

The Corporation of the City of Kawartha Lakes

AMENDED AGENDA

REGULAR COUNCIL MEETING

CC2017-22

Tuesday, September 12, 2017

Closed Session Commencing at 1:30 p.m. Open Session Commencing at 2:00 p.m.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

MEMBERS:

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

Accessible formats and communication supports are available upon request.

1. CALL TO ORDER
2. ADOPTION OF CLOSED SESSION AGENDA
3. DISCLOSURE OF PECUNIARY INTEREST IN CLOSED SESSION ITEMS
4. CLOSED SESSION
 - 4.1 CC2017-22.4.1

Closed Session Minutes, Regular Council Meeting
August 22, 2017
Municipal Act, 2001, s.239(2)(b)(d)(e)(f)(g)
 - 4.2 CC2017-22.4.2

Juan Rojas, Director of Engineering and Corporate Assets
Kawartha Lakes Municipal Airport Lease Negotiations
Proposed or Pending Acquisition or Disposition of Land
Municipal Act, 2001, s.239(2)(c)
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. MATTERS FROM CLOSED SESSION
8. PUBLIC INFORMATION
 - 8.1 Presentations
 - 8.1.1 CC2017-22.8.1.1

Ron Raymer, Deputy Fire Chief
Joe Casey, Office of the Fire Marshal and Emergency Management
Jamie Niblett, Enbridge Gas Distribution
Project Zero Presentation

- 8.2 Invited Guests (Quarterly Basis)
- 8.3 Notices and Information by Members of Council and Staff
- 8.3.1 Council
- 8.3.2 Staff
- 8.4 Notice of Motion

9. **DEPUTATIONS**

10. **CONSENT MATTERS**

RESOLVED THAT all of the proposed resolutions shown in Section 10.1, 10.2 and 10.3 of the Agenda be approved and adopted by Council in the order that they appear on the agenda and sequentially numbered.

10.1 Correspondence

10.1.1 CC2017-22.10.1.1 15 - 16

Doug Elmslie, Councillor

Resolution from The Township of Georgian Bay Requesting Provincial Ministries to Work Collaboratively to Eradicate Invasive Species on Provincially Owned Lands

RESOLVED THAT the correspondence from The Township of Georgian Bay, regarding their Council Resolution Requesting Provincial Ministries to Work Collaboratively to Eradicate Invasive Species on Provincially Owned Lands, be received and supported; and

THAT a copy of the original resolution and Council's supporting resolution be circulated to the Premier, the Minister of Natural Resources, the Minister of Environment and Climate Change, Minister of Transportation, MPP Laurie Scott and the Association of Municipalities of Ontario.

10.1.2 CC2017-22.10.1.2 17 - 17

Mary Ann Martin, Councillor

Request for Speed Study on Mary Street, Omemee

RESOLVED THAT the memorandum from Councillor Martin dated September 12, 2017 regarding a request for a speed study on Mary Street, Omemee be received, and **THAT** staff be instructed to conduct a speed study on Mary Street, Omemee and report the results and options for consideration by the end of Q4, 2017.

10.1.3	CC2017-22.10.1.3	18 - 18
	Mary Ann Martin, Councillor Request for a feasibility study on the installation of turning lanes on all approaches as well as an all-way stop warrant at the intersection of Peace Road (Kawartha Lakes Road 14) and Yankee Line (Kawartha Lakes Road 10) Omemee	
	RESOLVED THAT the memorandum from Councillor Martin dated September 12, 2017 regarding a request for a feasibility study on the installation of turning lanes on all approaches as well as an all-way stop warrant at the intersection of Peace Road (Kawartha Lakes Road 14) and Yankee Line (Kawartha Lakes Road 10) Omemee, be received, and THAT staff be instructed to conduct a feasibility study on the installation of turning lanes on all approaches as well as an all-way stop warrant at the intersection of Peace Road (Kawartha Lakes Road 14) and Yankee Line (Kawartha Lakes Road 10) Omemee and report the results and options for consideration by the end of Q1, 2018.	
10.1.4	CC2017-22.10.1.4	19 - 19
	Ed Koe and Nancy Lennox Speed Limit on North Bay Drive	
	RESOLVED THAT the correspondence from Ed Koe and Nancy Lennox regarding the Speed Limit on North Bay Drive, be received.	
10.1.5	CC2017-22.10.1.5	20 - 32
	Andy Letham, Mayor Speed Review on North Bay Drive	

RESOLVED THAT the memorandum from Mayor Letham, dated September 12, 2017, titled **Speed Review on North Bay Drive**, be received;

THAT the speed limit of North Bay Drive from a point 1200m south of CKL Rd 48 to the west end be posted at 40 km/hour;

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 application/agreement/decision.

10.1.6	CC2017-22.10.1.6	33 - 33
	Bruce Wilson Speed Limit on North Bay Drive	
	RESOLVED THAT the September 10, 2017 e-mail correspondence from Bruce Wilson regarding the Speed Limit on North Bay Drive, be received.	
10.2	Minutes from:	
10.2.1	Council	
10.2.1.1	CC2017-22.10.2.1.1	34 - 64
	Minutes, Regular Council Meeting August 22, 2017	
	RESOLVED THAT the Minutes of the August 22, 2017 Regular Council Meeting, be received and adopted.	
10.2.2	Committees of Council, Advisory Boards and Task Forces	
10.2.2.1	CC2017-22.10.2.2.1	65 - 68
	Draft Minutes, Drainage Board Meeting August 28, 2017	
	RESOLVED THAT the Draft Minutes of the August 28, 2017 Drainage Board Meeting, be received.	
10.3	Reports	
10.3.1	MAYOR2017-002	69 - 72
	Andy Letham, Mayor Arena Capital Plan	

RESOLVED THAT Report Mayor 2017-002, **Arena Capital Plan**, be received;
THAT the Manvers, Bobcaygeon, Fenelon Falls, Lindsay, and Woodville arena facilities be maintained as required for operations;
THAT the Ops arena facility be scheduled for a complete refurbishment;
THAT a new arena complex be explored in the Oakwood/Little Britain area, with the goal of combining the two existing facilities;
THAT a new arena complex be explored in the Village of Omemee to replace the existing Emily/Omemee complex; and
THAT staff report back by 2nd quarter of 2018 on the implementation and budget requirements for all actions above.

10.3.2

RS2017-011

73 - 83

Laura Carnochan, Law Clerk – Realty Services
 Surplus Declaration and Proposed Closure and Sale of a Portion of Road Allowance Adjacent to 1166 Dranoel Road and Legally Described as Road Allowance Between the Township of Cavan and the Township of Manvers Lying West of the Centre Line; South of Highway No. 7A and North of the Easterly Extension of the Road Allowance Between Concession 3 and Concession 4; in the former Geographic Township of Manvers, City of Kawartha Lakes

RESOLVED THAT Report RS2017-011 **Surplus Declaration and Proposed Closure and Sale of a Portion of Road Allowance Adjacent to 1166 Dranoel Road and Legally Described as Road Allowance Between the Township of Cavan and the Township of Manvers Lying West of the Centre Line; South of Highway No. 7A and North of the Easterly Extension of the Road Allowance Between Concession 3 and Concession 4; in the former Geographic Township of Manvers, City of Kawartha Lakes**, be received;

THAT the subject property, being a portion of Road Allowance Adjacent to 1166 Dranoel Road and legally described as Road Allowance Between the Township of Cavan and the Township of Manvers Lying West of the Centre Line; South of Highway No. 7A and North of the Easterly Extension of the Road Allowance Between Concession 3 and Concession 4; in the former Geographic Township of Manvers, City of Kawartha Lakes, be declared surplus to municipal needs;

THAT the closure of the portion of the road allowance and sale to the adjoining owner, be supported, in principle, in accordance with the provisions of By-law 2010-118, as amended, and the Municipal Act, and subject to the parties entering into a conditional agreement of purchase and sale;

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

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

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

10.3.3

PUR2017-050

84 - 91

Marielle van Engelen, Buyer

Amber Hayter, Supervisor, Water and Wastewater Operations

2017-83-E Emergency Procurement for Bobcaygeon Water Treatment Plant Replacement of Main Breaker

RESOLVED THAT Report PUR2017-050, **2017-83-E Emergency Procurement for Bobcaygeon Water Treatment Replacement of Main Breaker**, be received; and

THAT emergency work for project 9981707 Bobcaygeon Main Breaker be funded from the Water Infrastructure Reserve in the amount of \$49,083.72.

10.3.4	PUR2017-051	92 - 102
	<p>Marielle van Engelen, Buyer Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads</p> <p>RESOLVED THAT Report PUR2017-051, Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads, be received; and THAT the option to renew Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads for up to three (3) additional, one (1) year terms, pending budget approval, vendor performance, operational requirements, and contractual need, in accordance with the Table of Authority, be approved.</p>	
10.3.5	PUR2017-052	103 - 116
	<p>Marielle van Engelen, Buyer Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas</p> <p>RESOLVED THAT Report PUR2017-052, Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas, be received; and THAT the option to renew Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas for up to three (3) additional, one (1) year terms, pending budget approval, vendor performance, operational requirements and contractual need, in accordance with the Table of Authority, be approved.</p>	
10.3.6	PUR2017-053	117 - 119
	<p>Launa Lewis, Buyer Mike Farquhar, Supervisor, Technical Services 2017-87-CT Installation of Traffic Lights at McLaughlin Road and Kent Street West</p> <p>RESOLVED THAT Report PUR2017-053, 2017-87-CT Installation of Traffic Lights at McLaughlin Road and Kent Street West, be received; THAT Guild Electric Limited of Toronto, be selected for the award of Tender 2017-87-CT Installation of Traffic Lights at McLaughlin Road and Kent Street West for the tender price of \$189,800.00, plus HST; THAT subject to receipt of the required documents, the Mayor and Clerk be authorized to execute the agreement to award this tender; and THAT the Purchasing Division be authorized to issue a Purchase Order.</p>	

Debra Soule, Economic Development Officer – Arts, Culture and Heritage

Downtown Lindsay and Oak Street Heritage Conservation District Designation Bylaws

RESOLVED THAT Report ED2017-015, **Downtown Lindsay and Oak Street Heritage Conservation District Designation Bylaws**, be received; **THAT** the draft By-law, being A By-law to Designate the Downtown Lindsay area, as identified in the Downtown Lindsay Heritage Conservation District Plan, in accordance with Section 41 of the Ontario Heritage Act, be approved; **THAT** the draft By-law, being A By-law to Designate the Oak Street neighbourhood in Fenelon Falls, as identified in the Oak Street Heritage Conservation District Plan, in accordance with Section 41 of the Ontario Heritage Act, be approved; and **THAT** the necessary By-laws be brought forward for adoption.

Martin Sadowski, Senior Engineering Technician

Request for Noise By-Law Exemption-Stoney Creek Culvert-Hwy 35

RESOLVED THAT Report ENG2017-016, **Request for Noise By-Law Exemption-Stoney Creek Culvert-Hwy 35**, be received;
THAT the construction activity for the MTO project, Stoney Creek Culvert Rehabilitation, on Hwy 35 be exempt from the City's Noise By-Law 2005-025, during the period of September 25, 2017 to November 17, 2017;
THAT a By-law to prohibit Heavy Traffic from using:

- Tower Road from Mt.Horeb Rd to Hwy 35
- Star Hill Rd from Tower Rd to Hillhead Rd
- Hillhead Rd from Mt.Horeb Rd to River Rd
- Post Rd from Mt.Horeb Rd to Hwy 7
- Confederation Rd from Hillhead Rd to Post Rd
- Crosswind Rd from Post Rd to Heights Rd
- Old Mill Rd from Mt.Horeb Rd to Hwy 7
- Lilac Rd from Mt.Horeb Rd to Hwy 7
- Heights Rd from Mt.Horeb to Hwy 7
- River Rd from Hwy 35 to Hwy 7

be enacted during the period of September 25, 2017 to November 17, 2017 (local deliveries will be exempted);

THAT the necessary By-law for the above recommendations be forwarded to council for adoption; and

THAT the Mayor and Clerk be authorized to execute any documents and by-laws required by the approval of this application/agreement/decision.

10.3.9

ENG2017-017

140 - 152

Michael Farquhar, Supervisor, Technical Services
 Petition for Drainage Works By Owner - Waite

RESOLVED THAT Report ENG2017-017, **Petition for Drainage Works by Owner – Waite**, be received;

THAT Council proceeds with the petition submitted by Joseph and Carol Waite for drainage works by owners for Part Lt. 10 West Half of Concession 6, Fenelon, and instruct the City Clerk to proceed with the notices required under Section 5 of the Drainage Act;

THAT Council appoints and retains, R.J Burnside & Associates in accordance with the Drainage Act, as the Engineer of Record and for the petition and to proceed with the requirements of a petition drain; and **THAT** should, R.J Burnside & Associates not be available, that Council instructs staff to retain an alternate qualified Engineer from its standing list.

10.3.10 SOC2017-003 153 - 159

Janine Mitchell, Manager Social Services
Children's Services 2017 Funding and Allocations

RESOLVED THAT Report SOC2017-003, **Children's Services Update and Funding Allocations**, be received.

10.3.11 WM2017-007 160 - 220

Angela Porteous, Regulatory Compliance Officer
Construction and Demolition Waste Recycling Program

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.

10.3.12 WWW2017-009 221 - 225

Rob MacPherson, Water and Wastewater Technician
Update on Mandatory Connection Compliance By-law Amendment

RESOLVED THAT Report, WWW2017-009, **Update on Mandatory Connection Compliance By-law Amendment**, be received;
THAT Section 2.06 of By-Law 2014-255 “A By-Law To Require Owners Of Buildings To Connect Such Buildings To Drinking Water Systems And/Or Wastewater Collection Systems In The City Of Kawartha Lakes” be added and read:

2.06 Subject to section 2.01, 2.02 or 2.03 of this by-law any Owner of a building on land that meets the requirements to connect to the municipal water and/or wastewater services shall be billed the Fixed Rate and Capital Levy charges for water and/or wastewater as per the provisions of By-law 2011-260 and the consolidated fees By-Law 2016-206, as amended following three (3) months of the mailing of a notice to the Owner shown on the current tax roll; and

THAT the necessary amending by-Law be brought forward for adoption.

10.4 Items Extracted from Consent

10.4.1 ENG2017-008

226 - 262

Juan Rojas, Director of Engineering and Corporate Assets
Core Service Review - Airport

11. **COMMITTEE OF THE WHOLE**

12. **COMMITTEE OF THE WHOLE AND PLANNING COMMITTEE MINUTES**

13. **CORRESPONDENCE AND PETITIONS**

14. **OTHER OR NEW BUSINESS**

15. **BY-LAWS**

RESOLVED THAT the By-Laws shown in Section 15.1 of the Agenda, namely: Items 15.1.1 to and including 15.1.9 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

15.1	By-Laws by Consent	
15.1.1	CC2017-22.15.1.1	263 - 265
	<p>A By-Law to Stop Up and Close Part of the Original Shore Road Allowance in Front of Lot A, Concession 1, in the Geographic Township of Carden, City of Kawartha Lakes, Designated as Parts 1, 2, and 3 on Reference Plan 57R-10579, to Authorize the Sale of the Land to the Abutting Owners and to Authorize a Grant of Easement in Favour of Hydro One Networks Inc. Over Part of the Original Shore Road Allowance in Front of Lot A, Concession 1, in the Geographic Township of Carden, City of Kawartha Lakes, Designated as Part 2 on Reference Plan 57R-10579</p>	
15.1.2	CC2017-22.15.1.2	266 - 267
	<p>A By-law to Authorize the Sale of Municipally Owned Property Legally Described as Lot 14, Registrar's Compiled Plan No. 5, in the Geographic Township of Eldon, City of Kawartha Lakes, Designated as Parts 1, 2, and 3 on Reference Plan 57R-10548, being PIN: 63170-0709 (LT) and to Authorize a Grant of Easement in Favour of Hydro One Networks Inc. Over Part 3 on Reference Plan 57R-10548 and to Authorize a Grant of Easement in Favour of the City of Kawartha Lakes Over Part 2 on Reference Plan 57R-10548</p>	
15.1.3	CC2017-22.15.1.3	268 - 269
	<p>A By-law to Stop Up and Close That Portion of the Road Allowance Set Out As PT RD PLAN 152, Fenelon as in R465190, Being Part of PIN: 63144-0116 (LT), in the Geographic Township of Fenelon, City of Kawartha Lakes</p>	
15.1.4	CC2017-22.15.1.4	270 - 271
	<p>A By-Law to Authorize the Sale Of Municipally Owned Property Legally Described as Block E Registered Plan 494, in the Geographic Township of Somerville, City of Kawartha Lakes, described as Part 1 on Plan 57R-10600, being PIN: 63120-0559 (LT)</p>	
15.1.5	CC2017-22.15.1.5	272 - 273
	<p>A By-Law to Authorize the Sale Of Municipally Owned Property Legally Described as Part of West Half Lot 16, Concession 5, in the Geographic Township of Mariposa, City of Kawartha Lakes Described as Parts 1, 2 and 3 on Plan 57R-10515 Being Part of PIN: 63191-0128 (LT)</p>	

15.1.6	CC2017-22.15.1.6	274 - 275
	A By-law to Temporarily Prohibit Heavy Traffic From Using Portions of Various Roads in the Area of the Stoney Creek Culvert, Highway 35	
15.1.7	CC2017-22.15.1.7	276 - 276
	A By-law to Amend By-law 2014-255, being a By-law to Require Owners of Buildings to Connect Such Buildings to Drinking Water Systems and/or Wastewater Collection Systems in the City of Kawartha Lakes	
15.1.8	CC2017-22.15.1.8	277 - 393
	A By-law to Designate Downtown Lindsay as a Heritage Conservation District in the City of Kawartha Lakes	
15.1.9	CC2017-22.15.1.9	394 - 496
	A By-law to Designate Oak Street in Fenelon Falls as a Heritage Conservation District in the City of Kawartha Lakes	
15.2	By-Laws Extracted from Consent	
16.	<u>CLOSED SESSION (IF NOT COMPLETED PRIOR TO OPEN SESSION)</u>	
17.	<u>MATTERS FROM CLOSED SESSION</u>	
18.	<u>CONFIRMING BY-LAW</u>	
19.	<u>ADJOURNMENT</u>	

From: Amber McDonald [<mailto:amcdonald@gbtownship.ca>]

Sent: Thursday, August 17, 2017 3:01 PM

To: "issuesconcerns; "

Subject: Resolution Re: Invasive Plant Species - Request for Support

Hello'

Please find enclosed a resolution adopted at the Township of Georgian Bay Council meeting held August 14, 2017 with respect to invasive plant species.

Regards,

Amber McDonald

Deputy Clerk (A)

TOWNSHIP OF GEORGIAN BAY

99 Lone Pine Road, Port Severn, ON L0K 1S0

T. 705.538.2337 ext.268 Toll Free 1.800.567.0187

F. 705.538.1850

www.gbtownship.ca

<image001.jpg>

All information about municipal services is collected in accordance with the Municipal Act, 2001, under s.8 and for Council's purposes under s.239(1) and may be used in Council deliberations, and disclosed in full, including email, names, opinions and addresses to other persons requesting access to records, or as part of a public agenda. All information submitted to the municipality is subject to the Municipal Freedom of Information Act (MFIPPA).

<Resolution C-217-2016 - Invasive Plant Species.pdf>

C- 217 -2017

**THE TOWNSHIP OF GEORGIAN BAY
Council Agenda**

DATE: 14 August 2017

	YEA	NAY
Councillor Bocek	_____	_____
Councillor Cooper	_____	_____
Councillor Douglas	_____	_____
Councillor Edwards	_____	_____
Councillor Kay	_____	_____
Councillor Wiancko	_____	_____
Mayor Braid	_____	_____

MOVED BY:

SECONDED
BY:

DEFERRED _____ **CARRIED** _____ **DEFEATED** _____ **REFERRED** _____

WHEREAS The Township of Georgian Bay has identified Invasive Plant Species that are a threat to our Natural Environment, our Eco-System and our Residents Health;
AND WHEREAS The Township of Georgian Bay is working proactively with The District of Muskoka and many volunteer groups to hopefully eradicate these Invasive Plant Species;
AND WHEREAS the cost to provide these local programs is rising each year;
AND WHEREAS the identified plant species being Giant Hogweed, Japanese Knotweed and Phragmites are currently found growing along Provincial Highways, namely Highway 400 in our Municipality and on Crown Lands;
AND WHEREAS the seeds from these plants are migrating on to Municipal lands and Municipal Road Allowances as well as Privately Owned Lands;
AND WHEREAS the fastest spreading Invasive plant is Phragmites which is currently eradicating Wetland Cattail fields which are a huge benefit to our eco-system;
NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Georgian Bay requests the Ministry of Natural Resources, the Ministry of the Environment and Climate Change and the Ministry of Transportation to work collaboratively to eradicate these invasive species on Provincially owned lands;
AND THAT copies of this resolution be forwarded to all Ontario Municipalities asking for their for support and copies be sent to our MPP Norm Miller, our MP Tony Clement and to our Premier Kathleen Wynn.


MAYOR



Memo

To: Mayor Letham and Members of Council

From: Councillor Martin

Date: September 12, 2017

Subject: Request for Speed Study on Mary Street, Omemee

Background

Due to concerns brought forward from local residents of Mary Street in Omemee regarding speeding and general safety on the road, the residents are requesting that Council consider a reduction of the speed limit on Mary Street. This memo brings forward the residents request for Council Consideration.

Recommendation To Council

RESOLVED THAT the memorandum from Councillor Martin dated September 12, 2017 regarding a request for a speed study on Mary Street, Omemee be received, and

THAT staff be instructed to conduct a speed study on Mary Street, Omemee and report the results and options for consideration by the end of Q4, 2017.



Memo

To: Mayor Letham and Members of Council

From: Councillor Martin

Date: September 12, 2017

Subject: Request for a feasibility study on the installation of turning lanes on all approaches as well as an all-way stop warrant at the intersection of Peace Road (Kawartha Lakes Road 14) and Yankee Line (Kawartha Lakes Road 10) Omemee

Background

Due to concerns brought forward from area residents regarding general safety at the intersection of Peace Road (Kawartha Lakes Road 14) and Yankee Line (Kawartha Lakes Road 10) in the former Emily Township, area residents are requesting that Council consider a feasibility study on the installation of turning lanes on all approaches to the intersection. In addition, residents are requesting that Council authorize staff to conduct a feasibility study on the installation of an all-way stop at Peace Road (Kawartha Lakes Road 14) and Yankee Line (Kawartha Lakes Road 10) in the former Emily Township. This memo brings forward the request for Council consideration.

Recommendation To Council

RESOLVED THAT the memorandum from Councillor Martin dated September 12, 2017 regarding a request for a feasibility study on the installation of turning lanes on all approaches as well as an all-way stop warrant at the intersection of Peace Road (Kawartha Lakes Road 14) and Yankee Line (Kawartha Lakes Road 10) Omemee, be received, and

THAT staff be instructed to conduct a feasibility study on the installation of turning lanes on all approaches as well as an all-way stop warrant at the intersection of Peace Road (Kawartha Lakes Road 14) and Yankee Line (Kawartha Lakes Road 10) Omemee and report the results and options for consideration by the end of Q1, 2018.

Dear Mayor Letham

Thank you for speaking with me today and listening to my concerns regarding the speed limit issue on North Bay Drive. Our family has owned the same property on North Bay Drive for over 47 years and as one of the 27 property owners who signed the petition, we strongly support reducing the speed limit on the shoreline section from 50 km/h to 40 km/h.

As you are aware, the majority of residents/cottagers on North Bay Drive have to cross the road to access the lakefront portion of our property (roughly 48 of 70 properties). Many residents who we have spoken with have expressed concerns with the speed of motorists using this section of the road.

For us, this is a very real safety concern as we have experienced or heard of many incidents involving close calls or in the case of one family, their dog being killed by a car in front of their home. In addition, many residents, their guests as well as visitors from Balsam Lake Provincial Park, walk or cycle along North Bay Drive on a regular basis having to share the road with vehicles.

We strongly believe that the current speed limit of 50 km/h is not appropriate for the shoreline section of the street and this view is supported by the findings of the recent shoreline road study conducted by the City of Kawartha Lakes. It is the professional opinion of Joe Kelly from your Engineering Department that 40 km/h is the appropriate speed limit for the shoreline section of the street and is consistent with other similar shoreline roads in the City of Kawartha Lakes.

Some important facts that I would like to bring to your attention which I hope may alleviate any misconceptions or concerns of some of the residents:

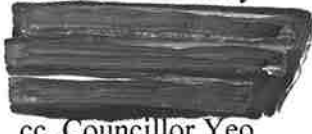
- The bylaw amendment to reduce the speed limit from 50 km/h to 40 km/h only applies to the 2 km stretch of shoreline road from the bend at the north end of North Bay Drive to the dead-end at the provincial park. The speed limit for the remaining 2 km section from the bend to the highway will not be effected.
- The traffic study sampling indicated an average speed along the populated shoreline section of 54 km/h with speeds recorded as high as 95 km/h.
- The additional time it will take for someone to travel the 2 km shoreline section from park to bend at 40 km/h is a mere 36 seconds.
- The braking distance at 40 km/h vs 50 km/h is dramatically reduced by 16.6 feet which could make all the difference in stopping in time and could potentially be the difference in preventing a tragic incident.

I appreciate your understanding and ask for your support of the speed limit bylaw amendment at the September 11th Council Meeting.

Respectfully,

Ed and Nancy

Ed Koe and Nancy Lennox



cc. Councillor Yeo



Memo

To: Members of Council
From: Mayor Letham
Date: September 12th, 2017
Subject: Speed Review on North Bay Drive

Background:

At the August 22nd council meeting, report ENG2017-013 was brought forward with recommendations for various changes to by-laws regarding speed reductions on several roads. North Bay Drive reduction was one of the recommendations and it was extracted and forwarded to the September 12th council meeting for consideration. The rationale was on September 2nd, the North Bay Association held a meeting to further discuss the issue of speed reduction on this road. A petition was received several months ago triggering the review. The review shows that a reduction is warranted and attached to this memo is the petition and the original report regarding North Bay Drive. This issue has triggered some animosity amongst the residents, some being seasonal and some residing there all year round.

This memo is being brought forward as councillor Yeo and myself attended the association meeting and said we would bring forward their issues and concerns for council to consider when deciding whether to lower the speed limit to 40 km/hour on the lakeshore portion or leave it at 50km/hour for the entire road. This has become a contentious issue which has unfortunately divided the community somewhat. Some want it left alone, others wish it reduced. A short survey for residents was handed out at the association meeting. As of the writing of this memo, 46 responses were received. 27 responses favoured reducing the speed and 19 did not. No decision made by this council will be agreeable to all. It should be noted that a lot of the folks on this road have their residences across the road from the waterfront and their docks. This creates a lot of cross road pedestrian traffic in the summer season.

I have attached the previous report from staff to this memo.

Recommendation to Council:

RESOLVED THAT the memo dated September 12th, titled **Speed Review on North Bay Drive**, be received,

THAT the speed limit of North Bay Drive from a point 1200m south of CKL Rd 48 to the west end be posted at 40 km/hour;

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 application/agreement/decision.

**Corporation of the City of Kawartha Lakes
Office of Mayor Letham**

P.O. Box 9000, Lindsay, Ontario K9V 5R8 • Phone 705-324-9411
www.city.kawarthalakes.on.ca

The Corporation of the City of Kawartha Lakes

Council Report

Report Number ENG2017-013

Date: August 22, 2017
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: 1, 2, 7, 13

Subject: Consolidated Speed Review on Various Roads

Author Name and Title: Joseph Kelly, Senior Engineering Tech

Recommendation(s):

RESOLVED THAT Report ENG2017-013 **Consolidated Speed Review on Various Roads** be received;

THAT the speed limit of Hickory Beach Road from CKL Rd 30 to a point 500m north of North Bayou Rd be posted at 60 km/h;

THAT the speed limit of Hickory Beach Road from a point 500m north of North Bayou Rd to the south end be posted at 50 km/h;

THAT Edgewood Drive, Parkhill Drive, and Oakwood Drive have the Speed By-law match their posted speed of 50 km/h by moving their entries from Schedule "C" to Schedule "D" of By-law 2005-328;

THAT the speed limit of Laidlaw Drive from Balsam Lake Drive to a point 650m south be posted at 60 km/h;

THAT the speed limit of Laidlaw Drive from a point 650m south of Balsam Lake Drive to the south end be posted at 40 km/h;

THAT the speed limit of Raven Lake Road from South Mountain Road to the north end be posted at 50 km/h;

THAT the speed limit of North Bay Road from a point 1200m south of CKL Rd 48 to the west end be posted at 40 km/h;

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

THAT the speed limit of Kenhill Beach Road from Thurstonia Road to the east end be posted at 40 km/h;

THAT the necessary by-laws for the above recommendations be forwarded to Council for adoption;

THAT the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application/agreement/decision.

Background:

At the Council Meeting of February 7, 2017 Council adopted the following resolution:

CR2017-106

RESOLVED THAT the petition received from W. Komossa regarding reducing the speed on Raven Lake Road to 50km, be received and referred back to staff for report back in Q2 of 2017.

This report address this direction as part of a wider scoped study due to petitions, complaints and safety concerns regarding shoreline roads and access roads to waterfront communities. Roads in the study include Raven Lake Road, Hickory Beach Road, North Bay Drive, Laidlaw Drive, and Kenhill Beach Road. Relevant petitions and comments can be seen in Appendix A. Staff have received correspondence both for and against the speed reduction on North Bay Drive.

Rationale:

The trend in waterfront communities in Kawartha Lakes is active transportation. Residents are not content to sit and enjoy their views and would like to walk or cycle long distances in nature. Unfortunately with most waterfront communities that means walking on the one access road to the community which has traditionally been posted at 80 km/h or is unposted with the assumed limit of 80 km/h. Residents feel it is unsafe to walk or cycle along these roads which typically have narrow lane widths and little to no shoulders.

Speed limits should be studied and adjusted accordingly, as competing uses change with time. Staff performed a study to post the speed limit at such roads where demand has been raised. Other shoreline community access roads in Kawartha Lakes should remain as-is and similarly studied for reduced speeds as demand dictates.

Hickory Beach Road

The section of Hickory Beach Road being considered and Laidlaw Drive in its entirety are similar roads as they are rural, low-medium volume hard top roads primarily used to access shoreline communities. These sections are predominately surrounded by vacant land. Motorists have no visual feedback by development to control their speeds and pedestrians/cyclists have no shoulders for separation.

North Bay Drive and Kenhill Beach Road

North Bay Drive and Kenhill Beach Road are similar roads as they are rural, low volume hard top roads that front on shoreline developments. Both roads divide the properties which front on it. North Bay Drive is located on a Shoreline Road

allowance so residents would have to cross the road to access the water. On Kennhill Beach Road, residents would have to cross the road to access accessory structures.

Raven Lake Road

Raven Lake Road is unique as it serves both as an access road to a shoreline community and it is built-up with dwellings itself.

Staff performed site investigations, speed studies and road risk audits under the Transportation Association of Canada's (TAC) "Guidelines for Establishing Posted Speed Limits" as part of CKL's formal speed reduction warrant process for all sections of roads. The TAC guide recommends a road risk method to determine appropriate speed limit according to road engineering characteristics, geometry, roadside environment, classification, land use, access/intersection density, and vulnerable road users.

Using the TAC Speed Guidelines:

Hickory Beach Road

When considering the 1500m of Hickory Beach Road (from CKL Rd 30 to the 50 zone) the recommended speed limit is 60 km/h. Staff noted that the current 50 zone begins is on the other side of a blind hill which increases conflict potential with pedestrians, cyclists, and vehicles. It would be in the public's best interest to begin the 50 zone north of the hill. It was found that in the speed by-law the existing signed 50 zone is actually a 60 zone. It would be prudent to perform housekeeping on the by-law and change it to 50 for the entire community of Hickory Beach.

Laidlaw Drive

When considering the 650m of Laidlaw Drive (from Balsam Lake Drive to near the built-up area) the recommended speed limit is 60 km/h. When considering the rest of Laidlaw Drive, it would be in keeping with best practices to use the urban requirements due to the rural subdivision nature of the land usage. As such the recommended speed limit of the remainder of Laidlaw Drive is 40 km/h.

Raven Lake Road

When considering the 1300m of Raven Lake Road (from South Mountain Road to the north end) the recommended speed limit is 60 km/h. However, due to the large, rural subdivision style lots, it would be using good engineering judgment to further reduce the speed limit to 50 km/h.

North Bay Drive

When considering the 2290m of North Bay Drive (from just before the curve to the west end) it would be in keeping with best practices to use the urban requirements due to the development density and the potential for pedestrian crossing every few metres for water lot access. As such the recommended speed limit is 40 km/h.

Kenhill Beach Road

When considering the 712m of Kenhill Beach Road (from Thurstonia Road to the east end) it would be in keeping with best practices to use the urban requirements due to the development density and the potential for pedestrian crossing every few metres for access to back lots. As such the recommended speed limit is 40 km/h.

Complete TAC speed limit forms can be seen in Appendix B.

As a result of the justification review carried out by staff, it is recommended that the speed limit of Hickory Beach Road from CKL Rd 30 to a point 500m north of North Bayou Rd be posted at 60 km/h by way of an amendment to Schedule "C" (Highways with a Speed Limit of 60 km/h) of By-law 2005-328 (Speed By-law).

It is recommended that the speed limit of Hickory Beach Road from a point 500m north of North Bayou Rd to the south end be posted at 50 km/h by way at an amendment to Schedule "D" (Highways with A Speed Limit of 50 km/h) of By-law 2005-328.

It is recommended that Edgewood Drive, Parkhill Drive, and Oakwood Drive have the Speed By-law match their posted speed of 50 km/h by moving their entries from Schedule "C" to Schedule "D" of By-law 2005-328.

It is recommended that the speed limit of Laidlaw Drive from Balsam Lake Drive to a point 650m south be posted at 60 km/h by way of an amendment to Schedule "C" of By-law 2005-328.

It is recommended that the speed limit of Laidlaw Drive from a point 650m south of Balsam Lake Drive to the south end be posted at 40 km/h by way of an amendment to Schedule "E" (Highways with a Speed Limit of 40 km/h) of By-law 2005-328.

It is recommended that the speed limit of Raven Lake Road from South Mountain Road to the north end be posted at 50 km/h by way of an amendment to Schedule "D" of By-law 2005-328.

It is recommended that the speed limit of North Bay Road from a point 1200m south of CKL Rd 48 to the west end be posted at 40 km/h by way of an amendment to Schedule "D" and "E" of By-law 2005-328.

It is recommended that the speed limit of Kenhill Beach Road from Thurstonia Road to the east end be posted at 40 km/h by way of amendment to Schedule "E" of By-law 2005-328.

Other Alternatives Considered:

These roads could remain unposted/as-is due to their low volume. Posting a speed limit may have limited success and/or put undue burden on enforcement.

Should this alternative be chosen it is recommended that only the current 50 zone on Hickory Beach Road be extended by 150m north due to sightline deficiencies caused by a hill.

Financial/Operation Impacts:

Cost of sign installation to bring By-law into effect.

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

Providing life safety and protection, while considering rural road use for pedestrians and cyclists enjoyment is a priority objective of the City under the Council Adopted Strategic Plan Goal of An Exceptional Quality of Life.

Consultations:

No Consultations are mentioned

Attachments:

Appendix A – Petitions and Comments



ENG2017-013 -
Appendix A.pdf

Appendix B – TAC Speed Forms



ENG2017-013 -
Appendix B.pdf

Department Head E-Mail: jrojas@city.kawarthalakes.on.ca

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

Department File: Engineering



Automated Speed Limit Guidelines

FORM A - Automated Speed Limit Guidelines Spreadsheet

Version:
10-Apr-09

Name of Corridor:	North Bay Drive		
Segment Evaluated:	Just before curve	to	end (park gate)
Geographic Region:	CKL. Bexley		
Road Agency:			
Road Classification:	Local	Length of Corridor:	2,290 m
Urban / Rural:	Urban	Design Speed: (Required for Freeway, Expressway, Highway)	
Divided / Undivided:	Undivided	Current Posted Speed: (For information only)	50 km/h
Major / Minor:	Major	Prevailing Speed: (85th Percentile - for information only)	54 km/h
# Through Lanes Per Direction:	1 lane	Policy: (Maximum Posted Speed)	

		RISK	Score
A1	GEOMETRY (Horizontal)	Lower	1
A2	GEOMETRY (Vertical)	Lower	1
A3	AVERAGE LANE WIDTH	Higher	6
B	ROADSIDE HAZARDS	Higher	3
C1	PEDESTRIAN EXPOSURE	Higher	9
C2	CYCLIST EXPOSURE	Higher	9
D	PAVEMENT SURFACE	Lower	1
E1	NUMBER OF INTERSECTIONS WITH PUBLIC ROADS	<i>Number of Occurrences</i>	1
	STOP controlled intersection	0	
	Signalized intersection	0	
	Roundabout or traffic circle	0	
	Crosswalk	0	
	Active, at-grade railroad crossing	0	
	Sidestreet STOP-controlled or lane	1	
E2	NUMBER OF INTERSECTIONS WITH PRIVATE ACCESS DRIVEWAYS	<i>Number of Occurrences</i>	12
	Left turn movements permitted	57	
	Right-in / Right-out only	0	
E3	NUMBER OF INTERCHANGES	<i>Number of Occurrences</i>	0
	Number of interchanges along corridor	0	
F	ON-STREET PARKING	Lower	3

Total Risk Score:

46

Recommended Posted
Speed Limit (km/h):

As determined by road characteristics

40

As determined by policy

The recommended posted speed limit may be checked against the prevailing speeds of the roadway and the road's safety performance.



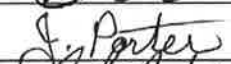

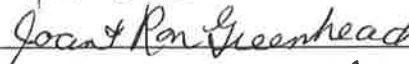
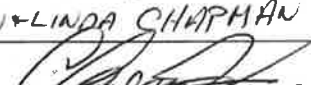



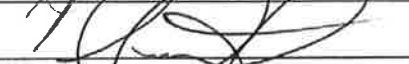





Comments:

Appropriate to use urban requirements due to density and potential for pedestrian crossing throughout (to get to water)

Petition for Speed Reduction on North Bay Drive


We the undersigned property owners of North Bay Drive would like to petition the City of Kawartha Lakes to implement speed reduction measures along the shoreline section of North Bay Drive that intersects cottage/resident waterfront properties. The safety measures, as to be determined by the traffic study (currently underway), should include but not be limited to:

- Lowering the current speed limit of 50 km/hr to a maximum of 40km/hr
- Installing additional signage warning motorists of pedestrians/pets crossing the road
- Installing seasonal traffic calming speed bumps
- Designating the shoreline section of North Bay Drive a community safety zone

<u>Street Number</u>	<u>Name</u>	<u>Signature</u>
1107	ED & NANCY KOE	
1109	BRUCE & SHARON WILSON	
1111	JOAN & ALEX PORTER	
1113	MIKE & LUCY CARL	
1103	Joan & Ron Greenhead	
1099	Stephen & Linda Chapman	STEPHEN & LINDA CHAPMAN
1101	Chris & Kristen Diwanickie	
1105	Jeff & Kelly Emu	
1119		
1071	DOUG & MARILYN DUNSTAN	
1067	L. Hullaant	LLOYD HOLLAND
1059	NORM & CINDY RICHARDS	
1063	DAN JEFFERSON	
1117	Ren & Cindy O'NEILL	
1123	Rona & John Arsenau	
1129	JOANNE & BILL	

1133	TIM VAIRN	Tim Vairn
1141	DOUG CROSS	Doug Cross
1121	LAURA & PETER HOUSTON	
1127	Isabell Wiffen	Isabell Wiffen
1146	DORRICK & CANDICE HOLLEN	

1148 Terry Bradimore
 1097 PAUL SOUTANIS
 1097 Andy Soutanis
 1097 NADIA SOUTANIS
 1061 BATA STOJICIC
 1095 Neeraj Bakshi

July 23, 2017


As a resident of north bay drive, I prefer that the speed limit stay at 50 km per hour. More signs should be posted to inform residents of the speed.

Hello Joe,

re: 40k petition. It was my belief that this speed limit would only apply to the area where the cottages were on the other side of the road from Balsam Lake not the full length of the road. I believe the new SLOW DOWN signs for the most part are being adhered to. So for these reasons I support leaving the 50K signs if a few more were added.

I have been a full time resident on North Bay Dr for just over 5 years. I fail to see what lowering the speed limit will accomplish. What I have noticed is that the vast majority of full time residents obey the speed limit. The speeders are invariably the seasonal cottagers and their children. Also some of the commercial vehicles especially Purolator do not obey the posted speed limit. So if the speed limit is lowered the residents will no doubt obey the limit but the speeders instead of driving 10 km over limit will drive 20 km over the limit.

Regarding the issue of the speed limit on North Bay Drive, I am in favour of leaving it at 50km/h but with the addition of more signs and a sign at the beginning at #48 hwy to indicate "Dead end and no admittance to the provincial park".

Forty km/h seems to slow for the Fall, Winter and Spring when population numbers go down dramatically.

We recently learned that a petition was circulating among certain residents on North Bay Drive to ask for a speed limit change from 50 Km/hr to 40 Km/hr. Our understanding is that this would apply to the whole road from CR48 to Balsam Lake Provincial Park.

The organizer of the petition did not have the courtesy to inform all the residents on the road of the petition, or were we ever asked for our opinion.

We are very much opposed to this proposal. Canada is still a democracy. The will of the majority should prevail.

There is a 1Km section from CR48 to the curve where most of the residences then begin. There are only 4 households up to that point. We do not believe that the school bus, courier trucks, construction vehicles and residents who commute will ever adhere to the proposed speed on this section, and likely on the rest of the road, deadlines being what they are. Further, a lot of

residents are seasonal, summer only, leaving the rest of us with an unwelcome speed reduction for the other 9 months.

We think that the current efforts of the North Bay Drive Association working with you to get extra speed limit signs for the 50 Km/hr limit and a larger sign at the turn from CR48 advising there is a “No access to Provincial Park” to be the preferred approach. Extra North Bay Drive Association sourced “slow children playing” lawn signs, already posted, are having a noticeable positive effect, thus rendering the proposal for a speed reduction highly unnecessary.

Please take our wishes and those of the majority of the North Bay Drive Association members, to keep the speed limit at 50Km/hr as expressed at the 2016 Annual Meeting, into consideration when formulating your recommendation.

Dear Mr. Kelly:

I received an email from Dianne Smith, President of the North Bay Drive Association, regarding a petition that was submitted to you asking the City of Kawartha Lakes to lower the speed limit on North Bay Drive to 40 kph. I have not seen the petition, but would have signed it had I been here when it was circulated.

As a property owner and summer resident of this area for many decades (this property has been in our family since the 1930s), I strongly support the proposal to reduce the speed limit on North Bay Drive to 40 kph. As you may know, the majority of the residents on our street need to cross the road in order to access their lake front or to access the public road access down to the lake. As a result, children, dogs, and adults are walking back and forth across this road all day long. In addition to those crossing the road throughout the day, people ride bikes and go for walks up and down the road from morning to evening, and without sidewalks, a speed limit of 40 kph is best suited for that amount of pedestrian traffic.

Reducing the speed limit to 40 kph would be the most appropriate for these circumstances because it would then be compatible with the speed limit typical for other areas with heavy children’s pedestrian traffic, such as school zones. As you most likely are aware, drivers habitually exceed speed limits by at least 5 kph, which means that we have a situation with children crossing, walking, or riding their bikes on a street with vehicles often being driven at 55 kph. It is also the case that reducing the speed limit to 40 kph would not in any way delay the flow of traffic because North Bay Drive is a dead end. The safety of our children, grandchildren, and pets is important to us, and we feel that reducing the speed limit would be an effective way to enhance the well being of all who live in and visit this area.

I would be grateful if you could please respond at your earliest convenience to let me know when this issue will be brought forward to the City of Kawartha Lakes Council.

Ann Rooth

From: Andy Letham
Sent: Monday, September 11, 2017 9:25 AM
To: Agenda Items
Subject: FW: City of Kawartha Lakes - Ward 2 - North Bay Drive Speed Limit Reduction from 50 kph to 40 kph

Andy Letham
City of Kawartha Lakes

From: Bruce [mailto: [REDACTED]]
Sent: Sunday, September 10, 2017 3:10 PM
To: Andy Letham; Emmett Yeo
Subject: City of Kawartha Lakes - Ward 2 - North Bay Drive Speed Limit Reduction from 50 kph to 40 kph

Dear Mayor Andy Letham and Ward 2 Councillor Emmett Yeo, I am a cottage owner at [REDACTED] and I am writing this email with regards to the request to reduce the speed limit on North Bay Drive from 50 kph to 40 kph. I understand that there is a meeting on Tuesday, September 12, 2017 to discuss this and I would like to confirm to you that my wife, Sharron Wilson and I are in complete support of the speed reduction on North Bay Drive from 50 kph to 40 kph.. Please represent my position at the meeting on Tuesday as I am unable to attend in person. Thank you.

Mayor Andy Letham: aletham@city.kawarthalakes.on.ca

Ward 2 Councillor Emmett Yeo: eyeo@city.kawarthalakes.on.ca

Bruce Wilson

The Corporation of the City of Kawartha Lakes
MINUTES
REGULAR COUNCIL MEETING

CC2017-21

Tuesday, August 22, 2017

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

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

MEMBERS:

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

Accessible formats and communication supports are available upon request.

1. CALL TO ORDER

Mayor Letham called the Meeting to order at 1:01 p.m. Councillors I. Breadner, P. Dunn, D. Elmslie, G. James, G. Jilesen, B. Junkin, R. Macklem, M.A. Martin, G. Miller, P. O'Reilly, J. Pollard, K. Seymour-Fagan, H. Stauble, S. Strangway, A. Veale and E. Yeo were in attendance.

CAO R. Taylor, City Clerk J. Currins and various other staff members were also in attendance.

2. ADOPTION OF CLOSED SESSION AGENDA

CR2017-659

Moved By Councillor Stauble

Seconded By Councillor Elmslie

RESOLVED THAT the Closed Session agenda be adopted as circulated.

CARRIED

3. DISCLOSURE OF PECUNIARY INTEREST IN CLOSED SESSION ITEMS

There were no declarations of pecuniary interest noted.

4. CLOSED SESSION

CR2017-660

Moved By Councillor Yeo

Seconded By Councillor Macklem

RESOLVED THAT Council convene into closed session at 1:02 p.m. in order to consider matters on the Tuesday, August 22, 2017 Closed Session Agenda and that are permitted to be discussed in a session closed to the public pursuant to Section 239(2) of the Municipal Act, S.O. 2001. S.25.

CARRIED

5. OPENING CEREMONIES

5.1 Call Open Session to Order

Mayor Letham called the Open Session of the Meeting to order at 2:00 p.m. Councillors I. Breadner, P. Dunn, D. Elmslie, G. James, G. Jilesen, B. Junkin, R. Macklem, M.A. Martin, G. Miller, P. O'Reilly, J. Pollard, K. Seymour-Fagan, H. Stauble, S. Strangway, A. Veale and E. Yeo were in attendance.

Early departures: Councillors P. Dunn 3:15 p.m. (returned at 4:44 p.m.), Councillor Stauble 4:30 p.m., Councillor James 4:43 p.m., and Councillor Breadner 4:44 p.m.

CAO R. Taylor, City Clerk J. Currins, Administrative Assistant S. O'Connell and various other staff members 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

CR2017-666

Moved By Councillor O'Reilly

Seconded By Councillor Veale

RESOLVED THAT the Agenda for the Open Session of the Regular Council Meeting of Tuesday, August 22, 2017, be adopted as circulated and with the following amendments:

Additions:

- 9.4 Paul Brown
Comments Regarding Farmhouse Severances and Farm Drainage
Items 10.1.5 and 10.3.18 on the Agenda
- 10.1.9 Kim Creamer, Assistant Clerk, Town of Innisfil
The Township of Ramara and The Lake Simcoe Region
Conservation Authority
- 10.1.10 Mark Masse, Clerk, Town of Lakeshore
Farm House Severances
Item 10.1.5 on the Agenda
- 10.1.11 Andy Letham, Mayor
Correspondence Regarding Victoria Grains-Natural Gas Expansion
Project
- 10.4.1 Launa Lewis, Buyer
2017-74-CT Eldon Landfill Expansion Phase III Stage 1
Construction

- 15.1.18 A By-law to Amend By-law Number 2005-328 being a By-law to Establish Speed Limits in the City of Kawartha Lakes (Amendment No. 32)
- 15.1.19 A By-Law to Amend the Township of Fenelon Zoning By-Law No. 12-95 to Rezone Land within the City of Kawartha Lakes

Deletion:

- 9.3 Kimberly Leadbeater
Mary Lou Mills
Haliburton, Kawartha, Pine Ridge District Health Unit
Basic Income Guarantee

CARRIED

6. DISCLOSURE OF PECUNIARY INTEREST

There were no declarations of pecuniary interest noted.

7. MATTERS FROM CLOSED SESSION

8. PUBLIC INFORMATION

8.1 Presentations

8.2 Invited Guests (Quarterly Basis)

8.3 Notices and Information by Members of Council and Staff

8.3.1 Council

Councillor Elmslie advised that the Kawartha Arts Festival will be held in Fenelon Falls over Labour Day Weekend. The event will include work completed by local artisans.

Councillor Miller advised that the 147th Kinmount Fair will be held in Kinmount over Labour Day Weekend.

Councillor O'Reilly made the following announcements:

- The Lindsay and District Labour Council will host its annual Labour Day Picnic on Sunday, September 3, 2017 at 12:00 p.m. at Old Mill Park in Lindsay.
- The Kawartha Lakes Women's Midget Fast Ball Team will be representing Ontario in the Nationals Tournament in Prince Edward Island this weekend.
- Wilson Tire and Battery will be celebrating their 60th Anniversary on Wednesday, August 23, 2017.

- The Trans Canada Trail, with support from Heritage Canada ,has a goal to connect the Great Trail with the Country. A celebratory tree planting will be held on Saturday, August 26, 2017 at 1:00 p.m. in Reaboro.
- The Annual E.M.S. Golf Tournament will be held on Wednesday, August 23, 2017 at the Lindsay Golf Course.
- The Victoria County Plowman's Association will be holding their Annual Plowing Match on Sunday, August 27, 2017 at the farm of Keith and Donna Buckley.
- Adelaide Place in Lindsay will be holding an information session on Thursday, August 24, 2017 at 6:30 p.m. They are coming forward with a zoning by-law amendment on Wednesday, September 13, 2017 at the Planning Committee Meeting. They are planning an expansion which will include approximately 90 new units.

Mayor Letham advised that he attended the Association of Municipalities of Ontario "AMO" Conference in Ottawa last week. During the conference he and CAO Taylor had a meeting with municipal counterparts in Eastern Ontario who are looking at a northern high frequency Via Rail route that will connect Toronto to Montreal through Ottawa.

Mayor Letham also advised that AMO is proposing a Local Share Program which includes a proposed 1% increase of HST. The funds that would be collected under the program, an estimated \$2.5 million dollars, could be dispersed to municipalities in Ontario to help close the infrastructure gap. The Program was proposed to the Provincial Government who advised that they are exploring options to close the infrastructure gap.

In addition, Mayor Letham recognized the upcoming retirement of Judy Currins, City Clerk. Mayor Letham thanked Judy for her years of exemplary service and for her dedication to the municipality. Mayor Letham presented Judy with flowers as a token of thanks for her hard work and provided best wishes on behalf of Council.

8.3.2 Staff

8.4 Notice of Motion

9. DEPUTATIONS

9.1 CC2017-21.9.2

Anna Rusak, Ontario Oral Health Alliance - Haliburton, Kawartha, Brock Chapter
Ontario Oral Health Alliance's Dental Health Resolution
Item 10.1.8 on the Agenda

Anna Rusak, of the Ontario Oral Health Alliance, provided an overview of the level of dental care that is currently available for seniors and low income adults in Ontario. Ms. Rusak played a video which reviewed the gap in health care within Ontario with respect to dental care.

Ms. Rusak advised that due to a lack of dental care funding, the Province incurs additional expenses through Emergency Room visits for dental emergencies. Ms. Rusak advised that the Ontario Oral Health Alliance would like the Province to establish a Program which would provide preventative dental care to Seniors which would reduce the number of Emergency Room visits therefore reducing the costs that are incurred by OHIP. The funds that are used to pay for the Emergency Room visits could be redirected to fund the proposed program.

Ms. Rusak responded to questions from Council.

CR2017-667

Moved By Councillor Martin

Seconded By Councillor Pollard

RESOLVED THAT the deputation of Anna Rusak, of the Ontario Oral Health Alliance, regarding the Ontario Oral Health Alliance's Dental Health Resolution, be received.

CARRIED

9.2 CC2017-21.9.2

Mark Wilson, Enbridge Gas
Victoria Grains Natural Gas Expansion Project
Item 10.1.4 on the Agenda

Mark Wilson and Steve McGill, of Enbridge Gas, reviewed the proposed Victoria Grains Expansion Project. Mr. Wilson and Mr. McGill outlined how service will extend to Victoria Grains and how the extension will create an opportunity for the service to be further expanded to other landowners in the area. Mr. Wilson advised that a grant program is currently available through the Ontario Energy Board and under that Program they will require a support resolution from Council. The project has an anticipated start date of June, 2020 and the municipal contribution would be \$80,000 over ten years. Mr. Wilson and Mr. McGill responded to questions from Council.

CR2017-668

Moved By Councillor Dunn

Seconded By Councillor O'Reilly

RESOLVED THAT the deputation of Mark Wilson and Steve McGill, of Enbridge Gas, regarding the Victoria Grains Expansion Project, be received.

CARRIED

9.3 CC2017-21.9.3

Kimberly Leadbeater
Mary Lou Mills
Haliburton, Kawartha, Pine Ridge District Health Unit
Basic Income Guarantee
Item 10.3.20 on the Agenda

This item was removed from the agenda. There was no deputation.

9.4 CC2017-21.9.4

Paul Brown
Comments Regarding Farmhouse Severances and Farm Drainage
Items 10.1.5 and 10.3.18 on the Agenda

Paul Brown, Chair of the Agricultural Development Advisory Board, spoke to agenda item 10.1.5, Farm House Severances, and agenda item 10.3.18, Farm Drainage.

With respect to Farm House Severances, Mr. Brown outlined that the Agricultural Development Advisory Board (ADAB) requests Council deny to support of the resolution from the Town of Lakeshore which is seeking to reduce the number of restrictions surrounding Farm House Severances. ADAB believes that there is a potential for conflict between existing farm operations and the residential dwellings that are created through this severance process. ADAB would prefer that requirements for severances of this nature remain at the status quo.

Mr. Brown also addressed the issue of farm drainage. Mr. Brown outlined that there are concerns regarding drainage issues in the City of Kawartha Lakes. ADAB believes that the City's Drainage Board is effective when working with the Drainage Act to implement a municipal drain, however, issues arise after the drain has been approved. The issue of concern pertain to the construction and maintenance of municipal drains. ADAB is requesting that Council establish a Drainage Task Force that could help to establish best practices and a proactive approach with regard to drainage.

Mr. Brown responded to questions from Council.

CR2017-669

Moved By Councillor O'Reilly

Seconded By Councillor Strangway

RESOLVED THAT the deputation of Paul Brown, regarding Farm House Severances and Farm Drainage, be received.

CARRIED

10. CONSENT MATTERS

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

Mayor Letham Items 10.1.4, 10.1.8 and 10.3.12

Councillor Dunn Items 10.1.3, 10.3.11 and 10.3.13

Councillor Strangway Item 10.3.2

Councillor Junkin Item 10.3.18

Moved By Councillor Elmslie

Seconded By Councillor Jilesen

RESOLVED THAT all of the proposed resolutions shown in Section 10.1, 10.2 and 10.3 of the Agenda be approved and adopted by Council in the order that they appear on the agenda and sequentially numbered, save and except items 10.1.3, 10.1.4, 10.1.8, 10.3.2, 10.3.11, 10.3.12, 10.3.13 and 10.3.18.

CARRIED

10.1 Correspondence

10.1.1 CC2017-21.10.1.1

Lake Simcoe Region Conservation Authority
The Township of Ramara

CR2017-670

RESOLVED THAT the June 29, 2017 correspondence from the Lake Simcoe Region Conservation Authority, regarding The Township of Ramara, be received.

CARRIED

10.1.2 CC2017-21.10.1.2

Doug Elmslie, Councillor
Memorandum
Request for Prohibited Parking Areas
Coldstream Road in Rosedale

CR2017-671

RESOLVED THAT the Memorandum from Councillor Elmslie regarding the Request for Prohibited Parking Areas on Coldstream Road in Rosedale, be received; and

THAT staff review the issue of parking on Coldstream Road and report back to Council with options.

CARRIED

10.1.5 CC2017-21.10.1.5

Agricultural Development Advisory Board
Memorandum
Farm House Severances

CR2017-672

RESOLVED THAT the Memorandum from the Agricultural Development Advisory Board dated July 11, 2017, regarding Farm House Severances, be received;

THAT the City of Kawartha Lakes Council does not support the request by the Town of Lakeshore to the Province of Ontario for easing of restrictions on surplus dwelling severances in areas zoned agriculture; and

THAT this resolution be circulated to the Association of Municipalities for Ontario and Ontario Municipalities including the Town of Lakeshore.

CARRIED

10.1.6 CC2017-21.10.1.6

Pigeon Lake Trailer Park
Correspondence Regarding the Clear Bag Program

CR2017-673

RESOLVED THAT the correspondence from the Pigeon Lake Trailer Park, regarding the Clear Bag Program, be received.

CARRIED

10.1.7 CC2017-21.10.1.7

Kathleen Seymour-Fagan, Councillor
Memorandum
Request for Speed Study on Park Street, Bobcaygeon

CR2017-674

RESOLVED THAT the Memorandum from Councillor Seymour-Fagan dated August 22, 2017 regarding a request for a speed study on Park Street in Bobcaygeon, be received; and

THAT staff be instructed to conduct a speed study on Park Street in Bobcaygeon and report back by the end of Q4 of 2017.

CARRIED

10.1.9 CC2017-21.10.1.9

Kim Creamer, Assistant Clerk, Town of Innisfil
The Township of Ramara and The Lake Simcoe Region Conservation Authority

CR2017-675

RESOLVED THAT the August 11, 2017 correspondence from the Town of Innisfil, regarding The Township of Ramara and The Lake Simcoe Region Conservation Authority, be received.

CARRIED

10.1.10 CC2017-21.10.1.10

Mark Masse, Clerk, Town of Lakeshore
Farm House Severances
Item 10.1.5 on the Agenda

CR2017-676

RESOLVED THAT the April 28, 2017 correspondence from the Town of Lakeshore, regarding Farm House Severances, be received.

CARRIED

10.1.11 CC2017-21.10.1.11

Andy Letham, Mayor
Correspondence Regarding Victoria Grains-Natural Gas Expansion Project

CR2017-677

RESOLVED THAT the July 6, 2017 correspondence from Mayor Letham, regarding Victoria Grains-Natural Gas Expansion Project, be received.

CARRIED

10.2 Minutes from:

10.2.1 Council

10.2.1.1 CC2017-21.10.2.1.1

Minutes, Regular Council Meeting
July 11, 2017

CR2017-678

RESOLVED THAT the Minutes of the July 11, 2017 Regular Council Meeting, be received and adopted.

CARRIED

10.2.2 Committees of Council, Advisory Boards and Task Forces

10.2.2.1 CC2017-21-10.2.2.1

Draft Minutes, Executive Committee Meeting
August 3, 2017

CR2017-679

RESOLVED THAT the Draft Minutes of the August 3, 2017 Executive Committee Meeting, be received.

CARRIED

10.3 Reports

10.3.1 CAO2017-004

Ron Taylor, CAO

Memorandum of Understanding (MOU) between the City of Kawartha Lakes and City of Kawartha Lakes Public Library

CR2017-680

RESOLVED THAT Report CAO2017-004, **Memorandum of Understanding (MOU) between the City of Kawartha Lakes and City of Kawartha Lakes Public Library**, be received;

THAT the 2017 Memorandum of Understanding (MOU) as outlined in Appendix A to Report CAO2017-004, be approved; and

THAT the Mayor and Clerk be authorized to execute the 2017 Memorandum of Understanding (MOU) between the City of Kawartha Lakes and City of Kawartha Lakes Public Library.

CARRIED

10.3.3 RS2017-010

Laura Carnochan, Law Clerk - Realty Services

Surplus Declaration and Conveyance of Part of St. Thomas' Anglican Cemetery, legally described as Part of Lot 8, North of Portage Road, designated as Part 2 on Plan 57R-2197, in the former Geographic Township of Bexley, City of Kawartha Lakes

CR2017-681

RESOLVED THAT Report RS2017-010, **Surplus Declaration and Conveyance of Part of St. Thomas' Anglican Cemetery, legally described as Part of Lot 8, North of Portage Road, designated as Part 2 on Plan 57R2197, in the former Geographic Township of Bexley, City of Kawartha Lakes**, be received;

THAT the subject property, legally described as Part of Lot 8, North of Portage Road, designated as Part 2 on Plan 57R2197, in the former Geographic Township of Bexley, City of Kawartha Lakes, be declared surplus to municipal needs;

THAT the conveyance of the subject property for nominal consideration be supported, notwithstanding sections 3.03 and 3.04 of By-law 2010-118 and pursuant to sections 1.2 and 1.3 of Policy C-2014-DEV-001, in accordance with the provisions of Registered Instrument 143084;

THAT notice be given in accordance with By-laws 2008-065 and 2010-118, as amended;

THAT on completion of the public notice, Council shall consider any deputation or public input in opposition of the conveyance, if any, and if appropriate, pass a By-law (with any amendments deemed necessary) to authorize its disposition; and

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

CARRIED

10.3.4 CORP2017-023

Mary-Anne Dempster, Director of Corporate Services
Request to Rescind Electronic Mail Protocol Policy

CR2017-682

RESOLVED THAT Report CORP2017-023, **Request to Rescind Electronic Mail Protocol Policy**, be received; and

THAT Electronic Mail Protocol Policy (024 ADM 002) be rescinded and that staff be instructed to update the policy section in SharePoint.

CARRIED

10.3.5 PUR2017-037

Marielle van Engelen, Buyer
Richard Monaghan, Senior Engineering Technician
Emergency Procurement Public Works Material Storage Structures at Hartley Depot and Lindsay Depot

CR2017-683

RESOLVED THAT Report PUR2017-037, **2017-71 Emergency Procurement – Public Works Material Storage Structures at Hartley Depot and Lindsay Depot**, be received;

THAT Project (991160601) Oakwood Depot Secure Storage Expansion be closed with the remaining balance of \$32,585 being put into the Capital Projects Reserve;

THAT Project (991170202) Fenelon Depot Sand Dome be closed with the remaining balance of \$65,000 being put into the Capital Projects Reserve;

THAT the emergency work for Project (991170301) Hartley Sand Dome and Salt Shed Demolition, in the amount of \$40,000, be funded from the Capital Projects Reserve; and

THAT the emergency work for Project (991170302) Lindsay Salt Shed Rehabilitation, in the amount of \$45,000, be funded from the Capital Projects Reserve.

CARRIED

10.3.6 PUR2017-043

Ashley Wykes, Buyer
Enzo Ingrubelli, Transit Supervisor
Proposal 2017-75-CP Scheduling Software for Limo Specialized Transit

CR2017-684

RESOLVED THAT Report PUR2017-043, **Proposal 2017-75-CP Scheduling Software for Limo Specialized Transit**, be received;

THAT TripSpark Technologies ULC of Mississauga be selected for the award of Proposal 2017-75-CP Scheduling Software for Limo Specialized Transit for the proposed cost of \$125,893 plus HST;

THAT subject to the receipt of the required documents, the Mayor and City Clerk

be authorized to execute the agreement to award Proposal 2017-75-CP; and
THAT the Purchasing Division be authorized to issue a purchase order.

CARRIED

10.3.7 PUR2017-044

Marielle van Engelen, Buyer
Todd Bryant, Manager of Fleet and Transit Services
Tender 2017-66-CT Removal and Replacement of Bus Shelters at Specified Locations

CR2017-685

RESOLVED THAT Report PUR2017-044, **Tender 2017-66-OT Removal and Replacement of Bus Shelters at Specified Locations**, be received;
THAT Daytech Limited of Toronto be selected for the award of Tender 2017-66-CT Removal and Replacement of Bus Shelters at Specified Locations for the tender price of \$187,725.00 plus HST;
THAT Capital Project (994172402) funding be increased by \$83,029 from the Transit Dedicated Gas Tax Reserve; and
THAT the Purchasing Division be authorized to issue a purchase order.

CARRIED

10.3.8 PUR2017-045

Ashley Wykes, Buyer
Emergency Procurement of HVAC Systems at Specified Locations

CR2017-686

RESOLVED THAT Report PUR2017-045, **Information Report for an Emergency Procurement for the replacement of HVAC Systems at Specified Locations**, be received; and
THAT the emergency work for project 9531706 HVAC – Emergency Replacements in an amount up to \$23,413.00 be funded from the Capital Projects Reserve.

CARRIED

10.3.9 PUR2017-046

Ashley Wykes, Buyer
Janine Mitchell, Manager Social Services
Proposal 2017-76-OP Development and Implementation of the Ontario Early Years Child and Family Centre

CR2017-687

RESOLVED THAT Report PUR2017-046, **Proposal 2017-76-OP Development and Implementation of the Ontario Early Years Child and Family Centre**, be received;

THAT Ontario Early Years Centre Haliburton Victoria Brock be selected for the award of Proposal 2017-76-OP Development and Implementation of the Ontario Early Years Child and Family Centre for the proposal cost of \$1,010,119; and

THAT subject to the receipt of the required documents, the Mayor and City Clerk be authorized to execute the agreement to award Proposal 2017-76-OP.

CARRIED

10.3.10 PUR2017-047

Launa Lewis, Buyer
2017-86-CT Single Source for Lindsay Water Pollution Control Plant Lagoon 6 Retrofit

CR2017-688

RESOLVED THAT Report PUR2017-047, **2017-86-CT Single Source for Lindsay Water Pollution Control Plant Lagoon 6 Retrofit**, be received;

THAT Ontario Clean Water Agency (OCWA) of Bobcaygeon, be selected for the award of Single/Sole Source Approval of the Lindsay Water Pollution Control Plant Lagoon 6 Retrofit for the tendered price of \$138,350.86 plus HST;

THAT additional total financing of \$67,520 be approved for Project (998151201) Lindsay Water Pollution Control Plant Upgrade – Lagoon 6 Retrofit, with \$52,980 in funding from the Sewer Infrastructure Reserve and \$14,540 from Development Charges;

THAT subject to the receipt of the required documents, the Mayor and City Clerk be authorized to execute the agreement to award the work; and

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

CARRIED

10.3.14 ENG2017-015

Joseph Kelly, Senior Engineering Technician
Request for Traffic Control - Sturgeon Point Road and Golf Links Road

CR2017-689

RESOLVED THAT Report ENG2017-015, **Request for Traffic Control – Sturgeon Point Road and Golf Links Road**, be received;

THAT the existing 40 km/h zone on Sturgeon Point Road be extended to a point 100 metres north of Golf Links Road;

THAT the necessary by-law for the above recommendation be forwarded for adoption; and

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

CARRIED

10.3.15 HS2017-004

Rod Sutherland, Director of Human Services
Victoria Manor Management Agreement Extension

CR2017-690

RESOLVED THAT Report HS2017-004, **Victoria Manor Management Agreement Extension**, be received;

THAT the Amending Agreement between the Corporation of the City of Kawartha Lakes and Sienna Senior Living Inc. extending the term of the Victoria Manor Management Agreement to November 30, 2017, substantially in the form of Appendix A to Report HS2017-004, be approved subject to any required approval by the Ministry of Health and Long Term Care; and

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

CARRIED

10.3.16 PLAN2017-054

David Harding, Planner I
A By-law to Deem Lots 20 and 21, Registered Plan 184, Geographic Township of Somerville, being 26 Birch Glen Drive (Collings)

CR2017-691

RESOLVED THAT Report PLAN2017-054, **Collings – D30-17-004**, be received;
THAT a Deeming By-law respecting Lots 20 and 21, Registered Plan 184,
substantially in the form attached as Appendix C to Report PLAN2017-054, be
approved and adopted by Council; and
THAT the Mayor and Clerk be authorized to execute any documents required by
the approval of this application.

CARRIED

10.3.17 PLAN2017-055

David Harding, Planner I

A By-law to Deem Lot 16, Registered Plan 79, Geographic Township of
Mariposa, being 454 Eldon Road (Mutton and Frey)

CR2017-692

RESOLVED THAT Report PLAN2017-055, **Mutton and Frey – D30-17-005**, be
received;
THAT a Deeming By-law respecting Lot 16, Registered Plan 79, substantially in
the form attached as Appendix D to Report PLAN2017-055, be approved and
adopted by Council; and
THAT the Mayor and Clerk be authorized to execute any documents required by
the approval of this application.

CARRIED

10.3.19 ED2017-016

Rebecca Mustard, Manager of Economic Development
City of Kawartha Lakes Economic Development Strategy

CR2017-693

RESOLVED THAT Report ED2017-016, **City of Kawartha Lakes Economic
Development Strategy**, be received; and
THAT the Economic Development Strategy as outlined in Appendix A to Report
ED2017-016 be approved and adopted by Council.

CARRIED

10.3.20 HS2017-003

Rod Sutherland, Director of Human Services
Basic Income Pilot Update

CR2017-694

RESOLVED THAT Report HS2017-003, **Basic Income Pilot Update**, be received.

CARRIED

10.4 Items Extracted from Consent

10.1.3 CC2017-21.10.1.3

Bob Ashmore
Marilynne James
Brian O'Connell
St. Luke's Parish, Downeyville, Parish Finance Committee
Request for 2018 Capital Budget Consideration, Sidewalk Installation

CR2017-695

Moved By Councillor Yeo

Seconded By Councillor Dunn

RESOLVED THAT the correspondence from St. Luke's Parish, Downeyville, Parish Finance Committee, regarding a request for sidewalk installation, be received.

CARRIED

10.1.4 CC2017-21.10.1.4

Mark Wilson, Enbridge Gas
Victoria Grains Natural Gas Expansion Project

CR2017-696

Moved By Councillor Dunn

Seconded By Councillor Pollard

RESOLVED THAT the August 8, 2017 correspondence from Mark Wilson, Enbridge Gas, regarding Victoria Grains Natural Gas Expansion Project, be received;

THAT the City of Kawartha Lakes support the Victoria Grains Natural Gas Expansion Project;

THAT the City of Kawartha Lakes will contribute financially to natural gas expansion projects approved by the Ontario Energy Board and serving Victoria Grains at a cost not exceeding the municipal portion of the property tax that would be recovered on the new natural gas infrastructure being built to serve Victoria Grains for a period of 10 years, commencing when the property taxes for that site first become due; and

THAT the Mayor be authorized to provide a letter in support of Enbridge Gas Distribution's application to the Ontario Energy Board for the natural gas expansion project serving Victoria Grains.

CARRIED

10.1.8 CC2017-21.10.1.8

Anna Rusak, Ontario Oral Health Alliance - Haliburton, Kawartha, Brock Chapter
Ontario Oral Health Alliance's Dental Health Resolution

CR2017-697

Moved By Councillor James

Seconded By Councillor O'Reilly

RESOLVED THAT the correspondence from Anna Rusak, Ontario Oral Health Alliance - Haliburton, Kawartha, Brock Chapter, regarding the Ontario Oral Health Alliance's Dental Health Resolution, be received;

THAT the City of Kawartha Lakes strongly endorses the importance of oral health and requests the Premier of Ontario include oral health as part of the government's primary care transformation initiatives;

THAT the City call on the provincial government to expand public oral health programs with prime consideration for low income adults and seniors; and

THAT this resolution be forwarded to the Premier of Ontario, the Minister of Health and Long-Term Care, Laurie Scott, MPP, and the Association of Municipalities for Ontario.

CARRIED

10.3.2 MLE2017-007

Aaron Sloan, Manager Municipal Law Enforcement
Long Beach Road Prohibited Parking Areas

CR2017-698

Moved By Councillor Strangway

Seconded By Councillor Seymour-Fagan

RESOLVED THAT Report MLE2017-007, **Long Beach Road Prohibited Parking Areas**, be received;

THAT parking is prohibited on the north side of Long Beach Road from the center/crown at the corner to a point 50 metres west ending in front of #429;

THAT parking is prohibited on the west side of Long Beach Road from the

center/crown at the corner to a point 50 meters north ending in front of #431; and
THAT the necessary By-law amendments be forwarded to Council for adoption.

CARRIED

10.3.11 ENG2017-010

Joseph Kelly, Senior Engineering Technician
Request for Traffic Control - King Street and St. David Street and Logie Street

CR2017-699

Moved By Councillor Dunn

Seconded By Councillor Miller

RESOLVED THAT Report ENG2017-010, **Request for Traffic Control – King Street and St. David Street and Logie Street**, be received;

THAT an all-way stop be installed at the intersection of King Street and St. David Street/Logie Street;

THAT the necessary by-law for the above recommendation be forwarded for adoption; and

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

CARRIED

10.3.12 ENG2017-013

Joseph Kelly, Senior Engineering Technician
Consolidated Speed Review on Various Roads

CR2017-700

Moved By Councillor Yeo

Seconded By Councillor Dunn

RESOLVED THAT Report ENG2017-013, **Consolidated Speed Review on Various Roads**, be received;

THAT the speed limit of Hickory Beach Road from CKL Rd 30 to a point 500m north of North Bayou Rd be posted at 60 km/h;

THAT the speed limit of Hickory Beach Road from a point 500m north of North Bayou Rd to the south end be posted at 50 km/h;

THAT Edgewood Drive, Parkhill Drive, and Oakwood Drive have the Speed By-law match their posted speed of 50 km/h by moving their entries from Schedule "C" to Schedule "D" of By-law 2005-328;

THAT the speed limit of Laidlaw Drive from Balsam Lake Drive to a point 650m south be posted at 60 km/h;

THAT the speed limit of Laidlaw Drive from a point 650m south of Balsam Lake Drive to the south end be posted at 40 km/h;

THAT the speed limit of Raven Lake Road from South Mountain Road to the north end be posted at 50 km/h;

THAT the speed limit of Kenhill Beach Road from Thurstonia Road to the east end be posted at 40 km/h;

THAT the necessary by-law for the above recommendations be forwarded for adoption; and

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

CARRIED

CR2017-701

Moved By Councillor Yeo

Seconded By Councillor Veale

RESOLVED THAT the speed review proposal for North Bay Drive be forwarded to the September 12, 2017 Regular Council Meeting.

CARRIED

10.3.13 ENG2017-014

Joseph Kelly, Senior Engineering Technician
Request for Traffic Control - Durham Street West and Adelaide Street South,
Albert Street North and Pottinger Street

CR2017-702

Moved By Councillor Dunn

Seconded By Councillor Miller

RESOLVED THAT Report ENG2017-014, **Request for Traffic Control Durham Street West and Adelaide Street South, Albert Street North and Pottinger Street**, be received;

THAT an all-way stop be installed at the intersection of Durham Street West and Adelaide Street South;

THAT an all-way stop be installed at the intersection of Albert Street North and Pottinger Street;

THAT the necessary by-law for the above recommendations be forwarded for adoption; and

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

CARRIED

10.3.18 ED2017-007

Kelly Maloney, Economic Development Officer - Agriculture
Farm Drainage

Moved By Councillor Junkin

Seconded By Councillor Stauble

RESOLVED THAT Report ED2017-007, **Farm Drainage**, be received and be referred to the Drainage Board for review and comment.

A recorded vote was requested by Councillor Dunn.

Recorded	For	Against	Absent
Mayor Letham		X	
Councillor Breadner		X	
Councillor Dunn		X	
Councillor Elmslie		X	
Councillor James		X	
Councillor Jilesen		X	
Councillor Junkin	X		
Councillor Macklem		X	
Councillor Martin		X	
Councillor Miller		X	
Councillor O'Reilly		X	
Councillor Pollard		X	
Councillor Seymour-Fagan		X	
Councillor Stauble	X		
Councillor Strangway		X	
Councillor Veale		X	
Councillor Yeo	X		

Results	3	14	0
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MOTION FAILED

CR2017-703

Moved By Councillor James

Seconded By Councillor Veale

RESOLVED THAT Report ED2017-007, **Farm Drainage**, be received; and **THAT** staff develop a Terms of Reference for Council approval of a Drainage Issues Task Force to review the City's municipal drain program and recommend potential improvements and efficiencies to that program for Council's consideration.

CARRIED

10.4.1 PUR2017-048

Launa Lewis, Buyer

2017-74-CT Eldon Landfill Expansion Phase III Stage 1 Construction

CR2017-704

Moved By Councillor Yeo

Seconded By Councillor Macklem

RESOLVED THAT Report PUR2017-048, **2017-74-CT Eldon Landfill Expansion Phase III Stage 1 Construction**, be received;

THAT Four Brothers Construction of Woodville, be awarded for the 2017-74-CT Eldon Landfill Expansion Phase III Stage 1 Construction, for the tendered price of \$1,023,608.00 plus HST;

THAT capital project 997151201 (WM1512) Eldon Landfill – Phase 3 Approvals be closed and its expenditures and funding be incorporated into capital project 932161201 (WM1612) Eldon Landfill Construction of Phase 3 – Stage 1;

THAT additional funding of \$215,630 be approved for Project (997161201) Eldon Landfill Construction of Phase 3 – Stage 1 from the Capital Reserves;

THAT subject to receipt of the required documents, the Mayor and City Clerk be authorized to execute the agreements to award the contract to Four Brothers Construction; and

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

CARRIED

11. COMMITTEE OF THE WHOLE
12. COMMITTEE OF THE WHOLE AND PLANNING COMMITTEE MINUTES

12.1 CC2017-21.12.1

Minutes, Planning Advisory Committee Meeting
August 16, 2017

CR2017-705

Moved By Councillor O'Reilly

Seconded By Councillor Miller

RESOLVED THAT the Minutes of the August 16, 2017 Planning Advisory Committee Meeting be received and the recommendations be adopted.

CARRIED

13. CORRESPONDENCE AND PETITIONS

13.1 CC2017-21.13.1

Carol Aird

Sandy Clayton

Jean Paton

Petition Regarding the Regulation Short Term Property Rentals in the City of Kawartha Lakes including View Lake

CR2017-706

Moved By Councillor James

Seconded By Councillor Elmslie

RESOLVED THAT the petition submitted by Carol Aird, Sandy Clayton, Jean Paton regarding the Regulation of Short Term Property Rentals in the City of Kawartha Lakes including View Lake, be received and forwarded to staff for inclusion in the report on this issue requested by a previous Council direction.

CARRIED

14. OTHER OR NEW BUSINESS

15. BY-LAWS

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

Moved By Councillor Martin

Seconded By Councillor Stauble

RESOLVED THAT the By-Laws shown in Section 15.1 of the Agenda, namely: Items 15.1.1 to and including 15.1.19, save and except Items 15.1.16 and

15.1.18, be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

CARRIED

15.1 By-Laws by Consent

15.1.1 CR2017-707

A By-Law to Establish and Assume a Parcel of Land Legally Described as Part Lots 13, 14, 15, 16, 17, and 18 on Registered Plan No. 365 Designated as Parts 1, 2, 3, 4, 5, and 6 on Plan 57R4042; in the Township of Emily, City of Kawartha Lakes, being Part of PIN: 63259-0208 (LT) as Part of Carlton Crescent

15.1.2 CR2017-708

A By-Law to Authorize the Sale of Municipally Owned Property Legally Described as Lot 21, Registered Plan 239, in the Geographic Township of Eldon, City of Kawartha Lakes Described as Part 1 on Plan 57R10533 Being Pin: 63171-0267 (LT)

15.1.3 CR2017-709

A By-Law to Establish and Assume a Parcel of Land Legally Described as Part Block M Plan 119; Part 1 on Plan 57R7720; in the Village of Woodville, City of Kawartha Lakes, being Part of PIN: 63181-0104 (LT) as Part of Beech Street

15.1.4 CR2017-710

A By-Law to Authorize the Acquisition of Lot 1 and Part of Lot 2 West of River Street, Registered Plan No. 9p (being a Subdivision of Part of Park Lot G, Registered Plan No. 8p) described as Part 1 on Plan 57R-7791, in the Town of Lindsay, City of Kawartha Lakes, being PIN: 63233-0349 (LT)

15.1.5 CR2017-711

A By-Law to Authorize the Acquisition of William Street on Plan 333 (aka Stanley Road) designated as Part 2 on Plan 57R-8983, in the Geographic Township of Eldon, City of Kawartha Lakes, being Part of PIN: 63171-0422 (LT)

15.1.6 CR2017-712

A By-law to Amend By-law Number 2017-079, being A By-law To Establish 2017 Tax Ratios in the City of Kawartha Lakes (Amendment No. 1)

15.1.7 CR2017-713

A By-law to Authorize the Execution of an Agreement between Her Majesty the Queen in right of Ontario as represented by the Minister of Infrastructure and The Corporation of the City of Kawartha Lakes for funding under the Clean Water and Wastewater Fund (CWWF)

15.1.8 CR2017-714

A By-law to Repeal All Existing By-laws Regulating Culverts and Entranceways

15.1.9 CR2017-715

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 #63119-0897(LT), described as Lots 20 and 21, Plan 184, Geographic Township of Somerville, now City of Kawartha Lakes (Collings)

15.1.10 CR2017-716

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 # 63191-0151(LT), described as Lot 16, Plan 79, Geographic Township of Mariposa, now City of Kawartha Lakes (Mutton and Frey)

15.1.11 CR2017-717

A By-law to Repeal By-law Number 2005-77, being a By-law to Designate and Regular A Reduced Load Period Affecting the Highways in Kawartha Lakes

15.1.12 CR2017-718

A By-law to Appoint an Acting City Clerk for the City of Kawartha Lakes

15.1.13 CR2017-719

A By-law to Repeal By-law 2007-194 Being a By-law to Appoint a Clerk for the City of Kawartha Lakes

15.1.14 CR2017-720

A By-law to Provide for the Erection of Stop Signs in the City of Kawartha Lakes (Durham Street West and Adelaide Street South, Lindsay)

15.1.15 CR2017-721

A By-law to Provide for the Erection of Stop Signs in the City of Kawartha Lakes (King Street and St. David/Logie Street, Lindsay)

15.1.17 CR2017-722

A By-law to Provide for the Erection of Stop Signs in the City of Kawartha Lakes
(Albert Street North and Pottinger Street, Lindsay)

15.1.19 CR2017-723

A By-Law to Amend the Township of Fenelon Zoning By-Law No. 12-95 to
Rezone Land within the City of Kawartha Lakes

15.2 By-Laws Extracted from Consent

15.1.16 CC2017-21.15.1.16

A By-law to Amend By-law 2012-173, Being a By-law to Regulate Parking in the
City of Kawartha Lakes (Amendment No. 13)

CR2017-724

Moved By Councillor Strangway

Seconded By Councillor Elmslie

RESOLVED THAT a By-law to Amend By-law Number 2012-173, Being a By-law
to Regulate Parking in the City of Kawartha Lakes (Amendment No. 13) be read
a first and second time.

CARRIED

CR2017-725

Moved By Councillor Strangway

Seconded By Councillor Seymour-Fagan

RESOLVED THAT the By-law be amended to read:

2.01 Schedule A: That Schedule A to By-law Number 2012-173 be amended as
follows:

Street	Geographic Area	Side	From	To	Time Restrictions
--------	--------------------	------	------	----	----------------------

Long Beach Road	Fenelon	North	Center/Crown at the corner	A point 50 metres west ending in front of #429	
Long Beach Road	Fenelon	West	Center/Crown at the corner	A point 50 metres north ending in front of #431	

CARRIED

CR2017-726

Moved By Councillor Strangway

Seconded By Councillor Seymour-Fagan

RESOLVED THAT a By-law to Amend By-law Number 2012-173, Being a By-law to Regulate Parking in the City of Kawartha Lakes (Amendment No. 13) be read a third time, as amended, passed, numbered, signed and the corporate seal attached.

CARRIED

15.1.18 CC2017-21.15.1.18

A By-law to Amend By-law Number 2005-328 being a By-law to Establish Speed Limits in the City of Kawartha Lakes (Amendment No. 32)

CR2017-727

Moved By Councillor Yeo

Seconded By Councillor Breadner

RESOLVED THAT a By-law to Amend By-law Number 2005-328 being a By-law to Establish Speed Limits in the City of Kawartha Lakes (Amendment No. 32) be read a first and second time.

CARRIED

CR2017-728

Moved By Councillor Yeo

Seconded By Councillor Breadner

RESOLVED THAT the By-law be amended to remove "THAT the speed limit of North Bay Drive from a point 1200 m south of CLK Rd 48 to the west end be posted at 40 km/hr.

CARRIED

CR2017-729

Moved By Councillor Yeo

Seconded By Councillor Macklem

RESOLVED THAT a By-law to Amend By-law Number 2005-328 being a By-law to Establish Speed Limits in the City of Kawartha Lakes (Amendment No. 32) be read a third time, as amended, passed, numbered, signed and the corporate seal attached.

CARRIED

Council recessed at 3:33 p.m. and reconvened at 3:45 p.m.

16. CLOSED SESSION (IF NOT COMPLETED PRIOR TO OPEN SESSION)

CR2017-730

Moved By Councillor Martin

Seconded By Councillor Strangway

RESOLVED THAT Council convene into closed session at 3:45 P.M. p.m. in order to consider matters on the Tuesday, August 22, 2017 Closed Session Agenda and that are permitted to be discussed in a session closed to the public pursuant to Section 239(2) of the Municipal Act, S.O. 2001. S.25.

CARRIED

17. MATTERS FROM CLOSED SESSION

18. CONFIRMING BY-LAW

CR2017-733

Moved By Councillor Seymour-Fagan

Seconded By Councillor Strangway

RESOLVED THAT a by-law to confirm the proceedings of a Regular Council Meeting held Tuesday, August 22, 2017 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

CARRIED

19. ADJOURNMENT

CR2017-734

Moved By Councillor Yeo

Seconded By Councillor Pollard

RESOLVED THAT the Council Meeting adjourn at 5:01 p.m.

CARRIED

Read and adopted this 12th day of September, 2017.

Andy Letham, Mayor

Judy Currins, City Clerk

Recommendations made at the August 16, 2017 Planning Advisory Committee:

PC2017-035

Moved By Mayor Letham

Seconded By Councillor Miller

RECOMMEND THAT Report ENG2017-007, respecting **Municipal Infrastructure Design Guidelines Specific to Subdivision Development**, be received; and

THAT the proposed Municipal Infrastructure Design Guidelines as outlined in Appendix B to E respectively to Report ENG2017-007 be approved by Council.

PC2017-036

Moved By Councillor Junkin

Seconded By Councillor Veale

RECOMMEND THAT Report PLAN2017-050, respecting 2274919 Ontario Inc. - Application D06-17-022, **Part of Lots 2, 3, 4, Block A, and Part of the Dedication adjoining the Glenarm Road, Plan 312 and Part of Lots 36 and 37, RCP 545, Geographic Township of Fenelon, now City of Kawartha Lakes and municipally known as 2385 Glenarm Road, Application D06-17-022**, be received;

THAT the Zoning By-law Amendment respecting Application D06-17-022 and substantially in the form attached as Appendix C to Report PLAN2017-022, 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.

PC2017-037

Moved By Councillor Miller

Seconded By Councillor Veale

RECOMMEND THAT Report PLAN2017-051, respecting **Concession 3 Part of Lot 4, Geographic Township of Verulam, Gurr – Application D06-17-021**, be received; and

THAT Report PLAN2017-051 respecting Application D06-17-021 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.

The Corporation of the City of Kawartha Lakes
MINUTES
DRAINAGE BOARD

DB2017-02
Monday, August 28, 2017
7:30 P.M.
Victoria Room
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

MEMBERS:
Councillor Brian Junkin
Councillor Heather Stauble
Ed Bagshaw
Jim Bedard
Robert Bonis
Matt Hollinger
Jim Oriotis

Accessible formats and communication supports are available upon request.

1. CALL TO ORDER

Deputy Chair B. Junkin called the meeting to order at 7:32 p.m. Drainage Board Members E. Bagshaw, J. Bedard, M. Hollinger, J. Oriotis and Councillor H. Stauble were in attendance.

Deputy Clerk and Recording Secretary J. Watts, Drainage Superintendent P. Herlihey, and Supervisor Technical Services M. Farquhar were also in attendance.

2. ADMINISTRATIVE BUSINESS

2.1 Adoption of Agenda

Moved By Councillor Stauble

Seconded By J. Bedard

RESOLVED THAT the amended agenda be adopted as circulated and with the following amendments:

Additions

- Item 4.1 Deputations - Joseph Waite
- Item 5.2 Other Business - Drainage Issues Task Force

CARRIED

2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest noted.

2.3 Adoption of Minutes from Previous Meeting

2.3.1 Minutes of March 29, 2017 Drainage Board

Moved By Councillor Stauble

Seconded By M. Hollinger

RESOLVED THAT the minutes of the Drainage Board meeting held on March 29, 2017, be adopted as circulated.

CARRIED

3. DEPUTATIONS

3.1 Joseph Waite

Mr. Waite presented his reasoning for a petition for drainage works. He stated that he is looking to tile drain his property at 88 Cameron Road, but noted there is not a sufficient outlet for the water. He said that his property takes on a lot of water from Chambers Road, and that the land is currently too wet to farm effectively. One half of his property would drain towards Highway 35 and the other half towards Cameron Road. He stated that he has looked at other drainage options, including a mutual drainage agreement with neighbouring properties, but felt that an application under the Drainage Act is the best way to go. Mr. Waite responded to questions from the members of the Board.

Moved By J. Oriotis

Seconded By Councillor Stauble

RESOLVED THAT the deputation of Joseph Waite, regarding the Petition for Drainage Works, be received.

CARRIED

4. NEW BUSINESS

4.1 Petition for Drainage Works by Owner(s) - Joseph and Carol Waite

Supervisor of Technical Services M. Farquhar and Drainage Superintendent P. Herlihey provided an overview of the petition for drainage works on the subject land. They answered questions put forth by the members of the Board.

Moved By J. Bedard

Seconded By J. Oriotis

RECOMMEND THAT the memorandum by Supervisor of Technical Services – Engineering and Corporate Assets, Mike Farquhar, dated August 28, 2017, regarding the petition for drainage works by Joseph and Carol Waite owners of Part Lot 10 West Half of Concession 6 Fenelon, be received,

THAT Council proceed with the petition submitted from Joseph and Carol Waite for drainage works for Part Lt 10 West Half of Concession 6 Fenelon to be known as the “Waite Drain” and instruct the City Clerk to proceed with the notices required under Section 5 of the *Drainage Act*; and

THAT Staff concurrently continue to pursue with the petitioner options for a mutual drain agreement as per the City's Agricultural Tile Drain Discharge to Roadside Ditches Policy 114 EPW 007.

CARRIED

Moved By J. Oriotis

Seconded By E. Bagshaw

RECOMMEND THAT pursuant to Section 8(1) of the *Drainage Act, R.S.O. 1990, Chapter D. 17*, that staff recommend to Council a Drainage Engineer for the examination of the area requiring drainage and proceed with the requirements of a petition drain for Part Lt 10 West Half of Concession 6 Fenelon.

CARRIED

5. OTHER BUSINESS

5.1 Update on the Robertson Drain (Verulam) Maintenance Cleanout

Drainage Superintendent P. Herlihey provided an overview of his memo to the board regarding maintenance of the Ops #5 Municipal Drain and the Robertson (Verulam) Drain. He answered questions put forth by the members of the Board.

Moved By M. Hollinger

Seconded By Councillor Stauble

RESOLVED THAT the memorandum by Drainage Superintendent P. Herlihey dated August 28, 2017, regarding the Ops #5 Municipal Drain and the Robertson (Verulam) Drain, be received.

CARRIED

5.2 Update from Council regarding Council Resolution from Agricultural Advisory Board

Supervisor of Technical Services M. Farquhar and Councillor Stauble provided an update from Council regarding the Drainage Issues Task Force as recommended to Council via the Agricultural Development Advisory Board. Councillor Stauble requested that the Council Report ED2017-007, Farm Drainage, be circulated to the members of the Board.

6. ADJOURNMENT

Moved By M. Hollinger

Seconded By E. Bagshaw

RESOLVED THAT the Drainage Board Meeting adjourn at 9:12 p.m.

CARRIED

The Corporation of the City of Kawartha Lakes

Council Report

Report Number Mayor 2017-002

Date: September 12, 2017
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: all

Subject: Arena Capital Plan

Author/Title: A Letham, Mayor

Signature:

Recommendation(s):

RESOLVED THAT Report Mayor 2017-001, **Arena Capital Plan**, be received;

THAT the Manvers, Bobcaygeon, Fenelon Falls, Lindsay, and Woodville arena facilities be maintained as required for operations;

THAT the Ops arena facility be scheduled for a complete refurbishment;

THAT a new arena complex be explored in the Oakwood/Little Britain area, with the goal of combining the two existing facilities;

THAT a new arena complex be explored in the Village of Omemee to replace the existing Emily/Omemee complex; and

THAT staff report back by 2nd quarter of 2018 on the implementation and budget requirements for all actions above.

Department Head:

Corporate Services Director / Other:

Chief Administrative Officer:

Background:

At the Council Meeting of July 11th, 2017, Council adopted the following resolution:

RESOLVED THAT Report Mayor 2017-001, **Arenas Working Group - Update**, be received;

THAT the general guidelines attached as Appendix A, for various volunteer advisory groups to assist staff with various arena initiatives and provide input, be endorsed;

THAT the general guidelines be made available to any other volunteer advisory group interested in assisting with their local arena operations;

THAT Staff, the Arenas Working Group and the Arena User Groups continue to work together to reduce the city – wide annual operating deficit for arena facilities, with a staff report back on operational savings and efficiencies following the 2018-19 arena season; and

THAT staff and the Arenas Working Group develop a long term Capital Plan for Arena facilities, and provide Council with recommendations and options in Q3, 2017.

This report addresses the direction in the last recommendation.

Rationale:

Council has made the decision to maintain and monitor the current compliment of ice surfaces in the City of Kawartha Lakes. This will give some of our resident group's time to come up with committees if they choose and find ways to assist with fundraising opportunities. That being said, a long term capital plan and direction are required to ensure we have modern and appropriate recreation facilities and they are available well into the future. This will ensure that future generations can enjoy the same affordable recreational opportunities that past generations have enjoyed. What should be taken into account is that some of those opportunities will be different from ones in the past as needs and wants are changing.

The current arena facilities in Manvers, Bobcaygeon, Fenelon Falls, Lindsay and Woodville, should be maintained to ensure current operational levels, availability for our residents, as well as monitor utilization and building adequacy.

The working group is recommending that due to the poor condition and high use of the Ops arena, that it be scheduled for a complete refurbishment as soon as possible. This will bring it up to date and ensure its viability for many years to come.

The concept of a new arena complex should be explored in the Oakwood/Little Britain area. Both these facilities are fairly dated and combining them at some point makes sense from a distance and utilization perspective. The single and twin pad option should be looked into and as needs dictate a final decision can be made on location and structure at a future date and should take into account the opportunity to consolidate other city services at the same time.

The working group also feels that a new arena facility should be explored and relocated into the Village of Omemee. The existing facility is dated and in need of substantial capital investment to extend its life cycle. Moving a new build into the village makes sense for the future of the community. A location and style of build can be explored in the future.

These directions should coincide as much as possible with maintenance requirements in the older facilities. Timelines and recommendations brought back by staff will ensure we are maximizing capacity and dollars regarding maintenance. By putting a long term plan in place and doing some designs for these facilities ahead of time, we will insure as a municipality that we are in the best position to capitalize on grant funding opportunities as they become available.

Other Alternatives Considered:

Status quo is always an alternative, not recommended as most of the facilities are old and in need of major capital improvements just to remain open.

Any variety of options is available for discussion.

Financial Considerations:

Our current asset management plan and 10 year capital and operating financial plan, are based on the status quo for 10 ice services as per the direction of council. Any changes to that status quo will have budget implications. Financial projections previously supplied with the original staff report show new construction of twin pads or new builds can result in long term savings over future years. Long term financial plans will be adjusted as new decisions are made.

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

Recreational facilities support Goal 1 and Goal 2 of the Strategic Plan by contributing to A Vibrant and Growing Economy and an Exceptional Quality of Life.

Consultations:

Arena Working Group
Director of Community Services
Manager of Parks, Recreation and Culture
Manager of Corporate Assets

Attachments:

N/A

Please ensure that all attachments are forwarded with the signed report.

Phone: 705-324-9411 x1320

E-Mail: aletham@city.kawarthalakes.ca

The Corporation of the City of Kawartha Lakes

Council Report

Report Number RS2017-011

Date: September 12, 2017

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: 16

Subject: Surplus Declaration and Proposed Closure and Sale of a Portion of Road Allowance Adjacent to 1166 Dranoel Road and Legally Described as Road Allowance Between the Township of Cavan and the Township of Manvers Lying West of the Centre Line; South of Highway No. 7A and North of the Easterly Extension of the Road Allowance Between Concession 3 and Concession 4; in the former Geographic Township of Manvers, City of Kawartha Lakes

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

Recommendation(s):

RESOLVED THAT Report RS2017-011, Surplus Declaration and Proposed Closure and Sale of a Portion of Road Allowance Adjacent to 1166 Dranoel Road and Legally Described as Road Allowance Between the Township of Cavan and the Township of Manvers Lying West of the Centre Line; South of Highway No. 7A and North of the Easterly Extension of the Road Allowance Between Concession 3 and Concession 4; in the former Geographic Township of Manvers, City of Kawartha Lakes, be received;

THAT the subject property, being a portion of Road Allowance Adjacent to 1166 Dranoel Road and legally described as Road Allowance Between the Township of Cavan and the Township of Manvers Lying West of the Centre Line; South of Highway No. 7A and North of the Easterly Extension of the Road Allowance Between Concession 3 and Concession 4; in the former Geographic Township of Manvers, City of Kawartha Lakes, be declared surplus to municipal needs;

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

THAT the closure of the portion of the road allowance and sale to the adjoining owner, be supported, in principle, in accordance with the provisions of By-law 2010-118, as amended, and the Municipal Act, and subject to the parties entering into a conditional agreement of purchase and sale;

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

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

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

Background:

The Land Management Committee received a request from the owner of 1166 Dranoel Road, legally described as Part Lot 25 Concession 5 Manvers as in R439428, in the Geographic Township of Manvers, City of Kawartha Lakes to purchase that portion of Road Allowance Between the Township of Cavan and the Township of Manvers Lying West of the Centre Line; South of Highway No. 7A and North of the Easterly Extension of the Road Allowance Between Concession 3 and Concession 4; in the former Geographic Township of Manvers, City of Kawartha Lakes which is adjacent to their property.

The request was reviewed by the Land Management Committee and there were no objections with the stop up, closure and conveyance of this unopened road allowance.

As this road allowance is a boundary road between the City of Kawartha Lakes and the Township of Cavan Monaghan, consultation with the Township of Cavan Monaghan was commenced by the Realty Services department to coordinate the stop up, closure, and conveyance of this portion of road allowance.

On February 6, 2017, Karen Ellis of the Planning Department for the Township of Cavan Monaghan presented Report Planning 2017-09 – Unopened Dranoel Road Allowance, to Council. Subsequently, the following motion was made:

Moved by: Landry
Seconded by: Huntley

That Council deem the Township portion of the road allowance between 1166 and 1175 Dranoel Road in part of Lot 1 Concession 7 of the Cavan Ward surplus;

That Staff in cooperation with the City of Kawartha Lakes, begin the process to stop up, to close and to convey the road allowance in accordance with the requirements of the Township's Sale and Disposition of Land By-law No. 2016-07;

That all of the costs associated with stopping up, closing and selling the road allowance be the sole responsibility of Mr. Smith.

Carried

Appendix A is a map showing the general location of the road allowance, Appendix B is map that illustrates the portion of the road allowance, Appendix C is an aerial photo, and Appendix D is a copy of the Township of Cavan Monaghan Report No. Planning 2017-09.

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

Rationale:

The Land Management Committee has concluded that this unopened road allowance is not needed for municipal purposes, as the City has ownership of the travelled portion of Dranoel Road, which runs along the westerly side of the applicant's property.

The applicant owns property on either side of the subject portion of road allowance. As a result, pursuant to the City's By-law to Regulate the Disposition of Municipal Real Property (By-law 2010-118, as amended), that portion of road allowance can be conveyed to the adjoining owner.

The subject road allowance does not lead to water, it borders private property, and therefore, the stop up, closure, and sale would not contravene section 8.00 of By-law 2010-118, as amended.

Other Alternatives Considered:

Council may decide not to sell the portion of the unopened road allowance and derive no financial benefit whatsoever. That is not recommended in this circumstance.

Financial/Operation Impacts:

The applicant will be asked to enter into a conditional Agreement of Purchase and Sale with a non-refundable \$1,000.00 deposit to cover initial road closing costs. The road allowance would be conveyed directly to the applicant for

nominal consideration as he owns lands on either side. All costs of the transaction plus a \$1,500.00 fee to cover the City's staff time expenses will be paid for by the applicant.

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

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

Consultations:

Land Management Committee

Director of Planning – Township of Cavan Monaghan

Attachments:

Appendix A – General Location Map



Appendix A - General
Location Map.pdf

Appendix B – Map



Appendix B -
Map.pdf

Appendix C – Aerial Photo



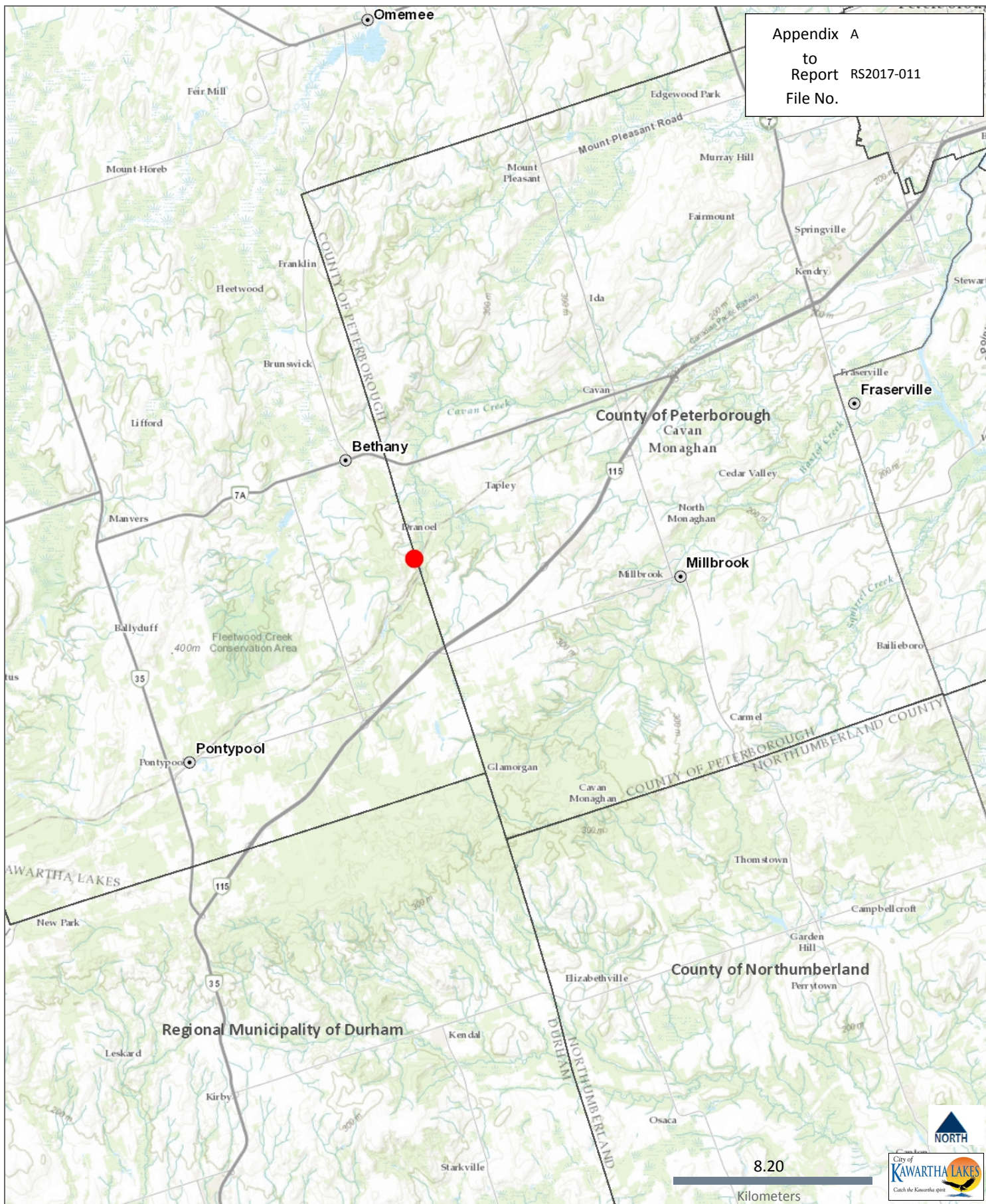
Appendix C - Aerial
Photo.pdf

Appendix D – Planning 2017-09



Appendix D -
Planning 2017-09.pdf

Department Head E-Mail: rcarlson@kawarthalakes.ca
Department Head: Robyn Carlson





THIS MAP IS NOT TO BE USED FOR NAVIGATION
© City Of Kawartha Lakes

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Date:



Appendix C
to
Report RS2017-011
File No.

THIS MAP IS NOT TO BE USED FOR NAVIGATION
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Date:



Regular Council Meeting

To:	Mayor and Council
Date:	February 6, 2017
From:	Karen Ellis, Director of Planning
Report Number:	Planning 2017-09
Subject:	Unopened Dranoel Road Allowance

Recommendations:

1. That Council deem the Township portion of the road allowance between 166 and 1175 Dranoel Road in part of Lot 1, Concession 7 of the Cavan Ward surplus;
2. That Staff, in cooperation with the City of Kawartha Lakes, begin the process to stop up, to close and to convey the road allowance in accordance with the requirements of the Township's Sale and Disposition of Land By-law No. 2016-07; and
3. That all of the costs associated with stopping up, closing and selling the road allowance be the sole responsibility of Mr. Smith.

Overview:

Ian Smith owns property at 166 Dranoel Road in the City of Kawartha Lakes and 1175 Dranoel Road in the Township of Cavan Monaghan. Mr. Smith has expressed an interest in purchasing the unopened Township road allowance between his properties. A map showing the location of the subject unopened road allowance is provided as Attachment No. 1 to this Report.

Originally, Mr. Smith submitted his request to purchase the unopened road allowance to the City of Kawartha Lakes. The request was reviewed by the City of Kawartha Lakes Land Management Committee and the Committee members had no objection to the request. City Staff did advise Mr. Smith that the unopened road allowance is a boundary road between the City of Kawartha Lakes and the Township of Cavan Monaghan. As such, consultation and simultaneous process with the Township is required.

Wayne Hancock, the Director of Public Works and Fire Chief Balfour reviewed Mr. Smith's request to purchase the road allowance. They have no objection to the disposition of the lands.

Financial Impact:

None at this time.

Attachments:

Attachment No. 1: Key Map

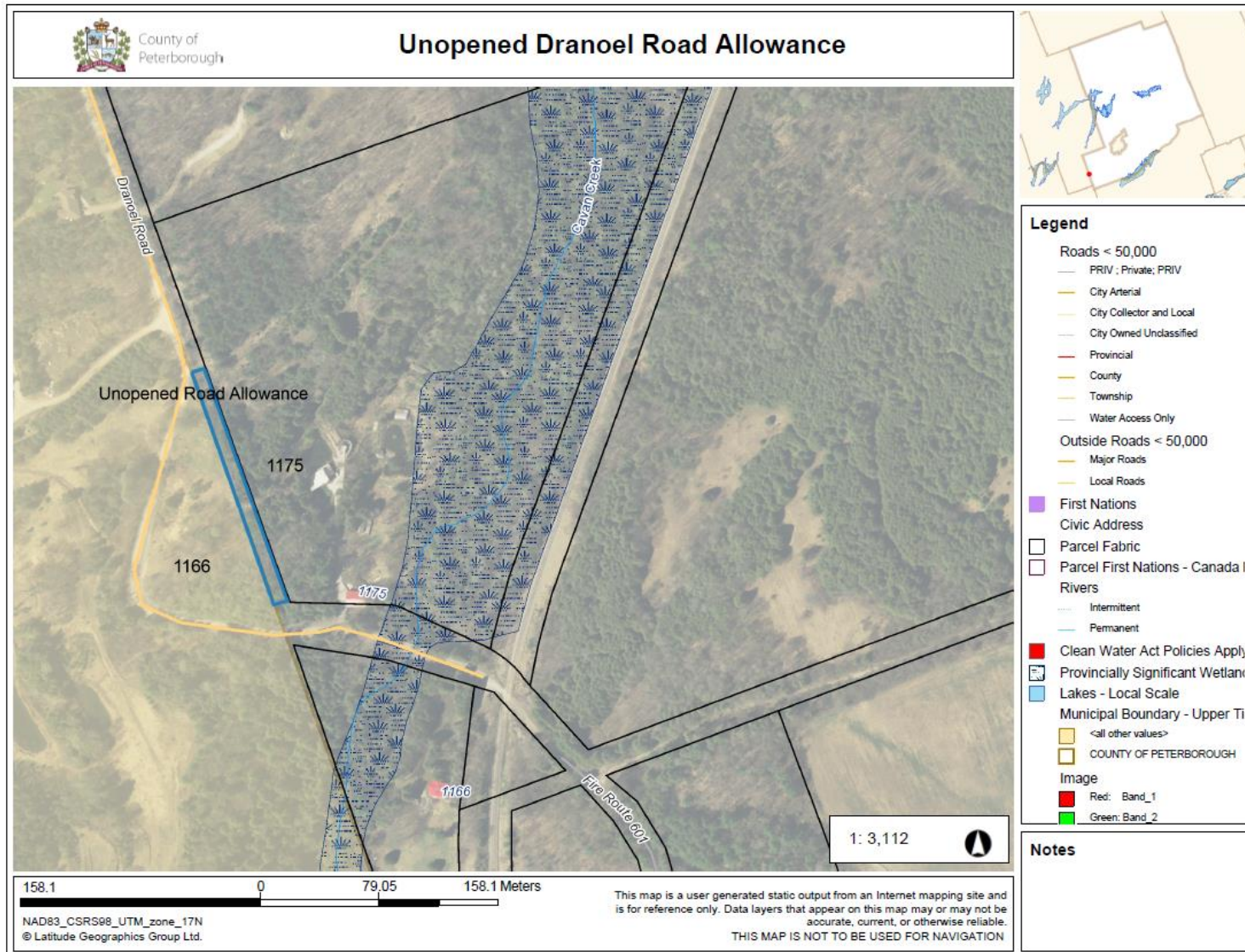
Respectfully Submitted by,

Reviewed by,

Karen Ellis, B.A.A.
Director of Planning

Yvette Hurley
Chief Administrative Officer

Attachment No. 1: Key Map



The Corporation of the City of Kawartha Lakes
Council Report

Report Number PUR2017-050

Date: September 12, 2017

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: 7 and 13

Subject: 2017-83-E Emergency Procurement for Bobcaygeon Water
Treatment Plant Replacement of Main Breaker

Author Name and Title: Marielle van Engelen, Buyer

Amber Hayter, Supervisor, Water and Wastewater
Operations

Recommendation(s):

RESOLVED THAT Report PUR2017-050, **2017-83-E Emergency Procurement for Bobcaygeon Water Treatment Replacement of Main Breaker**, be received; and

THAT emergency work for project 9981707 Bobcaygeon Main Breaker be funded from the Water Infrastructure Reserve in the amount of \$49,083.72.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The Purchasing Policy states;

When an event occurs that is determined by a Director or the CAO or the CSD to be:

- a threat to public health;
- the welfare of Persons or of public property; or
- the security of the City's interests and the occurrence requires the immediate delivery of goods or services and time does not permit for competitive procurement process.

The Emergency Procurement Approval Form is completed immediately depending on the above criteria and the requirements for procurement will be determined following Table of Authority 4.04 except for:

- Procurement equal to or greater than \$100,000.00; and/or
- A procurement process deemed appropriate will be determined by the CAO, Director and Financial Services Division. An information report shall be submitted for all Emergency Procurement spending at or over \$100,000.00, per incident, to Council by the Financial Services Division at earliest possible date, and no later than 60 calendar days.

The process for reporting Emergency Procurements to Council has recently changed whereby Emergency Procurements requiring funding from a reserve, in an amount greater than \$10,000 in accordance with the Capital Close Policy, will seek Council approval as soon as possible.

Finance is seeking approval for funding for the emergency work already completed for the projects listed below. A brief summary of the emergency procurement is noted for information purposes.

Bobcaygeon Water Treatment Plant

The Bobcaygeon Water Treatment Plant required a replacement of the original main break and transfer switch installed in 1979. This project was originally identified and included in the 2017 budget; however it was deferred to the 2018 capital. Since the initial quotation in 2016 the components became increasingly difficult to operate in order to switch power at the plant from the main power to the generator and back. These components are critical to the continuous operation of the plant. If the power went out at the plant, the plant may not be able to switch to the backup generator then the system will lock down and not provide water.

When the power went down and/or the generator was being tested, the generator remained in the ON position, which made it increasingly difficult to switch it back onto the regular hydro grid power. If the components were to break and not allow any switch over then the generator would continuously be run and consistent fueling would have had to occur for approximately 4-6 weeks until the new parts arrived. A new 1200 amp main power break and 600 amp transfer switch have been purchased to replace the faulty equipment. The installation required coordination of supplier SESCO and OCWA for the de-energizing/isolation of the equipment for proper installation.

The risk of not replacing the switches was too great as there was an increasing potential for a system wide Boil Water Advisory and/or no potable water in Bobcaygeon.

Rationale:

Staff recommend that the emergency work for Bobcaygeon Water Treatment Plant Replacement of Main Breaker in the amount of \$49,083.72 be funded through the Water Infrastructure Reserve.

Other Alternatives Considered:

None as the work has already been completed and funding is required.

Financial/Operation Impacts:

Reserve funds can only be used if Council has given approval. The emergency procurement listed above requires funding from the Water Infrastructure Reserve. The current uncommitted balance in the Water Infrastructure Reserve is \$569,760. Therefore there are sufficient funds to cover this request.

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

This report directly addresses "*Goal 3 – A Healthy Environment; Objective 3.1: A healthier environment; Action 3.1.6: Protect & enhance water quality*" of the Strategic Plan. The main breaker and transfer switch are vital components in protecting and enhancing the potable water supply provided to Bobcaygeon in the event of a power outage or emergency.

This Report is also in line with the City of Kawartha Lakes values, specifically continuous improvement and excellence as this emergency procurement greatly improved the municipal drinking water system quality as well as increased the City's ability to provide excellent, efficient, and safe services for the public of Kawartha Lakes.

Consultations:

Junior Accountant

Attachments:

Appendix A – 2017-83-Emergency Form Embed Document



2017-83 Emergency
Form

Department Head E-Mail: brobinson@kawarthalakes.on

Department Head: Bryan Robinson, Director of Public Works

Department File: 2017-83



City of Kawartha Lakes
Purchasing Department
26 Francis St., P. O. Box 9000
Lindsay, Ontario K9V 5R8
Telephone: (705) 324-7930
Fax: (705) 324-7058
purchasing@city.kawarthalakes.on.ca

Emergency Procurement Approval Form

Notwithstanding the provisions of the Purchasing Policy, the following shall only apply in case of an emergency, when an event occurs that as determined by a Director or the CAO or the CSD to be:

- a threat to public health;
- the welfare of persons or of public property; or
- the continuity of service is at risk and the occurrence requires the immediate delivery of goods and services and time does not permit for a competitive procurement process.

Once the emergency is declared, the Emergency Procurement Approval Form is completed immediately and depending on the above criteria, the requirements for procurement will be determined as follows:

Procurement under \$100,000.00:

Goods and services shall be secured by the most suitable procurement process as determined by the Director and Financial Services Supervisor at the lowest obtainable price and where time is of the essence. When possible, the Purchasing Division may maintain a list of vendors to call in the event of an Emergency Procurement.

Procurement equal to or greater than \$100,000.00:

A procurement process deemed appropriate to the situation will be used to mitigate the risk of the emergency at hand and will be determined by the CAO or the CSD, Director and Financial Services Supervisor. Complex, on going situations will be reviewed as soon as the occurrence has been safely secured and a subsequent procurement process may be used to provide a permanent solution to the consequence of the emergency.

An information report shall be submitted for all emergency procurement spending $\geq \$100,000.00$, per incident, to Council by the Financial Services Supervisor at the earliest possible date.

Name: Helena Milchin-Raposo

Department/Division: Public Works - WWW

Date: June 29, 2017

1. Emergency Situation:

The Bobcaygeon Water Treatment Plant requires a replacement of the original main breaker and transfer switch from 1979. This project was originally identified and included in the 2017 budget; however it was deferred to 2018 capital. Since the initial quotation in 2016 the components are becoming increasingly difficult to move between generator and main power. These components are critical to the continuous operation of the plant, should power go out and either one of these components fails, then this will potentially put the residents of Bobcaygeon that rely on the drinking water system into a no water scenario. If power goes out and the plant cannot switch to the backup generator then the system will lock down and not provide water for a short time.

As of late when the power goes out and/or the generator is being tested, the generator remains stuck on the ON position and it is becoming increasingly difficult to switch it back onto regular hydro grid power, automatically and/or manually. Should the components break and not allow any switch over then we would be relying on the generator and consistent fueling for the next 4 – 6 weeks until parts arrive and install is completed. .

As this was requested in 2016 for 2017, attached are all the quotes for the replacement including OCWA's maintenance inclusion as per contract. OCWA will be overseeing the complete project including contingency plan to ensure that the residents are receiving a continuous supply of potable water.

The risk of not replacing the switches is having to wait for the parts to come in, running off of the generator for the 4 – 6 weeks and running out of fuel and then the potential for a city wide boil water and/or no water in Bobcaygeon.

2. Specifications/Requirements:

A new 1200amp main breaker and 600amp transfer switch will need to be purchased and the wait time for the parts is 4- 6 weeks. The Installation will require coordination of supplier (SESCO) and OCWA for the de-energizing/isolation of equipment for the proper install. During this procedure main power and generator power will need to be disconnected. So the plant will be running off the tower or from a rented portable generator for part of the day.

3. Financial Considerations:

The estimated cost is \$ 44,621.72 and we will be including a 10% contingency of \$ 4,462.00. The funding will be coming from the reserves.

DIRECTOR: _____

CORP. SERV.
DIRECTOR: _____

APPROVAL

Fin Serv.
Supervisor: _____

41080-Capital Infra Renewal Levy \$1,956,808 budget and \$ 637,257.88 is actual to date.

Estimated Cost of Emergency Request: 49,083.72

Capital Project Number:	998170701
Account Number:	998170701.17040.90000 19870.74512
Budget \$	1,956,808
Balance Available: \$	1,319,550.11
Taxes Payable and	OCWA tax exempt
Remaining Budget: \$	1,270,466.39

Estimated cost 44,621.72
Contingency 4,462.-
Funding Required 49,083.72

Water Infrastructure Reserve 1.32050

Reviewed by M. van Engelen

DIRECTOR:

CORP. SERV.
DIRECTOR:

APPROVAL

Fin Serv.
Supervisor:



Ontario Clean Water Agency Agence Ontarienne Des Eaux

KawarthaHub
123 East St. South, Bobcaygeon, Ont. K0M 1A0
Tel. (705) 738 9734 Fax. (705) 738 9737

CAPITAL EXPENDITURE APPROVAL

Location: Bobcaygeon WTP

ORG# 5779

Date: 09/06/2016

Work Order #: 125120

Requested by:

Jeremy Manning

OCWA Authorized by:

Date: 09-Jun-16

Client Authorized by:

Date:

Approved or Disapproved
circle one

Item: Replacement Main Breaker and Automatic Transfer Switch

CAPITAL EXPENDITURE BREAKDOWN

Cause: Replacement of the main breaker and transfer switch at the Bobcaygeon WTP. Original breaker and switch installed in 1979, included in 2017 capital forecast.

Sesco	\$44,575
ESA Permit	\$1,000
OCWA Maintenance Inclusion	\$5,217

part of our contract.

Is this an estimate or has the work already been done?

Estimate

estimate / actual

Quotations / Invoices attached: 3

circle one

attached

Total: \$ 40,358.00 (1) plus tax

Name of Chosen Vendor:

Reason for only one quotation:

Labour breakdown:

Labour Classification	no. hours	rate	total cost
Instrumentation Staff		\$ -	\$ -
Operational Staff		\$ -	\$ -
Engineering Services		\$ -	\$ -
		\$ -	\$ -

Total Labour Cost: \$ - --> \$ - (2)

HST (1.76% non-rebatable) \$710.30 (3) (if applicable)
Administrative Fee \$3,553.42 (4)

Total Capital Expenditure: (1) + (2) + (3) + (4)

\$44,621.72

Version 1.1

** Add in 10% 41462 = 49083.9*
This is an estimate only, if significant additional costs are required, OCWA will notify you for verbal approval.

The contractor is to provide OCWA with the following documents:

1. a WSIB Clearance Certificate or Letter of Good Standing
 - a copy of the Clearance Certificate must be obtained from the contractor prior to each work assignment
 - as Clearance Certificates are only valid for sixty days, the contractor must furnish a new Certificate every sixty days
 - review the Certificate or Letter to see if it indicates that the contractor has any prior conviction(s) under the OHSA;
2. a Certificate of Insurance;
3. Certification Records or other documentation to demonstrate that its supervisor and all of its employees have the experience and skills required to perform
4. a copy of its Occupational Health and Safety Policy;
5. a plan for the work they will perform; and
6. copies of any licenses required by the contractor's staff in order to perform the work (e.g. licenses for diving, hot work, electrical work).

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PUR2017-051

Date: September 12, 2017

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: All

Subject: Tender 2016-91-OT Winter Maintenance of Specified
Secondary Roads

Author Name and Title: Marielle van Engelen, Buyer

Recommendation(s):

RESOLVED THAT Report PUR2017-051, **Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads**, be received; and

THAT Council approve the option to renew **Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads** for up to three additional, one year terms, pending budget approval, vendor performance, operational requirements, and contractual need, in accordance with the Table of Authority.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

At the Council Meeting of October 18, 2016, Council adopted the following resolution:

CR2016-904

Moved By Councillor Dunn

Seconded By Councillor Macklem

RESOLVED THAT Report PUR2016-052, **Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads**, be received;

THAT Marquis Snow & Ice Ltd. of Oakwood is awarded the Mariposa/Woodville maintenance area, under Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads at the circuit pricing bid;

THAT W. G. Jackett & Sons Ltd. of Fenelon Falls is awarded the Sturgeon Lake maintenance area under Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads at the circuit pricing bid;

THAT 1799877 Ontario Inc. o/a Young's Construction of Fenelon Falls, be selected for the award of the Fenelon Falls maintenance area under Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads at the circuit pricing bid;

THAT Fairview Trucking Inc. of Cavan, be selected for the award of the Thurstonia-Pigeon Lake maintenance area under Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads at the circuit pricing bid;

THAT the hiring of two (2) temporary seasonal equipment operators for the duration of the 2016/2017 winter control season being the period beginning November 7, 2016 and ending April 13, 2017, be approved; and

THAT subject to receipt of the required documents, the Mayor and City Clerk are authorized to execute the agreements to award Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads.

CARRIED

This report addresses the options to renew **Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads** for an additional three, one year terms as per the original tender document.

Rationale:

Staff recommend that Council approve the option to renew Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads for up to an additional three, one year terms, pending budget approval, vendor performance, operational requirements and contractual need, in accordance to the Table of Authority.

Other Alternatives Considered:

During the upcoming 2017/2018 winter season, and pending the results of the proposed retender of this work in early 2018, Public works staff will assess costs to determine the most fiscally responsible course for future action. Decisions may include specification modifications for contracted work, permanently performing some of the work with internal forces, or continuing to use contracted services or a combination of both.

Financial/Operation Impacts:

Costs associated with winter maintenance services for specified secondary roads are allocated annually in the operating budgets for Public Works.

Winter activities are weather dependent and could increase or decrease depending on the severity of the winter season.

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

Tender 2016-91-OT, Winter Maintenance of Specified Secondary Roads aligns with the Corporate Strategic Goals – A Vibrant and Growing Economy; An Exceptional Quality of Life; and A Healthy Environment by providing a safe accessible road network in accordance with the City's approved level of service.

Attachments:



PUR2016-052
WinterMaintenanceof

Department Head E-Mail: brobinson@kawarthalakes.ca

Department Head: Bryan Robinson, Director of Public Works

Department File: 2016-91-OT

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PUR2016-052

Date: October 18, 2016

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: All

Subject: Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads

Author: Debbie Ball, Buyer

Signature: 

Co-Author: Oliver Vigelius
Manager West B – PW

Signature: 

Recommendation(s):

RESOLVED THAT Report PUR2016-052, **Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads**, be received;

THAT Marquis Snow & Ice Ltd. of Oakwood is awarded the Mariposa/Woodville maintenance area, under Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads at the circuit pricing bid;

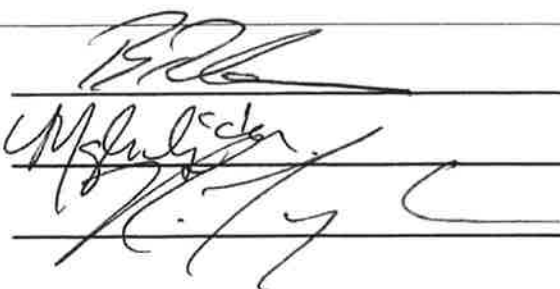
THAT W. G. Jackett & Sons Ltd. of Fenelon Falls is awarded the Sturgeon Lake maintenance area under Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads at the circuit pricing bid;

THAT 1799877 Ontario Inc. o/a Young's Construction of Fenelon Falls, be selected for the award of the Fenelon Falls maintenance area under Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads at the circuit pricing bid;

Department Head:

Corporate Services Director / Other:

Chief Administrative Officer:



THAT Fairview Trucking Inc. of Cavan, be selected for the award of the Thurstonia-Pigeon Lake maintenance area under Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads at the circuit pricing bid;

THAT Council approve the hiring of two (2) temporary seasonal equipment operators for the duration of the 2016/2017 winter control season being the period beginning November 7, 2016 and ending April 13, 2017; and

THAT subject to receipt of the required documents, the Mayor and City Clerk are authorized to execute the agreements to award Tender 2016-91-OT Winter Maintenance of Specified Secondary Roads.

Background:

Tender 2016-90-OT for Winter Maintenance of Secondary Roads was prepared and advertised in accordance with the Purchasing Policy.

The tender requested qualified contractors to supply equipment and properly licensed operators for the clearing of snow and ice, and the proper application of sand and salt (winter mix) in specified maintenance areas (group of routes in geographic proximity to one another) in accordance with the City's Level of Service Policy.

Tender 2016-91-OT Winter Maintenance of Secondary Roads closed on Tuesday, October 11, 2016 and was opened in public by Mayor Andy Letham and Debbie Ball, Buyer.

Results at Opening:

Tender Received From	Tendered Amount Read at Public Opening					
	Price Per Circuit					
	Maintenance Area	Plowing Only	Plow & Sand	Plow & Salt	Sand Only	Salt Only
Royel Paving Ltd. Lindsay	Mariposa- Woodville	\$1,875.00	\$1,957.00	\$2,062.00	\$1,150.00	\$1,250.00
	Thurstonia- Pigeon Lake	\$2,200.00	\$2,650.00	\$3,375.00	\$1,875.00	\$2,500.00
Fairview Trucking Inc. Cavan	Manvers	\$2,000.00	\$2,475.00	\$3,475.00	\$2,000.00	\$2,675.00
	Mariposa- Woodville	\$1,450.00	\$1,850.00	\$1,950.00	\$1,590.00	\$1,790.00
Marquis Snow & Ice Ltd. Oakwood	Fenelon Falls	\$1,414.00	\$1,743.00	\$2,031.00	\$1,429.00	\$1,799.00
	Sturgeon Lake	\$1,414.00	\$1,743.00	\$2,031.00	\$1,429.00	\$1,799.00
W. G. Jackett & Sons Ltd. Fenelon Falls	Fenelon Falls	\$1,295.00	\$1,520.00	\$1,595.00	\$1,295.00	\$1,520.00
1799877 Ontario Inc. o/a Young's Construction Fenelon Falls	Fenelon Falls	\$1,295.00	\$1,520.00	\$1,595.00	\$1,295.00	\$1,520.00

Provisional pricing was not read as PW will determine at a later date if required

One notice of 'Declined to Tender' form was received from Teel Aggregates of Woodville stating that "their vehicles do not have wing attachments which we did not require when we plowed Woodville street as all are dead ends."

Bidders could bid on one or more of the five maintenance areas. Award is based on circuit pricing.

The tender was re-issued with revised requirements as follows:

- The term is one winter season, commencing November 1, 2016 to April 15, 2017 with an option to renew for an additional three - one year terms pending vendor performance and mutual agreement of any requested price adjustment vs two year term with optional extensions;
- Tender surety was reduced to \$2,000.00 per tender vs \$5,000.00 per tender; and
- Vehicle requirements were revised to allow use of older units subject to a demonstration and inspection if warranted.

A circuit of service is defined as all roads identified within the awarded maintenance area being plowed and/or an application of winter mix. The Contractor is compensated at the circuit price bid when the City receives verification that all routes within the maintenance area have been completed from start to finish.

Bid submissions were checked for mathematical errors and conformity to the tender requirements. All tenders were found to be compliant.

Rationale:

Winter maintenance of public roads within the City of Kawartha Lakes is maintained at a level of service as regulated and in accordance with the City's Roadway Level of Service Policy, based on road classification.

Winter maintenance activities covered under this policy include continuous plowing, spot plowing, continuous sanding/salting, spot sanding/salting, ice blading, winging back banks, snow removal and road patrolling during storm conditions.

These activities are weather dependent and based on the demand. Call-out is controlled by the Winter Control Command Centre or Area Supervisor as weather conditions dictate. Resources are deployed as soon as practicable to clear and maintain snow accumulation in accordance with the Level of Service Policy.

When compared to 2012 pricing, the per circuit bid increases for the Manvers and Omemee maintenance areas (321% and 141% respectively) result in an

estimated increase of \$309,000.00. If awarded, this would result in an estimated budget shortfall to the East Maintenance Area's contracted winter road plowing budget of \$269,616.00. Based upon these results the Public Works Department proposes to service these routes internally using pooled equipment and the hire of two additional temporary seasonal equipment operators (please refer to Attachment A for financial overview). The use of these pooled vehicles may affect the availability of replacement plow trucks when equipment breaks down, but increased fleet maintenance costs have been factored into the proposal.

Early in 2017 the Public Works department intends to review alternatives to complete this work within the intent of achieving long term sustainable costing while adhering to the approved Level of Service.

Other Alternatives Considered:

During the upcoming 2016/2017 winter season, and pending the results of the proposed retender of this work in early 2017, Public Works staff will assess costs to determine the most fiscally responsible course of future action. Decisions may include specification modifications for contracted work, permanently performing some of this work with internal forces, or continuing to use contracted services or combinations of both.

Financial Considerations:

Costs associated with winter maintenance services for specified secondary roads are allocated annually in the operating budgets for Public Works.

For budgeting purposes the department has included for approximately 40 winter events per winter season which starts November 1st of the current year, to April 15th of the following year.

As an example of expenses under this particular tender, the circuit pricing identified for plowing and sanding would be multiplied by 40 call outs. Winter activities are weather dependent and could increase or decrease depending on the severity of the winter season.

Contracted services for plowing and salting has increased since the last time this tender was released in 2012. Per circuit rates for Omemee/Thurstonia have increased by 141%, Manvers has increased by 321%, Mariposa/Woodville has increased by 290%, and Fenelon/Strugeon Lake has increased by 84%. As previously described in the Rationale section of this report, Public Works Operations Division is recommending that internal forces provide winter road maintenance to the secondary roads described in the tender for the communities of Omemee and Manvers. The estimated cost of providing this service with

internal forces is approximately \$106,500.00 (vs. the estimated \$351,000.00 to provide the service with contracted forces). Attachment A provides an overview of the financial considerations.

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

Tender 2016-91-OT, Winter Maintenance of Specified Secondary Roads aligns with the Corporate Strategic Goals – A Vibrant and Growing Economy; An Exceptional Quality of Life; and A Healthy Environment by providing a safe accessible road network in accordance with the City's approved level of service.

Review of Accessibility Implications of Any Development or Policy:

Not applicable

Servicing Comments:

Not applicable

Consultations:

Nate Boudens, Manager West Maintenance Area
Rodney Porter, Manager East Maintenance Area
Todd Bryant, Manager Fleet Services

Attachments:

Attachment A – Financial Overview – Secondary Roads Tender



Attachment A.pdf

Phone: 705-324-9411 ext. 1143

E-Mail: brobinson@city.kawarthalakes.on.ca

Department Head: Bryan Robinson, Director of Public Works

Department File: 2016-91-OT

Attachment A: Financial Overview - Secondary Roads Tender

Scenario #1

In this Scenario the communities of Sturgeon Lake, Thurstonia-Pigeon Lake, Manvers, Omamee, Fenelon Falls, and Mariposa-Woodville are contracted for winter road maintenance for forty (40) winter events

Maintenance Area	Proposed 2017 Budget for Contracted Plowing	Estimated Costs for Arterial Plow Route Contracts	Estimated Costs from Current Secondary Plow Route Bid	Variance
East	\$ 632,246.00	\$ 334,622.90	\$ 567,240.00	\$ (269,616.90)
West	\$ 468,092.00	\$ 271,305.90	\$ 141,800.00	\$ 54,986.10
Lindsay	\$ 72,523.00	\$ 77,736.25	\$ -	\$ (5,213.25)
Total Variance to Proposed 2017 Contracted Plowing Budget			\$ (219,844.05)	

Attachment A: Financial Overview - Secondary Roads Tender

Scenario #2

In this scenario the communities of Sturgeon Lake, Thurstonia-Pigeon Lake, Fenelon Falls, and Mariposa-Woodville are contracted for winter road maintenance. The communities of Manvers and Omamee are proposed to be serviced with internal forces.

Maintenance Area	Proposed 2017 Budget for Contracted Plowing	Estimated Costs for Arterial Plow Route Contracts	Estimated Costs from Current Secondary Plow Route Bid	Variance
East	\$ 632,246.00	\$ 334,622.90	\$ 216,240.00	\$ 81,383.10
West	\$ 468,092.00	\$ 271,305.90	\$ 141,800.00	\$ 54,986.10
Lindsay	\$ 72,523.00	\$ 77,736.25	\$ -	\$ (5,213.25)
			Sub-Total	\$ 131,155.95

Internal Costs for:

	Hourly Rate incl. Payroll Burden	Overtime	# of Weeks/Winter Season	# Hours/Winter Season for two operators	Estimated Cost for Season
Two (2) Temporary Seasonal Equipment Operators	\$ 26.37	16%	23	1840	\$ 56,284.13
	Yearly Rate	Cost for 6 Months			
One (1) Single Axel Plow Truck for winter season	\$ 36,167.00	\$ 18,083.50			\$ 18,083.50
One (1) Tandem Axel Plow Truck for winter season	\$ 44,417.00	\$ 22,208.50			\$ 22,208.50
Estimated Material Costs					\$ 10,000.00
Estimated Internal Costs Sub-Total					\$ 106,576.13

Total Estimated Budget Variance Including Proposed Internal Costs. \$ 24,579.82

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PUR2017-052

Date: September 12, 2017

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: All

Subject: Tender 2016-90-OT Winter Maintenance of
Sidewalks in Specified Areas

Author Name and Title: Marielle van Engelen Buyer

Recommendation(s):

RESOLVED THAT Report PUR2017-052, **Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas**, be received; and

THAT Council approve the option to renew **Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas** for up to an additional three, one year terms, pending budget approval, vendor performance, operational requirements and contractual need, in accordance with the Table of Authority.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

At the Council Meeting of October 18, 2016, Council adopted the following resolution:

CR2016-903

Moved By Councillor Yeo

Seconded By Councillor Elmslie

RESOLVED THAT Report PUR2016-051, **Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas**, be received;

THAT Marquis Snow & Ice Ltd. of Oakwood be awarded the winter sidewalk maintenance areas of Cameron, Coboconk, Dunsford, Kirkfield, Lindsay SW and NW, Lindsay W (provisional item), Little Britain, Norland, Oakwood, Kinmount, Victoria Road, Cambray, Glenarm, and Valentia as identified in Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas;

THAT Teels Aggregates of Woodville be awarded the maintenance areas of Woodville and Manilla as identified in Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas;

THAT the reconditioned Trackless unit and operator approved by CR2015-1345 be reassigned to provide winter sidewalk maintenance for the communities of Omemee, Bethany, Janetville, and Pontypool;

THAT the overall proposed 2017 operating budget for winter sidewalk maintenance be increased by \$213,800.00 to enable the contract award; and

THAT subject to receipt of the required documents, the Mayor and City Clerk be authorized to execute the agreements to award Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas.

CARRIED

This report addresses the option to renew **Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas** for an additional three, one year terms as per the original tender document.

Rationale:

Staff recommend that Council approve the option to renew Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas for up to an additional three, one year terms, pending budget approval, vendor performance, operational requirements and contractual need, in accordance with the Table of Authority.

Other Alternatives Considered:

During the upcoming 2017/2018 winter season, and pending the results of the proposed retender of this work in early 2018, Public works staff will assess costs to determine the most fiscally responsible course for future action. Decisions may include specification modifications for contracted work, permanently performing some of the work with internal forces, or continuing to use contracted services or a combination of both.

Financial/Operation Impacts:

Cost associated with winter maintenance services are allocated annually in the operating budgets for Public Works. As Council adjusted the Operating budget within the October 18, 2016 resolution, there are sufficient funds to continue this award.s per the tender the Contractor may request an annual increase to their unit pricing for the additional optional years. This increase will not exceed the annual percentage change in the most recent issuance of the Consumer Price Index (CPI) All items – Ontario, as issued by Statistics Canada.

Winter activities are weather dependent and could increase or decrease depending on the severity of the winter season.

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

This report aligns with the following initiatives within the Council Adopted Strategic Plan. It can identify one of the Goals, namely:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life

Attachments



PUR2016-051
WinterMaintenanceof

Department Head E-Mail: brobinson@kawarthalakes.ca
Department Head: Bryan Robinson, Director of Public Works
Department File: 2016-90-OT

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PUR2016-051

Date: October 18, 2016

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: All

Subject: Tender 2016-90-OT Winter Maintenance of
Sidewalks in Specified Areas

Author: Debbie Ball, Buyer

Signature: 

Co-Author: Oliver Vigelius
Manager West B – PW

Signature: 

Recommendation(s):

RESOLVED THAT Report PUR2016-051, **Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas**, be received;

THAT Marquis Snow & Ice Ltd. of Oakwood be awarded the winter sidewalk maintenance areas of Cameron, Coboconk, Dunsford, Kirkfield, Lindsay SW and NW, Lindsay W (provisional item), Little Britain, Norland, Oakwood, Kinmount, Victoria Road, Cambray, Glenarm, and Valentia as identified in Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas;

THAT Teels Aggregates of Woodville be awarded the maintenance areas of Woodville and Manilla as identified in Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas;

THAT the reconditioned Trackless unit and operator approved by CR2015-1345 be reassigned to provide winter sidewalk maintenance for the communities of Omemee, Bethany, Janetville, and Pontypool;

Department Head:

Corporate Services Director / Other:

Chief Administrative Officer:



THAT the overall proposed 2017 operating budget for winter sidewalk maintenance be increased by \$213,800.00 to enable the contract award; and

THAT subject to receipt of the required documents, the Mayor and City Clerk be authorized to execute the agreements to award Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas.

Background:

Request for Tender 2016-90-OT for Winter Maintenance of Sidewalks in Specified Areas was reissued following the cancellation of Tender 2016-84-OT that was reported at the October 4 Council meeting under Report PUR2016-049.

Tender 2016-90-OT was prepared and advertised in accordance with the Purchasing Policy.

Tender 2016-90-OT closed on Tuesday, October 11, 2016 and was opened in public by Mayor Andy Letham and Debbie Ball, Buyer.

The tender identified twenty-two (22) maintenance areas where services are required to clear snow, ice, and apply sand and/or salt for pedestrian safety, on specified sidewalks within the City of Kawartha Lakes. Three of these areas were identified as provisional and broken out separately and, pending sufficient budget may be added at time of award. Bidders were allowed to bid on one or more of the maintenance areas identified under this tender and the City also had the option to award one or more or none of the listed maintenance area routes.

Results at Opening:

The chart below identifies the maintenance areas bid and the amounts read at the public opening.

Tendered Amount Read at Public Opening						
Company	Price Per Circuit					
Teel Aggregates Woodville	Maintenance Area	Plowing Only	Plow & Sand	Plow & Salt	Sand Only	Salt Only
	Manilla	\$210.00	\$280.00	\$300.00	\$160.00	\$180.00
	Woodville	\$455.00	\$740.00	\$775.00	\$340.00	\$345.00
Fairview Trucking Inc. Cavan	Bethany	\$850.00	\$1,100.00	\$1,200.00	\$850.00	\$950.00
	Janetville	\$850.00	\$1,100.00	\$1,200.00	\$850.00	\$950.00
	Pontypool	\$850.00	\$1,100.00	\$1,200.00	\$850.00	\$950.00
Marquis Snow & Ice Ltd. Oakwood	Cameron	\$265.00	\$280.00	\$295.00	\$250.00	\$250.00
	Coboconk	\$900.00	\$960.00	\$1,050.00	\$890.00	\$990.00
	Dunsford	\$315.00	\$335.00	\$350.00	\$295.00	\$295.00
	Kirkfield	\$715.00	\$755.00	\$795.00	\$675.00	\$675.00
	Lindsay SW & NW	\$1,485.00	\$1,880.00	\$1,980.00	\$1,685.00	\$1,685.00
	Little Britain	\$545.00	\$575.00	\$605.00	\$515.00	\$515.00
	Norland	\$500.00	\$580.00	\$680.00	\$500.00	\$580.00
	Oakwood	\$545.00	\$575.00	\$605.00	\$515.00	\$515.00
	Omeme	\$1,075.00	\$1,395.00	\$1,395.00	\$1,015.00	\$1,015.00
	Kinmount	\$715.74	\$755.00	\$795.00	\$675.00	\$675.00
	Victoria Road	\$295.00	\$310.00	\$325.00	\$275.00	\$275.00
	Cambray	\$265.00	\$280.00	\$295.00	\$250.00	\$250.00
	Glenarm	\$265.00	\$280.00	\$295.00	\$250.00	\$250.00
	Valentia	\$265.00	\$280.00	\$295.00	\$250.00	\$250.00
	Lindsay W	\$1,785.00	\$1,880.00	\$1,980.00	\$1,685.00	\$1,685.00
	Fenelon Falls	\$1,285.00	\$1,355.00	\$1,425.00	\$1,215.00	\$1,215.00
	Bobcaygeon	\$1,465.00	\$1,545.00	\$1,625.00	\$1,385.00	\$1,385.00

(Provisional Areas indicated in green highlighting)

Bids were received for all maintenance areas. Bid submissions were compliant to the tender requirements.

The award of this tender is based on circuit pricing. A circuit of service is defined as all sidewalks identified within the awarded maintenance area being plowed and/or receiving an application of winter mix. The Contractor is compensated at the circuit price bid when the City receives verification that all routes within the maintenance area have been completed from start to finish.

The tender was re-issued with revised requirