointment 1:00 p.m.**

Andy Letham, Mayor

Andrew Veale, Councillor

Members of the Kawartha Lakes Accessibility Advisory Committee

10.2 CC2019-17.10.2

### **Lindsay Nayoro Twinning Committee Presentation**

Takako Ito, Consul-General of Japan in Toronto

10.3 CC2019-17.10.3

### **Environmental Assessment Project Report for Mill Pond Bridge, Omeme**

Juan Rojas, Director of Engineering and Corporate Assets

David Bonsall, Vice-President and Manager, Structural Engineering,

D.M. Wills Associates Limited

(Item 14.1.1 on the Agenda)

## **11. Deputations**

\*11.1 CC2019-17.11.1

49 - 53

### **Mandatory Drinking Water Connection Requirement**

Paul Grassie

(Item 12.4.7 on the Agenda)

**That** the deputation of Paul Grassie, and supporting correspondence, regarding the Mandatory Drinking Water Requirement, be received.

\*11.2 CC2019-17.11.2

### **Shoreline Road Allowance Adjacent to 8 Black River Road, Dalton**

James Rogers

(Item 14.1.2 on the Agenda)

**That** the deputation of James Rogers, regarding the Shoreline Road Allowance Adjacent to 8 Black River Road, Dalton, be received.

## 12. Committee of the Whole

12.1 Correspondence Regarding Committee of the Whole Recommendations

12.2 Committee of the Whole Minutes

54 - 67

### **Committee of the Whole Meeting Minutes - June 4, 2019**

**That** the Minutes of the June 4, 2019 Committee of the Whole Meeting, be received and adopted.

12.3 Business Arising from Committee of the Whole Minutes

12.3.1 COW2019-127

**That** the deputation of Lorne George and Pat O'Neil regarding the **Condition of St. David Street** (Item 8.2.3 on the Agenda) and the related petition submitted, be received.

12.3.2 COW2019-128

**That** the memorandum from Councillor Dunn, regarding, **St. David Street**, be received;

**That** staff review St. David Street and prepare a report providing options for improvement by the end of Q3 2019; and

**That** St. David Street be immediately included in the 2019 Lifecycle Extension Program.

12.3.3 COW2019-129

**That** the presentation by Aaron Sloan, Manager of Municipal Law Enforcement, regarding a **Noise By-law Update**, be received.

12.3.4 COW2019-130

**That** the presentation by CAO Ron Taylor, Manager Hope Lee and Policy Planning Supervisor Leah Barrie, regarding **Affordable Housing**, be received.

12.3.5 COW2019-131

**That** the presentation by Lisa Oliveira of the Housing Services Corporation regarding the **Community Housing Master Plan**, be received.

- 12.3.6 COW2019-132
- That Report HH2019-006, From Housing Assets to Housing People Master Plan 2019-2041**, be received; and
- That** the Master Plan, substantially in the form as included as Appendix A to Report HH2019-006, be endorsed by Council and guide future work plans and budget submissions.
- 12.3.7 COW2019-133
- That** the presentation by Alix Scarr, Senior Licensing Officer, regarding **Short Term Rentals**, be received.
- 12.3.8 COW2019-134
- That** Report LIC2019-02, **Short Term Rental Update**, be received; and
- That** the implementation of Option #1 and Monitoring continue, as outlined in report LIC2018-005, to regulate short term rentals in Kawartha Lakes.
- 12.3.9 COW2019-135
- That** Report HH2019-007, **2018 Annual Housing & Homelessness Plan (HHP) Report**, be received for information.
- 12.3.10 COW2019-136
- That** Report MLE2019-004, **Agricultural Development Advisory Committee recommendations about the Removal of Soil, Topsoil, Placement of Fill, Alteration of Grade By-law 2018-214**, be received;
- That** the recommendations of the Agricultural Development Advisory Committee be received; and
- That** By-law 2018-214 being a By-law Regulating the Removal of Topsoil, Placement of Fill, and the Alteration of Grades be repealed and replaced by Appendix C to Report MLE2019-004.

12.3.11

COW2019-137

**That** Report CS2019-008, **Release of Fenelon Falls Legacy C.H.E.S.T. Funds**, be received;

**That** the Senior Citizens Club of Fenelon Falls be approved for funding in the amount of \$1309.09 with the allocation to come from the Fenelon Falls Legacy C.H.E.S.T. Reserve (3.24350);

**That** the Maryboro Lodge – The Fenelon Museum be approved for funding in the amount of \$10,000.00 with the allocation to come from the Fenelon Falls Legacy C.H.E.S.T. Reserve (3.24350); and

**That** Kawartha Works Community Co-operative Inc./Fenelon Live! be approved for funding in the amount of \$10,000.00 with the allocation to come from the Fenelon Falls Legacy C.H.E.S.T. Reserve (3.24350).

12.3.12

COW2019-138

**That** Report CS2019-010, **Lindsay Legacy C.H.E.S.T. Fund Grant Committee 2019 Work Plan**, be received; and

**That** the 2019 Lindsay Legacy C.H.E.S.T. Fund Grant Committee Work Plan be approved.

12.3.13

COW2019-139

**That** Report PRC2019-006, **Parks, Recreation and Culture Policy Update: Alcohol Management on Municipal Premises**, be received; and

**That** the revised Alcohol Management on Municipal Premises Policy appended to Report PRC2019-006, be adopted and numbered for inclusion in the City's Policy and Procedure Manual, replacing CP2018-004 and all predecessor versions.

12.3.14

COW2019-140

**That** Report ED2019-015, **Incubation Pilot Program Funding Support**, be received;

**That** the project titled Kawartha Lakes Innovation Cluster Pilot Project be approved for an application to the Kawartha Lakes Community Future Development Corporation with a total project costs of up to \$100,000.00 with the City's 50% contribution from the Economic Development Innovation Reserve; and

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

- 12.3.15 COW2019-141
- That** Report ED2019-016, **Trent-Severn Trail Towns**, be received;
- That** the City of Kawartha Lakes participate in the Trent-Severn Trail Towns program as per Appendix C to Report ED2019-016; and
- That** this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.
- 12.3.16 COW2019-142
- That** Report EA2019-009, **Strategic Asset Management Policy**, be received; and
- That** the proposed Strategic Asset Management Policy, attached as Appendix A to Report EA2019-009, be adopted.
- 12.3.17 COW2019-143
- That** the recommendations under Items 8.1.9 to and including 8.1.15 be brought forward to Council as printed for consideration at the next Regular Council Meeting.
- 12.4 Items Extracted from Committee of the Whole Minutes
- 12.4.1 CORP2019-012
- High Water Bill Adjustment/Mandatory Service Connection - 63 Victoria Ave N - Lindsay**  
Linda Liotti, Manager of Revenue and Taxation
- That** Report CORP2019-012, **High Water Bill Adjustment / Mandatory Service Connection for 63 Victoria Ave N - Lindsay**, be received; and
- That** Council approve the recommendation of the High Water Bill Adjustment / Mandatory Service Connection Appeal Committee and provide a credit of \$311.45 as a one-time exemption for the same property owner.
- 12.4.2 CORP2019-013
- High Water Bill Adjustment/Mandatory Service Connection - 330 Kent St W - Lindsay**  
Linda Liotti, Manager of Revenue and Taxation

**That Report CORP2019-013, High Water Bill Adjustment / Mandatory Service Connection for 330 Kent St W, Lindsay, be received; and**

**That Council approve the recommendation of the High Water Bill Adjustment / Mandatory Service Connection Appeals Committee and provide a credit of \$3,310.91 as a one-time exemption for the same commercial tenant.**

12.4.3 CORP2019-014

**High Water Bill Adjustment/Mandatory Service Connection - 58 Verna Dr- Little Britain**

Linda Liotti, Manager of Revenue and Taxation

**That Report CORP2019-014, High Water Bill Adjustment / Mandatory Service Connection for 58 Verna Dr, Little Britain, be received; and**

**That Council approve the recommendation of the High Water Bill Adjustment / Mandatory Service Connection Appeals Committee and provide a credit of \$58.02 as a one-time exemption for the same property owner.**

12.4.4 CORP2019-015

**High Water Bill Adjustment/Mandatory Service Connection - 229 Angeline St S - Lindsay**

Linda Liotti, Manager of Revenue and Taxation

**That Report CORP2019-015, High Water Bill Adjustment / Mandatory Service Connection for 229 Angeline St S - Lindsay, be received; and**

**That Council approve the recommendation of the High Water Bill Adjustment / Mandatory Service Connection Appeal Committee and provide a credit once three billing cycles have been billed to determine the average normalized consumption as a one-time exemption for the same property owners.**

12.4.5 CORP2019-018

**High Water Bill Adjustment/Mandatory Service Connection - 34 Sussex St S - Lindsay**

Linda Liotti, Manager of Revenue and Taxation

**That Report CORP2019-018, High Water Bill Adjustment / Mandatory Service Connection for 34 Sussex St S - Lindsay, be received; and**

**That Council approve the recommendation of the High Water Bill Adjustment / Mandatory Service Connection Appeals Committee and provide a credit of \$368.02 as a one-time exemption for the same property owners.**

12.4.6 CORP2019-019

**High Water Bill Adjustment/Mandatory Service Connection - 79 Bolton St – Bobcaygeon**

Linda Liotti, Manager of Revenue and Taxation

**That Report CORP2019-019, High Water Bill Adjustment / Mandatory Service Connection for 79 Bolton St, Bobcaygeon, be received; and**

**That Council approve the recommendation of the High Water Bill Adjustment / Mandatory Service Connection Appeals Committee and provide a credit of \$1,896.26 as a one-time exemption for the same property owner.**

12.4.7 CORP2019-020

**High Water Bill Adjustment/Mandatory Service Connection – 322 Highway 36 – Lindsay**

Linda Liotti, Manager of Revenue and Taxation

**That Report CORP2019-020, High Water Bill Adjustment/Mandatory Service Connection for 322 Highway 36 - Lindsay, be received.**

13. **Planning Advisory Committee**

13.1 Correspondence Regarding Planning Advisory Committee Recommendations

13.2 Planning Advisory Committee Minutes

68 - 78

**Planning Advisory Committee Meeting Minutes - June 5, 2019**

**That the Minutes of the June 5, 2019 Planning Advisory Committee Meeting be received and the recommendations, included in Section 13.3 of the Agenda, be adopted.**

13.3 Business Arising from Planning Advisory Committee Minutes

13.3.1 PAC2019-034

**That Report PLAN2019-032, Part of Lot 24, Concession 5, geographic Township of Ops and Part of Lot 3 and Block X, Plan 1, former Town of Lindsay, Applications D01-2019-001, D04-2019-001, D05-2019-001 and D06-2019-007 be received; and**

**That** Report PLAN 2019-032 respecting Applications D01-2019-001, D04-2019-001, D05-2019-001 and D06-2019-007 be referred back to staff to address any issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City departments, and that any comments and concerns have been addressed.

13.3.2 PAC2019-035

**That Report PLAN2019-033, respecting Part of Lot 22, Concession 3, geographic Township of Ops, and identified as 454 Colborne Street West – Application D06-2019-009, be received;**

**That** a Zoning By-law Amendment respecting application D06-2019-009, substantially in the form attached as Appendix D to Report PLAN2019-033, be approved and adopted by Council; and

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

13.3.3 PAC2019-036

**That Report PLAN2019-034, respecting Part of Lots 39-42, South of Portage Road, geographic Township of Eldon, and part of which is partially identified as 1561 Kirkfield Road – Application D06-2019-010, be received;**

**That** a Zoning By-law Amendment respecting application D06-2019-010, substantially in the form attached as Appendix D to Report PLAN2019-034, as amended to permit an Agricultural Exception zone in the southeast corner of the benefitting lot, to prohibit development of structures on that portion of the lot, be approved and adopted by Council; and

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



13.3.4

PAC2019-037

**That** Report PLAN2019-035, respecting **Part Lot 19, Concession 7, geographic Township of Mariposa, Application D06-2019-011**, be received;

**That** a Zoning By-law, respecting application D06-2019-011, substantially in the form attached as Appendix D to Report PLAN2019-035 be approved and adopted by Council;

**That** staff be directed to prepare a Garden Suite agreement pursuant to Section 39.1 of the Planning Act, respecting this application; and

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

13.3.5

PAC2019-038

**That** Report PLAN2019-011, **Part of Lots 9 and 10, Concession 2, Geographic Township of Ops, BATL Management Inc. – Application D06-17-011**, be received;

**That** the zoning by-law amendment respecting application D06-17-011, substantially in the form attached as Appendix C to Report PLAN2019-011, be approved and adopted by Council;

**That** in accordance with Section 34(17) of the Planning Act, Council having considered the change to the proposed Zoning By-law Amendment deems no further public notice to be necessary; and

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

13.3.6

PAC2019-039

**That** Report ENG2019-003, **Assumption of Lisbeth Crescent and Tina Court, Lindsay**, be received;

**That** the Assumption of Lisbeth Crescent and Tina Court, Lindsay, Rexton Subdivision – Phase 2, Geographic Town of Lindsay, City of Kawartha Lakes, be approved;

**That** an Assumption By-Law, substantially in the form attached as Appendix A to Report ENG2019-009 be approved and adopted by Council; and

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

13.4 Items Extracted from Planning Advisory Committee Minutes

**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 ENG2019-011 79 - 385

**Environmental Assessment Project Report for Mill Pond Bridge, Omemee**

Martin Sadowski, Senior Engineering Technician

**That** Report ENG2019-011, **Environmental Assessment Project Report for Mill Pond Bridge**, be received; and

**THAT** Council endorses the preferred solution and preferred design, identified as Option 3 (Reconstruct and maintain two-way (single lane) traffic flow and add a separate pedestrian walkway) as developed by D.M. Wills in the April 2019 Environmental Assessment Project Report for Mill Pond Bridge.

14.1.2 RS2019-023 386 - 399

**Shoreline Road Allowance adjacent to 8 Black River Road, Dalton**

Laura Carnochan, Law Clerk – Realty Services

**That** Report RS2019-023, **Shoreline Road Allowance adjacent to 8 Black River Road, Dalton**, be received.

14.1.3 CS2019-011 400 - 419

**Memorandum of Understanding with the Haliburton, Kawartha, Pine Ridge Health Unit for the Use of Municipal Facilities for Emergency Mass Health Protection Clinics**

Craig Shanks, Director of Community Services

**That Report CS2019-011, Memorandum of Understanding with the Haliburton, Kawartha, Pine Ridge District Health Unit for the Use of Municipal Facilities for Emergency Mass Health Protection Clinics, be received; and,**

**That the MOU's for use of the Fenelon Falls Community Centre and Victoria Park Armoury by the HKPRD Health Unit for the purpose of Emergency Mass Health Protection Clinics be approved for signature and authorization by the Mayor and Clerk.**

14.1.4 CS2019-012 420 - 436

**Kawartha Boys and Girls Club Funding Request for Splash Pad Water Utility**

Craig Shanks, Director of Community Services

**That Report CS2019-012, Kawartha Boys and Girls Club Funding Request for Splash Pad Water Utility, be received.**

14.1.5 PUR2019-021 437 - 439

**2019-48-OQ Leachate Hauling and Disposal Services for Eldon Landfill and Lindsay WPCP**

Linda Lee, Buyer

Kerri Snoddy, Regulatory Compliance Officer

**That Report PUR2019-021, 2019-48-OQ Leachate Hauling and Disposal Services for Eldon Landfill and Lindsay WPCP, be received;**

**That Shepherd Environmental Services be selected for the award of 2019-48-OQ Leachate Hauling and Disposal Services for Eldon Landfill and Lindsay WPCP for an estimated annual amount of \$213,850.00 plus HST. The initial term will be for a three year period from July 1, 2019 to June 30, 2022;**

**That pending successful completion of the initial term, staff be authorized to enter into contract for two (2), one (1) year optional terms;**

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

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

14.1.6	<p>PUR2019-022</p> <p><b>Request for Proposal 2019-51-CP Supply and Delivery of Five New Vans</b>  Marielle van Engelen, Buyer  Todd Bryant, Manager of Fleet and Transit Services</p> <p><b>That</b> Report PUR 2019-022, <b>Request for Proposal 2019-51-CP Supply and Delivery of Five New Vans</b>, be received;</p> <p><b>That</b> Manley Motors Limited, of Lindsay, Ontario being the highest scoring proponent, be selected for the award of Request for Proposal 2019-51-CP Supply and Delivery of Five New Vans with the addition of one (1) van at the unit price provided in the Proposal for a total of six vans; and</p> <p><b>That</b> subject to receipt of the required documents, that the Financial Services Division be authorized to issue a purchase order.</p>	440 - 442
14.1.7	<p>RD2019-002</p> <p><b>Unassumed Roads Winter Maintenance Fee for Service Review</b>  David Lembke, Manager Roads Operations</p> <p><b>That</b> Report RD2019-002, <b>Unassumed Roads Winter Maintenance Fee for Service Review</b>, be received.</p>	443 - 447
14.1.8	<p>WM2019-008</p> <p><b>Construction and Demolition Recycling Pilot Program</b>  David Kerr, Manager Environmental Services</p> <p><b>That</b> Report WM2019-008, <b>Construction and Demolition Recycling Pilot Results and Recommendations</b>, be received;</p> <p><b>That</b> Council approve an extension of the pilot to December 31, 2020 with an operating budget of \$155,000 in 2020; and</p> <p><b>That</b> Staff report back to Council on the success of the construction and demolition waste recycling pilot program by June 30, 2020 with future program recommendations and associated budget.</p>	448 - 453
14.1.9	<p>WWW2019-008</p> <p><b>Omemeew Sewage Lagoons Provincial Officer's Order 1-L4E0C</b>  Kayla Pantaleo, Contract Coordinator</p>	454 - 467

**That** Report WWW2019-008, **Omemeew Sewage Lagoons Provincial Officer's Order 1-L4E0C**, be received.

14.2 Correspondence

14.2.1 CC2019-17.14.2.1 468 - 468

**Request for Noise By-law Exemption**

Casey Johnson

**That** the May 23, 2019 e-mail correspondence from Casey Johnson 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 33 Mill Street, Lindsay, from 2:00 p.m. on June 22, 2019 to to 12:00 a.m. on June 23, 2019, be approved.

14.2.2 CC2019-17.14.2.2 469 - 469

**Request for Noise By-law Exemption**

**Capital Project 2019-31-CQ Peel and Russell Street Reconstruction**

Coco Paving

**That** the May 23, 2019 request from Coco Paving regarding a **Noise By-law Exemption**, be received; and

**That** the exemption of the City's Noise By-law 2005-025, as amended, for the reconstruction of Peel Street and Russell Street, from 6:00 a.m. to 7:00 a.m. daily until October 31, 2019, be approved.

14.2.3 CC2019-17.14.2.3 470 - 470

**Request for Noise By-law Exemption**

Charla Wallwork

**That** the May 5, 2019 correspondence from Charla Wallwork 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 255 Burnt River Road, Burnt River, on September 7, 2019 with an extension to 2:00 a.m. on September 8, 2019, 2019, be approved.

14.3 Items Extracted from Consent

<b>15.</b>	<b>Petitions</b>	
15.1	CC2019-17.15.1.1	471 - 477
	<b>Opposition to Erection of Stop Signs at Stinson's Bay Road and Graham Drive</b> Roy Woodward	
	<b>That</b> the petition received from Roy Woodward regarding <b>Opposition to Erection of Stop Signs at Stinson's Bay Road and Graham Drive</b> , be received.	
<b>16.</b>	<b>Other or New Business</b>	
<b>17.</b>	<b>By-Laws</b>	
	<b>That</b> the By-Laws shown in Section 15.1 of the Agenda, namely: Items 17.1.1 to and including 17.1.9 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	CC2019-17.17.1.1	478 - 480
	<b>A By-law to Stop Up and Close Part of the Road Allowance between Lots 54 and 55, Concession South of Portage Road, in the Geographic Township of Eldon, City of Kawartha Lakes, designated as Part 2 on Reference Plan 57R-9336, and to Authorize the Sale of the Land to the Abutting Owners</b>	
17.1.2	CC2019-17.17.1.2	481 - 483
	<b>A By-Law to Stop Up and Close Part of the Road Allowance in the Geographic Township of Manvers, City of Kawartha Lakes, Legally Described as Franklin Street and Fallis Street on Plan 9</b>	
17.1.3	CC2019-17.17.1.3	484 - 487
	<b>A By-law to Amend the Township of Ops Zoning By-law No. 93-30 to Rezone Land within the City Of Kawartha Lakes - BATL Management Inc.</b>	
17.1.4	CC2019-17.17.1.4	488 - 490
	<b>A By-Law To Amend The Township of Ops Zoning By-Law No. 93-30 To Rezone Land Within The City Of Kawartha Lakes - Jones</b>	

17.1.5	CC2019-17.17.1.5	491 - 493
	<b>A By-Law To Amend The Township of Mariposa Zoning By-Law No. 9407 To Rezone Land Within The City Of Kawartha Lakes - Arskey</b>	
17.1.6	CC2019-17.17.1.6	494 - 495
	<b>A By-law to Assume Lisbeth Crescent, Plan 57M-780 (PIN: 63236-0173), and associated Lisbeth Crescent 0.3 metre reserve at Adelaide Street, Plan 57M-780 (PIN: 63236-0116), Tina Court, Plan 57M-780 (PIN: 63236-0174), Geographic Town of Lindsay, The Corporation of the City of Kawartha Lakes</b>	
17.1.7	CC2019-17.17.1.7	496 - 497
	<b>A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes - Hope, J.</b>	
17.1.8	CC2019-17.17.1.8	498 - 530
	<b>A By-law To Repeal and Replace By-law 2018-214, Being a By-law Regulating the Removal of Topsoil, Placement of Fill, and the Alteration of Grades</b>	
17.1.9	CC2019-17.17.1.9	531 - 533
	<b>A By-law to Amend the Township of Eldon Zoning By-Law No. 94-14 to Rezone Land within the City of Kawartha Lakes - Victor Webster Farms Ltd. and Leach</b>	
17.2	By-Laws Extracted from Consent	
18.	Notice of Motion	
19.	Closed Session	
19.1	CC2019-17.4.1	
	<b>Closed Session Minutes, Regular Council Meeting of May 21, 2019 Municipal Act, 2001 s.239(2)(b)</b>	
19.2	RS2019-022	
	<b>Potential Land Sale - 581 Highway 36, Lindsay Acquisition or Disposition of Land Municipal Act, 2001 s.239(2)(c) Sharri Dyer, Manager of Realty Services</b>	

- 19.3            CORP2019-022
- Bargaining Update - Victoria Manor Unions  
Labour Relations or Employee Negotiations  
Municipal Act, 2001 s.239(2)(d)  
Liana Patterson, Manager of Human Resources**
- 19.4            PLAN2019-037
- 2018 Environmental Youth Hero of the Year Award  
Personal Matters About Identifiable Individuals  
Municipal Act, 2001 s,239(2)(b)  
Richard Holy, Manager of Planning**
20.            **Matters from Closed Session**
21.            **Confirming By-Law**
- 21.1            CC2019-17.21.1 534 - 534
- A By-law to Confirm the Proceedings of a Regular Meeting of Council,  
Tuesday, June 18, 2019**
22.            **Adjournment**



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

## **Minutes**

### **Regular Council Meeting**

**CC2019-14**

**Tuesday, May 21, 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**

**Deputy Mayor Doug Elmslie**

**Councillor Ron Ashmore**

**Councillor Pat Dunn**

**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**

Mayor Letham called the Meeting to order at 1:00 p.m. Deputy Mayor D. Elmslie and Councillors R. Ashmore, P. Dunn, P. O'Reilly, T. Richardson, K. Seymour-Fagan, A. Veale and E. Yeo were in attendance.

CAO R. Taylor, Deputy Clerk J. Watts, Director C. Marshall, Director B. Robinson and Director C. Shanks were also in attendance.

**2. Adoption of Closed Session Agenda**

**CR2019-301**

**Moved By** Councillor Yeo

**Seconded By** Councillor Dunn

**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 disclosed.

**4. Closed Session**

**CR2019-302**

**Moved By** Councillor Veale

**Seconded By** Deputy Mayor Elmslie

**That** Council convene into closed session at 1:00 p.m. in order to consider matters on the Tuesday, May 21, 2019 Closed Session Agenda and that are permitted to be discussed in a session closed to the public pursuant to Section 239(2)(b) of the Municipal Act, S.O. 2001. S.25.

**Carried**

**5. Opening Ceremonies**

**5.1 Call Open Session to Order**

Mayor Letham called the Meeting to order at 2:00 p.m. Deputy Mayor D. Elmslie and Councillors R. Ashmore, P. Dunn, P. O'Reilly, T. Richardson, K. Seymour-Fagan, A. Veale and E. Yeo were in attendance.

CAO R. Taylor, Deputy Clerk J. Watts, Administrative Assistant S. O'Connell, City Solicitor R. Carlson, Directors C. Marshall, B. Robinson, J. Rojas, C. Shanks, J. Stover, R. Sutherland were also in attendance.

5.2 O Canada

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

5.3 Moment of Silent Reflection

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

5.4 Adoption of Open Session Agenda

**CR2019-310**

**Moved By** Councillor Seymour-Fagan

**Seconded By** Deputy Mayor Elmslie

**That** the Agenda for the Open Session of the Regular Council Meeting of Tuesday, May 21, 2019, be adopted as circulated and with the following amendments:

Additions:

Item 10.3

**Boys and Girls Clubs of Kawartha Lakes Water Park Construction**

Amy Terrill, Executive Director, Boys and Girls Clubs of Kawartha Lakes

Rob Cyr, Manager Community Services, Boys and Girls Clubs of Kawartha Lakes

Item 10.4

**Encouraging Agri-Tourism Across City Divisions**

Dromoland Orchard and Stables

Michael Bryant

**Carried**

**6. Disclosure of Pecuniary Interest**

There were no declarations of pecuniary interest disclosed.

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

7.1 Council

Deputy Mayor Elmslie:

- Wool and Fabric Day will be held at the Maryboro Lodge and the Fenelon Falls Community Centre on June 8th.

Councillor Ashmore:

- The Friends of the Dunsford Library Speaker Series continues to be held and on May 21st Verna Thurston will speak about the history of Dunsford.
- Dr. Satvir Sahans will be joining the Omemee Medical Centre on August 1st. Dr. Sahans was recruited through the Kawartha Lakes Healthcare Initiative.
- The 9th Annual Omemee Walk for Dog Guides will be held on May 25th. The event will include a 4.5 kilometer walk through Omemee and along the Trans Canada Trail.
- Mayor Letham will host an information session at the Coronation Hall in Omemee on June 5th beginning at 7 a.m.
- The Omemee District Lionness Club will celebrate their 40th anniversary on June 8th.

Councillor O'Reilly:

- The Spring Classic Quarter Horse Show was held at the Lindsay Exhibition (LEX) on May 18th and May 19th. There were over 250 horses from Ontario, Quebec, Nova Scotia and the Northern US at the event.
- The Mayor is hosting his Town Hall Meetings featuring ten ways the Kawartha Lakes is moving ahead. A Town Hall Meeting will be held at the Lindsay Recreation Complex on May 28th from 7:00 to 8:30 p.m.
- Al Hussey opened a second e-bike business, Pedego Electric Bikes, in Lindsay on May 16th.
- The Pie Eyed Monk Brewery hosted its official Grand Opening on May 21st.
- Wards Lawyer LLP will be hosting a Road Hockey Tournament on May 26th on Kent Street in Lindsay. There will be over 250 children participating in the event.
- The Kawartha Antique Power Association will be hosting their annual show on June 15th and 16th at the LEX. The event will feature Massey Harris products.

7.2 Staff

**8. Matters from Closed Session**

**Item 4.2**

**CR2019-311**

**Moved By** Councillor Veale

**Seconded By** Deputy Mayor Elmslie

**That** David Butt, Jim Fulton, Ralph MacEachern, Jim Oriotis, Peter Peeters, Cameron Reeds and Tony Sutcliffe be appointed as Fence-Viewers for the City of Kawartha Lakes for a four-year term, ending December 31, 2022; and

**That** a by-law, including a Fence Viewer Code of Conduct, to approve and implement these appointments be forwarded to Council for adoption.

**Carried**

**Item 4.3**

**CR2019-312**

**Moved By** Councillor Veale

**Seconded By** Councillor Richardson

**That** the Accessibility Awareness Recognition Awards be presented to the (9) nine 2019 Recipients during the Council meeting scheduled for Tuesday, June 18, 2019:

- Outstanding Contribution - Business:
  - Appleseed Quiltworks
- Outstanding Contribution – Individual:
  - Margaret Downing
- Outstanding Contribution - Community Groups:
  - Community Care City of Kawartha Lakes
  - Rotary Club of Lindsay – Adults with Disabilities Committee
- Outstanding Contribution - City of Kawartha Lakes Employee or Team
  - Communications, Advertising and Marketing Division
  - Brenda Stonehouse
- Outstanding New Build or Modification
  - The Pie Eyed Monk Brewery
  - Kawartha Conservation – Ken Reid Conservation Area
- Barbara McArthur Award of Distinction:
  - Stephen Strangway

**Carried**

**Item 4.4**

**CR2019-313**

**Moved By** Deputy Mayor Elmslie

**Seconded By** Councillor Seymour-Fagan

**That** the following members of the public be appointed to the Bobcaygeon Legacy C.H.E.S.T. Fund Grant Committee each for a four year term ending December 31, 2022:

- Dan Jackson
- Adam Blacklock; and
- Ellen Roberts.

**Carried**

**Item 4.5**

**CR2019-314**

**Moved By** Councillor Richardson

**Seconded By** Councillor Seymour-Fagan

**That** Richard Fedy and John Bush be awarded the 2018 Environmental Hero of the Year Award for the City of Kawartha Lakes; and

**That** the Mayor and Pat Warren, CKLEAC Chair, present the 2018 Environmental Hero of the Year Award at the June 4, 2019 Committee of the Whole Meeting on behalf of the City.

**Carried**

**Item 4.6**

**CR2019-315**

**Moved By** Councillor Veale

**Seconded By** Deputy Mayor Elmslie

**That** the following members representing public interest groups, being Rob Bonis, Randy Burke and Eugene McDonald; and the following members of the public, being Craig Jackson, Steve Strathdee and Donna Tamblyn, be appointed to the City of Kawartha Lakes Rural Zoning By-law Consolidation and Update Task Force (Rural Zoning By-law Task Force) for a term commencing May 27, 2019 and expiring upon final recommendation to Council/Staff and prior to December 21, 2021.

**Carried**

**9. Council Minutes**

9.1 CC2019-14.9.1

**Regular Council Meeting Minutes - April 23, 2019**

**CR2019-316**

**Moved By** Councillor O'Reilly

**Seconded By** Deputy Mayor Elmslie

**That** the Minutes of the April 23, 2019 Regular Council Meeting, be received and adopted.

A recorded vote was requested by Councillor Ashmore.

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Absent</b>
Mayor Letham	X		
Deputy Mayor Elmslie	X		
Councillor Ashmore		X	
Councillor Dunn	X		
Councillor O'Reilly	X		
Councillor Richardson	X		
Councillor Seymour-Fagan	X		
Councillor Veale	X		
Councillor Yeo	X		
<b>Results</b>	<b>8</b>	<b>1</b>	<b>0</b>

**Carried**

**10. Deputations**

10.1 CC2019-14.10.1

**Lindsay Agricultural Society Lindsay Exhibition (LEX) Grounds**

Harry Stoddart

Len Dawson

Harry Stoddart and Len Dawson presented the 2018-2023 Strategic Plan for the Lindsay Agricultural Society and the Lindsay Exhibition (LEX) Grounds. Mr.

Stoddart and Mr. Dawson advised that the Strategic Plan lays the foundation for the Society for the next five (5) years and highlighted the connection that the LEX has with the local community.

**CR2019-317**

**Moved By** Councillor O'Reilly

**Seconded By** Councillor Dunn

**That** the deputation of Harry Stoddart and Len Dawson, regarding the Lindsay Agricultural Society Lindsay Exhibition (LEX) Grounds, be received.

**Carried**

10.2 CC2019-14.10.2

**Ontario Waterpower Champions Charter and Waterpower Day**

Stephanie Landers, Manager, Community Relations and Public Outreach,  
Ontario Waterpower Association

Stephanie Landers provided an overview of waterpower sites province wide and introduced the Waterpower Champions Charter. Ms. Landers reviewed the waterpower sites that are located in the City of Kawartha Lakes and requested that the City consider signing the Waterpower Champions Charter.

**CR2019-318**

**Moved By** Councillor Dunn

**Seconded By** Councillor Yeo

**That** the deputation of Stephanie Landers, Manager, Community Relations and Public Outreach, Ontario Waterpower Association, regarding Ontario Waterpower Champions Charter and Waterpower Day, be received.

**Carried**

**CR2019-319**

**Moved By** Councillor Yeo

**Seconded By** Deputy Mayor Elmslie

**That** the Mayor and Clerk be authorized to sign in support of the Waterpower Champions Charter, from the Ontario Waterpower Association, on behalf of the Corporation of the City of Kawartha Lakes.

**Carried**



10.3 CC2019-14.10.3

**Boys and Girls Clubs of Kawartha Lakes Water Park Construction** (Item 12.3.10 on the Agenda)

Amy Terrill, Executive Director, Boys and Girls Clubs of Kawartha Lakes  
Rob Cyr, Manager Community Services, Boys and Girls Clubs of Kawartha Lakes

Amy Terrill and Rob Cyr provided an overview of the water park that will be constructed at the Boys and Girls Club in Lindsay and the impact the site will have on the surrounding community. Ms. Terrill and Mr. Cyr reviewed the anticipated operating costs for the facility and how a \$15,000.00 contribution from the City will allow them to extend their operating hours.

**CR2019-320**

**Moved By** Councillor O'Reilly

**Seconded By** Councillor Richardson

**That** the deputation of Amy Terrill, Executive Director, Boys and Girls Clubs of Kawartha Lakes, and Rob Cyr, Manager Community Services, Boys and Girls Clubs of Kawartha Lakes, regarding the Boys and Girls Club Water Park Construction, be received.

**Carried**

10.4 CC2019-14.10.4

**Encouraging Agri-Tourism Across City Divisions**

Dromoland Orchard and Stables  
Michael Bryant

Michael Bryant, of Dromoland Orchard and Stables, asked that the City reinforce that they are open for business with regard to small businesses, including his own.

**CR2019-321**

**Moved By** Councillor Veale

**Seconded By** Councillor Richardson

**That** the deputation of Michael Bryant, of Dromoland Orchard and Stables, regarding Encouraging Agri-Tourism Across City Divisions, be received.

**Carried**

**11. Presentations**

**12. Committee of the Whole**

**12.1 Correspondence Regarding Committee of the Whole Recommendations**

**12.1.1 CC2019-14.12.1.1**

**Encouraging Entrepreneurial Agri-Tourism Across City Divisions -  
Supporting Documents Relating to May 7, 2019 Deputation to Council**  
(Committee of the Whole Recommendation CW2019-107, Item 12.3.1 on the  
Agenda)

Dromoland Orchard and Stables  
Michael Bryant

**CR2019-322**

**Moved By** Deputy Mayor Elmslie

**Seconded By** Councillor O'Reilly

**That** the supporting documents relating to the May 7, 2019 deputation to Council  
by Michael Bryant of Dromoland Orchard and Stables, regarding **Encouraging  
Entrepreneurial Agri-Tourism Across City Divisions**, be received.

**Carried**

**12.2 Committee of the Whole Minutes - May 7, 2019**

The following Items were requested to be extracted:

Item 12.3.8 - Councillor Seymour-Fagan

Item 12.3.10 - Councillor Ashmore

**CR2019-323**

**Moved By** Councillor Yeo

**Seconded By** Councillor Seymour-Fagan

**That** the Minutes of the May 7, 2019 Committee of the Whole Meeting be  
received and the recommendations, included in Section 12.3 of the Agenda, save  
and except for items 12.3.8 and 12.3.10, be adopted.

**Carried**

**12.3 Business Arising from Committee of the Whole Minutes of May 7, 2019**

**12.3.1 CW2019-107**

**That** the deputation of Michael Bryant and Pauline Kiely, of Dromoland Orchard  
and Stables, regarding encouraging entrepreneurial agri-tourism across city  
divisions, be received.

**Carried**

12.3.2 CW2019-108

**That** the deputation of Jeremy Lamperd, regarding opposition to events at Dromoland Orchard and Stables, be received.

**Carried**

12.3.3 CW2019-109

**That** the presentation by Dan Marinigh, CAO/Secretary-Treasurer for Otonabee Region Conservation Authority, regarding the Otonabee Region Conservation Authority Update, be received.

**Carried**

12.3.4 CW2019-110

**That** the presentation by Ron Taylor, CAO, Brenda Stonehouse, Strategy and Performance Specialist, and Denise Williams, Strategy and Performance Specialist, regarding the Office of Strategy Management Program Update, be received.

**Carried**

12.3.5 CW2019-111

**That** Report CORP2019-011, **2018 Q4 Capital Close**, be received;

**That** the capital projects identified in Attachment A to Report CORP2018-011 be approved to be closed due to completion;

**That** the balances in the table below as per Attachment A be transferred to or from the corresponding reserves;

**That** project 928170201 – Transit Scheduling System be reopened and an additional \$12,486.89 from Gas Tax Reserve be allocated to 928170201 – Transit Scheduling System to fund the project deficit and bring the balance to zero; expenses that were incorrectly allocated to operating;

**That** project 953100101 – Bobcaygeon Library Expansion be reopened to allow a refund in the amount of \$15,002.31 from the cancelled project to be returned to Capital Reserves;

**That** project 953180102 – City Hall HVAC be reclassified as a multi-year project with a closing date of December 31, 2021;

**That** project 953190102 – City Hall HVAC be closed and the remaining budget of \$619,268.02 and expenses of \$731.98 be transferred to 953180102 – City Hall HVAC;

**That** project 953190104 – City Hall Lighting Systems be closed and the remaining budget of \$99,268.02 and expenses of \$731.98 be transferred to 953180102 – City Hall HVAC;

**That** project 953190103 – City Hall Council Chambers and Victoria Room be closed and the budget of \$38,000.00 be transferred to 953180109 – City Hall Council Chambers and Victoria Room;

**That** the following projects be granted an extension to June 30, 2019:

- 928170401 – Upgrade/Replace Client Hardware
- 932170201 – Bethany Fire Station Replacement
- 932170901 – Bunker Gear
- 953170200 – Building Services
- 983150600 – Urban/Rural Reconstruction Project
- 998151201 – Lindsay WPCP Upgrades
- 998152200 – Glenelg St E – Watermain Design & Replacement

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

- 928171901 – Purchase Parks & Recreation Software
- 932172201 – Coboconk Fire Hall Upgrades
- 983160600 – Urban/Rural Reconstruction Project
- 983170100 – Bridge Program
- 983170300 – Urban/Rural Reconstruction Project
- 983170800 – Road Restoration for WWW Projects
- 983171101 – Traffic Signals
- 983180100 – Bridge Program
- 983180300 – Urban/Rural Reconstruction Program
- 998160201 – Water Operations Monitor System

- 998160501 – Pinewood Production Well
- 998160800 – Fenelon falls Watermain Upgrades
- 998161100 – Peel/York Street Watermain Design
- 998161501 – Wastewater Operation Monitoring Systems
- 998170100 – Watermain Replacement Program
- 998170300 – Water Distribution & WW Collection Program
- 998170601 – Fenelon Falls Water Treatment Plant Upgrades
- 997130801 – Eldon Landfill Siteworks
- 997141000 – Landfills, Cell Construction

**That** the following projects be granted an extension to December 31, 2020:

- 932130701 – Paramedics Central Training Facility
- 998151701 – Colborne St SPS Upgrades
- 998161701 – Lindsay WPCP Upgrades
- 998170500 – Wastewater Treatment Program
- 987180100 – Airport Siteworks

**That** \$1,700.00 of surpluses left in C0198 and C0161 from unpayable holdbacks be transferred to the Capital Reserves; and

**That** \$14,253.60 of surplus left in WW1424 from holdbacks being held for deficiencies be transferred to the Water Infrastructure Reserve.

**Carried**

#### 12.3.6 CW2019-112

**That** Report ED2019-014, **Agricultural Development Advisory Committee 2019 Work Plan**, be received; and

**That** the 2019 Agricultural Development Advisory Committee Work Plan, as outlined in Appendix B to Report ED2019-014, be approved.

**Carried**

12.3.7 CW2019-113

**That** Report PLAN2019-029, **Metrolinx Telecommunication Facility Agreement – D44-17-001**, be received for information; and

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

**Carried**

12.3.9 CW2019-115

**That** the May 7, 2019 memorandum from Councillor Seymour-Fagan regarding a **Styrofoam Ban**, be received;

**That** staff review the feasibility of banning Styrofoam and Single Use Plastics from the City of Kawartha Lakes, in consultation with the Waste Management Advisory Committee and local Chambers of Commerce; and

**That** staff provide a report to Council by the end of Q4 2019 with a summary of the feasibility review for banning the use of Styrofoam and Single Use Plastics and/or the effective management of Styrofoam and Single Use Plastics as waste products.

**Carried**

12.4 Items Extracted from Committee of the Whole Minutes of May 7, 2019

12.3.8 CW2019-114

**CR2019-324**

**Moved By** Councillor Seymour-Fagan

**Seconded By** Councillor Dunn

**That** Report ENG2019-010, **Consolidated Stop Control Review on Various Roads**, be received;

**That** an all-way stop with flashing beacons be installed at the intersection of Sturgeon Road and Peace Road;

**That** an all-way stop be installed at the intersection of Francis Street East and Concession Road;

**That** an all-way stop be installed at the intersection of Quaker Road and Taylor's Road;

**That** an all-way stop be installed at the intersection of Quaker Road and Eden Road;

**That** an all-way stop be installed at the intersection of Summer Drive and Ball Point Road;

**That** a stop control be installed on the west approach of Champlain Boulevard at Springdale Drive;

**That** a stop control be installed on Strawberry Street at Naylor Road;

**That** a stop control be installed on Lyles Line at Devitt's Road;

**That** the necessary By-laws for the above recommendations be forwarded to council for adoption; and

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

**Carried**

**CR2019-325**

**Moved By** Councillor Seymour-Fagan

**Seconded By** Deputy Mayor Elmslie

**That** staff provide a report to council by the end of June, 2019 with an overview of the proposed installation of an all-way stop at the intersection of Stinson's Bay Road and Graham Drive.

**Carried**

12.3.10 CW2019-116

**CR2019-326**

**Moved By** Councillor Dunn

**Seconded By** Councillor Seymour-Fagan

**That** the May 2, 2019 correspondence from Amy Terrill, Executive Director, Boys and Girls Clubs of Kawartha Lakes, regarding the Boys and Girls Clubs of Kawartha Lakes Water Park Construction, be received; and

**That** staff provide a report by the end of June/July, 2019 to outline the funding options that are available for a potential \$15,000.00 contribution to the operation of the Water Park at the Boys and Girls Club of Kawartha Lakes.

**Carried**

12.5 Committee of the Whole Minutes - May 9, 2019

**CR2019-327**

**Moved By** Councillor Yeo

**Seconded By** Councillor Richardson

**That** the Minutes of the May 9, 2019 Committee of the Whole Meeting be received and the recommendations, included in Section 12.6 of the Agenda, be adopted.

**Carried**

12.6 Business Arising from Committee of the Whole Minutes of May 9, 2019

12.6.1 CW2019-119

**That** the presentation by Craig Shanks, regarding the Arena Capital Plan, be received.

**Carried**

12.6.2 CW2019-120

**That** the presentation by Councillor Richardson, regarding the Manvers Arena User Group Update, be received.

**Carried**

12.6.3 CW2019-121

**That** the deputation of George Davidson, regarding Report PRC2019-005, be received.

**Carried**

12.6.4 CW2019-122

**That** the deputation of Art Field, regarding Report PRC2019-005, be received.

**Carried**

12.6.5 CW2019-123

**That** the deputation of Ian Nicolson, regarding Report PRC2019-005, be received.

**Carried**



12.6.6 CW2019-124

**That** Report PRC2019-005, **Arena Capital Plan Update**, be received;

**That** Council direct staff to plan and budget accordingly for the continued operations of the Oakwood, Little Britain and Emily-Omemee arena facilities for the current 10-Year Financial Plan;

**That** Council direct staff to plan for a new single pad arena build in the Village of Omemee and budget accordingly for inclusion in the next 10 year financial planning cycle (2028-2037); and

**That** Council direct staff to plan for a new arena complex in the South West Area for inclusion in the next 10 year financial planning cycle (2028-2037).

**Carried**

12.7 Items Extracted from Committee of the Whole Minutes of May 9, 2019

**13. Planning Advisory Committee**

13.1 Correspondence Regarding Planning Advisory Committee Recommendations

13.2 Planning Advisory Committee Minutes

**Planning Advisory Committee Meeting Minutes - May 1, 2019**

**CR2019-328**

**Moved By** Councillor O'Reilly

**Seconded By** Councillor Veale

**That** the Minutes of the May 1, 2019 Planning Advisory Committee Meeting be received and the recommendations, included in Section 13.3 of the Agenda, be adopted.

**Carried**

13.3 Business Arising from Planning Advisory Committee Minutes

13.3.1 PAC2019-030

**That** Report PLAN2019-024, respecting **Lots 1-6 North of Kent Street, West of St. David Street, Plan 15P, former Town of Lindsay, City of Kawartha Lakes, identified as 3 St. David Street and 4 Riverview Road – Planning File D06-2019-001**, be received; and

**That** Zoning By-law Amendment application D06-2019-001 be referred back to staff to address issues raised through the public consultation process and for

further review and processing until such time as all comments have been received from all circulated Agencies and City Departments and that any comments and concerns have been addressed.

**Carried**

13.3.2 PAC2019-031

**That** Report PLAN2019-025, respecting **22 Bayview Lane and Part of 1266 North Bay Drive, Geographic Township of Bexley; Application No. D06-2019-008**, be received; and

**That** Zoning By-law Amendment respecting application D06-2019-008, be referred back to staff for further review and processing until such time that all comments have been received from all circulated City Department and Agencies, including comments for the related consent applications and any potential concerns or issues have been addressed.

**Carried**

13.4 Items Extracted from Planning Advisory Committee Minutes

**14. Consent Matters**

**Moved By** Deputy Mayor Elmslie  
**Seconded By** Councillor Veale

**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.

**Carried**

14.1 Reports

14.1.1 CS2019-009

**Release of Fenelon Falls Legacy C.H.E.S.T. Funds to Kawartha Heritage**  
LeAnn Donnelly, Executive Assistant, Community Services

**CR2019-329**

**That** Report CS2019-009, **Release of Fenelon Falls Legacy C.H.E.S.T. Funds to Kawartha Heritage**, be received; and

**That** Kawartha Heritage be approved for funding in the amount of \$2,000.00 with the allocation to come from the Fenelon Falls Legacy C.H.E.S.T. Reserve (3.24350).

**Carried**

14.1.2 PUR2019-017

**Request for Proposal 2019-37-CP Supply and Delivery of One New, Non-current or Used Grader**

Marielle van Engelen, Buyer

Todd Bryant, Manager of Fleet and Transit Services

**CR2019-330**

**That** Report PUR 2019-017, **Request for Proposal 2019-37-CP Supply and Delivery of One New, Non-Current or Used Grader**, be received;

**That** Nortrax Canada Inc.'s Proposal A with optional equipment, being the highest scoring submission, be selected for the award of Request for Proposal 2019-37-CP Supply and Delivery of One New, Non-Current or Used Grader;

**That** project 994190302 – Graders (1) be increased by \$13,025, being funded from the Public Works Fleet Reserve; and

**That** subject to receipt of the required documents, that the Financial Services division be authorized to issue a purchase order.

**Carried**

14.1.3 PUR2019-018

**Request for Proposal 2019-49-CP Supply and Delivery of a Brushing Attachment**

Launa Macey, Supervisor of Financial Services

Todd Bryant, Manager of Fleet and Transit Services

**CR2019-331**

**That** Report PUR 2019-018, **Request for Proposal 2019-49-CP Supply and Delivery of a Brushing Attachment**, be received;

**That** Colvoy Enterprises 2012 Ltd. of Brantford being the highest scoring proponent, be selected for the award of Request for Proposal 2019-49-CP Supply and Delivery of a Brushing Attachment; and

**That** subject to receipt of the required documents, that the Financial Services division be authorized to issue a purchase order.

**Carried**

14.1.4 PLAN2019-030

**A By-law to Deem Block A, Registered Plan 70, 31 Main Street, former Village of Bobcaygeon (Rasmussen) – Planning File D30-2019-003**

David Harding, Planner II

**CR2019-332**

**That** Report PLAN2019-030, respecting Block A, Registered Plan 70, former Village of Bobcaygeon, **Rasmussen – Application D30-2019-003**, be received;

**That** a Deeming By-law respecting Block A, Registered Plan 70, substantially in the form attached as Appendix C to Report PLAN2019-030, be approved and adopted by Council; and

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

**Carried**

14.1.5 PLAN2019-031

**Request to Exempt 3 Duke Street, Bobcaygeon from Site Plan Control, Bobcaygeon Nursery School and Day Care Corporation (Ronald Awde)**

Richard Holy, Manager of Planning

**CR2019-333**

**That** Report PLAN2019-031, **Bobcaygeon Nursery School and Day Care Corporation – Request for Site Plan Control Exemption**, be received; and

**That** the building addition proposed for 3 Duke Street, Bobcaygeon, as generally shown on Appendix B attached to Report PLAN2019-031, be exempted from Site Plan Control.

**Carried**

14.1.6 TR2019-001

**Transit Advisory Committee 2018 Annual Report and 2019 Work Plan**

Todd Bryant, Manager Fleet and Transit Services

Councillor O'Reilly, Council Representative

Councillor Richardson, Council Representative

**CR2019-334**

**That** Report TR2019-001, **Transit Advisory Committee Annual Report**, be received; and

**That** the 2019 work plan for the Transit Advisory Committee be approved.

**Carried**

14.1.7 TR2019-002

**Lindsay Transit Ridership Programs**

Todd Bryant Manager Fleet and Transit

**CR2019-335**

**That** Report TR2019-002, **Lindsay Transit Ridership Programs**, be received;

**That** current programs stay in place until end of the first quarter of 2023; and

**That** these programs be reviewed by the new Council in the first quarter of 2023.

**Carried**

14.2 Correspondence

14.2.1 CC2019-14.14.2.1

**Request for Noise By-law Exemption**

Lee Anne Adam

**CR2019-336**

**That** the April 17, 2019 e-mail correspondence from Lee Anne Adam 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 31 Robinglade Avenue, Seagrave, from 4:00 p.m. on June 22, 2019 to 1:00 a.m. on June 23, 2019, be approved.

**Carried**

14.2.2 CC2019-14.14.2.2

**Request for Noise By-law Exemption**

Judi Clayton

**CR2019-337**

**That** the April 29, 2019 e-mail correspondence from Judi Clayton of Wheelhouse Event Co. 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 2318 Hillview Drive, Bethany, from 4:00 p.m. on August 24, 2019 to 1:00 a.m. on August 25, 2019, be approved.

**Carried**

14.2.3 CC2019-14.14.2.3

**Request for Noise By-law Exemption**

Rachel Thorn

**CR2019-338**

**That** the April 30, 2019 e-mail correspondence from Rachel Thorn 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 Beer Garden and BBQ event being held at the Woodville Curling Club, 112 Argyle Street, Woodville, from 5:00 p.m. on July 5th to to 1:00 a.m. on July 6th and from 11:00 a.m. to 8:00 p.m. on July 6, 2019, be approved.

**Carried**

14.2.4 CC2019-14.14.2.4

**Request for Noise By-law Exemption**

Deborah Flak

**CR2019-339**

**That** the May 10, 2019 e-mail correspondence from Deborah Flak 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 184 Ski Hill Road, Bethany, from 4:00 p.m. on August 3, 2019 to 12:30 a.m. on August 4, 2019, be approved.

**Carried**

14.3 Items Extracted from Consent

**15. Petitions**

15.1 CC2019-14.15.1

**Request for the Resurfacing of Kennedy Bay Road**

Donna L. Baker and James Moffat

**CR2019-340**

**Moved By** Councillor Ashmore

**Seconded By** Councillor O'Reilly

**That** the petition received from Donna L. Baker and James Moffat regarding the resurfacing of Kennedy Bay Road, be received.

A recorded vote was requested by Councillor Ashmore.

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Absent</b>
Mayor Letham	X		
Deputy Mayor Elmslie	X		
Councillor Ashmore	X		
Councillor Dunn	X		
Councillor O'Reilly	X		
Councillor Richardson	X		
Councillor Seymour-Fagan	X		
Councillor Veale	X		
Councillor Yeo	X		
<b>Results</b>	<b>9</b>	<b>0</b>	<b>0</b>
			<b>Carried</b>

**CR2019-341**

**Moved By** Councillor Ashmore

**Seconded By** Councillor O'Reilly

**That** the resurfacing of Kennedy Bay Road be moved up to the 2019 work schedule with the costs funded by the Capital Reserve; and

**That** that cost be refunded to the Capital Reserve through the 2020 Capital Budget process.

**Carried**

**16. Other or New Business**

**17. By-Laws**

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

**CR2019-342**

**Moved By** Councillor O'Reilly

**Seconded By** Councillor Ashmore

**That** the By-Laws shown in Section 17.1 of the Agenda, namely: Items 17.1.1 to and including 17.1.8, save and except Item 17.1.6, be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

**Carried**

17.1 By-Laws by Consent

17.1.1 By-law 2019-084

**A By-law to Establish Tax Rates in the City of Kawartha Lakes**

17.1.2 By-law 2019-085

**A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (M. Robertson)**

17.1.3 By-law 2019-086

**A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (D.E. Surowiec)**

17.1.4 By-law 2019-087

**A By-law to Amend By-law 2008-162, being A By-law to Provide for Powers of Entry on Land within the Municipality to Conduct Inspections**

17.1.5 By-law 2019-088

**A By-law to Establish Parcels of Land in the City of Kawartha Lakes as Public Highway**

17.1.7 By-law 2019-089

**A By-law to Amend By-law 2007-107, being a By-law to Regulate and Govern Trail Uses Along the Victoria Rail Trail Corridor in the City of Kawartha Lakes.**

17.1.8 By-law 2019-090

**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 63129-0064 (LT), Described as Block A and Part Block B S/S Front Street, Registered Plan 70, Former Village of Bobcaygeon, now City of Kawartha Lakes (31 Main Street)**

17.2 By-Laws Extracted from Consent

17.2.1 CC2019-14.17.2.1



**By-law to Appoint Fence-Viewers and Adopt a Code of Conduct for Fence-Viewers for the City of Kawartha Lakes**

**CR2019-343**

**Moved By** Councillor Veale

**Seconded By** Councillor Yeo

**That a By-law to Appoint Fence-Viewers for the City of Kawartha Lakes**, be read a first and second time.

**Carried**

**CR2019-344**

**Moved By** Councillor Seymour-Fagan

**Seconded By** Deputy Mayor Elmslie

**That** the following names be added to Section 2.01 of a **By-law to Appoint Fence-Viewers for the City of Kawartha Lakes** as appointees of Fence-Viewers for the City of Kawartha Lakes:

1. David Butt
2. Jim Fulton
3. Ralph MacEachern
4. Jim Oriotis
5. Peter Peeters
6. Cameron Reeds
7. Anthony Sutcliffe

**Carried**

**CR2019-345**

**Moved By** Councillor Yeo

**Seconded By** Councillor Veale

**That a By-law to Appoint Fence-Viewers for the City of Kawartha Lakes**, as amended, be read a third time, passed, numbered, signed and the corporate seal attached.

**Carried**

17.1.6 CC2019-14.17.1.6

**A By-law to Provide for the Erection of Stop Signs in the City of Kawartha Lakes (Various Intersections)**

**CR2019-346**

**Moved By** Councillor Dunn

**Seconded By** Councillor Veale

**That a By-law to Provide for the Erection of Stop Signs in the City of Kawartha Lakes (various intersections in the City of Kawartha Lakes),** be read a first and second time.

**Carried**

**CR2019-347**

**Moved By** Councillor Seymour-Fagan

**Seconded By** Deputy Mayor Elmslie

**That the Section 2.03 of a By-law to Provide for the Erection of Stop Signs in the City of Kawartha Lakes (various intersections in the City of Kawartha Lakes),** regarding Stinson's Bay Road and Graham Drive, be deleted in its entirety; and

**That Sections 2.04 to 2.09 be renumbered sequentially as Sections 2.03 to 2.08 to reflect the deletion.**

**Carried**

**CR2019-348**

**Moved By** Councillor Yeo

**Seconded By** Councillor Dunn

**That a By-law to Provide for the Erection of Stop Signs in the City of Kawartha Lakes (various intersections in the City of Kawartha Lakes),** as amended, be read a third time, passed, numbered, signed and the corporate seal attached.

**Carried**

- 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 CC2019-14.21.1

**A by-law to Confirm the Proceedings of a Regular Meeting of Council,  
Tuesday, May 21, 2019**

**CR2019-349**

**Moved By** Deputy Mayor Elmslie

**Seconded By** Councillor Seymour-Fagan

**That** a by-law to confirm the proceedings of a Regular Council Meeting held Tuesday, May 21, 2019 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

**Carried**

**22. Adjournment**

**CR2019-350**

**Moved By** Councillor Yeo

**Seconded By** Councillor Dunn

**That** the Council Meeting adjourn at 3:14 p.m.

**Carried**

**Read and adopted this 18 day of June, 2019.**

---

Andy Letham, Mayor

---

Joel Watts, Deputy Clerk

**The Corporation of the City of Kawartha Lakes**  
**Minutes**  
**Special Council Meeting**

**CC2019-015**  
**Tuesday, May 28, 2019**  
**Open Session Commencing at 1:00 p.m.**  
**Janetville Community Centre**  
**693 Janetville Road, Janetville**

**Members:**  
**Mayor Andy Letham**  
**Deputy Mayor Doug Elmslie**  
**Councillor Ron Ashmore**  
**Councillor Pat Dunn**  
**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**

Mayor Letham called the Meeting to order at 1:00 p.m. Deputy Mayor D. Elmslie and Councillors R. Ashmore, P. Dunn, P. O'Reilly, T. Richardson, K. Seymour-Fagan, A. Veale and E. Yeo were in attendance.

CAO R. Taylor, City Clerk C. Ritchie, Administrative Assistant S. O'Connell, City Solicitor R. Carlson, Directors B. Robinson, J. Rojas, C. Shanks, J. Stover, R. Sutherland and Chief M. Pankhurst were also in attendance.

**2. Adoption of Agenda**

**CR2019-351**

**Moved By** Councillor Veale

**Seconded By** Councillor Richardson

**That** the Agenda for the Open Session of the Special Council Meeting of Tuesday, May 28, 2019, be adopted as circulated.

**Carried**

**3. Disclosure of Pecuniary Interest**

There were no declarations of pecuniary interest disclosed.

**4. Deputations**

**5. Presentations**

**5.1 CC2019-015.5.1**

**Strategic Planning Session 2020-2023 - Meeting #1**

Ron Taylor, Chief Administrative Officer

Brenda Stonehouse, Strategy and Performance Specialist

R. Taylor provided a history on the development of the City's Strategic Plan for 2016-2019 and highlighted the components within that Plan. R. Taylor introduced Brenda Stonehouse, Strategy and Performance Specialist, who facilitated the balance of the strategic planning working session. Council and Staff provided input on the strategic planning direction.

Council recessed at 2:28 p.m. and reconvened at 2:39 p.m.

B. Stonehouse provided an overview of the process that will be followed for the creation of a new strategic plan and confirmed that a second planning session will be held for Council in September of 2019.

**CR2019-352**

**Moved By** Councillor Seymour-Fagan

**Seconded By** Deputy Mayor Elmslie

**That the Strategic Plan 2020-2023 Presentation**, be received.

**Carried**

- 6. **Reports**
- 7. **Correspondence**
- 8. **Closed Session**
- 9. **Matters from Closed Session**
- 10. **Confirming By-Law**
- 10.1 CC2019-015.10.1

**A By-law to Confirm the Proceedings of a Special Meeting of Council,  
Tuesday, May 28, 2019.**

**CR2019-353**

**Moved By** Deputy Mayor Elmslie

**Seconded By** Councillor Yeo

**That** a by-law to confirm the proceedings of a Special Council Meeting held Tuesday, May 28, 2019 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

**Carried**

**11. Adjournment**

**CR2019-354**

**Moved By** Councillor Veale

**Seconded By** Councillor Ashmore

**That** the Council Meeting adjourn at 3:50 p.m.

**Carried**

**Read and adopted this 18 day of June, 2019.**

---

Andy Letham, Mayor

---

Cathie Ritchie, City Clerk



# Request to Speak before Council

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: \***

Paul Grassie

**Address: \***

322 Highway 36, P O Box 3

**City/Town/Village:**

Lindsay

**Province: \***

Ontario

**Postal Code:**

K9V 4R8

**Telephone: \***

705 328 0342

**Email: \***

pgrassie@cogeco.ca

There can be a 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.

**Deputant One:**

Paul Grassie

**Deputant Two:**

First Name, Last Name

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

I wish to address Council on June 18th regarding the Mandatory Drinking Water Connection Requirement in the City of Kawartha Lakes. We live in an older home with a very good well on the east side of Highway 36 and are not hooked up to City water. The closest water line is on the West side of the highway. Yet, at the present time we are being charged for water we do not get.

If or when our well failed or became contaminated, we would ask to be hooked up to city water. But until that happens, I would like to ask Council to change the present policy to exempt older homes such as ours from having to pay for water we do not get, have not asked for and do not need.

Please attach any additional supporting documents you wish to provide and submit with this completed form.

**Have you discussed this matter with City Staff?**

☒ Yes

☐ No

**If yes, Which department and staff member(s) have you spoken to?**

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

I am hoping that Council amends the present policy to exempt older homes such as ours from the Mandatory Drinking Water Connection charge.



By signing this form you are acknowledging that all of the information you are providing on this form is true, and giving the City permission to collect your personal information for the principal purpose of a request to make a deputation to Committee or Council as outlined below.

**Signature:**

Paul G Grassie

**Date:**

6/12/2019



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 the City's procedural by-law. This information, including all attachments submitted may be circulated to members of Council, staff, the general public and posted on the City website. 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.

**Do you understand how your information will be used and agree to allow the City to use your personal information provided on this form, including any attachments for the purposes of requesting to make a deputation to Committee or Council? \***

☒ Yes

Please complete this form and return to the City Clerk's Office by submitting it online or:  
Fax: 705-324-8110 Email: [agendaitems@kawarthalakes.ca](mailto:agendaitems@kawarthalakes.ca)

**RECEIVED**

**JUN 12 2019**

April 15, 2019.

**OFFICE OF THE CITY CLERK  
KAWARTHA LAKES**

**Dear Sir/Madam: RE: Mandatory Drinking Water Connection Requirement.**

**The following is a formal complaint regarding the Mandatory Drinking Water Connection policy presently in place in the City of Kawartha Lakes.**

**When I retired in 2006, my wife and I purchased our house and property at 322 Highway 36, on the East side of the Highway, knowing it was serviced by a well. Before our purchase was finalized, we had a Professional inspect the well and found that it was in excellent shape and could supply an incredible amount of good water. In the years since, the well has never failed even in the driest of summers.**

**In October of 2017, I received a letter from the City of Kawartha Lakes, informing me that because we lived in close proximity to a City water line and near a fire hydrant providing Fire services, I was required to hook up to city water and would have to pay all costs myself.**

**Thinking a mistake had been made, I telephoned the Public Works Department and after reminding them that I already paid for Fire services in my Property Taxes, I was told that Mandatory Water Connection was still required and as of January 2018, I would be charged for water even if I did not hook up!**

**I believe that this policy is wrong and needs to be changed for the following reasons and in the following ways.**

**1. In terms of a new home being built, it makes sense that they should be hooked up to City water if available. But for an older home like ours, which has been using a well for many years, this policy should not apply. According to the property records I received when the house was purchased, this well has been in service since at least 1947. Of course, if it ever goes bad or dry, we would have no other choice but to hook up to city water. But to have to do it now just because we are close to a water line does not make sense.**

**2. We also discovered that the closest City water line to our home is on the West side of Highway 36 and we are on the East side which would mean having to run the line under the Highway. I can only imagine what the cost would be to have this done.**

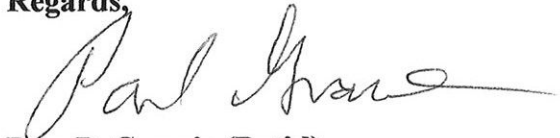
**3. But, perhaps the most infuriating part of this whole policy which makes absolutely no sense, is that we are being charged for water we do not get, did not ask for and do not need!**

**For the year 2018, we received water bills totalling \$364.00 and have already received our first 2019 water bill for the sum of \$178.87 due April 30, 2019 – all for water we have never had! We have not paid either bill.**

**Now for a City with a budget in the millions of dollars this may not be a great amount. But we are Senior Citizens living on a small fixed income and the 2018 water bill would pay for half of our gas heating bill for one year, or Hydro for two months, or groceries for more than a month.**

**For these basic reasons, I strongly believe that this policy should be revisited and amended accordingly to take into account older homes such as ours which have always been serviced by wells.**

**Regards,**

A handwritten signature in cursive script, appearing to read "Paul Grassie", written in dark ink.

**Rev. P. Grassie (Ret'd),**

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

**COW2019-07**

**Tuesday, June 4, 2019**

**Open Session Commencing at 1:00 p.m.**

**Bobcaygeon Service Centre**

**123 East Street, Bobcaygeon, Ontario**

**Large Meeting Room - Upper Level**

**Members:**

**Mayor Andy Letham**

**Deputy Mayor Doug Elmslie**

**Councillor Ron Ashmore**

**Councillor Pat Dunn**

**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**

Mayor Letham called the Meeting to order at 1:00 p.m. Deputy Mayor D. Elmslie and Councillors R. Ashmore, P. Dunn, P. O'Reilly, T. Richardson, K. Seymour-Fagan, A. Veale and E. Yeo were in attendance.

CAO R. Taylor, City Clerk C. Ritchie, Deputy Clerk A. Rooth, City Solicitor R. Carlson and Directors Marshall, Robinson, Rojas, Shanks, Stover and Sutherland and Chief Pankhurst were also in attendance.

**2. Adoption of Agenda**

**CW2019-126**

**Moved By** Deputy Mayor Elmslie

**Seconded By** Councillor Yeo

**That** the Agenda for the Open Session of the Committee of the Whole of Tuesday, June 4, 2019, be adopted as circulated and with the following amendment:

**Addition - Deputation**

Item 4.1

**Condition of St. David Street**

(Item 8.2.3 on the Agenda)

Lorne George

Pat O'Neil

**Carried**

**3. Disclosure of Pecuniary Interest**

There were no declarations of pecuniary interest disclosed.

**4. Deputations**

4.1 CC2019-07.4.1

**Condition of St. David Street**

(Item 8.2.3 on the Agenda)

Lorne George

Pat O'Neil

Mr. George and Mr. O'Neil presented a petition to Council requesting the City to take immediate action to initiate the resurfacing of St. David Street in Lindsay north of Fleetwood Road. They expressed concern regarding safety, damage to vehicles and liability to the City, noting that repairs and patching done to date have not resolved the issues and requested a timeline for resurfacing of this section of St. David Street.

**CW2019-127**

**Moved By** Councillor Dunn

**Seconded By** Councillor Seymour-Fagan

**That** the deputation of Lorne George and Pat O'Neil regarding the **Condition of St. David Street** (Item 8.2.3 on the Agenda) and the related petition submitted, be received.

**Carried**

**5. Presentations**

**5.1 COW2019-07.5.1**

**2018 Environmental Hero Award**

Andy Letham, Mayor

Pat Warren, Kawartha Lakes Environmental Advisory Committee (KLEAC) Chair

Pat Warren, Chair of the City of Kawartha Lakes Environmental Advisory Committee, provided a brief overview of the Award Recipients. Mr. Richard Fedy and Mr. John Bush were the co-recipients of the 2018 Environmental Hero of the Year Award for their work on environmental initiatives in Bobcaygeon through Environmental Action Bobcaygeon. Mr. Fedy and Mr. Bush accepted the award from Mayor Letham and Chair P. Warren.

Item 8.2.3 was moved forward on the Agenda to be dealt with next.

**8.2.3 COW2019-07.8.2.3**

**Memorandum - St. David Street**

Pat Dunn, Councillor

**CW2019-128**

**Moved By** Councillor Dunn

**Seconded By** Councillor Yeo

**That** the memorandum from Councillor Dunn, regarding, **St. David Street**, be received;

**That** staff review St. David Street and prepare a report providing options for improvement by the end of Q3 2019;

**That** St. David Street be immediately included in the 2019 Lifecycle Extension Program; and

**That** this recommendation be brought forward to Council at the next Regular Council Meeting.

**Carried**

5.2 COW2019-07.5.2

**Noise By-law Update**

Aaron Sloan, Manager of Municipal Law Enforcement

Manager of Municipal Law Enforcement Aaron Sloan presented a Noise By-law Update.

**CW2019-129**

**Moved By** Councillor Yeo

**Seconded By** Councillor Ashmore

**That** the presentation by Aaron Sloan, Manager of Municipal Law Enforcement, regarding a **Noise By-law Update**, be received.

**Carried**

5.3 COW2019-07.5.3

**Affordable Housing Presentation**

Ron Taylor, CAO

Hope Lee, Manager of Housing

Leah Barrie, Policy Planning Supervisor

CAO Ron Taylor, Manager Hope Lee and Policy Planning Supervisor Leah Barrie delivered a presentation on Affordable Housing.

**CW2019-130**

**Moved By** Deputy Mayor Elmslie

**Seconded By** Councillor Dunn

**That** the presentation by CAO Ron Taylor, Manager Hope Lee and Policy Planning Supervisor Leah Barrie, regarding **Affordable Housing**, be received.

**Carried**

The meeting recessed at 2:42 p.m. and reconvened at 2:55 p.m.

**6. HH2019-006**

**6.1 COW2019-07.6.1**

**Community Housing Master Plan Presentation**

Hope Lee, Manager of Housing

Lisa Oliveira, Housing Services Corporation

Manager of Housing Hope Lee introduced Lisa Oliveira of the Housing Services Corporation. Ms. Oliveira delivered a presentation on the Community Housing Master Plan.

**CW2019-131**

**Moved By** Councillor Veale

**Seconded By** Councillor O'Reilly

**That** the presentation by Lisa Oliveira of the Housing Services Corporation regarding the **Community Housing Master Plan**, be received.

**Carried**

**6.2 HH2019-006**

**From Housing Assets to Housing People - Master Plan 2019-2041**

Hope Lee, Manager of Housing

**CW2019-132**

**Moved By** Deputy Mayor Elmslie

**Seconded By** Councillor Yeo

**That** Report HH2019-006, **From Housing Assets to Housing People Master Plan 2019-2041**, be received;

**That** the Master Plan, substantially in the form as included as Appendix A to Report HH2019-006, be endorsed by Council and guide future work plans and budget submissions; and



**That** this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

**Carried**

**7. LIC2019-002**

**7.1 COW2019-07.7.1**

**Short Term Rentals Presentation**

Alix Scarr, Senior Licensing Officer

Senior Licensing Officer Alix Scarr delivered a presentation on Short Term Rentals.

**CW2019-133**

**Moved By** Councillor O'Reilly

**Seconded By** Councillor Ashmore

**That** the presentation by Alix Scarr, Senior Licensing Officer, regarding **Short Term Rentals**, be received.

**Carried**

**7.2 LIC2019-002**

**Short Term Rental Update**

Alix Scarr, Senior Licensing Officer

**CW2019-134**

**Moved By** Councillor Veale

**Seconded By** Deputy Mayor Elmslie

**That** Report LIC2019-02, **Short Term Rental Update**, be received;

**That** the implementation of Option #1 and Monitoring continue, as outlined in report LIC2018-005, to regulate short term rentals in Kawartha Lakes; and

**That** this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

**Carried**

**8. Consent Matters**

**8.1 Reports**

**8.1.1 HH2019-007**

**2018 Housing and Homelessness Plan Annual Report**

Hope Lee, Manager of Housing

**CW2019-135**

**Moved By** Councillor Richardson

**Seconded By** Councillor O'Reilly

**That** Report HH2019-007, **2018 Annual Housing & Homelessness Plan (HHP) Report**, be received for information; and

**That** this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

**Carried**

**8.1.2 MLE2019-004**

**Agricultural Development Advisory Committee Comments About the Removal of Soil, Topsoil, Placement of Fill and Alteration of Grade By-law 2018-214**

Juan Rojas, Director of Engineering and Assets

Aaron Sloan, Manager of Municipal Law Enforcement and Licensing

**CW2019-136**

**Moved By** Councillor Veale

**Seconded By** Councillor Richardson

**That** Report MLE2019-004, **Agricultural Development Advisory Committee recommendations about the Removal of Soil, Topsoil, Placement of Fill, Alteration of Grade By-law 2018-214**, be received;

**That** the recommendations of the Agricultural Development Advisory Committee be received;

**That** this recommendation be brought forward to Council for consideration at the next Regular Council Meeting; and

**That** By-law 2018-214 being a By-law Regulating the Removal of Topsoil, Placement of Fill, and the Alteration of Grades be repealed and replaced by Appendix C and brought forward at the next Regular Council Meeting.

**Carried**

8.1.3 CS2019-008

**Release of Fenelon Falls Legacy C.H.E.S.T. Funds**

LeAnn Donnelly, Executive Assistant, Community Services

**CW2019-137**

**Moved By** Deputy Mayor Elmslie

**Seconded By** Councillor Seymour-Fagan

**That** Report CS2019-008, **Release of Fenelon Falls Legacy C.H.E.S.T. Funds**, be received;

**That** the Senior Citizens Club of Fenelon Falls be approved for funding in the amount of \$1309.09 with the allocation to come from the Fenelon Falls Legacy C.H.E.S.T. Reserve (3.24350);

**That** the Maryboro Lodge – The Fenelon Museum be approved for funding in the amount of \$10,000.00 with the allocation to come from the Fenelon Falls Legacy C.H.E.S.T. Reserve (3.24350);

**That** Kawartha Works Community Co-operative Inc./Fenelon Live! be approved for funding in the amount of \$10,000.00 with the allocation to come from the Fenelon Falls Legacy C.H.E.S.T. Reserve (3.24350); and

**That** this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

**Carried**

8.1.4 CS2019-010

**Lindsay Legacy C.H.E.S.T. Fund Grant Committee 2019 Work Plan**

LeAnn Donnelly, Executive Assistant, Community Services

**CW2019-138**

**Moved By** Councillor Dunn

**Seconded By** Councillor O'Reilly

**That** Report CS2019-010, **Lindsay Legacy C.H.E.S.T. Fund Grant Committee 2019 Work Plan**, be received;

**That** the 2019 Lindsay Legacy C.H.E.S.T. Fund Grant Committee Work Plan be approved; and

**That** this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

**Carried**

8.1.5 PRC2019-006

**Parks, Recreation and Culture Policy Update: Alcohol Management on Municipal Premises**

Shelley Cooper, Community Partnership and Programs Supervisor

**CW2019-139**

**Moved By** Councillor Ashmore

**Seconded By** Councillor O'Reilly

**That** Report PRC2019-006, **Parks, Recreation and Culture Policy Update: Alcohol Management on Municipal Premises**, be received;

**That** the revised Alcohol Management on Municipal Premises Policy appended to Report PRC2019-006, be adopted and numbered for inclusion in the City's Policy and Procedure Manual, replacing CP2018-004 and all predecessor versions; and

**That** this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

**Carried**

8.1.6 ED2019-015

**Incubation Pilot Program Funding Support**

Rebecca Mustard, Manager of Economic Development

Rebecca Mustard, Manager of Economic Development, introduced John Gillis, incoming Interim President for the Innovation Cluster Peterborough and the Kawarthas.

**CW2019-140**

**Moved By** Deputy Mayor Elmslie

**Seconded By** Councillor Seymour-Fagan

**That** Report ED2019-015, **Incubation Pilot Program Funding Support**, be received;

**That** the project titled Kawartha Lakes Innovation Cluster Pilot Project be approved for an application to the Kawartha Lakes Community Future Development Corporation with a total project costs of up to \$100,000 with the City's 50% contribution from the Economic Development Innovation Reserve;

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

**That** this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

**Carried**

8.1.7 ED2019-016

**Trent-Severn Trail Towns**

Laurie McCarthy, Economic Development Officer - Tourism

**CW2019-141**

**Moved By** Councillor Yeo

**Seconded By** Councillor Seymour-Fagan

**That** Report ED2019-016, **Trent-Severn Trail Towns**, be received;

**That** the City of Kawartha Lakes participate in the Trent-Severn Trail Towns program as per Appendix C to Report ED2019-016; and

**That** this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

**Carried**

8.1.8 EA2019-009

**Strategic Asset Management Policy**

Adam Found, Manager of Corporate Assets

**CW2019-142**

**Moved By** Councillor O'Reilly

**Seconded By** Councillor Richardson

**That** Report EA2019-009, **Strategic Asset Management Policy**, be received;

**That** the proposed Strategic Asset Management Policy, attached as Appendix A to Report EA2019-009, be adopted; and

**That** this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

**Carried**

8.1.9 CORP2019-012

**High Water Bill Adjustment/Mandatory Service Connection - 63 Victoria Ave N - Lindsay**

Linda Liotti, Manager of Revenue and Taxation

**CW2019-143**

**Moved By** Councillor Dunn

**Seconded By** Councillor Ashmore

**That** the recommendations under Items 8.1.9 to and including 8.1.15 be brought forward to Council as printed for consideration at the next Regular Council Meeting.

**Carried**

8.1.10 COPR2019-013

**High Water Bill Adjustment/Mandatory Service Connection - 330 Kent St W - Lindsay**

Linda Liotti, Manager of Revenue and Taxation

See Item 8.1.9 for action on this Item.

8.1.11 CORP2019-014

**High Water Bill Adjustment/Mandatory Service Connection - 58 Verna Dr-  
Little Britain**

Linda Liotti, Manager of Revenue and Taxation

See Item 8.1.9 for action on this Item.

8.1.12 CORP2019-015

**High Water Bill Adjustment/Mandatory Service Connection - 229 Angeline  
St S - Lindsay**

Linda Liotti, Manager of Revenue and Taxation

See Item 8.1.9 for action on this Item.

8.1.13 CORP2019-018

**High Water Bill Adjustment/Mandatory Service Connection - 34 Sussex St S  
- Lindsay**

Linda Liotti, Manager of Revenue and Taxation

See Item 8.1.9 for action on this Item.

8.1.14 CORP2019-019

**High Water Bill Adjustment/Mandatory Service Connection - 79 Bolton St –  
Bobcaygeon**

Linda Liotti, Manager of Revenue and Taxation

See Item 8.1.9 for action on this Item.

8.1.15 CORP2019-020

**High Water Bill Adjustment/Mandatory Service Connection – 322 Highway  
36 – Lindsay**

Linda Liotti, Manager of Revenue and Taxation

See Item 8.1.9 for action on this Item

8.2 Correspondence

8.2.1 COW2019-07.8.2.1

**Memorandum - Haul Route Review - Porter and Lifford Roads**

Tracy Richardson, Councillor

**CW2019-144**

**Moved By** Councillor Richardson

**Seconded By** Councillor Veale

**That** the memorandum from Councillor Richardson, dated June 4<sup>th</sup> 2019, regarding the conditions and adequacy of **Porter and Lifford roads**, be received;

**That** staff report back to Council with recommended improvements to Porter and Lifford roads before the end of Q3 2019 to inform future budget deliberations; and

**That** this recommendation be brought forward to Council for consideration at the June 11, 2019 Special Council Meeting.

**Carried**

8.2.2 COW2019-07.8.2.2

**Memorandum - St. James Street**

Pat Dunn, Councillor

**CW2019-145**

**Moved By** Councillor Dunn

**Seconded By** Deputy Mayor Elmslie

**That** the memorandum from Councillor Dunn, regarding **St. James Street**, be received;

**That** staff review the condition of St. James Street and report back to Council with recommended improvements before the end of Q3 2019;

**That** the engineering of St. James Street be included in the 2020 Budget under the Urban and Rural Reconstruction Program as a Decision Unit; and

**That** this recommendation be brought forward to Council for consideration at the June 11, 2019 Special Council Meeting.

**Carried**



8.3 Items Extracted from Consent

9. **Closed Session**

10. **Matters from Closed Session**

11. **Adjournment**

**CW2019-146**

**Moved By** Councillor Yeo

**Seconded By** Councillor Veale

**That** the Committee of the Whole Meeting adjourn at 3:56 p.m.

**Carried**

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

**The Corporation of the City of Kawartha Lakes**  
**Minutes**  
**Planning Advisory Committee Meeting**

**PC2019-06**  
**Wednesday, June 5, 2019**  
**1:00 P.M.**  
**Council Chambers**  
**City Hall**  
**26 Francis Street, Lindsay, Ontario K9V 5R8**

**Members:**  
**Mayor Andy Letham**  
**Councillor Patrick O'Reilly**  
**Councillor Kathleen Seymour-Fagan**  
**Councillor Andrew Veale**  
**Mike Barkwell**  
**Tammy Smith**  
**Jason Willock**

**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 1:01 p.m. Mayor A. Letham, Councillors K. Seymour-Fagan, and A. Veale and M. Barkwell and T. Smith were in attendance.

Deputy Clerk and Recording Secretary J. Watts, Director C. Marshall, Supervisor of Development Planning S. Rea, Supervisor of Development Engineering C. Sisson, Planning Officer-Large Developments I. Walker, Planners II D. Harding and M. LaHay, and Senior Engineering Technician J. Newbery were also in attendance.

Absent: J. Willock

The Chair opened the meeting and introduced Planning Advisory Committee and the members of staff present.

**PAC2019-033**

**Moved By** Mayor Letham

**Seconded By** M. Barkwell

**That** the agenda for the Wednesday, June 5, 2019 Planning Advisory Committee Meeting be adopted as circulated.

**Carried**

**2. Declarations of Pecuniary Interest**

There were no declarations of pecuniary interest disclosed.

**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 PLAN2019-032**

Sherry L. Rea, Development Planning Supervisor  
Applications to amend the Town of Lindsay Official Plan and Zoning By-law 2000-75 together with a Draft Plan of Common Element Condominium, and a Draft Plan of Subdivision for the property on Lindsay Street North described as

Part of Lot 24, Concession 5, Geographic Township of Ops, and Part of Lot 3 and Block X, Plan 1, former Town of Lindsay - 2573532 Ontario Inc.

The Chair requested staff to advise on the manner of giving notice for the proposed Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Common Element Condominium, and Draft Plan of Subdivision. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Ms. Rea 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 on the subject property. She summarized the application, explaining that it proposes to permit a residential plan of subdivision consisting of two blocks for townhouse units with one block containing 55 residential units and a second block containing 97 residential units for a total of 152 residential units and a third block for buffer lands from Distillery Creek at the north end of the property. The plan of common element condominium will include internal road network, services and utilities, visitor parking spaces, open space and easements. The proposed development will be accessed from Lindsay Street North and from an extension of Alcorn Drive from the west and will be developed on full municipal services. The applicant has submitted a number of studies as detailed in her report, and an addendum was received today to justify compliance with the 2019 Growth Plan. She noted that staff are generally accepting of planning rationale provided by the applicant, however noted need for seeing more details. Ms. Rea summarized the comments received to date, as detailed in her report, noting that subsequent to the writing of the report additional comments were received from Shelley and Rob Trennum of 29 Eglinton Street who were generally supportive of the application but recommended collaborative efforts be established between the applicant, the Woods of Jennings Creek developer, and the City for an expedited extension of Alcorn Drive from its current terminus at Victoria Avenue to Lindsay Street North for a secondary access to the proposed subdivision. Staff are recommending that the application be referred back to staff for further review and processing until such time as all comments, issues and concerns have been addressed. She responded to questions from Committee members.

The Chair inquired if the applicant wished to speak to the application.

Bryce Jordan of GHD spoke on behalf of the applicant. He provided an overview of the application including the proposed layout and design of the townhomes, open space, and common area elements. He noted that the development will be

separated into 2 blocks, being the areas north and south of Alcorn Drive. He stated none of the townhomes fronting public roads of Lindsay Street North, and Alcorn Drive will have driveway access to those roads. He responded to concerns about proximity to the decommissioned Lindsay Landfill on the east side of Lindsay Street North, noting that the submitted Environmental Assessment noted that the landfill will not have any impact to the soil, or groundwater on the site. He also responded to traffic concerns stating that the traffic study notes that any increases of traffic will still allow for a safe level of operation at the existing area intersections, and that they intend to construct their portion of the Alcorn Drive extension.

The Chair inquired if anyone wished to speak to the application.

William Howell, of 61 Cottingham Crescent, requested that the townhomes built along the boundary with the homes along Cottingham Crescent not be two storey, but rather single storey, noting privacy concerns. He also addressed concern about the potential loss of access to a footpath along the south end of the applicant's property.

Les Hebbard, of 67 Cottingham Crescent, reiterated Mr. Howell's comments adding that the loss of footpath would restrict access of local area residents to access William Street, the rail trail, and local businesses. He also requested that townhomes fronting Cottingham Crescent residents be only single storey.

No other persons spoke to the application.

### 3.2 PLAN2019-033

David Harding, Planner II

An application to amend the Township of Ops Zoning By-law 93-30 on lands described as Part Lot 22, Concession 3, geographic Township of Ops, identified as 454 Colborne Street West - Jones

The Chair requested staff to advise on the manner of giving notice for the proposed zoning by-law amendment. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Mr. Harding confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500m, and a sign was posted on the subject property. He summarized the application, explaining that as a condition of provisional consent, it proposes to rezone the retained

agricultural land to prohibit residential use and to further clarify how the lot containing the dwelling is to be used by rezoning it to a residential zone category. The application conforms to City of Kawartha Lakes Official Plan, the 2019 Growth Plan for the Greater Golden Horseshoe and is consistent with the 2014 Provincial Policy Statement. Mr. Harding summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report no additional comments were received. Staff are recommending that the application be referred to Council for approval.

The Chair inquired if the applicant wished to speak to the application.

The applicant was not in attendance.

The Chair inquired if anyone wished to speak to the application.

No persons spoke to the application.

### 3.3 PLAN2019-034

David Harding, Planner II

An application to amend the Township of Eldon Zoning By-law 94-14 on land described as Part of Lots 39-42, South of Portage Road, geographic Township of Eldon, and partially identified as 1561 Kirkfield Road - Victor Webster Farms Ltd. and Leach

The Chair requested staff to advise on the manner of giving notice for the proposed zoning by-law amendment. He also asked staff to briefly describe the proposal and summarize the correspondence, if any, received to date.

Mr. Harding confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500m, and a sign was posted on the subject property. He summarized the application, explaining that it proposes to provide the landlocked parcel owned by Victor Webster Farms Ltd. access to Kirkfield Road. As a condition of provisional consent, the agricultural land to be added to the landlocked parcel is to be rezoned to permit one single detached dwelling and the benefitting lands are to be rezoned to an environmental protection zone to protect significant woodland as per the policies of the Lake Simcoe Protection Plan. The application conforms to the City of Kawartha Lakes Official Plan, 2019 Growth Plan for the Greater Golden Horseshoe and is consistent with the 2014 Provincial Policy Statement. Mr. Harding summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report, no additional comments were

received. Staff are recommending that the application be referred to Council for approval. He responded to questions from Committee members.

The Chair inquired if the applicant wished to speak to the application.

Doug Carroll, of DC Planning Services, spoke on behalf of the applicant. He agrees with the report recommendation from staff, but recommended an amendment to the draft by-law to retain agricultural zoning on the southeast corner of the severed lot. He stated that this area should not be rezoned as Environmental Protection (EP), as that may halt any continued agricultural practices on the field in the southeast corner of the lot. He also noted a recommended textual amendment to the draft by-law recitals (Recital 2. A and B), as he thought it may cause confusion. Mr. Carroll responded to questions from Committee members.

The Chair inquired if anyone wished to speak to the application.

No other persons spoke to the application.

#### 3.4 PLAN2019-035

Mark LaHay, Planner II

An application to amend the Township of Mariposa Zoning By-law 94-07 on land described as Part Lot 19, Concession 7, geographic Township of Mariposa, identified as 115 Taylor's Road - Arksey

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 500m, and a sign was posted on the subject property. He summarized the application, explaining that it proposes to permit a garden suite, which is a temporary, detached dwelling unit that is designed and constructed to be portable and is ancillary to the existing detached dwelling, as a second dwelling unit on the property for a 20 year period. The application generally conforms to the Kawartha Lakes Official Plan, conforms with the Growth Plan and is 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 Kawartha Conservation who noted the regulated areas on the property, and identified that if the garden suite is located within 15m

of the floodplain, it must be raised 0.3m. In consideration of the comments received, staff are recommending that the application be forwarded to Council for approval. He responded to questions from Committee members.

The Chair inquired if the applicant wished to speak to the application.

Lori Arskey, property owner, made herself available for questions, and posed a question to the committee of whether or not the 20 day appeal period would remain in place if the approval is for a second dwelling unit.

The Chair inquired if anyone wished to speak to the application.

No other persons spoke to the application.

The Public Meeting concluded at 1:58 pm.

#### **4. Business Arising from Public Meeting**

##### **4.1 Item 3.1**

###### **PAC2019-034**

**Moved By** Mayor Letham

**Seconded By** Councillor Seymour-Fagan

**That** Report PLAN2019-032, **Part of Lot 24, Concession 5, geographic Township of Ops and Part of Lot 3 and Block X, Plan 1, former Town of Lindsay, Applications D01-2019-001, D04-2019-001, D05-2019-001 and D06-2019-007** be received; and

**That** Report PLAN 2019-032 respecting Applications D01-2019-001, D04-2019-001, D05-2019-001 and D06-2019-007 be referred back to staff to address any issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City departments, and that any comments and concerns have been addressed.

**Carried**

##### **4.2 Item 3.2**

###### **PAC2019-035**

**Moved By** M. Barkwell

**Seconded By** T. Smith



**That** Report PLAN2019-033, respecting **Part of Lot 22, Concession 3, geographic Township of Ops, and identified as 454 Colborne Street West – Application D06-2019-009**, be received;

**That** a Zoning By-law Amendment respecting application D06-2019-009, substantially in the form attached as Appendix D to Report PLAN2019-033, be approved and adopted by Council; and

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

**Carried**

4.3 Item 3.3

**PAC2019-036**

**Moved By** Councillor Seymour-Fagan

**Seconded By** Councillor Veale

**That** Report PLAN2019-034, respecting **Part of Lots 39-42, South of Portage Road, geographic Township of Eldon, and part of which is partially identified as 1561 Kirkfield Road – Application D06-2019-010**, be received;

**That** a Zoning By-law Amendment respecting application D06-2019-010, substantially in the form attached as Appendix D to Report PLAN2019-034, as amended to permit an Agricultural Exception zone in the southeast corner of the benefitting lot, to prohibit development of structures on that portion of the lot, be approved and adopted by Council; and

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

**Carried**

4.4 Item 3.4

**PAC2019-037**

**Moved By** Councillor Veale

**Seconded By** T. Smith

**That** Report PLAN2019-035, respecting **Part Lot 19, Concession 7, geographic Township of Mariposa, Application D06-2019-011**, be received;

**That** a Zoning By-law, respecting application D06-2019-011, substantially in the form attached as Appendix D to Report PLAN2019-035 be approved and adopted by Council;

**That** staff be directed to prepare a Garden Suite agreement pursuant to Section 39.1 of the Planning Act, respecting this application; and

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

**Carried**

## **5. Deputations**

## **6. Correspondence**

## **7. City of Kawartha Lakes Reports**

### **7.1 PLAN2019-011**

Ian Walker, Planning Officer - Large Developments

An application to amend the Township of Ops Zoning By-law 93-30 on land described as Concession 2, Part Lots 9 and 10, geographic Township of Ops, identified as 35 Brook Street - BATL Management Inc.

Mr. Walker confirmed that a Public Meeting on this matter was held on May 3, 2017 in accordance with the Planning Act. He summarized the application, explaining that it proposes to amend the permitted uses and development standards in the 'CT-2' zone to facilitate an expansion of the existing tourist camp to a maximum of 102 campsites, by:

1. Changing the 9-hole golf course use to a 12-hole golf course use to recognize the current golf course configuration;
2. Adding an accessory restaurant use to the existing golf course;
3. Reducing the minimum campsite area from 450 square metres per site to 180 square metres per site; and
4. Reducing the minimum front yard setback from 106 metres to 75 metres.

The application conforms to the Kawartha Lakes Official Plan, Growth Plan and is consistent with the Provincial Policy Statement. Mr. Walker summarized the comments received to date, as detailed in his report. Staff are recommending that the application be forwarded to Council for approval. He responded to questions from Committee members.

**PAC2019-038**

**Moved By** Councillor Veale

**Seconded By** Mayor Letham

**That** Report PLAN2019-011, **Part of Lots 9 and 10, Concession 2, Geographic Township of Ops, BATL Management Inc. – Application D06-17-011**, be received;

**That** the zoning by-law amendment respecting application D06-17-011, substantially in the form attached as Appendix C to Report PLAN2019-011, be approved and adopted by Council;

**That** in accordance with Section 34(17) of the Planning Act, Council having considered the change to the proposed Zoning By-law Amendment deems no further public notice to be necessary; and

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

**Carried**

7.2 ENG2019-009

Christina Sisson, Supervisor of Development Engineering  
Assumption of Lisbeth Crescent and Tina Court, Lindsay

Ms. Sisson provided an overview of her report noting the history of the related development in the area. She stated that staff are recommending assumption of the roads, and stormwater management facility as per the draft by-law attached to her report.

**PAC2019-039**

**Moved By** M. Barkwell

**Seconded By** Councillor Veale

**That** Report ENG2019-003, **Assumption of Lisbeth Crescent and Tina Court, Lindsay**, be received;

**That** the Assumption of Lisbeth Crescent and Tina Court, Lindsay, Rexton Subdivision – Phase 2, Geographic Town of Lindsay, City of Kawartha Lakes, be approved;

**That** an Assumption By-Law, substantially in the form attached as Appendix A to Report ENG2019-009 be approved and adopted by Council; and

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

**Carried**

**8. Adjournment**

**PAC2019-040**

**Moved By** Councillor Seymour-Fagan

**Seconded By** Mayor Letham

**That** the Planning Advisory Committee Meeting adjourn at 2:16 p.m.

**Carried**

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

## **Council Report**

**Report Number ENG2019-011**

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**Date:** June 18, 2019  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** Ward 6

**Title:** Environmental Assessment Project Report for Mill Pond Bridge

**Author and Title:** Martin Sadowski, Senior Engineering Technician

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### **Recommendation(s):**

**That** Report ENG2019-011, **Environmental Assessment Project Report for Mill Pond Bridge**, be received; and

**THAT** Council endorses the preferred solution and preferred design, identified as Option 3 (Reconstruct and maintain two-way (single lane) traffic flow and add a separate pedestrian walkway) as developed by D.M. Wills in the April 2019 Environmental Assessment Project Report for Mill Pond Bridge.

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

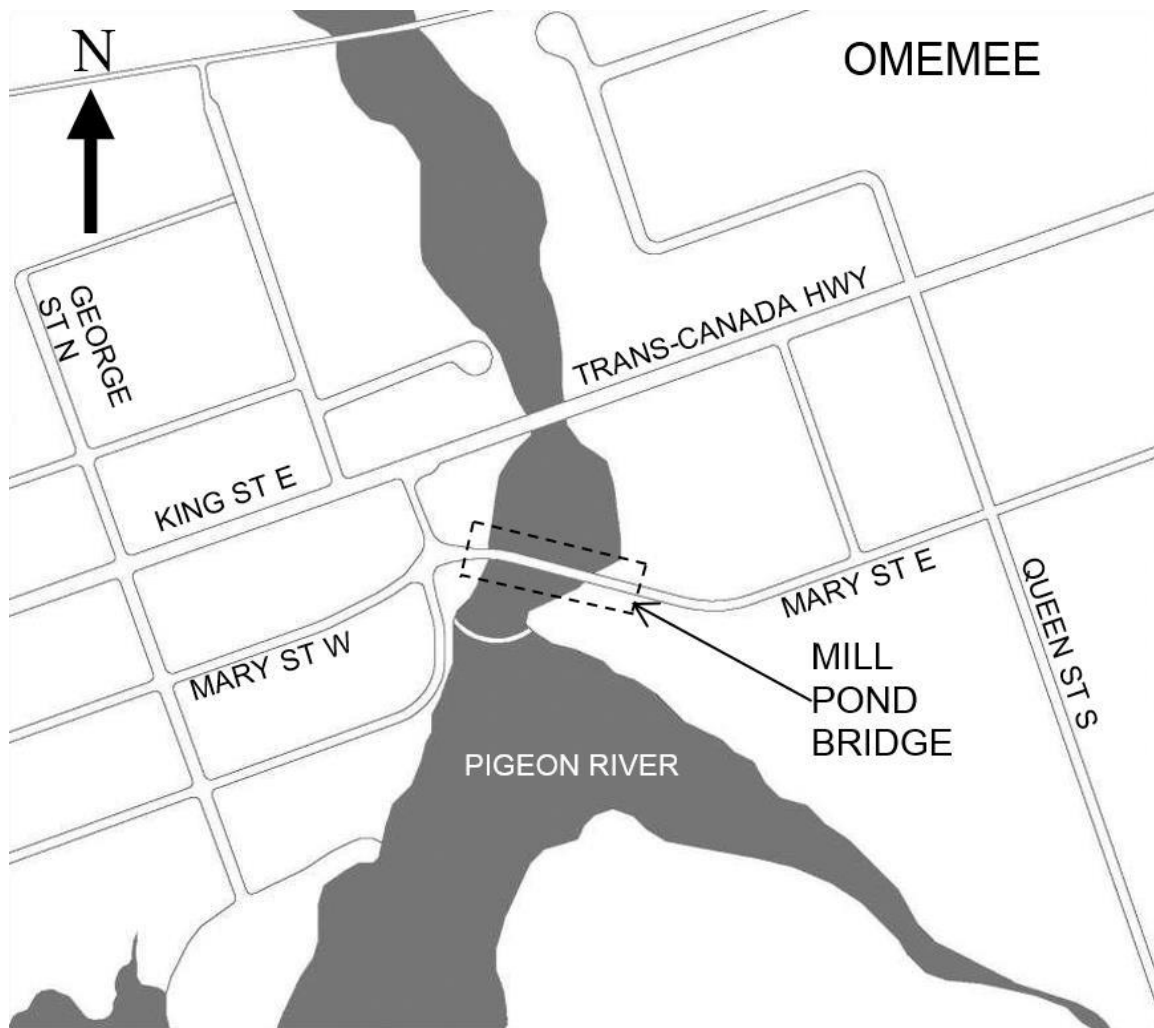
**Financial/Legal/HR/Other:**\_\_\_\_\_

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

## Background:

The City of Kawartha Lakes (CKL, City) has retained D.M. Wills Associates Ltd. (Wills) to complete an Environmental Assessment in accordance with the Municipal Class Environmental Assessment (MCEA, EA) for the proposed rehabilitation / replacement of Mill Pond Bridge #100018 (Mill Pond Bridge) in Omemee, ON.

Mill Pond Bridge is located on Mary Street East in Omemee, ON, and conveys single lane east-west traffic over the Pigeon River. The bridge is located approximately 0.1 km south of the Highway 7 (King Street East) river crossing.



Land use in the area surrounding Mill Pond Bridge is primarily composed of Residential and Commercial lands, with small areas of Provincially Significant Wetlands (MNR) located immediately downstream of the bridge crossing at the east shore of the Pigeon River.

Mill Pond Bridge, constructed in 1952, is a four-span ( $\pm 24.4$  m,  $\pm 9.6$  m,  $\pm 9.6$  m,  $\pm 9.6$  m) reinforced concrete deck on steel I-girder bridge with its longest span reinforced by an additional truss structure. The bridge rests on reinforced concrete piers and abutments. The bridge cross-section provides single lane passage over the Pigeon River with an overall structure width of  $\pm 4.3$  m and a roadway width of  $\pm 3.8$  m between concrete curbs and steel guide rail.

The most recent OSIM bridge inspection, completed in September of 2017, indicated that the bridge superstructure is in generally poor condition with the substructure described as being good to fair condition. All exposed steel elements are experiencing medium to severe corrosion with some areas of section loss and localized perforation of steel. The bridge deck is generally in good condition with localized areas of deterioration; however, the deck soffit is heavily deteriorated with extensive delamination and spalling with exposed corroded reinforcement.

Subsequent to the 2017 OSIM, a more detailed inspection revealed a critical defect and the bridge was closed to vehicular traffic on May 7, 2019.

As a result of the inspections and severe deterioration of the bridge elements, it was recommended that the superstructure be replaced.

Staff recommends keeping the existing bridge closed until construction of the preferred solution. Should council want to complete a structural analysis it would cost roughly \$15,000.00 to \$20,000.00 and would take 6 to 8 weeks to complete. A cost estimate for repairs could be generated following the inspection. Any repairs would be redundant and throw away money.

### **Rationale:**

This report presents existing conditions, requirements of the Municipal Class EA process, improvement alternatives considered, agency and public consultation, recommended preferred alternative based on current information and results of a public information center.

Three structure rehabilitation alternatives were considered. They were:

1. Do nothing.
2. Close or remove bridge.
3. Replace or rehabilitate bridge.

**Option 1**, the option to 'Do Nothing', allows for the bridge to remain open for the remainder of its service life. Continued inspection would be conducted and the bridge would remain open until its structural capacity is deemed to be no longer adequate by an engineer. After consideration, the City decided that the option to do nothing was not acceptable and that physical intervention is required.

**Option 2** does not address the entirety of the Problem Statement. Closure of the bridge to vehicle traffic repurposes the bridge to be a pedestrian crossing alone, effectively reducing the service load on the bridge and negating the need for structural intervention. Bridge removal or closure to vehicular traffic does not address the need for a secondary vehicular crossing of Pigeon River in Omemee, ON. Vehicular traffic would be restricted to the Highway 7 crossing of the Pigeon River.

**Option 3** best addresses the entirety of the Problem Statement as it allows for the continued use of the bridge for both vehicular and pedestrian traffic and therefore maintains a secondary crossing over the Pigeon River.

**Recommended Design Alternative:** Option 3, rehabilitation/reconstruction of Mill Pond Bridge including a separate pedestrian walkway. Maintain two-way (single lane) traffic flow.

The Notice of Study Commencement was posted and sent to all review agencies and stakeholders on January 23, 2019. The Notice of Study Commencement outlined the project and background information and invited the reader to attend an upcoming Public Information Centre (PIC).

On February 4, 2019, a PIC was held at the Royal Canadian Legion (Branch 497) in Omemee, ON, during which members of the public could provide feedback on the proposed alternative solutions to the problem. The purpose of this PIC was to gain an understanding of the local use of the bridge and obtain feedback on preliminary solutions.

In addition to public consultation, during the EA process the following stakeholders were contacted for input:

- City of Kawartha Lakes (various contacts);
- Kawartha Conservation Authority;
- Kawartha Trans-Canada Trail;
- Ministry of Environment, Conservation and Parks (MECP);
- Ministry of Natural Resources and Forestry (MNRF Peterborough District);
- Ministry of Tourism, Culture, and Sport (MTCS);
- First Nations;
- Trillium Lakelands District School Board;
- Peterborough, Victoria, Northumberland and Clarington Catholic School Board;
- Student Transportation Services of Central Ontario;
- Kawartha Lakes Police Service;
- Kawartha Lakes Paramedic Service;
- Kawartha Lakes Fire Department;



- Member of Provincial Parliament;
- Member of Parliament;
- Utility Service Provider (various); and
- Public and Businesses of Omemee, ON.

The next step in the EA process is to publish a notice of study completion. Following 30 days from the date of publication the City of Kawartha Lakes may go to construction of the preferred alternative.

### **Other Alternatives Considered:**

The alternatives are discussed in this report.

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

The estimated construction budget for the proposed structure replacement (Recommended Option 3) is \$1,500,000.00, which includes contingency and construction supervision.

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

This report aligns with Goal 1 – A Vibrant and Growing Economy and Goal 2 – An Exceptional Quality of Life.

It also aligns with the Strategic Enablers of “Efficient Infrastructure & Asset Management” and “Responsible Fiscal Resource Management”.

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

N/A

### **Servicing Implications:**

N/A

### **Consultations:**

DM Wills

## Attachments:

### Environmental Assessment Project Report



9213 - Draft EA  
Project Report.pdf

### Appendix A – Contact and Consultation Records



Appendix  
A\_Compiled.pdf

### Appendix B – Existing Data



Appendix  
B\_Compiled.pdf

### Appendix C – General Arrangement Drawing and Cost Estimate



Appendix  
C\_Compiled.pdf

### Appendix D – Site Photographs



Appendix  
D\_Compiled.pdf

### Appendix E – Cultural Heritage Evaluation Report and Heritage Impact Assessment



Appendix  
E\_Compiled.pdf

### Appendix F – Archaeological Assessment



Appendix  
F\_Compiled.pdf

### Appendix G – Aboriginal Consultation



Appendix  
G\_Compiled.pdf

### Notice of Completion



9213 - Mill Pond  
Bridge EA - Notice of

**Department Head E-Mail:** jrojas@kawarthalakes.ca

**Department Head:** Juan Rojas, Director of Engineering & Corporate Assets

**Department File:**



**Environmental Assessment  
Project File**

**Mary Street East, Omemee, ON**

**Mill Pond Bridge #100018  
Rehabilitation / Replacement –  
Environmental Assessment**

**D.M. Wills Project Number 9213**



**D.M. Wills Associates Limited**

Partners in Engineering  
Peterborough

**May 2019**

**Prepared for:  
City of Kawartha Lakes**

### Summary of Revisions

Revision No.	Revision Title	Date of Release	Summary of Revisions
1	Draft EA Project Report	22/05/2019	Initial issuing of report

This report/proposal has been formatted considering the requirements of the Accessibility for Ontarians with Disabilities Act.

## Executive Summary

Mill Pond Bridge (#100018), having deteriorated to a state of structural concern, is expected to be unable to fulfill its functional requirements in the near future. If a secondary bridge crossing over the Pigeon River in Omemee, ON, is to be maintained, intervention in the form of replacement or rehabilitation is required.

A Schedule 'B' Class Environmental Assessment was initiated by the City of Kawartha Lakes in accordance with the Municipal Class Environmental Assessment, an approved document under the Environmental Assessment Act. D.M. Wills Associates Ltd. has been retained by the City of Kawartha Lakes to undertake the Class Environmental Assessment and subsequent Detailed Design phase of the project. This document forms the Project File for the Class Environmental Assessment.

The existing conditions of the bridge and study area were analyzed with respect to road and bridge geometry, hydraulics, natural environment, utilities, archaeology, and built heritage. Archaeological Services Inc. was retained as a consultant to conduct research and prepare the Cultural Heritage Evaluation Report, Heritage Impact Assessment, and Stage 1 Archaeological Assessment, all of which form part of this document.

The public, as well as various ministries and agencies (including First Nations communities), were notified of the project at the initiation of the Class Environmental Assessment and a Public Information Centre was held on February 4, 2019, to gain feedback from the public, review agencies, and First Nations communities. The Public Information Centre was primarily attended by members of the general public, with representatives of City Council and Village of Omemee community group members also in attendance. Comments were used to understand the local use of the bridge and obtain feedback on the proposed alternatives.

Five (5) alternatives were developed for evaluation and presented to the public:

1. Rehabilitation and addition of pedestrian walkway with two-way traffic flow.
2. Rehabilitation and addition of pedestrian walkway with one-way (westbound) traffic flow.
3. Close bridge to vehicular traffic and maintain as pedestrian bridge only.
4. Replace bridge with widened cross-section and open to two-lane two-way traffic and pedestrian use.
5. Decommission and remove bridge.

The evaluation of the alternatives listed above was based on several criteria. Namely, public opinion; relative cost; severity of perceived impact to the natural environment; severity of perceived impact to built heritage; likelihood for required ground disturbance during construction triggering further archaeological investigation; and effectiveness of solution to address the entirety of the Problem Statement.

The Recommended Design Alternative is to rehabilitate Mill Pond Bridge and add a pedestrian walkway to the south side of the bridge while maintaining the existing two-way (yield-to-oncoming) traffic. Due to the very severe state of deterioration of the existing bridge, the recommended rehabilitation will include full superstructure replacement (4 concrete spans and the steel truss) and repair of the existing concrete piers and abutments. The replacement truss design will be sympathetic to the original truss and, to the extent possible, will provide similar appearance. The cost to implement the Recommended Design Alternative is estimated to be approximately \$1,488,779.00.

Through the Class Environmental Assessment process, mitigation measures were developed with respect to impact to the natural environment, built heritage, and existing utilities.

Through adherence to the findings and recommendations presented herein, as well as continued consultation with review agencies and First Nations communities, the City of Kawartha Lakes is expected to enter the Detailed Design phase for the rehabilitation of Mill Pond Bridge in accordance with the Recommended Design Alternative.

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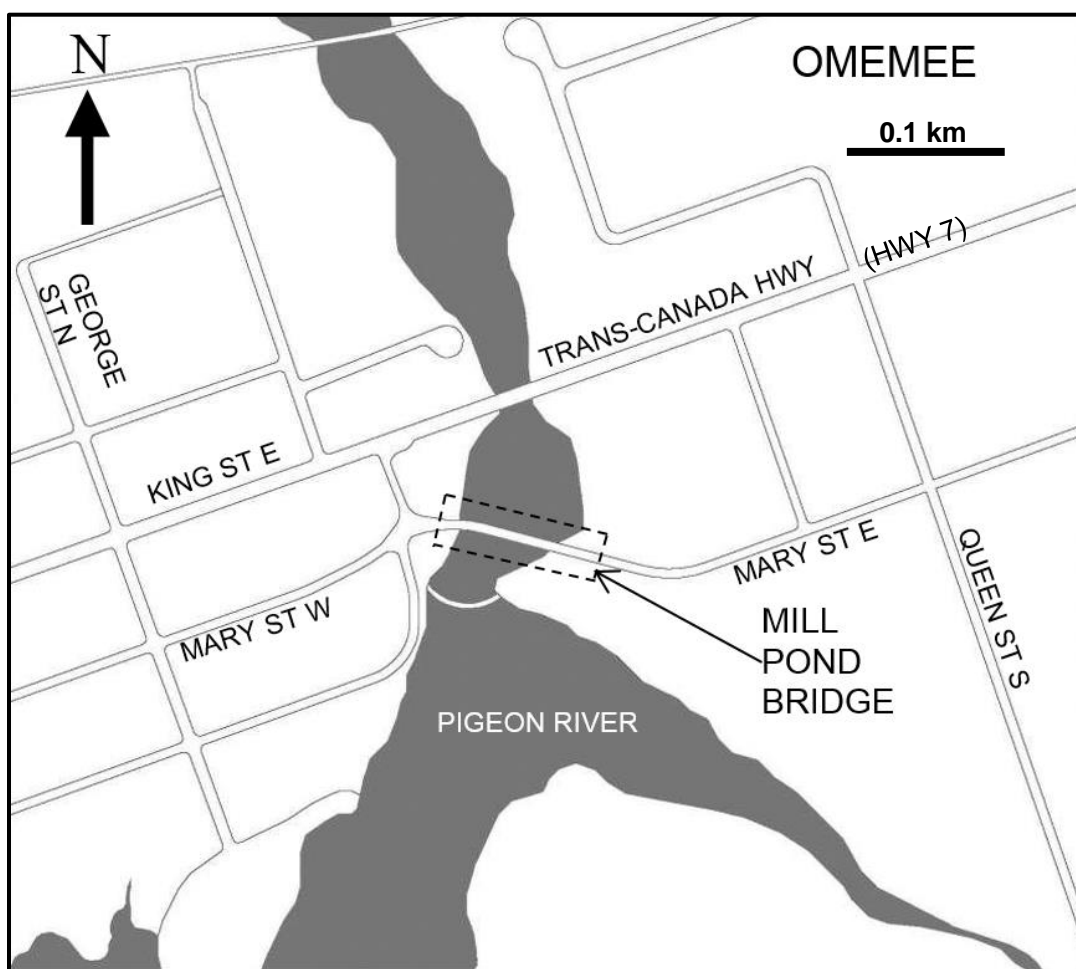
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## 1.0 Introduction

The City of Kawartha Lakes (CKL, City) has retained D.M. Wills Associates Ltd. (Wills) to complete an Environmental Assessment in accordance with the Municipal Class Environmental Assessment (MCEA, EA) for the proposed rehabilitation / replacement of Mill Pond Bridge #100018 (Mill Pond Bridge) in Omemee, ON.

Mill Pond Bridge is located on Mary Street East in Omemee, ON, and conveys single-lane east-west traffic over the Pigeon River. The bridge is located approximately 0.1 km south of the Highway 7 (King Street East) river crossing, see **Figure 1** below.

**Figure 1 - Key Map of Bridge Location**



Land use in the area surrounding Mill Pond Bridge is primarily composed of Residential and Commercial lands, with small areas of Provincially Significant Wetlands (MNRF) located immediately downstream of the bridge crossing at the east shore of the Pigeon River.

Mill Pond Bridge, constructed in 1952, is a four-span ( $\pm 24.4$  m,  $\pm 9.6$  m,  $\pm 9.6$  m,  $\pm 9.6$  m) reinforced concrete deck on steel I-girder bridge with its longest span reinforced by an additional truss structure. The bridge rests on reinforced concrete piers and abutments. The bridge cross-section provides single lane passage over the Pigeon River with an overall structure width of  $\pm 4.3$  m and a roadway width of  $\pm 3.8$  m between concrete curbs and steel guide rail.

The most recent OSIM bridge inspection, completed in September of 2017 (found in **Appendix B**), indicated that the bridge superstructure is in generally poor condition with the substructure described as being good to fair condition. All exposed steel elements are experiencing medium to severe corrosion with some areas of section loss and localized perforation of steel. The bridge deck is generally in good condition with localized areas of deterioration, however, the deck soffit is heavily deteriorated with extensive delamination and spalling with exposed corroded reinforcement. **Photos 3-12 in Appendix D** depict the deterioration of the superstructure.

Subsequent to the 2017 OSIM, a more detailed inspection revealed a critical defect and the bridge was closed to vehicular traffic on May 7, 2019.

As a result of the inspections and severe deterioration of the bridge elements, it was recommended that the superstructure be replaced.

This report presents the process of the City's MCEA for the replacement / rehabilitation of the Mill Pond Bridge, including the requirements of the MCEA, an outline of the existing conditions, a discussion on the design alternatives and the evaluation leading to a recommended solution, as well as the incorporation of public feedback and recommended mitigation measures to effectively implement the preferred solution.

## 1.1 Reference Documents

The following documents were referenced in the preparation of this document:

- Ontario Environmental Assessment Act, R.S.O. 1990, c. E. 18.
- Municipal Class Environmental Assessment document, as amended in 2015.
- OSIM Structural Inspection, dated September 9, 2017.

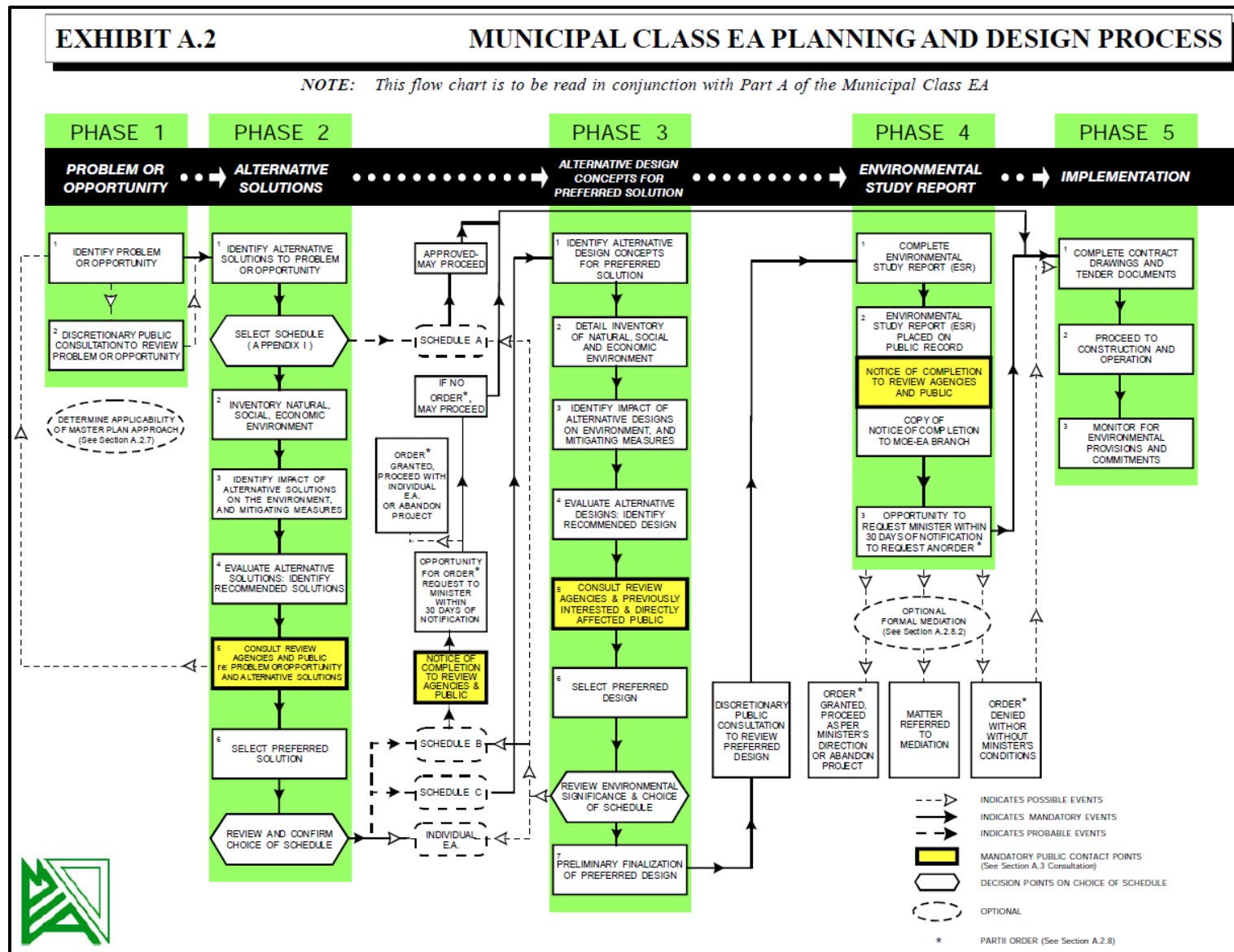
## 2.0 Municipal Class Environmental Assessment Process

Projects such as road improvement and new construction, bridge improvement and new construction, and other forms of infrastructure construction are subject to the Act. The replacement or rehabilitation of the Mill Pond Bridge is considered a new bridge construction or improvement and is therefore subject to the requirements of the Act.

The MCEA was developed by the Municipal Engineers Association (MEA) in order to provide municipalities with a streamlined method for determining the minimum requirements they need to meet in order for their projects to meet the governing requirements of the Act (i.e. their obligations under the Act). Schedules (A, A+, B, and C) were developed in order to differentiate and simplify the requirements under the Act. Projects meeting the description of Schedule 'A' (high simplicity and frequency) are considered 'pre-approved' and would therefore not require additional assessment under the Act. Projects meeting the Schedule 'C' description are those that are of a greater complexity and anticipated environmental impact and therefore require extensive assessment and environmental study under the Act.

The primary elements of the MCEA have been categorized into five (5) phases. One or all of the phases apply to a given project, depending on the Schedule identified during Phase 2. **Figure 2** depicts the five-phase flowchart. Regardless of the project and at the initiation of an environmental assessment, a Notice of Study Commencement, outlining the project and proponent contact information, must be advertised and issued to applicable review agencies and the public. The MCEA document provides guidance with regard to which review agencies should be contacted for a given EA.

Figure 2 - MCEA Five-Phase Planning and Design Process.



The first steps of Phase 1 & 2 require the proponent to identify the problem or opportunity and identify alternative solutions to the problem or opportunity. In the case of Mill Pond Bridge, the problem is defined as follows.

**Problem Statement:** Mill Pond Bridge, having deteriorated to a state of structural concern, is expected to be unable to fulfill its functional requirements in the near future. If a secondary bridge crossing over the Pigeon River in Omemee, ON, is to be maintained, intervention in the form of replacement or rehabilitation is required.

## 2.1 Identification of Solution Options

Alternative solutions to the problem include solution options developed at a macro scale. The details of how a particular solution is to be implemented are developed further on in Steps 4-6 of Phase 2 (refer to **Figure 2**). With respect to Mill Pond Bridge, the following solutions to the problem have been identified.

### Solutions to the Problem:

1. Do nothing.
2. Close or remove bridge.
3. Replace or rehabilitate bridge.

**Option 1**, the option to 'Do Nothing', allows for the bridge to remain open for the remainder of its service life. Continued inspection would be conducted and the bridge would remain open until its structural capacity is deemed to be no longer adequate by an engineer. After consideration, the City decided that the option to do nothing was not acceptable and that physical intervention is required.

**Option 2** does not address the entirety of the Problem Statement. Closure of the bridge to vehicle traffic repurposes the bridge to be a pedestrian crossing alone, effectively reducing the service load on the bridge and negating the need for structural intervention. Bridge removal or closure to vehicular traffic does not address the need for a secondary vehicular crossing of Pigeon River in Omemee, ON. Vehicular traffic would be restricted to the Highway 7 crossing of the Pigeon River.

The remaining option includes the replacement or rehabilitation of the bridge. **Option 3** best addresses the entirety of the Problem Statement as it allows for the continued use of the bridge for both vehicular and pedestrian traffic and therefore maintains a secondary crossing over the Pigeon River.

Options 2 & 3 address the Problem Statement to different extents, and thus considered for further evaluation. Alternative Design Methods, being the various design methods developed at a micro scale, are developed and evaluated in **Section 5.0**.

## 2.2 MCEA Schedule Selection

Appendix 1 of the MCEA document outlines sample project descriptions against which a given project can be compared to determine the appropriate EA schedule. **Table 1** outlines the sample project descriptions that Mill Pond Bridge satisfies:

**Table 1 - MCEA Sample Project Descriptions Applicable to Mill Pond Bridge**

Project Description No.	Description	Applicability
24	Reconstruction of a water crossing where the reconstructed facility will be for the same purpose, use, capacity and at the same location. (Capacity refers to either hydraulic or road capacity but does not include alterations to include or remove facilities for cycling, pedestrians or to support utilities.) This includes ferry docks.	Mill Pond Bridge project includes the potential for rehabilitation/reconstruction of the existing structure with no change to its current purpose, use, or capacity.
25	Reconstruction of a water crossing where the reconstructed facility will not be for the same purpose, use, capacity or at the same location. (Capacity refers to either hydraulic or road capacity but does not include alterations to include or remove facilities for cycling, pedestrians or to support utilities.) This includes ferry docks.	Mill Pond Bridge project includes the potential for replacement of the existing bridge structure with an additional lane, increasing its capacity.
30	<b>Reconstruction or alteration of a structure or the grading adjacent to it when the structure is over 40 years old, which after appropriate evaluation is found to have cultural heritage value and cost of the project is less than \$2.4M.</b>	<b>Mill Pond Bridge is over 40 years old and may have cultural heritage value. Project cost for most complex alternative (replacement) not anticipated to cost more than \$2.4M.</b>
31	Reconstruction or alteration of a structure or the grading adjacent to it when the structure is over 40 years old which after appropriate evaluation is found not to have cultural heritage value.	Mill Pond Bridge is over 40 years old may have no cultural heritage value.



In addition to the MCEA, a Checklist was developed by the MEA in 2013 (rev. 2014) to assist proponents in further identifying their obligations under the Act with respect to bridges that are more than 40 years old. Having been constructed in 1952, Mill Pond Bridge meets this criteria, and the Checklist was therefore used to confirm Schedule selection as well as identify requirements for Cultural Heritage and Archaeological Assessment. It was determined through the Checklist that a Cultural Heritage Evaluation Report (with provisional Heritage Impact Assessment) and Stage 1 Archaeological Assessment are required for the project. The completed Checklist can be found in **Appendix E**.

Through the completion of Phase 1 and initial steps of Phase 2 of the flow chart (Appendix 1 of the MCEA document, **Table 1**), the replacement or rehabilitation of the Mill Pond Bridge has been assessed as a Schedule 'B'. As a Schedule 'B', the City need only complete the remainder of Phase 2 before proceeding to Phase 5.

Under the MCEA, Schedule 'B' projects are approved subject to screening and require a Project File to be published at the completion of the study. This document shall be considered to be the Project File for the Mill Pond Bridge project at the completion of the EA.

After completing the Schedule 'B' EA, a Notice of Completion must be published to review agencies and the public. A 30 day comment period commences upon publishing of the Notice of Completion. Within the comment period, review agencies and members of the public who do not believe the MCEA process has been followed adequately may submit a Part II Order to the Minister of the Environment, Conservation and Parks requesting a review of the MCEA process completed by the proponent. The appropriate mailing addresses for the submission of Part II Order requests will be included in the Notice of Study Completion.

Though it is the right of review agencies and the public to submit a Part II Order, this is not the preferred method for dealing with concerns related to the MCEA process. The following is the preferred procedure (chronologically) for resolving concerns:

1. Resolve concerns through consultation and discussion in Step 5 of Phase 2 of the MCEA process;
2. Directly request that the proponent upgrade the project to a Schedule 'C' MCEA during 30 day comment period after issuance of the Notice of Completion; and
3. Should direct correspondence with the proponent reach an impasse, submit Part II Order to the Minister of Environment, Conservation and Parks within the 30 day comment period.



### 3.0 Public and Agency Contact

Section A.3.6 and Appendices 3 and 7 of the MCEA document provide guidance on the ministries, agencies, and other entities that represent stakeholders in a given project and should be contacted and consulted throughout the EA process. The following is a list of stakeholders circulated for consultation with regard to this EA:

- City of Kawartha Lakes (various contacts);
- Kawartha Conservation Authority;
- Kawartha Trans-Canada Trail;
- Ministry of Environment, Conservation and Parks (MECP);
- Ministry of Natural Resources and Forestry (MNRF Peterborough District);
- Ministry of Tourism, Culture, and Sport (MTCS);
- First Nations;
- Trilium Lakelands District School Board;
- Peterborough, Victoria, Northumberland and Clarington Catholic School Board;
- Student Transportation Services of Central Ontario;
- Kawartha Lakes Police Service;
- Kawartha Lakes Paramedic Service;
- Kawartha Lakes Fire Department;
- Member of Provincial Parliament;
- Member of Parliament;
- Utility Service Provider (various); and
- Public and Businesses of Omemee, ON.

The Notice of Study Commencement was posted and sent to all of the above review agencies and stakeholders on January 23, 2019. The Notice of Study Commencement outlined the project and background information and invited the reader to attend an upcoming Public Information Centre (PIC).

#### 3.1 Public Information Centre

On February 4, 2019, a PIC was held at the Royal Canadian Legion (Branch 497) in Omemee, ON, during which members of the public could provide feedback on the proposed alternative solutions to the problem (discussed in **Section 2.0**). The purpose of this PIC was to gain an understanding of the local use of the bridge and obtain feedback on preliminary solutions.

## **4.0 Existing Conditions**

### **4.1 Road and Bridge Geometry**

Mill Pond Bridge is located on Mary Street East (Mary St. E.), which conveys traffic in the east and west directions. The vertical and horizontal alignment of Mill Pond Bridge is flat and straight, respectively, however, the vertical and horizontal alignment of Mary St. E. varies on either side of the bridge. Mary St. E. accommodates two lanes of traffic on either side of Mill Pond Bridge and a single lane of traffic over the bridge. The east approach to the bridge is comprised of an asphalt roadway measuring  $\pm 5.4$  m wide before tapering to  $\pm 3.8$  m at the interface with the bridge deck. The west approach measures  $\pm 5.8$  m wide before tapering to  $\pm 3.8$  m wide at the interface with the bridge deck. The bridge roadway width measures  $\pm 3.8$  m between concrete curbs and steel guide rail.

### **4.2 Hydraulics**

Pigeon River, a tributary watercourse to Pigeon Lake, flows from south to north under Mill Pond Bridge. Flow of the river primarily passes under the longest span of the bridge. A hydraulic dam is located approximately 45 m upstream of the bridge. The Trans-Canada Highway (Hwy 7) crosses over Pigeon River via a bridge structure located approximately 73 m downstream of Mill Pond Bridge.

Hydraulically, Mill Pond Bridge does not present any obstruction to the flow of the Pigeon River, with the exception of the piers, which feature angled bullnoses where flow is moving fastest in order to mitigate impact to the local flow regime.

A recent floodplain study for the Omemee Dam revealed that the channel opening at the Highway 7 river crossing controls the flow of Pigeon River during the regulatory storm. It was determined in the study that Mill Pond Bridge is overtopped with water by approximately two metres during the regulatory event. The hydraulic forces resulting from this event are a concern given the current state of the bridge.

### **4.3 Environment**

Mill Pond Bridge is located within a provincial fish sanctuary that extends from the Omemee Dam south of Mill Pond Bridge, northward to the Trans-Canada Trail Bridge (formerly C.N.R. bridge), which prohibits fishing from January 1 to Friday after the second Saturday in May and November 16 to December 31. In some environments, dams provide high-quality spawning habitat by influencing watercourse hydrology and habitat characteristics. This specific fish sanctuary is recognized by the City of Kawartha Lakes Official Plan as an Environmentally Sensitive Feature area that supports the Natural Heritage System. According to publicly available records (NHIC) with respect to the subject area, large networks of Provincially Significant Wetlands (PSW) occupy the Pigeon River immediately north of Mill Pond Bridge and approximately 280 m south, including Emily Park Wetland and Pigeon River No. 23 Complex, respectively. Land use within the Pigeon River subwatershed is dominated by agricultural practices (47.9%),

followed by forest (20.5%) and treed wetland (11.5%). Streamside vegetation in the Pigeon River subwatershed is lacking; riparian vegetation cover is below the threshold identified by Environment Canada as being conducive to healthy watercourses. Records of Ecological Land Classification mapping indicate that the immediate area of the Mill Pond Bridge is primarily urban development.

The Pigeon River is one of two major tributaries that flow into Pigeon Lake that are documented as providing spawning habitat for migratory lake-dwelling fishes, including; walleye, muskellunge, and white sucker, and recreationally-important resident fish such as smallmouth and largemouth bass. Populations of muskellunge in Pigeon Lake have been documented utilizing spawning habitat in the Pigeon River upstream to the Omemee Dam. Furthermore, the Pigeon River is confirmed to provide habitat for 34 fish species, however, no species at risk fish or their habitat have been documented. Brook trout, a sensitive coldwater fish species, is known to occur in the headwater portions of the Pigeon River.

The Pigeon Lake watershed hosts 27 wildlife species at risk, and their habitat, with seven species dependant on Pigeon Lake and its tributaries, including: black tern, Blanding's turtle, cyrano darner, least bittern, northern map turtle, snapping turtle, and western chorus frog. The NHIC database yielded no records of Species at Risk within four 1 km<sup>2</sup> Grids that intersect the Subject Area (17PK9407, 17PK9408, 17PK9507, 17PK9508). The Ontario Reptile and Amphibian Atlas 10 km<sup>2</sup> grid encompassing the Subject Area (17PK90) contains records for midland painted turtle and snapping turtle, which are listed as Special Concern under the *Endangered Species Act*, however, no immediate species or habitat protection is included for these species. Furthermore, citizen scientists within close proximity to the Subject Area have observed barn swallows. Barn swallows, listed as Threatened in Ontario, build nests almost exclusively on human-made structures such as bridges, culverts and barns.

#### **4.4 Traffic**

Adjacent to the Highway 7 crossing of Pigeon River, Mill Pond Bridge provides a secondary crossing of the river to local residents of Omemee. As previously mentioned, traffic on either side of the bridge is two lanes wide, but is constricted to a single lane of two-way traffic over the bridge.

There is no traffic data for Mary St. E. available at the time of this study.

Mill Pond Bridge is load posted to 11, 14, and 23 tonnes for truck, truck and trailer, and truck and double trailer trucks respectively.

#### **4.5 Utilities**

Several utilities are located within the right-of-way of the bridge and approaches. Hydro poles form junctions for hydro and telecommunications utilities. An overhead telecommunication line runs parallel with the north side of the bridge. In addition, a buried gas line runs parallel with the south side of the bridge under Pigeon River in close

proximity to the bridge. Ontario One Call utility location was used to obtain information related to the utilities within the vicinity of the bridge. Plans depicting the various utilities and their general locations can be found in **Appendix B**.

#### **4.6 Archaeology**

A property inspection was conducted by Archaeological Services Inc. (ASI) on March 26, 2019, and subsequent Stage 1 Archaeology Assessment report was completed in April, 2019. The following is a summary of the findings.

The Standards and Guidelines for Consultant Archaeologists (S & G) Section 1.3.1 lists criteria that indicate archaeological potential. Through investigation and historical research, the following criteria were found to apply to Mill Pond Bridge:

- Water sources: primary, secondary, or past water source (Pigeon River).
- Early historic transportation routes (Mary St.).
- Proximity to early settlements (Omemee, ON).

Furthermore, the residential yard adjacent to the west side of the river and the northwest quadrant of the bridge site was identified to have archaeological potential and requires Stage 2 Archaeological Assessment prior to any development (if impacted).

The Stage 1 Archaeological Assessment concluded that no previously registered archaeological sites are located within 1 km of the study area (bridge site).

The entirety of the Stage 1 Archaeological Assessment, prepared by ASI in April 2019, can be found in **Appendix F**.

#### **4.7 Built Heritage**

The Ontario Heritage Bridge Guidelines (interim, 2008) was used to evaluate the heritage value of Mill Pond Bridge against three main criteria derived from O. Reg. 9/06. These criteria being: Design/Physical Value, Contextual Value, and Historic/Associative Value. A bridge which receives a score of 60 or greater is considered provincially significant and may be included in the Ontario Heritage Bridge List. When evaluated against the Ontario Heritage Bridge Guidelines, Mill Pond Bridge received a score of 38 and is therefore not considered to be provincially significant.

Though not considered to be provincially significant, Mill Pond Bridge was determined to have some heritage value when evaluated based on the three aforementioned criteria. Having met at least one of the criteria for heritage value set out in O. Reg. 9/06 of the Ontario Heritage Act, a Heritage Impact Assessment is required.

The Cultural Heritage Evaluation Report, prepared by ASI in April 2019, can be found in **Appendix E**.

## 5.0 Alternative Design Methods

The following alternatives were developed to further evaluate the aforementioned options of 'bridge closure or removal' and 'bridge rehabilitation or replacement':

1. Rehabilitation and addition of pedestrian walkway with two-way traffic flow.
2. Rehabilitation and addition of pedestrian walkway with one-way (westbound) traffic flow.
3. Close bridge to vehicular traffic and maintain as pedestrian bridge only.
4. Replace bridge with widened cross-section and open to two-lane two-way traffic and pedestrian use.
5. Decommission and remove bridge.

### 5.1 Evaluation of Alternatives

#### Alternatives 1 and 2

Alternatives 1 and 2 both include the rehabilitation of the bridge to address the structural concerns raised during the previous inspection. Additionally, the current cross-section of the bridge does not allow for safe pedestrian use. For this reason, Alternatives 1 and 2 include to addition of a separated pedestrian walkway to allow for simultaneous use of the bridge by vehicles and pedestrians.

Alternatives 1 and 2 received the most positive feedback from the public during the PIC held on February 4, 2019 (refer to **Table 3** in **Section 6.1**). Relative to the other alternatives' scope of work, Alternatives 1 and 2 represent the least perceived impact to the natural environment and heritage aspects of the existing bridge, with the exception of Alternative 3, which does not address the entirety of the problem statement. Given that work related to Alternatives 1 and 2 is focused on the strengthening of the superstructure of the bridge, it is not likely that any significant ground disturbance will be made, reducing the likelihood for archaeological impact.

#### Alternative 3

Alternative 3 addresses the structural concerns of the bridge by reducing the service load of the bridge to only pedestrian traffic. Under this condition there is no need for major structural rehabilitation, however, vehicular traffic would be restricted to the Highway 7 crossing of the Pigeon River or a detour crossing located approximately 7.5-8 km north of Omemee.

Alternative 3 received little positive feedback from the public during the aforementioned PIC. Given that no changes to the existing bridge structure are necessary to facilitate the intended functionality of Alternative 3, this alternative will have little to no impact to the built heritage, natural environment, and archaeology of the site. However, it does not address the need for a secondary vehicular crossing over the Pigeon River in Omemee.

#### Alternative 4

Alternative 4 provides the most functional benefits to the problem. Two-way traffic is maintained and improved by the addition of a second lane, and a pedestrian walkway allows for safe simultaneous use of the bridge for both vehicular and pedestrian traffic. Given the complexity and design challenges of this alternative, this option would be completed at the highest cost relative to the other alternatives.

Alternative 4 received a similar amount of positive feedback to Alternative 2 during the PIC. This alternative best addresses the functional needs of the crossing in that it improves the existing functionality of the bridge crossing through the addition of a second lane for vehicular traffic. However, the scope of work required to implement this alternative is far greater than any other alternative. The associated risk of impact to the natural environment (aquatic and terrestrial), built heritage, and archaeology of the site is high.

#### Alternative 5

Alternative 5 includes the decommissioning and removal of the bridge in its entirety. Traffic flow would be impacted similarly to Alternative 3, but pedestrian traffic would likewise be directed to the Highway 7 crossing of Pigeon River. Road improvements would be recommended to be added to the cross-section of Division Street South to facilitate pedestrian traffic flowing to or from the Highway 7 crossing of Pigeon River.

In order to facilitate the removal of the bridge superstructure and substructure, a similar scope of removal work is required to that of Alternative 4. The associated risks of impact to built heritage, natural environment, and site archaeology are likewise similar to Alternative 4 (high).

The following table outlines the relative monetary cost of each of the alternatives.

**Table 2 - Relative Alternative Monetary cost**

Alternative	1	2	3	4	5
Relative Cost	Medium	Medium	Low	High	Low

## 6.0 Public and Agency Feedback

As previously mentioned, consultation is an integral part of the EA process. For the Mill Pond Bridge EA, a combination of the PIC and electronic correspondence were used to obtain feedback from stakeholders and review agencies.

## 6.1 Public Information Centre

The five alternative design methods were brought to the public for review and comment. A feedback form was handed out to members of the public who attended the PIC on February 4, 2019. This feedback form was used to gather input from the public during the session. Members of the public were also encouraged to submit the feedback form at a later date if they required more time to formulate their comments. The feedback form used at the PIC can be found in **Appendix A**.

Responses resulting from the PIC varied. Approximately 20-25% of responses indicated a concern over illegal fishing and expressed a need to mitigate the potential for continued illegal fishing activity. Additionally, 15-20% of responses expressed an interest in traffic lights, temporary or permanent, being installed at the intersection of Highway 7 and Queen Street.

With regard to the alternative designs presented at the PIC, the **Table 3** summarizes the responses from the public.

**Table 3 - Summary of Public Feedback.**

Alternative	Alternative Description	Indicated as Preferred Alternative
1	Rehabilitation and addition of pedestrian walkway with two-way traffic flow	64% *
2	Rehabilitation and addition of pedestrian walkway with one-way (westbound) traffic flow	16%
3	Close bridge to vehicular traffic and maintain as pedestrian bridge only	4%
4	Replace bridge with widened cross-section and open to two-lane two-way traffic and pedestrian use	16% *
5	Decommission and remove bridge	0%
* Approximately 20% of responders indicated that Alternative 4 is the Preferred Alternative, but Alternative 1 is the realistic Preferred Alternative when considering monetary costs. Values tabulated above depict the Preferred Alternative when monetary costs was considered.		



## 6.2 Agency Comments

The ministries and agencies listed in **Section 3.0** were contacted for feedback during the EA process. Utility companies consisting of Bell, Eastlink, Enbridge, and Hydro One all responded to the Notice and utility locate request and provided information on their respective utility services in the area. Kawartha Conservation also responded and has opened a project file. Additionally, comments were received from the Ontario Ministry of Environment, Conservation and Parks (MECP) on March 4, 2019. Feedback from the MECP was grouped under three general headings; Class EA Process; MECP technical review issues; and Aboriginal Consultation. The MECP comments can be found in **Appendix A**.

Comments regarding the Class EA process were general in nature and intended to ensure the proper Class EA process would be observed.

Similar to those regarding the Class EA process, comments regarding Aboriginal Consultation were made to ensure proper consultation with the appropriate First Nations communities was conducted (see **Section 6.3** below).

Comments regarding MECP technical review issues were made to highlight the Ministry's interest in bridge projects, environmental issues which should be addressed through the Class EA process, and standard comments which may or may not apply to the Mill Pond Bridge Class EA project.

## 6.3 Aboriginal Consultation

The Notice of Study Commencement and PIC was circulated to the following identified First Nations (FN) communities at the initiation of the EA:

- Curve Lake First Nation.
- Hiawatha First Nation.
- Mississaugas of Scugog Island First Nation.
- Alderville First Nation.
- Williams Treaty First Nations Communications/Claims Coordinator.

A letter was received on February 1, 2019 from Curve Lake FN stating that the project is situated on their traditional lands and expressed their concern for the project and requested a response on how the project would address areas of concern; environmental impact to drinking water, endangerment to fish and wild game, impact on Aboriginal heritage and cultural values, and impact to endangered species and lands. A letter response was issued as requested in March 2019, the letter can be found in **Appendix G**.

In addition to the expression of concern over the project, Curve Lake FN requested to be consulted in the preparation of the Stage 1 Archeological Assessment prepared by ASI (see **Appendix F**).



## 7.0 Preferred Solution

While all of Alternatives 1-5 were considered separately by the City and brought to the public for feedback, it became evident that Alternative 1 best addressed the entirety of the Problem Statement.

**Recommended Design Alternative:** Rehabilitation/reconstruction of Mill Pond Bridge including a separate pedestrian walkway. Maintain two-way (single lane) traffic flow.

Due to the advanced deterioration of the truss structure over the western span, rehabilitation through refurbishment is not considered to be a viable option. Rather, replacement of the truss is the recommended rehabilitation method. In order to retain the heritage features of the structure, a truss of sympathetic design is recommended.

Given the deterioration identified in the most recent bridge inspection, as well as the general condition of the bridge, the following scope of work is anticipated for the rehabilitation of Mill Pond Bridge:

- Complete replacement of superstructure over the entirety of the bridge.
- Design and installation of code compliant barrier system with sympathetic design characteristics to the existing steel 'lattice' barrier system;

This includes the installation of a new deck. This deck will be supported by a new truss over the western span, and new girders over the eastern spans. A code compliant barrier system (minimum TL-1) and cantilevered pedestrian sidewalk with railing on the south side of the bridge will also be installed. To the extent possible, the design of the barrier system and sidewalk railing will be chosen to be sympathetic to the steel 'lattice' design of the existing barrier system. Furthermore, design of the replacement truss structure over the western span shall likewise be sympathetic to the existing truss design so as to maintain the aesthetic appearance of this heritage feature.

The estimated cost to implement the Recommended Design Alternative is \$1,488,779.00. The detailed cost estimate can be found in **Appendix C**.

A General Arrangement drawing (Drawing R01) has been developed to depict the aforementioned scope of work for the Recommended Design Alternative. The drawing is shown below and can be found in **Appendix C**.



## **7.1 Mitigation Measures**

### **7.1.1 Natural Environment**

The Recommended Design Alternative includes the rehabilitation/reconstruction of the bridge as well as the addition of a cantilevered walkway to the south side of the bridge superstructure. This work will require machinery and heavy equipment to work on the bridge and over the river. There are several risks associated with the scope of work in terms of impact to the natural environment, such as the direct destruction of species and their habitat, and watercourse sedimentation and/or contamination. In order to mitigate the potential for impact to the natural environment, best management practices, and applicable environmental protection standards will be used.

#### **Working Window Timing Restrictions**

To prevent impact on local and migratory fish species, turtles, and birds who may use the aquatic, riparian and/or structural habitat in the immediate vicinity of the Mill Pond Bridge, the following mitigation measures based on MNRF best practices with respect to timing windows should be used:

- The MNRF has established timing window guidelines to restrict in-water work in order to protect fish during seasonal migrations and critical life stages. Based on the presence of walleye, muskellunge, and large/smallmouth bass in the Pigeon River, in-water construction work would be restricted to occur outside of the timing window of March 15 – July 15.
- Turtle habitat is present within the Pigeon River and the Subject Area, and records of midland painted turtles and snapping turtles have been documented. If work is to be completed during the turtle breeding season (May 1 – July 30), turtle exclusionary fencing should be installed around the watercourse to exclude turtles from the work areas prior to May 1. Turtle nests that are observed in close proximity to the construction site should be protected.
- If barn swallows are found to utilize the existing Mill Pond Bridge structure, the project should be registered with MNRF and effective exclusionary methods and/or timing windows (April 1 – August 31) for construction should be applied.

#### **Isolation of Work Areas**

- All work areas should be isolated from flowing water and work will be completed in the dry.
- If in-water work is required, operation of equipment within such areas should be kept to the minimum necessary to perform the work.
- The replacement of the truss structure over the western span may be completed in a separate location to minimize potential for debris and excess construction material from entering the watercourse. A new deck may be partially or fully prefabricated off-site as part of the replacement truss. Care should be taken during the installation of the replacement deck and truss to ensure isolation of the

work area is achieved and no construction material is allowed to enter the watercourse.

### **Erosion and Sediment Controls**

An Erosion and Sediment Control Plan (ESCP) should be developed and implemented to minimize the risk of sedimentation into Pigeon River during all phases of the Project. The following erosion and sediment control measures should be maintained until all disturbed ground has been permanently stabilized and runoff water is clear:

- Installation of effective erosion and sediment control measures before starting work to prevent sediment from entering the water body.
- Measures for managing water flowing onto the site, as well as water being pumped/diverted from the site such that sediment is filtered out prior to the water entering the waterbody.
- Site isolation measures (e.g. silt boom or silt curtain) for containing suspended sediment where in-water work is required.
- Measures for containing and stabilizing waste material.
- Regular inspection and maintenance of erosion and sediment control measures and structures during the course of construction and monitoring of downstream turbidity levels.
- Repairs to erosion and sediment control measures and structures if damage occurs.
- Removal of non-biodegradable erosion and sediment control materials once site is stabilized.

### **Monitoring**

Due to the prolonged nature of construction activities, monitoring programs should be implemented to ensure that mitigation measures are being utilized properly and that no impacts to wildlife and fish communities, or their associated habitats, have occurred:

- Baseline studies prior to construction to establish potential habitat for species at risk and utilization of habitat by fish species such as walleye (i.e. spawning surveys).
- Sediment and Erosion control monitoring during construction.
- Monitoring during turtle nesting to ensure exclusionary methods are kept intact and effective to ensure that if nesting occurs that nesting sites are protected.
- Nest sweeps should be conducted prior to removal of any vegetation if found nests should be protected and monitored until the nest is no longer active.
- Development of an offsetting plan for turtle nesting habitat if construction activities or staging is anticipated to impact turtle nesting habitat.

### **Site Restoration and Remediation**

- Exposed slopes should be protected by limiting the length of time that such areas are exposed prior to final application of topsoil and seed. All seeding will be completed prior to October 1 to ensure suitable germination prior to winter dormancy period.
- All areas where vegetation has been removed should be stabilized via seeding prior to erosion and sediment control measures being removed.
- Clearing of riparian vegetation should be kept to a minimum. Where practicable, vegetation is to be pruned or topped instead of grubbed / uprooted.
- Disturbed banks should be immediately stabilized with native plant species to prevent erosion and / or sedimentation.
- Minimize the removal of natural woody debris, rocks, sand or other materials from the banks and the bed of the waterbody below the ordinary high water mark. If material is removed from the watercourse, set it aside and return it to the original location once construction activities are completed.
- Immediately stabilize banks disturbed by any activity associated with the Project to prevent erosion and / or sedimentation, preferably through re-vegetation with native species suitable for the site.
- Restore banks of the waterbody to their original contour and gradient, if the original gradient cannot be restored due to instability, a stable gradient that does not obstruct fish passage should be restored.
- If replacement rock reinforcement / armoring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank / shoreline and natural stream / shoreline alignment.
- Once the Project is completed, all construction materials are to be removed.
- Once stabilized, all erosion and sediment control measures should be removed to restore wildlife corridors and connectivity.

### **Regular Equipment Maintenance and Refueling, and Setbacks from Water Bodies**

The use of industrial equipment has the potential to cause pollution into the adjacent watercourse. The following mitigation measures should be implemented to ensure that accidental contamination (from sediment, fuel, lubricants, oil, etc.) does not occur:

- An emergency spill response kit, including the appropriate absorbency materials, should be on site at all times. Proper containment, clean up and reporting, in accordance with provincial requirements, is required.
- All equipment operating near the watercourse should have the appropriate spill kit, accessible to the operator and the operator will be trained in its use.
- Equipment refueling should take place at least 30 m from the watercourse to prevent water contamination due to fuel spills.

- Any equipment that is not easily moved (generators, pumps, etc.) should be refuelled using appropriate methods to prevent fuel spillage and all operating equipment will have the appropriate sized drip pans located underneath.
- Regular equipment maintenance and inspections should be performed to avoid contaminant leakage and should be free of excess oil / grease.

### 7.1.2 Built Heritage

As identified in **Section 4.7**, Mill Pond Bridge was found to have heritage value in accordance with O. Reg. 9/06 of the Ontario Heritage Act. With heritage value being identified, a Heritage Impact Assessment was conducted for Mill Pond Bridge and considered the impacts of all alternatives outline herein.

At the time the Heritage Impact Assessment was completed, a preferred solution had not been identified, thus a number of recommendations and mitigation measures were presented for consideration. The following is a summary of the recommendations and mitigation measures presented within the document:

- The preferred alternative, when selected, should ensure the fewest direct and permanent impacts to the identified heritage attributes of Mill Pond Bridge (preferred solution identified herein satisfies this recommendation).
- Rehabilitation methods should be selected based on which methods impact the identified heritage aspects to the least extent possible while addressing the structural concerns of the bridge.
- Construction staging and staging areas should be appropriately planned in such a manner so as to minimize potential for damage to the identified heritage attributes, or avoid areas with heritage value in their entirety.
- Should rehabilitation in the form of superstructure replacement be selected during preliminary and detailed design, the half-through truss component of the bridge structure should be protected and retained to the maximum extent possible for use in the replacement superstructure. Furthermore, the replacement superstructure should be sympathetically designed to mimic the functionality and appearance of the existing superstructure.
- Sufficient documentation should be conducted for the existing bridge prior to any work which may significantly impact the appearance or functionality of the existing bridge (the Cultural Heritage Evaluation Report and Heritage Impact Assessment prepared by ASI are considered sufficient documentation).

The complete Cultural Heritage Evaluation Report and Heritage Impact Assessment reports prepared by ASI, and the recommendations and mitigation measures identified therein, can be found in **Appendix E**.

### **7.1.3 Utilities**

Utilities in the vicinity of the bridge are comprised of hydro, telecommunication, and natural gas (buried). Should the project progress to construction tendering, the appropriate utility stakeholders will be consulted to formulate the necessary utility protection and/or relocation measures to facilitate construction. The resulting protection and impact mitigation measures will be included in the tender documents.

## **8.0 Project Schedule**

Concurrent with publication of the Notice of Completion, and conclusion of the 30 day comment period, the City will present the Project File to City Council for approval. At this time, the City will proceed to the Detailed Design stage of the project where the details of the design solution will be developed in conjunction with mitigation measures. Upon completion of the Detailed Design, the City's final steps include:

- Preparation of detailed cost estimate for budget approval.
- Complete permit application(s).
- Preparation of Tender and Contract Documents.
- Issue Tender and award construction project to successful bidder.
- Implement and monitor design alternative.

## **9.0 Summary**

Mill Pond Bridge, having deteriorated to a state of structural concern, can no longer fulfill its functional requirements. If a secondary bridge crossing over the Pigeon River in Omemee, ON, is to be maintained, intervention in the form of replacement or rehabilitation is required.

D.M. Wills Associates Ltd. has conducted a Class EA in accordance with the MCEA at the request of the City of Kawartha Lakes for the proposed replacement or rehabilitation of the Mill Pond Bridge (#100018) in Omemee, ON.

Through Phase 1 and 2 of the MCEA process, the Class EA was determined to be a Schedule 'B'. This document forms the Project File for the Class EA.

The existing conditions of the bridge and study area were analyzed with respect to road and bridge geometry, hydraulics, natural environment, utilities, archaeology, and built heritage. ASI was retained as a consultant to conduct research and prepare the Cultural Heritage Evaluation Report, Heritage Impact Assessment, and Stage 1 Archaeological Assessment, all of which form part of this document.

The public as well as various ministries and agencies (including FN communities) were notified of the project at the initiation of the Class EA and a PIC was held on February 4,



2019, to gain feedback from the public, review agencies, and FN communities. The PIC was primarily attended by members of the general public, with representatives of City Council and Village of Omemee community group members also in attendance. Comments from the PIC were used to understand the local use of the bridge and obtain feedback on the proposed alternatives.

Five (5) alternatives were developed for evaluation:

1. Rehabilitation and addition of pedestrian walkway with two-way traffic flow.
2. Rehabilitation and addition of pedestrian walkway with one-way (westbound) traffic flow.
3. Close bridge to vehicular traffic and maintain as pedestrian bridge only.
4. Replace bridge with widened cross-section and open to two-lane two-way traffic and pedestrian use.
5. Decommission and remove bridge.

The evaluation of the alternatives listed above was based on several criteria. Namely, public opinion; relative cost; severity of perceived impact to the natural environment; severity of perceived impact to built heritage; likelihood for required ground disturbance during construction triggering further archaeological investigation; and effectiveness of solution to address the entirety of the Problem Statement.

A Recommended Design Alternative (Alternative 1) was determined through evaluation. The Recommended Design Alternative is to rehabilitate Mill Pond Bridge and add a pedestrian walkway to the south side of the bridge. The rehabilitation design shall maintaining two-way (single lane) traffic flow. The total project cost is estimated to be \$1,488,779.00 (refer to **Appendix C**).

Through the Class EA process, mitigation measures were developed with respect to impact to the natural environment, built heritage, and existing utilities.

Through adherence to the findings and recommendations presented herein, as well as continued consultation with review agencies and FN communities, the City of Kawartha Lakes is expected to enter the Detailed Design phase for the rehabilitation of Mill Pond Bridge in accordance with the Recommended Design Alternative.



## **Appendix A**

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### **Contact and Consultation Records**

## **Public Information Centre Material**

## **Public Feedback**

## **Agency Feedback**

## **Appendix B**

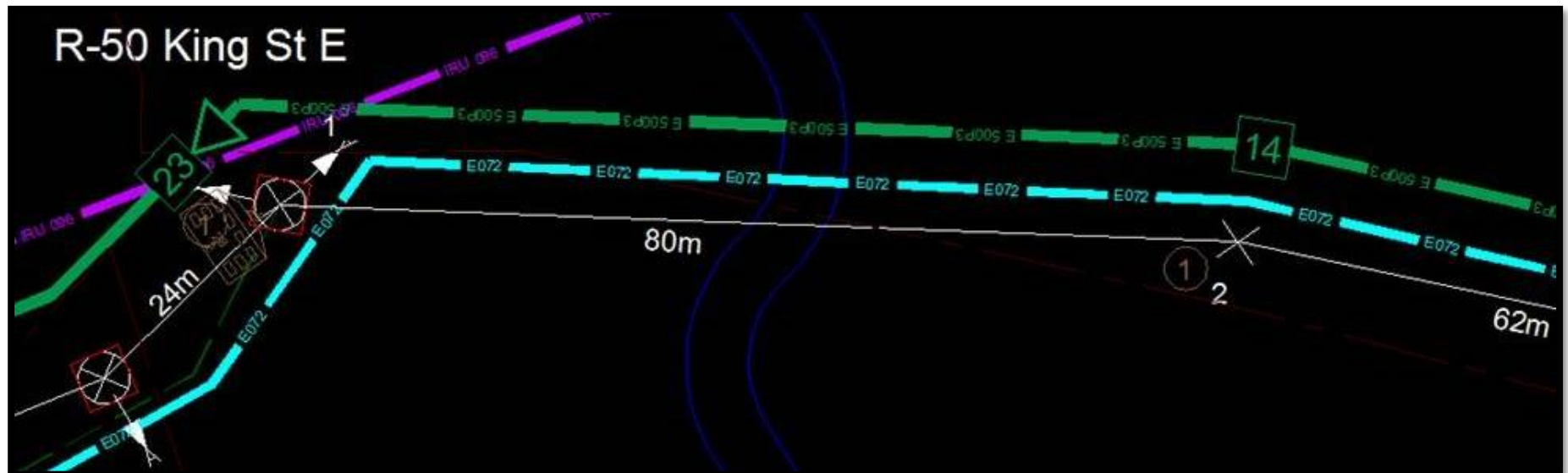
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### **Existing Data**

## **2017 OSIM Structural Inspection**

## **Existing Utility Location Drawings**

## Eastlink Utilities





## **Appendix C**

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### **General Arrangement Drawing and Cost Estimate**



## Preliminary Cost Estimate - Mill Pond Bridge Rehabilitation

Item No.	Description	Unit	Est. Qty.	Est. Unit Price	Extension
1	Mobilization and Demobilization	L.S.	1	\$20,000.00	\$20,000.00
2	Contract Bond and Insurance	L.S.	1	\$5,000.00	\$5,000.00
3	Construction Layout	L.S.	1	\$4,500.00	\$4,500.00
4	Bird Nesting Preventative Measures	L.S.	1	\$2,500.00	\$2,500.00
5	Traffic Control	L.S.	1	\$10,000.00	\$10,000.00
6	Environmental / Watercourse Protection	L.S.	1	\$15,000.00	\$15,000.00
7	Hot Mix HL-3	t	46	\$275.00	\$12,739.00
8	Removal of Asphalt Pavement, Full Depth	m <sup>2</sup>	51	\$50.00	\$2,550.00
9	Removal of Bridge Structure	L.S.	1	\$90,000.00	\$90,000.00
10	Removal of Steel Beam Guide Rail	m	79	\$20.00	\$1,580.00
11	Single Rail Steel Beam Guide Rail	m	79	\$180.00	\$14,220.00
12	Metal Traffic Barrier	m	109	\$650.00	\$70,850.00
13	Steel Beam Guide Rail Structure Connections	Each	4	\$1,000.00	\$4,000.00
14	Concrete in Deck	m <sup>3</sup>	66	\$2,300.00	\$151,800.00
15	Reinforcing Steel Bar	t	8.0	\$7,400.00	\$59,200.00
16	Prefabricated Truss Structure	L.S.	1	\$300,000.00	\$300,000.00
17	Cantilever Pedestrian Walkway	m	55	\$2,500.00	\$137,500.00
18	Fabrication of Structural Steel	t	13	\$6,500.00	\$84,500.00
19	Delivery of Structural Steel	t	13	\$300.00	\$3,900.00
20	Erection of Structural Steel	t	13	\$1,500.00	\$19,500.00
22	Bridge Deck Waterproofing	m <sup>2</sup>	198	\$80.00	\$15,840.00
23	Bearings	Each	34	\$400.00	\$13,600.00
24	Pier and Abutment Renewal	L.S.	1.0	\$200,000.00	\$200,000.00
					Subtotal: <u>\$1,238,779.00</u>
					10% Contingency \$125,000.00
					10% Design and Construction \$125,000.00
					<b>Total Estimated Project Cost <u>\$1,488,779.00</u></b>

## **Appendix D**

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### **Site Photographs**

## **Appendix E**

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### **Cultural Heritage Evaluation Report and Heritage Impact Assessment**

**Municipal Heritage Bridges; Cultural, Heritage, and  
Archaeological Resources Assessment Checklist**

## **Cultural Heritage Evaluation Report**

## **Heritage Impact Assessment**



## **Appendix F**

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### **Archaeological Assessment**

## **Appendix G**

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### **Aboriginal Consultation**

## **Appendix A**

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### **Contact and Consultation Records**

## **Public Information Centre Material**

## Welcome

# City of Kawartha Lakes

## Mill Pond Bridge #100018 Rehabilitation / Replacement Municipal Class Environmental Assessment

### Public Information Centre - Open House -

February 4, 2019

Please sign in and take an information package and comment sheet.

Feel free to provide written input or comment using the comment sheets provided or by contacting the identified representatives of the City of Kawartha Lakes or its consultant for this project (D.M. Wills Associates Limited).

Representatives of the City of Kawartha Lakes and D.M. Wills Associates Limited are available to discuss questions or concerns you may have regarding this project.



City of Kawartha Lakes  
Mill Pond Bridge #100018 - Municipal Class EA  
Public Information Centre



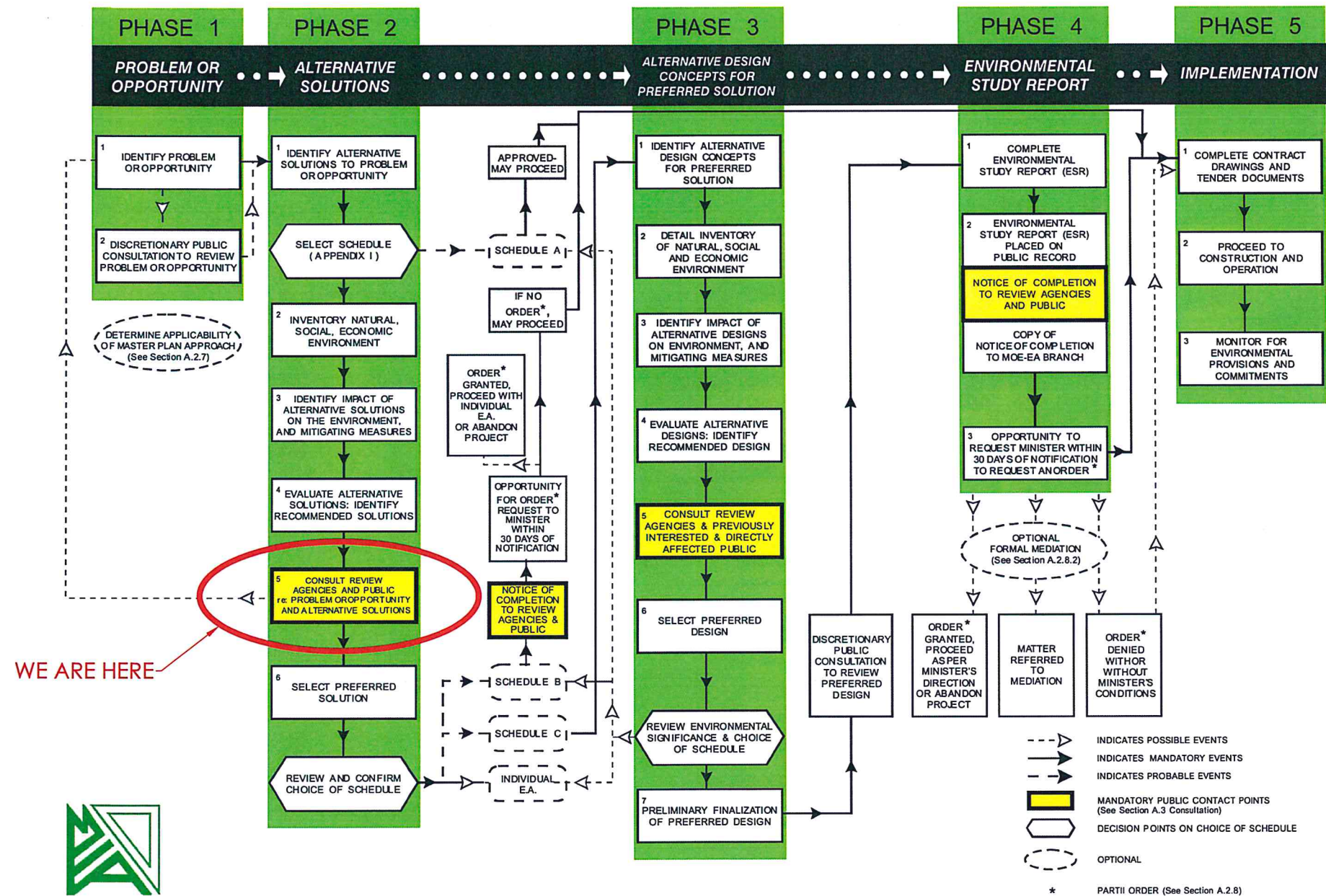


# Municipal Class Environmental Assessment Process

**EXHIBIT A.2**

## MUNICIPAL CLASS EA PLANNING AND DESIGN PROCESS

*NOTE: This flow chart is to be read in conjunction with Part A of the Municipal Class EA*





# Phase 1 - Problem or Opportunity

## Phase 1: Identification of Problem or Opportunity

### General Location Plan



### Problem / Opportunity Statement

- The study will identify and evaluate alternatives to rehabilitate the Mill Pond Bridge #100018 with respect to cultural heritage, archeological significance, and environmental impacts.

### Study Area

- The Study Area generally covers the Village of Omeme, ON, with specific attention being given to the area within the immediate vicinity of the bridge and the surrounding residential areas.
- The Study Area includes the central business and residential lands adjacent to the bridge, in addition to commercial lands within the Village of Omeme.
- Mill Pond Bridge #100018 conveys single lane traffic in the east-west direction over Pigeon River, which flows to the north from Mill Pond through the Mill Pond Dam and under Mill Pond Bridge #100018 before crossing King Street East (Highway 7).
- The Study Area meets the following criteria indicative of archaeological potential (MTCS Standards & Guidelines for Consultant Archaeologists, Section 1.3.1):
  - A. Water sources: primary, secondary, or past water source (Pigeon River);
  - B. Early historic transportation routes (King St., Mary St.); and
  - C. Proximity to early settlements (Village of Omeme).

### Purpose of Study

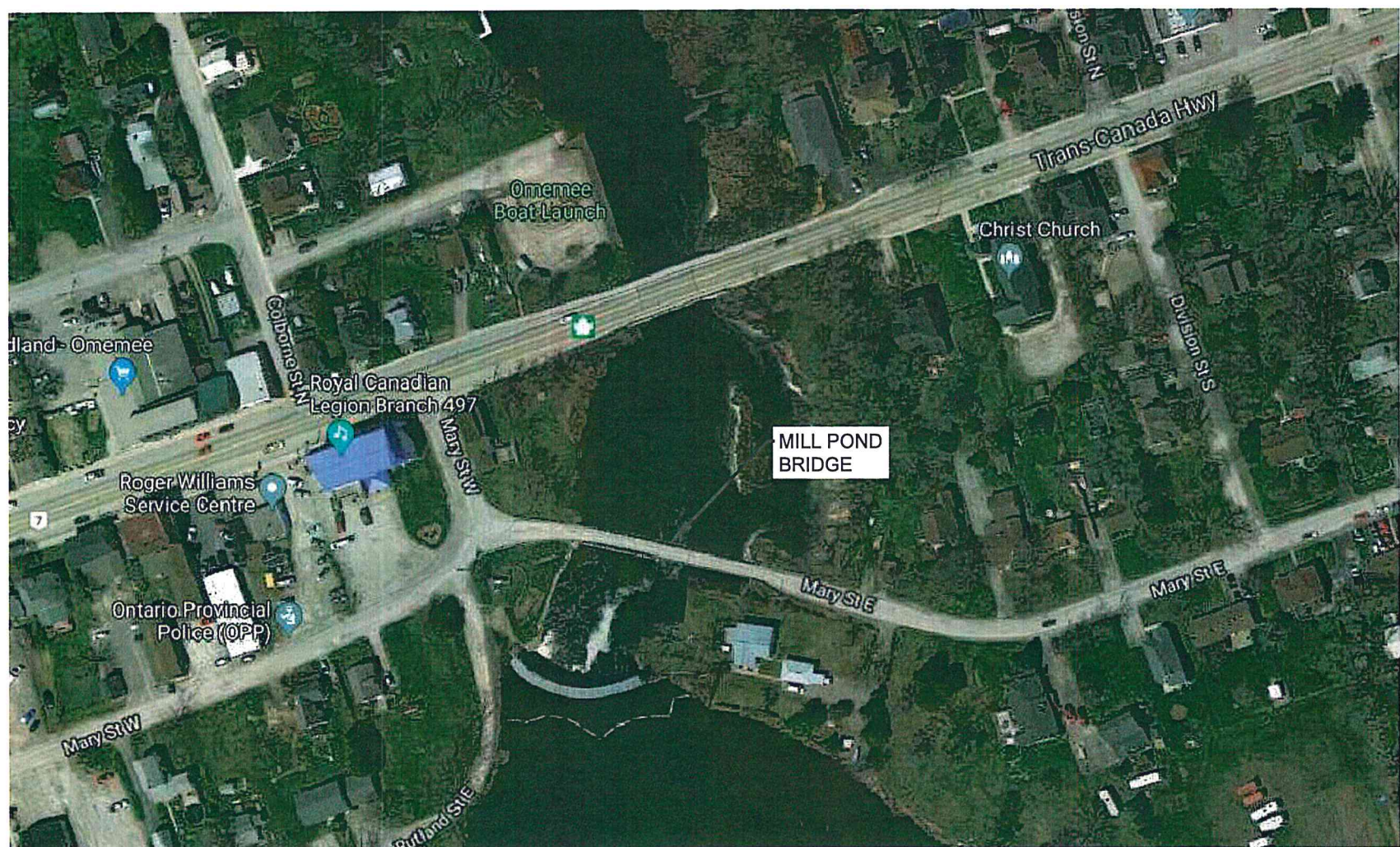
- Mill Pond Bridge #100018 has been identified through structural inspection to be in need of structural rehabilitation or replacement in the near future. The deterioration of the bridge brings into question its ability to perform its functional requirements without structural intervention in the form of rehabilitation. The purpose of this Study is to evaluate alternatives for the rehabilitation / replacement, or repurposing of the Mill Pond Bridge #100018 with respect to the cultural heritage of the bridge, archeological significance of the surrounding area, and potential environmental impacts of the respective alternatives. The findings of the Study will allow the City of Kawartha Lakes to proceed with preferred solution identified throughout the Environmental Assessment process.

### Public and Review Agency Consultation

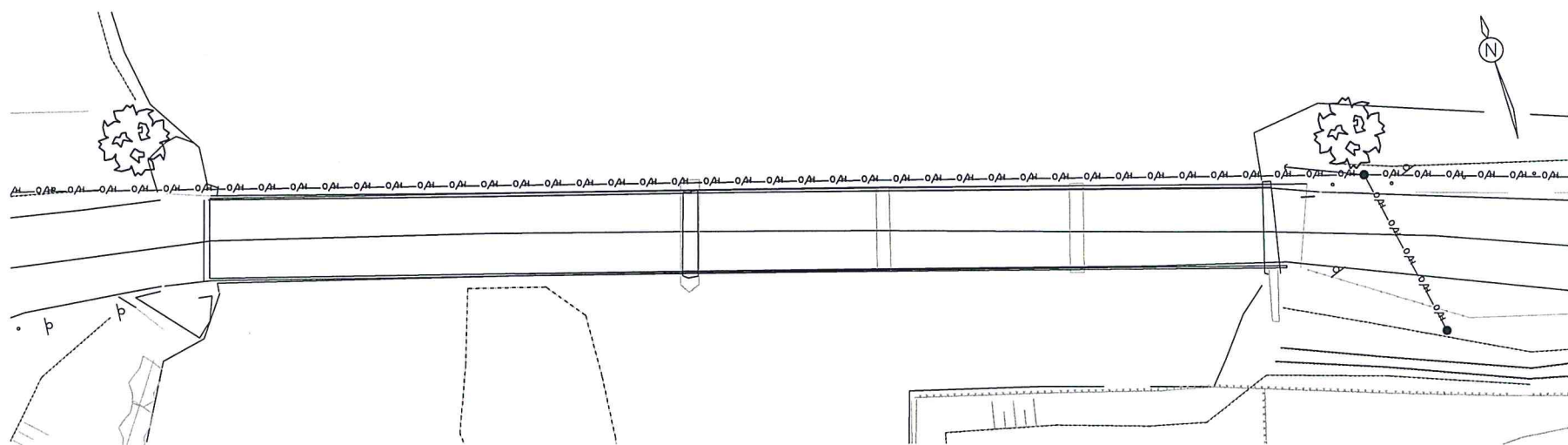
- A "Notice of Study Commencement" was previously published and sent to review agencies and identified stakeholders.
- This Public Information Centre (PIC) is intended to provide an opportunity for members of the public to review and discuss the project with the City of Kawartha Lakes and its representatives, provide input for consideration during the planning of this project, express any concerns with respect to proposed alternatives and discuss potential impacts associated with construction related to the project.



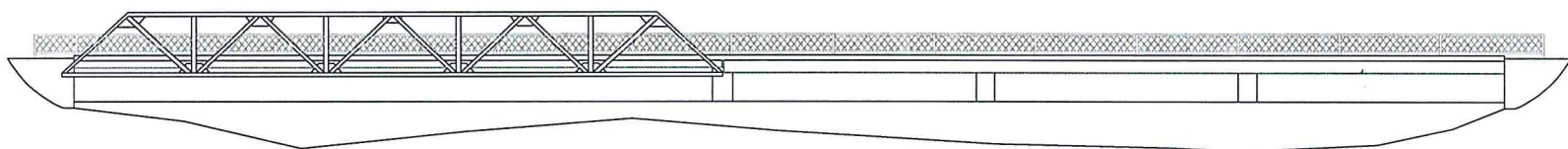
# EXISTING STRUCTURE



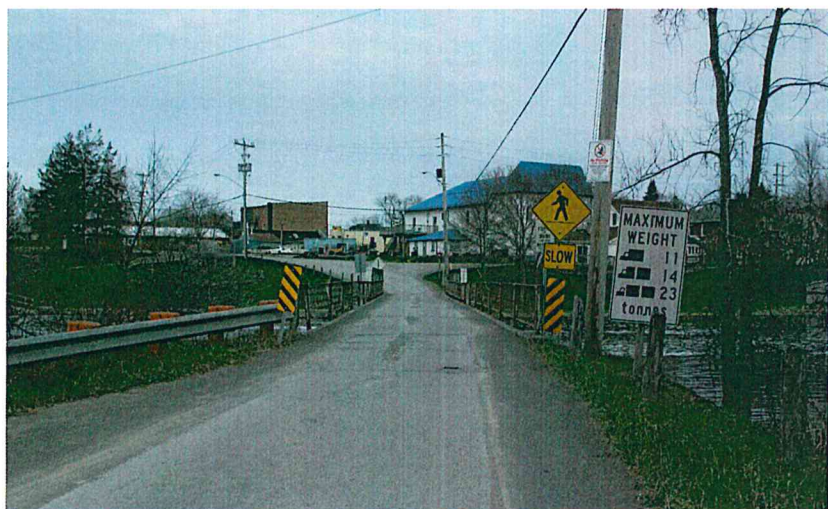
ROAD NETWORK



PLAN  
1:150



UPSTREAM ELEVATION  
1:125



LOOKING WEST OVER DECK TOP

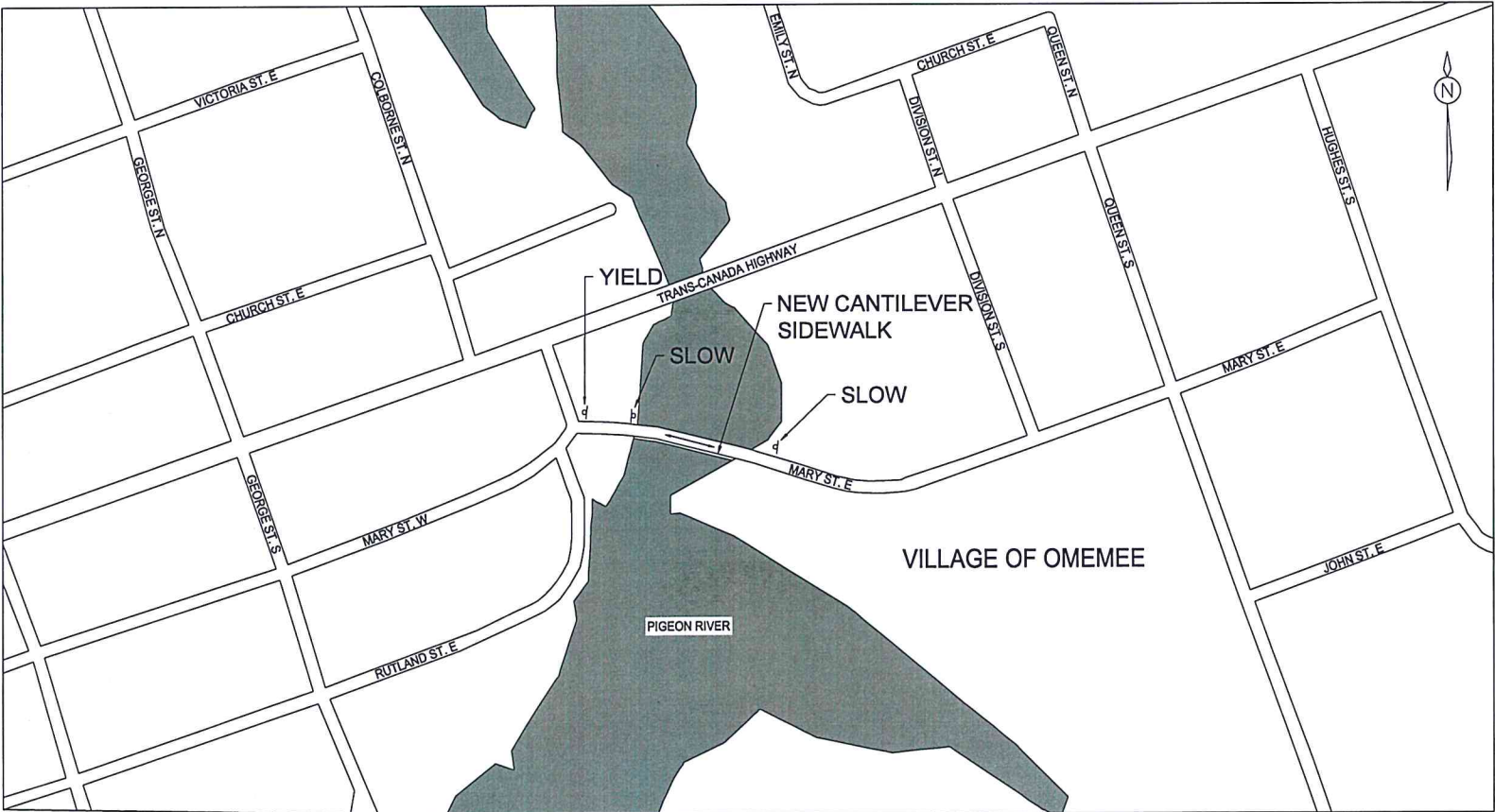


DOWNSTREAM ELEVATION LOOKING SOUTHEAST

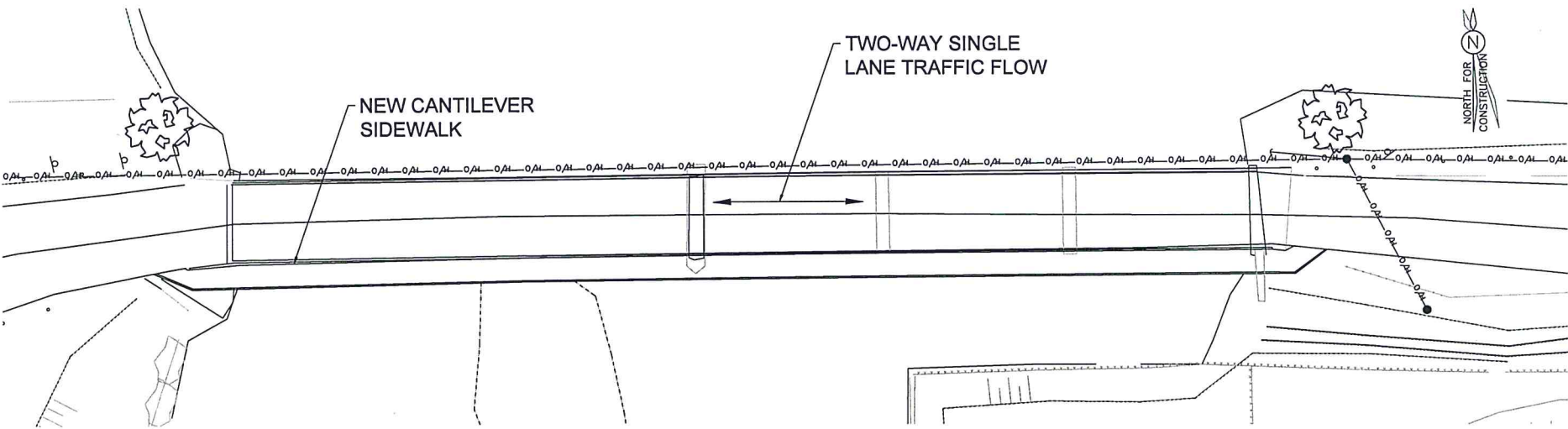


# ALTERNATIVE 1

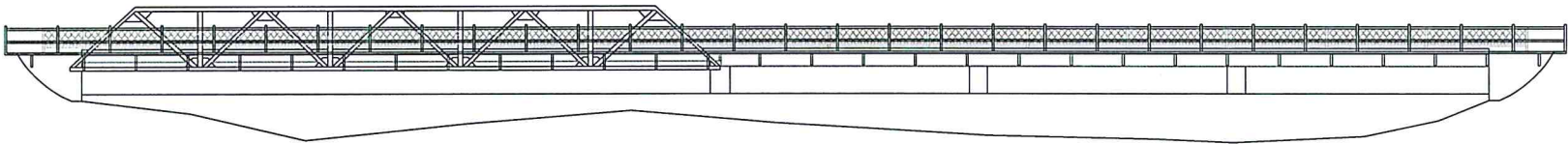
## TWO-WAY TRAFFIC FLOW



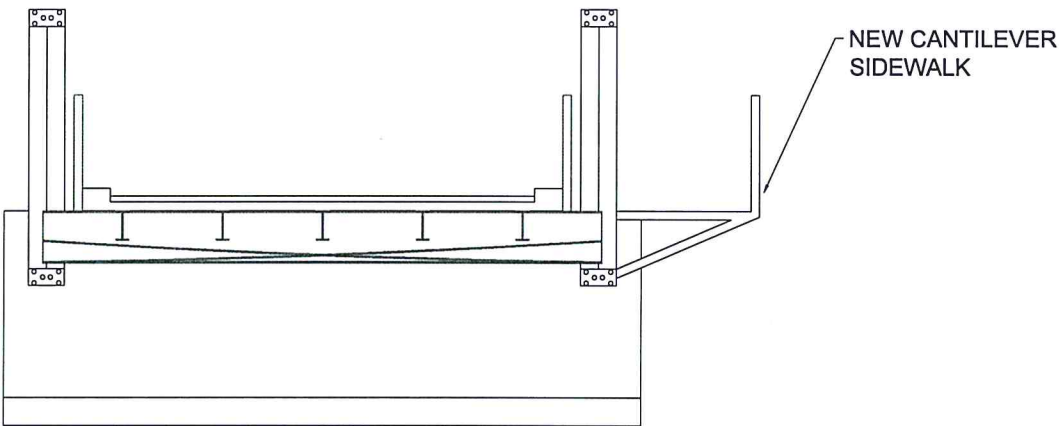
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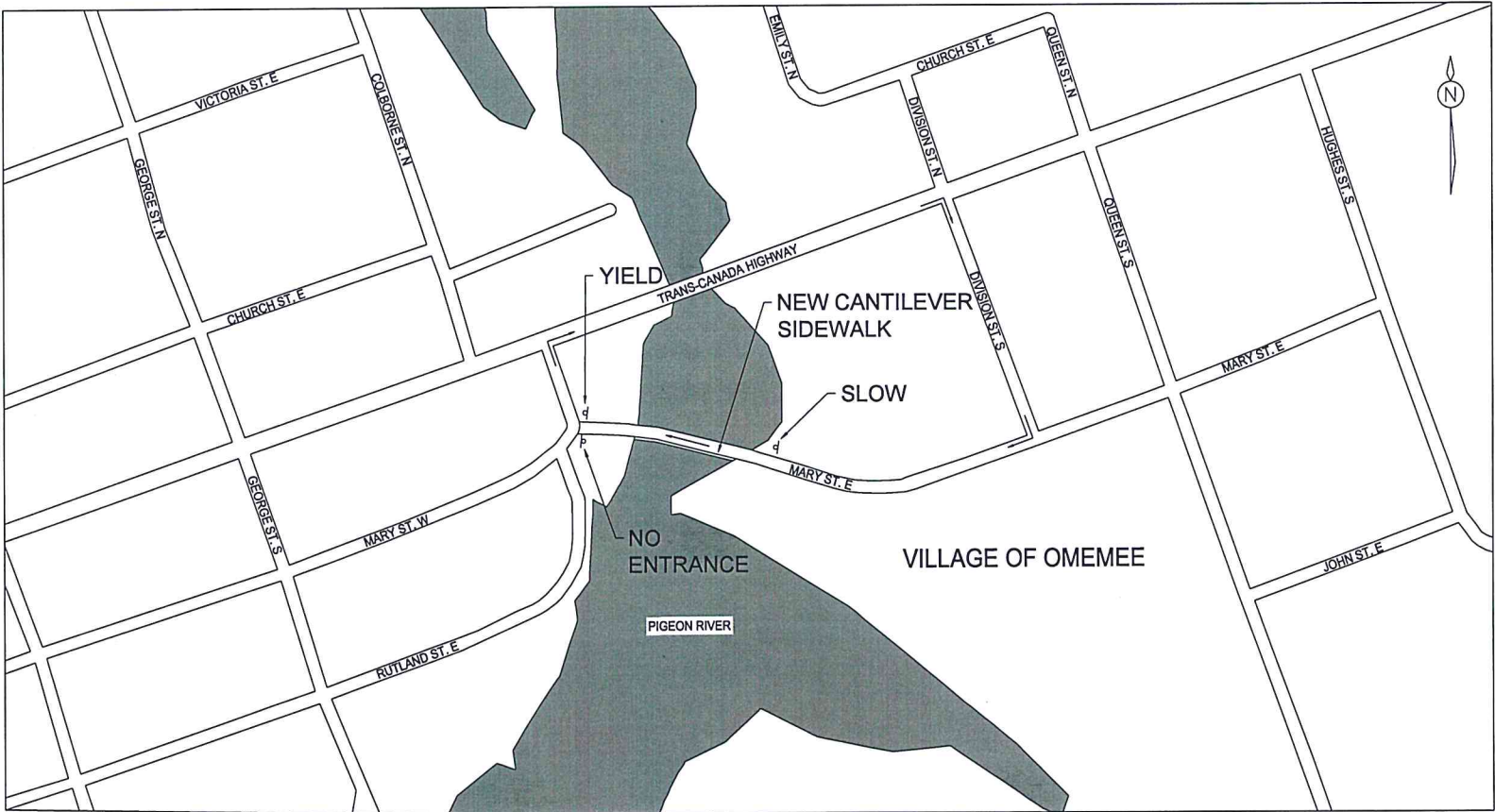
UPSTREAM ELEVATION  
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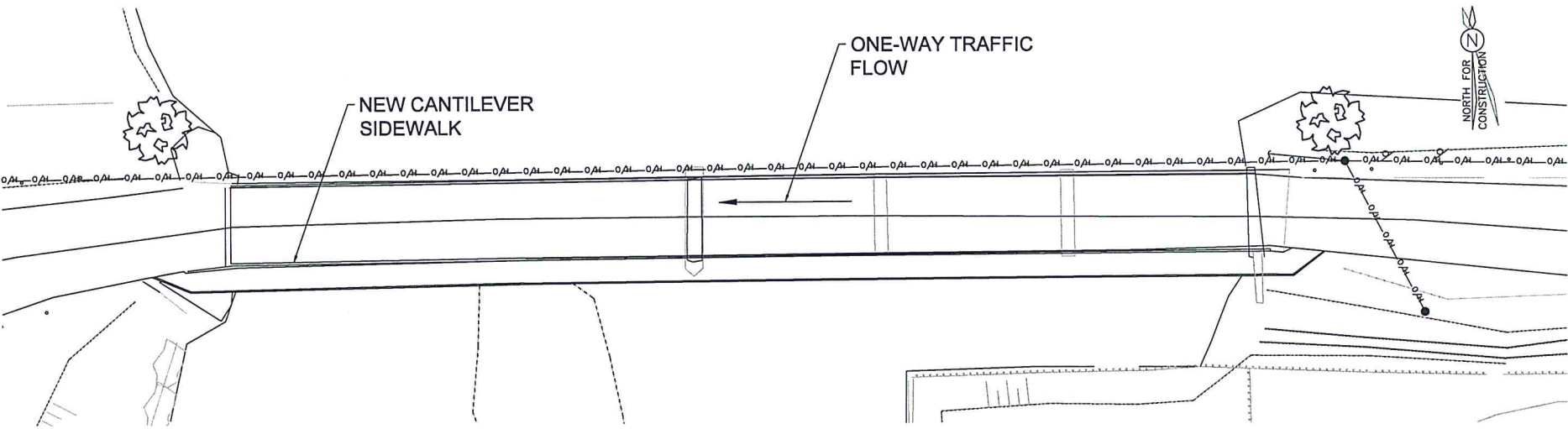
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# ALTERNATIVE 2

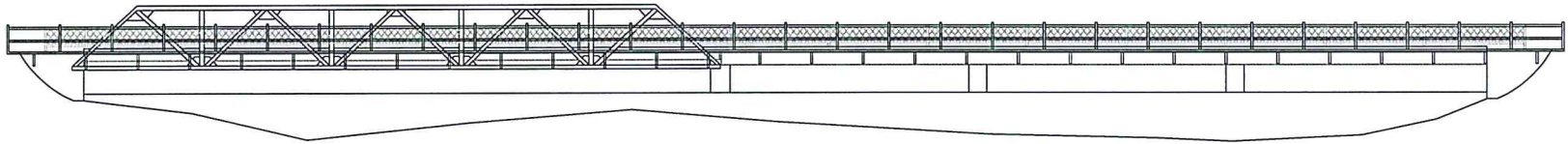
## ONE-WAY TRAFFIC FLOW



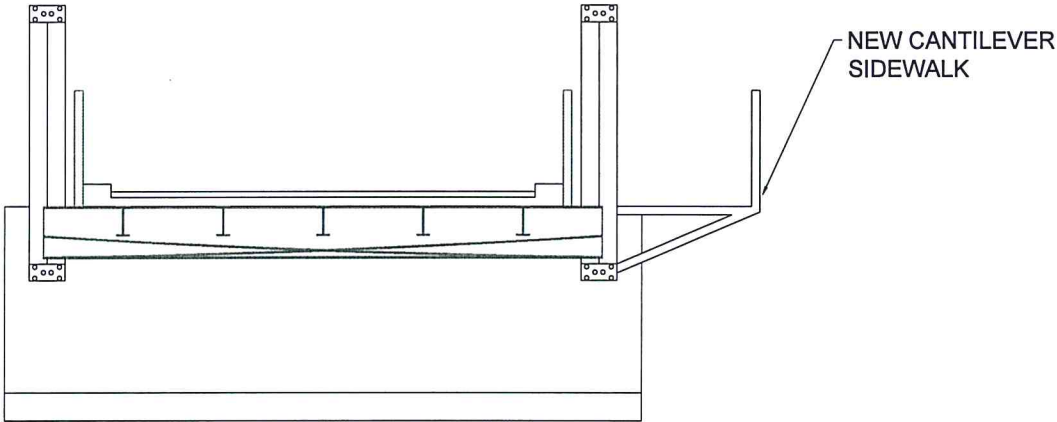
ROAD NETWORK



PLAN  
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UPSTREAM ELEVATION  
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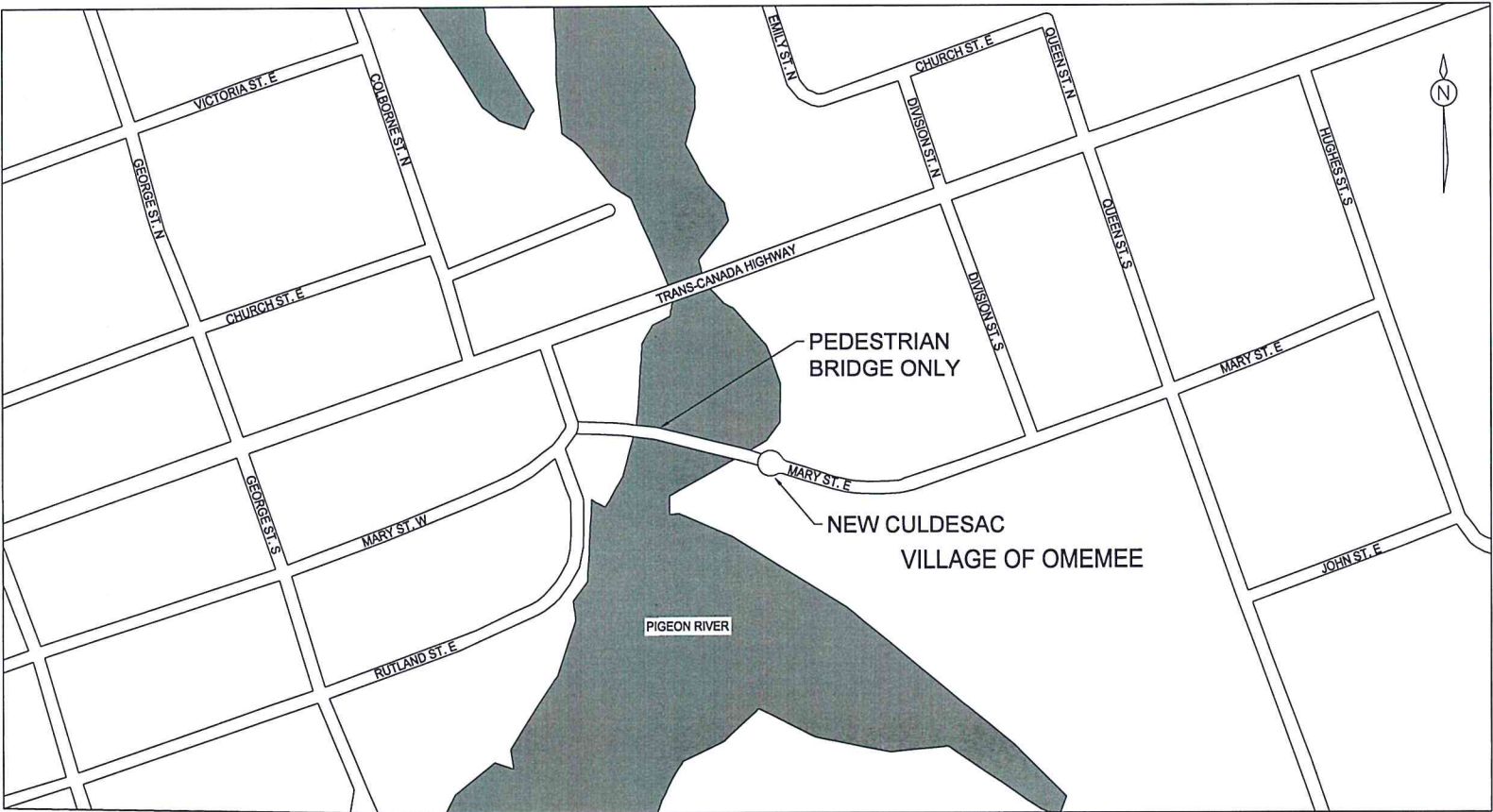


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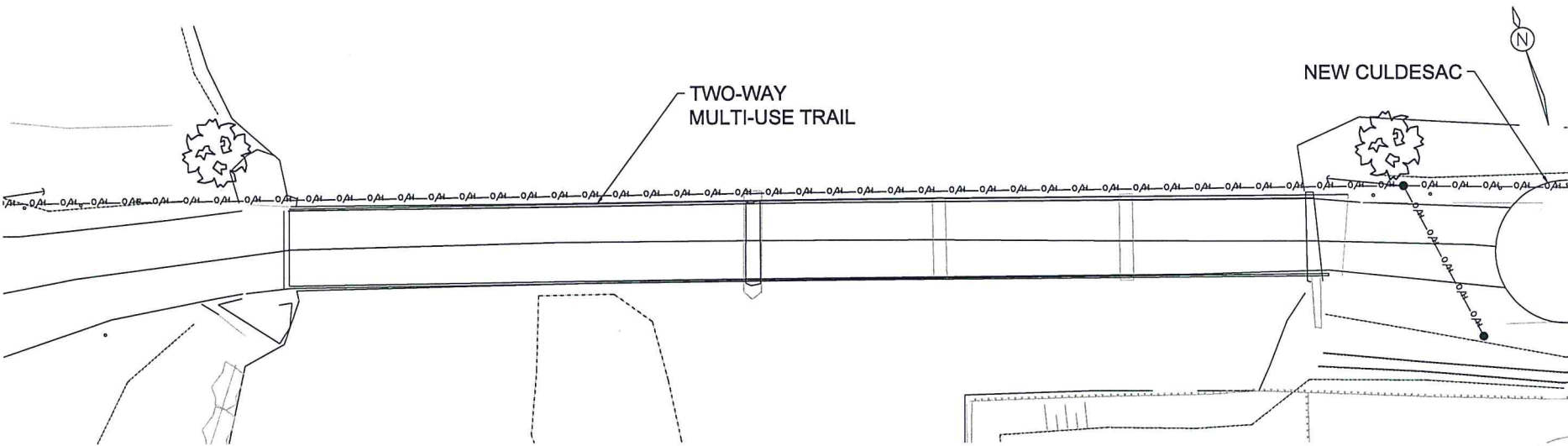


# ALTERNATIVE 3

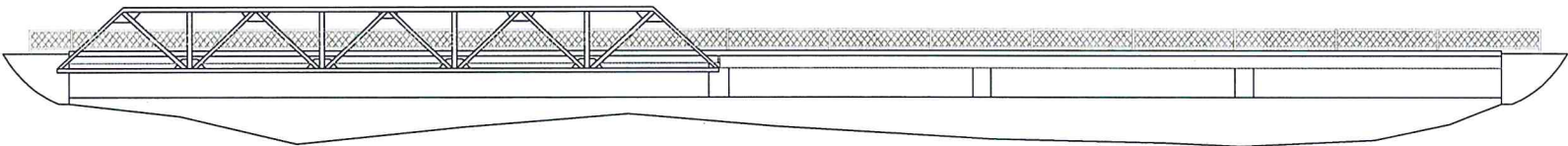
## PEDESTRIAN BRIDGE ONLY



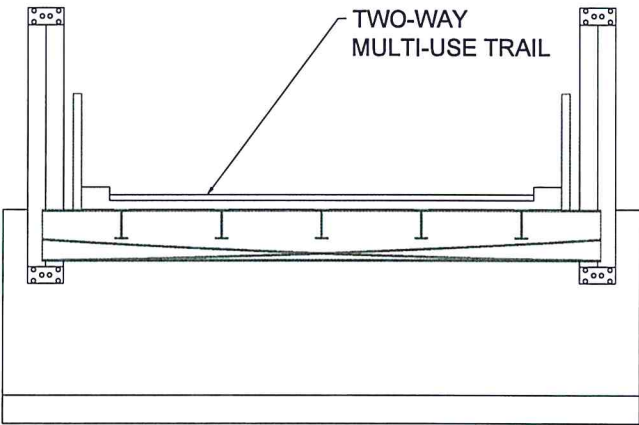
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PLAN  
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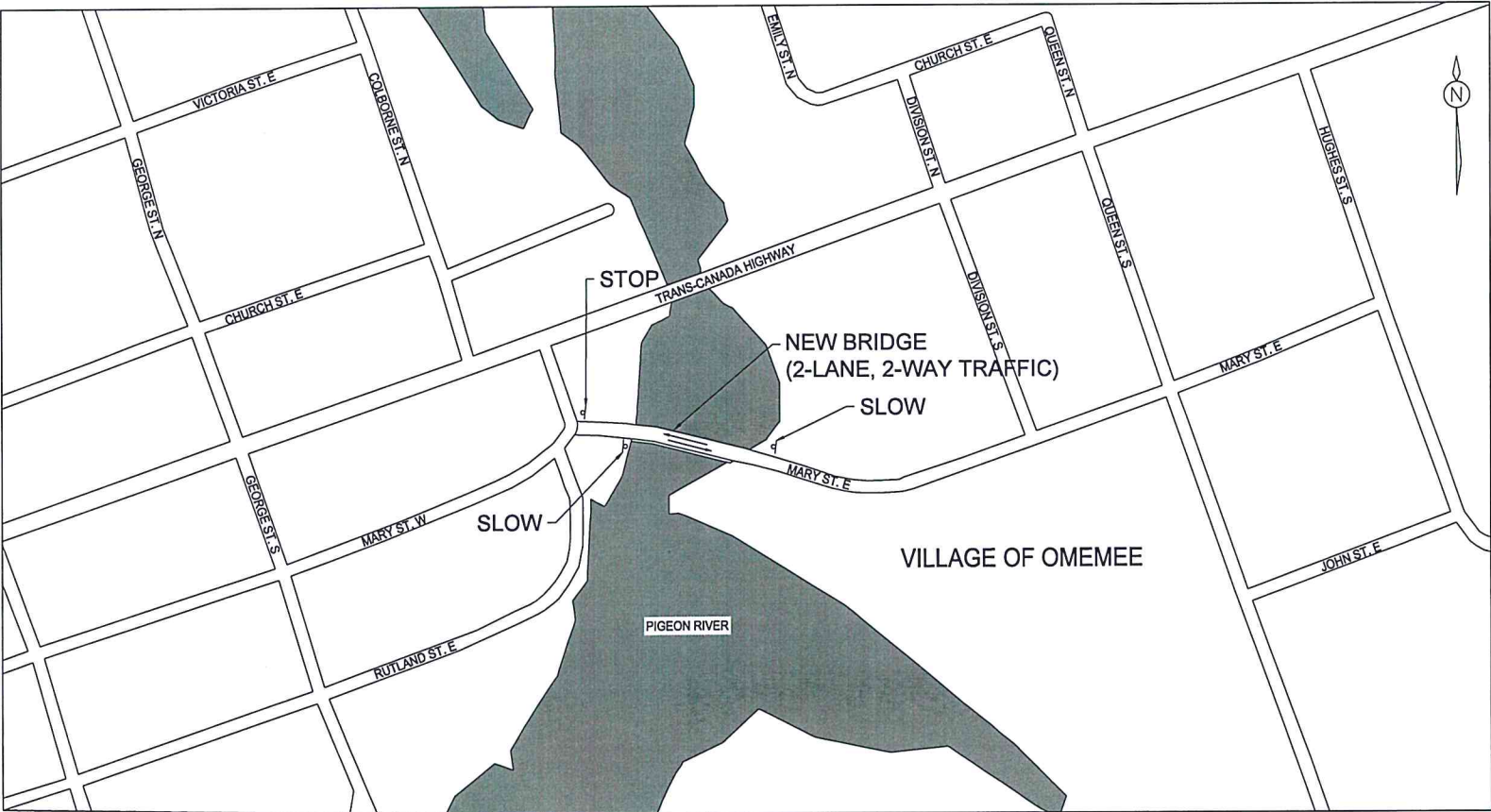
UPSTREAM ELEVATION  
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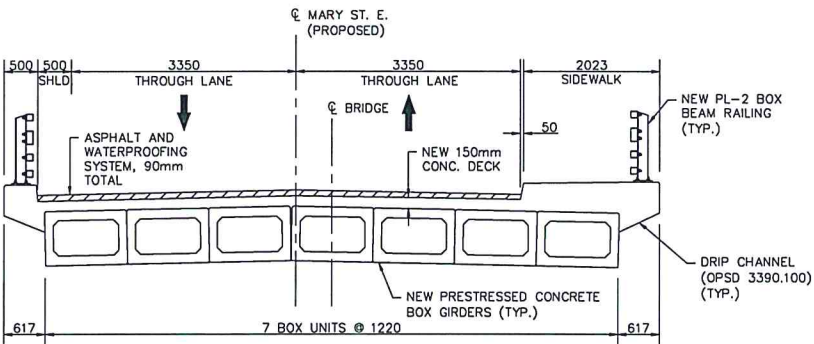
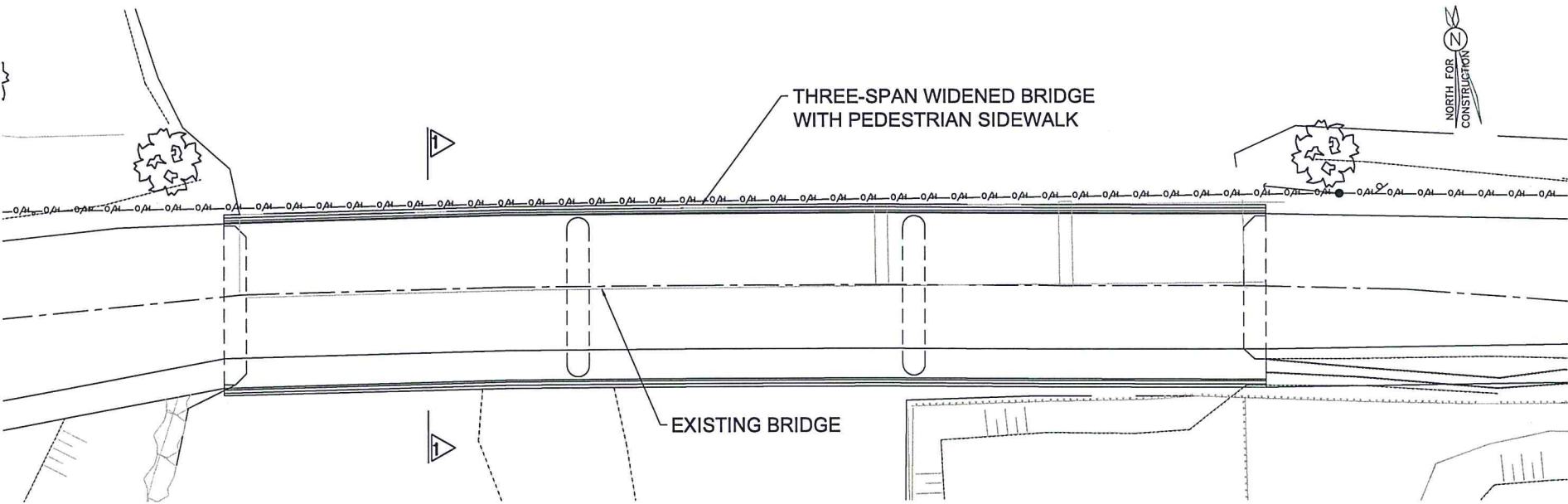
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# ALTERNATIVE 4

## BRIDGE WIDENING AND REPLACEMENT

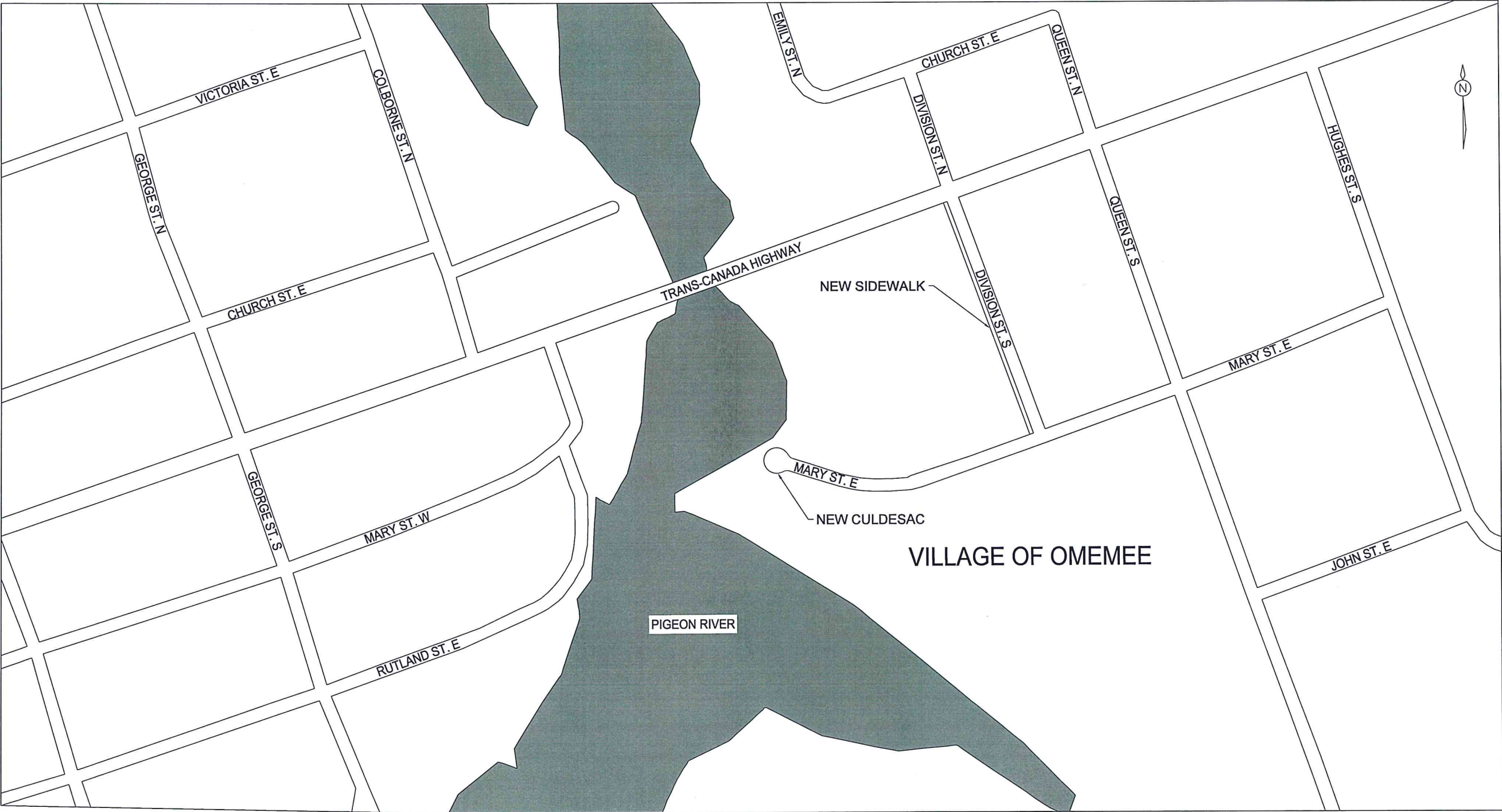


ROAD NETWORK





# ALTERNATIVE 5 BRIDGE REMOVAL





## Next Steps and Project Contacts

### Next Steps

- Review Public and Review Agency Input from the PIC.
- Identify Preferred Alternative.
- Identify Alternative Design Concepts for Preferred Solution.
- Detailed Inventory of Natural, Social and Economic Environment.
- Identify Impact of Alternative Designs on Environment and Mitigating Measures.
- Evaluate Alternative Designs: Identify Recommended Design.
- Prepare Draft Environmental Study Report
- Publish "Notice of Study Completion" and place Draft Environmental Study Report on Public Record.
- Review Public and Review Agency comments on Environmental Study Report.
- Detailed Design and Approvals.
- Construction.

### Public Input and Comment

- Feel free to provide written input or comment, for consideration by the project team, using the comment sheets provided or by contacting the identified representatives of the City of Kawartha Lakes or D.M. Wills Associates Limited.
- Information and comments received are collected under the authority of the Municipal Act and will be subject to the requirements of the Freedom of Information and Protection of Privacy Act.
- Should you have any questions or concerns at any time during the project, or would like additional information please contact the identified representatives of the City of Kawartha Lakes or D.M. Wills Associates Limited.

# THANK YOU FOR ATTENDING

#### **City of Kawartha Lakes**

Martin Sadowski, C.Tech.  
Senior Engineering Technician  
12 Peel Street, Lindsay, ON K9V 3L8  
Phone: 705-324-9411  
Email: msadowski@kawarthalakes.ca

#### **D.M. Wills Associates Limited**

David Bonsall, P.Eng.  
Manager, Structural Engineering  
150 Jameson Drive, Peterborough, ON K9J 0B9  
Phone: 705-742-2297 Ext. 240  
Email: dbonsall@dmwills.com



City of Kawartha Lakes  
Mill Pond Bridge #100018 - Municipal Class EA  
Public Information Centre



## Comment Sheet

City of Kawartha Lakes

Mill Pond Bridge #100018  
Rehabilitation / Replacement



Public Information Centre - February 4, 2019

### We would like your comments....

No.	Design Item	Comment(s)
1	Please describe any concerns/impacts to your property as a result of any proposed work on the Mill Pond Bridge. Please be specific and provide an address / location.	
2	Five (5) alternative solutions have been considered as part of the Mill Pond Bridge #100018 Study. Are there any other bridge rehabilitation / replacement alternatives for Mill Pond Bridge #100018 that you feel should be considered?	
3	At this point in the Study, no alternative has been identified as the 'preferred alternative'. Please provide your feedback on an alternative you feel should be evaluated further.	

### General Comments

\*Your comments on this form are collected under the authority of the Municipal Act and will be used to assist Town staff in making decisions on this project. All names, addresses and comments will be included in material available to the public. Questions regarding this collection should be forwarded to Mr. Martin Sadowski, C. Tech., Senior Engineering Technician at the City of Kawartha Lakes.

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ E-mail: \_\_\_\_\_

Please add me to the study contact list: YES / NO (Circle One)

Your feedback is important to us. Please let us know how we did and provide any questions, comments, concerns or suggestions that you believe will improve our design. Please forward your written comments by March 1, 2019



**D.M. Wills Associates Limited**  
150 Jameson Drive  
Peterborough, ON · K9J 0B9  
Tel: (705) 742-2297  
Fax: (705) 748-9944  
Email: wills@dmwills.com

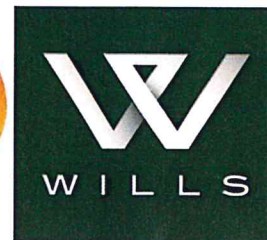
## **Public Feedback**



# Comment Sheet

City of Kawartha Lakes

Mill Pond Bridge #100018  
Rehabilitation / Replacement



Public Information Centre - February 4, 2019

We would like your comments....		
No.	Design Item	Comment(s)
1	Please describe any concerns/impacts to your property as a result of any proposed work on the Mill Pond Bridge. Please be specific and provide an address / location.	NONE
2	Five (5) alternative solutions have been considered as part of the Mill Pond Bridge #100018 Study. Are there any other bridge rehabilitation / replacement alternatives for Mill Pond Bridge #100018 that you feel should be considered?	
3	At this point in the Study, no alternative has been identified as the 'preferred alternative'. Please provide your feedback on an alternative you feel should be evaluated further.	
General Comments		
#1 & #4 are the ONLY realistic option. depends on cost involved; what the city is willing to spend		

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Name: K. W. LEMAY

Telephone: 705-799-2176

Address: 12 COLBORNE ST. N

E-mail: \_\_\_\_\_

Please add me to the study contact list: YES / NO (Circle One)

Your feedback is important to us. Please let us know how we did and provide any questions, comments, concerns or suggestions that you believe will improve our design. Please forward your written comments by March 1, 2019

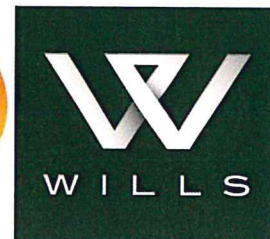


D.M. Wills Associates Limited  
150 Jameson Drive  
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Tel: (705) 742-2297  
Fax: (705) 748-9944  
Email: wills@dmwills.com

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Rehabilitation / Replacement



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1	Please describe any concerns/impacts to your property as a result of any proposed work on the Mill Pond Bridge. Please be specific and provide an address / location.	I would go to PETERBOROUGH RATHER THAN LINDSAY OR OMECA IF BRIDGE CLOSED
2	Five (5) alternative solutions have been considered as part of the Mill Pond Bridge #100018 Study. Are there any other bridge rehabilitation / replacement alternatives for Mill Pond Bridge #100018 that you feel should be considered?	ALT #1 WITH SIDEWALK - 2 way TRAFFIC BEST OPTION WITH IMPROVED SIDE LINKS
3	At this point in the Study, no alternative has been identified as the 'preferred alternative'. Please provide your feedback on an alternative you feel should be evaluated further.	
General Comments		
<p>IF BRIDGE EVER CLOSED A TRAFFIC LIGHT AT QUEEN ST - WILL BE NECESSARY:</p> <p>ONE WAY TRAFFIC GOING WEST WON'T WORK WITH MARY(E) &amp; MARY(W) BOTH MEETING AND TRYING TO GET OUT ON HWY #7. RUSH HOUR IN SUMMER IS ONE END OF OMECA TO THE OTHER</p>		

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Name: BARBARA MCGREGOR Telephone: (705) 799-5635

Address: 182 COTTINGHAM RD OMECA K0L2W0 E-mail: \_\_\_\_\_

Please add me to the study contact list: YES / NO (Circle One)

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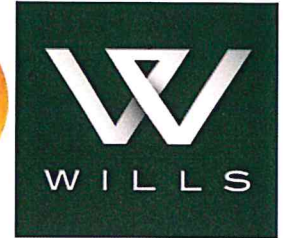
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3	At this point in the Study, no alternative has been identified as the 'preferred alternative'. Please provide your feedback on an alternative you feel should be evaluated further.	
General Comments		
<p>I Favour Alternative 3 with the addition of traffic lights at Queen St. S and No. 7 Highway plus no parking in front of the legion.</p>		

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Name: DON WELSH Telephone: (705) 799-5010

Address: 358 Meadowview Rd E-mail: badon.w@gmail.com

Please add me to the study contact list: YES / NO (Circle One)

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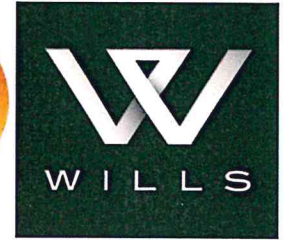


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General Comments		
<p>WOULD LIKE TO SEE KEPT AS 2WAY BRIDGE WITH SIDEWALK ADDED. IT WOULD BE A ALTERNATIVE IF HWY #7 BRIDGE HAS TO BE CLOSED FOR ANY REASON. SUGGEST C.P.P. SPEND MORE TIME CLOCKING SPEED ON MARY ST.</p>		

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Name: BARRY MARR Telephone: 705-799-6901  
Address: 49 STURGEON ST. N. E-mail: BARMARR2@GMAIL.COM

Please add me to the study contact list: YES / NO (Circle One)

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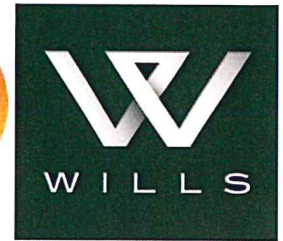
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**General Comments**

THE WALLGIE FISHORY IS ALREADY IN STEEP DECLINE IN KAWARTHA LAKES & THEY ARE KNOWN TO SPAWN IN THIS AREA EVERY SPRING. WE ARE UNABLE TO STOP ILLEGAL FISHING IN THIS AREA DESPITE ITS DESIGNATION AS A FISH SANCTUARY AND THE LARGE AMOUNT OF IGNORED SIGNAGE IN THE AREA. WITH A FOOT BRIDGE I AM CONCERNED THAT NO FISH WOULD BE SAFE IN THIS AREA AS WE HAVE JUST CREATED AN AREA FOR ILLEGAL FISHERMEN TO STAND SAFELY ON THE BRIDGE WHICH THEY CAN'T NOW. WHAT STEPS CAN BE TAKEN SO THAT WE WON'T HAVE THE PROBLEM THAT THE GIFFORD PARKWAY HAS HAD, ON A SMALL SCALE ?? THAT IS MY ENVIRONMENTAL CONCERN!

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Name: KAREN COOPER Telephone: 705 927 7695  
Address: 38 HAWKE DR. OMEMEG E-mail: tombac98@live.ca

Please add me to the study contact list: YES / NO (Circle One)

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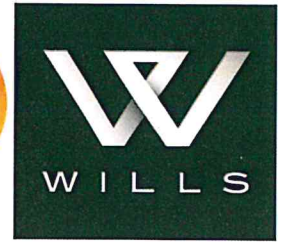
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1	Please describe any concerns/impacts to your property as a result of any proposed work on the Mill Pond Bridge. Please be specific and provide an address / location.	The heritage needs to be preserved - It's always been 2way traffic so why not repair and leave it this way.
2	Five (5) alternative solutions have been considered as part of the Mill Pond Bridge #100018 Study. Are there any other bridge rehabilitation / replacement alternatives for Mill Pond Bridge #100018 that you feel should be considered?	Alternative I would leave this historical bridge in place - perhaps a little bit wider for foot traffic (pedestrians) with NO FISH SIGN
3	At this point in the Study, no alternative has been identified as the 'preferred alternative'. Please provide your feedback on an alternative you feel should be evaluated further.	Closing (or taking out bridge is "NOT AN OPTION") so the city needs to repair bridge, widen to allow pedestrians to use too. Provide "LIGHTING" so the <del>safe</del> to be used as passage for pedestrians at night to make it safer.  Ifel closing, or making 1 way, or pedestrian only is not a option so Alternative 1 is best Fix and widen slightly and add lighting!

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Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ E-mail: \_\_\_\_\_

Please add me to the study contact list: YES / NO (Circle One)

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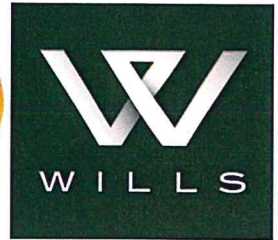


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2	Five (5) alternative solutions have been considered as part of the Mill Pond Bridge #100018 Study. Are there any other bridge rehabilitation / replacement alternatives for Mill Pond Bridge #100018 that you feel should be considered?	TO PREVENT FISHING OF BRIDGE WALKWAY, PUT HIGHER FENCE ON RAILING, PLUS IT WILL BE SAFER FOR CHILDREN USING WALK.
3	At this point in the Study, no alternative has been identified as the 'preferred alternative'. Please provide your feedback on an alternative you feel should be evaluated further.	BRING A HEIGHT CHANGE ON RAILING
General Comments		
ALTERNATIVE 1 WITH WALK WAY IS THE PLAN I PREFERRED <u>1:150</u>		

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Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ E-mail: \_\_\_\_\_

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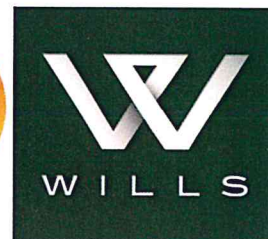
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3	At this point in the Study, no alternative has been identified as the 'preferred alternative'. Please provide your feedback on an alternative you feel should be evaluated further.	<i>8x</i>
General Comments		
<i>ALTERNATIVE #1</i>  <i>PLACE TEMPORARY TRAFFIC LIGHTS AT QUEEN ST AND HWY 7. WAIT TIMES TO TURN RT ON HWY 7 WILL BE OUTRAGEOUS</i>		

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Name: *Cindy James*

Telephone: *705-927-7294*

Address: *74 Queen St*

E-mail: *Cindy.james@hotmail.ca*

Please add me to the study contact list: YES / NO (Circle One)

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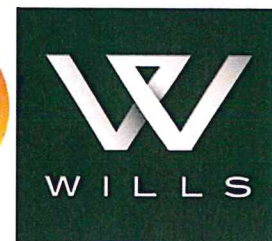
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1	Please describe any concerns/impacts to your property as a result of any proposed work on the Mill Pond Bridge. Please be specific and provide an address / location.	(Mary St + Queen) - Other than construction traffic, there shouldn't be a lot of impact
2	Five (5) alternative solutions have been considered as part of the Mill Pond Bridge #100018 Study. Are there any other bridge rehabilitation / replacement alternatives for Mill Pond Bridge #100018 that you feel should be considered?	no
3	At this point in the Study, no alternative has been identified as the 'preferred alternative'. Please provide your feedback on an alternative you feel should be evaluated further.	see below.
General Comments		
Alternative #1 + #4 are the only options in our opinion. #4 is probably going to be too expensive so our Choice would then become #1		

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Name: Carol + Jim Mitchell

Telephone: 705-799-6282

Address: 60 Mary St E

E-mail: jim@archef.com

Please add me to the study contact list: YES / NO (Circle One)

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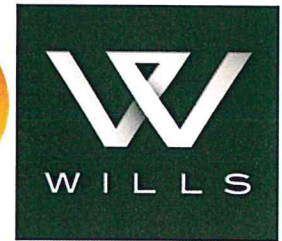


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3	At this point in the Study, no alternative has been identified as the 'preferred alternative'. Please provide your feedback on an alternative you feel should be evaluated further.	
<b>General Comments</b>		
<p>I DO NOT CARE REMOVE IF NEEDED</p> <p>GET SURVEY ON PROPERTY FOR LEGAL <del>PERSON</del> RIGHTS</p>		

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Name: S. FULTON Telephone: 799 1140  
Address: 14 STURGEON E-mail: \_\_\_\_\_

Please add me to the study contact list: YES / NO (Circle One)

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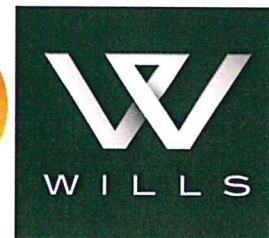
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3	At this point in the Study, no alternative has been identified as the 'preferred alternative'. Please provide your feedback on an alternative you feel should be evaluated further.	
General Comments		
<p>Prefer Alternate #1. , but on walkway, put high fencing to stop fishing in the <del>santa</del> sanctuary. (on netting)</p>		

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Name: DAVE & Hilda Vair

Telephone: 705-799-3273

Address: 3 Grassy Rd. Omemee

E-mail: vair.family@sympatico.ca

Please add me to the study contact list: YES / NO (Circle One)

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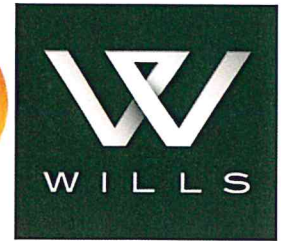


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2	Five (5) alternative solutions have been considered as part of the Mill Pond Bridge #100018 Study. Are there any other bridge rehabilitation / replacement alternatives for Mill Pond Bridge #100018 that you feel should be considered?	
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General Comments		
Bridge MUST STAY. 2 lanes would be the best answer if Price is no object. as price is an object, leave it as is with a sidewalk added.		

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Name: JOHN SADLER Telephone: 799 6434

Address: 17 STURGEON SOUTH E-mail: JANDI.SADLER@PERSONA  
PERSONA.CA

Please add me to the study contact list: ☒ YES / NO (Circle One)

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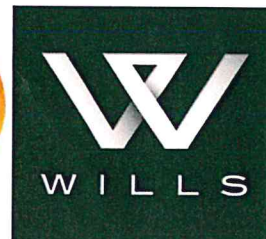
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### General Comments

I LIKE OPTION #1 WITH THE  
PEDESTRIAN WALKWAY & TWO WAY  
TRAFFIC.

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Name: R. Nixon Telephone: 705-799-0778

Address: 43 MARISTE ONENEE E-mail: \_\_\_\_\_

Please add me to the study contact list: YES / NO (Circle One)

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### General Comments

We need a single lane bridge. A double lane bridge would be better, but I suspect financial restraints would rule a double bridge out.

A single lane bridge should have a walkway along the side. It must be wide enough for a power wheel chair.

The bridge must be built strong enough to carry a FIRE TRUCK or other emergency vehicles if the FRONT bridge gets blocked off.

The people on the east-side of the river will have a long wait if emergency vehicles have to go around by the provincial park.

\*Your comments on this form are collected under the authority of the Municipal Act and will be used to assist Town staff in making decisions on this project. All names, addresses and comments will be included in material available to the public. Questions regarding this collection should be forwarded to Mr. Martin Sadowski, C. Tech., Senior Engineering Technician at the City of Kawartha Lakes.

Name:

CHARLES BENT

Telephone:

705 709-5768

Address:

1 WELLINGTON PO-Box 272

E-mail:

memee.kol2w@

Please add me to the study contact list: YES / NO (Circle One)

Your feedback is important to us. Please let us know how we did and provide any questions, comments, concerns or suggestions that you believe will improve our design. Please forward your written comments by March 1, 2019



D.M. Wills Associates Limited  
150 Jameson Drive  
Peterborough, ON · K9J 0B9  
Tel: (705) 742-2297  
Fax: (705) 748-9944  
Email: wills@dmwills.com



## Comment Sheet

City of Kawartha Lakes

Mill Pond Bridge #100018

Rehabilitation / Replacement



Public Information Centre - February 4, 2019

### We would like your comments....

No.	Design Item	Comment(s)
1	Please describe any concerns/impacts to your property as a result of any proposed work on the Mill Pond Bridge. Please be specific and provide an address / location.	- our residence is south-east of the bridge; as such we routinely use the bridge to travel west, when HWY 7 is too busy to turn left @ HUGHES ST. - 13 WELLINGTON ST. E (residence)
2	Five (5) alternative solutions have been considered as part of the Mill Pond Bridge #100018 Study. Are there any other bridge rehabilitation / replacement alternatives for Mill Pond Bridge #100018 that you feel should be considered?	- none.
3	At this point in the Study, no alternative has been identified as the 'preferred alternative'. Please provide your feedback on an alternative you feel should be evaluated further.	- alternative(s) 1 & 4.

### General Comments

- Highway #7 is sometimes so congested, it is a lengthy wait to turn west (left) onto the highway at HUGHES ST. (accesses our neighbourhood); as a result, my family and I all use MARY ST for east-west access to/from downtown and farther afield to points west and north. In addition, I am a volunteer firefighter and find it equally as necessary to use the MARY ST approach to the fire hall when responding to an emergency, for the aforementioned traffic issue, and because Hwy 7 is too far out of my way when seconds count.

- this really only leaves two viable options for our use: two-way, one-lane, right-of-way access, or a new two-way, two-lane bridge. (ALTERNATIVE #4 would also provide long-term growth capability)

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Name: CRAIG FOLLETT

Telephone: 705-872-6077

Address: 13 WELLINGTON ST. E

E-mail: craig.follett@sympatico.ca

Please add me to the study contact list: ☒ YES / ☐ NO (Circle One)

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D.M. Wills Associates Limited  
150 Jameson Drive  
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Fax: (705) 748-9944  
Email: wills@dmwills.com

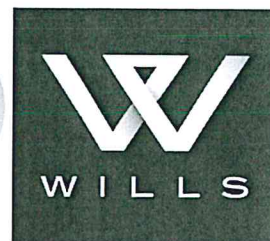


# Comment Sheet

City of Kawartha Lakes

Mill Pond Bridge #100018

Rehabilitation / Replacement



Public Information Centre - February 4, 2019

We would like your comments....		
No.	Design Item	Comment(s)
1	Please describe any concerns/impacts to your property as a result of any proposed work on the Mill Pond Bridge. Please be specific and provide an address / location.	WORRY ABOUT EASE OF ACCESS TO TOWN OF OMEMEE
2	Five (5) alternative solutions have been considered as part of the Mill Pond Bridge #100018 Study. Are there any other bridge rehabilitation / replacement alternatives for Mill Pond Bridge #100018 that you feel should be considered?	NO
3	At this point in the Study, no alternative has been identified as the 'preferred alternative'. Please provide your feedback on an alternative you feel should be evaluated further.	#2 OR #4
General Comments		
<div>RECEIVED D.M. WILLS ASSOCIATED LTD. APR 10 2019 VIEWED   FORWARDED TO PRES. _____ CONST. _____ FINANCE _____ MUNIC. _____ STRUCT. _____ TRANS. _____ W.R. _____ FILE _____</div>		

\*Your comments on this form are collected under the authority of the Municipal Act and will be used to assist Town staff in making decisions on this project. All names, addresses and comments will be included in material available to the public. Questions regarding this collection should be forwarded to Mr. Martin Sadowski, C. Tech., Senior Engineering Technician at the City of Kawartha Lakes.

Name: BOB DENTON Telephone: 7996314  
Address: 177 MT NEBO RD. E-mail: \_\_\_\_\_

Please add me to the study contact list: YES / NO (Circle One)

Your feedback is important to us. Please let us know how we did and provide any questions, comments, concerns or suggestions that you believe will improve our design. Please forward your written comments by March 1, 2019



D.M. Wills Associates Limited  
150 Jameson Drive  
Peterborough, ON · K9J 0B9  
Tel: (705) 742-2297  
Fax: (705) 748-9944  
Email: [wills@dmwills.com](mailto:wills@dmwills.com)



## Comment Sheet

City of Kawartha Lakes

Mill Pond Bridge #100018

Rehabilitation / Replacement



Public Information Centre - February 4, 2019

We would like your comments....		
No.	Design Item	Comment(s)
1	Please describe any concerns/impacts to your property as a result of any proposed work on the Mill Pond Bridge. Please be specific and provide an address / location.	Closure during construction would be a minor inconvenience.
2	Five (5) alternative solutions have been considered as part of the Mill Pond Bridge #100018 Study. Are there any other bridge rehabilitation / replacement alternatives for Mill Pond Bridge #100018 that you feel should be considered?	
3	At this point in the Study, no alternative has been identified as the 'preferred alternative'. Please provide your feedback on an alternative you feel should be evaluated further.	Should be kept as both a pedestrian & motor bridge. (Side walk would be nice).

**General Comments**

Permanent closure of the bridge would mean no appropriate alternative route for Hwy closures during important community events such as parades. Turning right onto Colbourne and behind Foodland would mean motorists would need to come out at the lights. The Mill Pond Bridge provides access to many pedestrians coming from the east side of the bridge to access many events held in the Village. It is a route 1, & many others, take to get to the park, beach, library, etc.

Keeping the bridge a motorized road way is <sup>also</sup> important for Volunteer Firefighters who use the bridge to get to the Fire hall during an emergency.

\*Your comments on this form are collected under the authority of the Municipal Act and will be used to assist Town staff in making decisions on this project. All names, addresses and comments will be included in material available to the public. Questions regarding this collection should be forwarded to Mr. Martin Sadowski, C. Tech., Senior Engineering Technician at the City of Kawartha Lakes.

Name: Christine Paull

Telephone: 705-341-4366

Address: 46 Mary St. E

E-mail: Christine.paull@persoia.ca

Please add me to the study contact list: YES / NO (Circle One)

Your feedback is important to us. Please let us know how we did and provide any questions, comments, concerns or suggestions that you believe will improve our design. Please forward your written comments by March 1, 2019



D.M. Wills Associates Limited  
150 Jameson Drive  
Peterborough, ON · K9J 0B9  
Tel: (705) 742-2297  
Fax: (705) 748-9944  
Email: wills@dmwills.com

Gmeme Int.

Feb 11, 2019.

Dear Sir.

The are residence of Mary St.  
up the hill from the bridge.

We are so pleased to know something is going to be done about the bridge.

I work over it almost every day  
as do a lot of people.

It would be so much safer if there was a walk way. It is not safe as it is if you get caught in the middle and can't get anywhere if a car comes.

Some diseases don't slow down.

Please consider a walkway for people to walk safely.

Thank you.

Yours Truly  
J. H. L.

Melen Lane

FEB 15 2019



Mrs Helen Lance  
53 Mary St E  
Omamee ON K0M

Omamee ON K0L 2W0



CANADA

人 民 大 学 出 版 社

35

D. M. Wells Associates Ltd.  
 401. Elm Road  
 Boston  
 U.S.A.

K9JOB9

## Tim Rosborough

---

**From:** Martin Sadowski <msadowski@kawarthalakes.ca>  
**Sent:** February 6, 2019 10:58 AM  
**To:** David Bonsall; Tim Rosborough  
**Subject:** FW: Omemee Bridge Feedback

Hello gentlemen,

Below is an e-mail we received regarding Mill Pond Bridge. Feedback for the file.

Thank you,

Martin

---

**From:** Susan Archer  
**Sent:** Tuesday, February 05, 2019 11:58 AM  
**To:** Martin Sadowski  
**Subject:** RE: Omemee Bridge

Hi Martin,

As it turned out I did not make last night's meeting, but I hope it went well and you had a lot of response.

Maybe I can add another comment on the subject. I think it would be terrible to have *Less* than what we currently have. Because of the nature of Omemee with the Rail Line to the North and the Mill Pond to the south, the Mary St bridge allows local traffic to get either around town and/or in/out of town without necessarily having to try to get onto busy King Street which handles an ever increasing amount of vehicle traffic. A one-lane bridge going "West Only" would cause concern for that reason alone, and would not be very effective for daily operations including snow plowing.

So, to sum up, if *More* cannot be attained, like a sidewalk extension or a 2 lane bridge was not feasible – I think the one lane bridge for traffic going both directions should not be lost.

**Susan Archer**  
Service Administrator II  
Customer Services, City of Kawartha Lakes  
Omemee Service Centre  
705-324-9411 ext 3522 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



---

**From:** Martin Sadowski  
**Sent:** Wednesday, January 30, 2019 11:29 AM  
**To:** Susan Archer  
**Subject:** RE: Omemee Bridge

Hi Susan,

Your comment below is exactly why we have these meetings. As part of the EA process we need to engage the public and gather input. At this stage we don't know what the final outcome will be, I know that at the PIC on Tuesday our consultant, D.M. Wills will be presenting 3-4 possible options for the bridge.

We are aware of the current issues with this bridge and hopefully the options presented will resolve a lot of the known issues. I can tell you a few of the options we have talked about include closing the bridge to vehicle traffic and it only being a pedestrian bridge, make it a one way bridge only (West bound) and add a sidewalk, reconstruct a 2 lane bridge, or even do nothing.

I hope that helps and maybe we'll see you at the meeting next week!

Martin

---

**From:** Susan Archer  
**Sent:** Wednesday, January 30, 2019 11:04 AM  
**To:** Martin Sadowski  
**Subject:** Omemee Bridge

Hi Martin,

We met yesterday at the Omemee SC and I was just hoping, that when they replace the bridge that they would consider making it just a little wider (if it is still going to only be a single lane bridge) to accommodate a pedestrian only path.

Prior to moving 2 years ago, I used to use this bridge regularly and lots of kids and pedestrians need to use it and it would be safer if they had their own spot to walk.

Just my 2 cents  
Thanks,

**Susan Archer**  
Service Administrator II  
Customer Services, City of Kawartha Lakes  
Omemee Service Centre  
705-324-9411 ext 3522 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



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## **Agency Feedback**



**Ministry of the  
Environment,  
Conservation and Parks**  
Eastern Region  
1259 Gardiners Road, Unit 3  
Kingston ON K7P 3J6  
Phone: 613.549.4000  
or 800.267.0974

**Ministère de l'Environnement,  
de la Protection de la nature  
et des Parcs**  
Région de l'Est  
1259, rue Gardiners, unité 3  
Kingston (Ontario) K7P 3J6  
Tél: 613 549-4000  
ou 800 267-0974



**By email only**

March 4, 2019

D.M. Wills Associates Ltd.

Attention: Tim Rosborough, Structural EIT  
Email: trosborough@dmwills.com

Dear Mr. Rosborough:

Re: City of Kawartha Lakes – Notice of Study Commencement / Public Information  
Centre; Mill Pond Bridge Replacement on Mary's Street East.

---

Thank you for providing the Notice of Study Commencement issued January 23<sup>rd</sup>, 2019. The Notice indicates that the project is being planned as a schedule B activity under the Municipal Class Environmental Assessment (Class EA).

Here are MECP preliminary comments on the project. Please consider these comments as you proceed through the Class EA process. The comments are grouped under these headings:

- Class EA process,
- MECP technical review issues,
- Aboriginal consultation.

Class Environmental Assessment Process

*Notification*

As the Regional EA Coordinator for this project, I will be responsible for circulating project notices. I am a mandatory contact for all Notices issued for the project.

My preferred methods of correspondence are email for notices. It is helpful to provide scanned copies of the notices as they appear in newspapers, and confirm the dates of publication.

My contact information is:

Jon Orpana, Environmental Assessment Coordinator  
Ministry of the Environment, Conservation and Parks  
1259 Gardiners Road  
P.O. Box 22032  
Kingston, Ontario  
K7M 8S5

telephone: (613) 548-6918  
email: [jon.orpana@ontario.ca](mailto:jon.orpana@ontario.ca)

Please ensure that the Notice of Completion states that Part II Order requests should be addressed in writing to:

Minister Rod Phillips  
Ministry of Environment, Conservation and Parks  
11<sup>th</sup> Floor, 77 Wellesley St. W  
Toronto ON M7A 2T5  
[minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca)

and

Director, Environmental Assessment and Permissions Branch  
Ministry of Environment and Climate Change  
135 St. Clair Ave. W, 1<sup>st</sup> Floor  
Toronto ON, M4V 1P5  
[enviropemissions@ontario.ca](mailto:enviropemissions@ontario.ca)

The notice should also state that a Part II Order Request Form must be used to request a Part II Order. The Part II Order Request Form is available online on the Forms Repository Website () by searching "Part II Order" or "012-2206E" (the form number).

### *Consultation with Review Agencies*

In addition to public consultation, consultation with review agencies is an important component of the Class EA process. Please ensure that you contact review agencies directly to determine their interest in the project at the Notice of Commencement stage.

The MECP Regional office is a mandatory contact for all notices (please refer to contact information above). In addition, other ministries and agencies that may have an interest in the project are listed in section A.3.6 and Appendices 3 and 7. The provincial ministries that are most often involved in bridge projects includes Ministry of Natural Resources and Forestry (for example, endangered species, significant wetlands), and Ministry of Tourism, Culture and Sport (for example, cultural heritage or archaeological resources).

The final report should include information on correspondence with review agencies, issues raised by reviewers, and how these issues will be addressed. This could include technical studies or other information, and commitments to obtain specific approvals or



permits.

### *Schedule B Process*

Your letter indicates that the project is a schedule B project. In accordance with the Municipal Class EA, Schedule B projects require that a Project File be prepared. The Project File shall be organized in such a way as to clearly demonstrate that the appropriate steps in Phases 1 and 2 have been followed and explain the following:

- background to the project and earlier studies;
- the nature and extent of the problem or opportunity, to explain the source of the concern or issue;
- description/inventory of the environment;
- the alternative solutions considered and the evaluation process followed to select the preferred solution;
- follow-up commitments, including any monitoring necessary; and,
- the public consultation program employed and how concerns raised have been addressed.

The Project File must contain a complete record of all activities associated with the planning of the Project and shall include:

- correspondence;
- copies of notices, letters, bulletins relating to public consultation;
- memoranda to file explaining the proponent's rationale in developing stages of the project; and,
- copies of reports prepared by consultants and others.

The project documentation must be maintained in such a way that it is suitable for easy review by the public at any time.

Once the Project File is finalized a Notice of Completion is required to be issued, allowing the public at least a 30-calendar day period during which documentation may be reviewed and comment and input submitted to the Municipality. The Notice of Completion shall advise the public of their rights to contact the Minister and request a Part II Order.

### MECP Technical Review

This Ministry's interest in bridge projects includes:

- impacts to groundwater and surface water quality and quantity due to construction (for example, dewatering, control of erosion and sedimentation, spill control),
- potential for encountering, contaminated soil, contaminated sediment or contaminated groundwater,
- management of excess materials, waste, contaminated soil and groundwater,
- noise and air quality impacts to nearby residents or planned subdivisions,
- stormwater management.

These environmental issues, and appropriate mitigation measures, should be addressed during the Class EA process.

We recommend that you contact this office as soon as possible during the environmental assessment process if you become aware of:

- contaminated sites in the study area or influence area of the project,
- a source water protection vulnerable area in the vicinity of the project, or
- issues that are contentious to the general public, aboriginal communities or review agencies.

The following comments are standard MECP comments and may not all apply to the proposed projects.

If the construction involves taking, dewatering, storage or diversion of water in excess of 50,000 litres per day, the activity may be required to be registered on the Environmental Activity and Sector Registry (EASR) or may require a Permit To Take Water. The process to be used depends on the source of the water, the quantity of water taken, and the type of construction activity. EASR requirements for water takings for construction dewatering are prescribed in Ontario Regulation 63/16 under the Environmental Protection Act. The Permit To Take Water requirements are prescribed in Section 34, Ontario Water Resources Act.

Where dredging is required, consideration should be given to appropriate storage, handling, dewatering and disposal of excavated material.

Guidance on nearshore construction and dredging may be obtained from this Ministry's *Guidelines for Evaluating Construction Activities Impacting on Water Resources* dated January 1995 and *Evaluating Construction Activities Impacting on Water Resources, Part III A, Part III B, and Part III C* dated February 1994.

Proponents undertaking a Municipal Class EA project must identify early in the process whether a project is occurring within a source water protection vulnerable area. This must be clearly documented in a Master Plan, Project File report or Environmental Study Report. If the project is occurring in a vulnerable area, then there may be policies in the local Source Protection Plan (SPP) that need to be addressed (requirements under the Clean Water Act). The proponent should contact and consult with the appropriate Conservation Authority/Source Protection Authority (CA/SPA) to discuss potential considerations and policies in the SPP that apply to the project.

Tarpaulins, traps or enclosures should be used during painting or demolition to prevent debris from entering the watercourse. Any debris inadvertently dropped in the water must be collected and deposited onshore in an approved location. Cutting or drilling fluids must be prevented from entering the watercourse and must be properly disposed of.

Stormwater management should be in accordance with the MECP *Stormwater Management Planning and Design Manual*. Stormwater infrastructure requires approval under section 53 of the Ontario Water Resources Act.

Waste materials generated during the course of construction must be handled in accordance with this Ministry's *Protocol for the Management of Excess Materials in Road Construction and Maintenance*. The principles of this protocol are reflected in OPSS 180.

Spills should be reported to the Spills Action Centre at 1-800-268-6060.

#### Consultation with First Nation and Métis Communities

The Crown has a legal duty to consult Aboriginal communities when it has knowledge, real or constructive, of the existence or potential existence of an Aboriginal or treaty right and contemplates conduct that may adversely impact that right. Before you can proceed with this project, the Crown must ensure that its duty to consult has been fulfilled, where such a duty is triggered. Although the duty to consult with Aboriginal peoples is a duty of the Crown, the Crown may delegate procedural aspects of this duty to project proponents while retaining oversight of the process.

Your proposed project may have the potential to affect Aboriginal or treaty rights protected under Section 35 of Canada's *Constitution Act* 1982. Where the Crown's duty to consult is triggered in relation to your proposed project, **the MECP is delegating the procedural aspects of rights-based consultation to you through this letter**. The Crown intends to rely on the delegated consultation process in discharging its duty to consult and maintains the right to participate in the consultation process as it sees fit.

Based on the information provided, I would recommend that the following communities should be engaged as they may have an interest in the project:

- Curve Lake First Nation
- Hiawatha First Nation
- Alderville First Nation
- Mississaugas of Scugog First Nation
- MNO Peterborough and District Wapiti Métis Council – please cc Métis Nation of Ontario (MNO) on any correspondence going out

As well, if there is potential to impact archeological resources then the Mohawks of the Bay of Quinte should also be notified.

Steps that you may need to take in relation to Aboriginal consultation for your proposed project are outlined in the "Code of Practice for Consultation in Ontario's Environmental Assessment Process" which can be found at the following link:

<https://www.ontario.ca/document/consultation-ontarios-environmental-assessment-process>

Additional information related to Ontario's Environmental Assessment Act is available online at: [www.ontario.ca/environmentalassessments](http://www.ontario.ca/environmentalassessments)

You must contact the Director of Environmental Assessment and Permissions Branch under the following circumstances subsequent to initial discussions with the communities identified by MECP:

- Aboriginal or treaty rights impacts are identified to you by the communities
- You have reason to believe that your proposed project may adversely affect an Aboriginal or treaty right
- Consultation has reached an impasse
- A Part II Order request or elevation request is expected

The Director can be notified by email, mail or fax using the information provided below:

<b>Email:</b>	<a href="mailto:enviropemissions@ontario.ca">enviropemissions@ontario.ca</a> Subject: Potential Duty to Consult
<b>Fax:</b>	416-314-8452
<b>Address:</b>	Environmental Assessment and Permissions Branch 135 St. Clair Avenue West, 1 <sup>st</sup> Floor Toronto, ON, M4V 1P5

The MECP will then assess the extent of any Crown duty to consult for the circumstances and will consider whether additional steps should be taken, including what role you will be asked to play should additional steps and activities be required.

Should you or any members of your project team have any questions regarding the material above, please contact me at (613) 548-6918.

Regards,



Jon K. Orpana  
Environmental Planner & Environmental Assessment Coordinator  
Ministry of the Environment, Conservation and Parks  
Kingston Regional Office  
PO Box 22032, 1259 Gardiners Road  
Kingston, Ontario  
K7M 8S5

Phone: (613) 548-6918  
Fax: (613) 548-6908  
Email: [jon.orpana@ontario.ca](mailto:jon.orpana@ontario.ca)

cc: Courtney Redmond, District Compliance Supervisor  
Ministry of Environment, Conservation and Parks  
Peterborough District.

## **Appendix B**

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### **Existing Data**

## **2017 OSIM Structural Inspection**

**Inventory Data**

<b>Structure Number:</b>	B 100018	<b>MTO Site Number</b>	100018
<b>Structure Name</b>	Mill Pond Bridge, Lot 7, Conc III		
<b>Main Hwy/Rd #</b>	<input type="checkbox"/> On <input checked="" type="checkbox"/> Under <input type="checkbox"/>	<b>Crossing Type</b>	Non Navig. Water
<b>Road Name</b>	Mary Street East		
<b>Structure Location</b>	0.35 km East of Sturgeon Road South		
<b>Latitude</b>	44.29927	<b>Longitude</b>	-78.55544
<b>Owners</b>	City of Kawartha Lakes	<b>Heritage Status</b>	Not Cons.
<b>MTO Region</b>	Eastern	<b>Road Class</b>	Local
<b>MTO District</b>	Bancroft	<b>Posted Speed</b>	50
<b>Old County</b>	Victoria	<b>No of Lanes</b>	1
<b>Geographic Twp</b>	Emily	<b>AADT</b>	150
<b>Structure Type</b>	Half-Through Truss	<b>% Trucks</b>	2
<b>Total Deck Length</b>	54.90 (m)	<b>Special Routes</b>	
<b>Overall Struct. Width</b>	4.30 (m)	<b>Detour Length Around Bridge</b>	(km)
<b>Total Deck Area</b>	236.07 (m <sup>2</sup> )	<b>Fill on Structure</b>	(m)
<b>Roadway Width</b>	3.80 (m)	<b>Skew Angle</b>	(Degrees)
<b>Span Lengths</b>	9.60, 9.60, 9.60, 2 (m)	<b>Direction of Structure</b>	East / West
		<b>Number of Spans</b>	4

**Historical Data**

<b>Year Built</b>	1952	<b>Last Biennial Inspection</b>	2014
<b>Current Load Limit</b>	11 / 14 / 23 (tonnes)	<b>Last BridgeMaster Inspection</b>	
<b>Load Limit By Law #</b>		<b>Last Evaluation</b>	1990
<b>By Law Expiry Date</b>		<b>Last Underwater Inspection</b>	
<b>Min Vertical Clearance</b>	(m)	<b>Last Condition Survey</b>	
<b>Rehabilitation History</b>			

**Field Inspection Information**

<b>Date of Inspection</b>	09/09/2017
<b>Inspector</b>	Marek Stutz, P.Eng.; AUE Structural Inc.
<b>Others in Party</b>	Mohamed El-Sarji, P.Eng.; AUE Structural Inc.
<b>Equipment Used</b>	Chest Waders, Measuring Tape and Hammer
<b>Weather</b>	Sunny
<b>Temperature</b>	15 (°C)



**Additional Investigation Required**

	Priority	Estimated Cost
Rehabilitation / Replacement Study	Normal	\$20,000.00
Detailed Deck Condition Survey	None	\$0.00
Structure Evaluation	None	\$0.00
Underwater Investigation	None	\$0.00
Structure Monitoring	None	\$0.00
Load Posting - Estimated Load		
Total Cost		\$20,000.00

**Investigation Notes:**

Next Detailed Inspection 09/09/2019

**Element Data**

Bridge Number	100018	Length	
Element Group	Abutments	Width	5.70
Element Name	Abutment Walls	Height	1.90
Location	East & West Underside of Structure	Count	2
Material	Concrete	Total Quantity	21.66
Element Type	Reinforced Concrete Walls	Limited Inspection	<input type="checkbox"/>
Environment	Benign	Performance Deficiency	00
Protection System	None	Maintenance Needs	00

Condition Data	Units	Excellent	Good	Fair	Poor
	square metre	0.00	19.16	1.50	1.00

**Comments**

- Medium spall and wide vertical crack at west abutment
- Cracks with efflorescence at west abutment

Recommended Work Replace: &lt; 1 year

Bridge Number	100018	Length	
Element Group	Abutments	Width	5.70
Element Name	Ballast Walls	Height	0.90
Location	East & West Underside of Structure	Count	2
Material	Concrete	Total Quantity	10.26
Element Type	Reinforced Concrete Walls	Limited Inspection	<input type="checkbox"/>
Environment	Moderate	Performance Deficiency	00
Protection System	None	Maintenance Needs	00

Condition Data	Units	Excellent	Good	Fair	Poor
	square metre	0.00	9.76	0.00	0.50

**Comments**

Wide vertical cracks noted at west ballast wall.

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	
<b>Element Group</b>	Abutments	<b>Width</b>	
<b>Element Name</b>	Bearings	<b>Height</b>	
<b>Location</b>	On West Abutment Walls	<b>Count</b>	4
<b>Material</b>	Steel	<b>Total Quantity</b>	4
<b>Element Type</b>	Abutment Wall Bearing	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Moderate	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	each	0	4	0	0

**Comments**

Generally in good condition with light corrosion.

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	2.50
<b>Element Group</b>	Abutments	<b>Width</b>	
<b>Element Name</b>	Wingwalls	<b>Height</b>	1.00
<b>Location</b>	NE, NW, SE & SW of Structure	<b>Count</b>	4
<b>Material</b>	Concrete	<b>Total Quantity</b>	10.00
<b>Element Type</b>	Reinforced Concrete Walls	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Moderate	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	square metre	0.00	7.00	1.50	1.50

**Comments**

Wide cracks and disintegration at southwest wingwall.

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	
<b>Element Group</b>	Accessories	<b>Width</b>	
<b>Element Name</b>	Signs	<b>Height</b>	
<b>Location</b>	NE, NW, SE & SW of Structure	<b>Count</b>	8
<b>Material</b>	Steel	<b>Total Quantity</b>	8

<b>Element Type</b>	Hazard Signs and Load Posting Signs	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Severe	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	each	0	7	1	0

#### Comments

- 6 Hazard Signs and 2 Load Posting Signs
- Hazard sign at northwest is bent

**Recommended Work** None

<b>Bridge Number</b>	100018	<b>Length</b>	6.00
<b>Element Group</b>	Approaches	<b>Width</b>	3.80
<b>Element Name</b>	Wearing Surface	<b>Height</b>	
<b>Location</b>	East & West of Structure	<b>Count</b>	2
<b>Material</b>	Asphalt	<b>Total Quantity</b>	45.60
<b>Element Type</b>	Asphalt Wearing Surface	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Severe	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	square metre	0.00	33.60	6.00	6.00

#### Comments

- Severe cracks
- Potholes
- Settlement
- Patched potholes

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	
<b>Element Group</b>	Barriers	<b>Width</b>	
<b>Element Name</b>	Posts	<b>Height</b>	
<b>Location</b>	North & South Sides of Structure	<b>Count</b>	26
<b>Material</b>	Steel	<b>Total Quantity</b>	26
<b>Element Type</b>	Steel Post	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Severe	<b>Performance Deficiencie</b>	08
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	each	0	24	0	2

#### Comments

- Existing barrier is substandard and should be replaced with a code compliant barrier
- Light corrosion
- Damaged posts at northwest and southeast

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	54.00
<b>Element Group</b>	Barriers	<b>Width</b>	
<b>Element Name</b>	Railing Systems	<b>Height</b>	0.93
<b>Location</b>	North & South Sides of Structure	<b>Count</b>	2
<b>Material</b>	Steel	<b>Total Quantity</b>	108.00
<b>Element Type</b>	Steel Lattice	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Severe	<b>Performance Deficiencie</b>	08
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

Condition Data	Units	Excellent	Good	Fair	Poor
	metre	0.00	95.00	0.00	13.00

#### Comments

- Existing barrier is substandard and should be replaced with a code compliant barrier
- Light corrosion throughout
- Several areas with damaged or bent railing system

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	20.00
<b>Element Group</b>	Barriers	<b>Width</b>	
<b>Element Name</b>	Railing Systems	<b>Height</b>	
<b>Location</b>	NE, NW, SE & SW of Structure	<b>Count</b>	4
<b>Material</b>	Steel	<b>Total Quantity</b>	80.00
<b>Element Type</b>	Steel Flex Beam on Steel Posts	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Severe	<b>Performance Deficiencie</b>	08
<b>Protection System</b>	Hot Dip Galvanized	<b>Maintenance Needs</b>	00

Condition Data	Units	Excellent	Good	Fair	Poor
	metre	0.00	80.00	0.00	0.00

#### Comments

- Substandard end treatments
- Generally in good condition

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	5.00
<b>Element Group</b>	Beams/Main Longitudinal Elements	<b>Width</b>	0.20
<b>Element Name</b>	Floor Beams	<b>Height</b>	0.46
<b>Location</b>	Underside of Structure, West Span	<b>Count</b>	4
<b>Material</b>	Steel	<b>Total Quantity</b>	30.40
<b>Element Type</b>	Steel Floor Beam	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Benign	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	Coating / Paint	<b>Maintenance Needs</b>	00

Condition Data	Units	Excellent	Good	Fair	Poor
	square metre	0.00	25.40	5.00	0.00

**Comments**

Light to medium corrosion at top and bottom flanges of floor beams.

**Recommended Work**

Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	30.00
<b>Element Group</b>	Beams/Main Longitudinal Elements	<b>Width</b>	0.19
<b>Element Name</b>	Girders	<b>Height</b>	0.46
<b>Location</b>	Underside of Structure, East Spans	<b>Count</b>	4
<b>Material</b>	Steel	<b>Total Quantity</b>	178.80
<b>Element Type</b>	Steel Girder	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Benign	<b>Performance Deficiencie</b>	01
<b>Protection System</b>	Coating / Paint	<b>Maintenance Needs</b>	00

**Condition Data**

Units	Excellent	Good	Fair	Poor
square metre	0.00	148.80	15.00	15.00

**Comments**

- Perforations at girder webs at northwest and southeast
- Section loss at web of north and south girders at east pier
- Severe corrosion at girder ends

**Recommended Work**

Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	1.35
<b>Element Group</b>	Beams/Main Longitudinal Elements	<b>Width</b>	0.06
<b>Element Name</b>	Girders	<b>Height</b>	0.21
<b>Location</b>	Underside of Structure, East Spans	<b>Count</b>	27
<b>Material</b>	Steel	<b>Total Quantity</b>	27
<b>Element Type</b>	Steel Diaphragm	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Benign	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	Coating / Paint	<b>Maintenance Needs</b>	00

**Condition Data**

Units	Excellent	Good	Fair	Poor
each	0	27	0	0

**Comments**

Light corrosion noted throughout.

**Recommended Work**

Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	25.00
<b>Element Group</b>	Beams/Main Longitudinal Elements	<b>Width</b>	0.12
<b>Element Name</b>	Stringer	<b>Height</b>	0.26
<b>Location</b>	Underside of Structure, West Span	<b>Count</b>	5
<b>Material</b>	Steel	<b>Total Quantity</b>	5

<b>Element Type</b>	Steel Stringer	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Benign	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	Coating / Paint	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	each	0	3	2	0

#### Comments

- Additional stringers were previously installed  
- Light to medium corrosion noted

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	7.07
<b>Element Group</b>	Bracing	<b>Width</b>	0.02
<b>Element Name</b>	Bracing	<b>Height</b>	0.02
<b>Location</b>	Underside of Structure, West Span	<b>Count</b>	10
<b>Material</b>	Steel	<b>Total Quantity</b>	10
<b>Element Type</b>	Steel Bracing	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Benign	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	Coating / Paint	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	each	0	10	0	0

#### Comments

Light corrosion was noted throughout.

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	
<b>Element Group</b>	Coatings	<b>Width</b>	
<b>Element Name</b>	Structural Steel	<b>Height</b>	
<b>Location</b>	North & South Sides and Underside of Structur	<b>Count</b>	
<b>Material</b>	Paint	<b>Total Quantity</b>	463.57
<b>Element Type</b>	Structural Steel Coating	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Benign / Severe	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	square metre	0.00	143.57	160.00	160.00

#### Comments

Deterioration of coating noted throughout structural steel members.

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	54.90
<b>Element Group</b>	Decks	<b>Width</b>	3.80
<b>Element Name</b>	Deck Top	<b>Height</b>	
<b>Location</b>	Below Wearing Surface	<b>Count</b>	
<b>Material</b>	Concrete	<b>Total Quantity</b>	208.62
<b>Element Type</b>	Reinforced Concrete Deck	<b>Limited Inspection</b>	<input checked="" type="checkbox"/>
<b>Environment</b>	Moderate	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	Wearing Surface	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	square metre	0.00	200.62	8.00	0.00

#### Comments

Deck top is estimated to be generally in good condition based on the condition of the wearing surface.

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	
<b>Element Group</b>	Decks	<b>Width</b>	
<b>Element Name</b>	Drainage System	<b>Height</b>	
<b>Location</b>	North & South Sides of Structure	<b>Count</b>	14
<b>Material</b>	Steel	<b>Total Quantity</b>	14
<b>Element Type</b>	Steel Drains	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Severe	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	each	0	0	0	14

#### Comments

Severe corrosion at deck drains.

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	54.00
<b>Element Group</b>	Decks	<b>Width</b>	3.72
<b>Element Name</b>	Soffit - Thin Slab	<b>Height</b>	
<b>Location</b>	Underside of Structure	<b>Count</b>	
<b>Material</b>	Concrete	<b>Total Quantity</b>	200.88
<b>Element Type</b>	Soffit Interior	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Benign	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	square metre	0.00	135.88	35.00	30.00



**Comments**

- Narrow to wide cracks, some with efflorescence
- Light to severe spalls and delaminations
- Efflorescence

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	54.90
<b>Element Group</b>	Decks	<b>Width</b>	3.80
<b>Element Name</b>	Wearing Surface	<b>Height</b>	
<b>Location</b>	Top of Deck	<b>Count</b>	
<b>Material</b>	Asphalt	<b>Total Quantity</b>	208.62
<b>Element Type</b>	Asphalt Wearing Surface	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Severe	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

Condition Data	Units	Excellent	Good	Fair	Poor
	square metre	0.00	192.62	8.00	8.00

**Comments**

- Light ravelling
- Medium to severe cracks

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	
<b>Element Group</b>	Embankments and Streams	<b>Width</b>	
<b>Element Name</b>	Embankments	<b>Height</b>	
<b>Location</b>	NE, NW, SE & SW of Structure	<b>Count</b>	4
<b>Material</b>	Native	<b>Total Quantity</b>	4
<b>Element Type</b>	Embankment	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Moderate	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	Vegetation	<b>Maintenance Needs</b>	00

Condition Data	Units	Excellent	Good	Fair	Poor
	each	0	4	0	0

**Comments**

Generally in good condition.

**Recommended Work** None

<b>Bridge Number</b>	100018	<b>Length</b>	
<b>Element Group</b>	Embankments and Streams	<b>Width</b>	
<b>Element Name</b>	Slope Protection	<b>Height</b>	
<b>Location</b>	NE, NW, SE & SW of Structure	<b>Count</b>	4
<b>Material</b>	Vegetation	<b>Total Quantity</b>	4

<b>Element Type</b>	Slope Protection	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Moderate	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00
<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>
	each	0	4
			0
			0

**Comments**

Generally in good condition.

**Recommended Work** None

<b>Bridge Number</b>	100018	<b>Length</b>	
<b>Element Group</b>	Embankments and Streams	<b>Width</b>	
<b>Element Name</b>	Streams and Waterways	<b>Height</b>	
<b>Location</b>	Under Structure	<b>Count</b>	
<b>Material</b>	Native	<b>Total Quantity</b>	All
<b>Element Type</b>	Stream	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Benign	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	all		All		

**Comments**

Generally in good condition with dam structure noted upstream.

**Recommended Work** None

<b>Bridge Number</b>	100018	<b>Length</b>	
<b>Element Group</b>	Foundations	<b>Width</b>	
<b>Element Name</b>	Foundation (below ground level)	<b>Height</b>	
<b>Location</b>	Below Abutment Walls, Wingwalls and Piers	<b>Count</b>	
<b>Material</b>	Unknown	<b>Total Quantity</b>	
<b>Element Type</b>	Unknown	<b>Limited Inspection</b>	<input checked="" type="checkbox"/>
<b>Environment</b>	Benign	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	Unknown	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	N/A				

**Comments**

No visible evidence of foundation instability was noted during the inspection.

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	4.30
<b>Element Group</b>	Joints	<b>Width</b>	
<b>Element Name</b>	Armouring/Retaining Devices	<b>Height</b>	
<b>Location</b>	East & West Ends of Structure and at Piers	<b>Count</b>	10
<b>Material</b>	Steel	<b>Total Quantity</b>	43.00
<b>Element Type</b>	Steel Armouring	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Severe	<b>Performance Deficiency</b>	00
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	metre	0.00	23.00	10.00	10.00

**Comments**

Steel armouring is broken in several locations.

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	4.30
<b>Element Group</b>	Joints	<b>Width</b>	
<b>Element Name</b>	Seals/Sealants	<b>Height</b>	
<b>Location</b>	East & West Ends of Structure and at Piers	<b>Count</b>	5
<b>Material</b>	Neoprene	<b>Total Quantity</b>	5
<b>Element Type</b>	Compression Seal	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Severe	<b>Performance Deficiency</b>	00
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	each	0	0	0	5

**Comments**

- Leakage, tears and displacement
- Seals are jammed

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	1.05
<b>Element Group</b>	Piers	<b>Width</b>	5.70
<b>Element Name</b>	Shafts/Columns/Pile Bents	<b>Height</b>	1.65
<b>Location</b>	Underside of Structure	<b>Count</b>	3
<b>Material</b>	Concrete	<b>Total Quantity</b>	66.83
<b>Element Type</b>	Reinforced Concrete Pier Shaft	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Benign	<b>Performance Deficiency</b>	00
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	square metre	0.00	46.83	10.00	10.00

**Comments**

- Light to medium scaling
- Wide cracks with efflorescence at upstream
- Localized spalls at each pier and at west pier below stringers

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	54.90
<b>Element Group</b>	Sidewalks/Curbs	<b>Width</b>	0.15
<b>Element Name</b>	Curbs	<b>Height</b>	0.08
<b>Location</b>	North & South Sides of Structure	<b>Count</b>	2
<b>Material</b>	Concrete	<b>Total Quantity</b>	25.25
<b>Element Type</b>	Reinforced Concrete Curb	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Severe	<b>Performance Deficiencie</b>	08
<b>Protection System</b>	None	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	square metre	0.00	17.25	4.00	4.00

**Comments**

- Narrow to wide cracks
- Light to severe spalls and disintegration

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	5.00 (E), 15.00 (M)
<b>Element Group</b>	Trusses/Arches	<b>Width</b>	0.13 (E), 0.20 (M)
<b>Element Name</b>	Bottom Chords	<b>Height</b>	0.09 (E), 0.15 (M)
<b>Location</b>	North & South Sides of Structure	<b>Count</b>	4 (E), 2 (M)
<b>Material</b>	Steel	<b>Total Quantity</b>	29.80
<b>Element Type</b>	Steel Bottom Chord	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Severe	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	Coating / Paint	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	square metre	0.00	27.30	0.00	2.50

**Comments**

- Northeast section has deflected horizontally by 20 mm
- Light corrosion throughout

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	20.00
<b>Element Group</b>	Trusses/Arches	<b>Width</b>	0.32
<b>Element Name</b>	Top Chords	<b>Height</b>	0.16
<b>Location</b>	North & South Sides of Structure	<b>Count</b>	2
<b>Material</b>	Steel	<b>Total Quantity</b>	38.40

<b>Element Type</b>	Steel Top Chord	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Severe	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	Coating / Paint	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	square metre	0.00	33.40	0.00	5.00

**Comments**

Rotation due to impact damage at top chord at northwest.

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	2.30
<b>Element Group</b>	Trusses/Arches	<b>Width</b>	0.18
<b>Element Name</b>	Vertical/Diagonals	<b>Height</b>	0.13
<b>Location</b>	North & South Sides of Structure	<b>Count</b>	8
<b>Material</b>	Steel	<b>Total Quantity</b>	11.41
<b>Element Type</b>	Steel Vertical	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Severe	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	Coating / Paint	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	square metre	0.00	11.41	0.00	0.00

**Comments**

Light corrosion noted throughout.

**Recommended Work** Replace: < 1 year

<b>Bridge Number</b>	100018	<b>Length</b>	3.40 (E), 3.00 (M)
<b>Element Group</b>	Trusses/Arches	<b>Width</b>	0.32 (E), 0.18 (M)
<b>Element Name</b>	Vertical/Diagonals	<b>Height</b>	0.16 (E), 0.13 (M)
<b>Location</b>	North & South Sides of Structure	<b>Count</b>	4 (E), 16 (M)
<b>Material</b>	Steel	<b>Total Quantity</b>	42.82
<b>Element Type</b>	Steel Diagonal	<b>Limited Inspection</b>	<input type="checkbox"/>
<b>Environment</b>	Severe	<b>Performance Deficiencie</b>	00
<b>Protection System</b>	Coating / Paint	<b>Maintenance Needs</b>	00

<b>Condition Data</b>	<b>Units</b>	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
	square metre	0.00	42.82	0.00	0.00

**Comments**

Light corrosion noted throughout.

**Recommended Work** Replace: < 1 year

### Repairs and Rehabilitation Required

Element	Repair and Rehabilitation Required	Priority	Estimated Cost
Barriers	Install Code Compliant End Treatments	< 1 year	\$16,000.00
	Replace Structure	< 1 year	\$1,062,315.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
Total Cost			\$1,078,315.00

### Associated Work

	Comments	Estimated Cost
Approaches		\$0.00
Detours		\$50,000.00
Traffic Control		\$30,000.00
Utilities		\$0.00
Right of Way		\$0.00
Environmental Study		\$7,000.00
Other		\$0.00
Contingencies		\$0.00
Total Cost		\$87,000.00

### Justification



Photo 1: Structure from east approach



Photo 2: Structure from west approach





Photo 3: East approach from structure



Photo 4: West approach from structure



Photo 5: North elevation



Photo 6: South elevation





**Photo 7:** Severe deterioration at expansion joint assembly



**Photo 8:** Severe spall at curb



**Photo 9:** Impact damage at northwest



**Photo 10:** Medium to severe cracks at deck wearing surface





Photo 11: Underside of east spans



Photo 12: Underside of west span



**Photo 13:** Severe spalls at soffit interior



**Photo 14:** Severe spalls and delaminations at soffit interior





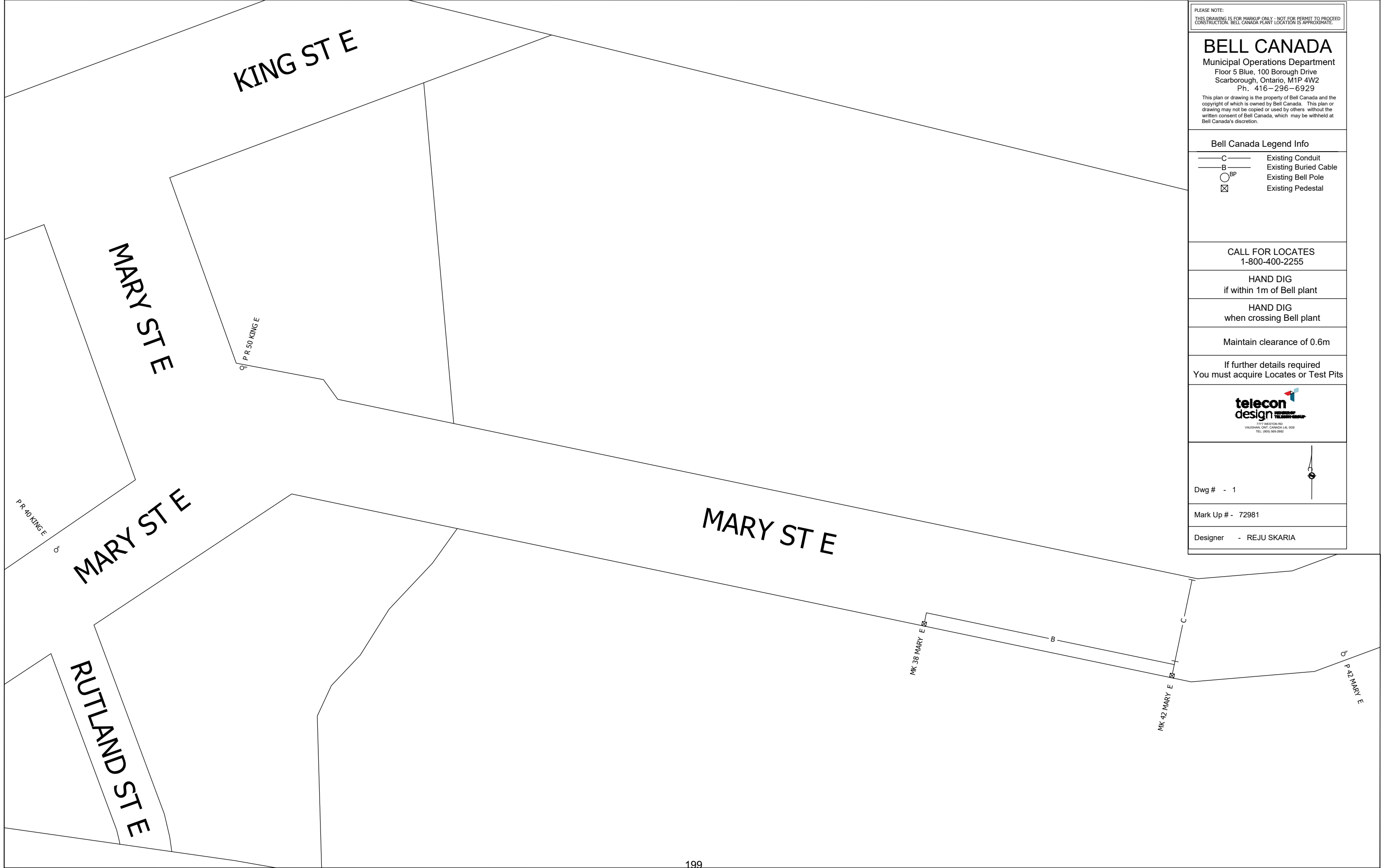
Photo 15: Severe corrosion and perforation at girder

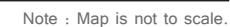


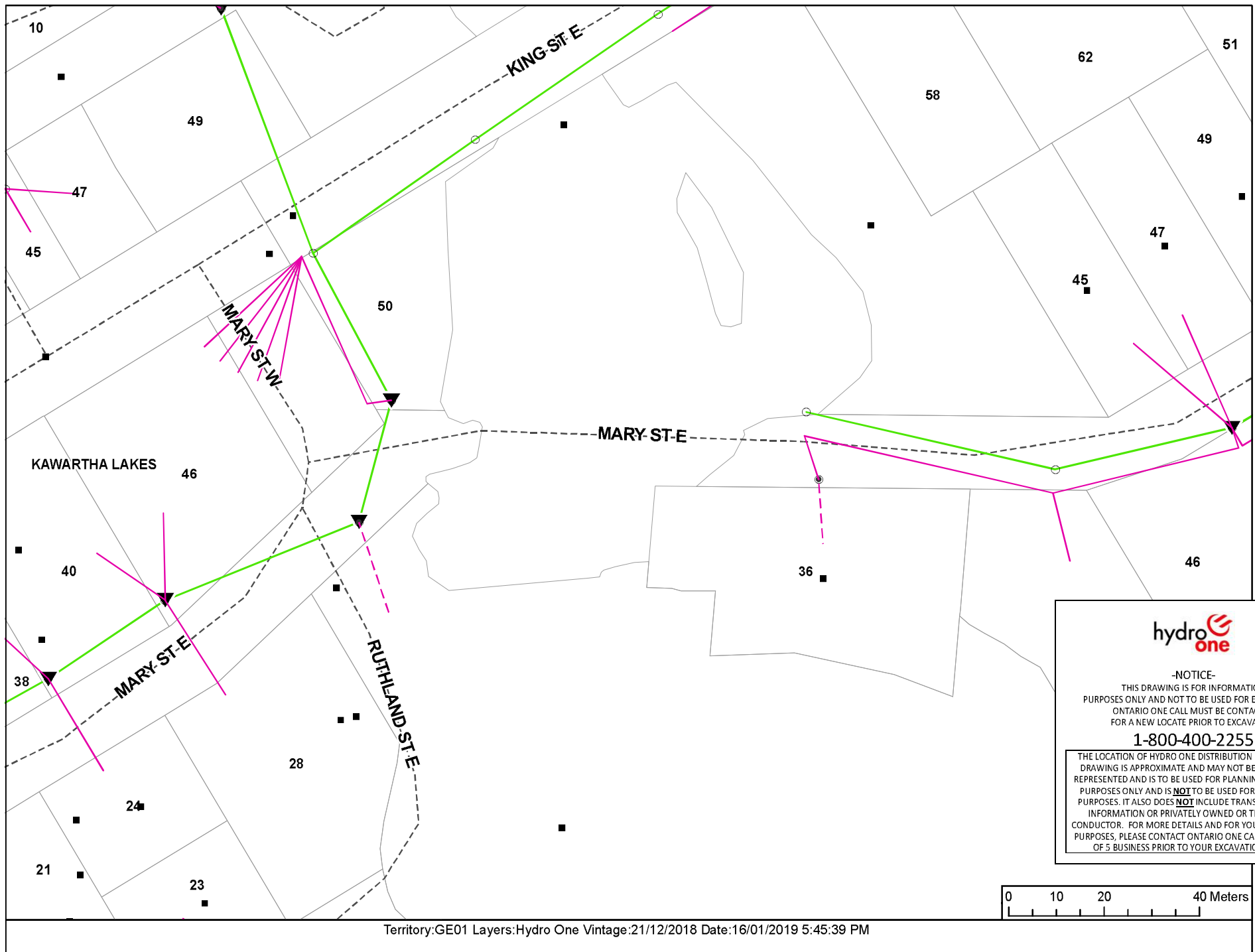
Photo 16: Severe corrosion and perforation at stringer



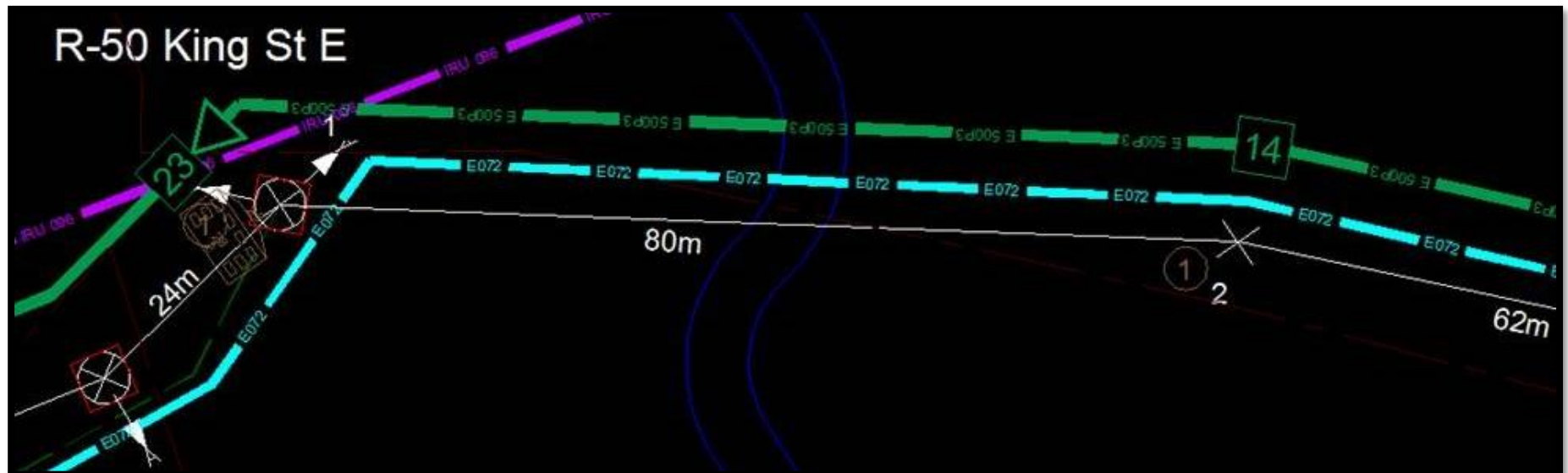
## **Existing Utility Location Drawings**







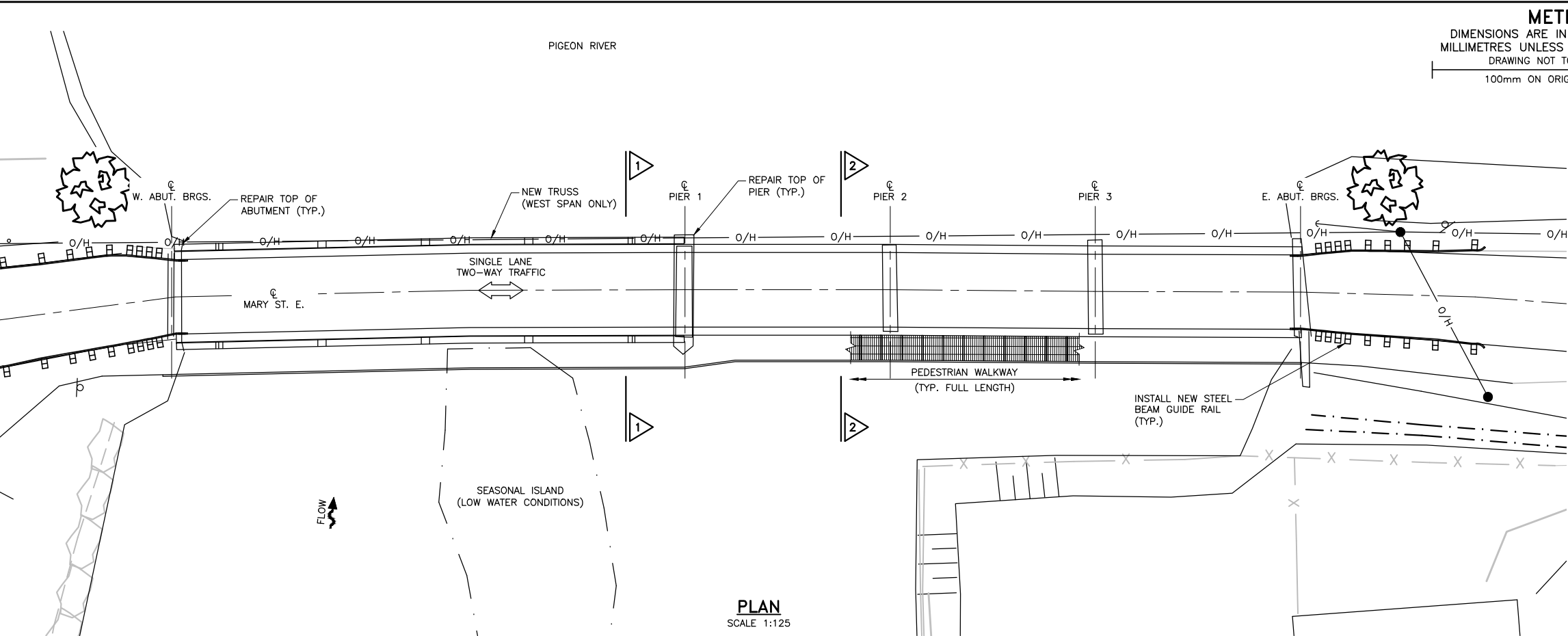
## Eastlink Utilities



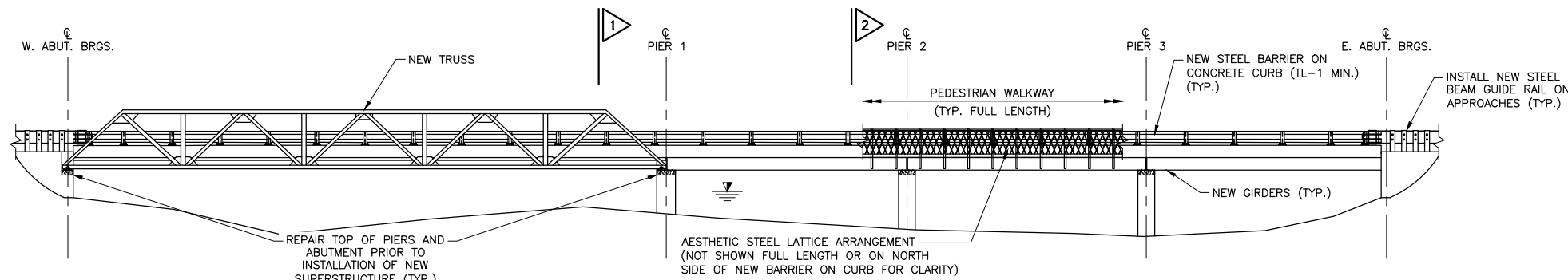
## **Appendix C**

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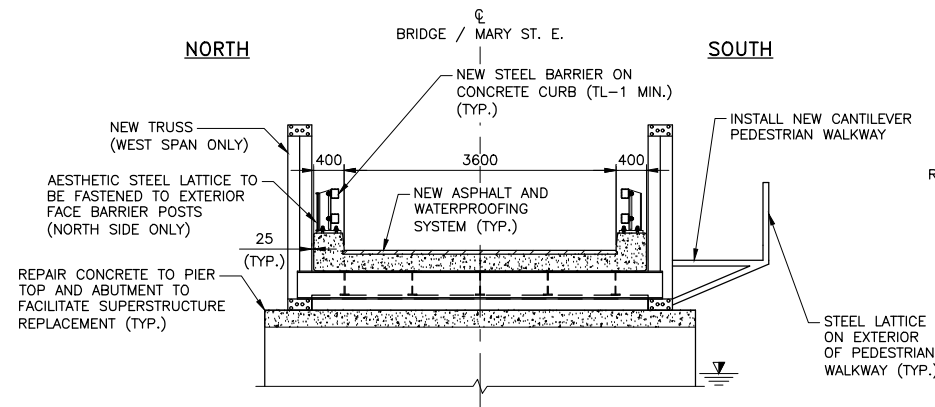
### **General Arrangement Drawing and Cost Estimate**



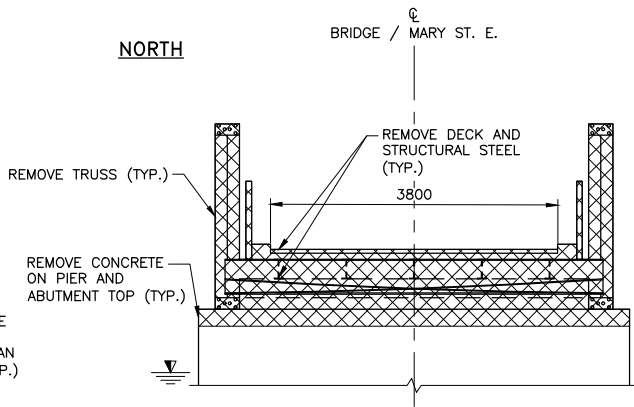
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SCALE 1:125



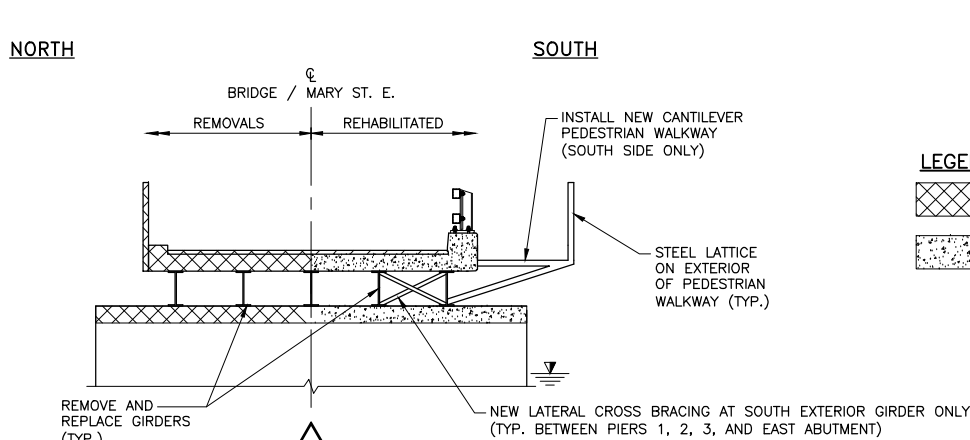
ELEVATION  
SCALE 1:125



1 REHABILITATED  
SCALE 1:50



1 REMOVALS  
SCALE 1:50



2  
SCALE 1:50

LEGEND

	REMOVAL
	NEW CONCRETE

REVISIONS		DATE		BY		DESCRIPTION		DATE		BY		DESCRIPTION	



## Preliminary Cost Estimate - Mill Pond Bridge Rehabilitation

Item No.	Description	Unit	Est. Qty.	Est. Unit Price	Extension
1	Mobilization and Demobilization	L.S.	1	\$20,000.00	\$20,000.00
2	Contract Bond and Insurance	L.S.	1	\$5,000.00	\$5,000.00
3	Construction Layout	L.S.	1	\$4,500.00	\$4,500.00
4	Bird Nesting Preventative Measures	L.S.	1	\$2,500.00	\$2,500.00
5	Traffic Control	L.S.	1	\$10,000.00	\$10,000.00
6	Environmental / Watercourse Protection	L.S.	1	\$15,000.00	\$15,000.00
7	Hot Mix HL-3	t	46	\$275.00	\$12,739.00
8	Removal of Asphalt Pavement, Full Depth	m <sup>2</sup>	51	\$50.00	\$2,550.00
9	Removal of Bridge Structure	L.S.	1	\$90,000.00	\$90,000.00
10	Removal of Steel Beam Guide Rail	m	79	\$20.00	\$1,580.00
11	Single Rail Steel Beam Guide Rail	m	79	\$180.00	\$14,220.00
12	Metal Traffic Barrier	m	109	\$650.00	\$70,850.00
13	Steel Beam Guide Rail Structure Connections	Each	4	\$1,000.00	\$4,000.00
14	Concrete in Deck	m <sup>3</sup>	66	\$2,300.00	\$151,800.00
15	Reinforcing Steel Bar	t	8.0	\$7,400.00	\$59,200.00
16	Prefabricated Truss Structure	L.S.	1	\$300,000.00	\$300,000.00
17	Cantilever Pedestrian Walkway	m	55	\$2,500.00	\$137,500.00
18	Fabrication of Structural Steel	t	13	\$6,500.00	\$84,500.00
19	Delivery of Structural Steel	t	13	\$300.00	\$3,900.00
20	Erection of Structural Steel	t	13	\$1,500.00	\$19,500.00
22	Bridge Deck Waterproofing	m <sup>2</sup>	198	\$80.00	\$15,840.00
23	Bearings	Each	34	\$400.00	\$13,600.00
24	Pier and Abutment Renewal	L.S.	1.0	\$200,000.00	\$200,000.00
Subtotal:					<u>\$1,238,779.00</u>
10% Contingency					\$125,000.00
10% Design and Construction					\$125,000.00
<b>Total Estimated Project Cost</b>					<b><u>\$1,488,779.00</u></b>

## **Appendix D**

---

### **Site Photographs**

## SITE PHOTOGRAPHS

**Photo 1: Roadway looking west**



**Photo 2: North elevation**



**SITE PHOTOGRAPHS**

**Photo 3: Jammed joints (typical of both ends)**



**Photo 4: Typical spalling at curb**





**SITE PHOTOGRAPHS**

**Photo 5: Deformed railing**



**Photo 6: Broken post at southeast**



**SITE PHOTOGRAPHS**

**Photo 7: Severe spall at soffit (typical of soffit)**



**Photo 8: Beam end at southeast**





**SITE PHOTOGRAPHS**

**Photo 9: South exterior beam at east pier**



**Photo 10: Map cracking at west abutment**





**SITE PHOTOGRAPHS**

**Photo 11: West pier and soffit**



**Photo 12: Soffit at west truss**



## **Appendix E**

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### **Cultural Heritage Evaluation Report and Heritage Impact Assessment**

**Municipal Heritage Bridges; Cultural, Heritage, and  
Archaeological Resources Assessment Checklist**

**Municipal Heritage Bridges  
Cultural, Heritage and Archaeological  
Resources Assessment Checklist  
Revised April 11, 2014**

*This checklist was prepared in March 2013 by the Municipal Engineers Association to assist with determining the requirements to comply with the Municipal Class Environmental Assessment. View all 4 parts of the module on Structures Over 40 Years at [www.municipalclassea.ca](http://www.municipalclassea.ca) to assist with completing the checklist.*

**Project Name:**

Mill Pond Bridge (B 100018)

**Location:**

Mary Street East, over the Pigeon River

**Municipality:**

City of Kawartha Lakes, Ontario

**Project Engineer:**

D.M. Wills Associates Ltd.

**Checklist completed by:**

Archaeological Services Inc.

**Date:**

22 April 2019

**NOTE: Complete all sections of Checklist. Both Cultural Heritage and Archaeological Sections must be satisfied before proceeding.**

**Part A - Municipal Class EA Activity Selection**

Description	Yes	No
Will the proposed project involve or result in construction of new water crossings? This includes ferry docks.	<input type="checkbox"/> Schedule B or C	<input checked="" type="checkbox"/> Next
Will the proposed project involve or result in construction of new grade separation?	<input type="checkbox"/> Schedule B or C	<input checked="" type="checkbox"/> Next
Will the proposed project involve or result in construction of new underpasses or overpasses for pedestrian recreational or agricultural use?	<input type="checkbox"/> Schedule B or C	<input checked="" type="checkbox"/> Next
Will the proposed project involve or result in construction of new interchanges between any two roadways, including a grade separation and ramps to connect the two roadways?	<input type="checkbox"/> Schedule B or C	<input checked="" type="checkbox"/> Next

Description	Yes	No
Will the proposed project involve or result in reconstruction of a water crossing where the structure is less than 40 years old and the reconstructed facility will be for the same purpose, use, capacity and at the same location? (Capacity refers to either hydraulic or road capacity.) This include ferry docks.	<input type="checkbox"/> Schedule A+	<input type="checkbox"/> Next X
Will the proposed project involve or result in reconstruction of a water crossing, where the reconstructed facility will not be for the same purpose, use, capacity or at the same location? (Capacity refers to either hydraulic or road capacity). This includes ferry docks.	<input type="checkbox"/> Schedule B or C	<input type="checkbox"/> Next X
Will the proposed project involve or result in reconstruction or alteration of a structure or the grading adjacent to it when the structure is over 40 years old where the proposed work will alter the basic structural system, overall configuration or appearance of the structure?	<input type="checkbox"/> Next X	<input type="checkbox"/> Assess Archaeological Resources

#### Part B - Cultural Heritage Assessment

Description	Yes	No
Does the proposed project involve a bridge construction in or after 1956?	<input type="checkbox"/> Next	<input type="checkbox"/> Prepare CHER X Undertake HIA
Does the project involve one of these four bridge types?	<input type="checkbox"/> Rigid frame      Next <input type="checkbox"/> Precast with Concrete Deck      Next <input type="checkbox"/> Culvert or Simple Span      Next <input type="checkbox"/> Steel Beam/Concrete Deck      Next	<input type="checkbox"/> Prepare CHER Undertake HIA

Description	Yes	No
Does the bridge or study area contain a parcel of land that is subject of a covenant or agreement between the owner of the property and a conservation body or level of government?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is listed on a register or inventory of heritage properties maintained by the municipality?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is designated under Part IV of the Ontario Heritage Act?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is subject to a notice of intention to designate issued by a municipality?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is located within a designated Heritage Conservation District?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is subject to a Heritage Conservation District study area by-law?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is included in the Ministry of Tourism, Culture and Sport's list of provincial heritage properties?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is part of a National Historic Site?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is part of a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input checked="" type="checkbox"/> Next



<b>Description</b>	<b>Yes</b>	<b>No</b>
Does the bridge or study area contain a parcel of land that is designated under the Heritage Railway Station Protection Act?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is identified as a Federal Heritage Building by the Federal Heritage Building Review Office (FHBRO)	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is the subject of a municipal, provincial or federal commemorative or interpretive plaque that speaks to the Historical significance of the bridge?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is in a Canadian Heritage River watershed?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Will the project impact any structures or sites (not bridges) that are over forty years old, or are important to defining the character of the area or that are considered a landmark in the local community?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Is the bridge or study area adjacent to a known burial site and/or cemetery?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Is the bridge considered a landmark or have a special association with a community, person or historical event in the local community?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain or is it part of a cultural heritage landscape?	<input type="checkbox"/> Prepare Cher Undertake HIA	<input type="checkbox"/> Assess Archaeological Resources

## PART C - HERITAGE ASSESSMENT

Description	Yes	No
Does the Cultural Heritage Evaluation Report identify any Heritage Features on the project?	<input type="checkbox"/> Undertake HIA <input checked="" type="checkbox"/> X	<input type="checkbox"/> Part D - Archaeological Resources
Does the Heritage Impact Assessment determine that the proposed project will impact any of the Heritage Features that have been identified?	<input type="checkbox"/> Schedule B or C <input checked="" type="checkbox"/> X	<input type="checkbox"/> Part D - Archaeological Resources

## PART D - ARCHAEOLOGICAL RESOURCES ASSESSMENT

Description	Yes	No
Will any activity, related to the project, result in land impacts/significant ground disturbance?	<input checked="" type="checkbox"/> Next	<input type="checkbox"/> Schedule A - proceed
Have all areas, to be impacted by ground disturbing activities, been subjected to recent extensive and intensive disturbances and to depths greater than the depths of the proposed activities?	<input type="checkbox"/> Schedule A - proceed	<input checked="" type="checkbox"/> Next
Has an archaeological assessment previously been carried out that includes all of the areas to be impacted by this project?	<input type="checkbox"/> Next	<input checked="" type="checkbox"/> Archaeological Assessment
Does the report on that previous archaeological assessment recommend that no further archaeological assessment is required within the limits of the project for which that assessment was undertaken, and has a letter been issued by the Ministry of Tourism, Culture and Sport stating that the report has been entered into the Ontario Public Register of Archaeological Reports?	<input type="checkbox"/> Schedule A - proceed	<input type="checkbox"/> Obtain satisfaction letter - proceed

**\*\* Include Documentation Summary in Project File\*\***

## **Cultural Heritage Evaluation Report**

**VOLUME 1: CULTURAL HERITAGE EVALUATION REPORT  
MILL POND BRIDGE (B 100018)**

**MARY STREET EAST OVER THE PIGEON RIVER  
LOT 7, CONCESSION III  
FORMER EMILY TOWNSHIP  
CITY OF KAWARTHA LAKES, ONTARIO**

Prepared for:

**D.M. Wills Associates Limited**  
150 Jameson Drive  
Peterborough, ON K9J 0B9

ASI File: 19CH-003

April 2019



**VOLUME 1: CULTURAL HERITAGE EVALUATION REPORT  
MILL POND BRIDGE (B100018)**

**MARY STREET EAST OVER THE PIGEON RIVER  
LOT 7, CONCESSION III  
FORMER EMILY TOWNSHIP  
CITY OF KAWARTHA LAKES, ONTARIO**

**EXECUTIVE SUMMARY**

ASI was contracted by D.M. Wills Associates Limited to conduct a cultural heritage evaluation and heritage impact assessment for the Mill Pond Bridge (B 100018) as part of the Mill Pond Bridge Replacement/Rehabilitation Municipal Class Environmental Assessment. This report, Volume 1, provides the Cultural Heritage Evaluation Report (CHER). Volume 2 provides the Heritage Impact Assessment (HIA) as a separate, stand-alone report. The study area is located over the Pigeon River on Mary Street East in the community of Omemee, City of Kawartha Lakes.

The Mill Pond Bridge (B 100018) has an east-west orientation and is located approximately 50 metres south of King Street West in the community of Omemee. The west portion of the bridge is a half-through truss and the east portion is an I-beam structure with concrete deck. Built in 1952, the bridge carries a single lane of Mary Street East over the Pigeon River in four spans with a total deck length of 54.9 metres and total width of 4.3 metres.

Based on the results of archival research, an analysis of bridge design and construction in Ontario, a field investigation, and the application of O. Reg. 9/06, the Mill Pond Bridge (B 100018) is determined to retain cultural heritage value. In particular, the half-through truss component of the subject bridge is representative of an early-twentieth-century style and bridge type. Further, the location of the subject bridge has served as an historical bridging point for vehicles over the Pigeon River and is physically associated with Mary Street East, an historically surveyed road. The subject bridge is physically and historically linked to its surroundings in the community of Omemee. Given that it meets O. Reg. 9/06, a Draft Statement of Cultural Heritage Value or Interest and a list of heritage attributes have been included in this report.

Given the identified cultural heritage value of the Mill Pond Bridge (B 100018), the following recommendations should be considered:

1. This report should be submitted to heritage staff at the City of Kawartha Lakes, Heritage Victoria Committee, and with the Ministry of Tourism, Culture and Sport for review.

## PROJECT PERSONNEL

<i>Senior Project Manager:</i>	Lindsay Graves, MA <i>Senior Cultural Heritage Specialist   Senior Project Manager, Cultural Heritage Division</i>
<i>Project Manager:</i>	Johanna Kelly, MSc <i>Cultural Heritage Associate, Cultural Heritage Division</i>
<i>Project Coordinator:</i>	Katrina Thach, Hon. BA <i>Archaeologist   Project Coordinator, Environmental Assessment Division</i>
<i>Project Administrator:</i>	Carol Bella, Hon. BA <i>Executive Assistant, Operations Division</i>
<i>Field Survey:</i>	Johanna Kelly
<i>Report Preparation:</i>	Kirstyn Allam, Hon. BA, Dip. Advanced Museum Studies <i>Cultural Heritage Assistant, Cultural Heritage Division</i>  John Sleath, MA <i>Associate Archaeologist   Project Manager Cultural Heritage Division</i>
<i>Graphics Preparation:</i>	Jonas Fernandez, MSc <i>Lead Archaeologist   Assistant Manager – Fleet &amp; Geomatics Specialist, Operations Division</i>
<i>Report Reviewers:</i>	Johanna Kelly  Lindsay Graves, MA



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## 1.0 INTRODUCTION

Archaeological Services Inc. (ASI) was contracted by D.M. Wills Associates Limited to conduct a cultural heritage evaluation and heritage impact assessment of the Mill Pond Bridge (B 100018) as part of the Mill Pond Bridge Replacement/ Rehabilitation Municipal Class Environmental Assessment. This report, Volume 1, provides the Cultural Heritage Evaluation Report (CHER). To assist in selecting the preferred alternative, a separate, stand-alone Heritage Impact Assessment was produced as Volume 2. This project involves the replacement or rehabilitation of the Mill Pond Bridge, Structure No. B 100018, located on Mary Street East over the Pigeon River in the community of Omemee, within the City of Kawartha Lakes (Figure 1).

The Mill Pond Bridge (B 100018) has an east-west orientation and is located approximately 50 metres south of King Street West in the community of Omemee. The Mill Pond Bridge (B 100018) is a four-span structure featuring a single span half-through Warren truss structure in the west integrated with a three span I-beam structure in the east. The superstructure rests on concrete abutments and concrete piers. The bridge carries a single lane of east and west Mary Street East vehicular traffic over the Pigeon River in the community of Omemee, City of Kawartha Lakes (Figure 1).

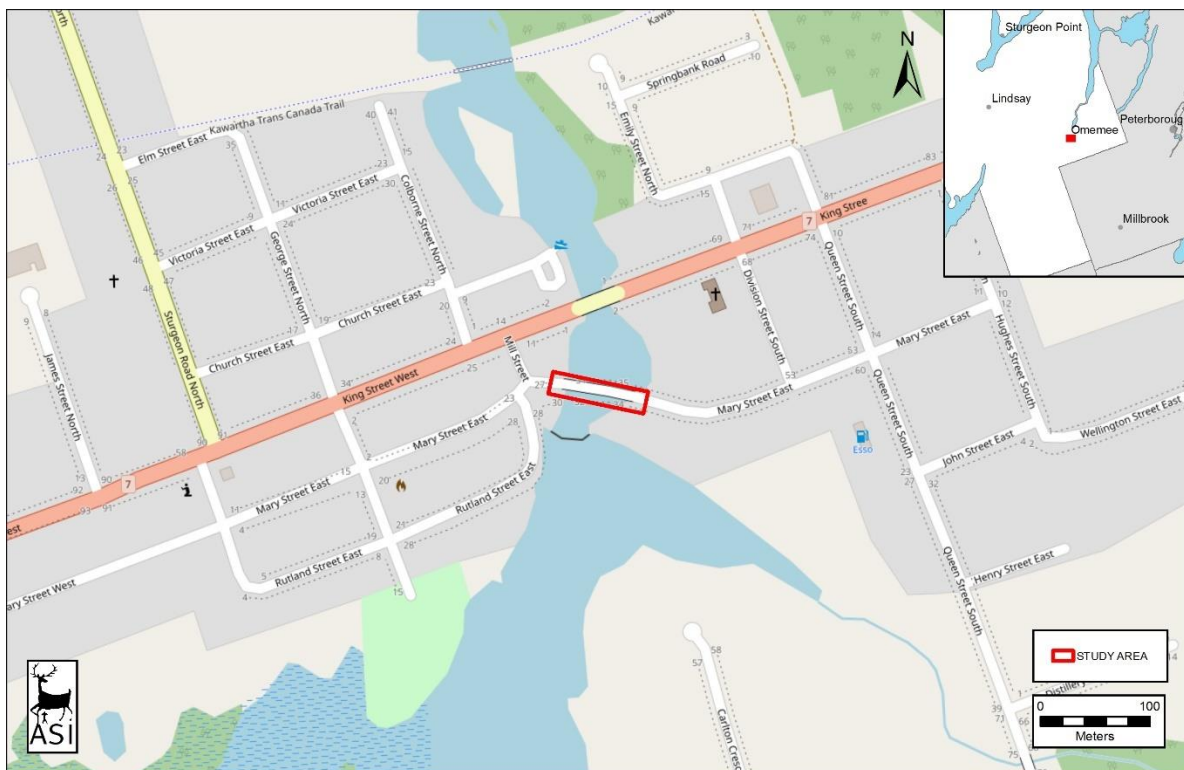


Figure 1: Location of the study area (in red).

Source: ©OpenStreetMap and contributors, Creative Commons-Share Alike License  
 (CC-BY-SA ESRI Street Maps)

As this structure was constructed prior to 1956, a CHER is required to determine if the bridge retains cultural heritage value (Municipal Engineers Association 2014). The principal aims of this report are to:



- Describe the methodology that was employed and the legislative and policy context that guides heritage evaluations of bridges;
- Provide a historical overview of the design and construction of the bridge within the broader context of the surrounding township and bridge construction generally;
- Describe existing conditions and heritage integrity; and
- Evaluate the bridge using *O. Reg. 9/06, Criteria for Determining Cultural Heritage Value or Interest*, of the *Ontario Heritage Act* and the Ontario Heritage Bridge Guidelines and draw conclusions about the heritage attributes of the structure.

## 2.0 LEGISLATION AND POLICY CONTEXT

Infrastructure projects have the potential to impact cultural heritage resources in a variety of ways. These include loss or displacement of resources through removal or demolition and the disruption of resources by introducing physical, visual, audible or atmospheric elements that are not in keeping with the resources and/or their setting.

The analysis used throughout the cultural heritage resource assessment process addresses cultural heritage resources under various pieces of legislation and their supporting guidelines:

- *Environmental Assessment Act* (R.S.O. 1990, Chapter E.18)
  - *Guideline for Preparing the Cultural Heritage Resource Component of Environmental Assessments* (MCC 1992)
  - *Guidelines on the Man-Made Heritage Component of Environmental Assessments* (MCR 1980)
  - *Municipal Heritage Bridges: Cultural, Heritage and Archaeological Resources Assessment Checklist* (Municipal Engineers Association 2014)
- *Ontario Heritage Act* (R.S.O. 1990, Chapter O.18) and the following document prepared by the Ministry of Tourism and Culture (MTC):
  - The *Ontario Heritage Toolkit* (MCL 2006) provides a guide on how to evaluate heritage properties that are subject to or are being considered for municipal designation and/or listing under sections 27, 29, or 41 of the *Ontario Heritage Act*
  - MTCS (2016) *Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes*

The *Ontario Heritage Act* makes provisions for the protection and conservation of heritage resources in the Province of Ontario. A Cultural Heritage Evaluation Report is intended to identify areas of heritage interest as specified in the *Provincial Policy Statement*. Built heritage concerns are recognized as a matter of provincial interest in Section 2.6.1 of the *Provincial Policy Statement* (PPS) which states:

- Significant built heritage resources and cultural heritage landscapes shall be conserved (PPS 2014:29).

In the *Provincial Policy Statement* the term Conserved means:

the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural



heritage value or interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments (MMAH 2014:40).

Additionally, Part 4.7 of the PPS states that:

The official plan is the most important vehicle for implementation of this *Provincial Policy Statement*. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this *Provincial Policy Statement*. The policies of this *Provincial Policy Statement* continue to apply after adoption and approval of an official plan.

## 2.1 Municipal Policies

Section 10 of the *City of Kawartha Lakes Official Plan* (2012) sets out a number of policies with regard to cultural heritage resources. The Official Plan is currently under appeal. Policies that are relevant to this study include:

10. Culture and heritage

10.5 Heritage:

- a) The City shall encourage the conservation and preservation of its significant built heritage resources, significant cultural heritage landscapes and significant archaeological resources.
- c) Development in areas considered to be of architectural or heritage value shall have regard for the conservation and preservation of architecture or historic buildings, features or sites therein.
- d) The City recognizes that the City's heritage resources include individual buildings, group of buildings, streetscapes, neighbourhoods, landscaping and landmarks. For the purpose of this section, the term "building" is considered to include both buildings and structures and the term "conserve" is generally considered to mean retention of the existing form, material and integrity of site.

- f) The City shall require development proponents to conserve such resources through preservation in-situ, documentation, avoidance and/or removal.
- g) The City shall ensure land development adjacent to protected heritage properties are not adversely impacting identified heritage attributes of these properties.
- i) The City shall encourage comprehensive cultural heritage resource mapping, archaeological resource mapping, heritage master planning and other heritage site inventories for the City;
- j) The City shall seek the advice of the Province regarding cultural heritage conservation matters when appropriate.

### 30. Definitions

#### Adjacent lands:

means those lands, contiguous to a specific Natural Heritage Feature or Area, where it is likely that development or site alteration would have a negative impact on the Feature or Area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches, which achieve the same objectives.

#### Adverse effects:

means one or more of:

- ii) injury or damage to property or plant and animal life;
- vi) rendering any property, plant, or animal life unfit for use by humans;
- vii) loss of enjoyment of normal use of property; and
- viii) interference with normal conduct of business.

#### Development:

means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act; but does not include activities that create or maintain infrastructure authorized under an Environmental Assessment process; or works subject to the Drainage Act.

### **2.1.1 Review of Heritage Registers and Stakeholder Consultation**

As a part of the evaluation undertaken for this report, municipal, provincial and federal heritage registers and inventories were reviewed including:



- Kawartha Lakes *Heritage Property Register*;
- Ontario Heritage Trust Plaque Guide;
- Ontario Heritage Act Register – Ontario Heritage Trust;
- Conservation Easements – Ontario Heritage Trust;
- Canadian Register of Historic Places; and
- Federal Heritage Designations.

The following stakeholders were contacted with inquiries regarding the heritage status and for information concerning the Mill Pond Bridge (B 100018) and any additional adjacent cultural heritage resources.

**Table 1: Results of Stakeholder Consultation**

Contact	Organization	Date(s) of Communications	Description of Information Received
Shawnee Hayward, Library Specialist - Reference	Kawartha Lakes Public Library	18 and 19 March 2019	Response received. Provided article on the opening of Mill Pond Bridge.
Debra Soule, Economic Development Officer – Arts, Culture and Heritage	City of Kawartha Lakes	18 March 2019	Response received. Confirmed that there are no designated heritage resources adjacent to the study area.
Shelley Trennum, Records Clerk	City of Kawartha Lakes	20 and 26 March 2019	Response received. Provided information from a local history book and letter to Ontario Railway & Municipal Board
Bryan Robinson, Director of Public Works	City of Kawartha Lakes	18 and 20 March 2019	No response received at the time of this report.
Juan Rojas, Director of Engineering	City of Kawartha Lakes	18, 20 and 22 March 2019	Juan Rojas forwarded email to Corby Purdy, Supervisor, Infrastructure Design and Construction. Corby Purdy advised that the City of Kawartha Lakes did not have an inventory of structures.
Karla Barboza, (A) Team Lead, Heritage	Ministry of Tourism, Culture and Sport	18 and 27 March 2019	Response received. Confirmed that there are no properties designated by the Minister and no provincial heritage properties.
Kevin De Mille, Heritage Planner	Ontario Heritage Trust	18 and 27 March 2019	Response received. Confirmed that there are no conservation easement or provincial heritage properties within and/or adjacent to the subject bridge.

## 2.2 Cultural Heritage Evaluation Report

The purpose of the CHER is to examine a property as whole, its relationship to surrounding landscapes, and its individual elements. Conducting scholarly research and site visits inform such an examination. Background information is gathered from heritage stakeholders where available, local archives, land registry offices, local history collections at public libraries, and the Ministry of Tourism, Culture and Sport when appropriate. Once background data collection is complete, a site visit is carried out to conduct





photographic documentation and site analysis. These components provide a means to soundly establish the resource's cultural heritage value.

The scope of a CHER is guided by the Ministry of Tourism, Culture and Sport's *Ontario Heritage Toolkit* (2006). Generally, CHERs include the following components:

- A general description of the history of a study area as well as a detailed historical summary of property ownership and building(s) development;
- A description of the cultural heritage landscape and built heritage resources;
- Representative photographs of the structure, and character-defining details;
- A cultural heritage resource evaluation guided by the *Ontario Heritage Act* criteria;
- A summary of heritage attributes;
- Historical mapping and photographs; and
- A location plan.

Using background information and data collected during the site visit, the property is evaluated using criteria contained within O. Reg. 9/06 of the *Ontario Heritage Act*. The criteria are grouped into the following categories which determine the cultural heritage value or interest of a potential heritage resource in a municipality:

- i) Design/Physical Value;
- ii) Historical/Associative Value; and
- iii) Contextual Value.

Should the structure meet one or more of the above-mentioned criteria, a Heritage Impact Assessment (HIA) is required.

When evaluating the cultural heritage significance of the subject bridge, the *Ontario Heritage Bridge Guidelines for Provincially Owned Bridges* (OHGB) (MTO 2008) and the *Ontario Heritage Bridge Program* (MCC 1991) were consulted as points of reference.

The OHBG provides rationale for the protection and preservation of heritage bridges and is described as follows (MTO 2008:5-6):

Bridges are important parts of our engineering and architectural heritage. Perhaps more than any other type of structure built by man, they exhibit major historical change and innovation in the development and use of materials, in design, and in construction methods. They can be viewed as important elements and make a positive contribution to their surroundings. In some cases, they are rare survivors of an important bridge type or are revered because of their age, historical associations or other publicly perceived values.

### 3.0 HISTORICAL CONTEXT AND CONSTRUCTION

A review of available primary and secondary source material was undertaken to produce a contextual overview of the study area, including a general description of physiography, as well as Indigenous and Euro-Canadian land use and settlement.



### 3.1 Introduction

The Mill Pond Bridge (B 100018) is a four-span structure featuring a single span half-through Warren truss structure in the west integrated with a three span I-beam structure in the east. The bridge has not been identified as a heritage bridge in the Ontario Heritage Bridge inventory and does not currently have any status under the *Ontario Heritage Act*.

Cultural heritage resources are those buildings or structures that have one or more heritage attributes. Heritage attributes are constituted by and linked to historical associations, architectural or engineering qualities and contextual values. Inevitably many, if not all, heritage resources are inherently tied to “place”; geographical space, within which they are uniquely linked to local themes of historical activity and from which many of their heritage attributes are directly distinguished today. In certain cases, however, heritage features may also be viewed within a much broader context. Section 3.2 of this report details a brief historical background to the settlement of the surrounding area. A description is also provided of the construction of the bridge within its historical context (Section 3.3).

ASI has been invited to offer the following land acknowledgement on behalf of the Williams Treaties First Nations: *the Mill Pond Bridge study area is located on the Treaty 20 Michi Saagiig territory and in the traditional territory of the Michi Saagiig and Chippewa Nations, collectively known as the Williams Treaties First Nations, which include: Curve Lake, Hiawatha, Alderville, Scugog Island, Rama, Beausoleil, and Georgina Island First Nations. The Williams Treaties First Nations are the stewards and caretakers of these lands and waters in perpetuity, as they have been for thousands of years, and they continue to maintain this responsibility to ensure their health and integrity for generations to come.*

#### 3.1.1 Physiography

The study area is within drumlinized till plains of the Peterborough Drumlin Field, which extends from Simcoe County east to Hastings County and is generally characterized by rolling till plains overlying limestone bedrock. The region is approximately 4,532 km<sup>2</sup> and contains over 3000 drumlins in addition to many other drumlinoid hills and surface flutings (Chapman and Putnam 1984:169). The drumlins are composed of highly calcareous till but there are local differences in composition. The till plains of the regions were formed during the retreat of the Lake Ontario ice lobe of the Laurentide glacier and they indicate directionality of glacial advance and retreat. Till is produced from the advance of continental glacial ice. Soil and rock is carried forward by the ice, mixed and milled, producing a heterogeneous soil which is characteristic of glaciations (Chapman and Putnam 1984:10, 16).

#### 3.1.2 Indigenous Land Use and Settlement

Southern Ontario has been occupied by human populations since the retreat of the Laurentide glacier approximately 13,000 years before present (BP) (Ferris 2013). Populations at this time would have been highly mobile, inhabiting a boreal-parkland similar to the modern sub-arctic. By approximately 10,000 BP, the environment had progressively warmed (Edwards and Fritz 1988) and populations now occupied less extensive territories (Ellis and Deller 1990).

Between approximately 10,000-5,500 BP, the Great Lakes basins experienced low-water levels, and many sites which would have been located on those former shorelines are now submerged. This period produces



the earliest evidence of heavy wood working tools, an indication of greater investment of labour in felling trees for fuel, to build shelter, and watercraft production. These activities suggest prolonged seasonal residency at occupation sites. Polished stone and native copper implements were being produced by approximately 8,000 BP; the latter was acquired from the north shore of Lake Superior, evidence of extensive exchange networks throughout the Great Lakes region. The earliest evidence for cemeteries dates to approximately 4,500-3,000 BP and is indicative of increased social organization, investment of labour into social infrastructure, and the establishment of socially prescribed territories (Ellis et al. 1990; Ellis et al. 2009; Brown 1995:13).

Between 3,000-2,500 BP, populations continued to practice residential mobility and to harvest seasonally available resources, including spawning fish. The Woodland period begins around 2,500 BP and exchange and interaction networks broaden at this time (Spence et al. 1990:136, 138) and by approximately 2,000 BP, evidence exists for macro-band camps, focusing on the seasonal harvesting of resources (Spence et al. 1990:155, 164). By 1,500 BP there is macro botanical evidence for maize in southern Ontario, and it is thought that maize only supplemented people's diet. There is earlier phytolithic evidence for maize in central New York State by 2,300 BP - it is likely that once similar analyses are conducted on Ontario ceramic vessels of the same period, the same evidence will be found (Birch and Williamson 2013:13–15). Bands likely retreated to interior camps during the winter. It is generally understood that these populations were Algonquian-speakers during these millennia of settlement and land use.

From the beginning of the Late Woodland period at approximately 1,000 BP, lifeways became more similar to that described in early historical documents. Between approximately 1000-1300 Common Era (CE), the communal site is replaced by the village focused on horticulture. Seasonal disintegration of the community for the exploitation of a wider territory and more varied resource base was still practised (Williamson 1990:317). By 1300-1450 CE, this episodic community disintegration was no longer practised and populations now communally occupied sites throughout the year (Dodd et al. 1990:343). From 1450-1649 CE this process continued with the coalescence of these small villages into larger communities (Birch and Williamson 2013). Through this process, the socio-political organization of the First Nations, as described historically by the French and English explorers who first visited southern Ontario, was developed.

Iroquoian expansion into the Trent Valley began in the late thirteenth and early fourteenth centuries, and the establishment of villages in these areas likely entailed a lengthy period of negotiation and interaction with the Algonquian-speaking groups that utilized the Georgian Bay littoral and the Trent valley. By the early sixteenth century, there was a well-established ancestral Huron-Wendat presence in the upper Trent valley, formed through in-situ cultural development and immigration focussed in the vicinity of Balsam Lake in the upper Trent valley (Gates St.Pierre 2015; Ramsden 2016; Warrick and Lesage 2016; Williamson 2016). Oral histories of both the Huron-Wendat and Mohawk identify ancestral homelands in the St. Lawrence River valley (Gaudreau and Lesage 2016; Lainey 2006; Richard 2016). Wendat accounts provided to early Europeans suggest that the abandonment of the Trent Valley must have occurred by the early seventeenth century as settlement focussed in Huronia – the Arendahronon (Rock Tribe), likely originating with the Benson and Trent-Foster communities, became the easternmost tribe of the confederacy, told Champlain that they had formerly lived in the Trent Valley and had abandoned the area due to fear of enemies (Biggar 1971:3:59). It is noted that Curve Lake First Nation does not agree with this history.

By 1600 CE, the communities within Simcoe County had formed the Confederation of Nations encountered by the first European explorers and missionaries. In the 1640s, the traditional enmity



between the Haudenosaunee<sup>1</sup> and the Huron-Wendat (and their Algonquian allies such as the Nipissing and Odawa) led to the dispersal of the Huron-Wendat.

Shortly after dispersal of the Wendat and their Algonquian allies, Ojibwa began to expand into southern Ontario and Michigan from a “homeland” along the east shore of Georgian Bay, west along the north shore of Lake Huron, and along the northeast shore of Lake Superior and onto the Upper Peninsula of Michigan (Rogers 1978:760–762). This history of their homeland and population movement, published in 1978 in the *Smithsonian Handbook of Northamerican Indians, Northeast Volume*, was constructed by Rogers using both Anishinaabeg oral tradition and the European documentary record. Rogers notes that this migration included those populations that were later known as the Chippewa, Ojibwa, Mississauga, and Saulteaux or “Southeastern Ojibwa” groups. He also noted linguistic differences between those groups split between Central Ojibwa-Odawa, spoken primarily by the Odawas of Manitoulin Island and Michigan and some Ojibwas (or Chippewas) of the Lower Peninsula of Michigan and that part of southwestern Ontario lying west of a north-south line drawn through the base of the Bruce peninsula east of which is spoken the second major dialect, spoken by Ojibwa (or Chippewa) and Mississauga. There is also sub-dialectical variation within each major dialect, and some groups and individuals whose speech is fundamentally of one type use certain forms characteristic of the other.

Ojibwa were first encountered by Samuel de Champlain in 1615 along the eastern shores of Georgian Bay. While he probably met Odawa, Etienne Brule later encountered other groups and by 1641, Jesuits had journeyed to Sault Sainte Marie (Thwaites 1896:11:279) and opened the Mission of Saint Peter in 1648 for the occupants of Manitoulin Island and the northeast shore of Lake Huron. The Jesuits reported that these Algonquian peoples lived “solely by hunting and fishing and roam as far as the “Northern sea” to trade for “Furs and Beavers, which are found there in abundance” (Thwaites 1901, 33:67), and “all of these Tribes are nomads, and have no fixed residence, except at certain seasons of the year, when fish are plentiful, and this compels them to remain on the spot” (Thwaites 1896-1901: 33:153). The locations of both Iroquoian and Algonquian groups at the time of first contact are well-documented. The Nipissing lived near Lake Nipissing, which was on the historic route between Quebec and the Wendat country; some wintered with the Wendat (Thwaites 1896-1901: 14:7; 18: 229; 21:239; 23:227; 33:153). Other Algonquian-speaking groups who wintered with the Wendat included the Algonquin led by Captain Yroquet in 1615-16 (Biggar 1971:3:94); the Tontthrataronons (an Algonquin tribe), about fifteen cabins of which were wintering near the mission of Saint Jean Baptiste to the Arendaehronons in the Relation of 1640-41 (Thwaites 1896-1901: 21: 247); some Island Algonquins noted in the Relation of 1643-44 (Thwaites 1896-1901: 26:301); and a village of the Atontrataronnon Algonquins, who abandoned their country on the shores of the St. Lawrence because of attacks from the Haudenosaunee to live in safety near the village of Saint Jean Baptiste as noted in the Relation of 1643-44 (Thwaites 1896-1901: 27:37).

Other Algonquian groups were recorded along the northern and eastern shores and islands of Lake Huron and Georgian Bay - the “Ouasouarini” [Chippewa], the “Outchougai” [Outchougai], the “Atchiligouan” [Achiligouan] near the mouth of the French River and north of Manitoulin Island the “Amikouai, or the nation of the Beaver” [Amikwa; Algonquian] and the “Oumisagai” [Mississauga; Chippewa] (Thwaites 1896-1901: 18:229, 231). Father Louys André was put in charge of the Mission of Saint Simon on the Lake of the Hurons (Thwaites 1896-1901: 55:133-155). At the end of the summer 1670, he began his mission work among the Mississagué, who were located on the banks of a river that empties into Lake Huron approximately 30 leagues from the Sault. These observations were further supported by the maps

<sup>1</sup> The Haudenosaunee are also known as the New York Iroquois or Five Nations Iroquois and after 1722 Six Nations Iroquois. They were a confederation of five distinct but related Iroquoian-speaking groups – the Seneca, Onondaga, Cayuga, Oneida, and Mohawk. Each lived in individual territories in what is now known as the Finger Lakes district of Upper New York. In 1722 the Tuscarora joined the confederacy.



attributed to Brébeuf (1631/1651) and Bressani (1657). Bréhant de Galinée also created a map of his 1669-70 travels, which provides the location of populations, individual villages, missions and forts, and interesting landscape features and marks the location of the Mississagué and the Amikwa on the north shore of Lake Huron, “the Saulteaux, or in Algonkin Waoüitiköungka Entaöuakk or Ojibways” at Sault Ste Marie (Coyne 1903:73).

After the Huron had been dispersed, the Haudenosaunee began to exert pressure on Ojibwa within their homeland to the north. While their numbers had been reduced through warfare, starvation, and European diseases, the coalescence of various Anishinaabeg groups led to enhanced social and political strength (Thwaites 1896-1901: 52:133) and Sault Sainte Marie was a focal point for people who inhabited adjacent areas both to the east and to the northwest as well as for the Saulteaux, who considered it their home (Thwaites 1896-1901: 54:129-131). The Haudenosaunee established a series of settlements at strategic locations along the trade routes inland from the north shore of Lake Ontario. From east to west, these villages consisted of Ganneious, on Napanee Bay, an arm of the Bay of Quinte; Quinte, near the isthmus of the Quinte Peninsula; Ganaraske, at the mouth of the Ganaraska River; Quintio, at the mouth of the Trent River on the north shore of Rice Lake; Ganatsekwyagon (or Ganestiquiagon), near the mouth of the Rouge River; Teyaiagon, near the mouth of the Humber River; and Quinaouatoua, on the portage between the western end of Lake Ontario and the Grand River (Konrad 1981:135). Their locations near the mouths of the Humber and Rouge Rivers, two branches of the Toronto Carrying Place, strategically linked these settlements with the upper Great Lakes through Lake Simcoe. The inhabitants of these villages were agriculturalists, growing maize, pumpkins and squash, but their central roles were that of portage starting points and trading centres for Iroquois travel to the upper Great Lakes for the annual beaver hunt (Konrad 1974; Williamson et al. 2008:50–52). Ganatsekwyagon, Teyaiagon, and Quinaouatoua were primarily Seneca; Ganaraske, Quinte and Quintio were likely Cayuga, and Ganneious was Oneida, but judging from accounts of Teyaiagon, all of the villages might have contained peoples from a number of the Iroquois constituencies (ASI 2013).

During the 1690s, some Ojibwe began moving south into extreme southern Ontario and soon replaced, it appears by force, the Haudenosaunee who had settled after 1650 along the north shores of Lakes Erie and Ontario. By the first decade of the eighteenth century, the Michi Saagiig Anishinaabeg (Mississauga Anishinaabeg) had settled at the mouth of the Humber, near Fort Frontenac at the east end of Lake Ontario and the Niagara region and within decades were well established to the south of their former homeland. In 1736, the French estimated there were 60 men at Lake Saint Clair and 150 among small settlements at Quinte, the head of Lake Ontario, the Humber River, and Matchedash (Rogers 1978:761). The history of Anishinaabeg movement from along the north shore of Lake Huron and their military actions against the Haudenosaunee is based almost entirely on Anishinaabeg oral tradition provided by elders such as George Copway, or Kahgegagahbowh or Robert Paudash. George Copway was born among the Mississauga in 1818 and followed a traditional lifestyle until his family converted to Christianity. He became a Methodist missionary in Canada and the US, including to the Saugeen Mission for a period, and later a popular author and lecturer (MacLeod 1992:197; Smith 2000).

According to Copway, the objectives of campaigns against the Haudenosaunee were to create a safe trade route between the French and the Ojibway, to regain the land abandoned by the Wendat and “drive the Iroquois wholly from the peninsula.” Copway describes more than 700 canoes meeting near Sault Ste Marie and splitting into three parties for a three-pronged attack via the Ottawa River, Lake Simcoe and along the Trent River, and the St. Clair River, and all of which had fierce engagements with the Haudenosaunee. While various editions of Copway’s book have these battles occurring in the mid-seventeenth century, common to all is a statement that the battles occurred around 40 years after the dispersal of the Huron (Copway 1850:88; Copway 1851:91; Copway 1858:91). Various scholars agree





with this timeline ranging from 1687, in conjunction with Denonville's attack on Seneca villages (Johnson 1986:48; Schmalz 1991:21–22) to around the mid- to late-1690s leading up to the Great Peace of 1701 (Schmalz 1977:7; Bowman 1975:20; Smith 1975:215; Tanner 1987:33; Von Gernet 2002:7–8).

Robert Paudash's 1904 account of Mississauga origins is like that of Copway's and relies on oral history. It came from Paudash's father, who died at the age of 75 in 1893 and was the last hereditary chief of the Mississauga at Rice Lake. His account in turn came from his father Cheneebesh, who died in 1869 at the age of 104 and was the last sachem or Head Chief of all the Mississaugas. He also relates a story of origin on the north shore of Lake Huron near the river that gave them their name having been founded by a party of Shawnee (Paudash 1905:7–8) and later, after the dispersal of the Wendat, carrying out coordinated attacks against the Haudenosaunee.

Francis Assikinack (1858:308–309) provides similar details on battles with the Haudenosaunee. Francis Assikinack (b. 1824) was an Ojibwa of Manitoulin Island. He enrolled at Upper Canada College when he was 16 and after graduation, worked for the Indian Department as an interpreter, clerk, and teacher.

Doug Williams (Gidigaa Migizi) is a former chief of the Curve Lake First Nation and is a Pipe Carrier, Sweat Lodge Keeper and Associate Professor/Director of Studies for the Ph.D. Program of the Chanie Wenjack School of Indigenous Studies at Trent University. His oral histories were related to him by his grandparents, great uncle and their contemporaries and he relates that the Mississauga pushed the Haudenosaunee out of southern Ontario (Migizi 2018:42–44). A detailed history of the Michi Saagiig prepared by Gitiga Migizi was provided to ASI by Dr. Julie Kapyrka of Curve Lake First Nation (Migizi and Kapyrka 2015) for inclusion in this report:

The traditional homelands of the Michi Saagiig (Mississauga Anishinaabeg) encompass a vast area of what is now known as southern Ontario. The Michi Saagiig are known as “the people of the big river mouths” and were also known as the “Salmon People” who occupied and fished the north shore of Lake Ontario where the various tributaries emptied into the lake. Their territories extended north into and beyond the Kawarthas as winter hunting grounds on which they would break off into smaller social groups for the season, hunting and trapping on these lands, then returning to the lakeshore in spring for the summer months.

The Michi Saagiig were a highly mobile people, travelling vast distances to procure subsistence for their people. They were also known as the “Peacekeepers” among Indigenous nations. The Michi Saagiig homelands were located directly between two very powerful Confederacies: The Three Fires Confederacy to the north and the Haudenosaunee Confederacy to the south. The Michi Saagiig were the negotiators, the messengers, the diplomats, and they successfully mediated peace throughout this area of Ontario for countless generations.

Michi Saagiig oral histories speak to their people being in this area of Ontario for thousands of years. These stories recount the “Old Ones” who spoke an ancient Algonquian dialect. The histories explain that the current Ojibwa phonology is the 5th transformation of this language, demonstrating a linguistic connection that spans back into deep time. The Michi Saagiig of today are the descendants of the ancient peoples who lived in Ontario during the Archaic and Paleo-Indian periods. They are the original inhabitants of southern Ontario, and they are still here today.

The traditional territories of the Michi Saagiig span from Gananoque in the east, all along the north shore of Lake Ontario, west to the north shore of Lake Erie at Long Point. The territory spreads as far north as the tributaries that flow into these lakes, from Bancroft and north of the Haliburton highlands. This also includes all the tributaries that flow from the height of land north of Toronto like the Oak Ridges Moraine, and all of the rivers that flow into Lake Ontario (the Rideau, the Salmon, the



Ganaraska, the Moira, the Trent, the Don, the Rouge, the Etobicoke, the Humber, and the Credit, as well as Wilmot and 16 Mile Creeks) through Burlington Bay and the Niagara region including the Welland and Niagara Rivers, and beyond. The western side of the Michi Saagiig Nation was located around the Grand River which was used as a portage route as the Niagara portage was too dangerous. The Michi Saagiig would portage from present-day Burlington to the Grand River and travel south to the open water on Lake Erie.

Michi Saagiig oral histories also speak to the occurrence of people coming into their territories sometime between 500-1000 A.D. seeking to establish villages and a corn growing economy – these newcomers included peoples that would later be known as the Huron-Wendat, Neutral, Petun/Tobacco Nations. The Michi Saagiig made Treaties with these newcomers and granted them permission to stay with the understanding that they were visitors in these lands. Wampum was made to record these contracts, ceremonies would have bound each nation to their respective responsibilities within the political relationship, and these contracts would have been renewed annually (see Gitiga Migizi and Kapyrka 2015). These visitors were extremely successful as their corn economy grew as well as their populations. However, it was understood by all nations involved that this area of Ontario were the homeland territories of the Michi Saagiig.

The Odawa Nation worked with the Michi Saagiig to meet with the Huron-Wendat, the Petun, and Neutral Nations to continue the amicable political and economic relationship that existed – a symbiotic relationship that was mainly policed and enforced by the Odawa people.

Problems arose for the Michi Saagiig in the 1600s when the European way of life was introduced into southern Ontario. Also, around the same time, the Haudenosaunee were given firearms by the colonial governments in New York and Albany which ultimately made an expansion possible for them into Michi Saagiig territories. There began skirmishes with the various nations living in Ontario at the time. The Haudenosaunee engaged in fighting with the Huron-Wendat and between that and the onslaught of European diseases, the Iroquoian speaking peoples in Ontario were decimated.

The onset of colonial settlement and missionary involvement severely disrupted the original relationships between these Indigenous nations. Disease and warfare had a devastating impact upon the Indigenous peoples of Ontario, especially the large sedentary villages, which mostly included Iroquoian speaking peoples. The Michi Saagiig were largely able to avoid the devastation caused by these processes by retreating to their wintering grounds to the north, essentially waiting for the smoke to clear.

Michi Saagiig Elder Gitiga Migizi (2017) recounts:

*“We weren’t affected as much as the larger villages because we learned to paddle away for several years until everything settled down. And we came back and tried to bury the bones of the Huron, but it was overwhelming, it was all over, there were bones all over – that is our story.*

*There is a misnomer here, that this area of Ontario is not our traditional territory and that we came in here after the Huron-Wendat left or were defeated, but that is not true. That is a big misconception of our history that needs to be corrected. We are the traditional people, we are the ones that signed treaties with the Crown. We are recognized as the ones who signed these treaties and we are the ones to be dealt with officially in any matters concerning territory in southern Ontario.*

*We had peacemakers go to the Haudenosaunee and live amongst them in order to change their ways. We had also diplomatically dealt with some of the strong chiefs to the north and tried to make peace as much as possible. So, we are very important in terms of keeping the*





*balance of relationships in harmony.*

*Some of the old leaders recognized that it became increasingly difficult to keep the peace after the Europeans introduced guns. But we still continued to meet, and we still continued to have some wampum, which doesn't mean we negated our territory or gave up our territory – we did not do that. We still consider ourselves a sovereign nation despite legal challenges against that. We still view ourselves as a nation and the government must negotiate from that basis.”*

Often times, southern Ontario is described as being “vacant” after the dispersal of the Huron-Wendat peoples in 1649 (who fled east to Quebec and south to the United States). This is misleading as these territories remained the homelands of the Michi Saagiig Nation.

The Michi Saagiig participated in eighteen treaties from 1781 to 1923 to allow the growing number of European settlers to establish in Ontario. Pressures from increased settlement forced the Michi Saagiig to slowly move into small family groups around the present-day communities: Curve Lake First Nation, Hiawatha First Nation, Alderville First Nation, Scugog Island First Nation, New Credit First Nation, and Mississauga First Nation.

Peace was achieved between the Haudenosaunee and the Anishinaabek Nations in August of 1701 when representatives of more than twenty Anishinaabek Nations assembled in Montreal to participate in peace negotiations (Johnston 2004:10). During these negotiations captives were exchanged and the Iroquois and Anishinaabek agreed to live together in peace. Peace between these nations was confirmed again at council held at Lake Superior when the Iroquois delivered a wampum belt to the Anishinaabek Nations. From the beginning of the eighteenth century to the assertion of British sovereignty in 1763, there is no interruption to Anishinaabeg control and use of southern Ontario. While hunting in the territory was shared, and subject to the permission of the various nations for access to their lands, its occupation was by Anishinaabeg until the assertion of British sovereignty, the British thereafter negotiating treaties with them. Eventually, with British sovereignty, tribal designations changed (Smith 1975:221–222; Surtees 1985:20–21). The word “Saulteux,” for example, was gradually substituted by “Chippewa” while the north shore of Lake Ontario groups became known as “Mississauga,” although some observers, like John Graves Simcoe, described them as a branch of the “Chippewa” and the two terms were often used as synonyms. The nineteenth-century Mississauga also called themselves “Ojibwa,” especially when addressing an English-speaking audience (Jones 1861:31).

According to Rogers (1978), by the twentieth century, the Department of Indian Affairs had divided the “Anishinaubag” into three different tribes, despite the fact that by the early eighteenth century, this large Algonquian-speaking group, who shared the same cultural background, “stretched over a thousand miles from the St. Lawrence River to the Lake of the Woods.” With British land purchases and treaties, the bands at Beausoleil Island, Cape Croker, Christian Island, Georgina and Snake Islands, Rama, Sarnia, Saugeen, the Thames, and Walpole, became known as “Chippewa” while the bands at Alderville, New Credit, Mud Lake, Rice Lake, and Scugog, became known as “Mississauga.” The northern groups on Lakes Huron and Superior, who signed the Robinson Treaty in 1850, appeared and remained as “Ojibbewas” in historical documents.

In 1763, following the fall of Quebec, New France was transferred to British control at the Treaty of Paris. The British government began to pursue major land purchases to the north of Lake Ontario in the early nineteenth century, the Crown acknowledged the Mississaugas as the owners of the lands between Georgian Bay and Lake Simcoe and entered into negotiations for additional tracts of land as the need arose to facilitate European settlement.



The eighteenth century saw the ethnogenesis in Ontario of the Métis, when Métis people began to identify as a separate group, rather than as extensions of their typically maternal First Nations and paternal European ancestry (Métis National Council n.d.). Métis populations were predominantly located north and west of Lake Superior, however, communities were located throughout Ontario (MNC n.d.; Stone and Chaput 1978:607,608). During the early nineteenth century, many Métis families moved towards locales around southern Lake Huron and Georgian Bay, including Kincardine, Owen Sound, Penetanguishene, and Parry Sound (MNC n.d.). Recent decisions by the Supreme Court of Canada (Supreme Court of Canada 2003; Supreme Court of Canada 2016) have reaffirmed that Métis people have full rights as one of the Indigenous people of Canada under subsection 91(24) of the Constitution Act, 1867.

The study area is within Treaty 20 and the Williams Treaties of 1923, on the traditional territory of the Michi Saagiig and Chippewa Nations, collectively known as the Williams Treaties First Nations, including the Mississaugas of Alderville First Nation, Curve Lake First Nation, Hiawatha First Nation, Scugog Island First Nation and the Chippewas of Beausoleil First Nation, Georgina Island First Nation and the Rama First Nation (Williams Treaties First Nations 2017). In October and November of 1923, the governments of Canada and Ontario, chaired by A.S. Williams, signed treaties with the Chippewa and Mississauga for three large tracts of land in central Ontario and the northern shore of Lake Ontario which had never been included in previous treaties (Crown-Indigenous Relations and Northern Affairs Canada 2013). Part of the Williams Treaties area includes lands originally negotiated under the Rice Lake Treaty, Treaty No. 20, signed on November 5, 1818 between the Mississaugas in the Rice Lake area and the Crown, which opened up colonization for settlers (Department of Indigenous and Northern Affairs 2016).

### **3.2 Historical Euro-Canadian Land Use: Township Survey and Settlement**

Historically, the study area is located in the former Emily Township, Victoria County in part of Lot 7, Concession III.

#### **3.2.1 Emily Township, Victoria County**

Emily Township was opened to settlers in 1821, after the signing of Treaty 20. The Cottingham and Laidley families were amongst the first to build log cabins in the area. In 1825 William Cottingham built a mill on Pigeon River, now Omemee. A wave of immigration from Ireland came to Emily Township, with a group of 142 families, part of the Robinson immigration, settling in the north half of the township. A store was opened near the mill in 1826, and in 1835 a post office was established, called Emily, though the hamlet was known as Williamstown. That same year the first school was built on the site of the later Bradburn's Hotel. In 1826 Methodists built a church on the northwest corner of Lot 13, Concession II. An Anglican and a Methodist church were later built in Williamstown. In 1843, the village had been enlarged and the name changed again, this time to Metcalfe. Omemee was incorporated as a village and in 1857, the inhabitants finally settled on the name, a Mississauga word meaning pigeon. The Port Hope, Lindsay and Beaverton Railway was built through the township in 1857, but the station was placed outside of the village. This line was part of the Midland Railway System within the Grand Trunk rail network and a branch was later extended to Peterborough and Millbrook. Omemee thrived as a centre for the area as a shipping point for timber and grain. By 1878 the population was 835, and there were three churches, a high school and a public school, a gristmill, two mills, a tannery, a foundry, a shingle mill, a cloth mill, four hotels and several stores. By 1920 the population was 467 (Andreae 1977; Kirkonnell 1967; Mika and Mika 1977; Miles & Co. 1879; Stephenson 1995; Pammett 1974; Ritter 2008).



### 3.3 History of the Study Area, Mill Pond Bridge, and Previous Bridge Crossing

#### 3.3.1 Review of Nineteenth and Twentieth-Century Mapping

Historically, the subject bridge is located in Lot 7, Concession III in the former Emily Township, Victoria County. The subject bridge is located in a residential context to the southeast of the centre of the settlement of Omemee.

The 1877 *Map of the County of Victoria* (Patterson 1877), the 1881 Victoria Supplement in the *Illustrated Atlas of the Dominion of Canada* (Belden 1881), and the 1881 *Omeme – Ontario* Goad's map (Goad 1881) were examined to determine the presence of historic features within the study area during the nineteenth century (Table 2; Figure 2 - Figure 4).

Table 2: Nineteenth-century property owner(s) and historical features(s) within or adjacent to the study area

1877				1881	
Con #	Lot #	Property Owner(s)	Historical Feature(s)	Property Owner(s)	Historical Feature(s)
III	7	Omeme	Grist mills (2), town lots None	Omeme	Town lots
Pt. Cottingham Est.					

According to the 1877 *Map of the County of Victoria* (Figure 2) map, two grist mills were located on the Pigeon River and a road is shown crossing the river along what is now Mary Street, forming an island between the main river channel and the mill race to the east. The map also shows the large mill pond south of the study area.

The 1881 Victoria Supplement map (Figure 3) shows the limits of the historical Omeme village centre. A bridge is depicted within the village centre, however no individual buildings or property owners are depicted; nor is the material of the bridge identified.

The 1881 *Omeme – Ontario* Goad's map (Figure 4) is a fire insurance plan for the community. The map identifies the material of the bridge as wood. A dam is visible south of the subject bridge at the head of the mill pond. It also depicts a grist and flour mill owned by J. Beatty, a woollen mill owned by Thos. (Thomas) Ivory, and a steam saw mill owned by Thos. (Thomas) Stevens. All these structures are depicted south of the bridge and adjacent to the dam.

It should be noted, however, that not all features of interest were mapped systematically in the Ontario series of historical atlases, given that they were financed by subscription, and subscribers were given preference with regard to the level of detail provided on the maps. Moreover, not every feature of interest would have been within the scope of the atlases. In addition, the use of historical map sources to reconstruct/predict the location of former features within the modern landscape generally proceeds by using common reference points between the various sources. These sources are then geo-referenced in order to provide the most accurate determination of the location of any property on historic mapping sources. The results of such exercises are often imprecise or even contradictory, as there are numerous potential sources of error inherent in such a process, including the vagaries of map production (both past and present), the need to resolve differences of scale and resolution, and distortions introduced by reproduction of the sources. To a large degree, the significance of such margins of error is dependent on the size of the feature one is attempting to plot, the constancy of reference points, the distances between them, and the consistency with which both they and the target feature are depicted on the period mapping.



In addition to nineteenth-century mapping, fire insurance plans, topographical maps and aerial photographs from 1904, 1931, 1954, and 1999 were examined as part of this study. The 1904 *Omeme – Ontario* Goad's map (Goad 1904), the 1931 topographic map (Department of National Defence 1931), 1954 aerial photograph (Hunting Survey Corporation 1954), and the 1999 NTS Map were examined to determine the extent and nature of development and land uses within the study area (Figure 5 - Figure 8).

The 1904 Goad's map (Figure 5) depicts a wooden bridge at the subject crossing and the dam, flour mill, and grist mill present to the south. The other structures adjacent to the bridge crossing depicted in earlier mapping are no longer present.

The 1931 topographic map (Figure 6) depicts Mary Street East as an unmetalled roadway carried over the river by a wooden bridge. On the east bank of the river, a church and house are shown fronting King Street, and a house is shown on the south side of Mary Street. On the west bank, one house is shown between King and Mary Streets. The dam to the south of the subject bridge crossing is depicted as a wooden structure.

The 1954 aerial photograph (Figure 7) and 1999 topographic map (Figure 8) illustrates that settlement of Omeme remained within its historical limits surrounded by a rural agricultural landscape into the late-twentieth century. The subject bridge is depicted in the 1954 aerial mapping for the first time in this map series. The dam to the south of the subject bridge is also present. The aerial and topographic map indicates that little development occurred between 1954 and 1999.

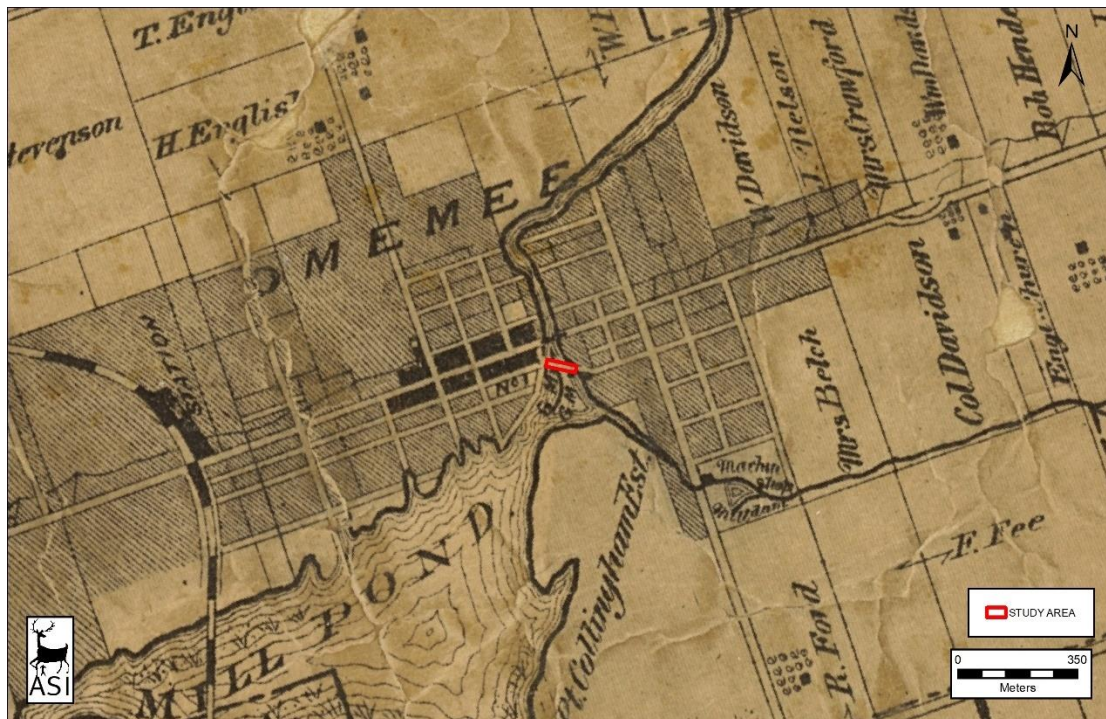


Figure 2: Location of Mill Pond Bridge overlaid on the 1877 Map of the County of Victoria

Source: Patterson 1877





Figure 3: Location of Mill Pond Bridge overlaid on the 1881 Victoria Supplement

Source: Belden 1881

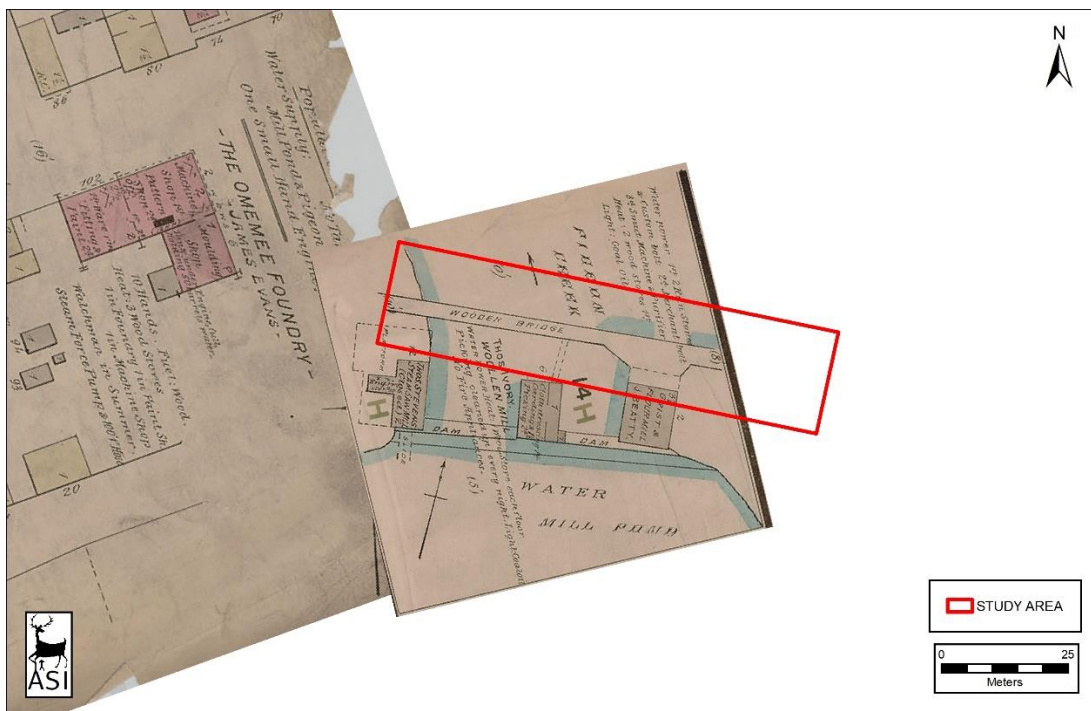


Figure 4: Location of Mill Pond Bridge overlaid on the 1881 Omemee – Ontario Goad's map

Source: Goad 1881

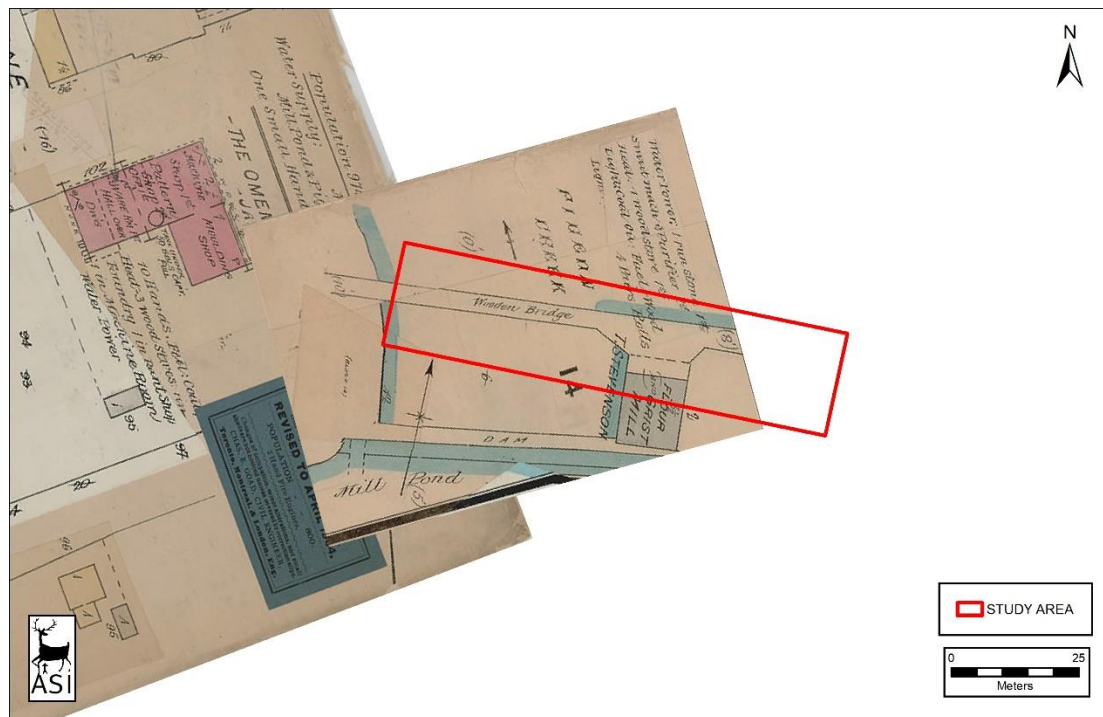


Figure 5: Location of Mill Pond Bridge overlaid on the 1904 Omeme – Ontario Goad's map

Source: Goad 1904



Figure 6: Location of Mill Pond Bridge overlaid on the 1931 NTS mapping

Source: Lindsay Sheet 31D/7 (Department of National Defence, 1931)





Figure 7: Location of Mill Pond Bridge overlaid on 1954 aerial photography  
Source: Plate 443.783 (Hunting Survey Corporation Limited, 1954)

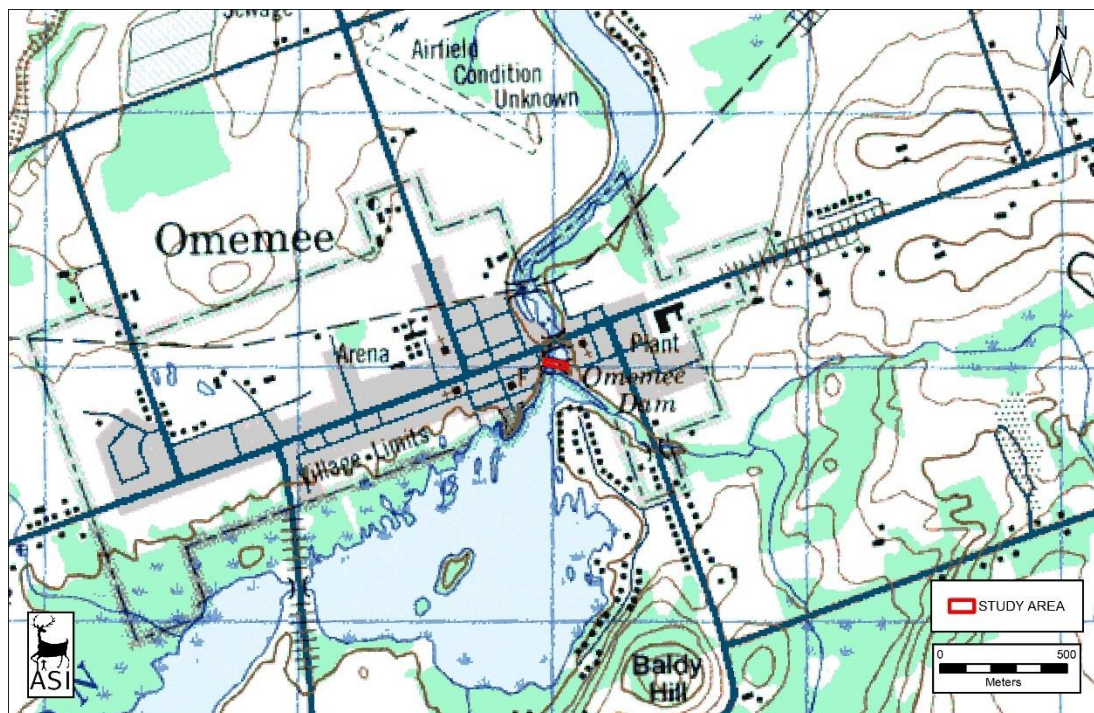


Figure 8: The Mill Pond Bridge overlaid on 1999 NTS mapping  
Source: (Natural Resources Canada 1999)



### 3.3.2 Previous Bridge Crossings in the location of the Mill Pond Bridge (B 100018)

The 1877 map of the County of Victoria, the 1881 Victoria supplement map, and the 1881 Goad's map (Figure 2 - Figure 4) all indicate that a wooden bridge carried Mary Street East over the Pigeon River prior to the construction of the subject bridge. A photograph from 1910 (Figure 9) captures an image of the previous bridge crossing. Figure 10 is a scaled model of the previous bridge crossing created by John McNeely McCrea, a resident of Omemee, in 1950. An undated photograph (Figure 11) captures the bridge again, and is assumed to post-date the 1910 photograph based on the additional windows and changes in cladding on the mill.



Figure 9: The wooden bridge crossing Pigeon River in 1910

Source: 1910 photograph, Courtesy of the Olde Gaol Museum



Figure 10: A model of the previous wooden bridge by John McCrea

Source: Made by John McCrea 1950, Courtesy of the Old Gaol Museum

A letter written to the Chairman of the Ontario Railway & Municipal Board by a Mr. Middlewish, from an inspection of the previous bridge records that it is in poor condition and that it needed replacement (Williamson and Jones 2000). According to Williamson and Jones (2000), the log bridge remained in use until the 1930s and then some time later the extant bridge was built.



Figure 11: Undated photograph of the bridge

Source: Fisher-Heasman 2008

### **3.4 Mill Pond Bridge Construction**

#### **3.4.1 Early Bridge Building in Ontario**

Up until the 1890s, timber truss bridges were the most common bridge type built in southern Ontario. Stone and wrought iron materials were also employed, but due to their higher costs and a lack of skilled craftsman, these structures were generally restricted to market towns. By the 1890s, steel was becoming the material of choice when constructing bridges given that it was less expensive and more durable than its wood and wrought iron predecessors. Steel truss structures were very common by 1900, as were steel girder bridges. The use of concrete in constructing bridges was introduced at the beginning of the twentieth century, and by the 1930s it was challenging steel as the primary bridge construction material in Ontario (Heritage Resource Centre 2008:7-8).

Factors impacting bridge design included increasing road allowances and clearance requirements, heavier traffic, higher speeds, safety standards, and most importantly, cost limitations (Cumming 1983:56). From the 1930s to the early 1950s, fewer bridges were constructed as a result of a steel shortage, and builders were challenged to develop more efficient ways to build structures with a heavier emphasis on concrete and minimal steel usage. Some of the stronger concrete bridges constructed in the 1930s formed part of the “Depression Era” Public Works Program that created work for the unemployed (PHCS 2004). Some of the new techniques developed included: pre-casting concrete components off site; “Hi-bond type” of reinforcing concrete; and pre-stressed concrete beam construction (Heritage Resource Centre 2008:9). The rigid frame, hollow concrete box beam and post-tensioned voided slab are some of the bridge types to develop during this period.

#### **3.4.2 Truss Bridge Construction**

Steel truss structures were very common by 1900, as were steel girder bridges. After WWI the increase in personal vehicles meant that stronger bridges were necessary. The Pratt truss and the Warren truss dominated the early twentieth-century and were typically used for spans up to 400 feet (Comp and Jackson 1977).



Early truss bridges were commonly made from a series of straight steel bars. In general, most steel truss bridges were constructed at the turn of the twentieth century. The Pratt truss was first developed in 1844 under patent of Thomas and Caleb Pratt. The Pratt truss was the reverse design from the Howe truss, patented by William Howe in 1840. The Pratt has diagonals and verticals in tension. The Pratt trusses prevalent from the 1840s through to the early twentieth century were initially manufactured as a combination wood and iron but were later constructed as iron only. The Pratt type successfully survived the transition to iron construction and the second transition to steel. The Pratt truss inspired a large number of variations and modified subtypes during the nineteenth and early twentieth centuries.

A pony (half-through) truss bridge consists of a deck between the top of and bottom chords with no top lateral bracing. These bridges required less labour and material to erect than through trusses and were subsequently more cost effective. However, due to a lack of added stability, these bridges were suitable only for shorter spans. The pony truss became popular in the early twentieth century, though their popularity waned with the widespread adoption of concrete as a primary building material by the 1930s.

### **3.4.3 Beam and Girder Bridge Construction**

The most common type of bridge construction in Ontario, beam and girder bridges are typically formed using concrete or steel. This type of bridge consists of a series of solid members that run longitudinally for the length of the span, with additional bracing between the parallel members for support. While these bridges employ less material than bridges of slab construction, they are more complex in design which in effect increases cost. Beam and girder bridge construction is typical for spans greater than 10m; any less and slab bridge construction is preferred (MCL & MTO [n.d.]:31).

### **3.4.4 Construction of the Mill Pond Bridge (B 100018)**

Mary Street East opened in the later nineteenth century as a northwest to southeast roadway from Mary Street West across the Pigeon River and then a northeast and southwest road to Hughes Street South in Omemee. Mary Street East is depicted as an unmetalled roadway on the 1931 topographic map (Figure 6).

The subject bridge is a four span structure and features a single-span Warren half-through truss on the west, and a three span steel I-girder component on the east. No original structural drawings were available as part of this assessment. The engineer responsible for the design of the subject bridge is unknown. The Warren half-through truss span of the structure was originally located on the Little Bob River in Bobcaygeon, a settlement approximately 27 kilometers from the subject bridge (Watchman Warder 1953). Based on a review of archival photographs, there are two potential crossings in Bobcaygeon over the Little Bob River that may have been the original location of this truss span: the Centre Bridge depicted in Figure 12; and the North Bridge depicted in Figure 13. The original location of the relocated truss span is not known with certainty, it was removed at an unknown date, and was reinstalled in the subject crossing in 1952.

Construction costs for the bridge were anticipated to be \$20,000, but the total cost came in at \$18,975 due to a gift of the relocated Warren half-through truss from the Department of Highways (Watchman Warder 1953). The article identifies the Ontario Bridge Co. as receiving the contract to build the bridge and county work men did both approaches and the rip-rap at the west end (Watchman Warder 1953).



An article in the *Watchman Warder* describes the opening of the bridge as a large ceremony that was celebrated with a ribbon-cutting, speeches, music, and dancing, and drew large crowds (Figure 14). The Premier of Ontario, Leslie Frost, was originally scheduled to attend but had to cancel the appearance.

Figure 15 to Figure 17 capture the bridge and adjacent mill after it was constructed, however, are undated.

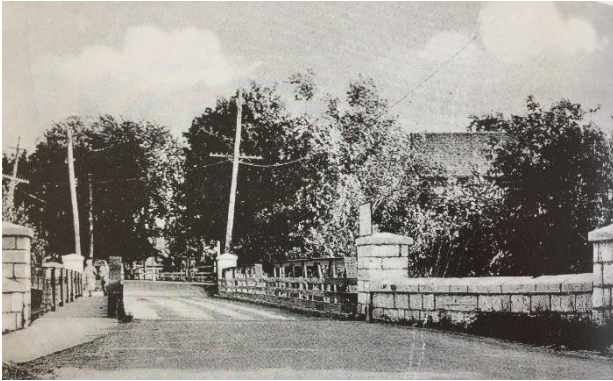


Figure 12: The centre bridge in Bobcaygeon  
Source: Van Oudenaren 1992



Figure 13: The north bridge in Bobcaygeon  
Source: Van Oudenaren 1992



Figure 14: People attending the official opening of the Mill Pond Bridge in 1953  
Source: *Watchman Warder* 1953





Figure 15: Undated photograph of the bridge, appears to have been after the extant bridge was constructed  
Source: Fisher-Heasman 2008



Figure 16: Undated photograph of the current bridge  
Source: Fisher-Heasman 2008



Figure 17: Undated photograph of the current bridge  
Source: Fisher-Heasman 2008

Source: Fisher-Heasman 2008

#### 4.0 EXISTING CONDITIONS AND INTEGRITY

A field review was undertaken by Johanna Kelly, ASI, on 26 March 2019 to conduct photographic documentation of the bridge crossing and to collect data relevant for completing a heritage evaluation of the structure. Results of the field review and bridge inspection reports were then utilized to describe the existing conditions of the bridge crossing. This section provides a general description of the bridge crossing and immediate vicinity. The location of the subject bridge is provided in Figure 18 and photographic documentation of the bridge crossing are provided in Appendix A. A site plan of the subject bridge is provided in Appendix B.

The Mill Pond Bridge (B 100018) is a four-span structure featuring a single span half-through Warren truss structure in the west integrated with a three span I-beam structure in the east. The superstructure rests on concrete abutments and concrete piers. The bridge carries a single lane of east and west Mary Street East vehicular traffic over the Pigeon River approximately 50 metres south of the intersection of King Street West and Mary Street East in the community of Omemee, City of Kawartha Lakes (Plates 1-32). The bridge was designed and constructed by the Ontario Bridge Co., however, the individual engineer responsible for its design is unknown. Construction of the approaches and rip-rap on the western



bank was provided by County of Victoria labourers (Watchman Warder 1953). The structure measures 54.9 metres in length, 4.3 metres in overall width, and has a roadway width of 3.8 metres.

The substructure of the subject bridge features reinforced concrete abutments and wingwalls on the northwest and southeast. The structure also features three cast-in-place concrete piers, with the western truss span sharing the westernmost pier. The eastern deck girder structure is supported by the westernmost pier on the west, two eastern piers in the centre of the structure, and the eastern abutment. The abutments and piers support the concrete deck and appear to be original to the 1952 construction.

The superstructure of the subject bridge features a steel Warren half-through truss component on the west portion of the structure and a steel I-beam component on the east portion. These steel support members support a cast-in-place concrete deck with an asphalt wearing surface. Several areas of the concrete deck exhibited localized spalling at the time of field inspection. Fourteen steel drain pipes are located on the deck and drain water into the river below.

The Warren half-through truss span is approximately 25 metres in length and was relocated from its original location on the Little Bob River in Bobcaygeon (Section 3.4.3). The half through truss features five panels, with steel T-beams forming the diagonals and vertical steel lattice buttressing. The top and bottom chords of the truss are steel T-beams. Five floor beams are featured beneath the deck and appear to be riveted to the bottom chords. Steel stingers and additional bracing is also located beneath the deck. Connections between structural elements of the truss span are riveted. The steel lattice pedestrian barrier on the truss portion of the bridge generally features riveted connections in the lattice and bolting in the top supports.

The eastern deck girder portion of the bridge features four I-beams in each span with a total length of 30 metres (AUE Structural Inc. 2017). The girders rest on the eastern abutment and on the piers with steel plate girders. Steel I-beam diaphragms are located between the girders and appear to be connected using bolts. Corrosion and some section-loss was noted in the girders and other structural steel elements at the time of field inspection.

The road surface on the structure measures 3.8 metres in width and is bound by metal lattice railings with horizontal metal posts. Both railing and posts are undecorated and were painted grey at the time of field inspection. The east and west approaches feature metal expansion joints, with an additional three expansion joints in the structure above the piers. The structure has a concrete curb on the north and south sides.

The approaches to the bridge are at-grade on the north and south sides and feature wooden posts on the north side; metal and concrete, as well as wooden posts on the south side. The approaches also feature warning signs, slow signs, pedestrian signs, and load limits on them.

The Pigeon River flows in a southwest to northeast alignment under the subject bridge which is downstream from a dam structure. The margins of the watercourse feature vegetated floodplains to the northwest and southeast of the structure. Stones line the Pigeon River south of the structure on the northwest side.

The subject bridge is located in a primarily residential context, with residences fronting on Mary Street East to the southeast, a fenced hydro-related facility to the southwest, and a residence fronting King Street West to the northwest.





Mill Pond Bridge (B 100018) is currently owned by the City of Kawartha Lakes. Inspections undertaken in 2017 noted structural deterioration of numerous elements and recommended the installation of code compliant end treatments and complete replacement of the structure within one year (AUE Structural Inc. 2017). The bridge inspection noted the following structural deficiencies and observations:

- The abutment walls at the east and west underside of the structure show signs of medium spall and a wide vertical crack at the west abutment; as well as cracks with efflorescence at the west abutment
- The west abutment ballast wall shows signs of wider vertical cracks
- The bearings of the west abutment walls have some light corrosion
- The southwest wingwall has wide cracks and signs of disintegration
- The wearing surface of the approaches to the east and west of the structure shows signs of severe cracks, potholes, settlement, and patched potholes
- The barrier posts and railing system on the north and south sides of the structure are substandard and should be replaced with a code compliant barrier and railing; there are also signs of light corrosion; damaged posts and bent railing system at the northwest and southeast
- The end treatments of the barriers are also substandard but in generally good condition
- The floor beams of the underside of the structure along the west span show signs of light to medium corrosion at the top and bottom flanges
- The girders along the underside of the structure at the east spans show signs of perforations at the girder webs at the northwest and southeast; there is section loss at web of the north and south girders of the east pier; there is also severe corrosion at the girder lends and light corrosion throughout
- The stringer along the underside of the structure at the west span has additional stringers which were previously installed; there is also signs of light to medium corrosion
- The bracing along the underside of the structure at the west span has signs of light corrosion throughout
- The coatings of the structural steel at the north and south sides as well as the underside of the structure shows signs of deterioration throughout the structural steel members
- The drainage system of the deck at the north and south sides of the structure shows signs of severe corrosion at the deck drains
- The thin slab soffit along the underside of the structure shows signs of narrow to wide cracks and some have efflorescence; there are also light to severe spalls and de-laminations
- The wearing surface along the top of the deck has signs of light ravelling and medium to severe cracks
- The steel armouring of the joints at the east and west ends and at the piers are broken in several places
- The seals of the joints along the east and west end of the structure and at the piers shows signs of leakage, tears, and displacement; and the seals are jammed
- The shafts, columns, and pile bents along the underside of the structure shows signs of light to medium scaling, wide cracks with efflorescence at upstream; there are also some localized spalls at each pier and at the west pier below the stringer
- The curbs at the north and south sides of the structure shows signs of narrow to wide cracks; and light to severe spalls and disintegration
- The bottom chords along the north and south side of the structure shows signs of light corrosion throughout; at the northeast section it has deflected horizontally by 20 millimetres
- The top chords at the northwest has rotated due to impact damage

- The vertical and diagonals of the trusses along the north and south sides show signs of light corrosion throughout

Similar observations and recommendations were noted in the 2014 inspection (D.M. Wills Associates Limited 2014).



Figure 18: Location of the subject bridge

(ESRI Digital Globe 2018)



#### 4.1 Comparative Geographic and Historical Context of Bridges in the City of Kawartha Lakes and in Ontario

Mill Pond Bridge (B 100018) is a four-span structure constructed in 1952 that features a single-span Warren half-through truss component on the west section and a three span steel I-beam structure on the east. The structure features a concrete deck with an overall deck length of 54.9 metres. The truss span of the subject bridge was originally located in Bobcaygeon and was relocated to the Pigeon River crossing in Omemee in 1952 (Section 3.4.3). The individual components of the subject bridge (western truss span and eastern I-beam spans) were compared with similar half-through truss structures and I-beam/girder bridges found in the 2014 *City of Kawartha Lakes Structure Inspection Inventory* (City of Kawartha Lakes 2014). However, it is unknown if any of the bridges in the comparative sample feature multiple bridge types at the same crossing as is the case with the subject bridge. According to the City of Kawartha Lakes OSIM inventory, there are nine half-through truss bridges and thirty-seven I-beam/girder bridges in the City of Kawartha Lakes for a comparative sample size of forty-six bridges (Appendix E). These bridges have between one to nine spans; range from 3.4 metres to 174 metres in length; and were constructed during the early twentieth century to the early twenty-first century.

The subject bridge, constructed in 1952, is the tenth-oldest of 46 bridges in this comparative analysis with three bridges (VRT 003, VRT 006, and VRT 007), constructed in 1910 being the oldest. No other comparative structures were constructed in 1952 in the City of Kawartha Lakes. Compared with just the half-through truss span bridges, the subject bridge is the eight oldest of the nine comparative bridges, with the 1910 VRT 003 in Manvers being the oldest. However, the half-through truss was not constructed for the subject crossing in 1952 and the date of construction for the original Little Bob River crossing is unknown. The I-beam spans, constructed in 1952, are the eighth of 37 I-beam or girder structures in the comparative sample, with VRT 006 in Lindsay constructed in 1910 as the oldest. The subject bridge is not significant in terms of its age of construction.

The subject bridge, measuring 54.9 metres in overall length, is the fifth-longest of the forty-six bridges in this comparative sample with the Trent Canal Bridge (B 036358), with an overall deck length of 174 metres being the longest. The western half-through truss span measures approximately 25 metres in length and is the fifth longest of the nine comparative half-through trusses in this sample. The longest half-through truss structure is the Burnt River Bridge in Kinmount (B 89406) at 40.7 metres. The eastern I-beam component measures 30 metres in length and is the 11<sup>th</sup> longest of 37 comparative bridges. The Trent Canal Bridge (B 036358), with an overall deck length of 174 metres is the longest in this sample. The subject bridge is not significant in terms of overall length.

The subject bridge is a total of four spans, with a single-span half-through truss component on the west and a three-span I-beam component on the east. The single-span half-through truss component is the fourth longest in terms of number of spans in the sample of half-through truss structures, with Taylor's Bridge (B 400012) and Brook's Bridge (B 006754) in Dalton being the longest with three-spans each.

Based on the review and comparison of the forty-six available bridges in this comparative sample, the four-span Mill Pond Bridge (B 100018) constructed in 1952 and measuring 54.9 metres in overall length is not considered to be significant in terms of age, overall length, individual component length (half-through truss and I-beam components compared with other similar structures), or overall number of spans.

The following images are included to provide a comparison between the subject bridge and like structures in the City of Kawartha Lakes (Figure 19 to Figure 22).





Figure 19: Ken Reid Park Bridge (VRT 008) in Kenrei Park, half-through truss, constructed in 2000. Source: Courtesy of Google Streetview



Figure 20: Burnt River Bridge (B 89406) in Kinmount, a half-through truss structure constructed in 1920. Source: Courtesy of Google Streetview



Figure 21: Trent Canal Bridge (B 036358) in Bobcaygeon, I-beam, constructed in 1974. Source: Courtesy of Google Streetview



Figure 22: Wellington Street Bridge (B 017017) in Lindsay, I-beam, constructed 1965. Source: Courtesy of Google Streetview.

## 5.0 HERITAGE EVALUATION OF THE MILL POND BRIDGE (B 100018)

Table 3 contains the evaluation of the Mill Pond Bridge (B 100018) within the framework set out in O. Reg. 9/06. At the request of the client the bridge was also evaluated using the Ontario Heritage Bridge survey. The completed survey is included in Appendix D. Within the Municipal EA process, O. Reg. 9/06 is the prevailing evaluation tool when determining if a heritage resource, in this case a bridge, has cultural heritage value.

**Table 3: Evaluation of the Mill Pond Bridge (B 100018) using O. Reg. 9/06**

1. The property has design value or physical value because it:

Ontario Heritage Act Criteria	Yes/No	Analysis
i. is a rare, unique, representative or early example of a style, type, expression, material or construction method;	Yes	The Mill Pond Bridge is a single-lane structure constructed in 1952 that features a single-span steel Warren half-through truss component and a three-span steel I-beam bridge. The half-through truss component of the structure was originally located at the Little Bob River crossing in Bobcaygeon and was donated by the DHO for inclusion in the subject bridge in 1952. Based on a comparative sample of half-through truss structures (Section 4.1), it is likely that the truss span was originally constructed between 1910-1930 in Bobcaygeon. As the half-through truss component is representative of an early style and bridge type, the subject bridge meets this criterion.
ii. displays a high degree of craftsmanship or artistic merit, or;	No	The Mill Pond Bridge does not display a high degree of craftsmanship or artistic merit.
iii. demonstrates a high degree of technical or scientific achievement.	No	The Mill Pond Bridge does not demonstrate a high degree of technical achievement or scientific achievement.



**Table 3: Evaluation of the Mill Pond Bridge (B 100018) using O. Reg. 9/06**

2. The property has historical value or associative value because it:

<i>Ontario Heritage Act Criteria</i>	<i>Yes/No</i>	<i>Analysis</i>
i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;	No	This bridge does not have direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or;	No	This bridge does not have the potential to yield information that contributes to an understanding of a community or culture.
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	No	This bridge does not represent the work or ideas of a particular architect or building significant to the community.

3. The property has contextual value because it:

<i>Ontario Heritage Act Criteria</i>	<i>Yes/No</i>	<i>Analysis</i>
i. is important in defining, maintaining or supporting the character of an area;	No	The Mill Pond Bridge provides access to Mary Street East motorists over the Pigeon River in the community of Omemee. However, it is the bridging point and not the structure that maintain this character. Therefore, the subject structure does not meet this criterion.
ii. is physically, functionally, visually or historically linked to its surroundings, or;	Yes	The location of the subject bridge has served as an historical bridging point for vehicles over the Pigeon River and is physically associated with Mary Street East, an historically surveyed road. Although the bridge was moved to this location, the Mill Pond Bridge supports the historical context of the area as an important local bridging point. The subject bridge is physically and historically linked to its surroundings, and as such, the subject bridge meets this criterion.
iii. is a landmark.	No	While considered to be a familiar structure to in the local residential context, the subject bridge is not considered a landmark or gateway structure in the community of Omemee.

The above evaluation confirms that the Mill Pond Bridge meets at least one of the criteria set out in O. Reg. 9/06 of the *Ontario Heritage Act*. In particular, it is determined that the Mill Pond Bridge is a representative example of an early twentieth-century half-through truss bridge that was relocated to the present bridge crossing in 1952. The location of the subject bridge has served as an historical bridging point for vehicles over the Pigeon River since the mid-nineteenth-century and is physically and historically associated with Mary Street East, an historically surveyed road in the community of Omemee. Although the bridge was moved to this location, the Mill Pond Bridge supports the historical context of



the area as an important local bridging point. Given that the Mill Pond Bridge meets at least one of the criteria contained in O. Reg. 9/06, this structure is considered to have cultural heritage value.

## **5.1 Draft Statement of Cultural Heritage Value**

### **5.1.1 Description of Property**

*Name:* Mill Pond Bridge (B 100018)

The Mill Pond Bridge (B 100018) is a four-span structure featuring a single span half-through Warren truss structure in the west integrated with a three span I-beam structure in the east. The superstructure rests on concrete abutments and concrete piers. The bridge carries a single lane of east and west Mary Street East vehicular traffic over the Pigeon River approximately 50 metres south of the intersection of King Street West and Mary Street East in the community of Omemee, City of Kawartha Lakes. The structure measures 54.9 metres in length, 4.3 metres in overall width, and has a roadway width of 3.8 metres.

### **5.1.2 Cultural Heritage Value or Interest**

The Mill Pond Bridge is a single-lane structure constructed in 1952 that features a single-span riveted steel five panel Warren half-through truss component and a three-span steel I-beam component. The half-through truss component of the structure was originally located at the Little Bob River crossing in Bobcaygeon and was relocated by the DHO for inclusion in the subject bridge in 1952. Based on the comparative sample of existing half-through truss bridges in the City of Kawartha Lakes, this type of structure was popular in the local context in the 1910s to 1930s. The half-through truss component of the subject bridge is representative of an early-twentieth-century style and bridge type.

The location of the subject bridge has served as an historical bridging point for vehicles over the Pigeon River and is physically associated with Mary Street East, an historically surveyed road. Although the bridge was moved to this location, the Mill Pond Bridge supports the historical context of the area as an important local bridging point. The subject bridge is physically and historically linked to its surroundings in the community of Omemee.

### **5.1.3 Heritage Attributes**

Key heritage attributes that embody the heritage value of the subject bridge in the local context include:

- single-lane construction;
- riveted-connections;
- structural T-beam steel top and bottom chords and diagonals;
- steel floor beams and vertical steel lattice buttresses; and
- steel single-span truss Warren half-through configuration with five panels as representative of early twentieth century construction techniques.

Key heritage attributes that embody the historical, associative, and contextual value of the subject bridge include:

- historical bridging point across the Pigeon River;
- physically associated with Mary Street East, an historically surveyed road; and
- physically and historically linked to its surroundings in the community of Omemee.

## 6.0 CONCLUSIONS

The Mill Pond Bridge (B 100018) is a single-lane structure constructed in 1952 that features a single-span riveted steel five panel Warren half-through truss component and a three-span steel I-beam component. The subject bridge retains cultural heritage value when evaluated using O. Reg. 9/06 of the *Ontario Heritage Act*. In particular, the half-through truss component of the subject bridge is representative of an early-twentieth-century style and bridge type. Further, the location of the subject bridge has served as an historical bridging point for vehicles over the Pigeon River and is physically associated with Mary Street East, an historically surveyed road. The subject bridge is physically and historically linked to its surroundings in the community of Omemee.

## 7.0 RECOMMENDATIONS

Given the identified cultural heritage value of the Mill Pond Bridge (B 100018), the following recommendations should be considered:

1. This report should be submitted to heritage staff at the City of Kawartha Lakes, Heritage Victoria Committee, and with the Ministry of Tourism, Culture and Sport for review.

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### **Primary Sources from the City of Kawartha Lakes Archives and Records Centre**

Middlewich

Dated March 18<sup>th</sup>, no year

Letter to the Chairman of the Ontario Railway & Municipal Board. Letter on file at ASI.



## APPENDIX A: PHOTOGRAPHIC PLATES



Plate 1: View of  
Mill Pond Bridge  
from Mary Street  
East, looking east.



Plate 2: View of  
west approach of  
the bridge, looking  
east.





Plate 3: View of Mill Pond Bridge east approach, looking west. Note the galvanized steel flex-beam guardrails at the approaches.



Plate 4: View of eastern I-beam portion of the structure, looking west.



Plate 5: South elevation of the bridge.



Plate 6: North elevation of the bridge.





Plate 7: View of truss support along the south side of the bridge.



Plate 8: General corrosion along the barrier steel lattice barrier on the southwest portion of the structure.



Plate 9: Oblique view of the northern truss and steel lattice railing from the west portal, looking northeast.





Plate 10:  
Westernmost  
panel on the south  
truss, looking  
north.



Plate 11: Oblique  
view of the south  
elevation, looking  
northeast.





Plate 12: Detail of the western steel expansion joint on the bridge.

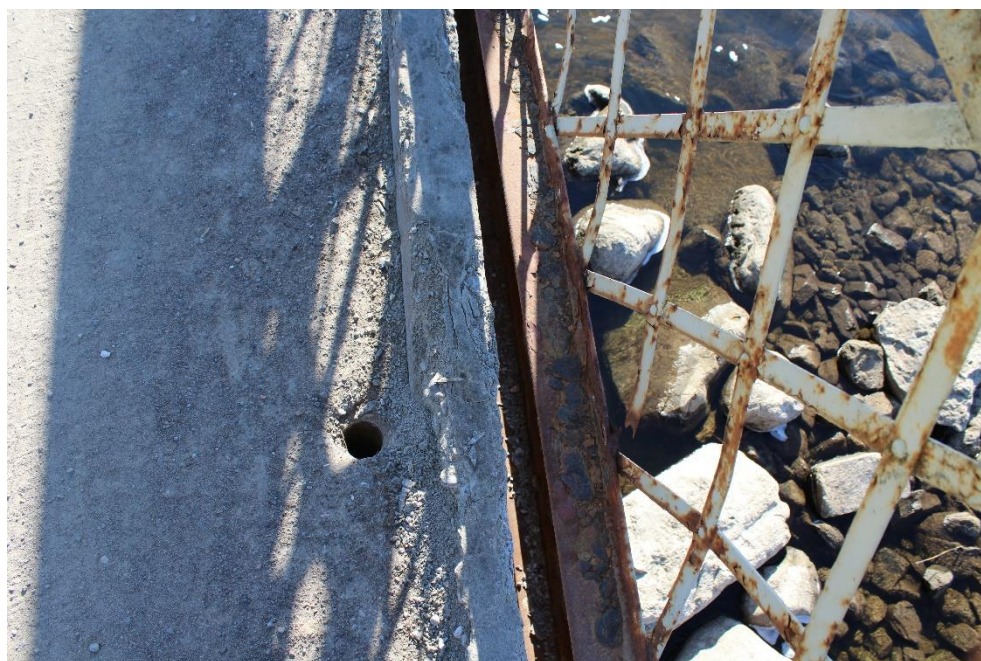


Plate 13: View of drainage hole along the bridge deck.



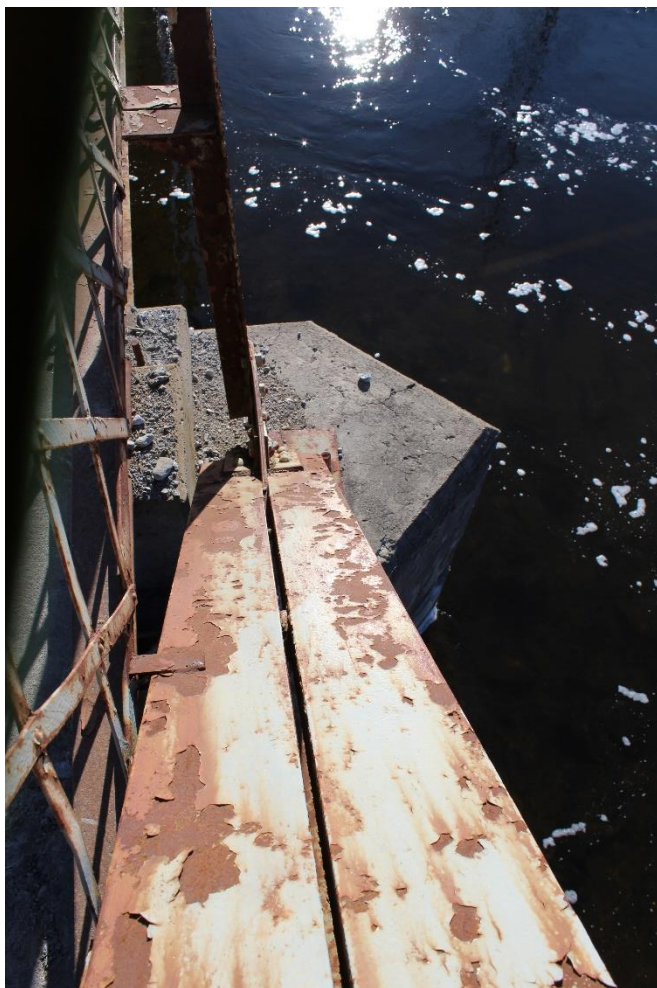


Plate 14: View of  
top of the western  
pier with pointed  
upstream face.

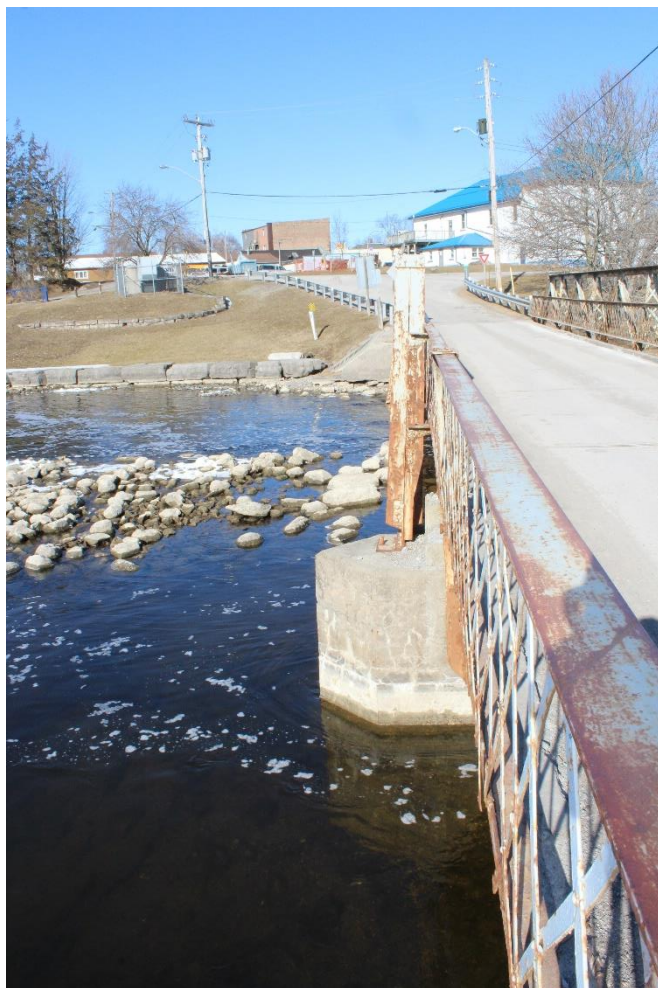


Plate 15: View of western pier on the south (upstream) side of the bridge.



Plate 16: View of western pier on the north (downstream) side of the bridge.





Plate 17: View of damage to steel lattice barrier.



Plate 18: View of metal barrier, with the portion at right featuring a small circular motif in the middle of the lattice. The portion at left lacks any ornamentation.





Plate 19: View of bolted joint connection along the top chord of the railing.



Plate 20: Riveted connection on the north portion of the west portal of the truss.





Plate 21: View of concrete abutment and truss on the southwest quadrant of the bridge.



Plate 22: View of concrete abutment and bearing seat on the east abutment, looking north from the southeast quadrant of the bridge.



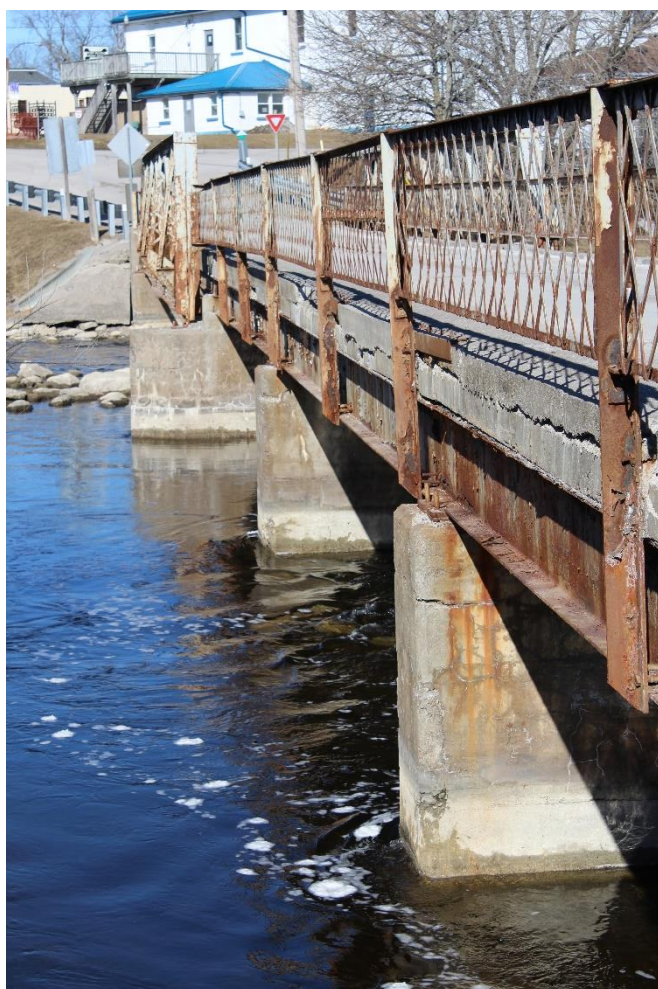


Plate 23: Oblique view of the south elevation of the I-beam spans and view of concrete piers on south (upstream) side.



Plate 24: Concrete deck on the south side of the I-beam portion of bridge.



Plate 25: Concrete deterioration of the soffit of the eastern I-beam structure (DM Wills and Associates 2014).





Plate 26: West face of west pier and west truss span soffit (DM Wills and Associates 2014).



Plate 27: Area adjacent to the northwest quadrant of the bridge, looking northwest.



Plate 28: Area adjacent to the southwest quadrant of the subject bridge, looking southwest. Note the dam immediately upstream of the subject bridge at far left.



Plate 29: Area adjacent to the southeast quadrant of the subject bridge, looking northeast.





Plate 30: Area adjacent to the northeast quadrant of the subject bridge, looking northeast.



Plate 31: View of King Street East Bridge to the north of the subject, looking north.





Plate 32: Dam to the south of the Mill Pond Bridge, looking south.



Plate 33: Hydro building northwest of the Mill Pond Bridge.





Plate 34: Omemee  
Afghanistan  
Memorial Garden  
and plaque,  
northwest of the  
Mill Pond Bridge  
East, looking  
southeast.

**APPENDIX B: SITE PLAN OF THE SUBJECT BRIDGE**





## APPENDIX C: COMPARATIVE BRIDGES IN THE 2014 CITY OF KAWARTHA LAKES STRUCTURE INSPECTIONS INVENTORY

Table 4: Comparative Bridges in the 2014 City of Kawartha Lakes Structure Inspection Inventory

Structure No.	Bridge Name	Road Name	Type	Location	Year Built	No. of Spans	Deck Length (m)	Deck Width (m)
B 006656	Head River Bridge, Lot 31, Conc. IV, Dalton	Rama Dalton Boundary Rd Dal	I-Beam of Girders	3.30 km N. of 45 – Monck Rd	2006	1	25.6	9.6
B 006754	Brook's Bridge, Lot 25/26, Conc. XII, Dalton	Chisholm TI Dal	Half-Through Truss	0.10 km S. of Black River Road	1916	3	32.6	5.0
B 017017	Wellington Street Bridge, Lindsay	Wellington St E Ome	I-Beam or Girders	0.50 km W. of 17- Lindsay Street North	1965	2	43.7	14.0
B 018065	West Cross Creek Bridge, Lot 10, Conc. I/II	Elm Tree Rd Ops	I-Beam or Girders	3.3 km S. of 4-Little Britain Road	1966	1	18.9	10.4
B 018201	Lot 5, Conc. I/II, Fenelon	Elm Tree Rd Fen	I-Beam of Girders	0.75 km S. of 9 – Cambray Rd.	1930	1	6.4	10.2
B 024038	Emily Creek Bridge, Lot 1, Conc. IV, Verulam	County Road 24 Ver	I-Beam or Girders	3.76 km N. of 36- County Road 36	1990	1	25.9	11.3
B 031057	Ops/Manvers Bridge, Lot 21, Conc. XIV	Mount Horeb Rd Ops	I-Beam or Girders	0.42 km W. of Old Mill Road	1983	2	18.7	9.4
B 033032	Monroe's Bridge, Lot 1, Conc. IV, Carden	Centennial Park Rd Crd	I-Beam of Girders	3.16 km N. of 48 – Portage Rd.	2001	1	16.2	10.5
B 034038	Sixth Conc. Bridge, Lot 15, Conc. V/VI, Fenelon	Cameron Rd Fen	I-Beam of Girders	4.10 km N. of Highway 35	1963	1	7.9	8.2
B 035102	Trent Canal Bridge, Lot 7, CSPR, Bexley	Fenel Rd Eld Bes	I-Beam of Girders	1.22 km S. of 48 – Portage Rd.	1968	3	60.2	11.4
B 036016	Railway Overpass, Lot 19, Conc. X	County Road 36 Fen Ops	I-Beam or Girders	1.55 km N. of Highway 7	1960	1	35.6	11.2



Structure No.	Bridge Name	Road Name	Type	Location	Year Built	No. of Spans	Deck Length (m)	Deck Width (m)
B 036358	Trent Canal Bridge	East St S Bob Ver	I-Beam of Girders	0.50 km N. of 24 – King St. E.	1974	4	174.0	12.8
B 038130	CNR Omemee Bridge, Lot 5, Conc. III	Ski Hill Rd Emi	I-Beam or Girders	0.51 km S. of Highway 7	1993	1	9.4	11.4
B 043047	Corben Cr, Lot 20, Conc. V/VI, Somerville	Somerville 6 <sup>th</sup> Concession Smv	I-Beam or Girders	0.80 km E. of Northline Road	1977	1	3.4	8.0
B 044002	Lamb's Br, Lot 12, Conc. V, Somerville	Burnt River Rd Smv	I-Beam or Girders	0.20 km W. of 121-County Road 121	1962	1	29.6	11.3
B 044035	Hodgson S Br, Lot 11, Conc. VI/VII, Somerville	Somerville 7 <sup>th</sup> Concession Smv	I-Beam or Girders	0.46 km W. of 121-County Road 121	1968	1	32.6	10.4
B 045342	Gull River, Norland	Monck Rd Smv	I-Beam or Girders	0.15 km E. of Highway 35	1971	1	25.5	11.2
B 100013	Lot 17, Conc. V/VI	Wild Turkey Rd Man	I-Beam or Girders	1.6 km E of Wild Turkey Road	1920	1	5.0	5.0
B 100015	Jake Hart Bridge, Lot 16/17, Conc. XIII	St Mary Rd Man	I-Beam or Girders	1.55 km S. of 31-Mount Horeb Road	1966	3	18.3	7.3
<b>B 100018</b>	<b>Mill Pond Bridge, Lot 7, Conc. III</b>	<b>Mary St E Ome</b>	<b>Half-Through Truss</b>	<b>0.30 km E. of Sturgeon Rd. S.</b>	<b>1952</b>	<b>4</b>	<b>54.9</b>	<b>4.3</b>
B 24112	Road 24 Bridge	County Road 24 Ver	I-Beam or Girders	1.5 km E. of Kenstone Beach Road	2011	3	75.0	13.0
B 300001	Cattail Bridge, Lot 20/21, Conc. IV	Valentia Rd Mpo	I-Beam or Girders	0.95 km S. of 4-Little Britain Road	1985	1	17.4	9.5
B 300003	Davidson's Bridge, Lot 20, Conc. V/VI	Salem Rd Mpo	I-Beam or Girders	2.7 km E. of 6-Eldon Road	1962	1	15.5	8.5
B 300006	Percy Prouse Bridge, Lot 18, Conc. VI/VII	Cresswell Rd Mpo	I-Beam or Girders	1.4 km E. of 6-Eldon Road	1945	1	9.5	5.7
B 300008	Carew's Bridge, Lot 18, Conc. IX/X	Skyline Rd Mpo	I-Beam of Girders	1.50 km E. of 6 – Eldon Rd.	1963	1	14.0	8.6





Structure No.	Bridge Name	Road Name	Type	Location	Year Built	No. of Spans	Deck Length (m)	Deck Width (m)
B 300013	Jewell's Bridge, Lot 19, Conc. XI/XII	Peniel Rd Mpo	I-Beam of Girders	2.30 km E. of 6 – Eldon Rd.	1958	1	14.0	8.5
B 300024	Brown's No. 3 Bridge, Lot 16, Conc. XIII/IX, Eldon	Creek View Rd Eld	I-Beam of Girders	0.23 km N. of Palestine Rd.	2013	1	17.0	5.0
B 300039	Fur Farm Bridge, Lot 30/31, Conc. I, Fenelon	Fish Hawk Rd Fen	I-Beam or Girders	1.32 km E. of 35 – Fenel Rd.	1961	1	14.4	9.6
B 300042	King's Lane, Lot 3/4, Conc. I	King's Ln Fen	I-Beam or Girders	0.25 km W. of 18 – Elm Tree Rd.	2012	1	9.0	5.1
B 31072	Ops Bridge	Mount Horeb Rd Ops	I-Beam or Girders	0.50 km W. of Lilac Road	2010	1	29.3	12.6
B 400007	Doyle's Bridge, Lot 7, Conc. II/III, Bexley	Doyle Rd Bex	I-Beam of Girders	2.43 km S. of North Mountain Rd.	1927	1	6.8	4.9
B 400011	Gilbert's Bridge, Lot 25/26, Conc. I, Dalton	Hills Rd Dal	Half-Through Truss	0.40 km S. of Taylor Rd.	1920	1	25.0	4.9
B 400012	Taylor's Bridge, Lot 28, Conc. I/II, Dalton	Taylor Rd Dal	Half-Through Truss	0.90 km W. of Hills Rd.	1920	3	36.0	5.7
B 400014	Dartmoor Bridge, Lot 20/21, Conc. II, Dalton	Lake Dalrymple Rd Dal	I-Beam of Girders	0.50 km S. of 45 – Monck Rd.	1995	1	20.9	9.4
B 400016	Morton's Bridge	Morton Ln Dal	I-Beam or Girders	2.0 km E. of 6 – Chisholm Trail	2010	1	6.1	4.6
B 400018	B 400018	Black River Rd Dal	I-Beam of Girders	0.30 km SE. of B 400019	2000	1	18.3	1.5
B 400019	Victoria Falls Bridge, Lot 1, Conc. XIII, Dalton	Black River Rd Dal	Half-Through Truss	10 km E. of Lawishan Road	1924	2	21.7	4.0
B 400021	Doherty's Bridge, Lot 4, Conc. X/XI, Somerville	Somerville 11 <sup>th</sup> Concession Smv	I-Beam or Girders	2.21 km W. of 121-County Road 121	1963	3	53.1	9.1



Structure No.	Bridge Name	Road Name	Type	Location	Year Built	No. of Spans	Deck Length (m)	Deck Width (m)
B 57044	Golf Course Road Bridge	Golf Course Rd Man	I-Beam or Girders	1.1 km W. of 5 – Janetville Road	2010	1	25.3	12.6
B 89406	Burnt River, Kinmount	County Road 121 SMV	Half-Through Truss	0.15 km S. of 45 – Monck Rd.	1920	1	40.7	13.2
VRT 003	Lot 23, Conc. XII, Manvers		Half-Through Truss	1.4 km N. of Fleetwood Road	1910	1	10.2	3.0
VRT 004	Lot 24, Conc. XIV, Manvers		Half-Through Truss	4.3 km N. of Fleetwood Road	1911	1	10.2	3.2
VRT 006	Nayoro Park Bridge, Lindsay		I-Beam or Girders	0.10 km E. of Durham Street	1910	3	53.6	3.6
VRT 007	Rainbow Bridge, Lindsay		I-Beam or Girders	0.10 km E. of Water Street	1910	4	45.0	1.4
VRT 008	Ken Reid Park		Half-Through Truss	1.6 km N. of Kenrei Road	2000	1	36.2	3.2
VRT 009	Fenelon Falls Bridge		I-Beam or Girders	0.10 km W. of Francis Street West	1923	9	137.0	3.6

#### **APPENDIX D: ONTARIO HERITAGE BRIDGE GUIDELINES EVALUATION OF THE MILL POND BRIDGE**

The Ontario Heritage Bridge Program was established in July 1983 to provide a framework for the consistent and considered decisions in allocating funds for the conservation of heritage road bridges. Key elements of the program include: a formal system of listing; the use of evaluation criteria; and consideration and application of a number of conservation strategies for any listed bridge subject to repair or replacement, including those subject to environmental assessment. Listing in the Ontario Heritage Bridge Program is intended to be a serious statement of heritage status, however does not confer outright protection.

The Ontario Heritage Bridge Program has been supplemented with the Ontario Heritage Bridge Guidelines, which was released as an “interim” document in January 2008. The evaluation criteria prescribed through this document consist of three scoring categories, which have been derived from Ontario Regulation 9/06 and include: Design/Physical Value, Contextual Value and Historic/Associative Value. A bridge that is evaluated using these criteria and achieves a score of 60 or greater is considered provincially significant and is a candidate for inclusion on the Ontario Heritage Bridge List.

The three categories and sub-criteria used to evaluate bridges with their maximum scores are as follows:



Table 5: Ontario Heritage Bridge Guidelines' Evaluation Criteria (MCL & MTO 2008 [Interim])

Criteria	Details	Maximum Score	Instructional Comments
Design/Physical Value		50	
Functional Design	Excellent	20	Displays a high degree of technical merit or scientific achievement <u>and</u> ; - Is one of a kind or prototype (first or earliest example of this kind), <u>or</u> - Is exemplary for its kind (i.e. the longest, highest etc. of its kind).
	Very Good	16	Displays a high degree of technical merit or scientific achievement <u>and</u> ; - Includes types in which fewer than five survive within a Region.
	Fair	12	This category includes types of which fewer than five survive within a Region, regardless of degree of technical merit or scientific achievement, even if many were originally constructed.
	Common	0	Of little value from a technical or scientific perspective. Many were built, many remain.
Visual Appeal	Excellent	20	High degree of craftsmanship or stylistic merit for most of the elements of the bridge; the design elements are well balanced and overall the structure is well proportioned; modifications are sympathetic.
	Good	12	Well-proportioned bridge that has a general massing that is appropriate to the landscape in which it is situated.
	Fair	4	Structure has only one or two noteworthy elements or is severely altered from its original form.
	None	0	No noteworthy features.
Materials	Excellent	10	Provincially rare or unusual materials. Stone and wrought iron are examples.
	Very Good	8	Regionally rare or unusual materials. Wood and riveted steel are examples.
	Good	5	Unusual combinations of materials.
	Common	0	Common materials or combinations.
Contextual Value		25	
Landmark	Excellent	15	Physically prominent: The bridge is highly significant physically and a primary symbol in the area. This includes 'gateway' structures. - It is a critical element in understanding a family of bridges within a corridor.
	Good	9	Locally significant: The bridge is perceived in the community as having symbolic value rather than purely visual or aesthetic value. - It is an important element in understanding a family of bridges within a corridor.
	Fair	3	A familiar structure in the context of the area. - It is a contributory element in understanding a family of bridges within a corridor.
	Common	0	No prominence in the area.



Character Contribution	Excellent	10	The bridge is the critical element in defining the character of the area and is of great important in establishing or protecting this character.
	Good	6	Maintains or contributes to the overall character of the area and is of municipal importance in establishing or protecting this character.
	Common	0	Character contribution is minimal.
Historic/Associative Value		25	
Designer/Construction Firm	Excellent	15	Known influential designer-builder: structure demonstrates or reflects the innovative work or ideas of companies, engineers, and/or builders having major impacts on the development of a community. For this item, community is broadly defined to include professional groups who have been demonstrably affected by the work in question.
	Good	9	Known prolific builder-designer: companies, engineers, and/or builders directly responsible for a large number of structures whose activities led to design or construction refinements and the establishment of standard forms.
	Fair	3	Known undetermined contribution: companies, engineers, and/or builders who have made a limited/minor contribution to the community.
	Unknown	0	Those responsible for design/construction are unknown.
Association with a historical theme, person or event	Excellent	10	Direct association with a theme or event that is highly significant in understanding the cultural history of the nation, province, or municipality.
	Good	6	Close association with a theme or event within an area.
	Common	0	Limited or no association with historic themes or events.

A listed bridge will not necessarily be conserved irrespective of technical, financial or other consideration. Nonetheless, decisions and strategies concerning the conservation of a listed bridge should consider the evaluation criteria and individual score the bridge has achieved. The higher the score, the more diligent the efforts should be to conserve the bridge in the most desirable manner possible.

## Mill Pond Bridge Heritage Evaluation

Using the Ontario Heritage Bridge Guidelines' (MCL & MTO 2008 [Interim]) criteria for evaluating bridges, the overall heritage evaluation resulted in a score of 38 with score summaries noted below.

Table 6: Heritage Evaluation of the Mill Pond Bridge (B 100018)

Criteria	Details	Maximum Score	Instructional Comments
<b>Design/Physical Value</b>		<b>50</b>	
Functional Design	Excellent	20	<b>0</b> -According to available documentation, there are nine other known examples of a half-through truss structures within the comparative sample in the City of Kawartha Lakes. While becoming increasingly uncommon bridge type, the subject bridge does not exhibit a high degree of design complexity.
	Very Good	16	
	Fair	12	
	Common	0	





Table 6: Heritage Evaluation of the Mill Pond Bridge (B 100018)

Visual Appeal	Excellent	20	<b>12</b> – The subject bridge has a scale and massing that is appropriate to the setting over the Pigeon River. The relocated half-through truss span complements the historical setting of the bridge crossing.
	Good	12	
	Fair	4	
	None	0	
Materials	Excellent	10	<b>8</b> – The subject bridge features a single-span riveted steel half-through truss component. Riveted steel is considered an example of a regionally rare and/or unusual material.
	Very Good	8	
	Good	5	
	Common	0	
<b>Contextual Value</b>		<b>25</b>	
Landmark	Excellent	15	<b>3</b> – The subject bridge is a familiar structure in the context of the community of Omemee. It is not considered a highly visible landmark or a gateway feature.
	Good	9	
	Fair	3	
	Common	0	
Character Contribution	Excellent	10	<b>6</b> – The subject bridge is considered to contribute to the riverine character of the area.
	Good	6	
	Common	0	
<b>Historic/Associative Value</b>		<b>25</b>	
Designer/Construction Firm	Excellent	15	<b>3</b> – The subject culvert was designed and constructed by the Ontario Bridge Company, an important designer and constructor of bridges in Southern Ontario. The individual engineer responsible for its design is unknown. Further, the original designer and constructor of the relocated half-through truss component is unknown.
	Good	9	
	Fair	3	
	Unknown	0	
Association with a historical theme, person or event	Excellent	10	<b>6</b> – The subject bridge has a close association with milling activities in Omemee, and the location of the crossing has connections to the early industrial development of the local area.
	Good	6	
	Common	0	

**Total Points = 38**

As the Mill Pond Bridge scored less than the 60 point threshold, is not considered provincially significant and is not a candidate for inclusion on the Ontario Heritage Bridge List



## **Heritage Impact Assessment**

**VOLUME 2: HERITAGE IMPACT ASSESSMENT  
MILL POND BRIDGE (B 100018)**

**MARY STREET EAST  
LOT 7, CONCESSION III  
FORMER EMILY TOWNSHIP  
CITY OF KAWARTHA LAKES, ONTARIO**

Prepared for:

**D.M. Wills Associates Limited**  
150 Jameson Drive  
Peterborough, ON K9J 0B9

ASI File: 19CH-003

April 2019



**VOLUME 2: HERITAGE IMPACT ASSESSMENT  
MILL POND BRIDGE (B 100018)**

**MARY STREET EAST  
LOT 7, CONCESSION III  
FORMER EMILY TOWNSHIP  
CITY OF KAWARTHA LAKES, ONTARIO**

**EXECUTIVE SUMMARY**

ASI was contracted by D.M. Wills Associates Limited to conduct a cultural heritage evaluation and heritage impact assessment as part of the Mill Pond Bridge Replacement/Rehabilitation Municipal Class Environmental Assessment and assesses the Mill Pond Bridge (B 100018). This report, Volume 2 provides the Heritage Impact Assessment (HIA); Volume 1 provides the Cultural Heritage Evaluation Report (CHER) as a separate, stand-alone report. The study area is located over the Pigeon River on Mary Street East in the community of Omemee, in the City of Kawartha Lakes.

Volume 1 of this report determined that the Mill Pond Bridge retains cultural heritage value following the application of O. Reg. 9/06 of the *Ontario Heritage Act*. In particular, the half-though truss component of the subject bridge is representative of an early-twentieth-century style and bridge type. Further, the location of the subject bridge has served as an historical bridging point for vehicles over the Pigeon River and is physically associated with Mary Street East, an historically surveyed road. The subject bridge is physically and historically linked to its surroundings in the community of Omemee. Given that it meets O. Reg. 9/06, the Draft Statement of Cultural Heritage Value or Interest and the list of heritage attributes prepared during the CHER have been included in this report.

At the time of this report, the preferred option being carried forward as part of the Environmental Assessment was still under consideration.

Given the identified cultural heritage value of the Mill Pond Bridge (B 100018) and the preferred option being carried forward as part of the Environmental Assessment still under consideration, the following recommendations and mitigation measures should be considered and implemented:

1. Where feasible, the preferred alternative should be selected to ensure the fewest direct and permanent impacts to the identified heritage attributes of the subject bridge. In this respect, Design Options 1-3 are preferred from the heritage perspective as they each ensure the continued function of the subject bridge as a crossing over the Pigeon River. Impacts related to Design Options 1-3 are considered minor and will result in the long-term preservation and use of the subject bridge.

2. Any proposed rehabilitation should be suitably planned and executed in a manner that limits the scale and magnitude of the intervention to addressing only the elements in need of repair, where feasible. All rehabilitation should be designed and executed in a manner that preserves the legibility of the heritage value of the subject bridge as an early-twentieth-century construction type.
3. In order to mitigate any unanticipated indirect impacts to the subject bridge, construction and staging activities should be suitably planned and executed to ensure that all heritage attributes identified in Section 2.3 are avoided and protected. Suitable staging activities may include temporary barriers and the establishment of no-go zones throughout construction. On-site workers should be notified of the cultural heritage significance of the subject bridge in general and the western half through truss in particular in advance of the starting construction.
4. Should Design Option 4-Bridge Widening and Replacement be chosen as the preferred alternative, salvaged elements of the half-through truss component of the subject bridge should be retained for inclusion in the replacement structure, where feasible. Further, the replacement structure should be designed in a manner that is sympathetic to the identified cultural heritage attributes of the subject bridge. The contextual associations of the subject bridge as a vehicular and pedestrian crossing over the Pigeon River would be maintained in a sympathetically-designed replacement structure.
5. Should Design Option 4-Bridge Widening and Replacement or Option 5-Bridge Removal be chosen as the preferred alternative, the bridge and setting should be professionally documented. The CHER and HIA completed for Mill Pond Bridge is sufficient documentation.
6. Should the removal of the subject bridge be chosen as the preferred alternative (Design Options 4 or 5), salvaged elements of the half-through truss component of the subject bridge should be retained for inclusion in a new structure at another crossing, in future conservation work, or for commemorative displays, where feasible.
7. Should the removal of the subject bridge be chosen as the preferred alternative (Design Options 4 or 5), consideration should be given to a commemorative strategy, such as developing a plaque in the location of the bridge. In this respect, an interpretive historical plaque/commemoration could be prepared including historical information, images and featuring salvaged heritage components from the subject bridge, where feasible. Heritage staff at the City of Kawartha Lakes and the Heritage Victoria Committee should be consulted for input regarding this commemoration.
8. This report should be filed with the heritage staff at the City of Kawartha Lakes, Heritage Victoria Committee, and with the Ministry of Tourism, Culture and Sport for review.



## PROJECT PERSONNEL

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## 1.0 INTRODUCTION

Archaeological Services Inc. (ASI) was contracted by D.M. Wills Associates Limited to conduct a cultural heritage evaluation and heritage impact assessment as part of the Mill Pond Bridge Replacement/ Rehabilitation Municipal Class Environmental Assessment and assesses the Mill Pond Bridge (B 100018). This report, Volume 2 provides the Heritage Impact Assessment (HIA); Volume 1 provides the Cultural Heritage Evaluation Report (CHER). This project involves the replacement or rehabilitation of the Mill Pond Bridge, Structure No. B 100018, located on Mary Street East over the Pigeon River in the community of Omemee, within the City of Kawartha Lakes.

The Mill Pond Bridge (B 100018) has an east-west orientation and is located approximately 50 metres south of King Street West in the community of Omemee. The west portion of the bridge is a half-through truss and the east portion is an I-beam structure with concrete deck, built in 1952. It carries a single lane of Mary Street East over the Pigeon River in four spans with a total deck length of 54.9 metres and total width of 4.3 metres. The Mill Pond Bridge (B 100018) is not listed on the Kawartha Lakes *Heritage Property Register*.

Based on the deterioration of structural elements and non-compliant barrier systems observed in 2014 (AUE Structural Inc 2014) and 2017 (DM Wills and Associated Ltd. 2017), the Class EA process for the Mill Pond Bridge (B 100018) is required to identify a short and/or long-term plan for the structure. At the time of this report, the preferred option being carried forward as part of the Environmental Assessment was still under consideration and may involve rehabilitation, replacement, or removal without replacement. This report will assess impacts of the proposed alternatives in consideration of the determined cultural heritage value of the Mill Pond Bridge (B 100018).

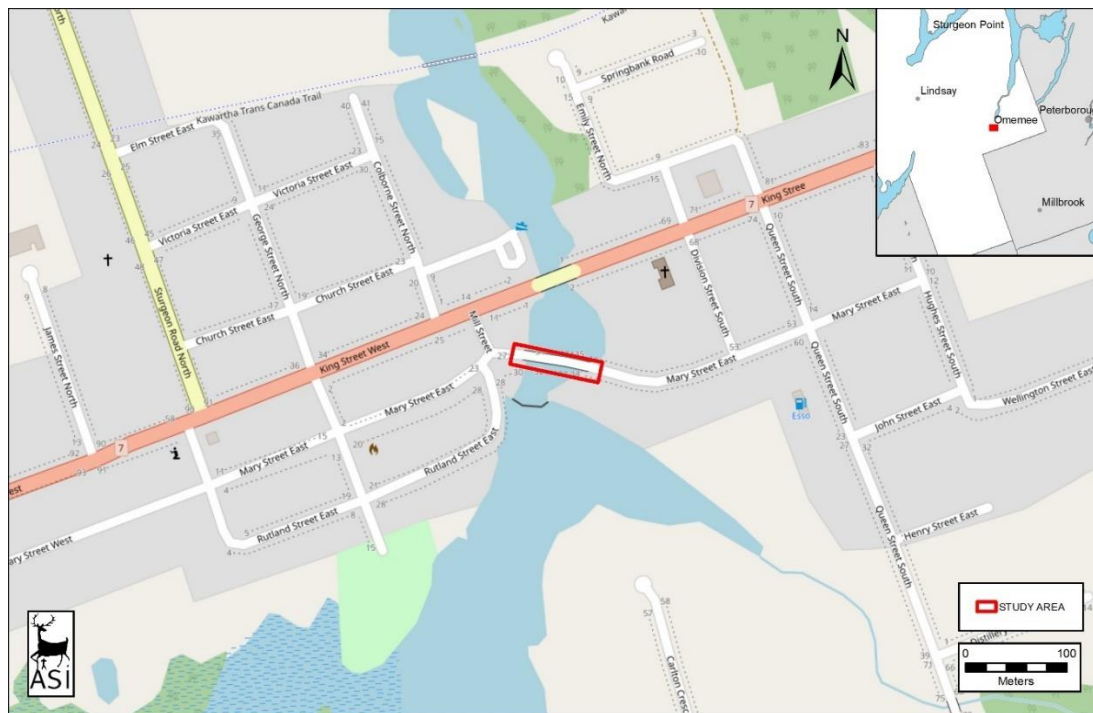


Figure 1: Location of the study area (in red).

Source: ©OpenStreetMap and contributors, Creative Commons-Share Alike License  
(CC-BY-SA ESRI Street Maps)

The research was conducted by Kirstyn Allam, analysis was conducted by John Sleath, and site visit and project management were conducted by Johanna Kelly, all of ASI. Senior project direction was provided by Lindsay Graves, Senior Cultural Heritage Specialist and Senior Project Manager of the Cultural Heritage Division, ASI. The present Heritage Impact Assessment follows the Ministry of Tourism, Culture and Sports' *Ontario Heritage Toolkit* (2006) and the *Standards and Guidelines for the Conservation of Historic Places in Canada* (2010). Research was completed to investigate, document, and evaluate the property and to measure the impact of the proposed development on the existing cultural heritage resource.

The scope of a HIA is provided by the MTC's *Ontario Heritage Tool Kit*. An HIA is a useful tool to help identify cultural heritage value and provide guidance in supporting environmental assessment work. As part of a heritage impact assessment, proposed site alterations and project alternatives are analyzed to identify impacts of the undertaking on the heritage resource and its heritage attributes. The impact of the proposed development on the cultural heritage resource is assessed, with attention paid to identifying potential negative impacts, which may include, but not limited to:

- Destruction of any, or part of any, significant heritage attributes or features;
- Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance;
- Shadows created that alter the appearance of a heritage attribute or change the viability of an associated natural feature or plantings, such as a garden;
- Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;
- Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features;
- A change in land use (such as rezoning a church to a multi-unit residence) where the change in use negates the property's cultural heritage value;
- Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect a cultural heritage resource, including archaeological resources.

Where negative impacts of the development on the cultural heritage resource and/or attributes are identified, mitigative or avoidance measures or alternative development or site alteration approaches are considered. Conservation options as outlined in the *Ontario Heritage Bridge Program* (MCC 1991) which is regarded as current best practice for conserving heritage bridges in Ontario and ensures that heritage concerns, and appropriate mitigation options are considered.

ASI's *Cultural Heritage Evaluation Report: Mill Pond Bridge* (draft, April 2019), concluded that the Mill Pond Bridge has cultural heritage value as it meets the criteria outlined in O. Reg. 9/06 of the *Ontario Heritage Act*, and that a resource-specific HIA would be required. The present report satisfies this requirement.

## 1.1 Description of Property

The Mill Pond Bridge (B 100018) has an east-west orientation and is located approximately 50 metres south of King Street West in the community of Omemee (Figure 1: Location of the study area (in red)). The Mill Pond Bridge (B 100018) is a four-span structure featuring a single span half-through Warren truss structure in the west integrated with a three span I-beam structure in the east. The superstructure rests on concrete abutments and concrete piers. The bridge carries a single lane of east and



west Mary Street East vehicular traffic over the Pigeon River approximately 50 metres south of the intersection of King Street West and Mary Street East in the community of Omemee, City of Kawartha Lakes (Figure 1). Historically, the subject bridge is located within Lot 7, Concession III, in the former Emily Township, Victoria County.

The Mill Pond Bridge was built in 1952 and consists of a repurposed half-through truss span on the west that was relocated from its original location in Bobcaygeon crossing the Little Bob River. The subject bridge was preceded by earlier wooden structures that provided a crossing over the Pigeon River. Directly upstream of the bridge is a dam, which was preceded by earlier dam structures that supported milling in the community of Omemee. According to available bridge documentation, the subject bridge is not known to have undergone any repairs or major rehabilitations.

The character of Mary Street East at the site of the bridge structure has developed in a residential context. The bridge crossing is bound by residences and is downstream from a dam.

Mill Pond Bridge (B 100018) is currently owned by the City of Kawartha Lakes. Inspections undertaken in 2017 noted structural deterioration of numerous elements and recommended the installation of code compliant end treatments and complete replacement of the structure within one year (AUE Structural Inc. 2017).

### **1.1.1 Adjacent Cultural Heritage Resources**

There are no previously identified cultural heritage resources adjacent to the Mill Pond Bridge (B 100018) in the community of Omemee.

## **2.0 STATEMENT OF CULTURAL HERIAGE VALUE**

The following draft Statement of Cultural Heritage Value is taken from the Volume 1 (CHER) of this report prepared by ASI in 2019.

### **2.1 Description of Property**

*Name:* Mill Pond Bridge (B 100018)

The Mill Pond Bridge (B 100018) is a four-span structure featuring a single span half-through Warren truss structure in the west integrated with a three span I-beam structure in the east. The superstructure rests on concrete abutments and concrete piers. The bridge carries a single lane of east and west Mary Street East vehicular traffic over the Pigeon River approximately 50 metres south of the intersection of King Street West and Mary Street East in the community of Omemee, City of Kawartha Lakes. The structure measures 54.9 metres in length, 4.3 metres in overall width, and has a roadway width of 3.8 metres.

### **2.2 Cultural Heritage Value or Interest**





The Mill Pond Bridge is a single-lane structure constructed in 1952 that features a single-span riveted steel five panel Warren half-through truss component and a three-span steel I-beam component. The half-through truss component of the structure was originally located at the Little Bob River crossing in Bobcaygeon and was relocated by the DHO for inclusion in the subject bridge in 1952. Based on the comparative sample of existing half-through truss bridges in the City of Kawartha Lakes, this type of structure was popular in the local context in the 1910s to 1930s. The half-through truss component of the subject bridge is representative of an early-twentieth-century style and bridge type

The location of the subject bridge has served as an historical bridging point for vehicles over the Pigeon River and is physically associated with Mary Street East, an historically surveyed road. Although the bridge was moved to this location, the Mill Pond Bridge supports the historical context of the area as an important local bridging point. The subject bridge is physically and historically linked to its surroundings in the community of Omemee.

### 2.3 Heritage Attributes

Key heritage attributes that embody the heritage value of the subject bridge in the local context include:

- single-lane construction;
- riveted-connections;
- structural T-beam steel top and bottom chords and diagonals;
- steel floor beams and vertical steel lattice buttresses; and
- steel single-span truss Warren half-through configuration with five panels as representative of early twentieth century construction techniques.

Key heritage attributes that embody the historical, associative, and contextual value of the subject bridge include:

- historical bridging point across the Pigeon River;
- physically associated with Mary Street East, an historically surveyed road; and
- physically and historically linked to its surroundings in the community of Omemee.



Figure 2: Location of the subject bridge

(ESRI Digital Globe 2018)



### 3.0 ASSESSMENT OF EXISTING CONDITIONS

A field review was undertaken by Johanna Kelly on 26 March 2019 to conduct photographic documentation of the bridge crossing and to collect data relevant for completing a heritage evaluation of the structure. Results of the field review and bridge inspection reports received from the client were then utilized to describe the existing conditions of the bridge crossing. This section provides a general description of the bridge crossing and immediate vicinity. The location of the subject bridge is provided in Figure 2, and photographic documentation of the bridge crossing are provided in Appendix A. A site plan of the subject bridge is provided in Appendix B.

The Mill Pond Bridge (B 100018) is a four-span structure featuring a single span half-through Warren truss structure in the west integrated with a three span I-beam structure in the east. The superstructure rests on concrete abutments and concrete piers. The bridge carries a single lane of east and west Mary Street East vehicular traffic over the Pigeon River approximately 50 metres south of the intersection of King Street West and Mary Street East in the community of Omemee, City of Kawartha Lakes (Plates 1-32). The bridge was designed and constructed by the Ontario Bridge Co., however, the individual engineer responsible for its design is unknown. Construction of the approaches and rip-rap on the western bank was provided by County of Victoria labourers (Watchman Warder 1953). The structure measures 54.9 metres in length, 4.3 metres in overall width, and has a roadway width of 3.8 metres.

The substructure of the subject bridge features reinforced concrete abutments and wingwalls on the northwest and southeast. The structure also features three cast-in-place concrete piers, with the western truss span sharing the westernmost pier. The eastern deck girder structure is supported by the westernmost pier on the west, two eastern piers in the centre of the structure, and the eastern abutment. The abutments and piers support the concrete deck and appear to be original to the 1952 construction.

The superstructure of the subject bridge features a steel Warren half-through truss component on the west portion of the structure and a steel I-beam component on the east portion. These steel support members support a cast-in-place concrete deck with an asphalt wearing surface. Several areas of the concrete deck exhibited localized spalling at the time of field inspection. 14 steel drain pipes are located on the deck and drain water into the river below.

The Warren half-through truss span is approximately 25 metres in length and was relocated from its original location on the Little Bob River in Bobcaygeon (Section 3.4.3). The half through truss features five panels, with steel T-beams forming the diagonals and vertical steel lattice buttressing. The top and bottom chords of the truss are steel T-beams. Five floor beams are featured beneath the deck and appear to be riveted to the bottom chords. Steel stingers and additional bracing is also located beneath the deck. Connections between structural elements of the truss span are riveted. The steel lattice pedestrian barrier on the truss portion of the bridge generally features riveted connections in the lattice and bolting in the top supports.

The eastern deck girder portion of the bridge features four I-beams in each span with a total length of 30 metres (AUE Structural Inc. 2017). The girders rest on the eastern abutment and on the piers with steel plate girders. Steel I-beam diaphragms are located between the girders and appear to be connected using bolts. Corrosion and some section-loss was noted in the girders and other structural steel elements at the time of field inspection.

The road surface on the structure measures 3.8 metres in width and is bound by metal lattice railings with horizontal metal posts. Both railing and posts are undecorated and were painted grey at the time of field





inspection. The east and west approaches feature metal expansion joints, with an additional three expansion joints in the structure above the piers. The structure has a concrete curb on the north and south sides.

The approaches to the bridge are at-grade on the north and south sides and feature wooden posts on the north side; metal and concrete, as well as wooden posts on the south side. The approaches also feature warning signs, slow signs, pedestrian signs, and load limits on them.

The Pigeon River flows in a southwest to northeast alignment under the subject bridge which is downstream from a dam structure. The margins of the watercourse feature vegetated floodplains to the northwest and southeast of the structure. Stones line the Pigeon River south of the structure on the northwest side.

The subject bridge is located in a primarily residential context, with residences fronting on Mary Street East to the southeast, a fenced hydro-related facility to the southwest, and a residence fronting King Street West to the northwest.

Mill Pond Bridge (B 100018) is currently owned by the City of Kawartha Lakes. Inspections undertaken in 2017 noted structural deterioration of numerous elements and recommended the installation of code compliant end treatments and complete replacement of the structure within one year (AUE Structural Inc. 2017). The bridge inspection noted the following structural deficiencies and observations:

- The abutment walls at the east and west underside of the structure show signs of medium spall and a wide vertical crack at the west abutment; as well as cracks with efflorescence at the west abutment
- The west abutment ballast wall shows signs of wider vertical cracks
- The bearings of the west abutment walls have some light corrosion
- The southwest wingwall has wide cracks and signs of disintegration
- The wearing surface of the approaches to the east and west of the structure shows signs of severe cracks, potholes, settlement, and patched potholes
- The barrier posts and railing system on the north and south sides of the structure are substandard and should be replaced with a code compliant barrier and railing; there are also signs of light corrosion; damaged posts and bent railing system at the northwest and southeast
- The end treatments of the barriers are also substandard but in generally good condition
- The floor beams of the underside of the structure along the west span show signs of light to medium corrosion at the top and bottom flanges
- The girders along the underside of the structure at the east spans show signs of perforations at the girder webs at the northwest and southeast; there is section loss at web of the north and south girders of the east pier; there is also severe corrosion at the girder lends and light corrosion throughout
- The stringer along the underside of the structure at the west span has additional stringers which were previously installed; there is also signs of light to medium corrosion
- The bracing along the underside of the structure at the west span has signs of light corrosion throughout
- The coatings of the structural steel at the north and south sides as well as the underside of the structure shows signs of deterioration throughout the structural steel members
- The drainage system of the deck at the north and south sides of the structure shows signs of severe corrosion at the deck drains

- The thin slab soffit along the underside of the structure shows signs of narrow to wide cracks and some have efflorescence; there are also light to severe spalls and de-laminations
- The wearing surface along the top of the deck has signs of light ravelling and medium to severe cracks
- The steel armouring of the joints at the east and west ends and at the piers are broken in several places
- The seals of the joints along the east and west end of the structure and at the piers shows signs of leakage, tears, and displacement; and the seals are jammed
- The shafts, columns, and pile bents along the underside of the structure shows signs of light to medium scaling, wide cracks with efflorescence at upstream; there are also some localized spalls at each pier and at the west pier below the stringer
- The curbs at the north and south sides of the structure shows signs of narrow to wide cracks; and light to severe spalls and disintegration
- The bottom chords along the north and south side of the structure shows signs of light corrosion throughout; at the northeast section it has deflected horizontally by 20 millimetres
- The top chords at the northwest has rotated due to impact damage
- The vertical and diagonals of the trusses along the north and south sides show signs of light corrosion throughout

Similar observations and recommendations were noted in the 2014 inspection (D.M. Wills Associates Limited 2014).

#### 4.0 DESCRIPTION AND PURPOSE OF PROPOSED ACTIVITY

Based on the structural deficiencies observed in 2014 (D.M. Wills Associates Limited 2014) and 2017 (AUE Structural Inc. 2017) outlined in Section 3.0, the Class EA process for the Mill Pond Bridge is required to identify a short and/or long term plan for the structure. According to the Public Information Session (PIC) presentation on 4 February 2019 in Omemee, the purpose of the EA study is as follows:

Mill Pond Bridge #100018 has been identified through structural inspection to be in need of structural rehabilitation or replacement in the near future. The deterioration of the bridge brings into question its ability to perform its functional requirements without structural intervention in the form of rehabilitation. The purpose of this Study is to evaluate alternatives for the rehabilitation/replacement, or repurposing of the Mill Pond Bridge #100018 with respect to the cultural heritage of the bridge, archeological significance of the surrounding area, and potential environmental impacts of the respective alternatives. The findings of the Study will allow the City of Kawartha Lakes to proceed with preferred solution identified throughout the Environmental Assessment process (DM Wills Associated Limited 2019).

Public information sessions held in early 2019 outlined the range of options that were under consideration for the subject bridge as part of the Municipal Class Environmental Assessment (D.M. Wills Associates Limited 2019). Preliminary design drawings for each of these options is included in Appendix C. The following options include:

1. Two-way traffic flow with a new cantilever sidewalk
2. One-way traffic flow with a new cantilever sidewalk



3. Pedestrian bridge only
4. Bridge widening and replacement
5. Bridge removal

Option 1- Two-way traffic flow with a new cantilever sidewalk, would retain the current two-way vehicular crossing for motorists on Mary Street East and provide safe pedestrian crossing on a cantilevered sidewalk on the south elevation of the structure. This sidewalk is anticipated to be attached to the steel superstructure of the bridge and feature railings separating the roadway from the sidewalk. This alternative is also anticipated to result in structural repair of deteriorated or deficient elements, as necessary.

Option 2- One-way traffic flow with a new cantilever sidewalk, would alter existing two-way vehicular crossing for motorists on Mary Street East and restrict traffic to westbound travel. A cantilevered sidewalk would be attached to the steel superstructure on the south elevation of the bridge and feature railings separating the roadway from the sidewalk. This alternative is also anticipated to result in structural repair of deteriorated or deficient elements, as necessary.

Option 3- Pedestrian bridge only, would alter existing two-way vehicular crossing for motorists on Mary Street East and restrict traffic the crossing to pedestrian and cycling use only. A cul-de-sac would be created to provide a vehicle turnaround to the east of the structure on Mary Street East. This alternative is also anticipated to result in structural repair of deteriorated or deficient elements, as necessary.

Option 4- Bridge widening and replacement, would retain the current two-way vehicular crossing for motorists on Mary Street East and provide safe pedestrian crossing on the south side of the widened replacement structure. This sidewalk is anticipated to be separated from the roadway by a code-compliant railing system. This alternative is anticipated to result in the complete removal of the subject bridge superstructure and substructure.

Option 5- Bridge removal, would result in the removal of the existing structure and the elimination of the Mary Street East crossing over the Pigeon River. A cul-de-sac would be created to provide a vehicle turnaround to the east of the structure on Mary Street East, and the portion of Mary Street East to the west of the bridge would be eliminated.

At the time of report preparation, no preferred option had been selected as part of the Environmental Assessment.

## 5.0 IMPACT ASSESSMENT AND ALTERNATIVES CONSIDERED

Each of the five options under consideration for the subject bridge has the potential to result in impacts to the heritage attributes identified in Section 2.3.

The following table presents the results of impact assessment based on the *Ontario Heritage Bridge Guidelines* (OHBG, MCC 1991) Conservation Options. The Conservation Options are also considered appropriate project alternatives for the proposed undertaking. It considers possible direct adverse impacts, indirect adverse impacts, positive impacts, and the viability of this option in relation to the overall Environmental Assessment.



**Table 1: OHBG Impact Assessment of Mill Pond Bridge (B 100018)**

Conservation Options (OHBG 1991)	Analysis	Viable Option
1) Retention of existing bridge with no major modifications undertaken	This option would result in the lowest degree of intervention and fewest impacts to the subject bridge. However, this is not considered a viable option as it would not address the main problem/opportunity of the EA project.	No
2) Retention of existing bridge and restoration of missing or deteriorated elements where physical or documentary evidence (e.g. photographs or drawings) can be used for their design	This option would result in a lesser degree of intervention and fewer impacts to the subject bridge. However, this option is not considered viable as it would not result in code-compliant barrier installation.	No
3) Retention of existing bridge with sympathetic modification	<p>This option would result in a lesser degree of intervention and fewer impacts to the subject bridge.</p> <p>Option 1- Two-way traffic flow with a new cantilever sidewalk and Option 2- One-way traffic flow with a new cantilever sidewalk would result in sympathetic modifications of the existing bridge and enable its retention. Options 1 and 2 are considered viable and would result in the continued use of the existing structure as a vehicular crossing with the addition of a code-compliant pedestrian crossing.</p> <p>Additional impacts are anticipated if Option 1 or Option 2 are selected to repair or replace deteriorated structural elements outlined in Section 3.0. These repairs are considered necessary to ensure the continued use of the structure as a river crossing and would ensure the retention and long-term preservation of the structure.</p>	Yes
4) Retention of existing bridge with sympathetically designed new structure in proximity	This option is not considered viable as it would not address the underlying structural deficiencies in the subject bridge and would not ensure the preservation of the existing bridge crossing.	No

Conservation Options (OHBG 1991)	Analysis	Viable Option
5) Retention of existing bridge no longer in use for vehicle purposes but adapted for pedestrian walkways, cycle paths, scenic viewing etc.	<p>This option would result in a lesser degree of intervention and fewer impacts to the structural heritage attributes of the subject bridge as identified in Section 2.3. However, this option would alter the historical association of the subject bridge as a vehicular crossing for Mary Street East traffic.</p> <p>This option is considered viable and is under consideration as part of this EA as Option 3- Pedestrian use only.</p> <p>Additional impacts are anticipated if Option 3 is selected to repair or replace deteriorated structural elements outlined in Section 3.0. These repairs are considered necessary to ensure the continued use of the structure as a river crossing and would ensure the retention and long-term preservation of the structure.</p>	Yes
6) Retention of bridge as heritage monument for viewing purposes only	<p>This option would involve the retention of the existing bridge without rehabilitation, which is not viable as it would not ensure the preservation of the existing bridge crossing.</p>	No
7) Relocation of bridge to appropriate new site for continued use or adaptive re-use	<p>Given the state of structural deterioration, relocation of the subject bridge for continued use or adaptive re-use may not be possible without first repairing deteriorated elements. Additional direct impacts are expected through the process of removing the bridge from its current location.</p> <p>This option was not considered viable during the course of the Environmental Assessment and is not being carried over to detailed design due to financial considerations.</p>	No

Conservation Options (OHBG 1991)	Analysis	Viable Option
8) Bridge Removal and replacement with a sympathetically-designed structure:	<p>Direct impacts to the cultural heritage values of the Mill Pond Bridge are expected through the complete removal of the bridge. All cultural heritage attributes of the subject bridge identified in Section 2.1.3 would be removed.</p> <p>The contextual associations of the subject bridge as a vehicular and pedestrian crossing over the Pigeon River would be maintained in a sympathetically-designed replacement structure.</p> <p>This option is considered viable and is under consideration as part of this EA as Option 4- Bridge widening and replacement.</p>	Yes
a) Where possible, salvage elements/ members of heritage bridge for incorporation into new structure or for future conservation work or displays	<p>Direct impacts to the cultural heritage values of the Mill Pond Bridge are expected through the complete removal of the bridge.</p> <p>The use of salvage elements in a replacement structure is considered to be a viable option. Where possible, salvaged elements of the half-through truss component of the subject bridge should be retained for incorporation into the new structure to reduce impacts to the identified heritage attributes outlined in Section 2.1.3.</p> <p>If incorporation of salvage elements in the replacement structure is deemed to be infeasible based on the section loss and structural deterioration outlined in Section 3.0, salvaged elements of the half-through truss component of the subject bridge should be retained for inclusion in future conservation work or commemorative displays, where feasible.</p> <p>However, if removal of the subject bridge is chosen, physical heritage attributes including structural members should be salvaged for incorporation into future structures at other bridge crossings, conservation work, or displays, where feasible.</p>	Yes

Conservation Options (OHBG 1991)	Analysis	Viable Option
b) Replacement/removal of existing bridge with full recording and documentation of the heritage bridge	<p>Direct impacts to the cultural heritage values of the Mill Pond Bridge are expected through the complete removal of the bridge.</p> <p>Full recording with an appropriate commemoration strategy would ensure proper documentation for archival purposes.</p> <p>If removal of the subject bridge is chosen, physical heritage attributes including structural members should be salvaged for incorporation into future structures at other bridge crossings, conservation work, or displays, where feasible.</p>	Yes

The proposed potential options for the rehabilitation or replacement of the subject bridge are anticipated to have a range of potential impacts to the identified heritage attributes described in Section 2.3.

Option 1 and Option 2 are anticipated to result in direct impacts to the subject bridge as a result of the construction of a cantilevered pedestrian sidewalk on the south elevation. These impacts are anticipated to be directed to the south side of the structure only, which will limit visual impacts to the subject bridge from the King Street/Highway 7 bridge to the north. Additional impacts are also anticipated if Option 1 or Option 2 are selected to repair or replace deteriorated structural elements outlined in Section 3.0. These repairs are considered necessary to ensure the continued use of the structure as a river crossing and would ensure the retention and long-term preservation of the structure.

If Option 1 or 2 is selected as the preferred option, structural attachments to the existing half-through truss portion of the bridge should be planned to limit the number of connections and be designed to be reversible to limit impacts to the identified heritage attributes. The replacement pedestrian railing on the cantilevered sidewalk should be designed to replicate the appearance of the existing steel lattice railings while meeting modern design and safety codes, where feasible.

Option 3- Pedestrian bridge only would result in the retention of the subject bridge in situ and would result in few impacts to the physical heritage attributes identified in Section 2.3. However, this option would alter the historical association of the subject bridge as a vehicular crossing for Mary Street East traffic. Additional impacts are anticipated if Option 3 is selected to repair or replace deteriorated structural elements outlined in Section 3.0. These repairs are considered necessary to ensure the continued use of the structure as a river crossing and would ensure the retention and long-term preservation of the structure.

The removal and replacement of the existing steel lattice railings (if required to ensure code compliance in Options 1-3) should be planned and executed in a manner that limits the impacts to the superstructure of the bridge. The replacement railings should be designed using materials, colours, and finishes that will make the replacement railings physically and visually compatible with the subject bridge. The replacement railings should be chosen to be sympathetic to the appearance of the original railing, be



constructed of steel with a similar colour and finish and be of similar scale and design as the original railings while meeting modern safety and design codes.

Due to the limited impacts associated with Options 1-3 and the resulting preservation of the structure in situ, any of these three options are considered to be preferable to the more impactful options (Options 4 and 5) involving the complete demolition of the subject bridge.

Option 4- Bridge widening and replacement would retain the current two-way vehicular crossing for motorists on Mary Street East and provide safe pedestrian crossing on the south side of the widened replacement structure. However, this alternative would result in the complete removal of the subject bridge superstructure and substructure and all identified cultural heritage attributes outlined in Section 2.3. The replacement structure would, however, continue the historical association of the area as a bridging point over the Pigeon River. Due to the significant impacts associated with this alternative, Option 4 is not considered to be the preferred option from a heritage perspective.

Option 5- Bridge removal would result in the complete removal of the subject bridge superstructure and substructure and all identified cultural heritage attributes outlined in Section 2.3. This option would also eliminate the historical function of the area as a Mary Street East crossing over the Pigeon River. Due to the significant impacts associated with this alternative, Option 5 is considered to be the most impactful and least preferred option from a heritage perspective.

The proposed rehabilitations that are anticipated in Options 1-3 will result in permanent and direct impacts to the identified heritage attributes of the half-through truss portion of the subject bridge. These rehabilitations are anticipated to be directed to all deteriorated structural elements on the subject bridge to ensure public safety and modern code compliance. However, these alterations will result in the retention of the heritage elements in the rehabilitated structure, and as such as considered preferable to their demolition and replacement (Option 4) or demolition without replacement (Option 5). Further, these alterations will maintain the historical function of the bridge as a water crossing and are considered necessary to ensure the long-term maintenance and use of the structure. Any proposed rehabilitation should be suitably planned and executed in a manner that limits the scale and magnitude of the intervention to addressing only the elements in need of repair, where feasible. All rehabilitation should be designed and executed in a manner that preserves the legibility of the heritage value of the subject bridge as an early-twentieth-century construction type. In this respect, historical photographs should be reviewed to ensure interventions are planned based on documentary evidence.

In order to mitigate any unanticipated indirect impacts to the subject bridge, construction and staging activities should be suitably planned and executed to ensure that all heritage attributes identified in Section 2.3 are avoided and protected. Suitable staging activities may include temporary barriers and the establishment of no-go zones throughout construction. On-site workers should be notified of the cultural heritage significance of the subject bridge in general and the western half through truss in particular in advance of the starting construction. Plans for construction and staging activities may be finalized in consultation with a qualified heritage professional, and any changes to the proposed work should undergo review for potential impacts to the subject bridge.

## 6.0 COMMUNITY ENGAGEMENT

Consultation with staff at the City of Kawartha Lakes and the Kawartha Lakes Public Library regarding the subject property was undertaken as part of the Volume 1: Cultural Heritage Evaluation Report by ASI



in 2019 (ASI 2019). Responses from the various organizations provided additional historical information including an article about the opening ceremony of the subject bridge.

Public comments regarding the cultural heritage value of the subject bridge were raised during the PIC held on 4 February 2019 in Omemee (DM Wills email communication 4 April 2019). Comments provided by one member of the public indicated that the subject bridge may have been relocated from another location, and that the subject bridge had replaced an earlier timber bridge at the subject crossing. Based on a review of background historical documents and historical mapping included in Section 3.0 of Volume 1 (CHER) of this report, both of these statements are confirmed to be accurate.

## 7.0 CONCLUSIONS AND RECOMMENDATIONS

The Mill Pond Bridge retains cultural heritage value following the application of O. Reg. 9/06 of the *Ontario Heritage Act* (Section 2.0). In particular, the half-though truss component of the subject bridge is representative of an early-twentieth-century style and bridge type. Further, the location of the subject bridge has served as an historical bridging point for vehicles over the Pigeon River and is physically associated with Mary Street East, an historically surveyed road. The subject bridge is physically and historically linked to its surroundings in the community of Omemee.

At the time of this report, the preferred option being carried forward as part of the Environmental Assessment was still under consideration. The analysis of OHBG Conservation Options (Section 5.0, Table 1) determined that Conservation Options 3, 5, and 8 were viable given the identified heritage value of the bridge and the scope of the Environment Assessment. Where feasible, the preferred alternative should be selected to result in the minimum impacts to the heritage resource as possible while still achieving the scope of the EA as identified in the Problem/Opportunity Statement (Section 4.0). In this respect, Design Options 1-3 (Section 4.0) are preferred from the heritage perspective as they each ensure the continued function of the subject bridge as a crossing over the Pigeon River. Impacts related to Design Options 1-3 are considered minor and will result in the long-term preservation and use of the subject bridge. Design Options 4 and 5 are considered more impactful, and as such, are less preferred.

### 7.1 Mitigation Measures and Recommendations

Given the identified cultural heritage value of the Mill Pond Bridge (B 100018) and the preferred option being carried forward as part of the Environmental Assessment still under consideration, the following recommendations and mitigation measures should be considered and implemented:

1. Where feasible, the preferred alternative should be selected to ensure the fewest direct and permanent impacts to the identified heritage attributes of the subject bridge. In this respect, Design Options 1-3 are preferred from the heritage perspective as they each ensure the continued function of the subject bridge as a crossing over the Pigeon River. Impacts related to Design Options 1-3 are considered minor and will result in the long-term preservation and use of the subject bridge.
2. Any proposed rehabilitation should be suitably planned and executed in a manner that limits the scale and magnitude of the intervention to addressing only the elements in need of repair, where feasible. All rehabilitation should be designed and executed in a manner that preserves the

legibility of the heritage value of the subject bridge as an early-twentieth-century construction type.

3. In order to mitigate any unanticipated indirect impacts to the subject bridge, construction and staging activities should be suitably planned and executed to ensure that all heritage attributes identified in Section 2.3 are avoided and protected. Suitable staging activities may include temporary barriers and the establishment of no-go zones throughout construction. On-site workers should be notified of the cultural heritage significance of the subject bridge in general and the western half through truss in particular in advance of the starting construction.
4. Should Design Option 4-Bridge Widening and Replacement be chosen as the preferred alternative, salvaged elements of the half-through truss component of the subject bridge should be retained for inclusion in the replacement structure, where feasible. Further, the replacement structure should be designed in a manner that is sympathetic to the identified cultural heritage attributes of the subject bridge. The contextual associations of the subject bridge as a vehicular and pedestrian crossing over the Pigeon River would be maintained in a sympathetically-designed replacement structure.
5. Should Design Option 4-Bridge Widening and Replacement or Option 5-Bridge Removal be chosen as the preferred alternative, the bridge and setting should be professionally documented. The CHER and HIA completed for Mill Pond Bridge is sufficient documentation.
6. Should the removal of the subject bridge be chosen as the preferred alternative (Design Options 4 or 5), salvaged elements of the half-through truss component of the subject bridge should be retained for inclusion in a new structure at another crossing, in future conservation work, or for commemorative displays, where feasible.
7. Should the removal of the subject bridge be chosen as the preferred alternative (Design Options 4 or 5), consideration should be given to a commemorative strategy, such as developing a plaque in the location of the bridge. In this respect, an interpretive historical plaque/commemoration could be prepared including historical information, images and featuring salvaged heritage components from the subject bridge, where feasible. Heritage staff at the City of Kawartha Lakes and the Heritage Victoria Committee should be consulted for input regarding this commemoration.
8. This report should be filed with the heritage staff at the City of Kawartha Lakes, Heritage Victoria Committee, and with the Ministry of Tourism, Culture and Sport for review.

## 8.0 REFERENCES

### ASI

- 2019 *Cultural Heritage Evaluation, Mill Pond (B 100018), Mary Street East, Former Emily Township, City of Kawartha Lakes, Ontario*. Draft report on file at ASI.

### AUE Structural Inc.

- 2017 *Ontario Structure Inspection Manual – Inspection Form, Mill Pond Bridge B 100018*. Report on file at ASI.

### D.M. Wills Associates Limited

- 2014 *Ontario Structure Inspection Manual – Inspection Form, Mill Pond Bridge B 100018*. Report on file at ASI.  
2019 *Mill Pond Bridge #100018 Rehabilitation / Replacement Municipal Class Environmental Assessment, Public Information Centre – Open House*. Presentation on file at ASI.

### Ministry of Culture, Ontario

- 1980 *Guidelines on the Man-Made Heritage Component of Environmental Assessments*  
1992 *Guidelines for Preparing the Cultural Heritage Resource Component of Environmental Assessments*  
2009 *Ontario Heritage Act*

### Ministry of Culture and Communications, Ontario

- 1991 *Ontario Heritage Bridge Program*. Toronto: Queen's Printer.

### Ministry of Environment, Ontario

- 2006 *Environmental Assessment Act*. Ministry of Municipal Affairs and Housing, Ontario  
2005 *Ontario Planning Act*

### Ministry of Tourism and Culture, Ontario

- 2006 *Ontario Heritage Tool Kit*  
2010 *Standards and Guidelines for the Conservation of Provincial Heritage Properties*  
2010 *Check Sheet for Environmental Assessments: Screening for Impacts to Built Heritage Resources and Cultural Heritage Landscapes*

### Ministry of Transportation, Ontario

- 2008 *Ontario Heritage Bridge Guidelines for Provincially Owned Bridges*. Toronto: MTO, Planning and Environment Office.



## APPENDIX A: PHOTOGRAPHIC PLATES



Plate 1: View of  
Mill Pond Bridge  
from Mary Street  
East, looking east.



Plate 2: View of  
west approach of  
the bridge, looking  
east.





Plate 3: View of Mill Pond Bridge east approach, looking west. Note the galvanized steel flex-beam guardrails at the approaches.



Plate 4: View of eastern I-beam portion of the structure, looking west.



Plate 5: South elevation of the bridge.



Plate 6: North elevation of the bridge.





Plate 7: View of  
truss support along  
the south side of  
the bridge.



Plate 8: Oblique view of the northern truss and steel lattice railing from the west portal, looking northeast.





Plate 9:  
Westernmost  
panel on the south  
truss, looking  
north.



Plate 10: Riveted  
connection on the  
north portion of  
the west portal of  
the truss.





Plate 11: Oblique view of the south elevation, looking northeast.



Plate 12: Detail of the western steel expansion joint on the bridge.

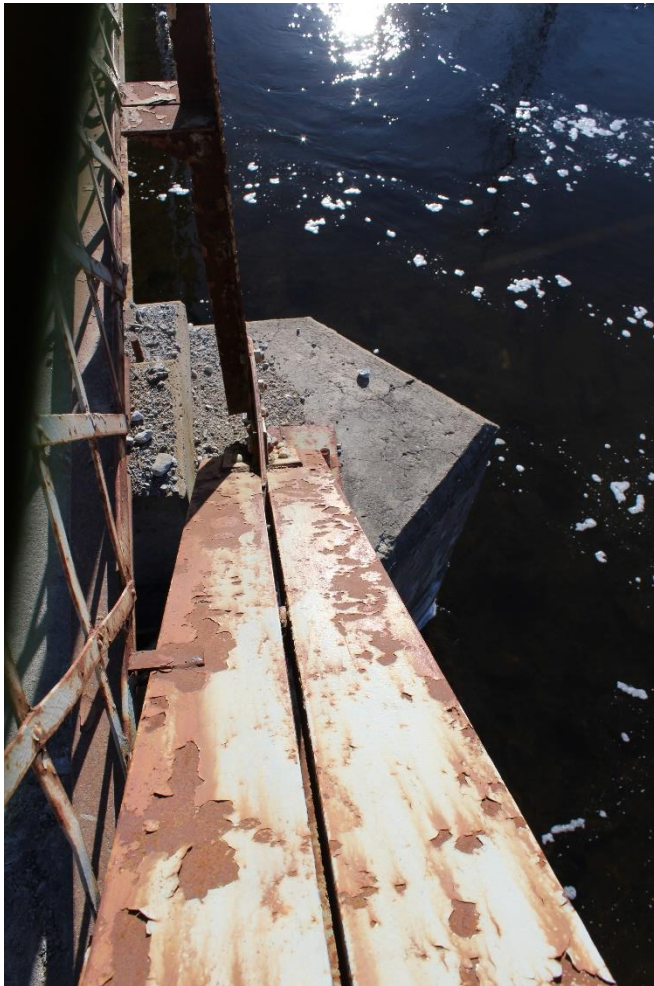


Plate 13: View of  
top of the western  
pier with pointed  
upstream face.

**APPENDIX B: SITE PLAN OF THE SUBJECT BRIDGE**







## **APPENDIX C: ENVIRONMENTAL ASSESSMENT OPTIONS**



## **Welcome**

# **City of Kawartha Lakes**

## **Mill Pond Bridge #100018 Rehabilitation / Replacement Municipal Class Environmental Assessment**

### **Public Information Centre - Open House -**

February 4, 2019

Please sign in and take an information package and comment sheet.

Feel free to provide written input or comment using the comment sheets provided or by contacting the identified representatives of the City of Kawartha Lakes or its consultant for this project (D.M. Wills Associates Limited).

Representatives of the City of Kawartha Lakes and D.M. Wills Associates Limited are available to discuss questions or concerns you may have regarding this project.



City of Kawartha Lakes  
Mill Pond Bridge #100018 - Municipal Class EA  
Public Information Centre

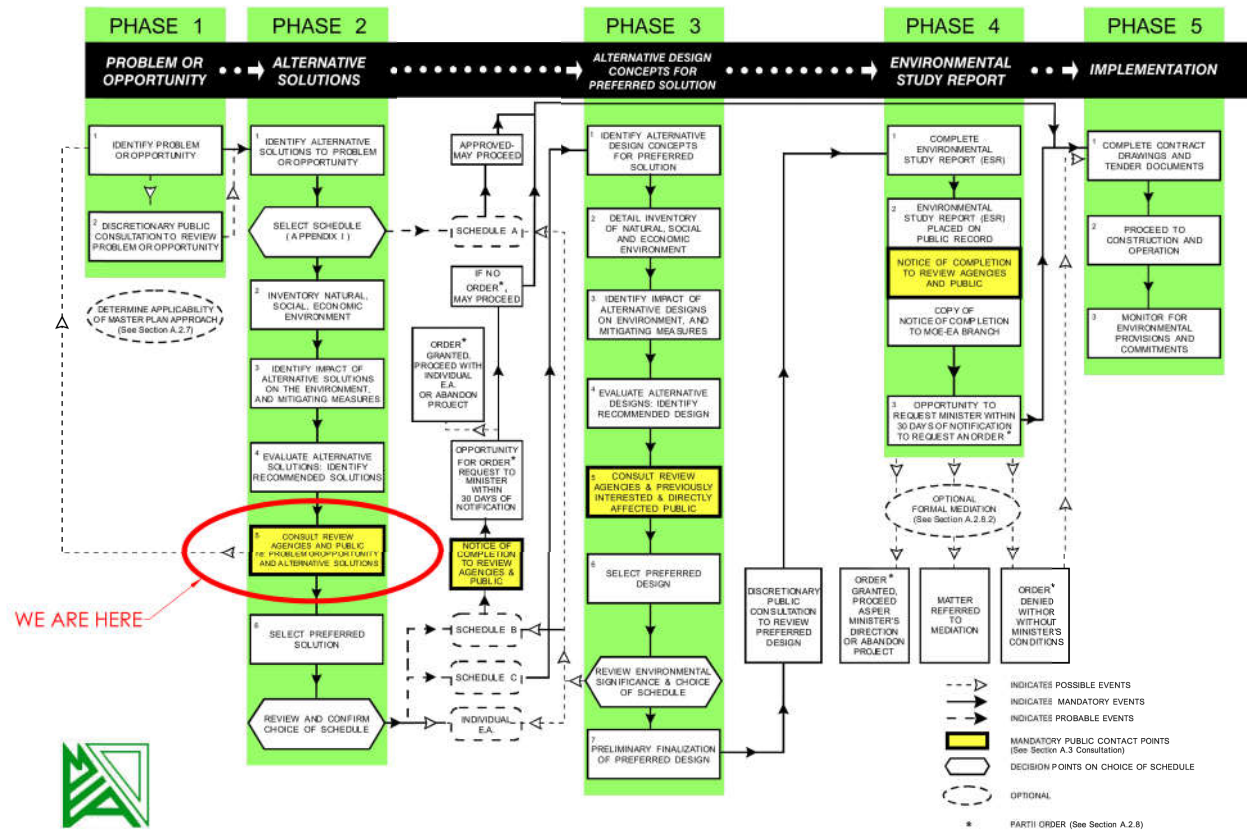


# Municipal Class Environmental Assessment Process

EXHIBIT A.2

## MUNICIPAL CLASS EA PLANNING AND DESIGN PROCESS

NOTE: This flow chart is to be read in conjunction with Part A of the Municipal Class EA



# Phase 1 - Problem or Opportunity

## Phase 1: Identification of Problem or Opportunity

### General Location Plan



### Problem / Opportunity Statement

- The study will identify and evaluate alternatives to rehabilitate the Mill Pond Bridge #100018 with respect to cultural heritage, archeological significance, and environmental impacts.

### Study Area

- The Study Area generally covers the Village of Omeme, ON, with specific attention being given to the area within the immediate vicinity of the bridge and the surrounding residential areas.
- The Study Area includes the central business and residential lands adjacent to the bridge, in addition to commercial lands within the Village of Omeme.
- Mill Pond Bridge #100018 conveys single lane traffic in the east-west direction over Pigeon River, which flows to the north from Mill Pond through the Mill Pond Dam and under Mill Pond Bridge #100018 before crossing King Street East (Highway 7).
- The Study Area meets the following criteria indicative of archaeological potential (MTCS Standards & Guidelines for Consultant Archaeologists, Section 1.3.1):
  - A. Water sources: primary, secondary, or past water source (Pigeon River);
  - B. Early historic transportation routes (King St., Mary St.); and
  - C. Proximity to early settlements (Village of Omeme).

### Purpose of Study

- Mill Pond Bridge #100018 has been identified through structural inspection to be in need of structural rehabilitation or replacement in the near future. The deterioration of the bridge brings into question its ability to perform its functional requirements without structural intervention in the form of rehabilitation. The purpose of this Study is to evaluate alternatives for the rehabilitation / replacement, or repurposing of the Mill Pond Bridge #100018 with respect to the cultural heritage of the bridge, archeological significance of the surrounding area, and potential environmental impacts of the respective alternatives. The findings of the Study will allow the City of Kawartha Lakes to proceed with preferred solution identified throughout the Environmental Assessment process.

### Public and Review Agency Consultation

- A "Notice of Study Commencement" was previously published and sent to review agencies and identified stakeholders.
- This Public Information Centre (PIC) is intended to provide an opportunity for members of the public to review and discuss the project with the City of Kawartha Lakes and its representatives, provide input for consideration during the planning of this project, express any concerns with respect to proposed alternatives and discuss potential impacts associated with construction related to the project.



City of Kawartha Lakes  
Mill Pond Bridge #100018 - Municipal Class EA  
Public Information Centre

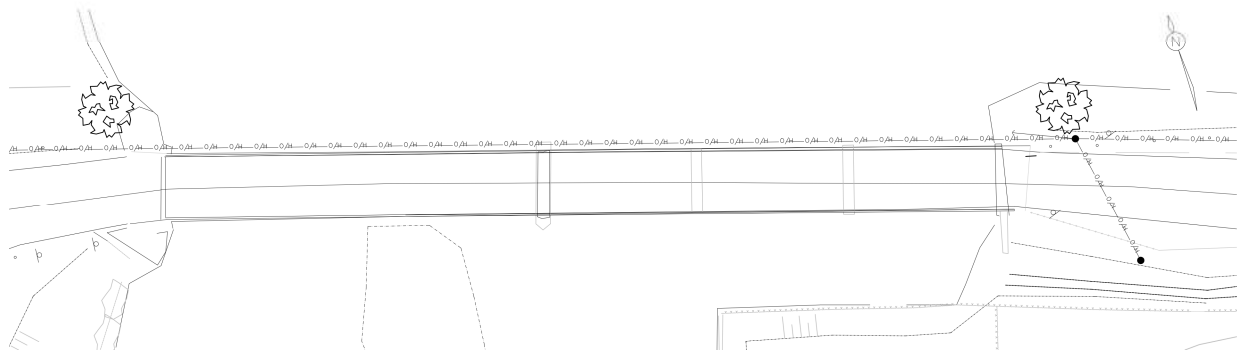




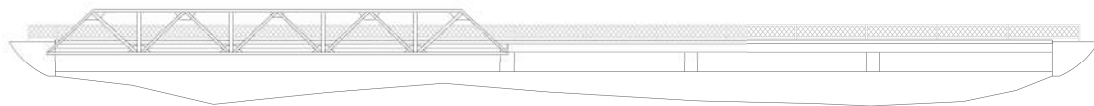
# EXISTING STRUCTURE



ROAD NETWORK



PLAN  
1:150



UPSTREAM ELEVATION  
1:25



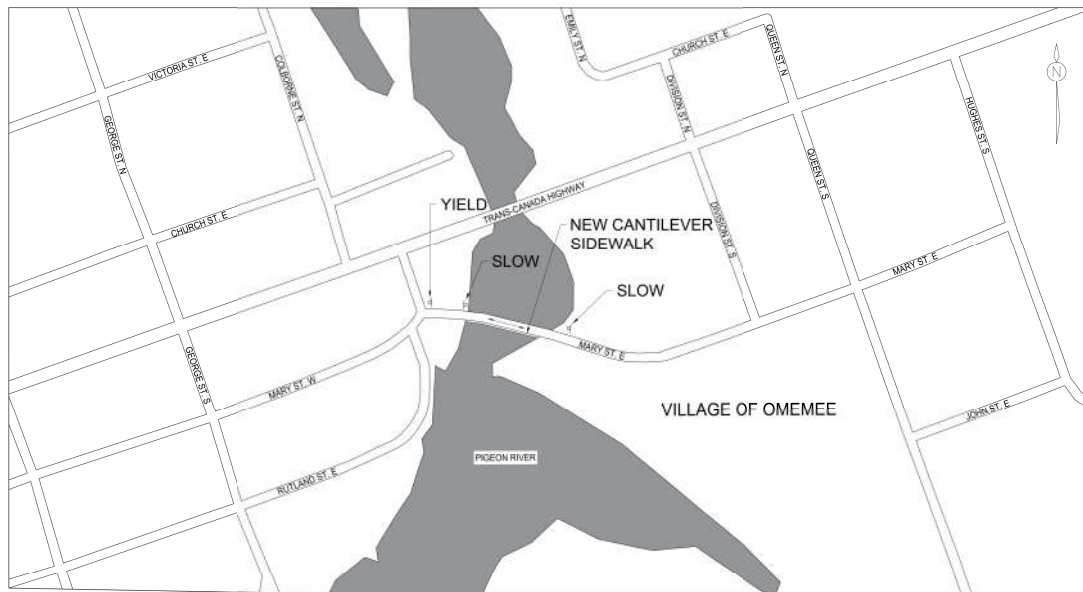
LOOKING WEST OVER DECK TOP



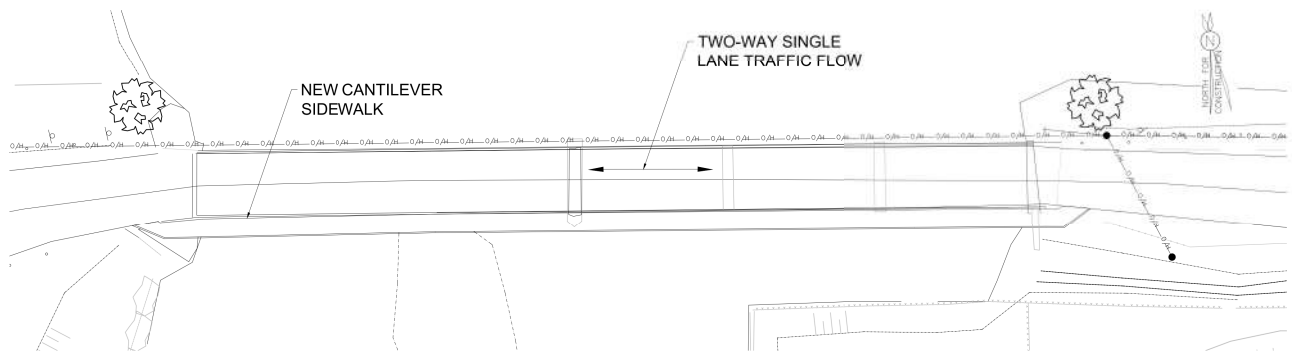
DOWNSTREAM ELEVATION LOOKING SOUTHEAST

# ALTERNATIVE 1

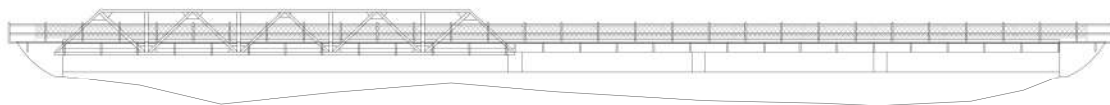
## TWO-WAY TRAFFIC FLOW



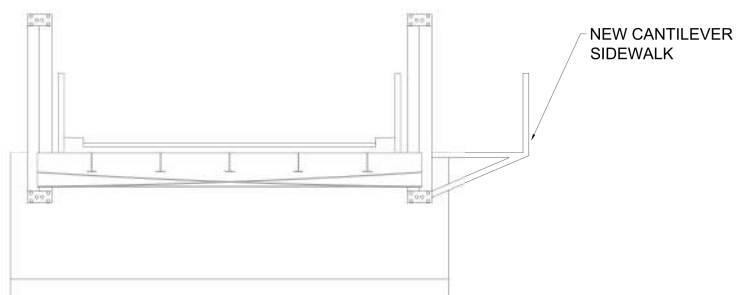
ROAD NETWORK



PLAN  
1:150



UPSTREAM ELEVATION  
1:125



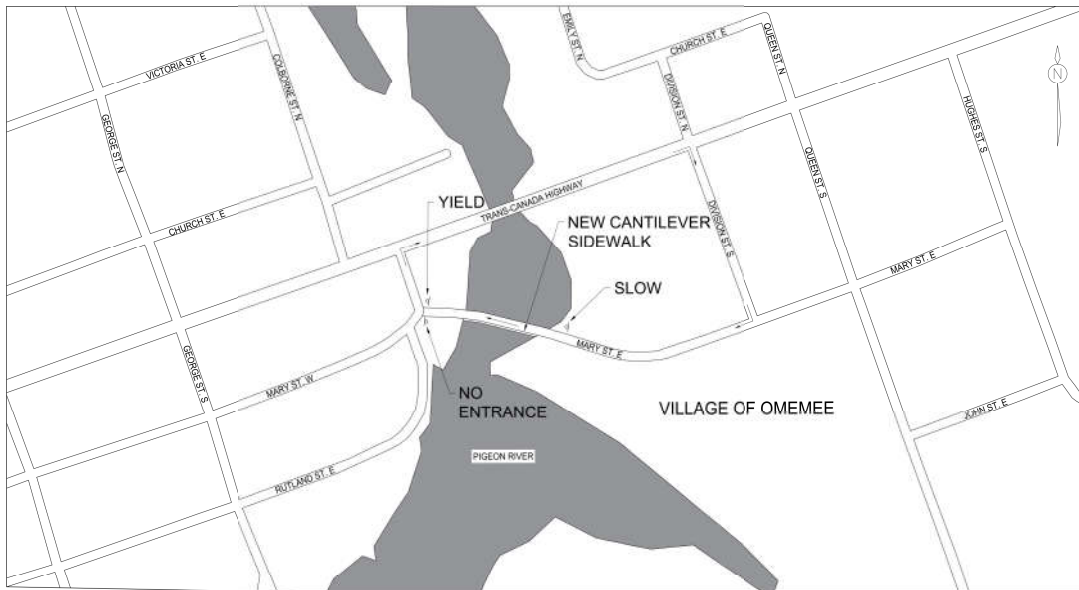
CROSS SECTION - ALTERNATIVE 1

1:30  
336

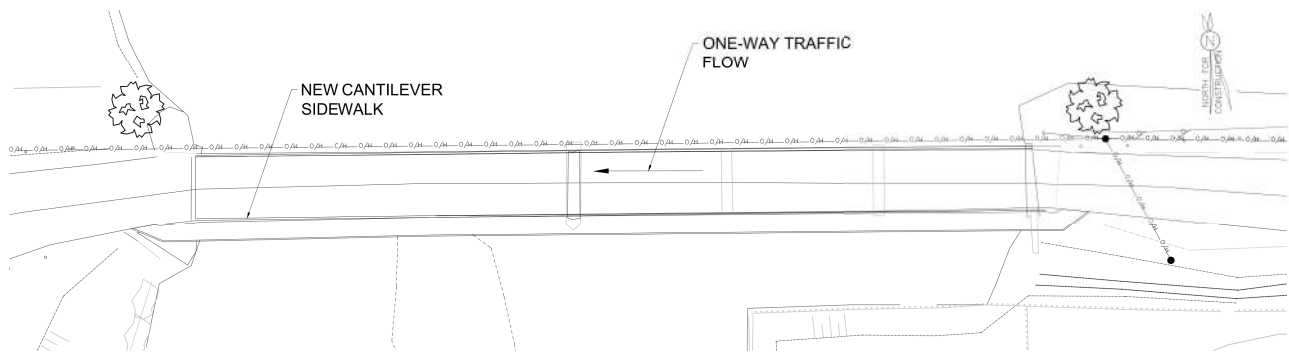


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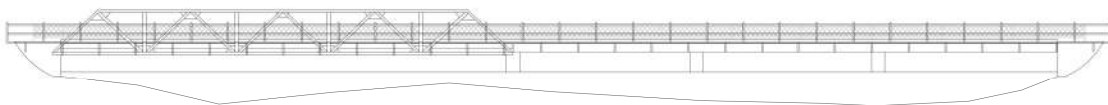
## ONE-WAY TRAFFIC FLOW



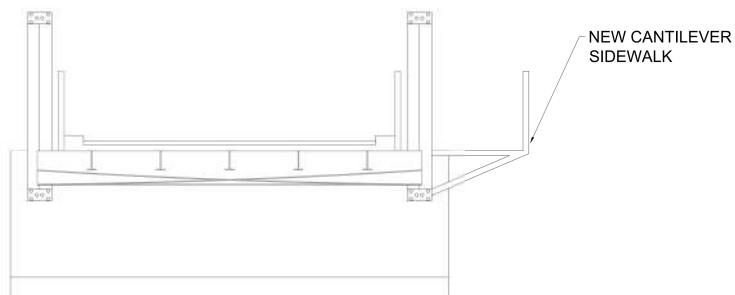
ROAD NETWORK



PLAN  
1:150



UPSTREAM ELEVATION  
1:125

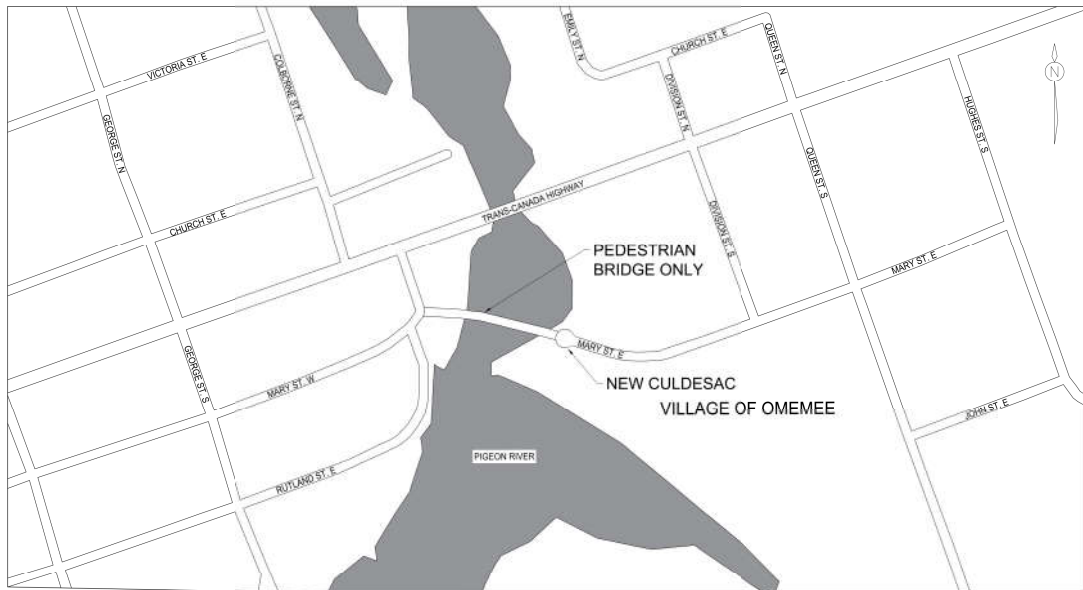


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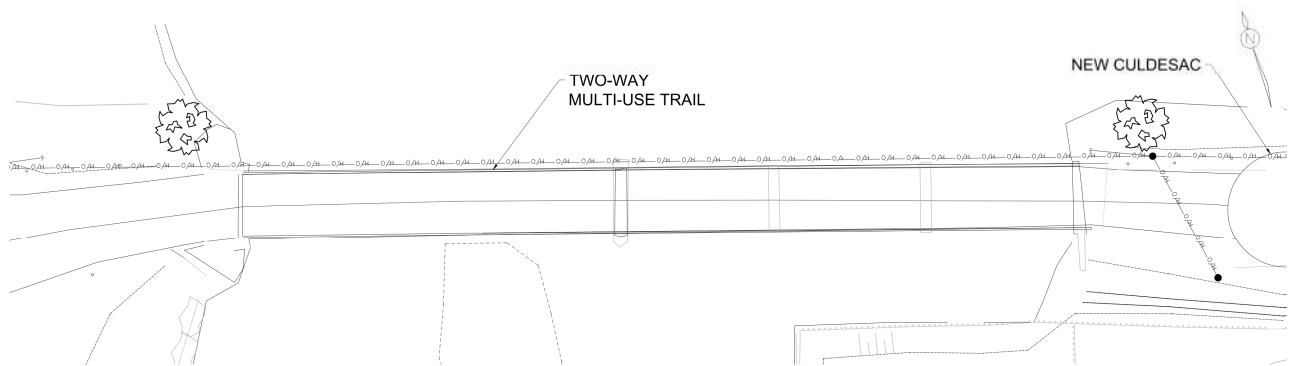
1:30  
337

# ALTERNATIVE 3

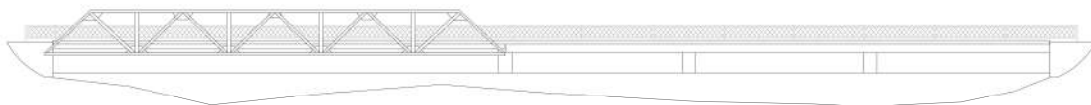
## PEDESTRIAN BRIDGE ONLY



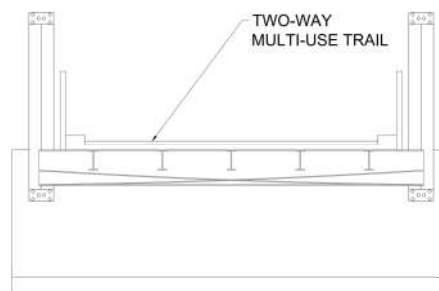
ROAD NETWORK



PLAN  
1:150



UPSTREAM ELEVATION  
1:125

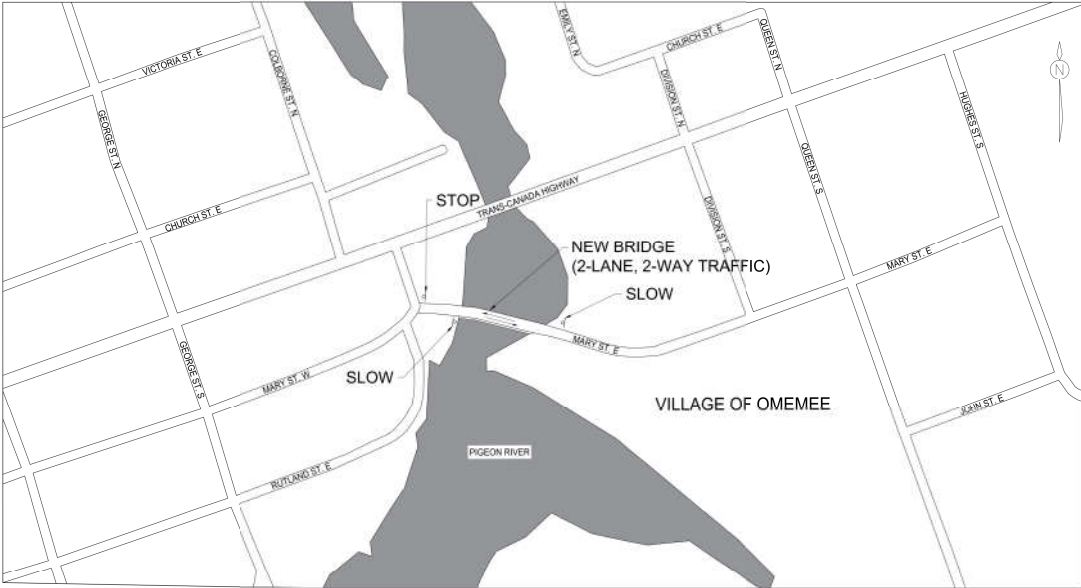


CROSS SECTION - ALTERNATIVE 3

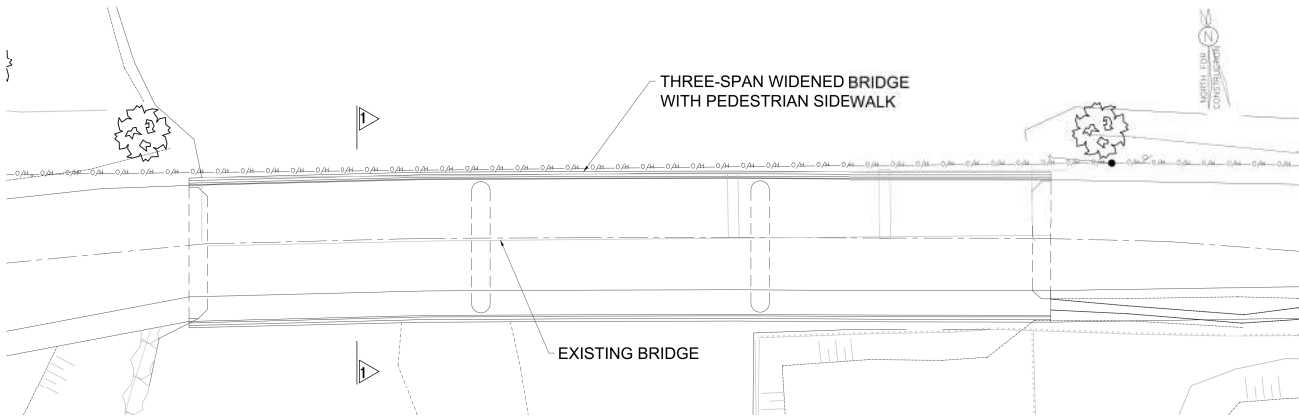
1:30  
338

# ALTERNATIVE 4

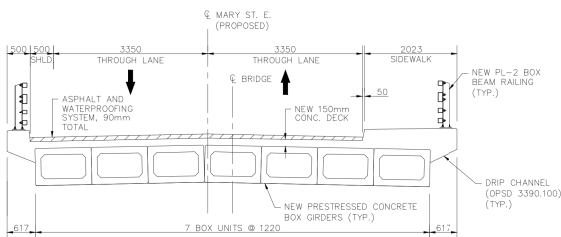
## BRIDGE WIDENING AND REPLACEMENT



ROAD NETWORK

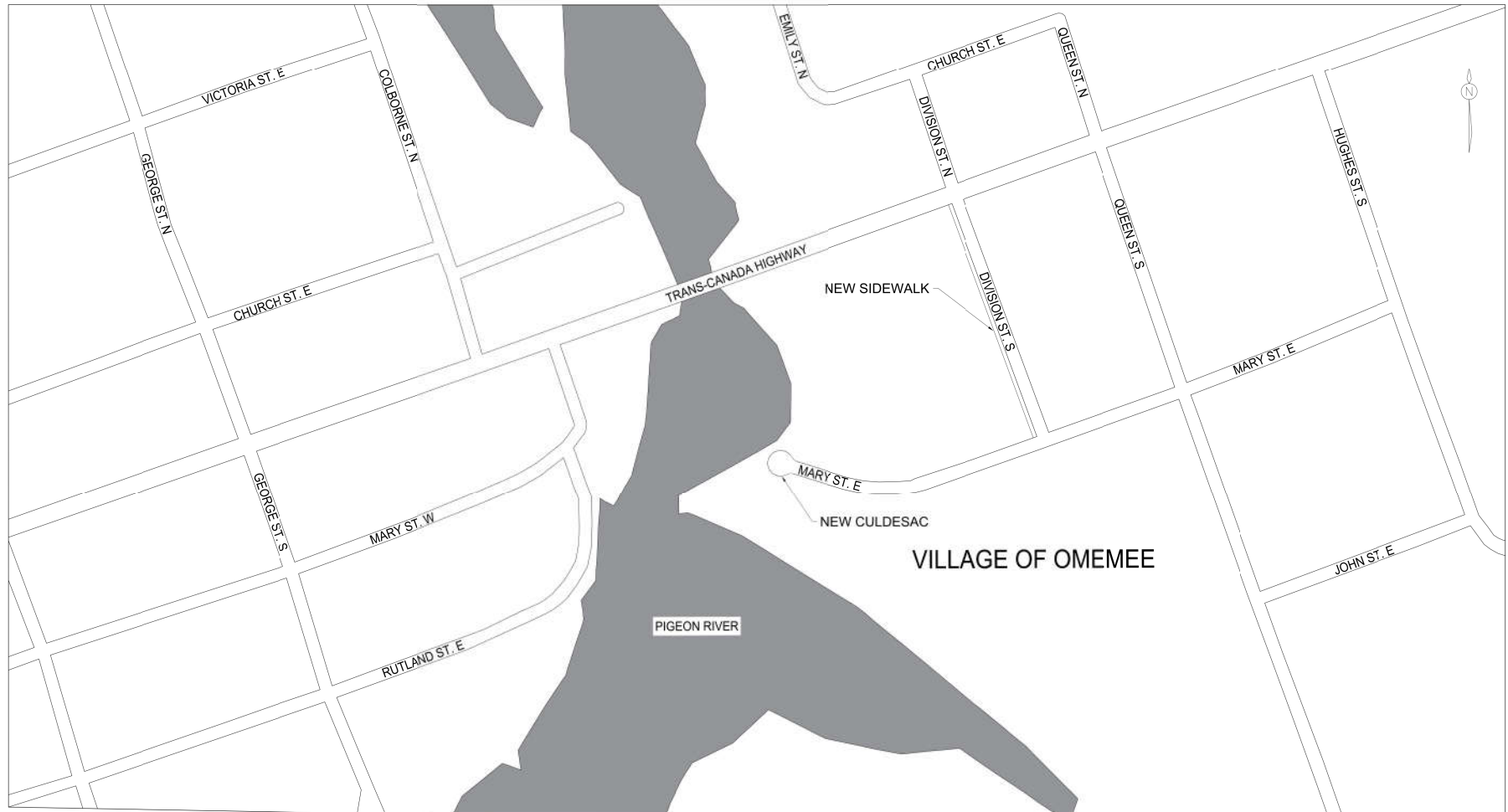


PLAN  
1:150



CROSS SECTION - ALTERNATIVE 4  
1:50

# ALTERNATIVE 5 BRIDGE REMOVAL



## Next Steps and Project Contacts

### Next Steps

- Review Public and Review Agency Input from the PIC.
- Identify Preferred Alternative.
- Identify Alternative Design Concepts for Preferred Solution.
- Detailed Inventory of Natural, Social and Economic Environment.
- Identify Impact of Alternative Designs on Environment and Mitigating Measures.
- Evaluate Alternative Designs: Identify Recommended Design.
- Prepare Draft Environmental Study Report
- Publish "Notice of Study Completion" and place Draft Environmental Study Report on Public Record.
- Review Public and Review Agency comments on Environmental Study Report.
- Detailed Design and Approvals.
- Construction.

### Public Input and Comment

- Feel free to provide written input or comment, for consideration by the project team, using the comment sheets provided or by contacting the identified representatives of the City of Kawartha Lakes or D.M. Wills Associates Limited.
- Information and comments received are collected under the authority of the Municipal Act and will be subject to the requirements of the Freedom of Information and Protection of Privacy Act.
- Should you have any questions or concerns at any time during the project, or would like additional information please contact the identified representatives of the City of Kawartha Lakes or D.M. Wills Associates Limited.

# THANK YOU FOR ATTENDING

#### City of Kawartha Lakes

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City of Kawartha Lakes  
Mill Pond Bridge #100018 - Municipal Class EA  
Public Information Centre





## **Appendix F**

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### **Archaeological Assessment**

**STAGE 1 ARCHAEOLOGICAL ASSESSMENT  
MILL POND BRIDGE REPLACEMENT/REHABILITATION  
PART OF LOT 7, CONCESSION 3  
(FORMER TOWNSHIP OF EMILY, COUNTY OF VICTORIA)  
CITY OF KAWARTHA LAKES  
COUNTY OF PETERBOROUGH, ONTARIO**

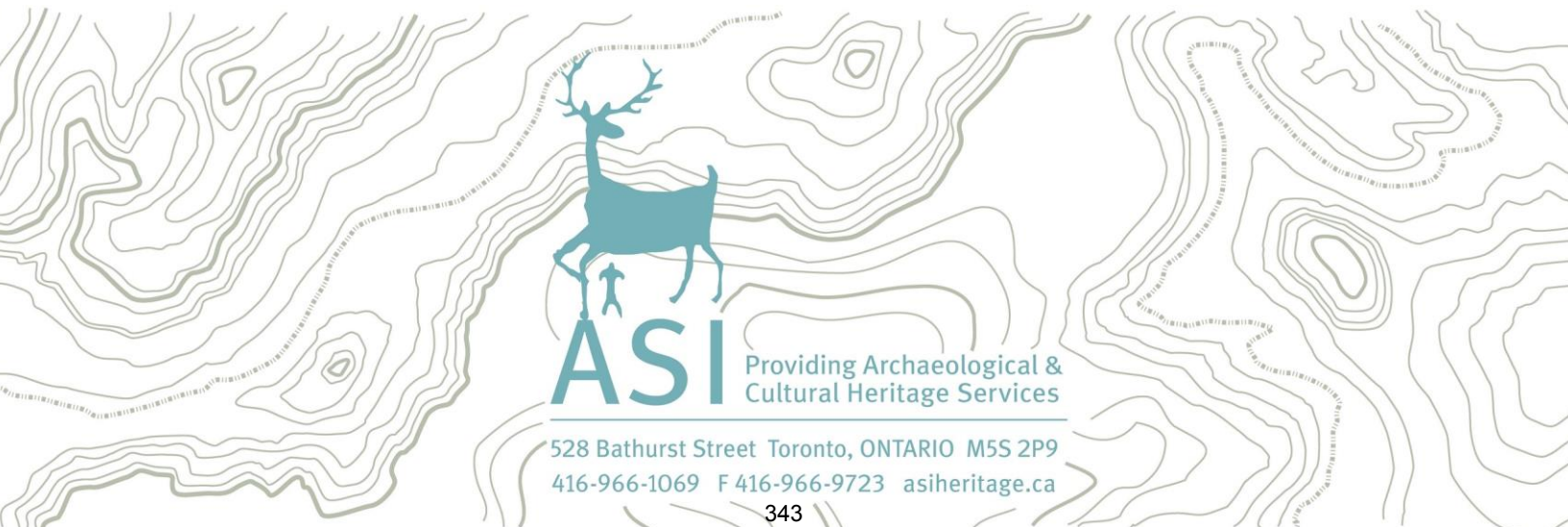
**ORIGINAL REPORT**

Prepared for:

**D.M. Wills Associates Limited**  
150 Jameson Drive  
Peterborough, ON K9J 0B9

Archaeological Licence # P1066 (Lytle)  
Ministry of Tourism, Culture and Sport PIF# P1066-0093-2019  
ASI File: 19EA-002

18 April 2019



**Stage 1 Archaeological Assessment  
Mill Pond Bridge Replacement/Rehabilitation  
Part of Lot 7, Concession 3  
(Former Township of Emily, County of Victoria)  
City of Kawartha Lakes, Ontario**

**EXECUTIVE SUMMARY**

ASI was contracted by D.M. Wills Associates Limited to conduct a Stage 1 Archaeological Assessment (Background Research and Property Inspection) as part of the Mill Pond Bridge Replacement/Rehabilitation in the City of Kawartha Lakes. This project involves the replacement or rehabilitation of the Mill Pond Bridge, Structure No. 100018, located on Mary Street over the Pigeon River in Omemee.

The Stage 1 background study determined that no previously registered archaeological sites are located within one kilometre of the Study Area. The property inspection determined that parts of the Study Area exhibit archaeological potential and will require Stage 2 assessment, if impacted, prior to any construction activities.

In light of these results, the following recommendations are made:

1. The Study Area exhibits archaeological potential. These lands require Stage 2 archaeological assessment by test pit survey at five metre intervals, if impacted, prior to any proposed construction on the property;
2. The remainder of the Study Area does not retain archaeological potential on account of deep and extensive land disturbance, low and wet conditions, or slopes in excess of 20 degrees. These lands do not require further archaeological assessment; and,
3. Should the proposed work extend beyond the current Study Area, further Stage 1 archaeological assessment should be conducted to determine the archaeological potential of the surrounding lands.

## PROJECT PERSONNEL

<i>Senior Project Manager:</i>	Lisa Merritt, MSc. (P094) <i>Partner / Director</i> <i>Environmental Assessment Division</i>
<i>Project Coordinator:</i>	Sarah Jagelewski, Hon. BA (R405) <i>Lead Archaeologist / Manager</i> <i>Environmental Assessment Division</i>
<i>Project Director (Licensee):</i>	Jessica Lytle, MSc (P1066) <i>Associate Archaeologist / Project Manager</i> <i>Environmental Assessment Division</i>
<i>Project Manager:</i>	Eliza Brandy, MA (R1109) <i>Associate Archaeologist / Project Manager</i> <i>Environmental Assessment Division</i>
<i>Field Director:</i>	Johanna Kelly, Msc (P1017) <i>Associate Bioarchaeologist / Cultural Heritage Associate</i> <i>Cultural Heritage Division</i>
<i>Report Preparation:</i>	Eliza Brandy
<i>Graphics:</i>	Jonas Fernandez, MSc (R281) <i>Archaeologist / Assistant Manager - Fleet &amp; Geomatics Specialist</i> <i>Operations Division</i>
<i>Report Reviewer:</i>	Lisa Merritt

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## 1.0 PROJECT CONTEXT

Archaeological Services Inc. (ASI) was contracted by D.M. Wills Associates Limited to conduct a Stage 1 Archaeological Assessment (Background Research and Property Inspection) as part of the Mill Pond Bridge Replacement/Rehabilitation in the City of Kawartha Lakes. This project involves the replacement or rehabilitation of the Mill Pond Bridge, Structure No. 100018, located on Mary Street over the Pigeon River in the community of Omemee (Figure 1).

All activities carried out during this assessment were completed in accordance with the *Ontario Heritage Act* (1990, as amended in 2018) and the 2011 *Standards and Guidelines for Consultant Archaeologists* (S & G), administered by the Ministry of Tourism, Culture and Sport (MTCS 2011).

### 1.1 Development Context

All work has been undertaken as required by the *Environmental Assessment Act*, RSO (Ministry of the Environment 1990 as amended 2010) and regulations made under the Act, and are therefore subject to all associated legislation. This project is being conducted in accordance with the Municipal Engineers' Association document *Municipal Class Environmental Assessment* (2000 as amended in 2007, 2011 and 2015).

ASI has been invited to offer the following land acknowledgement on behalf of the Williams Treaties First Nations: the Mill Pond Bridge study area is located on the Treaty 20 Michi Saagiig territory and in the traditional territory of the Michi Saagiig and Chippewa Nations, collectively known as the Williams Treaties First Nations, which include: Curve Lake, Hiawatha, Alderville, Scugog Island, Rama, Beausoleil, and Georgina Island First Nations. The Williams Treaties First Nations are the stewards and caretakers of these lands and waters in perpetuity, as they have been for thousands of years, and they continue to maintain this responsibility to ensure their health and integrity for generations to come.

Authorization to carry out the activities necessary for the completion of the Stage 1 archaeological assessment was granted by D.M. Wills Associates Limited on January 23, 2019.

### 1.2 Historical Context

The purpose of this section, according to the S & G, Section 7.5.7, Standard 1, is to describe the past and present land use and the settlement history and any other relevant historical information pertaining to the Study Area. A summary is first presented of the current understanding of the Indigenous land use of the Study Area. This is then followed by a review of the historical Euro-Canadian settlement history.

#### 1.2.1 Indigenous Land Use and Settlement

Southern Ontario has been occupied by human populations since the retreat of the Laurentide glacier approximately 13,000 years before present (BP) (Ferris 2013). Populations at this time would have been highly mobile, inhabiting a boreal-parkland similar to the modern sub-arctic. By approximately 10,000 BP, the environment had progressively warmed (Edwards and Fritz 1988) and populations now occupied less extensive territories (Ellis and Deller 1990).

Between approximately 10,000-5,500 BP, the Great Lakes basins experienced low-water levels, and many sites which would have been located on those former shorelines are now submerged. This period produces the earliest evidence of heavy wood working tools, an indication of greater investment of labour in felling trees for fuel, to build shelter, and watercraft production. These activities suggest prolonged seasonal residency at occupation sites. Polished stone and native copper implements were being produced by approximately 8,000 BP; the latter was acquired from the north shore of Lake Superior, evidence of extensive exchange networks throughout the Great Lakes region. The earliest evidence for cemeteries dates to approximately 4,500-3,000 BP and is indicative of increased social organization, investment of labour into social infrastructure, and the establishment of socially prescribed territories (Ellis et al. 1990; Ellis et al. 2009; Brown 1995:13).

Between 3,000-2,500 BP, populations continued to practice residential mobility and to harvest seasonally available resources, including spawning fish. The Woodland period begins around 2,500 BP and exchange and interaction networks broaden at this time (Spence et al. 1990:136, 138) and by approximately 2,000 BP, evidence exists for macro-band camps, focusing on the seasonal harvesting of resources (Spence et al. 1990:155, 164). By 1,500 BP there is macro botanical evidence for maize in southern Ontario, and it is thought that maize only supplemented people's diet. There is earlier phytolithic evidence for maize in central New York State by 2,300 BP - it is likely that once similar analyses are conducted on Ontario ceramic vessels of the same period, the same evidence will be found (Birch and Williamson 2013:13–15). Bands likely retreated to interior camps during the winter. It is generally understood that these populations were Algonquian-speakers during these millennia of settlement and land use.

From the beginning of the Late Woodland period at approximately 1,000 BP, lifeways became more similar to that described in early historical documents. Between approximately 1000-1300 Common Era (CE), the communal site is replaced by the village focused on horticulture. Seasonal disintegration of the community for the exploitation of a wider territory and more varied resource base was still practised (Williamson 1990:317). By 1300-1450 CE, this episodic community disintegration was no longer practised and populations now communally occupied sites throughout the year (Dodd et al. 1990:343). From 1450-1649 CE this process continued with the coalescence of these small villages into larger communities (Birch and Williamson 2013). Through this process, the socio-political organization of the First Nations, as described historically by the French and English explorers who first visited southern Ontario, was developed.

Iroquoian expansion into the Trent Valley began in the late thirteenth and early fourteenth centuries, and the establishment of villages in these areas likely entailed a lengthy period of negotiation and interaction with the Algonquian-speaking groups that utilized the Georgian Bay littoral and the Trent valley. By the early sixteenth century, there was a well-established ancestral Huron-Wendat presence in the upper Trent valley, formed through in-situ cultural development and immigration focussed in the vicinity of Balsam Lake in the upper Trent valley (Gates St.Pierre 2015; Ramsden 2016; Warrick and Lesage 2016; Williamson 2016). Oral histories of both the Huron-Wendat and Mohawk identify ancestral homelands in the St. Lawrence River valley (Gaudreau and Lesage 2016; Lainey 2006; Richard 2016). Wendat accounts provided to early Europeans suggest that the abandonment of the Trent Valley must have occurred by the early seventeenth century as settlement focussed in Huronia – the Arendahronon (Rock Tribe), likely originating with the Benson and Trent-Foster communities, became the easternmost tribe of the confederacy, told Champlain that they had formerly lived in the Trent Valley and had abandoned the area due to fear of enemies (Biggar 1971:3:59). It is noted that Curve Lake First Nation does not agree with this history.



By 1600 CE, the communities within Simcoe County had formed the Confederation of Nations encountered by the first European explorers and missionaries. In the 1640s, the traditional enmity between the Haudenosaunee<sup>1</sup> and the Huron-Wendat (and their Algonquian allies such as the Nipissing and Odawa) led to the dispersal of the Huron-Wendat.

Shortly after dispersal of the Wendat and their Algonquian allies, Ojibwa began to expand into southern Ontario and Michigan from a “homeland” along the east shore of Georgian Bay, west along the north shore of Lake Huron, and along the northeast shore of Lake Superior and onto the Upper Peninsula of Michigan (Rogers 1978:760–762). This history of their homeland and population movement, published in 1978 in the *Smithsonian Handbook of Northamerican Indians, Northeast Volume*, was constructed by Rogers using both Anishinaabeg oral tradition and the European documentary record. Rogers notes that this migration included those populations that were later known as the Chippewa, Ojibwa, Mississauga, and Saulteaux or “Southeastern Ojibwa” groups. He also noted linguistic differences between those groups split between Central Ojibwa-Odawa, spoken primarily by the Odawas of Manitoulin Island and Michigan and some Ojibwas (or Chippewas) of the Lower Peninsula of Michigan and that part of southwestern Ontario lying west of a north-south line drawn through the base of the Bruce peninsula east of which is spoken the second major dialect, spoken by Ojibwa (or Chippewa) and Mississauga. There is also sub-dialectical variation within each major dialect, and some groups and individuals whose speech is fundamentally of one type use certain forms characteristic of the other.

Ojibwa were first encountered by Samuel de Champlain in 1615 along the eastern shores of Georgian Bay. While he probably met Odawa, Etienne Brule later encountered other groups and by 1641, Jesuits had journeyed to Sault Sainte Marie (Thwaites 1896:11:279) and opened the Mission of Saint Peter in 1648 for the occupants of Manitoulin Island and the northeast shore of Lake Huron. The Jesuits reported that these Algonquian peoples lived “solely by hunting and fishing and roam as far as the “Northern sea” to trade for “Furs and Beavers, which are found there in abundance” (Thwaites 1901, 33:67), and “all of these Tribes are nomads, and have no fixed residence, except at certain seasons of the year, when fish are plentiful, and this compels them to remain on the spot” (Thwaites 1896-1901: 33:153). The locations of both Iroquoian and Algonquian groups at the time of first contact are well-documented. The Nipissing lived near Lake Nipissing, which was on the historic route between Quebec and the Wendat country; some wintered with the Wendat (Thwaites 1896-1901: 14:7; 18: 229; 21:239; 23:227; 33:153). Other Algonquian-speaking groups who wintered with the Wendat included the Algonquin led by Captain Yroquet in 1615-16 (Biggar 1971:3:94); the Tonttraronons (an Algonquin tribe), about fifteen cabins of which were wintering near the mission of Saint Jean Baptiste to the Arendaehronons in the Relation of 1640-41 (Thwaites 1896-1901: 21: 247); some Island Algonquins noted in the Relation of 1643-44 (Thwaites 1896-1901: 26:301); and a village of the Atontraronnon Algonquins, who abandoned their country on the shores of the St. Lawrence because of attacks from the Haudenosaunee to live in safety near the village of Saint Jean Baptiste as noted in the Relation of 1643-44 (Thwaites 1896-1901: 27:37).

Other Algonquian groups were recorded along the northern and eastern shores and islands of Lake Huron and Georgian Bay - the “Ouasouarini” [Chippewa], the “Outchougai” [Outchougai], the “Atchiligouan” [Achiligouan] near the mouth of the French River and north of Manitoulin Island the “Amikouai, or the nation of the Beaver” [Amikwa; Algonquian] and the “Oumisagai” [Mississauga; Chippewa] (Thwaites 1896-1901: 18:229, 231). Father Louys André was put in charge of the Mission of Saint Simon on the Lake of the Hurons (Thwaites 1896-1901: 55:133-155). At the end of the summer 1670, he began his

<sup>1</sup> The Haudenosaunee are also known as the New York Iroquois or Five Nations Iroquois and after 1722 Six Nations Iroquois. They were a confederation of five distinct but related Iroquoian-speaking groups – the Seneca, Onondaga, Cayuga, Oneida, and Mohawk. Each lived in individual territories in what is now known as the Finger Lakes district of Upper New York. In 1722 the Tuscarora joined the confederacy.



mission work among the Mississagué, who were located on the banks of a river that empties into Lake Huron approximately 30 leagues from the Sault. These observations were further supported by the maps attributed to Brébeuf (1631/1651) and Bressani (1657). Bréhant de Galinée also created a map of his 1669-70 travels, which provides the location of populations, individual villages, missions and forts, and interesting landscape features and marks the location of the Mississagué and the Amikwa on the north shore of Lake Huron, “the Saulteaux, or in Algonkin Wauüitiköungka Entaöuakk or Ojibways” at Sault Ste Marie (Coyne 1903:73).

After the Huron had been dispersed, the Haudenosaunee began to exert pressure on Ojibwa within their homeland to the north. While their numbers had been reduced through warfare, starvation, and European diseases, the coalescence of various Anishinaabeg groups led to enhanced social and political strength (Thwaites 1896-1901: 52:133) and Sault Sainte Marie was a focal point for people who inhabited adjacent areas both to the east and to the northwest as well as for the Saulteaux, who considered it their home (Thwaites 1896-1901: 54:129-131). The Haudenosaunee established a series of settlements at strategic locations along the trade routes inland from the north shore of Lake Ontario. From east to west, these villages consisted of Ganneious, on Napanee Bay, an arm of the Bay of Quinte; Quinte, near the isthmus of the Quinte Peninsula; Ganaraske, at the mouth of the Ganaraska River; Quintio, at the mouth of the Trent River on the north shore of Rice Lake; Ganatsekwyagon (or Ganestiquiagon), near the mouth of the Rouge River; Teyaiagon, near the mouth of the Humber River; and Quinaouatoua, on the portage between the western end of Lake Ontario and the Grand River (Konrad 1981:135). Their locations near the mouths of the Humber and Rouge Rivers, two branches of the Toronto Carrying Place, strategically linked these settlements with the upper Great Lakes through Lake Simcoe. The inhabitants of these villages were agriculturalists, growing maize, pumpkins and squash, but their central roles were that of portage starting points and trading centres for Iroquois travel to the upper Great Lakes for the annual beaver hunt (Konrad 1974; Williamson et al. 2008:50–52). Ganatsekwyagon, Teyaiagon, and Quinaouatoua were primarily Seneca; Ganaraske, Quinte and Quintio were likely Cayuga, and Ganneious was Oneida, but judging from accounts of Teyaiagon, all of the villages might have contained peoples from a number of the Iroquois constituencies (ASI 2013).

During the 1690s, some Ojibwe began moving south into extreme southern Ontario and soon replaced, it appears by force, the Haudenosaunee who had settled after 1650 along the north shores of Lakes Erie and Ontario. By the first decade of the eighteenth century, the Michi Saagiig Anishinaabeg (Mississauga Anishinaabeg) had settled at the mouth of the Humber, near Fort Frontenac at the east end of Lake Ontario and the Niagara region and within decades were well established to the south of their former homeland. In 1736, the French estimated there were 60 men at Lake Saint Clair and 150 among small settlements at Quinte, the head of Lake Ontario, the Humber River, and Matchedash (Rogers 1978:761). The history of Anishinaabeg movement from along the north shore of Lake Huron and their military actions against the Haudenosaunee is based almost entirely on Anishinaabeg oral tradition provided by elders such as George Copway, or Kahgegagahbowh or Robert Paudash. George Copway was born among the Mississauga in 1818 and followed a traditional lifestyle until his family converted to Christianity. He became a Methodist missionary in Canada and the US, including to the Saugeen Mission for a period, and later a popular author and lecturer (MacLeod 1992:197; Smith 2000).

According to Copway, the objectives of campaigns against the Haudenosaunee were to create a safe trade route between the French and the Ojibway, to regain the land abandoned by the Wendat and “drive the Iroquois wholly from the peninsula.” Copway describes more than 700 canoes meeting near Sault Ste Marie and splitting into three parties for a three-pronged attack via the Ottawa River, Lake Simcoe and along the Trent River, and the St. Clair River, and all of which had fierce engagements with the Haudenosaunee. While various editions of Copway’s book have these battles occurring in the mid-



seventeenth century, common to all is a statement that the battles occurred around 40 years after the dispersal of the Huron (Copway 1850:88; Copway 1851:91; Copway 1858:91). Various scholars agree with this timeline ranging from 1687, in conjunction with Denonville's attack on Seneca villages (Johnson 1986:48; Schmalz 1991:21–22) to around the mid- to late-1690s leading up to the Great Peace of 1701 (Schmalz 1977:7; Bowman 1975:20; Smith 1975:215; Tanner 1987:33; Von Gernet 2002:7–8).

Robert Paudash's 1904 account of Mississauga origins is like that of Copway's and relies on oral history. It came from Paudash's father, who died at the age of 75 in 1893 and was the last hereditary chief of the Mississauga at Rice Lake. His account in turn came from his father Cheneebeesh, who died in 1869 at the age of 104 and was the last sachem or Head Chief of all the Mississaugas. He also relates a story of origin on the north shore of Lake Huron near the river that gave them their name having been founded by a party of Shawnee (Paudash 1905:7–8) and later, after the dispersal of the Wendat, carrying out coordinated attacks against the Haudenosaunee.

Francis Assikinack (1858:308–309) provides similar details on battles with the Haudenosaunee. Francis Assikinack (b. 1824) was an Ojibwa of Manitoulin Island. He enrolled at Upper Canada College when he was 16 and after graduation, worked for the Indian Department as an interpreter, clerk, and teacher.

Doug Williams (Gidigaa Migizi) is a former chief of the Curve Lake First Nation and is a Pipe Carrier, Sweat Lodge Keeper and Associate Professor/Director of Studies for the Ph.D. Program of the Chanie Wenjack School of Indigenous Studies at Trent University. His oral histories were related to him by his grandparents, great uncle and their contemporaries and he relates that the Mississauga pushed the Haudenosaunee out of southern Ontario (Migizi 2018:42–44). A detailed history of the Michi Saagiig prepared by Gitiga Migizi was provided to ASI by Dr. Julie Kapyrka of Curve Lake First Nation (Migizi and Kapyrka 2015) for inclusion in this report:

The traditional homelands of the Michi Saagiig (Mississauga Anishinaabeg) encompass a vast area of what is now known as southern Ontario. The Michi Saagiig are known as “the people of the big river mouths” and were also known as the “Salmon People” who occupied and fished the north shore of Lake Ontario where the various tributaries emptied into the lake. Their territories extended north into and beyond the Kawarthas as winter hunting grounds on which they would break off into smaller social groups for the season, hunting and trapping on these lands, then returning to the lakeshore in spring for the summer months.

The Michi Saagiig were a highly mobile people, travelling vast distances to procure subsistence for their people. They were also known as the “Peacekeepers” among Indigenous nations. The Michi Saagiig homelands were located directly between two very powerful Confederacies: The Three Fires Confederacy to the north and the Haudenosaunee Confederacy to the south. The Michi Saagiig were the negotiators, the messengers, the diplomats, and they successfully mediated peace throughout this area of Ontario for countless generations.

Michi Saagiig oral histories speak to their people being in this area of Ontario for thousands of years. These stories recount the “Old Ones” who spoke an ancient Algonquian dialect. The histories explain that the current Ojibwa phonology is the 5th transformation of this language, demonstrating a linguistic connection that spans back into deep time. The Michi Saagiig of today are the descendants of the ancient peoples who lived in Ontario during the Archaic and Paleo-Indian periods. They are the original inhabitants of southern Ontario, and they are still here today.

The traditional territories of the Michi Saagiig span from Gananoque in the east, all along the north shore of Lake Ontario, west to the north shore of Lake Erie at Long Point. The territory spreads as far north as the tributaries that flow into these lakes, from Bancroft and north of the Haliburton highlands.

This also includes all the tributaries that flow from the height of land north of Toronto like the Oak Ridges Moraine, and all of the rivers that flow into Lake Ontario (the Rideau, the Salmon, the Ganaraska, the Moira, the Trent, the Don, the Rouge, the Etobicoke, the Humber, and the Credit, as well as Wilmot and 16 Mile Creeks) through Burlington Bay and the Niagara region including the Welland and Niagara Rivers, and beyond. The western side of the Michi Saagiig Nation was located around the Grand River which was used as a portage route as the Niagara portage was too dangerous. The Michi Saagiig would portage from present-day Burlington to the Grand River and travel south to the open water on Lake Erie.

Michi Saagiig oral histories also speak to the occurrence of people coming into their territories sometime between 500-1000 A.D. seeking to establish villages and a corn growing economy – these newcomers included peoples that would later be known as the Huron-Wendat, Neutral, Petun/Tobacco Nations. The Michi Saagiig made Treaties with these newcomers and granted them permission to stay with the understanding that they were visitors in these lands. Wampum was made to record these contracts, ceremonies would have bound each nation to their respective responsibilities within the political relationship, and these contracts would have been renewed annually (see Gitiga Migizi and Kapyrka 2015). These visitors were extremely successful as their corn economy grew as well as their populations. However, it was understood by all nations involved that this area of Ontario were the homeland territories of the Michi Saagiig.

The Odawa Nation worked with the Michi Saagiig to meet with the Huron-Wendat, the Petun, and Neutral Nations to continue the amicable political and economic relationship that existed – a symbiotic relationship that was mainly policed and enforced by the Odawa people.

Problems arose for the Michi Saagiig in the 1600s when the European way of life was introduced into southern Ontario. Also, around the same time, the Haudenosaunee were given firearms by the colonial governments in New York and Albany which ultimately made an expansion possible for them into Michi Saagiig territories. There began skirmishes with the various nations living in Ontario at the time. The Haudenosaunee engaged in fighting with the Huron-Wendat and between that and the onslaught of European diseases, the Iroquoian speaking peoples in Ontario were decimated.

The onset of colonial settlement and missionary involvement severely disrupted the original relationships between these Indigenous nations. Disease and warfare had a devastating impact upon the Indigenous peoples of Ontario, especially the large sedentary villages, which mostly included Iroquoian speaking peoples. The Michi Saagiig were largely able to avoid the devastation caused by these processes by retreating to their wintering grounds to the north, essentially waiting for the smoke to clear.

Michi Saagiig Elder Gitiga Migizi (2017) recounts:

*“We weren’t affected as much as the larger villages because we learned to paddle away for several years until everything settled down. And we came back and tried to bury the bones of the Huron, but it was overwhelming, it was all over, there were bones all over – that is our story.*

*There is a misnomer here, that this area of Ontario is not our traditional territory and that we came in here after the Huron-Wendat left or were defeated, but that is not true. That is a big misconception of our history that needs to be corrected. We are the traditional people, we are the ones that signed treaties with the Crown. We are recognized as the ones who signed these treaties and we are the ones to be dealt with officially in any matters concerning territory in southern Ontario.*

*We had peacemakers go to the Haudenosaunee and live amongst them in order to change their ways. We had also diplomatically dealt with some of the strong chiefs to the north and*

*tried to make peace as much as possible. So, we are very important in terms of keeping the balance of relationships in harmony.*

*Some of the old leaders recognized that it became increasingly difficult to keep the peace after the Europeans introduced guns. But we still continued to meet, and we still continued to have some wampum, which doesn't mean we negated our territory or gave up our territory – we did not do that. We still consider ourselves a sovereign nation despite legal challenges against that. We still view ourselves as a nation and the government must negotiate from that basis.”*

Often times, southern Ontario is described as being “vacant” after the dispersal of the Huron-Wendat peoples in 1649 (who fled east to Quebec and south to the United States). This is misleading as these territories remained the homelands of the Michi Saagiig Nation.

The Michi Saagiig participated in eighteen treaties from 1781 to 1923 to allow the growing number of European settlers to establish in Ontario. Pressures from increased settlement forced the Michi Saagiig to slowly move into small family groups around the present-day communities: Curve Lake First Nation, Hiawatha First Nation, Alderville First Nation, Scugog Island First Nation, New Credit First Nation, and Mississauga First Nation.

Peace was achieved between the Haudenosaunee and the Anishinaabek Nations in August of 1701 when representatives of more than twenty Anishinaabek Nations assembled in Montreal to participate in peace negotiations (Johnston 2004:10). During these negotiations captives were exchanged and the Iroquois and Anishinaabek agreed to live together in peace. Peace between these nations was confirmed again at council held at Lake Superior when the Iroquois delivered a wampum belt to the Anishinaabek Nations. From the beginning of the eighteenth century to the assertion of British sovereignty in 1763, there is no interruption to Anishinaabeg control and use of southern Ontario. While hunting in the territory was shared, and subject to the permission of the various nations for access to their lands, its occupation was by Anishinaabeg until the assertion of British sovereignty, the British thereafter negotiating treaties with them. Eventually, with British sovereignty, tribal designations changed (Smith 1975:221–222; Surtees 1985:20–21). The word “Saulteux,” for example, was gradually substituted by “Chippewa” while the north shore of Lake Ontario groups became known as “Mississauga,” although some observers, like John Graves Simcoe, described them as a branch of the “Chippewa” and the two terms were often used as synonyms. The nineteenth-century Mississauga also called themselves “Ojibwa,” especially when addressing an English-speaking audience (Jones 1861:31).

According to Rogers (1978), by the twentieth century, the Department of Indian Affairs had divided the “Anishinaubag” into three different tribes, despite the fact that by the early eighteenth century, this large Algonquian-speaking group, who shared the same cultural background, “stretched over a thousand miles from the St. Lawrence River to the Lake of the Woods.” With British land purchases and treaties, the bands at Beausoleil Island, Cape Croker, Christian Island, Georgina and Snake Islands, Rama, Sarnia, Saugeen, the Thames, and Walpole, became known as “Chippewa” while the bands at Alderville, New Credit, Mud Lake, Rice Lake, and Scugog, became known as “Mississauga.” The northern groups on Lakes Huron and Superior, who signed the Robinson Treaty in 1850, appeared and remained as “Ojibbewas” in historical documents.

In 1763, following the fall of Quebec, New France was transferred to British control at the Treaty of Paris. The British government began to pursue major land purchases to the north of Lake Ontario in the early nineteenth century, the Crown acknowledged the Mississaugas as the owners of the lands between Georgian Bay and Lake Simcoe and entered into negotiations for additional tracts of land as the need arose to facilitate European settlement.



The eighteenth century saw the ethnogenesis in Ontario of the Métis, when Métis people began to identify as a separate group, rather than as extensions of their typically maternal First Nations and paternal European ancestry (Métis National Council n.d.). Métis populations were predominantly located north and west of Lake Superior, however, communities were located throughout Ontario (MNC n.d.; Stone and Chaput 1978:607,608). During the early nineteenth century, many Métis families moved towards locales around southern Lake Huron and Georgian Bay, including Kincardine, Owen Sound, Penetanguishene, and Parry Sound (MNC n.d.). Recent decisions by the Supreme Court of Canada (Supreme Court of Canada 2003; Supreme Court of Canada 2016) have reaffirmed that Métis people have full rights as one of the Indigenous people of Canada under subsection 91(24) of the Constitution Act, 1867.

The Study Area is within Treaty 20 and the Williams Treaties of 1923, on the traditional territory of the Michi Saagiig and Chippewa Nations, collectively known as the Williams Treaties First Nations, including the Mississaugas of Alderville First Nation, Curve Lake First Nation, Hiawatha First Nation, Scugog Island First Nation and the Chippewas of Beausoleil First Nation, Georgina Island First Nation and the Rama First Nation (Williams Treaties First Nations 2017). In October and November of 1923, the governments of Canada and Ontario, chaired by A.S. Williams, signed treaties with the Chippewa and Mississauga for three large tracts of land in central Ontario and the northern shore of Lake Ontario which had never been included in previous treaties (Department of Indigenous and Northern Affairs 2013). Part of the Williams Treaties area includes lands originally negotiated under the Rice Lake Treaty, Treaty No. 20, signed on November 5, 1818 between the Mississaugas in the Rice Lake area and the Crown, which opened up colonization for settlers (Department of Indigenous and Northern Affairs 2016).

### ***1.2.2 Euro-Canadian Land Use: Township Survey and Settlement***

Historically, the Study Area is located in the Former Emily Township, Victoria County in part of Lot 7, Concession 3.

The S & G stipulates that areas of early Euro-Canadian settlement (pioneer homesteads, isolated cabins, farmstead complexes), early wharf or dock complexes, pioneer churches, and early cemeteries are considered to have archaeological potential. Early historical transportation routes (trails, passes, roads, railways, portage routes), properties listed on a municipal register or designated under the *Ontario Heritage Act* or a federal, provincial, or municipal historic landmark or site are also considered to have archaeological potential.

For the Euro-Canadian period, the majority of early nineteenth century farmsteads (i.e., those that are arguably the most potentially significant resources and whose locations are rarely recorded on nineteenth century maps) are likely to be located in proximity to water. The development of the network of concession roads and railroads through the course of the nineteenth century frequently influenced the siting of farmsteads and businesses. Accordingly, undisturbed lands within 100 m of an early settlement road are also considered to have potential for the presence of Euro-Canadian archaeological sites.

The first Europeans to arrive in the area were transient merchants and traders from France and England, who followed Indigenous pathways and set up trading posts at strategic locations along the well-traveled river routes. All of these occupations occurred at sites that afforded both natural landfalls and convenient access, by means of the various waterways and overland trails, into the hinterlands. Early transportation routes followed existing Indigenous trails, both along the lakeshore and adjacent to various creeks and rivers (ASI 2006).

### *Emily Township*

Emily Township was opened to settlers in 1821, after the signing of Treaty 20. The Cottingham and Laidley families were amongst the first to build log cabins in the area. A wave of immigration from Ireland came to Emily Township, with a group of 142 families, part of the Robinson immigration, settling in the north half of the township. A store was opened by the mill in 1826, and in 1835 a post office was established, called Emily, though the hamlet was known as Williamstown. That same year the first school was built on the site of the later Bradburn's Hotel. In 1826 Methodists built a church on the northwest corner of Lot 13, Concession 2. An Anglican and a Methodist church were later built in Williamstown. The Port Hope, Lindsay and Beaverton Railway was built through the township in 1857, but the station was placed outside of the village. This line was part of the Midland Railway System within the Grand Trunk rail network and a branch was later extended to Peterborough and Millbrook. By 1878 the population was 835, and there were three churches, a high school and a public school, a gristmill, two mills, a tannery, a foundry, a shingle mill, a cloth mill, four hotels and several stores. By 1920 the population was 467 (Mika and Mika 1977; Miles & Co. 1879; Stephenson 1995; Andreae 1997; Kirkonnell 1967; Pammatt 1974).

### *Village of Omemee*

In 1816, a group of Irish emigrants arrived to Emily Township and settled along the Pigeon River at what is now Omemee. The first church was built in 1826 and around that time the Cottingham family had built grist and lumber mills on the river. By 1835 the village was laid out on the west side of the river and by 1843, the village had a post office and was known as Metcalfe. When the Port Hope, Lindsay and Beaverton Railway came through the north end of the village in 1857, Omemee was renamed for the Mississauga word meaning pigeon, and was incorporated as a village in 1874 with a population of approximately 900. The Cottingham mill was rebuilt in 1872 and operated until it was destroyed by fire in 1972. Omemee was a centre of shipping timber and grain throughout the nineteenth and early twentieth centuries, and also had a woolen mill and weavers, a tannery, a pump factory, and various merchants and tradespeople (Virtual Museum 2019; Brown 2010; Ontario Genealogy 2019).

### **1.2.3 Historical Map Review**

The 1877 *Map of the County of Victoria* (Patterson 1877), the 1881 Victoria Supplement in the *Illustrated Atlas of the Dominion of Canada* (Belden 1881), and the 1881 Goad's Fire Insurance Plan of Omemee (Goad, C.E. 1881) were examined to determine the presence of historic features within the Study Area during the nineteenth century (Table 1; Figures 2-4).

It should be noted, however, that not all features of interest were mapped systematically in the Ontario series of historical atlases, given that they were financed by subscription, and subscribers were given preference with regard to the level of detail provided on the maps. Moreover, not every feature of interest would have been within the scope of the atlases.

In addition, the use of historical map sources to reconstruct/predict the location of former features within the modern landscape generally proceeds by using common reference points between the various sources. These sources are then geo-referenced in order to provide the most accurate determination of the location of any property on historic mapping sources. The results of such exercises are often imprecise or even contradictory, as there are numerous potential sources of error inherent in such a process, including the vagaries of map production (both past and present), the need to resolve differences of scale and



resolution, and distortions introduced by reproduction of the sources. To a large degree, the significance of such margins of error is dependent on the size of the feature one is attempting to plot, the constancy of reference points, the distances between them, and the consistency with which both they and the target feature are depicted on the period mapping.

Table 1: Nineteenth-century property owner(s) and historical features(s) within or adjacent to the Study Area

1877				1881 Fire Insurance Plan	
Con #	Lot #	Property Owner(s)	Historical Feature(s)	Property Owner(s)	Historical Feature(s)
3	7	Omeme	Grist mills (2), town lots None	Omeme	Town lots
Pt. Cottingham Est.					

According to the 1877 map, two grist mills were located on the Pigeon River and a road is shown crossing the river along what is now Mary Street, forming an island between the main river channel and the mill race to the east. The map also shows the large mill pond south of the Study Area. The 1881 map shows the limits of the historical Omeme village centre.

The 1881 Omeme fire insurance plan identifies the material of the bridge as wood. A dam is visible south of the subject bridge at the head of the mill pond. It also depicts a grist and flour mill owned by J. Beatty, a woollen mill owned by Thomas Ivory, and a steam saw mill owned by Thomas Stevens. All these structures are depicted south of the bridge and adjacent to the dam.

#### 1.2.4 Twentieth-Century Mapping Review

The 1931 National Topographic System (NTS) Lindsay Sheet (Department of National Defence 1931), 1954 aerial photograph of Omeme (University of Toronto 1954), and the 1999 NTS Lindsay Sheet (Natural Resources Canada 1999) were examined to determine the extent and nature of development and land uses within the Study Area (Figures 5-7).

The 1930 map illustrates that the dam had been built south of the Study Area. The map shows that Mary Street East was an unmetalled roadway carried over the river by a wood bridge. On the east bank of the river, a church and house are shown fronting King Street, and a house is shown on the south side of Mary Street. On the west bank, one house is shown between King and Mary Streets. The 1954 aerial photograph and 1999 map illustrates that Omeme remained within its historical limits surrounded by a rural agricultural landscape into the late-twentieth century.

### 1.3 Archaeological Context

This section provides background research pertaining to previous archaeological fieldwork conducted within and in the vicinity of the Study Area, its environmental characteristics (including drainage, soils or surficial geology and topography, etc.), and current land use and field conditions. Three sources of information were consulted to provide information about previous archaeological research: the site record forms for registered sites available online from the MTCS through “Ontario’s Past Portal”; published and unpublished documentary sources; and the files of ASI.

### **1.3.1 Current Land Use and Field Conditions**

A review of available Google satellite imagery shows that the Study Area has remained relatively unchanged since 2009.

A Stage 1 property inspection was conducted on March 26, 2019 that noted the Study Area is located along Mary Street between Rutland Street East and Division Street South, south of King Street East. Mary Street is a paved one-lane road. The east side of the river consists of twentieth-century residential properties at 36 and 43 Mary Street East. The river banks on the south side of Mary Street have been heavily modified as part of the construction of the dam. North of Mary Street the river banks are naturalized and marshy. The Mill Pond Bridge (B 100018) is a four-span structure featuring a single span half-through Warren truss structure in the west integrated with a three span I-beam structure in the east. The superstructure rests on concrete abutments and concrete piers. The bridge carries a single lane of east and west Mary Street East vehicular traffic over the Pigeon River approximately 50 metres south of the intersection of King Street West and Mary Street East in the community of Omemee, City of Kawartha Lake. Construction of the approaches and rip-rap on the western bank was provided by County of Victoria labourers (Watchman Warder 1953). The approaches to the bridge are at-grade on the north and south sides and feature wooden posts on the north side; metal and concrete, as well as wooden posts on the south side. The Pigeon River flows in a southwest to northeast alignment under the bridge which is downstream from a dam structure. The margins of the watercourse feature vegetated floodplains to the northwest and southeast of the structure. Stones line the Pigeon River south of the structure on the northwest side.

### **1.3.2 Geography**

In addition to the known archaeological sites, the state of the natural environment is a helpful indicator of archaeological potential. Accordingly, a description of the physiography and soils are briefly discussed for the Study Area.

The S & G stipulates that primary water sources (lakes, rivers, streams, creeks, etc.), secondary water sources (intermittent streams and creeks, springs, marshes, swamps, etc.), ancient water sources (glacial lake shorelines indicated by the presence of raised sand or gravel beach ridges, relic river or stream channels indicated by clear dip or swale in the topography, shorelines of drained lakes or marshes, cobble beaches, etc.), as well as accessible or inaccessible shorelines (high bluffs, swamp or marsh fields by the edge of a lake, sandbars stretching into marsh, etc.) are characteristics that indicate archaeological potential.

Water has been identified as the major determinant of site selection and the presence of potable water is the single most important resource necessary for any extended human occupation or settlement. Since water sources have remained relatively stable in Ontario since 5,000 BP (Karrow and Warner 1990:Figure 2.16), proximity to water can be regarded as a useful index for the evaluation of archaeological site potential. Indeed, distance from water has been one of the most commonly used variables for predictive modeling of site location.

Other geographic characteristics that can indicate archaeological potential include: elevated topography (eskers, drumlins, large knolls, and plateaux), pockets of well-drained sandy soil, especially near areas of heavy soil or rocky ground, distinctive land formations that might have been special or spiritual places, such as waterfalls, rock outcrops, caverns, mounds, and promontories and their bases. There may be

physical indicators of their use, such as burials, structures, offerings, rock paintings or carvings. Resource areas, including: food or medicinal plants (migratory routes, spawning areas) are also considered characteristics that indicate archaeological potential (S & G, Section 1.3.1).

The Study Area is within drumlinized till plains of the Peterborough Drumlin Field, which extends from Simcoe County east to Hastings County and is generally characterized by rolling till plains overlying limestone bedrock. The region is approximately 4,532 km<sup>2</sup> and contains over 3000 drumlins in addition to many other drumlinoid hills and surface flutings (Chapman and Putnam 1984:169). The drumlins are composed of highly calcareous till but there are local differences in composition. The till plains of the regions were formed during the retreat of the Lake Ontario ice lobe of the Laurentide glacier and they indicate directionality of glacial advance and retreat. Till is produced from the advance of continental glacial ice. Soil and rock is carried forward by the ice, mixed and milled, producing a heterogeneous soil which is characteristic of glaciations (Chapman and Putnam 1984:10, 16).

Figure 8 depicts surficial geology for the Study Area. The surficial geology mapping demonstrates that the Study Area is underlain by stone-poor, sandy silt to silty sand-textured till on Paleozoic terrain, and fine-textured glaciolacustrine deposits of silt and clay (Ontario Geological Survey 2010). Soils in the Study Area consist of Smithfield clay loam, an imperfectly drained grey-brown podzolic, and Lindsay clay loam, a poorly drained dark grey gleisolic soil (Figure 9).

The Study Area is within the Pigeon River subwatershed. It drains an area approximately 221 square kilometres from its headwaters on the Oak Ridges Moraine, flowing north through Omemee to outlet at the south end of Pigeon Lake (Kawartha Conservation 2019).

### **1.3.3 Previous Archaeological Research**

In Ontario, information concerning archaeological sites is stored in the Ontario Archaeological Sites Database (OASD) maintained by the MTCS. This database contains archaeological sites registered within the Borden system. Under the Borden system, Canada has been divided into grid blocks based on latitude and longitude. A Borden block is approximately 13 km east to west, and approximately 18.5 km north to south. Each Borden block is referenced by a four-letter designator, and sites within a block are numbered sequentially as they are found. The Study Area under review is located in Borden block *BbGp*.

According to the OASD, no previously registered archaeological sites are located within one kilometre of the Study Area (Ministry of Tourism, Culture and Sport 2018). A summary of the sites is provided below. According to the background research, no previous reports detail fieldwork within 50 m of the Study Area.

## **2.0 FIELD METHODS: PROPERTY INSPECTION**

A Stage 1 property inspection must adhere to the S & G, Section 1.2, Standards 1-6, which are discussed below. The entire property and its periphery must be inspected. The inspection may be either systematic or random. Coverage must be sufficient to identify the presence or absence of any features of archaeological potential. The inspection must be conducted when weather conditions permit good visibility of land features. Natural landforms and watercourses are to be confirmed if previously identified. Additional features such as elevated topography, relic water channels, glacial shorelines, well-drained soils within heavy soils and slightly elevated areas within low and wet areas should be identified

and documented, if present. Features affecting assessment strategies should be identified and documented such as woodlots, bogs or other permanently wet areas, areas of steeper grade than indicated on topographic mapping, areas of overgrown vegetation, areas of heavy soil, and recent land disturbance such as grading, fill deposits and vegetation clearing. The inspection should also identify and document structures and built features that will affect assessment strategies, such as heritage structures or landscapes, cairns, monuments or plaques, and cemeteries.

The Stage 1 archaeological assessment property inspection was conducted under the field direction of Johanna Kelly (P1017) of ASI, on March 26, 2019, in order to gain first-hand knowledge of the geography, topography, and current conditions and to evaluate and map archaeological potential of the Study Area. It was a visual inspection only and did not include excavation or collection of archaeological resources. Fieldwork was only conducted when weather conditions were deemed suitable and seasonally appropriate, per S & G Section 1.2., Standard 2. Previously identified features of archaeological potential were examined; additional features of archaeological potential not visible on mapping were identified and documented as well as any features that will affect assessment strategies. Field observations are compiled onto the existing conditions of the Study Area in Section 7.0 (Figure 10) and associated photographic plates are presented in Section 8.0 (Plates 1-10).

### **3.0 ANALYSIS AND CONCLUSIONS**

The historical and archaeological contexts have been analyzed to help determine the archaeological potential of the Study Area. These data are presented below in Section 3.1. Results of the analysis of the Study Area property inspection are presented in Section 3.2.

#### **3.1 Analysis of Archaeological Potential**

The S & G, Section 1.3.1, lists criteria that are indicative of archaeological potential. The Study Area meets the following criteria indicative of archaeological potential:

- Water sources: primary, secondary, or past water source (Pigeon River);
- Early historic transportation routes (Mary St); and
- Proximity to early settlements (Omeme)

According to the S & G, Section 1.4 Standard 1e, no areas within a property containing locations listed or designated by a municipality can be recommended for exemption from further assessment unless the area can be documented as disturbed. The Municipal Heritage Register was consulted and no properties within the Study Area are Listed or Designated under the Ontario Heritage Act.

These criteria are indicative of potential for the identification of Indigenous and Euro-Canadian archaeological resources, depending on soil conditions and the degree to which soils have been subject to deep disturbance.

#### **3.2 Analysis of Property Inspection Results**

The property inspection determined that part of the Study Area exhibits archaeological potential on the residential yard adjacent to the river at the toe of the slope (Plate 3; Figure 10: areas highlighted in green).

These areas will require Stage 2 archaeological assessment prior to any development. According to the S & G Section 2.1.2, test pit survey is required on terrain where ploughing is not viable, such as wooded areas, properties where existing landscaping or infrastructure would be damaged, overgrown farmland with heavy brush or rocky pasture, and narrow linear corridors up to 10 metres wide.

The property inspection determined that some of lands within the Study Area are sloped in excess of 20 degrees, or located in low and wet conditions, and according to the S & G Section 2.1 do not retain potential (Plates 3, 4, 6; Figure 10: areas highlighted in pink and blue). The remainder of the Study Area has been subjected to deep soil disturbance events and according to the S & G Section 1.3.2 do not retain archaeological potential (Plates 1-10; Figure 10: areas highlighted in yellow). These areas do not require further survey.

### **3.3 Conclusions**

The Stage 1 background study determined that no previously registered archaeological sites are located within one kilometre of the Study Area. The property inspection determined that parts of the Study Area exhibit archaeological potential and will require Stage 2 assessment, if impacted, prior to any construction activities.

## **4.0 RECOMMENDATIONS**

In light of these results, the following recommendations are made:

1. The Study Area exhibits archaeological potential. These lands require Stage 2 archaeological assessment by test pit survey at five metre intervals, if impacted, prior to any proposed construction on the property;
2. The remainder of the Study Area does not retain archaeological potential on account of deep and extensive land disturbance, low and wet conditions, or slopes in excess of 20 degrees. These lands do not require further archaeological assessment; and,
3. Should the proposed work extend beyond the current Study Area, further Stage 1 archaeological assessment should be conducted to determine the archaeological potential of the surrounding lands.

NOTWITHSTANDING the results and recommendations presented in this study, ASI notes that no archaeological assessment, no matter how thorough or carefully completed, can necessarily predict, account for, or identify every form of isolated or deeply buried archaeological deposit. In the event that archaeological remains are found during subsequent construction activities, the consultant archaeologist, approval authority, and the Cultural Programs Unit of the MTCS should be immediately notified.



## 5.0 ADVICE ON COMPLIANCE WITH LEGISLATION

ASI also advises compliance with the following legislation:

- This report is submitted to the Minister of Tourism, Culture and Sport as a condition of licensing in accordance with Part VI of the *Ontario Heritage Act*, RSO 1990, c 0.18. The report is reviewed to ensure that it complies with the standards and guidelines that are issued by the Minister, and that the archaeological field work and report recommendations ensure the conservation, preservation and protection of the cultural heritage of Ontario. When all matters relating to archaeological sites within the project area of a development proposal have been addressed to the satisfaction of the Ministry of Tourism, Culture and Sport, a letter will be issued by the ministry stating that there are no further concerns with regard to alterations to archaeological sites by the proposed development.
- It is an offence under Sections 48 and 69 of the *Ontario Heritage Act* for any party other than a licensed archaeologist to make any alteration to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from the site, until such time as a licensed archaeologist has completed archaeological field work on the site, submitted a report to the Minister stating that the site has no further cultural heritage value or interest, and the report has been filed in the Ontario Public Register of Archaeology Reports referred to in Section 65.1 of the *Ontario Heritage Act*.
- Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out archaeological fieldwork, in compliance with sec. 48 (1) of the *Ontario Heritage Act*.
- The *Cemeteries Act*, R.S.O. 1990 c. C.4 and the *Funeral, Burial and Cremation Services Act*, 2002, S.O. 2002, c.33 (when proclaimed in force) require that any person discovering human remains must notify the police or coroner and the Registrar of Cemeteries at the Ministry of Consumer Services.
- Archaeological sites recommended for further archaeological fieldwork or protection remain subject to Section 48(1) of the Ontario Heritage Act and may not be altered, nor may artifacts be removed from them, except by a person holding an archaeological license.

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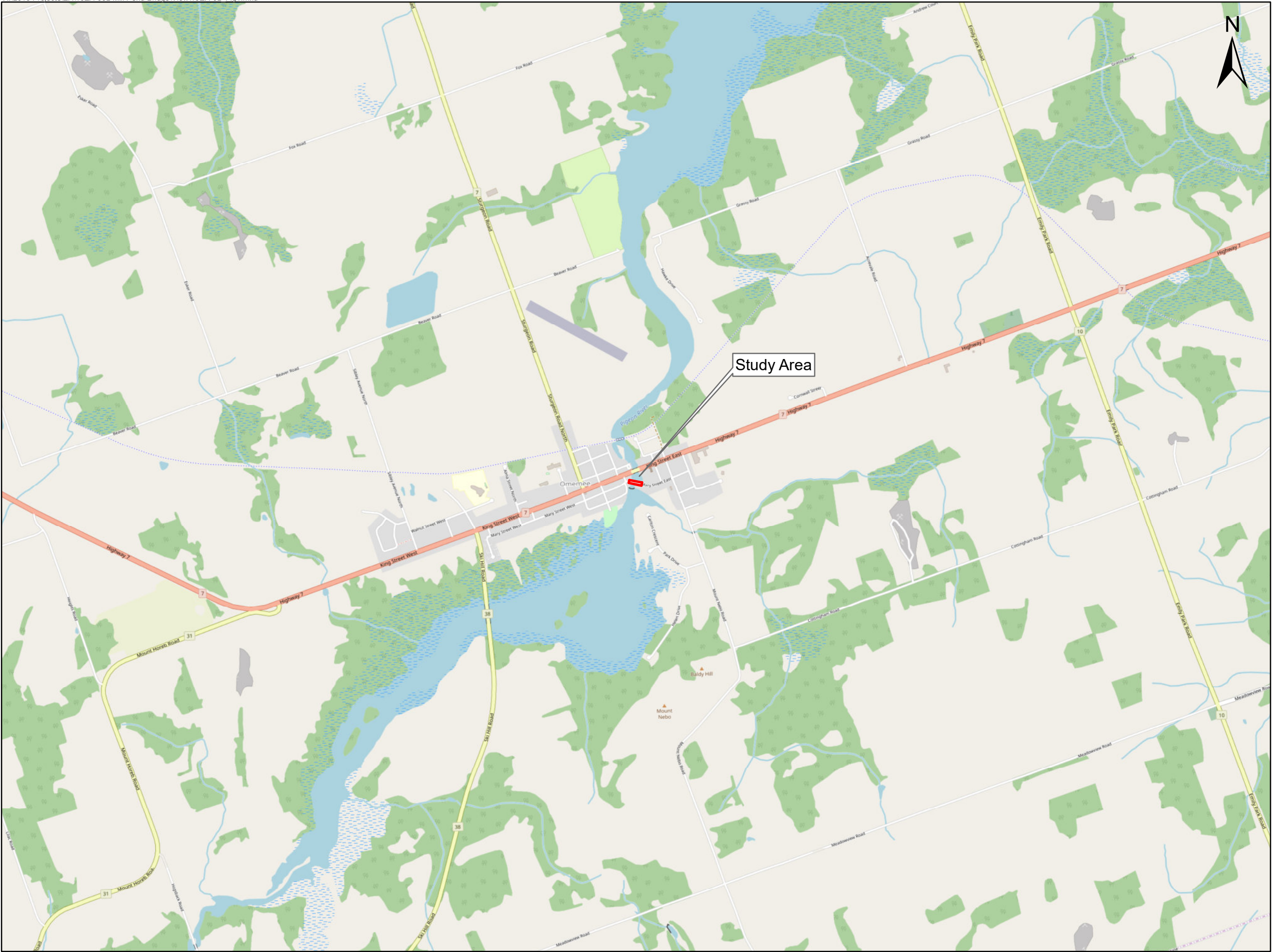



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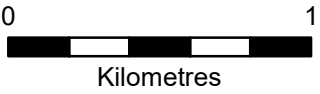
## **7.0 MAPS**





 STUDY AREA

Sources: Ortho: ESRI  
Projection: NAD 1983 UTM Zone 17N  
Scale: 1:25,000  
Page Size: 11 x 17



ASI PROJECT NO.: 19EA-002  
DATE: 4/8/2019  
DRAWN BY: AB  
FILE: 19EA-02\_Fig1

 **Providing Archaeological & Cultural Heritage Services**  
528 Bathurst Street Toronto, ONTARIO M5S 2P9  
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Figure 1: Mill Pond Bridge Replacement/Rehabilitation Study Area





Figure 2: Study Area (Approximate Location) Overlaid on the 1877 Map of Victoria County



Figure 3: Study Area (Approximate Location) Overlaid on the 1881 Map of Emily Township



STUDY AREA

Sources:  
1877 Map  
County of Victoria  
1881 Map  
Emily Township

Projection: NAD 1983 UTM Zone 17N  
Scale: 15,000  
Page Size: 8.5 x 11

0 500  
Meters

ASI PROJECT NO.: 19EA-002  
DATE: 2019-03-07  
DRAWN BY: AB FILE: 19EA-02\_Fig2-3\_Hist



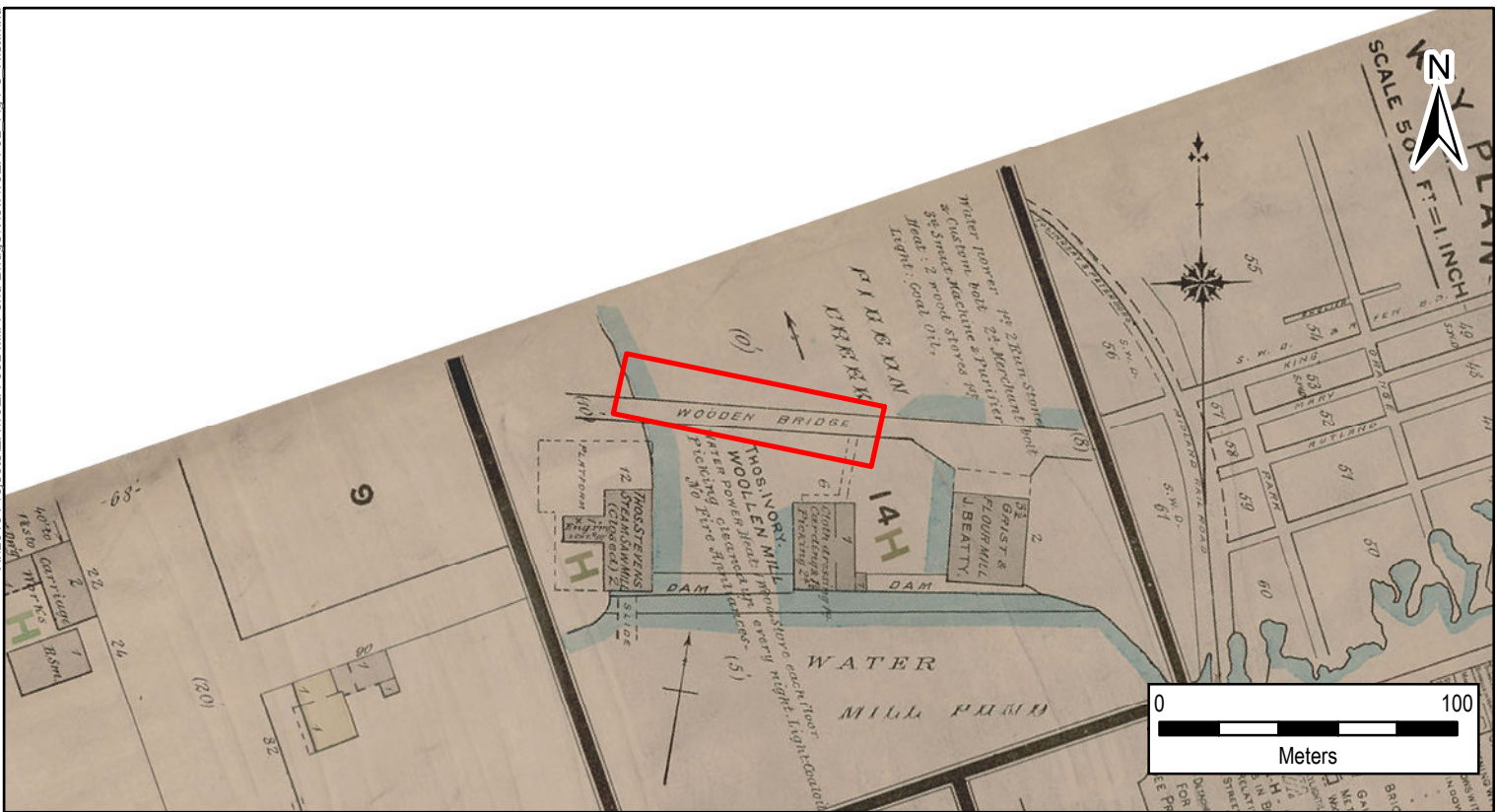


Figure 4: Study Area (Approximate Location) Overlaid on the 1881 Fire Insurance Plan of Omamee



Figure 5: Study Area (Approximate Location) Overlaid on the 1931 NTS Lindsay Sheet





Figure 6: Study Area (Approximate Location) Overlaid on the 1954 Aerial Photograph of Omeme



Figure 7: Study Area (Approximate Location) Overlaid on the 1999 NTS Lindsay Sheet




	 STUDY AREA	Sources: 1954 Aerial Photography 1999 NTS Map Lindsay Sheet  Projection: NAD 1983 UTM Zone 17N Scale: 15,000 Page Size: 8.5 x 11	<div style="display: flex; align-items: center;"> <div style="flex: 1;">  <p>0 500 Meters</p> </div> <div style="flex: 1; font-size: small;">                         ASI PROJECT NO.: 19EA-002                          DATE: 2019-03-07                          DRAWN BY: AB FILE: 19EA-02 Fig4-5_Hist                     </div> </div>
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Figure 8: Study Area - Surficial Geology

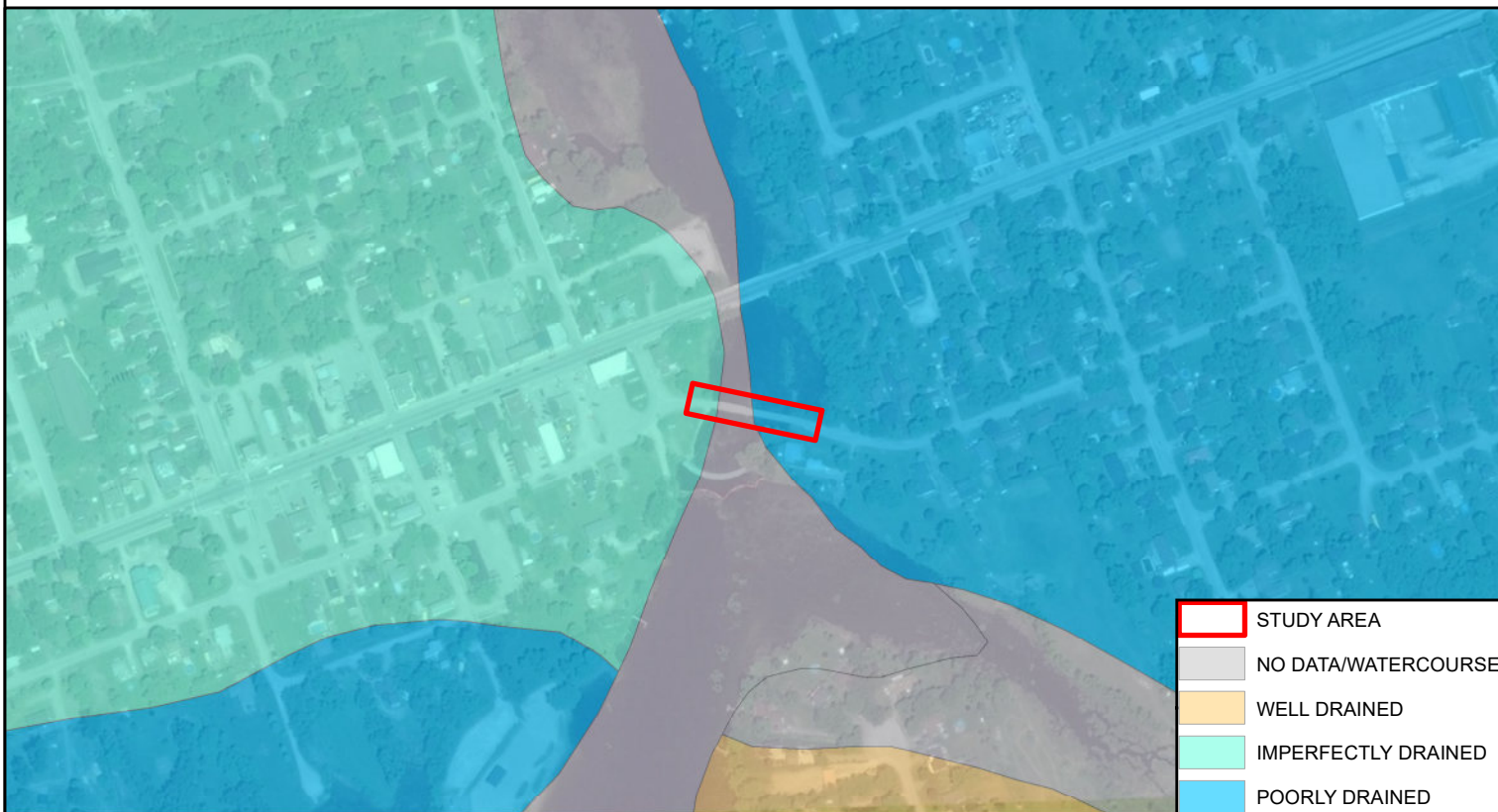


Figure 9: Study Area - Soil Drainage



Sources:

Projection: NAD 1983 UTM Zone 17N  
Scale: 5,000  
Page Size: 8.5 x 11

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Meters

ASI PROJECT NO.: 19EA-002  
DATE: 2019-03-07  
DRAWN BY: AB FILE: 19EA-02 Fig6-7 Geology



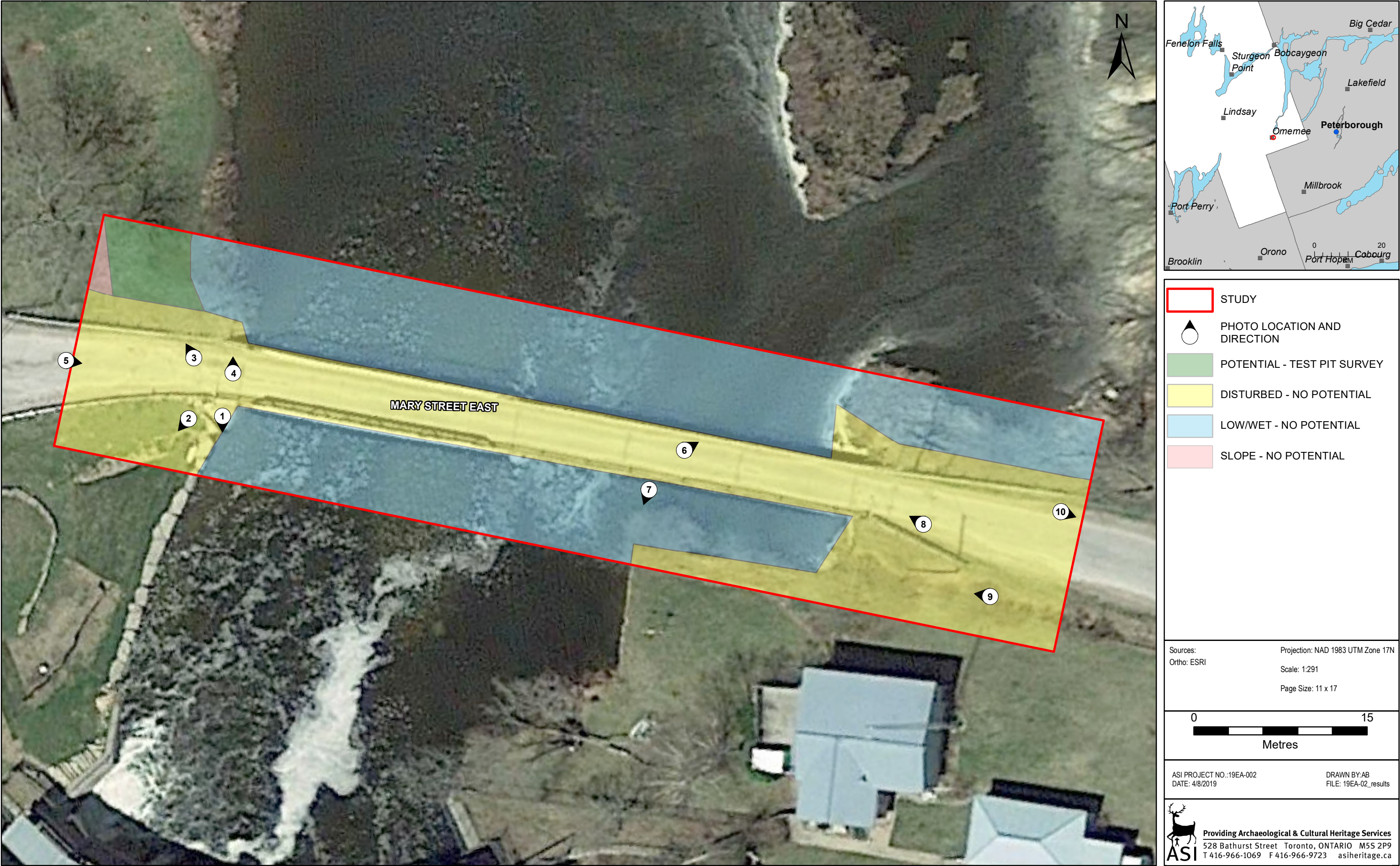


Figure 10: Mill Pond Bridge Replacement/Rehabilitation – Results of the Property Inspection



## 8.0 IMAGES



Plate 1: South view of dam; bank is disturbed, no potential



Plate 2: Southwest view of Study Area; Area is disturbed, no potential



Plate 3: Northwest view of Study Area; Area between low and wet lands and toe of the slope exhibits potential, requires Stage 2 survey



Plate 4: North view of river and Highway 7 bridge; Area is disturbed and low and wet, no potential



Plate 5: East view of Mill Pond Bridge and Mary St. W.; Area is disturbed, no potential



Plate 6: Northeast view of Study Area; Area is disturbed and low and wet, no potential





Plate 7: South view of Study Area; Area is disturbed, no potential



Plate 8: West view of Mill Pond Bridge and Mary St. W.; approach to bridge is disturbed, no potential



Plate 9: West view of Study Area; Area is disturbed, no potential



Plate 10: East view of Study Area; ROW and area is disturbed, no potential

## **Appendix G**

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### **Aboriginal Consultation**

Government Services Building  
22 Winookeeda Street  
Curve Lake, Ontario K0L1R0



Phone: 705.657.8045  
Fax: 705.657.8708  
[www.curvelakefirstnation.ca](http://www.curvelakefirstnation.ca)

KAWARTHA LAKES

February 1, 2019

FEB 05 2019

Martin Sadowski, C. Tech  
12 Peel Street, P.O. Box 9000  
Lindsay Ontario K9V 5R8

ENGINEERING

Dear Martin Sadowski, C. Tech,

**RE: Mill Pond Bridge Replacement**

I would like to acknowledge receipt of your correspondence, which was received on 1/28/2019 regarding the above noted project.

As you may be aware, the area in which your project is proposed is situated within the Traditional Territory of Curve Lake First Nation. Our First Nation's Territory is incorporated within the Williams Treaties Territory and was the subject of a claim under Canada's Specific Claims Policy, which has now been settled. All 7 First Nations within the Williams Treaties have had their harvesting rights legally re-affirmed and recognized through this settlement. We strongly suggest that you provide Karry Sandy-Mackenzie, Williams Treaty First Nation Claims Coordinator, 8 Creswick Court, Barrie, ON L4M 2S7, with a copy of your proposal as your obligation to consult may also extend to the other First Nations of the Williams Treaties.

Curve Lake First Nation is requiring a File Fee for this project in the amount of \$250.00 as outlined in the Consultation and Accommodation Standards. This Fee includes project updates as well as review of standard material and project overviews. Depending on the amount of documents to be reviewed by the Consultation Department, additional fees may apply. **Please make this payment to Curve Lake First Nation Consultation Department and please indicate the project name or number on the cheque.**

If you do not have a copy of Curve Lake First Nation's Consultation and Accommodation Standards they are available at <https://www.curvelakefirstnation.ca/services-departments/lands-rights-resources/consultation/>. Hard copies are available upon request.

Based on the information that you have provided us with respect to Mill Pond Bridge Replacement Curve Lake First Nation requires a Special Consultation Framework for this project. Information on this Framework can be found on page 9 of our Consultation and Accommodation Standards.

In order to assist us in providing you with timely input, it would be appreciated if you could provide a summary statement indicating how the project will address the following areas that are

Government Services Building  
22 Winookeeda Street  
Curve Lake, Ontario K0L1R0



Phone: 705.657.8045  
Fax: 705.657.8708  
[www.curvelakefirstnation.ca](http://www.curvelakefirstnation.ca)

of concern to our First Nation within our Traditional and Treaty Territory: possible environmental impact to our drinking water; endangerment to fish and wild game; impact on Aboriginal heritage and cultural values; and to endangered species; lands; savannas etc.

After the information is reviewed it is expected that you or a representative will be in contacts to make arrangements to discuss this matter in more detail and possibly set up a date and time to meet with Curve Lake First Nation in person.

Although we have not conducted exhaustive research nor have we the resources to do so, there may be the presence of burial or archaeological sites in your proposed area. Please note, that we have particular concern for the remains of our ancestors. Should excavation unearth bones, remains, or other such evidence of a native burial site or any other archaeological findings, we must be notified without delay. In the case of a burial site, Council reminds you of your obligations under the *Cemeteries Act* to notify the nearest First Nation Government or other community of Aboriginal people which is willing to act as a representative and whose members have a close cultural affinity to the interred person. As I am sure you are aware, the regulations further state that the representative is needed before the remains and associated artifacts can be removed. Should such a find occur, we request that you contact our First Nation immediately.

Furthermore, Curve Lake First Nation also has available, trained Cultural Heritage Liaisons who are able to actively participate in the archaeological assessment process as a member of a field crew, the cost of which will be borne by the proponent. Curve Lake First Nation expects engagement at Stage 1 of an archaeological assessment, so that we may include Indigenous Knowledge of the land in the process. We insist that at least one of our Cultural Heritage Liaisons be involved in any Stage 2-4 assessments, including test pitting, and/or pedestrian surveys to full excavation.

Although we may not always have representation at all stakeholders meetings, it is our wish to be kept appraised throughout all phases of this project.

Should you have further questions or if you wish to hire a liaison for a project, please feel free to contact Julie Kapyrka or Kaitlin Hill, Lands and Resources Consultation Liaisons, at 705-657-8045 or via email at [JulieK@Curvelake.ca](mailto:JulieK@Curvelake.ca) and [KaitlinH@Curvelake.ca](mailto:KaitlinH@Curvelake.ca).

Yours sincerely,

Chief Phyllis Williams  
Curve Lake First Nation





Engineering and Corporate Assets  
P.O. Box 9000, 12 Peel Street  
Lindsay, ON K9V 5R8  
Telephone: (705) 324-9411, ext. 2342  
Fax: (705) 878-9388  
Website: [www.kawarthalakes.ca](http://www.kawarthalakes.ca)

March 6, 2019

Curve Lake First Nation  
Government Services Building  
22 Winookeeda Street  
Curve Lake, Ontario  
K0L 1R0

Attention: Chief Phyllis Williams, Curve Lake First Nation

**Re: Mill Pond Bridge Replacement / Rehabilitation**

Dear Chief Williams,

This letter has been prepared to provide the Curve Lake First Nation with a to-date summary of the project noted above and outline how the project will address the areas of concern raised in the letter from Curve Lake First Nation dated February 1, 2019, received by the City of Kawartha Lakes (City) on February 5, 2019.

Please find enclosed a cheque in the amount of \$250 for the File Fee as outlined in the Consultation and Accommodation Standards and referenced in the aforementioned letter from Curve Lake First Nation.

**Project Summary**

The City has retained D.M. Wills Associates Ltd. (Wills) to complete an Environmental Assessment in accordance with the Municipal Class Environmental Assessment (MCEA) for the proposed rehabilitation / replacement of Mill Pond Bridge #100018 (Mill Pond Bridge) in Omemee, ON.

Mill Pond Bridge is located on Mary Street East in Omemee, ON, and conveys single-lane east-west traffic over the Pigeon River. The bridge is located approximately 0.1 km south of the Highway 7 (King Street East) river crossing.

The most recent OSIM bridge inspection highlighted several deficiencies and recommended the replacement of the superstructure. In accordance with the Environmental Assessment Act (the Act), the City has initiated a Schedule 'B' Environmental Assessment (EA) in order to understand and address social, economic, and environmental impacts related to the proposed replacement or rehabilitation of Mill Pond Bridge.

Thus far in the EA process, the City has formulated alternative solutions, conducted a Public Information Centre (PIC), and initiated Cultural Heritage Evaluation and Archaeological Assessment for the existing bridge. The Cultural Heritage Evaluation Report (CHER) and Stage 1 Archaeological Assessment (AA) are being completed by Archaeological Services Inc. (ASI). ASI has been directed to consult the Curve Lake First Nation (and other First Nations) in the completion of their work.

The following alternatives have been developed and were presented at a PIC on February 4, 2019:

- 1) Do Nothing
- 2) Close Mill Pond Bridge to Vehicular Traffic
- 3) Remove Mill Pond Bridge
- 4) Replace or Rehabilitate Mill Pond Bridge

Preliminary evaluation of the alternatives has led the City to consider the rehabilitation of the bridge to be the preferred solution, however, this was a preliminary evaluation and it should be noted that the findings of the CHER and Stage 1 AA, as well as discussions resulting from future public and agency consultation (including First Nations) will be considered when decisions are made regarding the final direction for the project.

At the completion of the EA a Project File will be posted and referenced in the Notice of Completion, which will be issued to all stakeholders and the public. The Project File will outline the entirety of the EA and present the findings. If there are concerns related to the completeness of EA, the Project File outlines the recommended process for resolving concerns.

### **First Nations Areas of Concern**

In the letter prepared by Curve Lake First Nation dated February 1, 2019, several areas of concern were raised. The following is a short discussion on how the concerns raised will be addressed throughout the project.

### **Environmental Impact to Drinking Water**

The MCEA sets out the requirements of a Schedule 'B' Class EA. Throughout the process, consultation with regulatory bodies such as Kawartha Conservation Authority will be used to identify potential impacts to Pigeon River and review mitigation measures to protect the environment from impact. Additionally, best management practice (BMP) derived from a project team with related experience will be utilized to further minimize potential for environmental impact to surface and groundwater sources.

### **Endangerment to Fish and Wild Game**

Given that the proposed work pertains to a crossing over the Pigeon River, there is potential for endangerment to fish. It is known that a fish sanctuary is located between Omemee Dam and the C.N.R. bridge (Trans-Canada Trail bridge). The MCEA process includes a phase for the identification of environmental impacts and mitigation techniques / methods. During this phase the City will work to identify potential impacts to fish and applicable standards related to the protection of watercourses and fish habitat.

### **Impact on Aboriginal Heritage and Cultural Values**

The scope of work related to any of the potential outcomes of the EA is relatively narrow. With the exception of the potential for minimal disturbance to the ground surrounding the bridge footprint, it is not anticipated that there will be significant impact to Aboriginal Heritage or Cultural Values.

However, as previously mentioned, ASI is preparing a CHER and conducting Stage 1 AA for the bridge and surrounding area. It is anticipated that Curve Lake First Nation will be contacted and consulted in the completion of this work and the knowledge of the liaison(s) sufficiently captured. It is the obligation of the City to incorporate the findings of these studies as part of the EA process in the determination of a preferred solution.

### **Impact to Endangered Species and Lands**

Any endangered species will be identified through the remainder of the EA and mitigating measures will be identified accordingly. Given the scope of the project, impact to lands is expected to be minimal, however, provincially significant wetlands are located in the vicinity of the bridge and impacts and mitigation techniques will likewise be identified throughout the EA.

If Curve Lake First Nation has any questions or concerns related to the comments made herein, please don't hesitate to contact me.

Sincerely,

Martin Sadowski, C.Tech.  
Senior Engineering Technician  
City of Kawartha Lakes



MILL POND BRIDGE  
REHABILITATION / REPLACEMENT  
CLASS ENVIRONMENTAL  
ASSESSMENT



## NOTICE OF STUDY COMPLETION

The City of Kawartha Lakes and D.M. Wills Associates Ltd. have completed a Class Environmental Assessment (Class EA) for the proposed rehabilitation of the Mill Pond Bridge (#100018) in the Village of Omemee, Ontario. The bridge is located on Mary Street East, 0.3km east of Sturgeon Rd. South. The location of the Mill Pond Bridge is shown in Figure 1.

Having deteriorated to a state of structural concern, Mill Pond Bridge was closed to vehicular traffic on May 7, 2019. If a secondary crossing over the Pigeon River in Omemee, ON, is to be maintained, intervention in the form replacement or rehabilitation is required.

The Class EA for Mill Pond Bridge has been conducted as a Schedule "B" undertaking in accordance with the Municipal Class EA.

The Preferred Alternative, identified as a result of the Class EA, is to rehabilitate Mill Pond Bridge, including the addition of a pedestrian walkway to the south side of the bridge, and maintain two-way (single lane) vehicular traffic. The recommended rehabilitation includes complete superstructure replacement and repair of the existing concrete abutments and piers. Through the Class Environmental Assessment process, mitigation measures were developed with respect to impact to the natural environment, built heritage, and existing utilities.

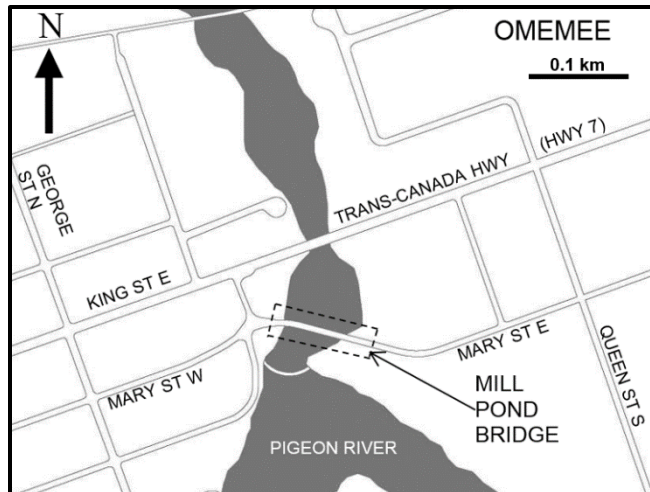


Figure 1: Key Plan

The Environmental Assessment Project File for this Class EA will be made available for public comment during the 30-day comment period following the issuing of this Notice of Study Completion on the City website, or in person during normal business hours at the following locations:

- City of Kawartha Lakes – Clerk's Office – 26 Francis Street, Lindsay, ON
- City of Kawartha Lakes – Engineering & Assets Department – 12 Peel Street, Lindsay, ON

The 30 day public review period will commence on June 26, 2019. Interested parties may provide written comments on the Class EA for the Mill Pond Bridge Rehabilitation (Omemee) to The City of Kawartha Lakes or its consultant (D.M. Wills Associates Limited) at the following addresses.

**City of Kawartha Lakes**  
Attn: **Martin Sadowski, C. Tech**  
Senior Engineering Technician  
12 Peel Street, P.O. Box 9000  
Lindsay, ON K9V 5R8  
Telephone: (705)-324-9411  
Email: [msadowski@kawarthalakes.ca](mailto:msadowski@kawarthalakes.ca)

**D.M. Wills Associates Ltd.**  
Attn: **David Bonsall, P.Eng.**  
Manager, Structural Engineering  
150 Jameson Drive  
Peterborough, ON K9J 0B9  
Telephone: (705)-742-2297  
Email: [dbonsall@dmwills.com](mailto:dbonsall@dmwills.com)

Subject to comments received as a result of this Notice of Completion, and receipt of other approvals as required, The City of Kawartha Lakes intends to proceed with detailed design and construction of this project. Comments must be submitted not later than July 26, 2019.

If concerns with respect to this project, cannot be resolved through discussions with The City of Kawartha Lakes, there is an opportunity for members of the public, review agencies or other interested parties to request that the Minister of the Environment, Conservation and Parks (MECP) issue a Part II Order for the project. A Part II Order Request Form (available online) must be used to request a Part II Order. Requests must be received by the Minister and Director – Environmental Assessment and Permissions Branch of the MECP, not later than July 26, 2019 (within 30 days of this Notice) at the addresses below.

**Minister of the Environment, Conservation and Parks**  
77 Wellesley St. W., 11<sup>th</sup> Floor, Toronto, ON M7A 2T5  
[minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca)

**Director – Environmental Assessment and Permissions Branch – Ministry of Environment, Conservation and Parks**  
135 St. Clair Avenue West, 1<sup>st</sup> Floor, Toronto, ON M4V 1P5  
[enviropemissions@ontario.ca](mailto:enviropemissions@ontario.ca)

A copy of the request for a Part II Order must also be sent to City of Kawartha Lakes (P.O. Box 9000, 26 Francis Street, Lindsay, ON K9V 5R8 – Attention: City Clerk).

This Notice of Completion issued June 26, 2019.

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

## **Council Report**

**Report Number RS2019-023**

---

**Date:** June 18, 2019  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

---

**Ward Community Identifier:** 1

**Title:** Shoreline Road Allowance adjacent to 8 Black River Road, Dalton

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

---

### **Recommendation:**

That Report RS2019-023, **Shoreline Road Allowance adjacent to 8 Black River Road, Dalton**, be received.

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

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

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



## **Background:**

At the Council Meeting of March 26, 2019, Council adopted the following resolution:

### **CR2019-223**

**Moved By** Councillor Yeo

**Seconded By** Councillor O'Reilly

**That** the deputation of James Rogers and Aaron Rogers, regarding the purchase of shore road allowance adjacent to 8 Black River Road, be received; and

**That** the matter be referred to staff to bring back an information report on the matter to the June 18, 2019 Regular Council Meeting.

**Carried**

This report addresses that direction.

The Land Management Committee received a request from the owner of the property municipally known as 8 Black River Road, Dalton to purchase the portion of shoreline road allowance which is adjacent to his property (shown in dark grey on Appendix D). The request was received by the Land Management Division (now Realty Services) on July 21, 2015 and scheduled to be presented at the Land Management Committee meeting on August 20, 2015.

The August 20, 2015 meeting was cancelled due to not enough Committee members being available for an in-person meeting. The applicant was informed of the meeting cancellation and advised that his request had been circulated to the Land Management Committee electronically (via SharePoint) for review.

Several months elapsed before comments were received from all Committee members. The applicant was informed via letter dated February 18, 2016 (attached as Appendix A) that the Committee had reviewed his request, but an historical records search would need to be completed to determine if any portion of the shoreline road allowance along the Black River had ever been stopped up, closed, and conveyed before the Committee could make an informed decision on the request.

An historical records search was completed and it revealed that a portion of shoreline road allowance further east of the applicant's property had been previously stopped up, closed, and conveyed to the abutting landowner.

Accordingly, the applicant was advised by letter dated April 6, 2016 (attached as Appendix B) that the Land Management Committee had no objections to his

request to purchase the portion of shoreline road allowance abutting his property and that the Land Management Division would prepare a Report to Council seeking approval to move forward with the sale.

Later in April 2016 the Land Management Division received a complaint from a local resident that a “No Trespassing” sign had been erected on the shoreline road allowance adjacent to the applicant’s property. The complainant advised that the subject portion of shoreline road allowance, which is a very sandy area, was utilized by local residents and the general public to access the Black River and Big Eddy Island.

In May 2016, the Land Management Committee was provided with an update on the matter, being that a local resident had advised that the general public utilizes the subject portion of shoreline road allowance to access the Black River and Big Eddy Island and therefore, the Land Management Division no longer felt that the request to stop up and close the shoreline road allowance should be supported.

The applicant was informed by letter dated May 4, 2016 (attached as Appendix C) that due to the subject portion of shoreline road allowance being utilized by the public to access the Black River and Big Eddy Island, his request could no longer be supported as the municipality could not stop up and close a shoreline road allowance if it would negatively impact another member of the public. The applicant was given the option to proceed with making a deputation to Council if he disagreed with the Committee’s decision.

In January 2019, the applicant contacted the Realty Services Division requesting that his matter be re-reviewed by the Land Management Committee, as he felt that the presence of a road allowance leading to water along the western boundary of his property (outlined in yellow in Appendix D) provided sufficient access to water for the general public and therefore the shoreline road allowance adjacent to his property could be stopped up, closed, and conveyed to him without negatively impacting anyone’s ability to access the Black River or Big Eddy Island.

The request was re-reviewed by the Land Management Committee at their meeting on February 11, 2019. The Committee felt it was appropriate to uphold the previous Committee decision to deny the request, given that notes indicated that the area is used by the public and the aerial photos appear to show that the subject portion of shoreline road allowance is a clear, sandy area. The applicant was advised of the Committee’s decision by letter dated February 26, 2019 (attached as Appendix E).

Appendix A, B, and C are letters sent to the applicant during the initial Land Management Committee process, Appendix D is a map outlining the applicant’s property (in black), the road allowance leading to water (in light grey), and the subject portion of shoreline road allowance (in dark grey), Appendix E is the most

recent letter sent to the applicant outlining the Land Management Committee's decision after re-reviewing the request, Appendix F is a general location map, Appendix G is a map, and Appendix H is an aerial photo.

### **Rationale:**

The Land Management Committee felt that it was appropriate to deny the applicant's request given claims that the general public utilizes the subject portion of shoreline road allowance to access the Black River and Big Eddy Island.

While there is an adjacent road allowance leading to water, the subject portion of shoreline road allowance appears to be a clear, sandy area, which makes it desirable for public usage.

### **Other Alternatives Considered:**

Council could decide to override the Land Management Committee's decision and allow the applicant's request to follow the City's disposition process as set out in By-Law 2018-020, being a By-Law to Regulate the Disposition of Municipal Real Property in and for The Corporation of the City of Kawartha Lakes.

This would be achieved by adding a second statement to the recommendation, in passing the Council Resolution: "That Staff be directed to proceed with advancing the applicant's request through the City's disposition process."

As the subject portion of shoreline road allowance has not yet been advertised to notify the public of a potential surplus declaration and sale, the property would need to be advertised in the newspaper and on the City's website, followed by Realty Services advancing a Report to Council recommending the surplus declaration, closure, and conveyance of the portion of shoreline road allowance adjacent to the applicant's property.

### **Financial Impacts:**

None, if the Land Management Committee's decision is supported by Council and the request to purchase the subject portion of shoreline road allowance is denied.

If Council decides to allow the request to advance through the disposition process, the applicant would be responsible for all costs associated with the transaction, including the advertising costs which will be incurred prior to a subsequent Report being presented to Council.

If the closure and sale is ultimately approved, 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 price for a shoreline road allowance adjacent to a river was established by By-Law 2018-020, as amended, and is set at \$20.00 per linear foot (based on a 66 foot width). All costs of the transaction, plus a \$1,500.00 fee to cover the City's staff time expenses will be paid by the purchaser. The approximate net recovery anticipated from this transfer is \$5,680.00.

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

This Report does not specifically align with any of the goals or strategic enablers in the Council Adopted Strategic Plan, as it is provided for information purposes only.

### **Consultations:**

Land Management Committee

### **Attachments:**

Appendix A – Letter dated February 18, 2016



Appendix A - Letter  
dated February 18, 2

Appendix B – Letter dated April 6, 2016



Appendix B - Letter  
dated April 6, 2016.p

Appendix C – Letter dated May 4, 2016



Appendix C - Letter  
dated May 4, 2016.p

Appendix D – Map of Abutting Road Allowances



Appendix D - Map of  
Abutting Road Allowa

#### Appendix E – Letter dated February 26, 2019



Appendix E - Letter  
dated February 26, 2

#### Appendix F – General Location Map



Appendix F - General  
Location Map.pdf

#### Appendix G – Map



Appendix G -  
Map.pdf

#### Appendix H – Aerial Photo



Appendix H - Aerial  
Photo.pdf

**Department Head E-Mail:** rcarlson@kawarthalakes.ca

**Department Head:** Robyn Carlson





LEGAL SERVICES  
Land Management  
Box 9000, 12 Peel St., Lindsay, Ontario, K9V 5R8  
Phone: (705) 324-9411 Ext. 1279 Fax: (705) 324-2982  
Toll Free: 1-888-822-2225  
e-mail: dmcfarlane@city.kawarthalakes.on.ca

February 18, 2016

[REDACTED]  
Mr. James Rogers  
[REDACTED]

Dear Mr. Rogers:

Re: Application to Purchase Shoreline Road Allowance Adjacent to 8 Black  
River Road, Geographic Township of Dalton

---

We confirm your request to purchase the above-noted shoreline road allowance has been reviewed by the Land Management Committee members. Before an informed decision can be made we must conduct a historical records search to determine whether or not any portion of the shoreline road allowance along the Black River has ever been stopped up, closed and conveyed in the past.

We will advise once the historical records search is complete.

Sincerely,

The Corporation of the City of Kawartha Lakes

A handwritten signature in black ink, appearing to read "Diane McFarlane", written in a cursive, flowing style.

Diane McFarlane, SR/WA  
Land Management Coordinator  
DM:nw



LEGAL SERVICES  
Land Management  
Box 9000, 12 Peel St., Lindsay, Ontario, K9V 5R8  
Phone: (705) 324-9411 Ext. 1279 Fax: (705) 324-2982  
Toll Free: 1-888-822-2225  
e-mail: dmcfarlane@city.kawarthalakes.on.ca

April 6, 2016

[REDACTED]

Mr. James Rogers

[REDACTED]

Dear Mr. Rogers:

Re: Application to Purchase Shoreline Road Allowance Adjacent to 8 Black  
River Road, Geographic Township of Dalton

---

We confirm the historical records search has been completed and your request to purchase the shoreline road allowance adjacent to your property 8 Black River Road was reviewed by the Land Management Committee members and they had no objections.

Our department will therefore commence preparation of the required Report to Council. Once we have the date that the Report will be going forward to Council for consideration we will advise.

Please be advised this matter will take a minimum of eight months before completion.

Sincerely,

The Corporation of the City of Kawartha Lakes

A handwritten signature in black ink, appearing to be "Diane McFarlane", written over a horizontal line.

Diane McFarlane, SR/WA  
Land Management Coordinator  
DM:nw



LEGAL SERVICES  
Land Management  
Box 9000, 12 Peel St., Lindsay, Ontario, K9V 5R8  
Phone: (705) 324-9411 Ext. 1279 Fax: (705) 324-2982  
Toll Free: 1-888-822-2225  
e-mail: [dmcfarlane@city.kawarthalakes.on.ca](mailto:dmcfarlane@city.kawarthalakes.on.ca)

May 4, 2016

Mr. James Rogers  
[Redacted]

Dear Mr. Rogers:

Re: Application to Purchase Shoreline Road Allowance Adjacent to 8 Black River Road, Geographic Township of Dalton

---

Further to my letter of April 6, 2016, we are writing to advise that in preparing the required Report to Council to obtain approval for your request to purchase the above-noted shoreline road allowance, it has revealed that the area of shoreline you have requested to purchase is actively used by members of the public to access the Black River and the island known as Big Eddy.

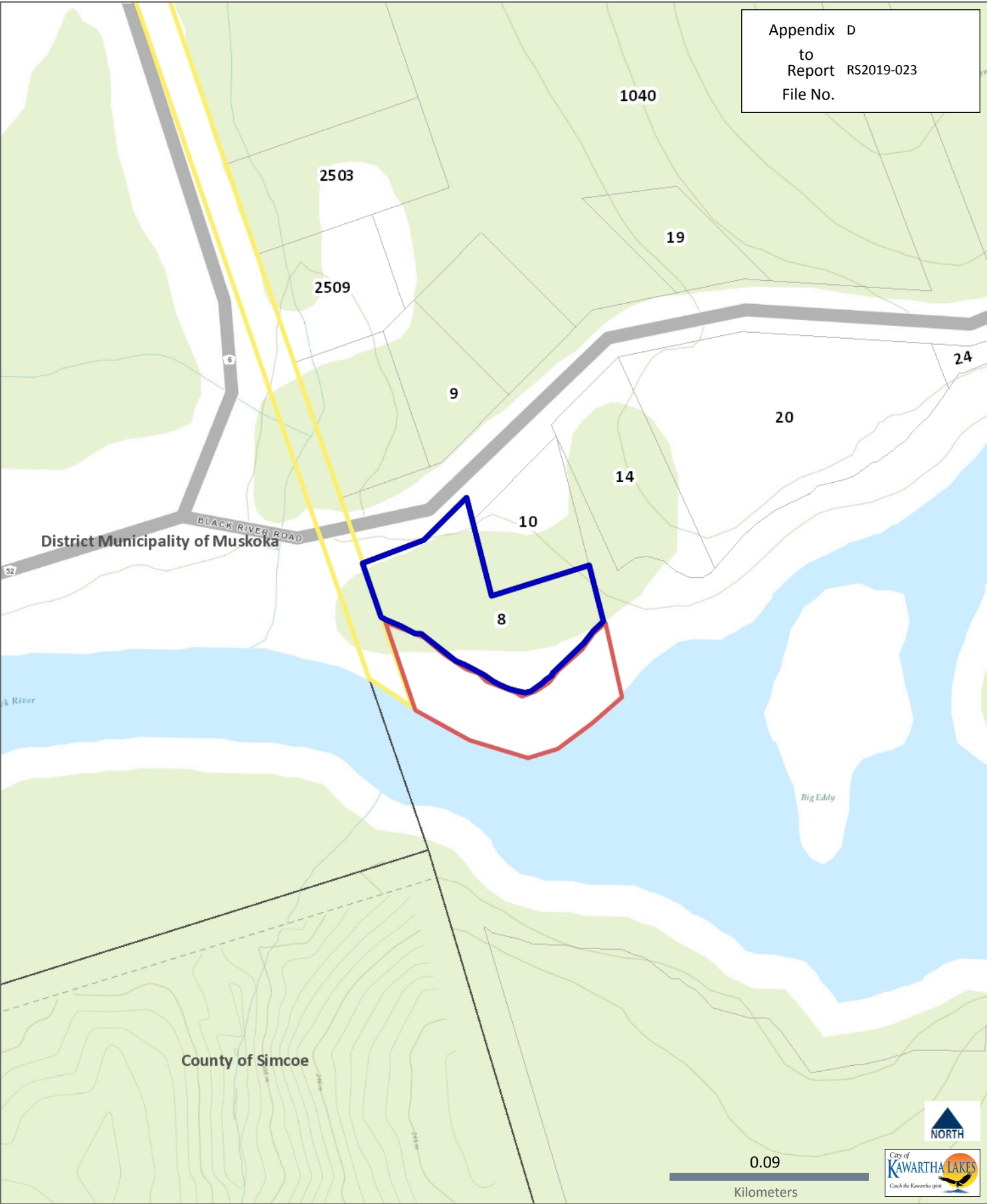
As a result the Land Management Committee members can no longer support your request to purchase the above-noted shoreline road allowance. This is due to the fact that the municipality is not able to stop up and close a shore road allowance if it would negatively impact another member of the public. Therefore, we will no longer be preparing a Report to Council. We would also like to ensure you are aware that you do not have exclusive use of the shore road allowance and you are not able to restrict the public from using this area should they wish.

Should you not agree with this decision you are able to make a deputation directly to Council. Please note that deputations are scheduled through the Clerk's office and delegations are limited to a time period of not more than five (5) minutes inclusive of all speakers. The application form and additional information on this process can be found on the City of Kawartha Lakes website: <http://www.city.kawarthalakes.on.ca/city-hall/agendas-and-minutes/notes-to-assist-deputants>.

Sincerely,

The Corporation of the City of Kawartha Lakes

Diane McFarlane, SR/WA  
Land Management Coordinator  
DM:nw



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Date:



REALTY SERVICES  
Legal Services

Box 9000, 12 Peel St., Lindsay, Ontario, K9V 5R8  
Phone: 705-324-9411 Ext. 1261 Fax: 705-324-2982  
Toll Free: 1-888-822-2225  
e-mail: lcarnochan@kawarthalakes.ca

February 26, 2019

[REDACTED]

James Rogers

[REDACTED]

Dear Mr. Rogers:

Re: Request to Purchase Shoreline Road Allowance adjacent to 8 Black River Road, in the Geographic Township of Dalton, City of Kawartha Lakes

---

We confirm your above-noted request was re-reviewed by the Land Management Committee at their meeting on February 11, 2019. The Committee remained of the opinion that your request not be approved, due to the fact that the subject portion of shoreline road allowance is utilized by members of the public for access to the water and to the nearby island.

Should you not agree with this decision you are able to make a deputation directly to Committee of the Whole (Council). Please note that deputations are scheduled through the Clerk's office and delegations are limited to a time period of not more than five (5) minutes inclusive of all speakers. The application form and additional information on this process can be found on the City of Kawartha Lakes website: <https://www.kawarthalakes.ca/en/municipal-services/speak-before-council.aspx>. The Clerk's office can be reached by telephone at: 705-324-9411 ext. 1341 or by e-mail: [clerks@kawarthalakes.ca](mailto:clerks@kawarthalakes.ca).

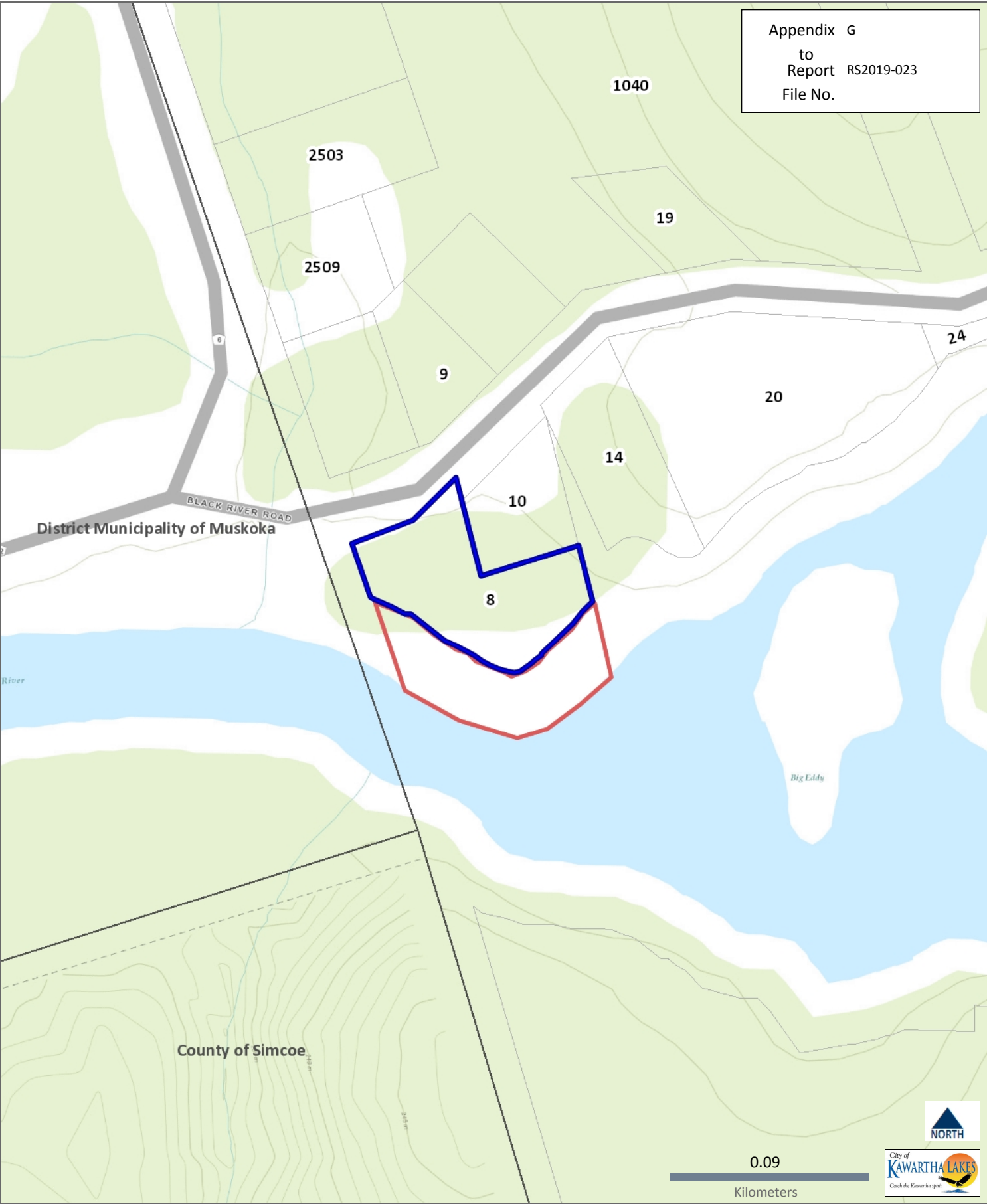
Sincerely,

The Corporation of the City of Kawartha Lakes

Laura Carnochan  
Law Clerk – Realty Services  
LC:lc





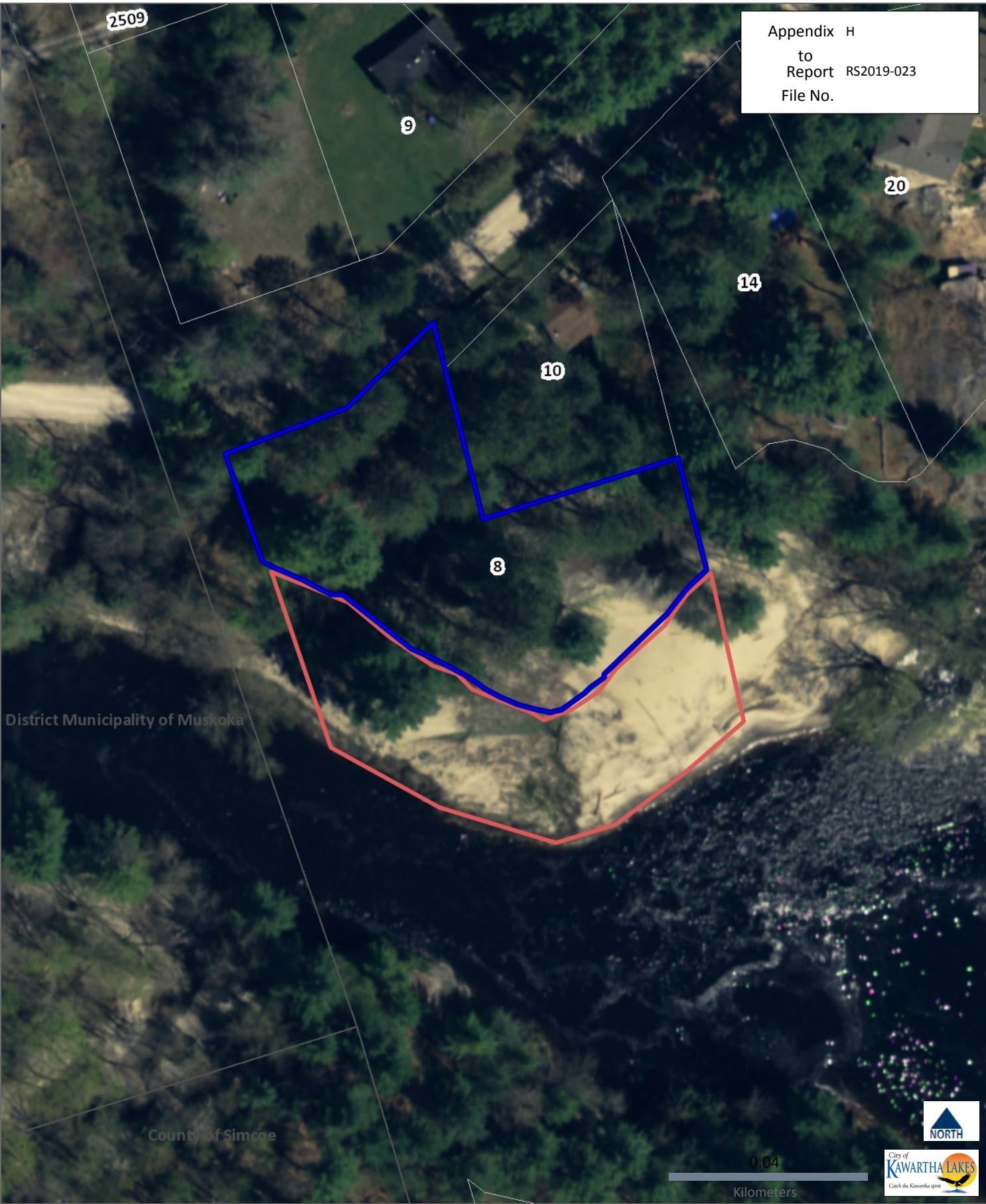


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Date:





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Date:

# The Corporation of the City of Kawartha Lakes

## Council Report

Report Number CS2019-011

---

**Date:** June 18, 2019  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

---

**Ward Community Identifier:** Wards 3, 5 and 7

**Title:** CS2019-011 - Memorandum of Understanding with the Haliburton, Kawartha, Pine Ridge District Health Unit for the Use of Municipal Facilities for Emergency Mass Health Protection Clinics

**Description:** MOU for Health Unit Use in case of Emergency of Fenelon Falls Community Centre and Victoria Park Armoury

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

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### Recommendation(s):

**That** Report CS2019-011, Memorandum of Understanding with the Haliburton, Kawartha, Pine Ridge District Health Unit for the Use of Municipal Facilities for Emergency Mass Health Protection Clinics, be received; and,

**That** the MOU's for use of the Fenelon Falls Community Centre and Victoria Park Armoury by the HKPRD Health Unit for the purpose of Emergency Mass Health Protection Clinics be approved for signature and authorization by the Mayor and Clerk.

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

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

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

## **Background:**

The Haliburton, Kawartha, Pine Ridge Health Unit (HKPRDHU) has requested to enter into a Memorandum of Understanding (MOU) with the City for the use of two of our facilities for Emergency Mass Health Protection Clinics.

This report addresses this HKPR request and action required.

## **Rationale:**

In the event of a declared or un-declared public health emergency that requires an emergency health protection clinic the HKPRDHU will require to have access to facilities that could accommodate such an event. If such an event were to occur, the Emergency Management and Civil Protection Act (EMPCA) requires for ministries and municipalities to develop certain plans. The purpose of the Clinic could be to administer vaccines, anti-viral or other public health clinic intervention to the population for a duration pending the conditions of need.

The HKPRDHU will provide staff, volunteers and supplies for the duration of the event. They will also provide required insurance for use of the facility(s) in question. Lastly, if there is any extraordinary costs assumed by the City they agree to re-imburse the City for these costs.

The following two facilities that meet the criteria for use for such needs are:

- Fenelon Falls Community Centre
- Victoria Park Armoury

Staff from both the HKPRDHU and the City have reviewed these sites and the proposed MOU's and are agreeable to these locations. It is important to note that the City of Kawartha Lakes holds final authority for the use and control of the facility(s) for the use of such clinics.

## **Other Alternatives Considered:**

Council could consider not to enter into this MOU. However, this is a standard agreement that Health Unit's across the Province have with municipalities to allow them to provide this public service if ever required.

## **Financial/Operation Impacts:**

There is no cost or budget implication required for this action. There is no cost associated to the City.



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

The action and recommendation(s) within the Report contributes to the Council Adopted Strategic Plan. It can identify one of the Goals, namely:

- Goal 3 – A Healthy Environment
- 

Link to Strategic Plan

<http://links/corpdocs/Corporate/2016%20Strategic%20Plan%20-%20City%20of%20Kawartha%20Lakes.pdf?Web=1>

## **Consultations:**

City of Kawartha Lakes, Parks, Recreation and Culture Division  
HKPRD Health Unit  
Insurance Risk Management Coordinator

## **Attachments:**

Appendix A – MOU for Fenelon Falls Community Centre



MOU HKPRDHU  
FFCC.docx

Appendix B – MOU for Victoria Park Armoury



MOU HKPRDHU  
Victoria Park Armoury.

**Department Head E-Mail:** cshanks@kawarthalakes.ca

**Department Head:** Craig Shanks

**Department File:**

**HALIBURTON, KAWARTHA, PINE RIDGE DISTRICT HEALTH UNIT  
MEMORANDUM OF UNDERSTANDING  
FOR THE USE OF THE FENELON FALLS COMMUNITY CENTRE, FENELON  
FALLS, ONTARIO FOR THE PURPOSE OF EMERGENCY MASS HEALTH  
PROTECTION CLINICS**

---

An agreement to authorize the use of the Fenelon Falls Community Centre, 27 Veterans Way, Fenelon Falls, Ontario K0M 1N0 for the purpose of holding mass health protection clinics.

The purpose of this agreement is to establish the framework through which the Haliburton, Kawartha, Pine Ridge District Health Unit (HKPRDHU) will have access to 27 Veterans Way, Fenelon Falls ON in the event a declared or un-declared public health emergency mass health protection clinic is required. This location will be used as a mass clinic for the purpose of administering vaccine, anti-viral or other public health clinic intervention to the population for a duration pending the conditions of the need.

This agreement made \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, between:

The Haliburton, Kawartha, Pine Ridge District Health Unit and  
the City of Kawartha Lakes

**WHEREAS**, the legal basis for emergency management in the province of Ontario is in part provided for in the Emergency Management and Civil Protection Act (EMCPA). The EMCPA requires ministries and municipalities to develop and implement an emergency management program consisting of emergency plans, training programs, exercises, and public education, as well as infrastructure to support emergency response. An Order-in-Council (OIC) under the EMCPA identifies the specific emergency management responsibilities for ministries of the Crown. The Ministry of Health and Long-Term Care, for example, has the OIC responsibility for taking a lead role in emergencies relating to human health, disease and epidemics and health services during an emergency.

**AND WHEREAS**, the Health Protection and Promotion Act (HPPA) identifies the powers and responsibilities of boards of health, medical officers of health and the Chief Medical Officer of Health (CMOH). The purpose of the HPPA is to “provide for the organization and delivery of public health programs and services, the prevention of the spread of disease and the promotion and protection of the health of the people of Ontario.”

Health protection is a cornerstone of the HPPA and of public health activities in the province of Ontario. Boards of health have a responsibility for identifying and preventing, reducing, or eliminating health hazards and addressing communicable diseases. The HPPA provides legal authority for the boards of health to respond to a public health emergency that has been determined to be a health hazard or as the result of a communicable disease.

**AND WHEREAS**, the HPPA makes provision under the Ontario Public Health Standard Protocols programs and services for the control of communicable diseases and reportable diseases, including provision of immunization services to children and adults;

**NOW THEREFORE**, the parties hereby agree to the following:

## DEFINITIONS

In this agreement:

- a) **“City of Kawartha Lakes”** means the unitary municipality in Central Ontario Canada;
- b) **“Facility”** means any building, grounds, apparatus, equipment, vehicles owned or under the control of The Fenelon Falls Community Centre, 27 Veterans Way, Fenelon Falls, Ontario
- c) **“Emergency Mass Health Protection Clinic”** means an event that demands a large-scale administration of vaccine or other medical intervention to a population in responding to a public health emergency;
- d) **“Municipality”** means any town, village or township located within the jurisdiction of the Health Unit.

## NOTIFICATION

To activate an **Emergency Mass Health Protection Clinic** event, the Medical Officer of Health or her/his designated alternate of the HKPRDHU will advise the City of Kawartha Lakes of the requirement to use the facility by notifying the respective facility director, or her/his designated alternate in writing. The written request shall be set out as outlined in Schedule “A”. Such request shall be responded and confirmed in writing within one business day by the City of Kawartha Lakes. The City of Kawartha Lakes can outline any concerns with the proposed dates and times of the clinics at the time of response.

## LIAISON

Upon activation of an Emergency Mass Health Protection Clinic event, the HKPRDHU will supply, but not be limited to, a Health Unit staff member to manage the activities in the facility. On receipt of an Emergency Mass Health Protection Clinic notification from the HKPRDHU, the City of Kawartha Lakes will be prepared to provide a facility liaison person to advise the staff members of the HKPRDHU.

The liaison person will be expected to provide the Health Unit staff member with information related to measures being employed to safeguard staff, and to protect the facility.

## USE OF FACILITY

In the event that an Emergency Mass Health Protection Clinic is required, the City of Kawartha Lakes agrees to make available to the HKPRDHU as much of the facility as may be needed. The Health Unit and the City of Kawartha Lakes will give due consideration to the requirements of the facility for safe accommodation of staff.

Notwithstanding the above paragraph and following the declaration of a local state of emergency to exist, final authority for the use and control of the facility shall rest with the City of Kawartha Lakes.

## **STAFFING**

The City of Kawartha Lakes shall have one or more members of its staff on the facility premises at all times or an oncall staff member depending on staffing levels, to assist with the operation and maintenance of the facility.

The HKPRDHU will have one or more members of its staff on the facility premises at all times to assist with the operation and maintenance of the Emergency Mass Health Protection Clinic services under the direction of the Health Unit.

## **DILIGENCE AND CARE**

The HKPRDHU and other parties having authority to use the facility shall exercise due diligence and care and shall not interfere with any of the facility activities unless deemed necessary as part of the response to the Emergency Mass Health Protection Clinic event.

Prior to the use of the facility, a duly authorized representative of the facility and a duly authorized representative of the Health Unit shall jointly inspect the facility and/or equipment to be used. Schedule "B" will then be signed by both parties outlining any pre-use damage or deficiencies.

Upon termination of use by the Health Unit, both parties shall again inspect the facility and/or equipment, making note of any damage, deficiencies or other such factors resulting from the Health Unit's use of said facility. Schedule "C" will then be signed by both parties to confirm any post-use damage or deficiencies.

## **INDEMNITY**

The HKPRDHU hereby agrees to save harmless and indemnify the City of Kawartha Lakes , its Officers, and Employees from and against all claims, demands or causes of action whether at law or in equity, in respect of its use of the said facility as herein provided, and from and against all damages, losses, costs, charges and expenses which the facility may sustain or incur or be liable for in consequence of such claims or demands or causes of action, from any source whatsoever, excluding claims arising from negligence by the City of Kawartha Lakes, including but not necessarily limited to:

- a) claims, demands or causes of action by, or on behalf of, any staff of The Health Unit or its agents, employees or representatives;
- b) claims, demands or causes of action by any other person or persons using the facility pursuant to this agreement.

## **INSURANCE**

The parties hereto further covenant and agree that their public liability insurer(s) have been presented a copy of this agreement. The said insurer(s) will confirm full coverage under existing policies to include usage of the facility by officers and representatives of the parties hereto, their employees and agents and members of the public pursuant to the provisions of this agreement.

In addition, the parties further covenant to provide to the other party hereto a confirmation letter from its insurer(s). The letter will confirm receipt of the agreement and confirms and acknowledges its liability coverage for bodily injury and property damage related to those individuals utilizing the facility as set out in this clause and pursuant to the provisions of the agreement.

The HKPRDHU will provide Proof of Liability Insurance annually in the form of a Certificate of Insurance in the amount of 2,000,000, and will add the City of Kawartha Lakes as an Additional Insured. The City of Kawartha Lakes will also agree to provide Proof of Insurance to the Health Unit annually.

## **COSTS**

HKPRDHU will only use the facility for the purpose of providing public health protection services in response to a public health emergency and therefore will be a mutual collaboration between The City of Kawartha Lakes and the Health Unit. For this reason, the Health Unit will be exempted from the current City of Kawartha Lakes by-law regarding facility rental fee.

The HKPRDHU hereby agrees to reimburse the City of Kawartha Lakes for extraordinary costs arising from the Health Unit's use of the facility or equipment. Such costs may include, but are not limited to, the actual costs of supplies, overtime wages or salaries paid to facility employees, additional utility costs for heating and lighting, additional expenses incurred in cleaning the premises, additional security costs, and long-distance telephone charges.

Where possible, agreement shall be sought by the City of Kawartha Lakes from The Health Unit before such extraordinary expenditures are made by the City of Kawartha Lakes. Advance approval shall be sought in all cases for any single expenditure expected to exceed \$2,500.00.

Such payment will be made within 60 days of the submission of an invoice to the Health Unit.

Nothing in this agreement shall preclude The Health Unit from taking action to recover such costs paid to the City of Kawartha Lakes from such person or agency as may be found responsible for causing the emergency, or from seeking federal or provincial funding to cover any or all costs incurred by the Health Unit.

Upon payment by The Health Unit to the City of Kawartha Lakes, the City of Kawartha Lakes relinquishes all rights to seek damages or compensation from such person or agency as may be found responsible for causing the emergency, or from federal or provincial sources.

## **VOLUNTEERS**

Individual volunteers, or volunteer groups and agencies such as Red Cross, Salvation Army, or St. John Ambulance who are engaged by The Health Unit to manage or assist with the operation of clinics at the facility shall be considered as agents of the Health Unit.

## **CONDUCT ON FACILITY PREMISES**



The Health Unit agrees to take all reasonable precaution against vandalism, mischief or behavior contrary to provincial or federal statutes by any party or parties who are accommodated in the facility, or who make use of the facility or equipment and may retain a private security provider.

If required, the City of Kawartha Lakes may request that the Ontario Province Police (OPP) – Kawartha Lakes Detachment be present at such facility to maintain order.

## **FEEDING**

No food preparation or consumption will be carried out at the facility in locations other than those normally set aside for such activities. No stoves or other cooking devices other than those normally and permanently installed by the City of Kawartha Lakes in such facility shall be used.

## **RETURN OF EQUIPMENT AND SUPPLIES**

The HKPRDHU will be responsible for removing borrowed, donated or purchased equipment from the facility upon termination of the Emergency Mass Health Protection Clinic.

## **TERMINATION**

This agreement may be terminated by any of the parties hereto, by 60 days' notice given in writing to the other parties by delivering the same in person or by ordinary mail. Any notice shall be deemed to have been given on the third business day following the date on which it was mailed.

## **SUCCESSORS AND ASSIGNS**

This agreement will inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

**IN WITNESS WHEREOF** the parties hereto have hereunto affixed their seals attested by the proper officers in that behalf.

Haliburton, Kawartha, Pine Ridge District Health Unit

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Cammie Jaquays , Board of Health Chair

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Dr. Lynn Noseworthy,  
Medical Officer of Health

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Andy Letham, Mayor  
City of Kawartha Lakes

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Cathie          Richie,          CityClerk



## SCHEDULE "A"

### Memorandum of Understanding: Emergency Mass Health Protection Clinic Event

I, \_\_\_\_\_, Medical Officer of Health of the Haliburton, Kawartha, Pine Ridge District Health Unit, duly authorized to do so by the Board of Health, do hereby request of the use of the **Fenelon Falls Community Centre**, 27 Veterans Way, Fenelon Falls, Ontario, for an Emergency Mass Health Protection Clinic starting on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

## SCHEDULE “B”

### Memorandum of Understanding: Facilities Pre-Used Damage or Deficiency

Upon joint inspection by HKPRHU staff, name of the staff\_\_\_\_\_, and  
Fenelon Falls Community Centre facility staff, name of the staff\_\_\_\_\_,  
on this \_\_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_\_. The following pre-used damage  
and deficiency have been identified:

## SCHEDULE "C"

### Memorandum of Understanding: Facilities Post-Used Damage or Deficiency

Upon joint inspection by HKPRHU staff, name of the staff\_\_\_\_\_, and  
Fenelon Falls Community Centre facility staff, name of the staff\_\_\_\_\_,  
on this \_\_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_\_. The following post-used damage  
and deficiency have been identified:



**HALIBURTON, KAWARTHA, PINE RIDGE DISTRICT HEALTH UNIT  
MEMORANDUM OF UNDERSTANDING  
FOR THE USE OF THE VICTORIA PARK ARMOURY, LINDSAY, ONTARIO  
FOR THE PURPOSE OF EMERGENCY MASS HEALTH PROTECTION CLINICS**

---

An agreement to authorize the use of the Victoria Park Armoury, 210 Kent Street W., Lindsay Ontario K9V 1A3 for the purpose of holding mass health protection clinics:

The purpose of this agreement is to establish the framework through which the Haliburton, Kawartha, Pine Ridge District Health Unit (HKPRDHU) will have access to 210 Kent Street W., Lindsay, Ontario in the event a declared or un-declared public health emergency mass health protection clinic is required. This location will be used as a mass clinic for the purpose of administering vaccine, anti-viral or other public health clinic intervention to the population for a duration pending the conditions of the need.

This agreement made \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, between:

The Haliburton, Kawartha, Pine Ridge District Health Unit and  
The City of Kawartha Lakes

**WHEREAS**, the legal basis for emergency management in the province of Ontario is in part provided for in the Emergency Management and Civil Protection Act (EMCPA). The EMCPA requires ministries and municipalities to develop and implement an emergency management program consisting of emergency plans, training programs, exercises, and public education, as well as infrastructure to support emergency response. An Order-in-Council (OIC) under the EMCPA identifies the specific emergency management responsibilities for ministries of the Crown. The Ministry of Health and Long-Term Care, for example, has the OIC responsibility for taking a lead role in emergencies relating to human health, disease and epidemics and health services during an emergency.

**AND WHEREAS**, the Health Protection and Promotion Act (HPPA) identifies the powers and responsibilities of boards of health, medical officers of health and the Chief Medical Officer of Health (CMOH). The purpose of the HPPA is to “provide for the organization and delivery of public health programs and services, the prevention of the spread of disease and the promotion and protection of the health of the people of Ontario.”

Health protection is a cornerstone of the HPPA and of public health activities in the province of Ontario. Boards of health have a responsibility for identifying and preventing, reducing, or eliminating health hazards and addressing communicable diseases. The HPPA provides legal authority for the boards of health to respond to a public health emergency that has been determined to be a health hazard or as the result of a communicable disease.

**AND WHEREAS**, the HPPA makes provision under the Ontario Public Health Standard Protocols programs and services for the control of communicable diseases and reportable diseases, including provision of immunization services to children and adults;

**NOW THEREFORE**, the parties hereby agree to the following:

## DEFINITIONS

In this agreement:

- a) **“City of Kawartha Lakes”** means the unitary municipality in Central Ontario Canada;
- b) **“Facility”** means any building, grounds, apparatus, equipment, vehicles owned or under the control of the Victoria Park Armoury, 210 Kent Street W., Lindsay, Ontario;
- c) **“Emergency Mass Health Protection Clinic”** means an event that demands a large-scale administration of vaccine or other medical intervention to a population in responding to a public health emergency;
- d) **“Municipality”** means any town, village or township located within the jurisdiction of the Health Unit.

## NOTIFICATION

To activate an **Emergency Mass Health Protection Clinic** event, the Medical Officer of Health or her/his designated alternate of the HKPRDHU will advise the City of Kawartha Lakes of the requirement to use the facility by notifying the respective facility director, or her/his designated alternate in writing. The written request shall be set out as outlined in Schedule “A”. Such request shall be responded and confirmed in writing within one business day by the City of Kawartha Lakes. The City of Kawartha Lakes can outline any concerns with the proposed dates and times of the clinics at the time of response

## LIAISON

Upon activation of an Emergency Mass Health Protection Clinic event, the HKPRDHU will supply, but not be limited to, a Health Unit staff member to manage the activities in the facility. On receipt of an Emergency Mass Health Protection Clinic notification from the HKPRDHU, the City of Kawartha Lakes will be prepared to provide a facility liaison person to advise the staff members of the HKPRDHU.

The liaison person will be expected to provide the Health Unit staff member with information related to measures being employed to safeguard staff, and to protect the facility.

## USE OF FACILITY

In the event that an Emergency Mass Health Protection Clinic is required, the City of Kawartha Lakes agrees to make available to the HKPRDHU as much of the facility as may be needed. The Health Unit and the City of Kawartha Lakes will give due consideration to the requirements of the facility for safe accommodation of staff.

Notwithstanding the above paragraph and following the declaration of a local state of emergency to exist, final authority for the use and control of the facility shall rest with the City of Kawartha Lakes.

## **STAFFING**

The City of Kawartha Lakes shall have one or more members of its staff on the facility premises at all times or an oncall staff member depending on staffing levels to assist with the operation and maintenance of the facility.

The HKPRDHU will have one or more members of its staff on the facility premises at all times to assist with the operation and maintenance of the Emergency Mass Health Protection Clinic services under the direction of the Health Unit.

## **DILIGENCE AND CARE**

The HKPRDHU and other parties having authority to use the facility shall exercise due diligence and care and shall not interfere with any of the facility activities unless deemed necessary as part of the response to the Emergency Mass Health Protection Clinic event.

Prior to the use of the facility, a duly authorized representative of the facility and a duly authorized representative of the Health Unit shall jointly inspect the facility and/or equipment to be used. Schedule "B" will then be signed by both parties outlining any pre-use damage or deficiencies.

Upon termination of use by the Health Unit, both parties shall again inspect the facility and/or equipment, making note of any damage, deficiencies or other such factors resulting from the Health Unit's use of said facility. Schedule "C" will then be signed by both parties to confirm any post-use damage or deficiencies.

## **INDEMNITY**

The HKPRDHU hereby agrees to save harmless and indemnify the City of Kawartha Lakes, its Officers, and Employees from and against all claims, demands or causes of action whether at law or in equity, in respect of its use of the said facility as herein provided, and from and against all damages, losses, costs, charges and expenses which the facility may sustain or incur or be liable for in consequence of such claims or demands or causes of action, from any source whatsoever, excluding claims arising from negligence by the City of Kawartha Lakes, including but not necessarily limited to:

- a) claims, demands or causes of action by, or on behalf of, any staff of The Health Unit or its agents, employees or representatives;
- b) claims, demands or causes of action by any other person or persons using the facility pursuant to this agreement.

## **INSURANCE**

The parties hereto further covenant and agree that their public liability insurer(s) have been presented a copy of this agreement. The said insurer(s) will confirm full coverage under existing policies to include usage of the facility by officers and representatives of the parties hereto, their employees and agents and members of the public pursuant to the provisions of this agreement.

In addition, the parties further covenant to provide to the other party hereto a confirmation letter from its insurer(s). The letter will confirm receipt of the agreement and confirms and acknowledges its liability coverage for bodily injury and property damage related to those individuals utilizing the facility as set out in this clause and pursuant to the provisions of the agreement.

The HKPRDHU will provide Proof of Liability Insurance annually in the form of a Certificate of Insurance in the amount of 2,000,000, and will add the City of Kawartha Lakes as an Additional Insured. The City of Kawartha Lakes will also agree to provide Proof of Insurance to the Health Unit annually.

## **COSTS**

HKPRDHU will only use the facility for providing public health protection services in response to public health emergency and therefore will be a mutual collaboration between the City of Kawartha Lakes and the Health Unit. For this reason, the Health Unit will be exempted from the current City of Kawartha Lakes by-law regarding facility rental fee.

The HKPRDHU hereby agrees to reimburse the City of Kawartha Lakes for extraordinary costs arising from the Health Unit's use of the facility or equipment. Such costs may include, but are not limited to, the actual costs of supplies, overtime wages or salaries paid to facility employees, additional utility costs for heating and lighting, additional expenses incurred in cleaning the premises, additional security costs, and long-distance telephone charges.

Where possible, agreement shall be sought by the City of Kawartha Lakes from The Health Unit before such extraordinary expenditures are made by the City of Kawartha Lakes. Advance approval shall be sought in all cases for any single expenditure expected to exceed \$2,500.00.

Such payment will be made within 60 days of the submission of an invoice to the Health Unit.

Nothing in this agreement shall preclude The Health Unit from taking action to recover such costs paid to the City of Kawartha Lakes from such person or agency as may be found responsible for causing the emergency, or from seeking federal or provincial funding to cover any or all costs incurred by the Health Unit.

Upon payment by The Health Unit to the City of Kawartha Lakes, the City of Kawartha Lakes relinquishes all rights to seek damages or compensation from such person or agency as may be found responsible for causing the emergency, or from federal or provincial sources.

## **VOLUNTEERS**

Individual volunteers, or volunteer groups and agencies such as Red Cross, Salvation Army, or St. John Ambulance who are engaged by The Health Unit to manage or assist with the operation of clinics at the facility shall be considered as agents of the Health Unit.

## **CONDUCT ON FACILITY PREMISES**

The Health Unit agrees to take all reasonable precaution against vandalism, mischief or behavior contrary to provincial or federal statutes by any party or parties who are accommodated in the facility, or who make use of the facility or equipment and may retain a private security provider.

If required, the City of Kawartha Lakes may request that the Kawartha Lake Police be present at such facility to maintain order.

## **FEEDING**

No food preparation or consumption will be carried out at the facility in locations other than those normally set aside for such activities. No stoves or other cooking devices other than those normally and permanently installed by the City of Kawartha Lakes in such facility shall be used.

## **RETURN OF EQUIPMENT AND SUPPLIES**

The HKPRDHU will be responsible for removing borrowed, donated or purchased equipment from the facility upon termination of the Emergency Mass Health Protection Clinic.

## **TERMINATION**

This agreement may be terminated by any of the parties hereto, by 60 days' notice given in writing to the other parties by delivering the same in person or by ordinary mail. Any notice shall be deemed to have been given on the third business day following the date on which it was mailed.

## **SUCCESSORS AND ASSIGNS**

This agreement will inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

**IN WITNESS WHEREOF** the parties hereto have hereunto affixed their seals attested by the proper officers in that behalf.

Haliburton, Kawartha, Pine Ridge District Health Unit

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Cammie Jaquays, Board of Health Chair

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Dr. Lynn Noseworthy,  
Medical Officer of Health

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk



## SCHEDULE "A"

### Memorandum of Understanding: Emergency Mass Health Protection Clinic Event

I, \_\_\_\_\_, Medical Officer of Health of the Haliburton, Kawartha, Pine Ridge District Health Unit, duly authorized to do so by the Board of Health, do hereby request of the use of the **Victoria Park Armoury**, 210 Kent Street W., Lindsay, Ontario, for an Emergency Mass Health Protection Clinic starting on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

## SCHEDULE “B”

### Memorandum of Understanding: Facilities Pre-Used Damage or Deficiency

Upon joint inspection by HKPRHU staff, name of the staff\_\_\_\_\_, and Victoria Park Armoury facility staff, name of the staff\_\_\_\_\_, on this \_\_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_\_. The following pre-used damage and deficiency have been identified:

## SCHEDULE "C"

### Memorandum of Understanding: Facilities Post-Used Damage or Deficiency

Upon joint inspection by HKPRHU staff, name of the staff\_\_\_\_\_, and Victoria Park Armoury facility staff, name of the staff\_\_\_\_\_, on this \_\_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_\_. The following post-used damage and deficiency have been identified:

# The Corporation of the City of Kawartha Lakes

## Council Report

Report Number CS2019-012

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**Date:** June 18, 2019

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

**Place:** Council Chambers

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**Ward Community Identifier:** Ward 7

**Title:** CS 2019-012 Kawartha Boys and Girls Club Funding Request for Splash Pad Water Utility

**Description:** Request of B&GC for Water Utility Relief

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

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### Recommendation(s):

**That** Report CS2019-012, Kawartha Boys and Girls Club Funding Request for Splash Pad Water Utility, be received.

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

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

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

## **Background:**

At the Council Meeting of May 21, 2019, Council adopted the following resolutions:

### **CR2019-320**

**That** the deputation of Amy Terrill, Executive Director, Boys and Girls Clubs of Kawartha Lakes, and Rob Cyr, Manager Community Services, Boys and Girls Clubs of Kawartha Lakes, regarding the Boys and Girls Club Water Park Construction, be received.

### **CR2019-326**

**That** the May 2, 2019 correspondence from Amy Terrill, Executive Director, Boys and Girls Clubs of Kawartha Lakes, regarding the Boys and Girls Clubs of Kawartha Lakes Water Park Construction, be received; and

**That** staff provide a report by the end of June/July, 2019 to outline the funding options that are available for a potential \$15,000.00 contribution to the operation of the Water Park at the Boys and Girls Club of Kawartha Lakes.

This report addresses that direction.

## **Rationale:**

The specific request from the Kawartha Lakes Boys and Girls Club (KLBGC) is a \$15,000.00 contribution from the City that will allow them to extend their operating hours. The KLBGC has determined the \$15,000.00 through the following formula. The splashpad is to operate for KLBGC purposes from 10 am – 2 pm (Monday – Friday) for 10 week summer period (200 total hours).

The proposal provided to the City was to add the following to that-

- Monday – Friday (2:00- 6:00pm) (200 hours)
- Saturday- Sunday (10:00- 6:00pm) (160 hours)
- To add an 11<sup>th</sup> week (7 days, 10:00-6:00pm) (56 hours)

This would total to 416 hours of extra operation. Based on the water rate provided by City staff this would equal \$14,988.76 for the 416 hours.

Presently the City does not have a budget to provide for this funding request. Nor does the City have a program which will allow for the KLBGC to apply for such funding.



The City currently has 3 Municipal Splashpads to service the public as follows:

- Bobcaygeon Tommy Anderson Park
- Fenelon Falls Garnet Graham Park
- Lindsay Elgin Park (currently under renovation)

There is a 4<sup>th</sup> Splashpad planned for Lindsay Logie Park which is part of the current capital project and projected for opening for the 2020 season. This Splashpad will service the municipality in the same area (SE of Lindsay) as the KLBGC facility. The water utility expense (approx. \$54,000) for these municipal facilities is 100% absorbed in the Community Services - Parks Recreation and Culture Division budget and not subsidized in anyway.

The KLBGC received significant funding from the City of Kawartha Lakes through the Lindsay Legacy C.H.E.S.T. Fund for the capital construction of the facility. The Legacy Community Hydro Electric Systems Transfers (C.H.E.S.T.) Fund Grant Policy and Application (CP2016-011 – Appendix B) for this Fund states:

- Grants will not be provided - Day to day operating costs of an organization i.e. staffing, utilities, rent, property taxes, etc.
- Any additional tax burden on the residents of the geographic area where the funds are to be expended and/or any other part of the municipality must be clearly identified (In the case of the Bobcaygeon C.H.E.S.T. Fund “NO” additional tax burden will be accepted).

The original application which secured funds for this project through the Lindsay Legacy C.H.E.S.T. Fund did not indicate a potential for future utility burden relief which would have a tax levy impact. Therefore based on this Policy that specific request is not eligible for funding.

Finally, the City has received numerous funding requests from various Not-for-Profit agencies in the past. All of these requests have significant contributions to the City. However, it is understood that the City needs to remain equitable to all agencies and is unable to fund requests outside of City Policy and therefore numerous valid programs/projects are denied. It is again understood that the KLBGC project is an excellent project which will enhance their facility and provide service to the public, however it is not a request which the City can fund.

## **Other Alternatives Considered:**

Council could choose to fund the request. If this action is taken Council will need to pass the following motion;

**That** Council direct staff to fund the \$15,000.00 request for annual operating relief to the Kawartha Lakes Boys and Girls Club for the purposes of offsetting water utility costs for the KLBGC Spalshpad; and,

**That** Staff allocate this expense to an applicable GL in the annual City Operating Budget.

## **Financial/Operation Impacts:**

If Council were to consider providing some funding for the KLBGC the cost would be an annual \$15,000. Currently there is no budget for such an item, nor is there a budget to accommodate such a grant. Therefore this expense would be an additional \$15,000 to the City's 2019 budget and it would need to be added to future City budgets.

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

The action and recommendation(s), within the Report contributes to the Council Adopted Strategic Plan. It can identify one of the Goals, namely:

- Goal 2 – An Exceptional Quality of Life

Link to Strategic Plan

<http://links/corpdocs/Corporate/2016%20Strategic%20Plan%20-%20City%20of%20Kawartha%20Lakes.pdf?Web=1>

## **Consultations:**

City of Kawartha Lakes Parks, Recreation and Culture Division  
City of Kawartha Lakes Corporate Services Department  
Kawartha Lakes Boys and Girls Club

## Attachments:

Appendix A: Correspondence from KLBGC



Appendix A  
Correspondence from

Appendix B: The Legacy Community Hydro Electric Systems Transfers  
(C.H.E.S.T.) Fund Grant Policy and Application (CP2016-011)



CP2016-011 Legacy  
Community Hydro Elec

**Department Head E-Mail:** cshanks@kawarthalakes.ca

**Department Head:** Craig Shanks

**Department File:**

**From:** Robert Cyr [mailto:RCyr@bgckl.com]  
**Sent:** Friday, May 31, 2019 12:19 PM  
**To:** Craig Shanks  
**Cc:** Amy Terrill  
**Subject:** Water Park Budget Information

Hello Craig,

Thanks for taking time to meet with Amy and I earlier this week. I had mentioned that I would send the formula information for how we came to the \$15,000 number.

So as I mentioned the Club is currently planning to have the park open from 10:00- 2:00pm (Monday-Friday) for 10 weeks in total which would equal 200 hours of operation.

The proposal we provided to the City was to add the following to that-

- Monday – Friday (2:00- 6:00pm) (200 hours)
- Saturday- Sunday (10:00- 6:00pm) (160 hours)
- To add an 11<sup>th</sup> week (7 days, 10:00-6:00pm) (56 hours)

This would total to 416 hours of operation.

Based on the water rate provided by the City staff this would equal \$14,988.76 for the 416 hours. We did round the request number by \$11.24.

Please feel free to reach out with any questions.

Have a great weekend.

**Sincerely,**

**Robert Cyr**  
Manager, Community Services  
**Boys & Girls Clubs of Kawartha Lakes**  
107 Lindsay St. S Lindsay ON, K9V 2M5  
T 705/324-4493 ext. 215 F 705/878-8605  
[rcyr@bgckl.com](mailto:rcyr@bgckl.com)



# Council Policy

Council Policy No.:	CP2016-011
Council Policy Name:	Legacy Community Hydro Electric Systems Transfers (C.H.E.S.T.) Fund Grant Policy and Application
Date Approved by Council:	October 4, 2016
Date revision approved by Council:	
Related SOP, Management Directive, Council Policy, Forms	Application Form and Related Appendices

## Policy Statement and Rationale:

This policy is made in accordance with the Order of the Commission Made Under the Municipal Act R.S.O. 1990, c.M. 45 dated April 19, 2000 relating all to former municipalities as follows: Town of Lindsay, Municipality of Bobcaygeon/Verulam, Village of Fenelon Falls, Village of Omemee, Village of Sturgeon Point, Village of Woodville, Township of Bexley, Township of Carden/Dalton, Township of Eldon (Kirkfield), Township of Emily, Township of Fenelon, Township of Laxton, Digby and Longford, Township of Manvers, Township of Mariposa, Township of Ops, and Township of Somerville.

The mandate of the Order of Commission is that the hydro reserves of the public utilities commissions and hydro electric commissions of the former municipalities may, upon being transferred to the new municipality under section 11, be used for any purposes that the council of the new municipality considers appropriate but shall only be used for the benefit of the ratepayers of the geographic area of the former municipality which the public utility commissions or hydro electric commissions, respectively, served.

The policy and application as set out herein will refer to the "Legacy C.H.E.S.T. Fund Grant Committee", as opposed to individual Committees so that the document will be uniform and compatible across all Committees in their relevant geographic area.

## Scope:

### About the Legacy C.H.E.S.T. Fund

The goal of the Legacy C.H.E.S.T. Fund is to provide financial assistance to non-profit, community-based organizations that provide programs, projects, services, or activities that enhance the quality of life for Lindsay residents in the areas of health, arts, culture, leisure, heritage, education and the environment





# Council Policy

## Policy:

### Funding

#### Terms of Funding

All funding allocated by the Legacy C.H.E.S.T. fund is to be expended in the calendar year that it is awarded unless alternate timelines were approved as part of the project.

#### What Projects are Eligible for C.H.E.S.T. Fund Grants

- Capital project grants to be used for repairs, renovation or improvements to land or buildings and to purchase equipment to support programs, activities or services that show they have sustainability or lasting impact
- Projects that have clear, measureable benefits to the Community
- Projects that provide greater accessibility to activities, programs or venues, including geographical, physical, cultural or economic accessibility in the relevant geographic area that are promoted as open to the general public
- Special Events – a sporting, cultural, or other type of unique activity, occurring for a limited or fixed duration
- Startup Funding – for a program/event, with the understanding annual funding will not be provided to continue its operations
- Special/Multi-year Projects – where the project is exclusively for construction, alterations or renovations, or acquisition of property; and where the award will have a project period of more than 12 months of activity (applicable to the Lindsay Legacy C.H.E.S.T. Fund only)
- Extenuating Circumstances: In occasional cases, anytime during the year, the fund may honour one-time requests from organizations of importance to the Town of Lindsay in dire need of financial assistance. The organization must demonstrate a willingness to work with a third party acceptable to the Committee to improve its financial viability (applicable to the Lindsay Legacy C.H.E.S.T. Fund only).

Examples of sustainability or lasting impact could include:

- Added value to community life even after the grant is complete (for example, participants continue to share what they have learned, a permanent change has been achieved in the community or a model has been repeated in another community)
- A plan for ensuring resources are in place to continue to work after the grant ends (including maintenance for renovation and equipment grants)



# Council Policy

## What the Legacy C.H.E.S.T. Fund Will Not Fund

### Grants will not be provided:

- To individuals without a Sponsor – see Eligibility Criteria below
- On a retroactive basis or for a project that is already completed
- If duplication of funding received from another funder
- To cover budget deficits
- Day to day operating costs of an organization i.e. staffing, utilities, rent, property taxes, etc.
- For programs, activities or services outside the relevant geographic area
- To support programs or services geared specifically to activities related to ratepayer or tenant/landlord associations, or political parties
- For religious activities or instruction, including renovations to a place of worship unless it is also used for community activities or is a significant heritage site used for the general benefit of the community
- As donations to charitable causes
- To offset capital depreciation costs

### Eligibility Criteria

To be eligible for funding applicants must:

- Be a non-profit incorporated organization, registered charity or be sponsored by an organization that is a non-profit incorporated group or registered charity. If an applicant is neither a registered charity nor a non-profit organization, an applicant must find a Sponsor Agency. The Sponsor Agency will receive the funds for the applicant, disperse them to the applicant, and be responsible for providing The Committee/Council with a reconciliation of actual expenditures for each grant awarded along with receipts and financial statements. The name and address of the Sponsor Agency with signature of sponsoring agency representative and a signed Sponsor Agency Agreement letter are required. All sections of the application must be completed **by the Sponsor Agency**
- Have demonstrated sound financial management. (as defined under the “Accountability” section)
- Be based in the relevant geographic area, and have a mandate to provide programs, projects, services, or activities that enhance the quality of life for residents in the areas of health, arts, culture, heritage, education, leisure and the environment
- Be able to show capabilities of providing the proposed service, project or program within identified measurable results

- Provide a completed application form and other reports as requested, and if a previous grant recipient, have provided a post project financial report to confirm use of the funds as intended

**Applications must also meet the following criteria established by Council:**

- Must benefit the ratepayers of the relevant Geographic Area
- Any additional tax burden on the residents of the geographic area where the funds are to be expended and/or any other part of the municipality must be clearly identified (In the case of the Bobcaygeon C.H.E.S.T. Fund “NO” additional tax burden will be accepted)
- Applications that are dependent upon other funding sources being applied against the project (not municipal tax levy), must demonstrate that all required funding will be in place within the year in which the application is approved prior to the Legacy C.H.E.S.T. Funds being released
- Must not involve handing funds over to a third party. The final disposition of any approved grant must be in accordance with the approved purpose and, without any allowance for setting aside or reserving any amount of the award for other purposes or other disbursements
- Must not be invested in the private sector for revenue generation or speculation.
- Must not offset normal Municipal Obligations. Eligible applications, where the project affects obligatory municipal services or is on municipal property, must provide assurance that service provision is enhanced without an expectation that the associated cost to the municipality will be reduced
- May partner with other funding opportunities (Municipal, Provincial, Federal) to leverage funds. Must not be used to offset the pre-existing or future operating or capital obligation of any organization
- If a permanent asset/amenity, it must be used for/placed where publicly accessible to all taxpayers of the relevant area

**Conditions of the Grants**

Having requested and received a grant from the Legacy C.H.E.S.T. Fund, the Applicant agrees to the following:

- If the grant is not used for the project, events or activities described in the application, or if there are any misrepresentations in the application, the full amount of the grant (including any interest earned, if applicable) will be returned by the Applicant, made payable to The City of Kawartha Lakes for return to the Committee for deposit in the respective reserve fund
- No changes are to be made with respect to the funding of the project from that described in the application without the approval of the Committee

- The Applicant will keep proper books of accounts of all receipts (proof of payment in the form of invoices/receipts and bank statements) and expenditures relating to the project, event or activity for which the grant was given and will retain these documents for a period of least 7 years
- The Applicant will allow the City Treasurer or a delegate, to examine any records of the applicant to ascertain that the funds granted by the Committee/City to the applicant have been properly expended for the purposes herein described
- If projects, events or activities described on the Applicant's application are not commenced or are not completed and there are grant funds on hand, or are completed without requiring the full use of the grant, such funds (including any interest earned, if applicable) will be returned by the Applicant, made payable to the City of Kawartha Lakes for return to the Committee for deposit in the respective reserve fund
- Should the Applicant receive grant funding and subsequently disband, the Applicant must immediately advise the City of Kawartha Lakes and the Committee to ensure grant funds are returned as outlined above
- Should an organization/program that has assets purchased with a C.H.E.S.T. Fund grant cease to exist said assets must be returned to the C.H.E.S.T. Fund/City. The organization/program must notify the Committee of its pending dissolution and submit a list of the assets to be returned
- No grant will be made retroactively to fund deficits or shortfalls. Commitments made by an Applicant prior to, or in anticipation of official written notification that a grant has been approved are done at the Applicant's risk. In the event that an application is rejected, the Committee/City will not be responsible for expenditures already incurred.
- The Applicant commits to completing a Post-Project Financial Report upon the completion of the project to identify the complete expenditures of the project and the measured results of the project. The deadlines for reports to be received are as follows:
  - Events – within 60 days of completion
  - Major projects/enhancements – upon completion of the project or at the end of the application year

## Application Criteria

As funding becomes available, grants may be made to applicants that demonstrate that there is community support or need for the programs, services, or project offered by the applicant; that there is a need for financial assistance; and that adequate funding for the programs or services is not available from other sources. Applicants are permitted only one funding request per calendar year although a single application may contain a number of smaller projects.

## **Partnership**

Partnership is achieved when community groups work with each other and with individuals to plan and deliver programs, projects or services. A dispute resolution letter may be requested.

## **Accessibility (Open to the General Public)**

Accessibility is achieved when the programs, services, activities, or events are actively promoted to encourage the participation of all residents of the community; any fees charged are appropriate/reasonable; and the programs, services, activities, or events are made open to the general public.

## **Effectiveness**

Effectiveness is achieved when the impacts or outcomes of a service, project or program can be clearly identified and measured and are found to be both consistent with the applicant's mandate and would be positive for the community.

To be categorized as providing an acceptable level of effectiveness, the applicant must demonstrate, at a minimum:

- That the applicant's objectives, which may include a mission statement or mandate, are clearly stated
- That the programs, projects and services developed are consistent with the applicant's objectives or mission statement
- That the applicant operates programs, projects or services on a self-sufficient basis where possible
- That the applicant evaluates services, projects and programs with input from participants
- That the applicant operates in a cost-effective manner and establishes a business plan

## **Accountability**

Accountability is achieved when the applicant exhibits sound management and financial practices and responds to the changing needs of the community.

To provide an acceptable level of accountability, the applicant must demonstrate at a minimum:

- That it follows democratic practices i.e. election, full disclosure of finances etc. answerable to a general membership and participants
- That financial need is justified in terms of the applicant's impact on the community and ability to generate support from the community



- That full disclosure of all anticipated revenue sources and how those funds will be expended is provided
- That full disclosure of all assets, trusts, surpluses and reserve funds and their purpose is provided
- That the applicant operates with the benefit of a business plan or budget
- That the applicant actively pursues fundraising activities or alternate sources of revenue
- That financial statements/information is provided when and as required
- In addition, applicants will be required to identify how they will measure the success of the program, service or project should their funding request be approved

## Application

Applications for the Legacy C.H.E.S.T. Fund Grants are available through the City's website [www.city.kawarthalakes.on.ca](http://www.city.kawarthalakes.on.ca), under City Hall > Agenda's and Minutes > Boards and Committees, or alternatively at any City Administration Office.

Each applicant will be required to provide information about the organization and its programs or services; evidence to establish the applicant's eligibility in terms of the evaluation criteria outlined in this policy; a description of how the applicant intends to measure the success of the program, service or project if the funding request is approved; and specific financial information related to the applicant's revenues and assets.

Wherever practicable, grant applications must include a detailed breakdown and **prioritization** of component costs, particularly for those applications that comprise a number of smaller projects. This prioritization will provide a guideline to the Committee(s) in the event that only partial funding can be awarded.

At a minimum, applicants will be required to submit with their applications:

- A statement of the applicant's goals and objectives, and or constitution and by-laws if applicable
- The names , addresses and telephone numbers of all members of the applicant's board of directors or executive
- An excerpt of the motion from the minutes of the executive meeting at which the application was approved for submission
- Two (2) quotations per component of the project that provide justification for the project funding requested, with all applicable taxes net to the organization
- Financial information as follows:
  - A draft/proposed budget for the upcoming year
  - A financial statement for the previous year (for grant applications over \$25,000.00 the statement must be audited or accountant reviewed)

- If the audited or accountant reviewed financial statements are not available at the time of the application submission, you may submit internally prepared financial statements that include both a statement of revenues and expenses and a balance sheet, with a letter of explanation outlining the reason why the statements are unavailable and or expected timeframe when they will be audited or accountant reviewed
- A year -to- date financial statement
- A statement disclosing all assets and reserve funds and any anticipated year-end surplus and profits from events

## **Application Review Process**

Requests are reviewed initially by the Committee whose role is to determine whether the applicant is eligible and, if so, whether the project demonstrates commitment to the principles as required. The Committee will also attempt to ensure an equitable distribution of available funds, and where projects may exceed available funds, the Committee will make recommendations concerning the priority for the funds and/or the distribution of available funds.

All applications reviewed will be assessed in a comparative context that takes into consideration:

- The number of residents served by the organization's programs, projects and services
- The level of volunteer support and activity
- The quality of the programs, projects and services
- The quality of financial management and organizational effectiveness
- The value of the programs, projects and services to the community

As part of this review, the Committee may consult with City staff, other organizations providing grants, other organizations providing similar services and with members of the applicant for additional information. The Committee may elect to visit the program site, before making a recommendation.

## **Approval Process**

The Committee will make recommendations after the review process to either recommend approval of either full or partial funding or decline the application.

The time frame for a decision on the final approval is generally 120 days or less from the deadline date.



# Council Policy

Applicants that are approved for full or partial funding will be advised in writing noting the Committee's recommendation and the date the recommendation will be forwarded to City Council for approval.

Applicants that are ineligible for funding and whose application will receive no further consideration will be so advised, in writing, along with an explanation as to what criteria was not met.

## **Financing**

### **Payment**

Unless other specific conditions are recommended and approved by City Council, all grants will be awarded approximately one month following final approval.

### **Reconciliation (Financial Post Project Report)**

Grants may not be used for ANY purposes other than the purposes outlined within the application as approved by City Council.

All successful applicants are required to return to the Committee any portion of the grant (including any interest earned if applicable) not expended in the calendar year for which it was awarded unless the timelines were approved as part of the project.

Should an organization not use the approved grant funds (or a portion of) "ALL" unspent funds plus any earned interest if applicable must be returned to the Committee to be deposited back to the respective reserve fund.

All successful applicants are required to complete a Post Project Financial Report, a reconciliation of actual expenditures for each grant awarded. Proof of payment in the form of invoices/receipts and bank statements must be provided to the Committee to verify that the grant was expended according to the terms in the approved application.

The financial statements, proof of payments in the form of invoices/receipts and bank statements submitted for reconciliation purposes, financial post project report, all must be approved by the Executive or Board of Directors on the organizations letterhead with the excerpt of the motion from the minutes of the meeting at which they were approved must be provided.

Applicants are required to identify how they will measure the success of the programs, services or projects for which funding was provided. The results of these measurements must be provided on completion of the project through a post-project report.



# Council Policy

Failure to submit the requested information will jeopardize future consideration of grant requests.

## **Monitoring**

The information provided is made available for review and reconciliation by the Committee. As part of the reconciliation process, programs, projects or services receiving grants may be subject to an audit and/or site visit.

City Staff will prepare a report to City Council each year outlining any grants that are complete or could not be fully reconciled or which were not expended according to City Council direction, and recommending action which should be taken. This status report, and subsequent City Council decisions, will be considered when assessing new applications.

## **Recognition Requirements**

Public recognition of the grant and the activities it supports is an important way for the organization receiving the grant and the Committee to tell other people about the work being done with Legacy C.H.E.S.T. Funding while demonstrating openness and accountability about how the funds are spent.

All grant recipients are required to display signage/logo in an appropriate high-traffic location indicating support of the Legacy C.H.E.S.T. Fund. In addition, grant recipients are expected to acknowledge the Legacy C.H.E.S.T. Fund support in the public announcements and media releases, at special events and on websites. Annual reports, newsletters, event programs and exhibits should also include appropriate recognition of the Legacy C.H.E.S.T. Fund logo that will be provided to successful applicants. Alternatively, the logo can be located on the City Website, along with the applications.

The use of the logo on sign/plaques/promotional material is to be directed according to the City of Kawartha Lakes policy.

## **Submission Information**

Applications and all required copies for this funding should be dropped off at or mailed to:

Lindsay Legacy C.H.E.S.T. Fund  
Community Services Administration  
50 Wolfe Street  
Lindsay ON K9V 2J2  
Attn: Lindsay Legacy C.H.E.S.T. Fund

Bobcaygeon Legacy C.H.E.S.T. Fund  
Bobcaygeon Service Centre  
123 East Street South  
Bobcaygeon ON K0M 1A0  
Attn: Bobcaygeon Legacy C.H.E.S.T. Fund



# Council Policy

All Other Former Committees  
Community Services Administration  
50 Wolfe Street  
Lindsay ON K9V 2J2  
Attn: Legacy C.H.E.S.T. Fund Grant

All phone inquiries should be made to 705-324-9411 ext. 1300

**Submission deadline for both the Lindsay and Bobcaygeon Legacy C.H.E.S.T. Fund Applications is 4:30 p.m. on the last Friday of October annually**

You should note that the deadline date is absolute and incomplete grant applications will not be considered. If requested by the applicant, City Staff or the Legacy C.H.E.S.T. Fund Grant Committee will provide advice to ensure that the application is completed fully, and that all information requirements are met prior to the closing date.

For the Lindsay and Bobcaygeon Legacy C.H.E.S.T. Fund please submit your **original** and **9 photocopies** (for a total of 10 copies), and for All Former Committees please submit your **original** (for a total of 1 copy) of the application by the deadline date.

As well, as all applications and copies that are found to be either eligible or non-eligible become the property of the City and non-returnable.

## Revision History:

Proposed Date of Review:

Revision	Date	Description of changes	Requested By
0.0	[Date]	Initial Release	



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

## **Council Report**

**Report Number PUR2019-021**

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**Date:** June 18, 2019  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier: Wards 1 and 5**

**Title: 2019-48-OQ Leachate Hauling and Disposal Services for Eldon Landfill and Lindsay WPCP**

**Author and Title: Linda Lee, Buyer**  
**Kerri Snoddy, Regulatory Compliance Officer**

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### **Recommendation(s):**

**That** Report PUR2019-021, 2019-48-OQ Leachate Hauling and Disposal Services for Eldon Landfill and Lindsay WPCP, be received;

**That** Shepherd Environmental Services be selected for the award of 2019-48-OQ Leachate Hauling and Disposal Services for Eldon Landfill and Lindsay WPCP for an estimated annual amount of \$213,850.00 plus HST. The initial term will be for a three year period from July 1, 2019 to June 30, 2022;

**That** pending successful completion of the initial term, staff be authorized to enter into contract for two (2), one (1) year optional terms;

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

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

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

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

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

## **Background:**

The newly constructed phase of the Eldon landfill was completed in 2018. Waste Management staff will begin filling the cell with waste this summer. The newly constructed cell is an engineered cell with a leachate collection system. Once waste is placed in the cell the leachate produced will need to be pumped and transported to the Lindsay Water Pollution Control Plant for treatment.

Qualified companies were requested to provide all labour, fuel, equipment, materials and supervision necessary to provide leachate hauling and disposal services, as specified. This involves safe removal and hauling of leachate on an as needed basis from the Eldon landfill and disposal of leachate at the Lindsay Water Pollution Control Plant (WPCP).

This Request for Quotation (RFQ) 2019-48-OQ Leachate Hauling and Disposal Services for Eldon Landfill and Lindsay WPCP was released and advertised in accordance with the Purchasing Policy.

The RFQ closed on May 17, 2019 and was opened in public by Mayor Andy Letham and Linda Lee, Buyer of Financial Services.

Submissions were received by the following companies:

Company Name	Quoted price
Shepherd Environmental Services	\$213,850.00
Wessuc Inc	\$453,750.00

Submissions were evaluated for compliancy to the quotation document with Shepherd Environmental Services being the lowest compliant submission and provided acceptable references.

## **Rationale:**

Staff recommends that Shepherd Environment Services be awarded 2019-48-OQ Leachate Hauling and Disposal Services for Eldon Landfill and Lindsay WPCP as the lowest compliant quotation.

## **Other Alternatives Considered:**

No other alternative is being considered as the competitive procurement processes were followed and the scope of work cannot be changed. So, the lowest compliant submission is being recommended.

## **Financial/Operation Impacts:**

There are adequate funds in the 2019 operating budget to award this work. The Waste Management Division will monitor the operating budget closely to ensure that enough funds are being requested at time of the 2020 budget deliberations for the full term of the contract and any optional terms.

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

The city of Kawartha Lakes 2016-2019 Strategic Plan identifies these goals:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment

The proposed hauling and disposal of Leachate implements the City's vision as outlined in the City of Kawartha Lakes Official Plan by supporting a healthy natural environment which contributes to the betterment of life for the residents, business owners, and visitors to the City.

## **Consultations:**

**Department Head E-Mail:** brobinson@kawarthalakes.ca

**Department Head:** Bryan Robinson

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

## **Council Report**

**Report Number PUR2019-022**

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**Date:** June 18, 2019  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** All

**Title:** Request for Proposal 2019-51-CP Supply and Delivery of Five New Vans

**Author and Title:** Marielle van Engelen, Buyer  
Todd Bryant, Manager of Fleet and Transit Services

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### **Recommendation(s):**

**That** Report PUR 2019-022, **Request for Proposal 2019-51-CP Supply and Delivery of Five New Vans**, be received;

**That** Manley Motors Limited, of Lindsay, Ontario being the highest scoring proponent, be selected for the award of Request for Proposal 2019-51-CP Supply and Delivery of Five New Vans with the addition of one (1) van at the unit price provided in the Proposal for a total of six vans; and

**That** subject to receipt of the required documents, that the Financial Services Division be authorized to issue a purchase order.

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

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

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

## **Background:**

Request for Proposal 2019-51-CP Supply and Delivery of Five New Vans was prepared and advertised in accordance with the Purchasing Policy.

The request for proposal closed on May 9, 2019 and was opened in public by Pat Dunn, Councilor and Marielle van Engelen, Buyer with the following results:

<b>Proposals Received from</b>
Manley Motors Limited Lindsay, Ontario
Fraser Durham Chrysler Dodge Jeep Ram Inc. Oshawa, Ontario
Lindsay Dodge Chrysler 219090 Ltd. Lindsay, Ontario

Submissions were carefully reviewed and evaluated by the evaluation committee by consensus to the criteria described in the RFP, and Manley Motors Limited was found to be the highest scoring proponent.

## **Rationale:**

During budget deliberations, Council approved the purchase of six vans. Staff put out a request for proposal for five mini-vans, with the intent to go out for a sixth van that had special equipment for Building and Property at a later date.

During the proposal process the Building and Property Division undertook an extensive exercise to review all current, historic and future activities regarding vehicles. The conclusion was that the core business of Building and Property had not changed enough to warrant a specialized type of vehicle.

Staff recommends that Manley Motors Limited, of Lindsay, Ontario being the highest scoring proponent, be selected for the award of Request for Proposal 2019-51-CP Supply and Delivery of Five New Vans with the addition of one (1) van at the unit price provided in the Proposal for a total of six vans.

## **Other Alternatives Considered:**

No other alternative is being considered as a competitive procurement process was conducted.



### Financial/Operation Impacts:

Capital Project Number	Project Budget	Other Committed Funds	Capital Project balance	Purchase Amount (excl. HST)	HST Payable	Total Amount	Project Balance
994190308	\$210,000	\$15,000	\$210,000	\$147,150	\$2,590	\$164,740	\$45,260

\*Other committed funds will be used to outfit the trucks with required items, such as decals, emergency lighting, security cage and shelving.

Any remaining surplus or deficit will be dealt with through the capital close report presented to Council by the Treasury Department in accordance with the Capital Close Policy. Staff will recommend the remaining project balance be returned to the Fleet Reserve in accordance with Council's Fleet Policy and the supporting Management Directive.

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

The Report contributes to the Council Adopted Strategic Plan in the following ways:

Goal 1 – A Vibrant and Growing Economy

Recommendations in this report will support effective road operations service delivery and Municipal Law Enforcement to support the City now and as it grows into the future.

Goal 2 – An Exceptional Quality of Life

Recommendations in this report will help support efficient delivery of road operations and Municipal Law Enforcement activities supporting an exceptional quality of life for residents.

### Consultations:

Supervisor, Cost Accounting

**Department Head E-Mail:** brobinsion@kawarthalakes.ca

**Department Head:** Bryan Robinson, Director of Public Works

**Department File:** 2019-51-CP

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

## **Council Report**

**Report Number RD2019-002**

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**Date:** June 18, 2019  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** All

**Title:** Unassumed Roads Winter Maintenance Fee for Service Review

**Description:** A review of the potential to provide fee for services on unassumed roads.

**Author and Title:** David Lembke, Manager Roads Operations

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### **Recommendation(s):**

**That** Report RD2019-002, **Unassumed Roads Winter Maintenance Fee for Service Review**, be received.

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

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

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

## **Background:**

Maintenance of unassumed roads has been a long evaluated and considered topic. Public Works has previously sought the expert advice of external legal counsel regarding legal implications of providing service to unassumed roads and received the following legal opinion:

“The City is not legally obligated to provide maintenance on either category of road (private or unassumed) and not doing so limits both the maintenance costs and exposure to liability for the City.”. (Staples Swain)

From 2015 to 2017, the City underwent an extensive review of service levels. Through this review it became apparent that as a standard practice other municipalities are not providing roads operations maintenance service to unassumed roads. In addition, local businesses expressed concern about the City competing for and performing work that should be completed by private contractors. This review process included multiple public meetings and several reports to Council for consideration. The results of this review process ended up with Council implementing a policy to offer basic non-winter service to roads that meet a minimum standard of construction. On April 19, 2017, Council received report PW2017-004 and resolved (CR2017-350), in part, the following:

**“RESOLVED THAT** Report PW2017-004, **Limited Service Agreements - Unassumed Roads**, be received;

**THAT** the policy entitled Seasonal Level of Service Policy appended to Report PW2017-004 be adopted and numbered for inclusion in the City's Policy Manual;

**THAT** all existing Limited Service Agreements for Unassumed Roads be cancelled effective April 30, 2017 and service be continued through the Seasonal Level of Service Policy.”

Resulting from this report, Council Policy CP2017-001 was created. The policy identifies Seasonal/Summer Roads as “unassumed roads on which no winter maintenance is performed during the period from November 15 through to April 15.” The level of service as approved by Council within the Policy limits activity to provide gravel application as determined by the Supervisor and a maximum of two (2) gradings annually.

During the review, Staff also recommended the creation of a Roads Maintenance Database with ownership and maintenance information for all roads. This database is currently being developed by Staff but the completion of the review is still several years away. Staff will be bringing more information to Council upon completion of that database for their consideration. At present, the database has identified 135.3 km of unassumed roads within the City.

At the Council Meeting on February 5, 2019 Council adopted the following resolution requesting Staff to explore the feasibility of providing winter maintenance to unassumed roads on a fee for service basis:

**CW2019-006 / CR 2019-079**

**That** staff review the provision of winter maintenance on unassumed roads on a fee for service basis; and

**That** staff report back to Council on the matter by Q2 of 2019.

This report addresses that direction.

**Rationale:**

Resulting from the extensive review already completed, due to the legal opinion received from external Counsel, concerns raised by local contractors about the City competing for business and in alignment with Council Policy CP2017-001, Staff do not recommend commencing a fee for service basis.

Currently the best alternative for unassumed roads to receive full municipal servicing is for the benefitting owners to work towards having the City assume the roads. Assumption of existing, historical roads can be achieved in accordance with Council Policy CP2017-010 (Assumption of Private and Unassumed Roads Policy).

**Other Alternatives Considered:**

Council could consider two (2) options that are not recommended by Staff.

**Option 1**

Council could consider providing a fee for service program by retaining and administrating externally contracted services. Administration of a program such as this would be extensive and is not within the current work program for Public Works. Additional administrative resources may be required to implement such a program.

**Option 2**

Council could consider offering service using City resources on Fee for Service basis. Due to the current Provincial shortage of municipally trained and experienced equipment operators, filling the additional positions could pose a challenge in itself, and could result in contractor services being employed regardless.

Please note: the current list of unassumed roads in the Roads Maintenance Database is a living document. The potential for additional requirements could be significantly increased as the database is refined.

## **Financial/Operation Impacts:**

The recommended alternative would have no financial or operational impacts to the City.

### **Option 1**

At 2018 – 2019 current market rates, external services are currently providing services at \$287.19/km per event (average of per circuit unit rates received). Currently our roads database identifies 135.3 km of roads as unassumed. Should all associations / residents wish to take part in a fee for service arrangement, these 135.3 km of roads, over an average of 50 winter events per season, would result in a \$1,942,879.00 increase to the operating budget. Costs for the service would then be recovered from the associations with the addition of an administrative fee to cover staff time and costs.

### **Option 2**

Should the City decide to complete this work with internal resources, these resources would be incremental to Public Works current staffing and equipment levels. As such, the following additional resources would need to be acquired:

- Four (4) seasonal employees equating to 2 FTE.
- Four (4) F550 plow trucks or equivalent equipped with plow and sander.

One (1) seasonal equipment operator equates to 1,040 hours at the rate of \$30.10 (2019 EO job rate including 26% payroll burden), resulting in an annual labour expenditure of \$31,304 per seasonal employee.

Each plow unit has an initial capital expenditure of \$180,000. This capital expenditure will result in a 12 year annual amortization of \$15,000 per year plus an annual maintenance and fuel cost of \$22,000 resulting in an annual operating cost of \$37,000. Estimated material costs based on current application rates at current market rates is \$60,010.00.

The first year of this option would result in an initial capital expenditure of \$720,000. The total internal annual operating costs (including capital replacement costs) for four (4) seasonal EO's and four (4) plow units will be \$333,232.00.

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

The recommendations contained in this report align with the following strategic goals:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life

## **Consultations:**

Public Works Manager Roads Operations East



Public Works Manager Roads Operations West B

Director of Public Works

**Department Head:**

**Bryan Robinson, Director of Public Works**

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

## **Council Report**

**Report Number WM2019-008**

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**Date:** June 18, 2019  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier:** All

**Title:** Construction and Demolition Recycling Pilot Program

**Description:** Update on the Construction and Demolition Recycling Pilot Program with recommendations to extend the Pilot.

**Author and Title:** David Kerr, Manager Environmental Services

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### **Recommendation(s):**

**That** Report WM2019-008, **Construction and Demolition Recycling Pilot Results and Recommendations**, be received;

**That** Council approve an extension of the pilot to December 31, 2020 with an operating budget of \$155,000 in 2020; and

**That** Staff report back to Council on the success of the construction and demolition waste recycling pilot program by June 30, 2020 with future program recommendations and associated budget.

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

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

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

## **Background:**

At the Council Meeting of September 12, 2017 Council adopted the following resolution:

### **CR2017-756**

**RESOLVED THAT** Report **WM 2017-007**, Construction and Demolition Waste Recycling Program, be received;

**THAT** the implementation of a construction and demolition waste recycling program as a 22 month pilot to start March 1, 2018 and end on December 31, 2019 as outlined in this report WM 2017-007 at a cost of \$133,500.00 for 2018 and \$155,000.00 for 2019, be approved; and

**THAT** staff report back to Council on the success of the construction and demolition waste recycling pilot program by June 30, 2019 with future program recommendations and 2020 budget expectations.

**CARRIED**

This report addresses that direction.

This pilot initiative follows the direction outlined in the Integrated Waste Management Strategy (“the strategy”), as approved by Council. Specifically, the strategy recommended a Construction and Demolition (C&D) waste recycling program as one of the short term initiatives to be launched in 2018.

Prior to implementing this initiative, the City retained Reclay Steward Edge (Reclay) in 2017 to assess the feasibility of a C&D waste recycling program at one or more of our five operating landfill sites and make recommendations on how best to make it a successful program.

As part of the background research Reclay noted that in most municipalities including the City of Kawartha Lakes (CKL), the quantity of C&D waste generated far exceeded the amount of municipal solid waste generated. Approximately 40% (or 16,000 tonnes) of waste going to landfill in CKL is C&D. Therefore diversion of this waste stream from landfill could significantly extend the site life of our landfills. As well, C&D materials are bulky and challenging to compact in a landfill taking up needless volume that could be otherwise purposed for residential or other waste. Furthermore many materials generated through C&D activities have value and can be recycled for other products or even used as a fuel source.

For all of these reasons, C&D waste is a potential valued resource if managed properly and an important material type to divert from City landfills to extend landfill site life.

As per the Reclay C&D Feasibility Study from 2017, the primary recommendation was for the City to implement a pilot C&D recycling program at both the Fenelon and Lindsay Ops landfill sites. It should be noted that through Reclay's research there is insufficient volumes of C&D waste received at the other landfills ( i.e. Somerville, Eldon and Laxton landfills) to justify a business case for C&D recycling at those sites. However there may be future opportunity to divert C&D waste from these more remote landfills to another site where they can be consolidated for processing or other reuse.

The driving factor for moving this recycling program forward was the savings related to reducing use of landfill space, which valued at the industry standard of \$150/tonne (Reclay). The projected space saved would result in an increase in landfill life 0.04 years for Fenelon and 0.17 years for Lindsay Ops for each year a C&D waste recycling program operates which is able to remove 10% of the C&D waste fraction.

In order to accurately assess the savings of a C&D program and determine how best to implement one, Staff in consultation with Reclay and the Waste Management Task force had developed and recommended a pilot C&D program. The program and associated budget was approved by Council to run from March 1, 2018 to December 31, 2019.

A competitive request for proposal (RFP) process was undertaken in January of 2018 to secure a third-party contractor to transport and process the C&D material from Lindsay ops and Fenelon landfills. The RFP requested quotes and a plan for containing, transporting, and processing wood, drywall, or a mixed bin of C&D materials which would include wood waste, drywall, aggregates, glass and shingles. Unfortunately the City received no bids for this work. The City received no submissions for the RFP. The likely reason was that in the current market, quantities and commodity pricing for the C&D materials was not high enough to justify transportation costs for end use processing.

Staff reached out and contacted other municipalities to do more research on how they were handling construction and demolition material to see if there were other alternatives to reduce C&D waste going to landfill. It was found that some other municipalities were separating wood waste and then having a contractor come in and chip the material. The material was then placed in the landfill or mixed in with daily cover material. This option would re-purpose wood waste into alternative daily cover, thereby reducing volumes of material in the landfill.

In June of 2018 the City began promoting the option of separating wood waste at the Lindsay Ops Landfill to be chipped. The pilot program for separating and chipping wood waste at the Lindsay Ops Landfill has continued since June 2018. Residents and contractors are required to pay the standard tipping fee of \$110.00 per tonne to dispose of the wood. There has been a high participation rate from the public and contractors who have been willing to separate the wood to be chipped and place it in a bin or a pile even though there is no financial

incentive to do so. Through this method the wood was not being diverted from the landfill and chipping the wood was only slightly reducing the volume therefore not providing a significant savings of landfill space.

However, due to the successful separation of clean wood waste the City is planning to continue separating wood waste and has revisited further options for shipping this material for off-site processing rather than chipping it and placing it in the landfill. The City sent out a request for quote in April 2019. A bid was received that will work within the allocated budget to implement as part of the 2019 pilot program for a six month period at the Lindsay Ops Landfill for \$150 per tonne including processing and transportation.

Additionally, this year the drywall recycling pilot is set to run from June to September of 2019. A firm has shown interest in just drywall and is willing to take it offsite for processing for \$50 per tonne. The City also pays for transportation of this material at \$650 per bin. There will be bins available at the Lindsay Ops and Fenelon landfills for residents and contractors to separate drywall for recycling (at regular tipping fees of \$110.00 per tonne). Through this process we will gain valuable information on the quantity of drywall we are able to divert from landfill and expected overall annual costs for this program.

### **Rationale:**

As the investigations for successful C&D projects planned for 2019 are ongoing but show potential for landfill space savings staff is recommending extending the C&D pilot program to December 31, 2020. This will provide adequate time for staff to collect the remaining information required to determine the benefit of the programs currently being piloted. The quantity of C&D waste generated continues to far exceed the amount of municipal solid waste generated. As well, C&D materials are bulky and are challenging to compact in a landfill. For these reasons it is important to continue exploring options for C&D diversion from the landfill in order extend the life of the City's landfills.

Staff have consulted with the Waste Management Advisory Committee, the Lindsay Ops Landfill Public Review Committee, and the Fenelon Landfill Public Review Committee regarding the extension of the pilot program and all committees have been supportive of this recommendation.

At the Waste Management Advisory Committee meeting on May 8, 2019 the following resolution was made:

**Moved By** Councillor Yeo

**Seconded By** Councillor Veale

RESOLVED THAT the Committee support staff recommendations to continue the Construction and Demolition pilot program throughout 2020.



**Carried**

At the Lindsay Ops Landfill Public Review Committee meeting on May 15, 2019 the following resolution was made:

**Moved By** C. Appleton  
**Seconded By** L. Scrivens

Resolved that the Lindsay Ops Landfill Public Review Committee supports staff recommendations to continue the construction and demolition recycling pilot for an additional year until the end of 2020.

**Carried**

At the Fenelon Landfill Public Review Committee meeting on May 23, 2019 the following resolution was made:

Resolved that the Fenelon Landfill Public Review Committee supports continuing the pilot on construction and demolition recycling for another year.

**Moved By** Robert Coleman  
**Seconded By** Mike Wilson

**Carried**

**Other Alternatives Considered:**

Council could choose to cancel the pilot at the current end date of December 31, 2019. However staff recommends that the City continue to lead by example in diverting waste from landfill and explore further C&D diversion options over the course of 2019.

**Financial/Operation Impacts:**

Staff are requesting operating budget approval of \$155,000 for 2020 to implement and improve the C&D recycling pilot in 2020. This is the same cost as approved in the 2019 budget. The cost of the program has the potential to be offset by deferral of capital due to landfill space savings. There is a savings of \$150.00 per tonne in landfill space of material diverted.

The Reclay study suggests that approximately 371 tonnes of clean wood at Lindsay Ops as well as 239 tonnes of drywall at Lindsay Ops and 62 tonnes at Fenelon can be diverted per year. The clean wood will cost \$150 per tonne which includes transportation and recycling. The drywall will cost \$50 per tonne to

recycle plus there is a transportation cost of \$650 per bin with an estimated 36 trips per year.

Overall the clean wood recycling will be revenue neutral and there will be an approximate savings in landfill space of \$6,700 per year for the drywall recycling per the table below.

<b>Material</b>	<b>Cost Per Tonne to Recycle</b>	<b>Estimated Total Cost Per Year</b>	<b>Estimated Savings Per Year</b>	<b>Net Savings</b>
Wood	\$150	\$55,650	\$55,650	\$0.00
Drywall	\$50 plus transportation costs (\$650 per bin)	\$38,450	\$45,150	\$6,700

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

This report contributes to the Council Adopted Strategic Plan, namely Strategic Action 3.1.2 which is “Executing the Waste Management Strategy”. This report aligns with the City’s Integrated Waste Management Strategy to divert materials from landfill and find further recycling opportunities to save landfill space.

Also, the proposed C&D recycling program aligns with Goal #3 of a “Healthy Environment”. The act of construction and demolition waste diversion aligns with the City’s vision of a naturally beautiful community that protects our local environment, enhances water quality and creates an improved quality of life.

**Department Head E-Mail:** brobinson@kawarthalakes.ca

**Department Head:** Bryan Robinson

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

## **Council Report**

**Report Number WWW2019-008**

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**Date:** June 18, 2019  
**Time:** 2:00 p.m.  
**Place:** Council Chambers

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**Ward Community Identifier: 5, 6, 7**

**Title:** Omemee Sewage Lagoons Provincial Officer's Order 1-L4E0C

**Description:** Omemee Sewage Lagoons Provincial Officer's Order

**Author and Title:** Kayla Pantaleo, Contract Coordinator

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### **Recommendation(s):**

**That Report WWW2019-008, Omemee Sewage Lagoons Provincial Officer's Order 1-L4E0C, be received.**

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

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

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

## **Background:**

At the Council Meeting of November 23, 2004 Council adopted the following resolution directing staff to forward all Provincial Officer's Orders from the Ministry of the Environment, Conservation and Parks (MECP), regarding water systems to Council:

**CARRIED UNANIMOUSLY CR2004-1263**

**THAT staff be directed to bring forward to Council, upon reception, any and all Provincial Orders regarding water systems.**

The recent Provincial Officer's Order received is not a drinking water system; it is a wastewater system. This report provides an overview to Council of the recent Provincial Officer's Report and Order received by the City, consistent with the above noted resolution\*. As well, this report provides Council with an understanding of how this Order outlines preventative measures taken to ensure there are no negative impacts on the environment while continuing to operate and treat the wastewater from the Village of Omemee. The original Provincial Officer's Report and Order is appended as Appendix A. The following provides a summary of the order:

On May 8, 2019, The Corporation of the City of Kawartha Lakes received Provincial Officer's Order Number 1-L4E0C for the Omemee Sewage Lagoons, operated by Ontario Clean Water Agency (OCWA). The Provincial Officer's Report identified a series of events that lead to the non-compliance and the following is a summary of the issues the Ministry of the Environment, Conservation and Parks (MECP) identified in their Report:

Prior to December 31, 2015 the use of spray irrigation for the treated effluent was authorized by the MECP as a special condition within the Environmental Compliance Approval (ECA) No. 2548-9PPMSK. This condition was part of the transition from the spray irrigation operations to the newly constructed Large Subsurface Disposal System (LSSDS). Since being commissioned in the fall of 2013, the LSSDS has experienced deficiencies which required the City to request that the Ministry continue to permit the use of the Spray Irrigation System on a temporary basis.

In the spring of 2015, a geotechnical investigation was conducted on the LSSDS which concluded that the infiltration capability of the existing soil was less than what was previously noted in the original design. These findings could be considered as the main contributing factors for the LSSDS malfunction. Due to the significant costs associated with the remediation of the system, CKL notified the Ministry that they would not be able to complete the recommendations to address the issues until 2016. In the spring of 2016, the Ministry's Peterborough District Office through discussion with the Ministry's Approvals Branch, provided permission for

the spray irrigation to be used as an emergency provision until the issues with the LSSDS were addressed.

On June 15, 2018, the Ministry held a meeting with CKL and OCWA to discuss the current status of the LSSDS. They requested that a Qualified Person be retained to review the groundwater data and assess for any potential impacts, additionally, that an action plan be provided to address the operational issues with the LSSDS.

On September 15, 2018, the Ministry was provided with an Action Plan that included site assessment work that was estimated to be completed by the end of 2018. Once completed plans to rehabilitate will be provided in a proposal to the Ministry.

On January 7, 2019, the Ministry provided technical recommendations (based on the review of the Hydrogeological Impact Assessment Report) for the on-going use of the Spray Irrigation System. The recommendations included expanding the groundwater level monitoring and groundwater quality sampling (including additional parameters added) to be completed on a quarterly basis for the next 3 years. An annual trend analysis report for the sampling is to be provided to the Ministry.

On January 25, 2019, a site conceptual design was provided to the Ministry that included the improvements to the existing infiltration area and a pre-treatment pilot testing. The testing is to occur in the summer of 2019 and will provide the specific information required to complete the detailed design. CKL's Qualified Person, anticipates that the detailed design will be completed in 2019 and that construction of the design will take place early 2020.

On April 18, 2019, the Ministry's Environmental Assessment and Permissions Branch confirmed that the proposed pilot project could proceed.

In the interim of the LSSDS remediation, the City will continue to work with the Ministry to ensure the Spray Irrigation System is operated in accordance with the requirements set out in the attached Order.

### **Rationale:**

The Provincial Officer's Order allows implementation of preventive measures due to deficiencies with the operation of the LSSDS and also allows the continued use of the Spray Irrigation System as a contingency. This order provides clarity and specific requirements to operational staff for the interim operations of the site until the pilot testing is complete. The requirements are a necessary measure to



ensure the site is in compliance and that it continues to not create an adverse effect on the environment or to human health.

### **Other Alternatives Considered:**

No other alternatives may be considered outside of the stipulated requirements within the Provincial Officer's Order, and any future direction provided by MECP. The City will continue to comply with applicable legislation to reduce risk of an adverse effect on the environment, human health, which subsequently reduces the liability to the City.

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

Operationally, the City will incur the additional costs associated with the Ministry's technical recommendations to expand the groundwater level monitoring and groundwater quality sampling for the next 3 years. The cost of the program for 2019 will be \$17,484.29 and will be captured in the 2019 operational budget. Capital costs will be incurred for the remediation project, and will be budgeted accordingly through capital budget.

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

This Report is consistent with Council Adopted Strategic Plan in that it contributes to the following goals:

- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment.

These goals are reflected by our efforts to provide safe drinking water that is essential for the quality of life of residents and visitors. We will continue to work with OCWA and the Ministry to ensure compliance with the Safe Drinking Water Act and associated regulations.

### **Consultations:**

Chief Administrative Officer  
Director, Public Works  
Manager, Environmental Services  
Supervisor, Water and Wastewater Operations

### **Attachments:**

Appendix A– Omemeew Lagoons Provincial Officer's Order Number 1-L4E0C



Omemeew Lagoons  
Provincial Officer's Order

**Department Head E-Mail:** brobinson@kawarthalakes.ca

**Department Head:** Bryan Robinson

to

Report # WWW 2019-008

Ministry of the Environment,  
Conservation and Parks

Ministère de l'Environnement, de la Protection  
de la nature et des Parcs

## Provincial Officer's Report

Order Number  
1-L4E0C

**To:**

KAWARTHA LAKES, THE CORPORATION OF THE CITY OF  
12 PEEL ST  
LINDSAY ON K9V 3L8  
Canada

The Corporation Of The City Of Kawartha Lakes

**Site:**

267 BEAVER Road,  
OMEMEE, ON, K0L 2W0,  
Canada

### Observations

#### 1. Authority to Issue Order

I have the authority as a Provincial Officer to issue Orders under the OWRA to further the purpose of the OWRA, namely, to provide for the conservation, protection and management of Ontario's waters and for their efficient and sustainable use, in order to promote Ontario's long-term environmental, social and economic well-being.

This Order is being issued pursuant to my authority under section 16.1, 16.2 and subsection 104(2) of the Ontario Water Resources Act.

#### 2. Definitions

For the purpose of this Order, the following terms shall have the meanings described below:

"CKL or Orderee" means the Corporation of the City of Kawartha Lakes.

"ECA" means Environmental Compliance Approval, No. 2737-B4DH46 issued September 28, 2018, under Part II.1 of the Environmental Protection Act.

"EPA" means Environmental Protection Act, R.S.O.1990, C. E32.

"LSSDS" means Large Subsurface Disposal System .

"Ministry or MECP" means the Ministry of the Environment, Conservation and Parks.

"Monitoring Wells" means all 17 wells as identified on the attached Figure 5, dated November 12, 2018 of Azimuth Environmental Consulting, Inc. report no. AEC 18-311, including: MW103, MW104B, MW115B, MW102B, MW116B, MW114B, MW113B, MW111B, MW101B, MW110, MW1, MW2, MW105B, MW106B, MW109B, MW107B, MW108B.

"OWRA" means the Ontario Water Resources Act, R.S.O.1990, C. O.40.

"OCWA" means the Ontario Clean Water Agency which is the operating authority for the Sewage Works.

"Order" means Provincial Officer's Order Number 1-L4E0C dated May 7, 2019, as it may be amended from time to time.

"Provincial Officer" means the undersigned Provincial Officer or, in the event that the undersigned is unable to act, any other Provincial Officer authorized to act pursuant to the EPA and the OWRA.

"Qualified Person" means a person who has obtained the appropriate education and training and has demonstrated experience and expertise in the areas relating to the work required to be carried out by this Order.

"Sewage Works" means the Omemee Waste Water Lagoon system as defined in ECA No. 2737-B4DH46.

"Site" means the property municipally known as 267 Beaver Road, Omemee, Ontario

"Spray Irrigation System" means the existing network of piping, pumps, spray irrigators and all other related spray irrigation equipment located at the Site for the purpose of on-site effluent disposal via spray irrigation.

### 3. DESCRIPTION OF THE ORDEREE AND THE SITE

The Sewage Works is located at the Site and is owned by the Corporation of the City of Kawartha Lakes. The Sewage Works is operated by the Ontario Clean Water Agency and is subject to approval under the Ontario Water Resources Act.

### 4. EVENTS LEADING UP TO THIS ORDER

Prior to December 31, 2015, CKL was authorized to spray irrigate treated effluent, as a special operation condition within in ECA No. 2548-9PPMSK. This condition was included as part of the ECA to allow sufficient time for CKL to transition from the spray irrigation operations to the newly constructed LSSDS which was commissioned in the Fall of 2013. The LSSDS was constructed to provide for the long-term effluent disposal for the Sewage Works. Since its commissioning, the LSSDS, a component of the Sewage Works, has experienced several malfunctions, including poor infiltration of sewage leading to sewage break-out. These performance issues have required that CKL implement contingency measures, including limiting the storage capacity of the Sewage Works, undertaking additional studies and assessments on the effectiveness of the various treatment components of the LSSDS, and to request that the Ministry permit the use and operation of the Spray Irrigation System, on a temporary basis, in order to prevent or eliminate an uncontrolled discharge of sewage to the natural environment.

In the Spring of 2015, CKL hired Golder and Associates Ltd. to perform a geotechnical investigation on the LSSDS due to ongoing operational issues. On June 30, 2015, Golder and Associates indicated in their Geotechnical Report Project No. 1414875, that the infiltration capability of the existing soil was less than that expected in the original design report for the LSSDS, and that this could be considered as the main contributing factor for the LSSDS malfunction and cause of the observed break-outs. Recommendations to address this and other issues noted with the LSSDS were provided in Golder's Geotechnical Report. In August 2015, CKL communicated to the Ministry that due to the significant cost of the proposed options in Golder's Geotechnical Report, CKL would not be undertaking any significant activity for the remainder of 2015, however CKL had intentions to rehabilitate the area beds in 2016 .

In the Spring of 2016, the Ministry's Peterborough District Office through discussion with the Ministry's Approvals Branch, provided permission for the Spray Irrigation System to be used as an emergency provision until the issues with the LSSDS were addressed. This conditional approval would be based on written request to the Ministry being provided in a timely fashion prior to spraying. A written response back from the Ministry would allow for authorization. Spray irrigation operating requirements were required to be consistent with those conditions outlined in ECA No. 2548-9PPMSK prior to the spray irrigation expiration.

On June 15, 2018, the Ministry held a meeting at the Peterborough District Office with CKL and OCWA to discuss the current status of Sewage Works. At the meeting, the Ministry addressed the ongoing use of the Spray Irrigation System on an emergency basis and requested that CKL provide an action plan which outlined how CKL would address the on-going operational issues with the LSSDS. Additionally, during the meeting, the Ministry advised CKL that they would need to retain the services of a Qualified Person, to analyze and interpret all groundwater data and assess for any impacts, as a result of the continued use of the Spray Irrigation System.

On September 15, 2018, the Ministry was provided with an action plan from CKL's Qualified Person, Greer Galloway Consulting Engineers. This action plan included site and distribution bed investigation work, lab analysis and pilot testing. All proposed site assessment work was estimated to be completed prior to the end of 2018. On completion of the site assessment a rehabilitation proposal would be created and provided to both CKL and the Ministry.

On January 7, 2019, the Ministry provided technical recommendations based on a review of the submitted Hydrogeological Impact

Assessment Report (Azimuth Environmental Consulting, Inc. report no. AEC 18-311, November 9, 2018), specifically regarding groundwater monitoring and analysis, as well as the impact assessments for the on-going use of the Spray Irrigation System, including:

- Groundwater level monitoring and groundwater quality sampling to be expanded to all 17 Monitoring Wells which include those on the Lagoon Property as well as the Sanderson Pit Property;
- In addition to those parameters required to be analyzed in the current ECA No. 2737-B4DH46, samples are to include Ammonia Nitrogen;
- All total phosphorous samples are to be field filtered and acidified prior to lab submission;
- All water quality sampling and water level monitoring to be conducted on a quarterly basis for the next 3 years; and
- A trend analysis report for the sampling is to be reported to the Ministry annually.

On January 25, 2019, the site proposal conceptual design was provided to the Ministry and included recommendations for additional pre-treatment of raw sewage effluent from the lagoons, the addition of 4 new infiltration cells into the existing infiltration area to replace the current system, and the addition of 3 new infiltration cells to the northwest of the current infiltration area. The proposal also discussed infiltration bed permeability to be improved through the addition of clear stone into the disposal trenches. The next steps proposed include pre-treatment pilot testing to occur in the summer of 2019, to determine specifics prior to completion of the detailed design.

CKL's Qualified Person, Greer Galloway, anticipates completion of the detailed design in 2019, based on the results of the pilot testing and construction of the design to take place in early 2020.

On April 18, 2019, the Ministry's Environmental Assessment and Permissions Branch confirmed that the proposed pilot project could proceed as a pre-authorized modification under Condition 10 (Limited Operational Flexibility) of ECA No. 2737-B4DH46. This pilot project is subject to the requirements of the condition outlined in the ECA.

I am of the opinion, that the requirements specified in the attached Order are necessary or advisable so as to prevent or reduce the risk of any discharge of contaminants, namely sewage, into the natural environment from the Site, or to prevent, decrease or eliminate an adverse effect to the natural environment or human health that may result from the discharge of contaminants(s), namely sewage in, on or under the Site.

Therefore, the attached Order is issued under sections 16.1, 16.2 and subsection 104(2) of the OWRA, to implement preventative measures, namely, the use and operation of the on-site Spray Irrigation System in accordance with the requirements set out in the attached Order, to ensure the public health and protection of the local groundwater and/or surface waters at and in the vicinity of the Site, such that they are not adversely impacted by an uncontrolled release of sewage to the natural environment.

**Offence(s)**

**Suspected Violation(s)/Offence(s)**

**Act – Regulation – Section**

**Description**



**Bryan Armstrong**  
**Provincial Officer**  
**Badge Number: 1850**



## Provincial Officer's Order

*Order Number*  
1-L4E0C

Environmental Protection Act, R.S.O. 1990, c.E 19 (EPA)  
Nutrient Management Act, R.S.O. 2002, c.4 (NMA)  
Ontario Water Resources Act, R.S.O. 1990, c.O. 40 (OWRA)  
Pesticides Act, R.S.O. 1990, c. P11 (PA)  
Safe Drinking Water Act, S.O. 2002, c.32 (SDWA)

**To:** KAWARTHA LAKES, THE CORPORATION OF THE CITY OF  
12 PEEL ST  
LINDSAY ON K9V 3L8  
Canada

The Corporation Of The City Of Kawartha Lakes

**Site:** WW OMEMEE LAGOON  
267 BEAVER Road,  
OMEMEE, ON, K0L 2W0,  
Canada

### Work Ordered

Pursuant to my authority under Sections 16.1, 16.2, and subsection 104(2) of the OWRA, I hereby Order the Corporation of the City of Kawartha Lakes to do the following:

1. Commencing immediately upon service of this Provincial Officer's Order implement a temporary spray irrigation discharge program of effluent from the Site, via the Spray Irrigation System, on an as needed basis, in accordance with the following conditions:

(1) the disposal of effluent is via spray irrigation only and effluent is applied only on the spray irrigation zones, as identified on the attached Figure 3, dated October 15, 2018 of Azimuth Environmental Consulting, Inc. report no. AEC 18-31;

(2) the spray irrigation to these lands must be done in such a manner as to restrict off site migration of the effluent. Visual inspection of the site and drainage tiles shall be completed daily to ensure that no effluent from the spray irrigation area is being discharged directly or indirectly into any surface waters. The daily inspections, complete with observations and actions taken, if required, shall be recorded within a logbook, to be made available for inspection by Ministry staff, when requested.

(3) no spray irrigation is to take place:

- a) on frozen ground or between December 15th and before April 15th in any given year unless written approval is granted by the District Manager;
- b) on days when precipitation is forecast;
- c) if there is ponding of effluent. If ponding occurs, spray irrigation must immediately cease until ponding dissipates. Should ponding occur, adequate time is to be allowed before recommencing the spray irrigation, in order to allow the area to dry to a degree that would preclude immediate recurrence of ponding or runoff;
- d) if surface water run-off is occurring. This includes any flows discharging from field tiles that service the spray irrigation fields; and
- e) within 20m of any surface watercourse or drain or 90m of any water well.

2. Ground water level monitoring and ground water quality sampling shall be expanded to all 17 Monitoring Wells which include those on the Lagoon Property as well as the Sanderson Pit Property .

3. All wells referenced in item no.2 to be analyzed for those parameters noted in ECA No. 2737-B4DH46 and shall also include Ammonia Nitrogen .

4. All total phosphorous samples shall be field filtered and acidified prior to lab submission.

5. All water quality sampling and water level monitoring shall be conducted on a quarterly basis for the next 3 years, quarterly meaning every 3 month period with at least 60 days but not more than 120 days between samples.

6. A trend analysis report for the annual sampling program shall be reported to the Ministry no later than March 31st of the proceeding calendar year.

7. Provide written notification to the undersigned Provincial Officer, no later than 24 hours prior to the anticipated seasonal start date of the use and operation of the Spray Irrigation System, as permitted by this Order.

8. Provide written notification to the undersigned Provincial Officer, no later than 24 hours after the cessation of the seasonal use and operation of the Spray Irrigation System, as permitted by this Order.

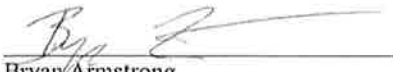
9. On completion of the proposed pilot study, to evaluate the effectiveness of the pre-treatment options, CKL shall provide the undersigned Provincial Officer, with a written report summarizing the findings of the study. The summary shall include what these findings mean in terms of the success-fulness of pre-treatment. This written report shall be provided to the Ministry no later than 60 days after the completion of the study .

A. While this Order is in effect, a copy or copies of this order shall be posted in a conspicuous place.

B. While the Order is in effect, report in writing, to the District or Area Office, any significant changes of operation, emission, ownership, tenancy or other legal status of the facility or operation.

This Order is being issued for the reasons set out in the annexed Provincial Officer's Report which forms part of the Order.

Issued at The City of Kawartha Lakes this 08/05/2019 (dd/mm/yyyy)

  
Bryan Armstrong  
Badge Number: 1850  
Peterborough District

## APPEAL/REVIEW INFORMATION

### REQUEST FOR REVIEW

You may request that this order be reviewed by the Director. Your request must be made in writing (or orally with written confirmation) within seven days of service of this order and sent by mail or fax to the Director at the address below. In the written request or written confirmation you must,

- specify the portions of this order that you wish to be reviewed;
- include any submissions to be considered by the Director with respect to issuance of the order to you or any other person and with respect to the contents of the order;
- apply for a stay of this order, if necessary; and provide an address for service by one of the following means:
  1. Mail
  2. Fax

The Director may confirm, alter or revoke this order. If this order is revoked by the Director, you will be notified in writing. If this order is confirmed or amended by order of the Director, the Director's order will be served upon you. The Director's order will include instructions for requiring a hearing before the Environmental Review Tribunal.

### DEEMED CONFIRMATION OF THIS ORDER

If you do not receive oral or written notice of the Director's decision within seven days of receipt of your request, this order is deemed to be confirmed by order of the Director and deemed to be served upon you.

You may require a hearing before the Environmental Review Tribunal if, within 15 days of service of the confirming order deemed to have been made by the Director, you serve written notice of your appeal on the Environmental Review Tribunal and the Director. Your notice must state the portions of the order for which a hearing is required and the grounds on which you intend to rely at the hearing. Except by leave of the Environmental Review Tribunal, you are not entitled to appeal a portion of the order or to rely on grounds of appeal that are not stated in the notice requiring the hearing. Unless stayed by the Environmental Review Tribunal, the order is effective from the date of service.

Written notice requiring a hearing must be served personally or by mail upon:

The Secretary  
Environmental Review Tribunal  
655 Bay Street, 15th Floor  
Toronto, ON M5G 1E5

and

Director (Provincial Officer Orders)  
Ministry of the Environment, Conservation and Parks

Where service is made by mail, it is deemed to be made on the fifth day after the date of mailing and the time for requiring a hearing is not extended by choosing service by mail.

Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal by

Tel: (416) 212-6349

Fax: (416) 326-5370

[www.ert.gov.on.ca](http://www.ert.gov.on.ca)

### FOR YOUR INFORMATION

- Unless stayed by the Director of the Environmental Review Tribunal, this order is effective from the date of service. Non-compliance with the requirements of this order constitutes an offence.
- The requirements of this order are minimum requirements only and do not relieve you from complying with the following:
  - Any applicable federal legislation;
  - Any applicable provincial requirements that are not addressed in the order; and
  - Any applicable municipal law.
- The requirements of this order are severable. If any requirement of this order or the application of any requirement to any circumstances is held invalid, the application of such requirement to other circumstances and the remainder of the order are not affected.
- Further orders may be issued in accordance with the legislation as circumstances require.
- The procedures to request a review by the Director and other information provided above are intended as a guide. The legislation should be consulted for additional details and accurate reference.

# Appendix

Figure 3 – Spray Irrigation Zones

Figure 5 – Monitoring Wells







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**From:** Casey Johnson  
**Sent:** Thursday, May 23, 2019 10:01 AM  
**To:** Agenda Items  
**Subject:** Noise By-Law Exemption

Hello,

We are planning to have a backyard wedding at 33 Mill St. in Lindsay, on the day of Saturday, June 22. There will be live music/DJ, the event will take place beginning at 2pm, and be done by midnight (by estimate, will likely be over prior to that time). We would like to apply for an exemption for any by-laws that this may be effected by.

Please advise if there will be any issues with the above, or if you require any additional information.

Thank you,

Casey Johnson

---

**From:** Corby Purdy  
**Sent:** Thursday, May 23, 2019 9:14 AM  
**To:** Clerks Office  
**Cc:** Juan Rojas; Aaron Sloan  
**Subject:** Request for noise bylaw exemption

Good morning,

Engineering has received a formal request from coco Paving for an exemption. Details are listed below. Please let me know if there is further information required.

- Capital Project 2019-31-CQ
- Peel and Russell Street Reconstruction
- Limits of Construction are on Peel Street from William Street North to Victoria Avenue North and on Russell Street West from Lindsay Street South to Victoria Avenue South.
- Contractor has requested an exemption to noise by-law 2005-25 to commence work at 6am periodically to speed up production.

Corby Purdy, C.E.T  
Supervisor, Infrastructure Design and Construction  
Engineering and Corporate Assets  
(705) 324 9411 ext.1155 [www.kawarthalakes.ca](http://www.kawarthalakes.ca)



May 05, 2019

City of Kawartha Lakes

I am writing to request an extension on the noise by-law for September 07, 2019. We are celebrating a wedding at 255 Burnt River Rd, Burnt River On. There will be around 150 in attendance, also a DJ playing the music for the wedding. Could we please extend the noise by-law to 2:00 a.m. September 08, 2019. The family we be notifying our neighbours of this event, but with that being said most of our neighbours are invited to the Wedding.

Thank You for your consideration of our request.

Charla Wallwork



Mail

Address Book

Settings

Logout

Attachments

From rwoodward <rwoodward@i-zoom.net> [Edit identities](#)

To

[Add Cc](#) | [Add Bcc](#) | [Add Reply-To](#) | [Add Followup-To](#)

Subject

June 6, 2019

The Mayor and Council  
City of Kawartha Lakes  
26 Francis Street,  
Lindsay, Ontario  
K9V5R8

ATTN: City Clerk

We the signator's of the counter -petition, oppose the erection of intersection of Stinson's Bay Rd. and Graham Drive.As the original in his April 9, 2019 letter this is a visibility or maintenance is issue.

Our representative will be pleased to meet with the foreman of the Maintenance Dept.to arrange for removal of foliage at the one corr continuous through Street.The removal of said foliage will increas corner.Please refer to picture's showing clearly the visibility at Stop sign's are not needed, as that is not a issue, at the corner.

Respectfully,  
The Stinson Bay Property Owners Association.

*Roy Woodward*  
Roy Woodward.  
93 Stinson Bay Rd.  
KOM1NO  
705-738-3845

Representative for Stinson Bay Resident,s

RECEIVED

JUN 06 2019

OFFICE OF THE CITY CLERK  
KAWARTHA LAKES

RECEIVED

JUN 05 2019

OFFICE OF THE CITY CLERK  
KAWARTHA LAKES

Send now

Cancel

Check spelling

Editor type Plain text



# Person Submitting the Petition

Name:	MEMBERS OF THE STINSON BAY ROAD ASSOCIATION
Address:	STINSON BAY ROAD, FENELON FALLS, K0M1N0.
Phone:	705-738-3845 (R Woodward)--- 705-738-3353 (G McNab)

## Petition

To: the Council of the City of Kawartha Lakes, 26 Francis Street, Lindsay, ON K9V 5R8.

I/We the undersigned, petition the Council of the City of Kawartha Lakes, to not erect stop sign's at the bottom of Stinson Bay Rd. For the following reason's

#1-Failure to receive notification of original stop sign application.

#2-Erection of these stop signs will create a false sense of security for both motorists and pedestrians.

#3- The real issue is the visibility ,at this corner, that can be addressed without stop signs being erected .(See pictures for suggestions.)

#	Name	Contact Information	Signature
103	JACK STRACHAN	416-388-1859	J. Strachan
103	DONNA STRACHAN	416-292-7151	D. STRACHAN
105	VICTORIA KERR	705-738-2625	V Kerr
107	BRIAN KIRBY	705-738-6177	B Kirby
107	HATHY KIRBY	705 738-6177	H Kirby
117	LORNA ALLAN	705 738 2531	L Allan
137	GREY LEAS	416-625-2522	Grey Leas
141	Tom Walton	705 738-5444	Tom Walton
141	James Miller	705-738-5444	J.M.
149	ANN STINSON	705 738-2596	A.S.
123	J. WOOD	738 3744	J.W.
146	D JARRETT	289-338-6218	D Jarrett
138	C. FERGUSON	705-731-8353	C Ferguson
139	B. McNab	705 738 3043	B. McNab

Page 2 of 7

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#	Name	Contact Information	Signature
55	BOB STEWART	21 stennie 67@gmail.com	[Signature]
55	Clare Stewart	" "	[Signature]
87	BETTY KNOX	STINSON BAY RD.	[Signature]
73	JOHN COWPERTHWART	jlcow@gmail.com	[Signature]
73	Barbara Cowperthwaite	blccow@gmail.com	[Signature]
67	NIGEL SCOTT	Nscott7229@hotmail.com	[Signature]
67	Cindy Scott	cscott0502@bell.net	[Signature]
66	Michael wood	ljedkins@bell.net	[Signature]
66	LOIS EDKINS	ljedkins@bell.net	[Signature]
61	C. Clancy	carjn.clancy@bell.net	[Signature]
61	G. Witten	gary.l.witten@bell.net	[Signature]
58	Anna Marie Page	page.annamarie@gmail.com	[Signature]
57	ANNE HURD		[Signature]
81	ROD MARTIN	lynnrodmartin@gmail.com	[Signature]

Page 3 of 7

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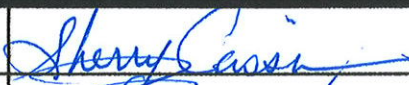
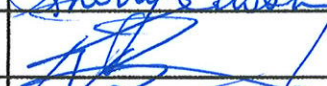
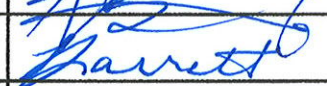
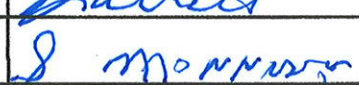
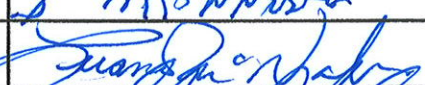
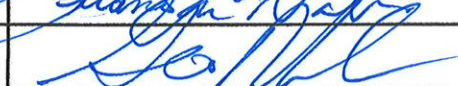
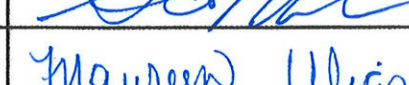



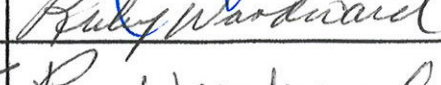
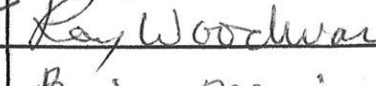


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STINSON BAY RESIDENTS

#	Name	Contact Information	Signature
131	SHERY CASSIN	905-550-1244	
144	Ralph Brooks	519 942 6944	
146	Lisa Jarrett	289-338-3839	
142	SALLY MORRIS	105 738 4-4144	
97	LUANNE McNAB	705-138-3353	
97	GEORGE McNAB	705-738-3353	
137	Maureen Ullis	226-820-9557	
145	Janet Macmillan	416-420-3661	
136	BRAD BRITAN	416-896-3471	
93	RUBY WOODWARD	705-738-3845	
93	Roy Woodward	705-738-3845	
68	Brian Muir	Stinson Bay Rd	
91	Bud Edwards	Stinson Bay Rd	
121	Ernie Couillard	Stinson Bay Rd	

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#	Name	Contact Information	Signature
56	Stacey Lestin	705 392 9119	Stacey Lestin
56	Wikhy Lestin	705 392 9119	Wikhy Lestin
65	BOB STORVO	705 738 6701	Bob Storko
65	SANDRA STEUENS	705 738 6701	Sandra Steuens
70	BRIAN MAHN	705 -738-3256	Brian Mahn
147	GORD SHIBUYA	416-436-1122	Gord Shibuya
147	SILVIA SHIBUYA	416-230-9944	Silvia Shibuya
1414	BONNIE KENNEDY	705-738-2617	Bonnie Kennedy
1414	Ken Stinson	705-738-2617	Ken Stinson
BORDERED ON EAST AND SOUTH BY EXTENSIVE FRONTAGE ON STINSON BAY RD. ACTUAL ADDRESS IS ON C.R. 8 (FARM ACREAGE)			
93	SUGAN WOODWARD	(705) 738-1261	Susan Woodward

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TRAVELLING SOUTH ON STINSON BAY  
RD, before curve where  
STINSON BAY RD, continues as  
a through street in a westerly  
direction. ←

- only visibility issue is on  
S.W. corner on the left ↑



1  
2  
3  
4  
5  
6  
7



TRAVELLING WEST ON GRAHAM  
DRIVE. APPROACHING ITS INTERSECTION  
WITH STINSON BAY.



7587



TRAVELLING EAST ON STINSON BAY RD.  
APPROACHING THE TURN IN THE ROAD  
WHERE STINSON BAY CONTINUES IN  
A SOUTHERLY DIRECTION TO COUNTY  
RD. 8. EXIT.

GRAHAM DRIVE STARTS ON THE FAR  
SIDE OF THE CURVE. NO TRAFFIC FROM  
STINSON BAY WOULD PASS THERE PARK  
AREA.

ONLY VISIBILITY ISSUE IS ON SE. CORNER  
ON THE LEFT

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

## **By-Law 2019-XXX**

### **A By-law to Stop Up and Close Part of the Road Allowance between Lots 54 and 55, Concession South of Portage Road, in the Geographic Township of Eldon, City of Kawartha Lakes, designated as Part 2 on Reference Plan 57R-9336, and to Authorize the Sale of the Land to the Abutting Owners**

#### **Recitals**

1. Pursuant to the Municipal Act, 2001, Council is empowered to stop up, close and to sell any part of a highway under its jurisdiction;
2. It is desirable to stop up and close that part of the road allowance described in Schedule "A" attached to this by-law and to authorize the sale of the land to the abutting owner.
3. Notice of intention of City Council to pass this by-law was given by ad notice duly published in the Kawartha Lakes This Week newspaper in the City of Kawartha Lakes on the 14th, 21st, and 28th days of February, 2019, in accordance with the provisions of the Municipal Act, 2001 and By-law 2018-020, as amended.
4. The proposed by-law came before Council for consideration at its regular meeting on the 18th day of June, 2019 at 2:00 p.m. and at that time no person objected to the proposed by-law nor claimed that his land would be prejudicially affected.
5. The sale of this land was approved by City Council on the 26th day of March, 2019 by the adoption of Report RS2019-017 by CW2019-059.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2019-XXX .**

#### **Section 1.00: Definitions and Interpretation**

##### **1.01 Definitions:** In this by-law,

**"City", "City of Kawartha Lakes" or "Kawartha Lakes"** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

**"City Clerk"** means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

**"Council" or "City Council"** means the municipal council for the City;

##### **1.02 Interpretation Rules:**



- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.
- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, which are applicable within the Province of Ontario.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

## **Section 2.00: Shoreline Road Closure and Sale**

- 2.01 **Closure and Sale:** That part of the original shore road allowance described in Schedule “A” attached to this by-law has been declared to be surplus to municipal needs and is hereby stopped up, closed and authorized to be sold to the abutting owner for \$20.00 per linear foot of water frontage , being the sum of Six Hundred Thirty-Two Dollars and Forty Cents (\$632.40) plus HST, if applicable, plus the cost of the reference plan, advertising, registrations, City staff time expense, legal fees and disbursements, and any other costs incurred by the City in connection to this transaction.

## **Section 3.00: Effective Date**

- 3.01 **Effective Date:** This By-law shall come into force on the date it is finally passed by Council and has been deposited on title in the Registry Office for the Registry Division of Victoria (No. 57).

By-law read a first, second and third time, and finally passed, this 18th day of June, 2019.

---

Andy Letham, Mayor

---

Cathie Ritchie, City Clerk

## **Schedule A**

### **Description of Land to be Stopped Up, Closed and Conveyed to the Abutting Owner**

Part of the Road Allowance between Lots 54 and 55, Concession South of Portage Road, in the Geographic Township of Eldon, City of Kawartha Lakes, designated as Part 2 on Reference Plan 57R-9336

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

## **By-Law 2019-XXX**

### **A By-Law to Stop Up and Close Part of the Road Allowance in the Geographic Township of Manvers, City of Kawartha Lakes, Legally Described as Franklin Street and Fallis Street on Plan 9**

#### **Recitals**

1. Pursuant to the *Municipal Act, 2001*, Council is empowered to stop up, close and to sell any part of a highway under its jurisdiction;
2. The land described in Schedule "A" attached form part of the road allowance legally described as Franklin Street and Fallis Street on Plan 9, in the Geographic Township of Manvers, City of Kawartha Lakes.
3. It is desirable to stop up and close that part of the road allowance described in Schedule "A" attached to this by-laws.
4. Notice of intention of City Council to pass this by-law was given by ad notice duly published in the Kawartha Lakes This Week newspaper in the City of Kawartha Lakes on the 2<sup>nd</sup>, 9<sup>th</sup>, and 16<sup>th</sup> days of May, 2019, in accordance with the provisions of the Municipal Act, 2001 and By-law 2018-020, as amended.
5. The proposed by-law came before Council for consideration at its regular meeting on the 18<sup>th</sup> day of June, 2019 at 2:00 p.m. and at that time no person objected to the proposed by-law nor claimed that his land would be prejudicially affected.
6. The stop up and closure of this land was approved by City Council on the 18<sup>th</sup> day of June, 2019.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2019-XXX.**

#### **Section 1.00: Definitions and Interpretation**

##### **1.01 Definitions:** In this by-law,

**"City", "City of Kawartha Lakes" or "Kawartha Lakes"** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

**"City Clerk"** means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

**"Council" or "City Council"** means the municipal council for the City;

##### **1.02 Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

## **Section 2.00: Road Closure**

- 2.01 **Closure:** By-law 1556-75 deemed all lots on Plan 9 not to be a registered plan of subdivision in 1975. Accordingly, Franklin Street and Fallis Street are not owned by the City. That part of the road allowances described in Schedule “A” attached to this by-law is hereby stopped up and closed .

## **Section 3.00: Effective Date**

- 3.01 **Effective Date:** This By-law shall come into force on the date it is finally passed by Council and has been deposited on title in the Registry Office for the Registry Division of Victoria (No. 57).

By-law read a first, second and third time, and finally passed, this 18<sup>th</sup> day of June, 2019.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

## **Schedule A**

### **Description of Land to be Stopped Up, Closed and Conveyed to the Abutting Owners**

Part of the Road Allowance in the Geographic Township of Manvers, City of  
Kawartha Lakes, legally described as Franklin Street and Fallis Street on Plan 9

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

## **By-Law 2019 -**

### **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 D06-17-011, Report PLAN2019-011, respecting Part of Lots 9 and 10, Concession 2, Geographic Township of Ops, identified as 35 Brook Street – BATL Management Inc.]

#### **Recitals:**

1. Sections 34 and 36 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit additional uses and modify the development standards for a commercial campground on the subject land.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2019-\_\_.**

#### **Section 1:00 Zoning Details**

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part of Lots 9 and 10, Concession 2, Geographic Township of Ops, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 93-30 of the Township of Ops is further amended by deleting Section 11.3.2 and replacing it with the following:

“11.3.2 Tourist Commercial Exception Two - Holding [CT-2(H)] Zone

Notwithstanding the permitted uses and zone provisions in the Tourist Commercial (CT) Zone to the contrary, within the Tourist Commercial Exception Two - Holding [CT-2(H)] Zone, the following shall apply:

#### Residential Uses

- An accessory dwelling unit

#### Non-Residential Uses

- A tourist camp
- A tourist camp management office



- ## Zone Provisions

Planting Strip Location:

- Open Storage Area Location Prohibited in front yard

In all other respects, the provisions for the Tourist Commercial (CT) Zone shall apply.

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existing as of the date of the passing of this By-law, and including the accessory restaurant and 12-hole golf course.

On land zoned CT-2(H), the removal of the holding (H) symbol shall be in accordance with the following:

- The applicant has entered into a Site Plan Agreement with the City, and that the Agreement has been registered on title.”

1.03 **Schedule Amendment:** Schedule ‘A’ to By-law No. 93-30 of the Township of Ops is further amended to change the zone category from the Tourist Commercial Exception Two (CT-2) Zone to the Tourist Commercial Exception Two - Holding [CT-2(H)] Zone for the land referred to as ‘CT-2(H)’, as shown on Schedule ‘A’ attached to this By-law.

## **Section 2:00      Effective Date**

2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Sections 34 and 36 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this \*\* day of \*\*\*, 2019.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF

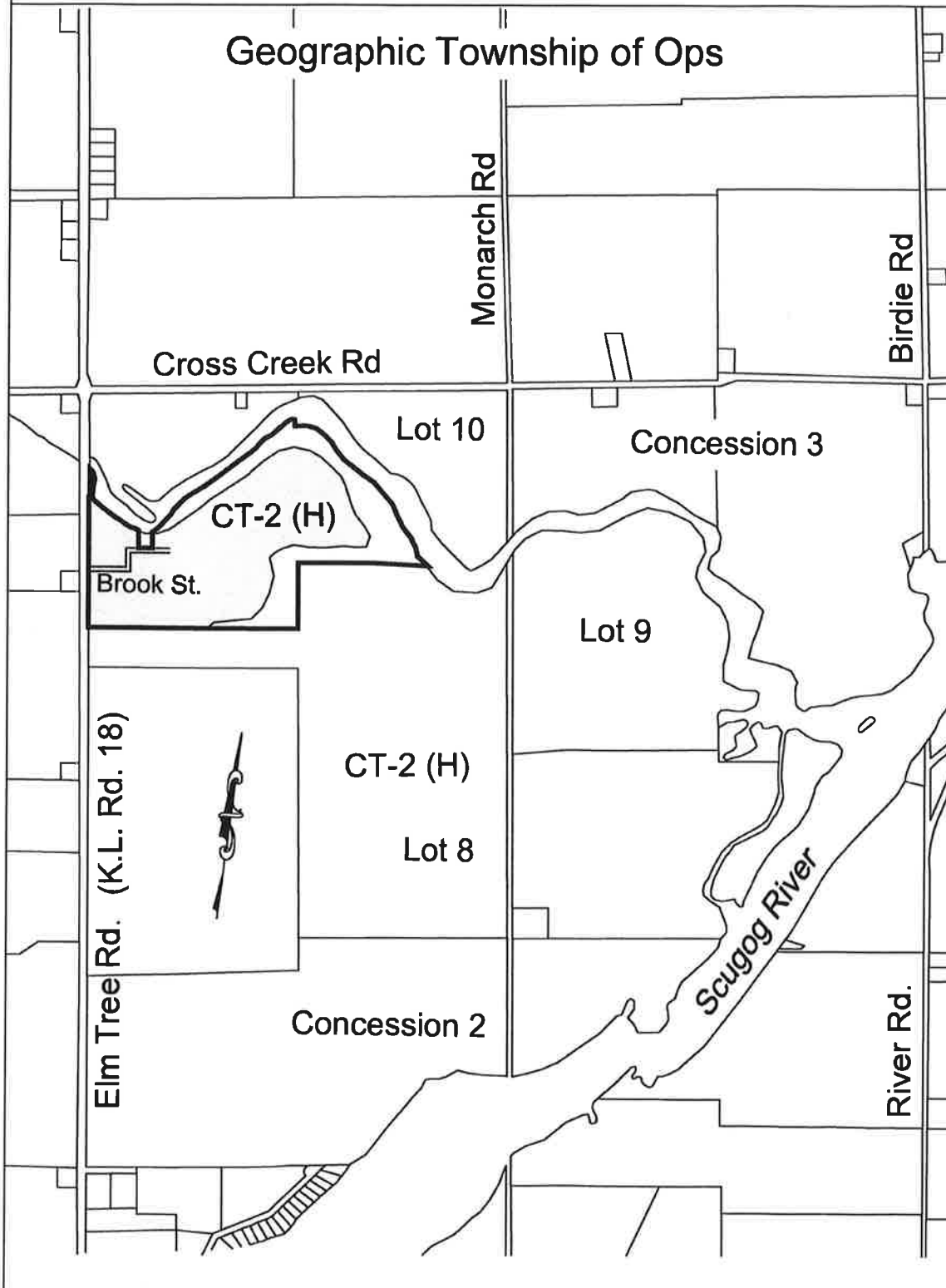
# KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW \_\_\_\_\_ PASSED

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019

MAYOR \_\_\_\_\_

CITY CLERK \_\_\_\_\_



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

## **By-Law 2019 -**

### **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 D06-2019-009, Report PLAN2019-033, respecting Part Lot 22, Concession 3, geographic Township of Ops, identified as 454 Colborne Street West

#### **Recitals:**

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to:
  - (a) rezone the land containing the dwelling to a residential zone category; and
  - (b) prohibit residential uses on the balance of the agricultural land;in order to fulfill a condition of provisional consent.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2019-\_\_.**

#### **Section 1:00 Zoning Details**

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part Lot 22, Concession 3, geographic Township of Ops, City of Kawartha Lakes.
- 1.02 **Schedule Amendment:** Schedule 'A' to By-law No. 93-30 of the Township of Ops is further amended to change the zone category on a portion of the property from Agricultural (A) Zone to Rural Residential (RR) Zone for the land referred to as RR, as shown on Schedule 'A' attached to this By-law; and to change the zone category on the balance of the property from Agricultural (A) Zone to Agricultural Exception Nine (A-9) Zone for the land referred to as A-9, as shown on Schedule 'A' attached to this By-law.

#### **Section 2:00 Effective Date**

- 2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this \*\* day of \*\*\*, 2019.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk



THE CORPORATION OF THE CITY OF

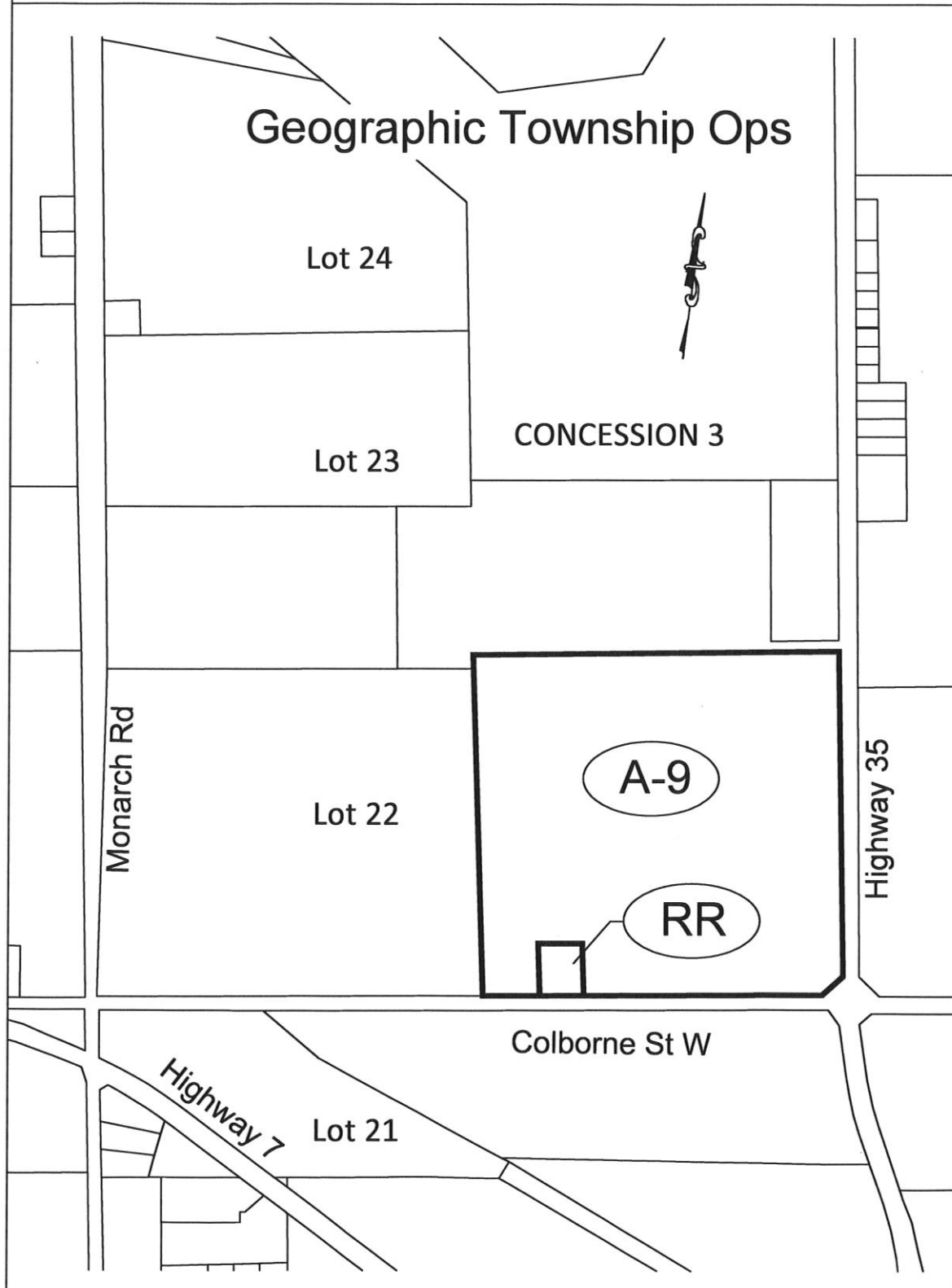
# KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW \_\_\_\_\_ PASSED

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019.

MAYOR \_\_\_\_\_

CITY CLERK \_\_\_\_\_



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

## **By-Law 2019 -**

### **A By-Law To Amend The Township of Mariposa Zoning By-Law No. 94-07 To Rezone Land Within The City Of Kawartha Lakes**

File D06-2019-011, Report PLAN2019-035, respecting Part Lot 19 Concession 7, geographic Township of Mariposa, identified as 115 Taylor's Road – Arksey

#### **Recitals:**

1. Sections 34 and 39 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit the temporary use of the land for a Garden Suite.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2019-\_\_.**

#### **Section 1:00      Zoning Details**

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part Lot 19, Concession 7, Part of Part 1, 57R-5834, geographic Township of Mariposa, City of Kawartha Lakes, and identified as 115 Taylor's Road.
- 1.02 **Textual Amendment:** By-law No. 94-07 of the Township of Mariposa is further amended to add the following section to Section 8.3:
  - "8.3.34      Agricultural Exception Thirty Four (A1-34) Zone
    - 8.3.34.1      In addition to the uses permitted in Section 8.1, on lands zoned A1-34, a garden suite is also permitted and is subject to the following provisions:
    - 8.3.34.2      A "Garden Suite" means a temporary, detached dwelling unit that is designed and constructed to be portable and is ancillary to an existing detached dwelling.
    - 8.3.34.3      A "Garden Suite" shall not exceed a gross floor area of 110 square metres and shall be permitted for a period of twenty (20) years commencing on the date that the A1-34 Zone is in effect."

- 1.03 **Schedule Amendment**: Schedule 'A' to By-law No. 94-07 of the Township of Mariposa is further amended to change the zone category from the Agricultural (A1) Zone to the Agricultural Exception Thirty-Four (A1-34) Zone for the land referred to as 'A1-34', as shown on Schedule 'A' attached to this By-law.

## **Section 2:00      Effective Date**

- 2.01 **Effective Date**: This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Sections 34 and 39 of the Planning Act, R.S.O. 1990, c.P.13.
- 2.02 **Expiry Date**: This By-law shall expire on the \*\* day of \*\*\*, 2039, in accordance with the provisions of Section 39.1(4) of the Planning Act, R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this \*\* day of \*\*\*, 2019.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF

# KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW \_\_\_\_\_ PASSED

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019.

MAYOR \_\_\_\_\_

CITY CLERK \_\_\_\_\_

Geographic Township of Mariposa

Concession 8

Farmstead Road

A1-34

Concession 7

Taylor's Rd

Lot 18

Lot 19

Lot 20

Trans Canada Trail

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

## **By-law 2019-XXX**

**A By-law to Assume Lisbeth Crescent, Plan 57M-780 (PIN: 63236-0173), and associated Lisbeth Crescent 0.3 metre reserve at Adelaide Street, Plan 57M-780 (PIN: 63236-0116), Tina Court, Plan 57M-780 (PIN: 63236-0174), Geographic Town of Lindsay, The Corporation of the City of Kawartha Lakes**

### **Recitals**

1. Subsection 31(4) of the *Municipal Act, 2001* authorizes Council to assume unopened road allowances or road allowances shown on registered plans of subdivision for public use, by by-law.
2. Council now deems it desirable to assume Lisbeth Crescent and Tina Court, Plan 57M-780, Geographic Town of Lindsay, the Corporation of the City of Kawartha Lakes as public highways in the City of Kawartha Lakes.
3. Council now deems it desirable to assume the Stormwater Management Facility (Oil and Grit Separator), unassumed George Street right-of-way at Albert Street, Geographic Town of Lindsay, in the City of Kawartha Lakes.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2019-XXX.**

### **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.

“City Clerk” means the person appointed by Council to carry out the duties of the clerk described in section 228 of the *Municipal Act, 2001*;

“Council” or “City Council” means the municipal council for the City.

- 1.02 **Interpretation Rules:**

- (a) The 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, which 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: Assumption of Services**

- 2.01 **Assumption**: The following highways are assumed by the City:
- a) The road known as Lisbeth Crescent, Plan 57M-780, Geographic Town of Lindsay, City of Kawartha Lakes.
  - b) The road known as Tina Court, Plan 57M-780, Geographic Town of Lindsay, City of Kawartha Lakes.
- 2.02 **Assumption**: The following facility is assumed by the City:
- a) The stormwater management facility – oil and grit separator located in the unassumed George Street right of way at Albert Street, Geographic Town of Lindsay, City of Kawartha Lakes.

## **Section 3.00: Effective Date**

- 3.01 **Effective Date**: This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this XX day of June, 2019.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

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

## **By-Law 2019-XXX**

### **A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes**

#### **Recitals**

1. Private property owners and businesses find it convenient to have certain municipal by-laws enforced by members of their own staff. The City receives requests, from time to time, for the appointment of citizens as municipal law enforcement officers for limited purposes.
2. The City has received such a request from the Charles McDonald – President of the Lindsay Downtown Business Improvement Association.
3. Section 15 of the Police Services Act, R.S.O. 1990, c.P.15 authorizes municipal councils to appoint municipal law enforcement officers, who are peace officers for the purpose of enforcing their by-laws.
4. The Manager of Municipal Law Enforcement recommends that the person put forward be appointed for limited enforcement purposes.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2019-XXX.**

#### **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 **Appointment:** John D. Hope is appointed as a Municipal Law Enforcement Officer for the limited purpose of enforcement of the applicable Kawartha Lakes parking by-laws and regulations, as the authority relates specifically to the activity as the Community Liaison Person for the Lindsay Downtown Business Improvement Association (LDBIA) and within a specifically defined boundary in accordance with a Municipal agreement with LDBIA.
- 2.02 **Provincial Offences Officer:** John D. Hope is appointed as a Provincial Offences Officer for the limited purpose of enforcement of the applicable Kawartha Lakes parking by-laws and regulations, as the authority relates specifically to the activity as the Community Liaison Person for the Lindsay Downtown Business Improvement Association (LDBIA) and within a specifically defined boundary in accordance with a Municipal agreement with LDBIA and in accordance with the provisions of the Provincial Offences Act, R.S.O. 1990, c.P. 33.

## **Section 3.00: Administration and Effective Date**

- 3.01 **Administration of the By-law:** The Manager of Municipal Law Enforcement is responsible for the administration of this by-law.
- 302 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 18<sup>th</sup> day of June, 2019.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

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

## **By-law 2019-xxx**

### **Site Alteration By-law**

#### **A By-law To Repeal and Replace By-law 2018-214, Being a By-law Regulating the Removal of Topsoil, Placement of Fill, and the Alteration of Grades**

##### **Recitals**

1. Section 10(2) of the Municipal Act, 2001, S.O. 2001, c.25, as amended (the “Municipal Act, 2001”) authorizes a municipality to pass By-laws respecting the economic, social and environmental well-being of the municipality and the health, safety and well-being of persons;
2. Section 128 of the Municipal Act, 2001 authorizes local municipalities to prohibit and regulate with respect to public nuisances;
3. Section 129 of the Municipal Act, 2001 authorizes local municipalities to prohibit and regulate with respect to noise, vibration and dust;
4. Section 142 of the Municipal Act, 2001 authorizes municipal councils to pass by-laws respecting Site Alteration, including by-laws regulating the removal of Topsoil, Placement of Fill, and the alteration of the Grade of the land in any defined areas in the municipality; and
5. Council considers it in the public interest to enact a by-law regulating the removal of Topsoil, Soil, Placement of Fill, and the alteration of the Grade of land within the City in order to ensure that:
  - a. Existing drainage patterns are maintained and Erosion and sedimentation is prevented;
  - b. Changes to drainage or Grades are appropriate to protect natural heritage features and archaeological resources;
  - c. Interference and damage to watercourses or water bodies are prevented;
  - d. Groundwater and surface water quality is maintained;
  - e. There is no discharge of a contaminant into the natural environment that causes or may cause an Adverse Effect and that degradation of

the pre-existing Soil and ground water quality at the Site and on abutting and adjacent properties is prevented;

- f. Haul Routes for the transportation of Fill, Soil and Topsoil authorized for Placement, Dumping or removal will be designated to and/or from a Site by the Director to minimize damage to the City's roads and minimize interference and/or disturbance to the City's residents and businesses;
- g. Disturbance to landform characteristics are kept to a minimum;
- h. The proponent of the Site Alteration project pays for its costs; and
- i. The precautionary principle, as defined by the Bergen Ministerial Declaration on Sustainable Development (1990), is respected and applied to the issue of Site Alteration within the Municipality.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law.**

## **Section 1.0 Definitions and Interpretation**

### **1.1 Definitions:**

The following definitions shall be applicable to this By-law.

- 1.1.1 **"Adverse Effect"** means as defined in the Environmental Protection Act, R.S.O. 1990, c. E.19, as amended.
- 1.1.2 **"Agricultural Drain"** means infrastructure constructed for the purpose of draining Agricultural Land under the Drainage Act, R.S.O. 1990, c. D.17, as amended, or the Tile Drainage Act, R.S.O. 1990, c. T.8, as amended.
- 1.1.3 **"Agricultural Impact Assessment"** means a study that describes the agricultural area and uses, evaluates the potential impacts of non-agricultural development on agricultural operations and the Agricultural System and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts, as defined by Provincial Plans.
- 1.1.4 **"Agricultural Lands"** means all lands that are zoned appropriately and used by an Agricultural Operation as defined by the Farming and Food Production Protection Act, 1998, S.O. 1998, c. 1, as amended.
- 1.1.5 **"Agricultural Operation"** means an agricultural, aquacultural, horticultural or silvicultural operation that is carried on in the expectation of gain or reward and interpreted by the Farming and



Food Production Protection Act, 1998, S.O. 1998, c. 1, as amended, to include:

- (a) draining, irrigating or cultivating land;
- (b) growing, producing or raising,
  - (i) livestock, including poultry and ratites,
  - (ii) fur-bearing animals,
  - (iii) bees,
  - (iv) cultured fish,
  - (v) deer and elk,
  - (vi) game animals and birds, or
  - (vii) any additional animals, birds or fish prescribed by the Minister;
- (c) the production of agricultural crops, greenhouse crops, maple syrup, mushrooms, nursery stock, tobacco, tree and turf grass, and any additional agricultural crops prescribed by the Minister;
- (d) the production of eggs, cream and milk;
- (e) the operation of agricultural machinery and equipment;
- (f) the application of fertilizers, Soil conditioners and pesticides;
- (g) ground and aerial spraying;
- (h) the storage, handling or use of organic wastes for farm purposes;
- (i) the processing by a farmer of the products produced primarily from the farmer's agricultural operation;
- (j) activities that are a necessary but ancillary part of an agricultural operation such as the movement of transport vehicles for the purposes of the agricultural operation; and
- (k) any other agricultural activity prescribed by the Minister, conducted on, in or over agricultural land. 1998, c. 1, s. 1 (2).

1.1.6 **“Applicant”** means each Person who is in the process of obtaining a Permit.

- 1.1.7 **“City”, “City of Kawartha Lakes” or “Kawartha Lakes”** means The Corporation of the City of Kawartha Lakes.
- 1.1.8 **“Conservation Authority”** means the Kawartha Region Conservation Authority, Lake Simcoe Region Conservation Authority, Otonabee Region Conservation Authority, or the Ganaraska Region Conservation Authority, as designated by the Province as having jurisdiction within the boundaries of the City of Kawartha Lakes.
- 1.1.9 **“Contaminated Fill”** means:
- a. Fill which contains material or debris that does not naturally occur in the location of the lot or parcel of land;
  - b. any Soil that does not meet the Table 1 Standards of the “Solid, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act” as published by the Ministry of the Environment, Conservation and Parks (MOECP) dated April 15, 2011, as amended, unless the Applicant has demonstrated to the satisfaction of the Director that the existing ambient Soil quality of the receiving site does not meet Table 1 Standards or that the Placing or Dumping of Soil meets Table 2 Standards would not have a detrimental effect on ground water; and
  - c. any Fill that contains putrescible material.
- 1.1.10 **“Contractor’s Yard”** means a lot, building or structure where equipment and materials of a contractor, landscaper or similar business are stored or where the contractor, landscaper or similar business performs activities permitted by the Zoning By-law.
- 1.1.11 **“Council” or “City Council”** means the Council of the City of Kawartha Lakes.
- 1.1.12 **“Site Alteration Agreement”** means a legal agreement between the City, an Applicant and an Owner, and including any other relevant party, which can be registered on the title of the Property.
- 1.1.13 **“Director”** means the City’s Director of Engineering and Corporate Assets, or a designate.
- 1.1.14 **“Dumping”** means the depositing of Fill in a location on properties within the City, or the movement and depositing of Fill from one location to another location and “Dump” and “Dumped” in relation to Fill have the same meaning. “Place” shall have a similar meaning.

- 1.1.15 **“Ecological Function”** means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes, as defined by the Provincial Plans.
- 1.1.16 **“Environmental Impact Study” or “Natural Heritage Evaluation”** means a study which shall:
- a. demonstrate that the development or Site Alteration will have no Adverse Effects on the Key Natural Heritage Feature or on the related ecological functions;
  - b. identify planning, design and construction practices that will maintain and, where possible, improve or restore the health, diversity and size of the Key Natural Heritage Feature and its connectivity with other Key Natural Heritage Features and with Key Hydrologic Features;
  - c. demonstrate how connectivity within and between Key Natural Heritage Features and Key Hydrologic Features will be maintained and, where possible, improved or restored before, during and after construction;
  - d. determine whether a Minimum Vegetation Protection Zone is required, and if one is required, specify the dimensions of the required Minimum Vegetation Protection Zone, and provide for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it; and
  - e. in the case of a Key Natural Heritage Feature that is fish habitat, ensure compliance with the requirements of the Department of Fisheries and Oceans (Canada).
- 1.1.17 **“Erosion”** means the detachment and movement of Soil, sediment or rock fragments by water, wind, ice or gravity.
- 1.1.18 **“Erosion and Sediment Control Plan”** means a plan as defined in Section 5.7 of this By-law.
- 1.1.19 **“Farmer”** means the owner or operator of an Agricultural Operation.
- 1.1.20 **“Feature”** means a Key Natural Heritage Feature and/or Key Hydrologic Feature, as defined by Provincial Plans.
- 1.1.21 **“Fill”** means any type of imported or relocated material deposited or Placed on the Property and includes Soil, stone, concrete, slurry, sod or turf either singly or in combination, scientifically demonstrated inert

and able to pass a slump test as outlined in the General Waste Management provisions contained in Ontario Regulation R.R.O. 1990, Reg. 347: GENERAL - WASTE MANAGEMENT as amended.

1.1.22 **“Fill Operation”** means an operation that involves Placing or Dumping of Fill and shall be comprised of each of the following, as may be applicable:

- a. **“Small Fill Operation”** means an operation that involves the Placing or Dumping of up to 1,000 cubic metres of Fill.
- b. **“Large Fill Operation”** means an operation that involves the Placing or Dumping of more than 1,000 cubic metres of Fill.

1.1.23 **“Flood Plain”** means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

1.1.24 **“Flooding”** means the inundation of areas not normally covered by water.

1.1.25 **“Grade”**, means the elevation of the ground surface of land and shall be comprised of the following as may be applicable:

- a. **“Existing Grade”** means the elevation of an existing ground surface, upon which Dumping and/or Placing of Fill or other Site Alteration is proposed and of the adjacent ground surface up to three (3) metres wide surrounding such site;
- b. **“Proposed Grade”** means the proposed elevation of the ground surface of land upon which any Fill is proposed to be Placed; and
- c. **“Finished Grade”** means the approved elevation of ground surface of lands, upon which Fill has been placed or removed in accordance with this By-law.

1.1.26 **“Grading and Drainage Plan”** means a plan containing any or all of the matters and activities described in Section 5.7 of this By-law.

1.1.27 **“Hydrogeological Impact Study”** or **“Hydrogeological Study”** means a hydrogeologic and geotechnical review of the stratigraphy of the overburden (Soil) from ground surface to bedrock, depth to bedrock, depth to water table, aquifers, aquitards, and infiltration capacity,

1.1.28 **“Infrastructure”** means physical structures (facilities and corridors) that form the foundation for development, as defined by the Provincial Plans.

- 1.1.29 **“Inspector”** means any Officer and any of the following staff members of the City: Director of Engineering and Corporate Assets, Director of Development Services, Director of Public Works, or a designate, Roads Supervisors in the City’s Department of Public Works – Roads General Operations, and such Municipal Law Enforcement Officers as may be appointed by the City from time to time.
- 1.1.30 **“Key Hydrologic Feature”** means Permanent streams, intermittent streams, inland lakes and their littoral zones, seepage areas and streams and wetlands as defined by the Provincial Plans.
- 1.1.31 **“Key Natural Heritage Feature”** means Habitat of endangered species and threatened species; fish habitat; wetlands; life science areas of natural and scientific interest (ANSIs), significant valleylands, significant woodlands; significant wildlife habitat (including habitat of special concern species); sand barrens, savannahs, and tallgrass prairies; and alvars as defined by the Provincial Plans.
- 1.1.32 **“Lake Simcoe Protection Act”** means the Lake Simcoe Protection Act, 2008 or any successor thereto.
- 1.1.33 **“Lake Simcoe Protection Plan”** means a plan established under Lake Simcoe Protection Act, 2008 or any successor thereto.
- 1.1.34 **“Landform Features”** means distinctive physical attributes of land such as slope, shape, elevation and relief as defined by the Provincial Plans.
- 1.1.35 **“Lot”** means a lot or block within a registered plan of subdivision of land or any portion of a lot or block which may be conveyed separate and distinct under the provisions of the Planning Act, or any parcel of land that may be legally conveyed as one separate and distinct parcel by an Owner.
- 1.1.36 **“Minimum Vegetation Protection Zone”** means as defined by the Provincial Plans.
- 1.1.37 **“Manager of Municipal Law Enforcement and Licensing”** 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.
- 1.1.38 **“Municipal Act”** means the Municipal Act, 2001 or any successor thereto.



- 1.1.39 **“Municipal Storm Drainage System”** means the City’s stormwater collection and treatment system.
- 1.1.40 **“Municipal Law Enforcement Officer”** means a person appointed by Council under Section 15 of the Police Services Act to enforce the by-laws of the City, and includes any Licencing Officer.
- 1.1.41 **“Normal Farm Practice”** is defined as meaning a practice that:
- a. is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or
  - b. makes use of innovative technology in a manner consistent with proper advanced farm management practices.
- 1.1.42 **“Oak Ridges Moraine Conservation Act”** means the Oak Ridges Moraine Conservation Act, 2001 or any successor thereto.
- 1.1.43 **“Oak Ridges Moraine Conservation Plan”** means a Plan established under the Oak Ridges Moraine Conservation Act, 2001 or any successor thereto.
- 1.1.44 **“Official Plan”** means a land use policy document adopted by the council of the City by By-law, pursuant to Section 17 of the Planning Act, as amended.
- 1.1.45 **“Order”** means an order issued pursuant to the provisions of this By-law.
- 1.1.46 **“Owner”** means the registered owner of the Property in question as revealed in the Land Registry Office of the Ministry of Government and Consumer Services; any occupant of the Property in question with authority to act on behalf of the registered owner; any person authorized by the registered owner to act on his or her behalf, any mortgagee or receiver and manager or trustee in bankruptcy with possession and control of the Property may have a similar meaning to Person.
- 1.1.47 **“Permit”** means an approval issued pursuant to the provisions of this By-law.
- 1.1.48 **“Person”** means an individual, partnership, association, firm or corporation.
- 1.1.49 **“Place”** means the distribution of Fill on Property to establish a Finished Grade higher or lower than the Existing Grade and

“Placing”, “Placement” and “Placed” in relation to Fill have the same meaning.

- 1.1.50 **“Ponding”** means the accumulation of surface water in an area not having drainage where the lack of drainage is caused by the Placing or Dumping of Fill or the alteration of the Grade.
- 1.1.51 **“Prime Agricultural Area”** means areas where prime agricultural lands predominate, and as defined by the Provincial Plans.
- 1.1.52 **“Prime Agricultural Land”** means specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, and as defined by the Provincial Plans.
- 1.1.53 **“Provincial Plans”** means the Provincial policy and four land use plans including the Provincial Policy Statement, 2014; A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019; Greenbelt Plan, 2017; Oak Ridges Moraine Conservation Plan, 2017; and Lake Simcoe Protection Plan, 2009; currently in effect within the City. Any changes made by the Province to the Provincial policy or four land use plans, creation of additional plans or policies, or rescinding of policies or plans shall not require an amendment to this By-law.
- 1.1.54 **“Qualified Person”** means a professional person who is accredited or certified with a degree in the study of relevant environmental sciences and as further defined in the Environmental Protection Act, as amended, Ontario Regulation 153/04, Records of Site Condition – Part XV.1 of the Act. The QUALIFIED PERSON may include an agrologist if Soil is to be used for an agricultural purpose.
- 1.1.55 **“Rehabilitation Plan”** means a plan approved under the Aggregate Resources Act, R.S.O. 1990, c. A.8, as amended to rehabilitate a pit or quarry.
- 1.1.56 **“Retaining Wall”** means a wall designed to contain and support Fill which has a Finished Grade higher than that of abutting lands.
- 1.1.57 **“Risk Management Official”** means the Risk Management Official appointed under Part IV of the Clean Water Act, 2006, S.O. 2006, c. 22.
- 1.1.58 **“Site Alteration”** means the Placement or Dumping of Fill on land, the removal of Soil from land or the alteration of the Grade of land by any means.
- 1.1.59 **“Site Alteration Plan”** means a plan containing any or all of the matters and activities described in Schedule “B” to this By-law.

- 1.1.60 **“Soil”** means material that is naturally occurring commonly known as clay, earth, gravel, loam, rock, sand, subsoil, or any combination thereof that is the result of the natural breakdown of rock or organic material; Topsoil may also have a similar meaning.
- 1.1.61 **“Source Water Protection Area”** or **“Source Protection Area”** means a drinking water source protection area established by subsection 4(1) or by the regulations under the Clean Water Act, 2006, S.O. 2006, c. 22.
- 1.1.62 **“Surface Water Intake Protection Zone”** means an area that is related to a surface water intake and within which it is desirable to regulate or monitor drinking water threats as defined by Ontario Regulation 287/07: General, under the Clean Water Act, 2006, S.O. 2006, c. 22, ss. 2(1), 116(3), as amended.
- 1.1.63 **“Swale”** means a shallow depression in the ground sloping to a place for the purpose of conveying surface drainage.
- 1.1.64 **“Table 1 Standards”** means the standards established in Table 1 of the “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act” published by the Ministry of Environment and Climate Change dated April 15, 2011, as amended from time to time.
- 1.1.65 **“Table 2 Standards”** means the standards established in Table 2 of the “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act” published by the Ministry of Environment and Climate Change dated April 15, 2011, as amended from time to time.
- 1.1.66 **“Topsoil”** means those horizons in a soil profile, commonly known as the “O” and the “A” horizons, containing organic material and includes deposits of partially decomposed organic matter such as peat.
- 1.1.67 **“Wellhead Protection Area”** means an area that is related to a wellhead and within which it is desirable to regulate or monitor drinking water threats as defined by Ontario Regulation 287/07: GENERAL, under the Clean Water Act, 2006, S.O. 2006, c. 22, ss. 2(1), 116(3), as amended.
- 1.1.68 **“Zoning By-law”** means a by-law passed by the City pursuant to Section 34 of the Planning Act, as amended, and includes all Zoning By-laws for the City’s former Towns, Villages, and Townships, as amended or superseded from time to time and the City’s Oak Ridges Moraine Zoning By-law 2005-133, as amended, whichever is applicable to any land to which this By-law applies.

**1.2 Interpretation:**

- (a) Schedule “A” - Exemptions - is attached to and forms part of this by-law.
- (b) Schedule “B” – Site Alteration Plan – is attached to and forms part of this by-law.
- (c) Except as otherwise provided, the provisions of this By-law apply to Soil removal, Placement of Fill, and Grade alteration throughout the City and may be referred to as the Site Alteration By-law.
- (d) 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.

**1.3 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.

**1.4 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 2.0 Regulations and Prohibitions**

- 2.1. No Person or Owner shall remove Soil, cause or permit Fill to be Placed or removed, or perform any other form of Site Alteration in the City except in accordance with this By-law.
- 2.2. No Person or Owner shall, except in accordance with the provisions of a Site Alteration Permit issued by the City pursuant to this By-law;
  - i. remove Soil or cause or permit the removal of Soil;
  - ii. Place Fill or cause or permit Fill to be Placed; or
  - iii. alter the Grade of any land or cause or permit the Grade of any land in the City to be altered.
- 2.3. No Owner, Person or Person acting on the behalf of an Owner shall cause or permit the removal of Soil or the Placement or Dumping of Fill or alteration of the Grade of any land or Property within the City unless the Owner has consented in writing to the removal of Soil, Placing or Dumping of Fill or to the alteration of the Grade.
- 2.4. No Person or Owner shall permit a Property being used for storage purposes to be altered by the Placement or Dumping of Fill unless such

storage is permitted as part of a Contractor's Yard pursuant to the Zoning By-law, as amended.

- 2.5. No Person or Owner shall cause or permit the removal of Soil or the Placing or Dumping of Fill or altering the Grade of any land or Property within the City that contravenes any Federal, Provincial or Municipal By-law, notice, Order, regulation, Permit or agreement.

**Protection of the Natural Environment:**

- 2.6. No Person or Owner shall cause or permit the Placing or Dumping of Fill that contains materials that are from the demolition of any structure including construction refuse or debris, toxic or hazardous materials, glass, raw sewage, or Contaminated Fill unless permitted by an order, regulation or permit as issued in accordance to Municipal, Federal or Provincial regulation.
- 2.7. No Person or Owner shall cause or permit the Placing or Dumping of Fill that contains putrescible materials, termites and invasive species including eggs and seeds of such species, except as permitted by the Nutrient Management Act and O. Reg. 267.
- 2.8. No Person or Owner shall remove Soil, Place or Dump Fill or alter the Grade of a Property by causing or permitting any other form of Site Alteration on land zoned as Hazard Land, Open Space or Environmental Protection zones, including exception zones thereof, as identified in the Zoning By-law, or within or adjacent to a watercourse, Flood Plain area or a wetland or other such regulated areas pursuant to O. Reg. 167/06, O. Reg. 168/06, O. Reg. 179/06, or O. Reg. 182/06 made pursuant to Section 28 of the Conservation Authorities Act, R.S.O. 1990, c. C.27 as amended, unless, approval has been issued by the Conservation Authority that has jurisdiction over such land, and/or a Permit has been issued pursuant to this By-law, as required.
- 2.9. To protect Landform Features identified in landform conservation areas 1 and 2 as defined by the Oak Ridges Moraine Conservation Plan and through the implementing Oak Ridges Moraine Zoning By-law 2005-133, as amended, no Person or Owner shall remove Soil, Place or Dump Fill or alter the Grade of a Property where the activity may impact any land within the Oak Ridges Moraine Conservation Plan Area unless, approval has been issued by the Conservation Authority that has jurisdiction over such land, and/or a Permit has been issued pursuant to this By-law.
  - a. Small Fill Operations may be prohibited if it is determined there will be an impact to the Landform Features; and
  - b. Large Fill Operations will be prohibited.

- 2.10. To protect Key Natural Heritage Features and Key Hydrologic Features, no Person or Owner shall remove Soil, Place or Dump Fill or alter the Grade of a Property where the activity is within a Key Natural Heritage Feature, Key Hydrologic Feature, or any associated Minimum Vegetation Protection Zone as defined by the Provincial Plans unless approval has been issued by the Conservation Authority that has jurisdiction over such land (and the activity is in accordance with the approval), or a Permit has been issued pursuant to this By-law (and the activity is in accordance with the Permit).
- a. Small Fill Operations will be prohibited within the Feature, and also may be prohibited within the associated Minimum Vegetation Protection Zone if it is determined there will be an impact to the Feature; and
  - b. Large Fill Operations will be prohibited within the Feature, and may also be prohibited within the associated Minimum Vegetation Protection Zone if it is determined there will be an impact to the Feature.
- 2.11. No Person or Owner shall remove Soil, Place or Dump Fill or alter the Grade of a Property where the activity will likely result in Soil Erosion from wind or water, unless the required erosion and sediment control measures as per this By-law are in place in advance of the work and maintained, and exposed soils are vegetated within the prescribed time frame.

**Protection of Agricultural Resources and Preservation of Drainage:**

- 2.12. No Person or Owner shall remove Soil, Place or Dump Fill or alter the Grade of a Property where the activity will result in the blockage of a Municipal Storm Drainage System, Agricultural Drain, natural drainage system, or watercourse.
- 2.13. No Person or Owner shall remove Soil, Place or Dump Fill or alter the Grade of a Property where the activity will cause or permit sediment or sediment laden water to be discharged, either directly or indirectly, into a Municipal Storm Drainage System, Agricultural Drain, natural drainage system, or watercourse.
- 2.14. No Person or Owner shall remove Soil, Place or Dump Fill or alter the Grade of a Property where the activity will result in the Flooding or Ponding of water on an abutting Property.
- 2.15. No Person or Owner shall fail to provide Erosion or sediment protection for wind and drainage run off related to the activity of removal of Soil, Placement or Dumping of Fill or alteration of grade, where such Erosion or sediment may enter onto an abutting Property.



- 2.16. A Farmer Placing between 500 cubic metres to 1000 cubic metres of Fill per calendar year on Agricultural Land as an incidental part of a Normal Farm Practice shall be exempt from Sections 2.2.ii, 2.3, 4.0 and 5.0 of this By-law provided that the Farmer submits to the City a completed Agricultural Soil Placement Declaration Statement confirming that it is by definition of this By-law Agricultural Land, an Agricultural Operation and an incidental part of a Normal Farm Practice and is in compliance with this By-law.

### **Section 3.0 Exemptions**

- 3.1 The regulations established by this By-law do not apply to the activities and matters described in **Schedule "A"**.
- 3.2 Notwithstanding Section 3.1, no person shall place Contaminated Fill on properties subject to the Exemptions outlined in Schedule "A".

### **Section 4.0 Issuance of a Site Alteration Permit**

- 4.1 An Owner or Applicant shall have a preliminary discussion or meeting with the Director and any other Persons that the Director deems necessary, in order to review the proposal to determine if a Permit or Site Alteration Permit could be issued under the requirements of this By-law.
- 4.2 No Person shall remove Soil, Place or Dump Fill or alter the Grade unless the alteration of Grade is established by a Site Alteration Plan as approved by the Director.
- 4.3 Every Person who alters the Grade of land or who causes or permits the alteration of the Grade of land contrary to this By-law or contrary to the terms of a Permit shall forthwith restore the land to its original condition including the replacement of Topsoil and seed to the Existing Grade of the land.
- 4.4 The issuance of a Permit under this By-law does not relieve the Owner or the Applicant from the obligation to secure all other applicable approvals.
- 4.5 When applying for a permit an Applicant authorized by the Owner and/or Owner shall submit the following information:
- In this section Site Alteration shall have the meaning listed in 1.1.58 and include Fill, Soil, Topsoil as a described term in the Site Alteration Plan
  - a. a completed application and any applicable fees in the form prescribed from time to time by the Director in accordance with the information required in this By-law;

- b. proof of liability insurance showing the City as an additional named insured as may be required by the Director at his or her sole discretion and in a form satisfactory to the City;
- c. the name, address and contact telephone number or the Owner(s) of the land upon which the Site Alteration is to occur and all authorized agents for the Owner;
- d. the municipal address of the land on which the Site Alteration is to occur;
- e. legal description of the land upon which the Site Alteration is to occur;
- f. the Owner's authorization, Owner's proof to bind a corporation where applicable;
- g. a Site Alteration Plan, except where exempt, based on a legal survey if required by the Director, accurately indicating:
  - i. the Property lines of the lands for the Site Alteration with dimensions,
  - ii. all materials and manmade features, including top and bottom of slopes, drainage patterns, tree lines, buildings and stockpiles on the lands and within thirty (30) metres on abutting lands and water bodies,
  - iii. all existing storm sewers, ditches, swales, creeks, watercourses and wetlands on the lands and on abutting lands and public highways,
  - iv. all existing buildings, trees and driveways on the lands and all easements and right-of-ways over, under, across or through the lands,
  - v. proposed Grade and drainage systems upon completion of the Site Alteration,
  - vi. all proposed ground covering to be used upon completion of the Site Alteration operation, and
  - vii. all Erosion, sediment and tree protection measures for Site Alteration operation;
- h. a copy of a Permit for related activities issued by a Conservation Authority where applicable within the City of Kawartha Lakes;

- i. a description of the Fill proposed to be Dumped or Placed including a detailed description of the source of the Fill with a letter from the party from whom the Fill is being acquired attesting that the Fill meets the requirements for clean Fill if applicable, the quantity of Fill (expressed in cubic metres), and the proposed location of the Fill on the lands. Contact information shall be included;
- j. the Permit fee, where Soil removal, Fill Placement, or Site Alteration activity associated with an application is subject to the provisions of this By-law, and shall be adjusted annually in accordance to the Consolidated Fees By-law:

Small Fill Operation      \$600 (2019),

Large Fill Operation      \$1,000 plus \$1.00 per cubic metre (2019);

- k. the Permit fee, where all Soil removal, Fill Placement, or Site Alteration activity associated with an application is regulated by a Conservation Authority but impacts the City's Infrastructure, shall be adjusted annually in accordance to the Consolidated Fees By-law:

Small Fill Operation      \$600 (2019),

Large Fill Operation      \$1,000 (2019);

- l. for a Large Fill Operation, a Site Alteration Plan shall be submitted in order to assess the impact of the Fill Placement or Grade alteration on the Property and the Plan shall include information for matters and activities described in **Schedule "B"**;
- m. when required by the Director, an Environmental Impact Study, Natural Heritage Evaluation, and/or Hydrogeological Impact Study, shall be submitted in order to assess the impact of the Fill Placement or Grade alteration on the Key Natural Heritage Features and/or Key Hydrologic Features on or within 120 metres of the Property;
- n. when required by the Director, an Agricultural Impact Assessment shall be submitted if the Site Alteration is on or adjacent to Agricultural or Rural lands as identified in the City's Official Plan or in the Provincial Agricultural System as Prime Agricultural Area, where the placement is not part of an Agricultural Operation and a Normal Farm Practice;
- o. a description of the proposed quantity and type of Fill, whether it qualifies as a Table 1 Standards of Fill or a Table 2 Standards of Fill, including a list of the Fill origin sources and geotechnical reports as to content and quality, prepared by a Qualified Person in that regard. The Applicant shall demonstrate in a report how the proposed Fill Placement and type of Fill being Placed meets the existing and/or

intended land uses for the Property as indicated by the City's Official Plan, relevant Zoning By-law, and/or Rehabilitation Plan approved by the Ministry of Natural Resources and Forestry;

- p. a certificate from the Owner, Applicant and each Qualified Person referenced in paragraph 5.3 and Schedule "B" certifying that the Fill contains no contaminants as defined in the Environmental Protection Act, R.S.O. 1990, c. E.19, as amended;
  - q. a plan showing the design details to proper scale of any Retaining Wall that may be required and the dimensions of any materials to be used in construction of such Retaining Wall. A Retaining Wall plan may require a building permit as regulated by the Building Code Act; and
  - r. for a Large Fill Operation a security in a form and amount to be determined by the Director to include 100% for the operation and removal of all required on-site works and off-site improvements associated with the Permit and \$1.00 per cubic metre of Fill being placed on the site and held in accordance to the Consolidated Fees By-law. Securities for on-site and off-site works will be refunded once the City is satisfied that the works have been completed and/or constructed to the City's satisfaction and that the Fill meets the Ministry of the Environment, Conservation and Parks criteria. The City reserves the right to have the Fill tested at the Applicant's and/or Owner's expense.
- 4.6 The City shall have the authority to designate all truck routes and trucking schedules, including any revisions, in order to minimize impacts to the public and municipal Infrastructure. The City shall require truck traffic to follow designated aggregate haul routes where possible. Public notification may also be required by the City.
- 4.7 An Owner or Person operating a Small Fill Operation or Large Fill Operation shall post information at the entrance to the excavation site containing the purpose of the operation, names, mailing addresses, and emergency telephone numbers of the company to which the Permit has been issued as well as sub-consultants, contractors, and trucking companies that are undertaking the work, to the satisfaction of the City. Emergency contact names and telephone numbers shall also be provided to the City as part of the permit application in Section 4.5 of this By-law.
- 4.8 Any person removing Soil, Placing or Dumping Fill, or altering Grades within the City shall implement and maintain an approved Construction Management Plan as per the City's requirements, including staging work to limit erosion, vegetating stockpiles and exposed soil, mud tracking and dust control program. As part of the Permit process, when required, such a plan shall be provided in writing to and be approved by the City and shall include

- the provision of mud mats and dust control measures at both the extraction and placement sites, and the continuous monitoring thereof. Where mud and dust, and construction site management are not controlled to the satisfaction of the City, the City may, without Order, have such mud or dust controlled by City employees or a third party contractor and such costs, plus a 30% management and administration charge in accordance to the Consolidated Fees By-law, shall be invoiced and collected as per Section 7.4 of this By-law.
- 4.9 In addition to Section 4.8, the Director may revoke the Permit until such invoices are paid in full at the sole discretion of the City.
- 4.10 The City may draw upon the security posted pursuant to Paragraph 4.5 r. to recover the costs incurred by the City in performing any required work which the Owner or the Applicant has failed to perform.
- 4.11 The City will consider a Permit for the removal of Soil, Placement of Fill, or the alteration of Grades within an area identified by a Conservation Authority, source water protection plan, or by the City's Official Plan as a Source Water Protection Area, Surface Water Intake Protection Zone or Wellhead Protection Area subject to the appropriate studies being submitted for review and approval by the relevant Conservation Authority, the Risk Management Official, and/or the City as required.
- 4.12 The City will not issue a permit to an Applicant and/or Owner if the City is made aware in advance of processing the Permit application that the Applicant or Owner has outstanding Orders for violations issued by the Ministry of the Environment, Conservation and Parks or other government agency for Property located within the City.

## **Section 5.0 Permit Requirements**

- 5.1. The Director may, prior to the issuance of a Permit, require the Owner or Applicant or both to enter into a Site Alteration Agreement which may be registered on title to the Lot containing such requirements of this By-law as the Director considers necessary to ensure that the alteration of land or the Placing or Dumping or removal of Fill is done in accordance with the prevailing design standards of the City and proper engineering principles, and that prior to the commencement of the Placing or Dumping of Fill, a program to control mud tracking onto public roads and dust control program containing measures considered to be appropriate by the Director to control mud tracking and dust both on the Lot or other land from which the Fill is proposed to be removed and on the land on which Fill is to be Placed or Dumped and the truck routes proposed to be used by the Applicant, if any, to move the Fill to the Lot on which it is proposed to be Dumped or Placed.

- 5.2. Requirements contained in a Site Alteration Agreement Development Agreement or will include the Owner or Applicant or both releasing and indemnifying the City, certifying that the Fill placed contains no contaminants as defined in the Environmental Protection Act, as amended, posting with the City the required security and where, in the opinion of the Director, extensive activities are proposed, certification by a geotechnical engineer or other similarly Qualified Person, both prior to the issuance of a Permit and upon completion of the work. All such certification shall state that the Owner or Applicant has complied with all of the obligations and conditions contained in the Permit.
- 5.3. The Director may at the Applicant's and/or Owner's expense, require the testing of any Fill by a Qualified Person retained by the City. Fill Removal and/or Placement of Fill operations may be suspended pending test results at the direction of the Director.
- 5.4. The City requires the Applicant and/or Owner to provide copies of prior certification that every load of Fill being placed on a Property complies with all Ministry of the Environment, Conservation and Parks Table 1 Standards or Table 2 Standards, whichever is applicable based on the zoning and/or intended use of the Property.
- 5.5. The Property Owner and/or the Applicant for which a Permit has been issued shall be solely responsible for the removal of Contaminated Fill and the Property shall not be used for the remediation or cleaning of Contaminated Fill.
- 5.6. The Director may require the Applicant and/or Owner to install such site remediation measures, including Soil Erosion and sediment control, seeding, sodding and installation of berms and landscaping, as are necessary to minimize the visual impact of Fill or Grade alteration proposals and to provide for stabilization of the altered Grades.
- 5.7. An Erosion and Sediment Control Plan shall be completed as part of the Site Alteration Plan and Permit application submitted to the Director and shall include but may not be limited to the following requirements:
  - i. Project description, including the nature of the land disturbing activity;
  - ii. Condition of the existing site, including site use, topography, soil types and characteristics, vegetation, drainage system and receiving waters;
  - iii. Description of areas in the site that have potential for Erosion or sediment transportation;
  - iv. A delineation and description of measures to be taken to prevent Erosion and to retain sediment on the site, including but not limited to the designs and specifications for swales, dykes, drains, sediment



control ponds, and a schedule for their continued maintenance over the project lifespan specified by the City; and

- v. A delineation and description of the revegetative measures to be used including, but not limited to, mulches, type of seeds, the type and location of pre-existing and undisturbed vegetation types. The proposed revegetation shall consist of native, non-invasive plant species.

## **Section 6.0 Permit Expiry, Renewal, Transfer, and Revocation**

- 6.1. A Permit shall expire 90 calendar days after the day on which it is issued pursuant to this By-law. Alternatively, an extended time frame may be approved by the Director upon request by the Owner and/or Applicant.
- 6.2. A Permit may be renewed at any time prior to its expiry for an additional 90 day period by an Applicant and/or Owner making a written application to the Director accompanied by the applicable fee as described in the City's Consolidated Fees By-Law. Any requested changes to the permit as a result of the renewal request shall be considered a new and separate permit.
- 6.3. A Permit shall not be renewed if the Applicant and/or Owner have violated the terms of a Permit previously issued by the City until the violation has been rectified.
- 6.4. A Permit shall not be transferred to a new Owner and/or Applicant unless the Director approves an amendment to the Permit by an Applicant and/or Owner making a written application to the Director accompanied by the applicable fee as described in the City's Consolidated Fees By-Law.
- 6.5. It is a condition of each Permit that the Permit shall be revoked by the Director or Municipal Law Enforcement Officer under the following circumstances:
  - i. if the Permit was obtained on mistaken, false or incorrect information;
  - ii. if the Permit was issued in error;
  - iii. if the Property Owner or PropertyApplicant fails to comply with an Order;
  - iv. if the Owner or Applicant requests in writing that the Permit be revoked;
  - v. if the terms of a Development Agreement under this By-law have not been complied with; or

- vi. if an Owner and/or an Applicant fails to comply with the provisions of this By-law or with an Order requiring work to be done to correct any contravention of this By-law.
- 6.6. Every Person who removes Soil contrary to this By-law or contrary to an issued Permit shall forthwith rehabilitate the land from which the Soil was removed including the replacement of the Topsoil and the restoration of the Existing Grade.
- 6.7. Every person who removes and Places Fill or who causes or permits Fill to be removed or Placed contrary to this By-law or to a Permit shall forthwith remove such Fill and restore the Grade of the land that existed prior to the Placement of Fill on the Property.
- 6.8. Every Person who alters the Grade of land or who causes or permits the alteration of the Grade of land contrary to this By-law or to a Permit shall forthwith restore the land to its original condition including the Existing Grade of the land.

## **Section 7.0      Orders**

- 7.1. If the Director or Municipal Law Enforcement Officer becomes aware that a contravention of this By-Law is occurring or has occurred, the Director or Municipal Law Enforcement Officer may make an Order requiring any person who is removing Soil, placing Fill, or altering the Grade of land in contravention of this By-law to discontinue the activity or to do work to correct the contravention.
- 7.2. The contents of an Order issued under the By-Law shall include:
  - i. The reasonable particulars of the contravention;
  - ii. The inspection date;
  - iii. The municipal address of the Property or legal description of the Property where the Order applies;
  - iv. The Owner information;
  - v. PropertyPropertyWhat must be done to rectify the contravention;
  - vi. A time period, which is not less than fourteen (14) days and is not more than sixty (60) days, in which the Order must be complied with;
  - vii. A statement that, where an Owner fails to comply with an Order within the specified time frame, a Municipal Law Enforcement Officer may, in addition to any enforcement of this By-Law, cause the City's

forces to complete the work required by the Order, without further Order to the Owner; and

- viii. Any associated fees or administration charges.
- 7.3. Orders under this By-law shall be deemed sufficient if delivered in person, by regular mail, by courier, or by registered mail to the address of the Property on which the contravention is occurring and to the last known address of the registered Owner of the Property on which the contravention is occurring, if different. Any such Order shall be conclusively deemed to have been given and received upon the same day if personally delivered or sent by facsimile, or, if mailed, delivery shall be deemed completed after three business days.
- 7.4. When a Person or Owner fails to comply with an Order issued by the Director or a Municipal Law Enforcement Officer, the City may in addition to all other remedies enter onto the Property at a reasonable time to complete the remedial work. The costs of this action, including a General Inspection fee as set out in the Consolidated Fees By-law, shall be added to the tax roll of the Property which is the subject matter of the Order and shall be collected in like manner as municipal taxes, or by drawing on the security provided.

## **Section 8.0      Enforcement and Penalties**

- 8.1. **Enforcement:** This By-law may be enforced by every Municipal Law Enforcement Officer who has been designated by Council.
- 8.2. **Obstruction:** No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer, Inspector, City Employee or Agent exercising a power or performing a duty under this By-law or under the Municipal Act, 2001, as amended.
- 8.3. **Offence and Penalty:** Every person who contravenes this By-law or an Order made by an officer under the authority of the Municipal Act, 2001, is guilty of an offence and, upon conviction, is liable to a fine in accordance with the Municipal Act, 2001, and to any other applicable penalty. More specifically:
  - a. Any individual person or owner who contravenes this By-law or an Order issued under this By-law is guilty of an offence and is liable, on a first conviction, to a fine of not more than \$10,000, and on any subsequent conviction, to a fine of not more than \$50,000.
  - b. Any corporation who contravenes this By-law or an Order issued under this By-law is guilty of an offence and is liable, on a first

conviction, to a fine of not more than \$50,000, and on any subsequent conviction, to a fine of not more than \$100,000.

- 8.4. Any person who contravenes the provisions of this by-law is guilty of an offence and, upon conviction, is subject to a fine as provided in the Provincial Offences Act, 1990, c.P.33, as amended from time to time, and to any other applicable penalties.
- 8.5. **Multiple Offences:** The conviction of a Person for the contravention of any provision of this By-law shall not operate as a bar to the prosecution against the same Person for any subsequent or continued contravention of this By-law.
- 8.6. **Court Order:** If a Person is convicted of an offence for contravening this By-law or an Order made by an officer under the authority of the Municipal Act, 2001, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other penalty, Order the Person, in such manner and within such period as the court considers appropriate to:
- i. rehabilitate the land; or
  - ii. restore the Grade of the land to its original condition.

## **Section 9.0 Rights of Entry**

- 9.1. The Director, Municipal Law Enforcement Officers, and the City's employees and agents may enter on the Owner's land at any reasonable time for the purpose of confirming compliance with the By-law or for doing works pursuant to Section 7.4 of the By-law.

## **Section 10.0 General Provisions**

- 10.1 **Administration:** The Director of Engineering and Corporate Assets is responsible for the administration of this By-law.
- 10.2 **Designation of Officers:** All Municipal Law Enforcement Officers and Inspectors as defined in this By-law are designated as Officers for the purpose of the enforcement of this By-law.
- 10.3 **Effective Date:** This By-law comes into force on the date that it receives third reading and is passed.

## **Section 11.00: Repeals**

11.01 **Repeal:** By-law 2018-214, a By-law Regulating The Removal of Topsoil, Placement of Fill, and the Alteration of Grades, is repealed.

By-law read a first, second and third time, and finally passed, this xx day of, 2019.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

## **Schedule “A”**

### **Permit Exemptions**

The Permit exemptions noted below apply only to the provisions of this By-law, and do not prevent the owner and/or applicant from obtaining other required Federal, Provincial and/or municipal approvals, as required by law (including Conservation Authority Act approvals).

The provisions of this By-law do not apply to the removal or Placement of Fill or alteration of the Grade of land under the following situations:

#### **1.0 General Exemptions**

- 1.1 The use, operation, establishment, alteration, enlargement or extension of a waste management system or waste disposal site within the meaning of Part V of the Environmental Protection Act, R.S.O. 1990 as amended or a waste disposal or waste management system that is exempted by regulation from said Part V;
- 1.2 The construction, extension, alteration, maintenance or operation of works under Section 26 of the Public Transportation and Highway Improvement Act, R.S.O. 1990, c. P.50, as amended;
- 1.3 Emergency measures taken by the City or Conservation Authority or any other federal, provincial or governmental agency or body, to prevent Flooding, Erosion, slipping of Soil or damage of trees;
- 1.4 The activities of the City or the Conservation Authority related but not limited to the establishment or maintenance of utilities and services, roads, bridges, Flood and Erosion control facilities, walkways, bicycle paths, fences, retaining walls, steps and lighting;
- 1.5 The Placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land as a condition to the approval of a site plan, a plan of subdivision or a consent under Section 41, 51 or 53 of the Planning Act, R.S.O. 1990 c. P.13 as amended, or as a requirement of a site plan agreement or subdivision agreement entered into under those sections;
- 1.6 The Placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land as a condition to a development permit authorized by regulation made under Section 70.2 of the Planning Act, R.S.O. 1990 c. P.13 as amended or as a requirement of an agreement entered into under that regulation;
- 1.7 Aggregate (as defined in the Aggregate Resources Act, R.S.O. 1990, c. A.8, as amended) brought onto a pit or quarry operating under a licence or



wayside permit issued under that statute as part of the operations of that pit or quarry;

- 1.8 The Placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken on land described in a licence and/or site plan for a pit or quarry or a permit for a wayside pit or wayside quarry issued/approved under the Aggregate Resources Act, R.S.O. 1990 c. A.8 as amended;
- 1.9 The Placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken on land in order to lawfully establish and operate or enlarge any pit or quarry on land,
  - i. that has not been designated under the Aggregate Resources Act, R.S.O. 1990 c. A.8 as amended or a predecessor of that statute; and
  - ii. on which a pit or quarry is a permitted land use under a By-law passed under Section 34 of the Planning Act, R.S.O. 1990 c. P.13 as amended;
- 1.10 Any rehabilitation or filling activity in a pit or quarry licensed under the Aggregate Resources Act, R.S.O. 1990 c. A.8 as amended, and specifically addressed on the approved site plan when there is insufficient overburden retained to rehabilitate such pit or quarry in accordance with that statute;
- 1.11 The Placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken as an incidental part of the Agricultural Drain construction or Agricultural Drain cleanout under the Drainage Act, R.S.O. 1990, c. D.17, as amended, or the Tile Drainage Act, R.S.O. 1990, c. T.8, as amended;
- 1.12 The Placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken by a transmitter or distributor, as those terms are defined in Section 2 of the Electricity Act, 1998, S.O. 1998, c. 15, Schedule A, as amended, for the purpose of constructing and maintaining a transmission system or a distribution system, as those terms are defined in that section;
- 1.13 The activity is undertaken in accordance with an Order issued pursuant to the City's Property Standards By-law as amended from time to time;
- 1.14 The activity is conducted within a Contractor's Yard which imports, processes, uses, and/or sells Soil materials and which complies with the applicable City's Zoning By-law as amended;
- 1.15 The activities or matters undertaken by the City or a local board of the City, Province of Ontario, or Dominion of Canada involving the alteration of Grades or Placement of Fill on Property or public highways. These organizations shall ensure that Fill materials being removed meets all relevant Ministry of the Environment, Conservation and Parks Table 1 Standards and/or Table 2 Standards requirement. All contractors or

agents working on behalf of the City or a local board of the City, Province of Ontario, or Dominion of Canada will be required to obtain approvals for the Placement of these Fill materials on private Property, with the exception of the Placement of ditching materials;

- 1.16 The Placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land imposed after December 31, 2002 as a condition to the approval of a site plan, a plan of subdivision or a consent under Section 41, 51 or 53, respectively, of the Planning Act, or as a requirement of a site plan agreement or subdivision agreement entered into under those sections;
- 1.17 The Placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land imposed after December 31, 2002 as a condition to a development permit authorized by regulation made under Section 70.2 of the Planning Act, or as a requirement of an agreement entered into under that regulation.

The provisions of this By-law do not apply to the Removal or Placement of Fill or alteration of the Grade of land under follow situations:

## **2.0 Building and Development Exemptions**

- 2.1 Construction, where authorized by the Chief Building Official and a building permit including erection, installation, construction, demolition of a building, structure, swimming pool or on-site sewage system issued in accordance to the Building Code Act, 1992, S.O. 1992, c. 23, as amended, or in accordance to the Swimming Pool and Swimming Pool Fence By-law, where the building permit application provides sufficient information to determine that the Placing or Dumping of Fill conforms with provisions of this By-law and the amount of Fill to be Dumped or Placed pursuant to the building permit does not exceed 500 cubic metres;
  - a. A one-time Placing or Dumping of Fill within a 100 metre radius and associated with the construction of agricultural or farm buildings or structures shall be permitted, through the issuance of a Building Permit where applicable, so as to establish an appropriate Grade relative to the surrounding area of the buildings or structures and as deemed appropriate;
- 2.2 The Placing or Dumping of Fill in an excavation to the elevation of Existing Grade following the demolition or removal of a building or structure for which a building permit has been issued. This includes demolition or removal of an agricultural building or structure where a building permit is not required;
- 2.3 The Placing or Dumping of Fill on lands for the purpose of Flood or Erosion control to establish Finished Grade shown on a Grading and Drainage Plan

approved by the Conservation Authority or City in conjunction with a subdivision approval;

- 2.4 The Placing or Dumping of Fill on lands for non-residential Site Alteration involving an amount of Fill of less than two hundred (200) cubic metres on a Lot within any one-year period, provided that there is no significant change in the direction or rate of drainage to the neighboring properties, and unless the site includes or is adjacent to a body of water. Such alteration shall not take place within sixty (60) centimetres of any Property line;
- 2.5 The Placing or Dumping of Soil or Topsoil on lands zoned or used for residential purposes within the meaning of the Zoning By-Law for the purpose of lawn dressing, landscaping, adding of flowerbeds or vegetable gardens, provided that:
  - a. The elevation of the land is not changed within sixty (60) centimetres of the Property line;
  - b. There is no change in the location, direction, or elevation of any natural or artificial watercourse, open channel, swale, or ditch used to drain land;
  - c. The functionality of any drainage Infrastructure is not impeded;
  - d. The volume of Soil or Topsoil does not exceed one hundred (100) cubic metres in any consecutive 12 month period on a Lot which is 0.1 hectares or less; and
  - e. The volume of Soil or Topsoil does not exceed two hundred (200) cubic metres in any consecutive 12 month period on a Lot which is greater than 0.1 hectares in area.
- 2.6 The resurfacing or paving of existing driveways where there is no alteration to the existing driveway base and no significant change in the direction or rate of drainage to neighboring properties;
- 2.7 The Placing or Dumping of Fill for the construction and/or installation of a new driveway and associated works within the municipal right-of-way as per Public Works Access to Municipal Right-of-Way By-Law 2017-151 as amended from time to time and subject to the following provisions:
  - a. The use is permitted by the Zoning By-law;
  - b. Driveways shall not be installed in advance of the zoning use being established;

- c. The width of the driveway shall not exceed seven (7) metres and the depth of fill does not exceed fifteen (15) centimetres above the existing Grade; and
  - d. An entrance permit has been issued by Public Works.
- 2.8 One time widenings of existing driveways are permitted to a maximum increase in of impervious area of 50% of the original driveway area to a maximum width of seven (7) metres.

The provisions of this By-law do not apply to the Removal of Topsoil or Placement of Fill or alteration of the Grade of land under follow situations:

### **3.0. Agricultural Exemptions**

- 3.1. The provisions of this By-law do not apply to the removal of Soil, as an incidental part of a Normal Farm Practice as defined by the Farming and Food Production Protection Act, S.O. 1998, C. 1, as amended, on Agricultural Lands as part of an Agricultural Operation;
- 3.2. The provisions of this By-law do not apply to the Placing or Dumping of Fill and resulting Alteration of Grade on Agricultural Lands as part of an Agricultural Operation with an annual calendar year limit of 500 cubic metres as an incidental part of a Normal Farm Practice as defined by the Farming and Food Production Protection Act, S.O. 1998, c. 1 as amended, save and except requirements for the protection of the natural environment found within Sections 2.6, 2.7, 2.12, 2.13, 2.14 and 2.15 unless permitted or required by the Nutrient Management Act, 2002, S.O. 2002, c. 4, as amended;
- 3.3. The provisions of this By-law do not apply to any form of Site Alteration or the alteration of Grade where soils are being moved within an Agricultural Operation wholly within Kawartha Lakes as an incidental part of a Normal Farm Practice as defined by the Farming and Food Production Protection Act, S.O. 1998, c. 1 as amended, on Agricultural Lands as part of an Agricultural Operation;
- 3.4. Storage of Topsoil for the restoration of Agricultural Lands used for Normal Farm Practices, as an incidental part of an agricultural or horticultural operation shall not exceed one thousand (1,000) cubic metres, and shall be Stored a minimum of 30 metres from any Property line and any Key Hydrologic Feature and/or Key Natural Heritage Feature.
- 3.5. The removal of Topsoil on Agricultural Lands as part of an Agricultural Operation incidental to a Normal Farm Practice including but not limited to removal as an incidental part of sod-farming, greenhouse operations and nurseries for horticultural products or other agricultural activities as per the Farming and Food Production Protection Act, S.O. 1998, C. 1, as amended;

- 3.6. The harvesting or excavation and removal of peat and/or organic soils in a commercial operation as approved by the Conservation Authority and/or the Ministry of Natural Resources and Forestry.

## **Schedule “B”**

### **Site Alteration Plan**

- 1.0 A Site Alteration Plan, shall be submitted in order to assess the impact of the Fill Placement or Grade alteration on the Property affected. For a Small or Large Fill Operation, the Plan must be prepared by a Professional Engineer or an Ontario Land Surveyor. The Plan shall include any or all of the matters and activities described as follows:
- i. key map showing the location of each Lot, including the nearest roadways and major intersection, and north arrow;
  - ii. locations where municipal pavement, ditches, culverts, sidewalks, facilities or other Infrastructure or services are impacted. The City may invoke its right to post a No Heavy Trucks route in the event that a hauler is damaging Municipal infrastructure;
  - iii. the Lot's boundaries and area (expressed in square metres and/or hectares) of each such Lot or parcel of land;
  - iv. the existing and proposed use of the land and the location and use of the buildings and other structures adjacent to each Lot. This information shall include the distance between the proposed work area and adjacent residential uses;
  - v. the location, dimensions and use of any building and other structures existing or proposed to be erected on each Lot;
  - vi. the location of all Key Natural Heritage Features, Key Hydrologic Features and/or any other environmentally sensitive features, including but not limited to: lakes, streams, rivers, wetlands, channels, ditches, other watercourses and other bodies of water including hydrologically sensitive features such as springs, seeps, etc. on and within a minimum of 120 metres beyond each Lot's boundaries;
  - vii. the location of all Regulatory Flood Lines and Conservation Authority Regulation limits;
  - viii. the location and identification of the predominant existing Soil types on and abutting the Lot within 120 metres;
  - ix. the species, Grade at base and size (in diameter at breast height) of all trees greater than 250 millimetres in calliper, all shrubs, trees and hedges within three (3) metre(s) of the Property line and driveways on each Lot and all easements and rights-of-way over, under, across or through the Lot;



- x. the location and dimensions of any existing and proposed storm water drainage systems and natural drainage patterns on and within a minimum of 30 metres beyond each Lot's boundaries;

## **Schedule "B" continued**

### **Site Alteration Plan**

- xi. the location and dimensions of utilities, structures, roads, highways and paving located within a minimum of 30 metres beyond each Lot's boundaries;
- xii. the existing topography on the Lot and extending a minimum of 30 metres beyond the Lot's boundaries;
- xiii. the Proposed Grades of each Lot;
- xiv. the location and dimensions of all proposed land disturbance activities, including construction of access roads;
- xv. the location and dimensions of all temporary Soil, Topsoil or Fill stockpiles on the Property;
- xvi. the total quantity of fill in cubic metres;
- xvii. the location, dimensions, design details and design calculations of all construction site Erosion control measures that may be necessary to minimize the impact of the proposal;
- xviii. a schedule of the anticipated starting and completion dates of each land disturbance or land development activity;
- xix. provisions for the maintenance of the construction site Erosion control and dust control measures during construction and after as required;
- xx. traffic management information including proposed daily truck traffic levels, a plan of proposed external haul routes and daily schedule for hours of hauling operations, traffic control plan and a plan showing signage as required by the City;
- xxi. the scale of drawing, ranging from 1:250 to 1:1000 as deemed appropriate, in metres;
- xxii. an indication on the drawing of directions of overland water flow and overland flow route; and,
- xxiii. any information, plans or studies required by Ontario Regulation 140/02, as amended – The Oak Ridges Moraine Conservation Plan.

The City shall require a \$3,000.00 deposit should the City require the services of a Qualified Person to peer review the studies submitted by the Applicant;

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

## **By-Law 2019 -**

### **A By-Law To Amend The Township of Eldon Zoning By-Law No. 94-14 To Rezone Land Within The City Of Kawartha Lakes**

File D06-2019-010, Report PLAN2019-034, respecting Part of Lots 39-42, South of Portage Road, geographic Township of Eldon, partially identified as 1561 Kirkfield Road

#### **Recitals:**

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to two specific parcels of land to rezone all of one parcel and a portion of the other in order to fulfill a condition of provisional consent.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2019-\_\_.**

#### **Section 1:00 Zoning Details**

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part of Lots 39-42, South of Portage Road, geographic Township of Eldon, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 94-14 of the Township of Eldon Zoning By-law is further amended by adding the following subsection to Section 7.3:  
“7.3.28 Agricultural Exception Twenty-Eight (A1-28) Zone  
Notwithstanding subsection 7.1.1, the only permitted uses within the A1-28 Zone are:  
7.3.28.1 Agricultural, Market Garden or Forestry Uses. No buildings or structures are permitted.  
7.3.28.2 All uses permitted within the Environmental Protection (EP) Zone.”
- 1.03 **Schedule Amendment:** Schedule ‘A’ to By-law No. 94-14 of the Township of Eldon is further amended to:
  - a) Change the zone category on one property from Agricultural (A1) Zone to Environmental Protection (EP) Zone and Agricultural Exception

Twenty-Eight (A1-28) Zone for the land referred to as EP and A1-28, as shown on Schedule 'A' attached to this By-law. The boundary between the EP and A1-28 Zones shall follow the edge of the cultivated field; and

- b) Change the zone category on a portion of the other property from Agricultural (A1) Zone to Rural Residential Type One (RR1) Zone for the land referred to as RR1, as shown on Schedule 'A' attached to this By-law.

## **Section 2:00      Effective Date**

- 2.01    **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this \*\* day of \*\*\*, 2019.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF

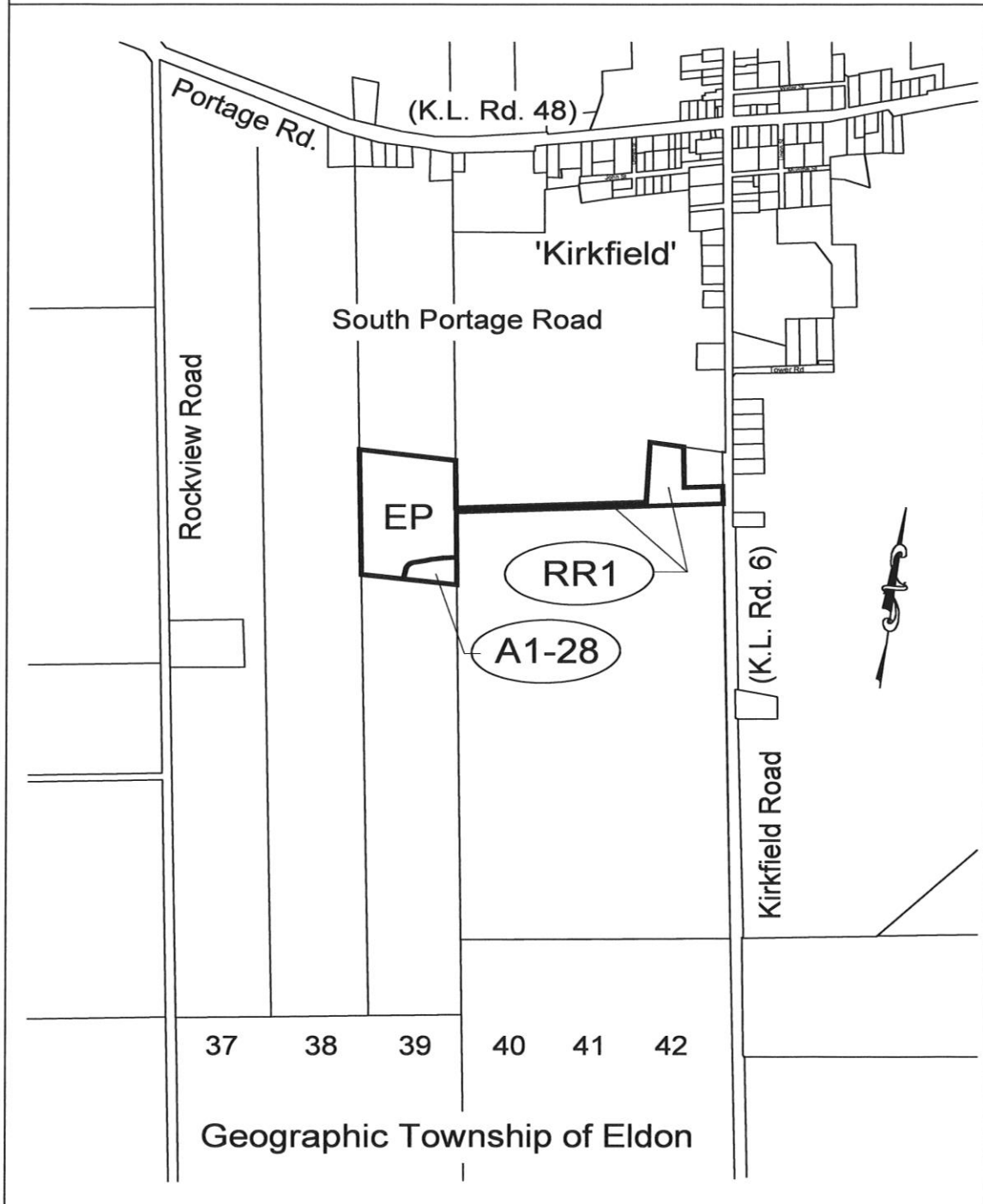
# KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW \_\_\_\_\_ PASSED

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2019.

MAYOR \_\_\_\_\_

CITY CLERK \_\_\_\_\_



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

## **By-law 2019-XXX**

### **A By-Law to Confirm the Proceedings of a Regular Meeting of Council, Tuesday, June 18, 2019**

#### **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 2019-XXX.**

#### **Section 1.00: Confirmation**

- 1.01 The actions of the Council at the following meeting:

##### **Tuesday, June 18, 2019, Open Session, 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 18 day of June 2019.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk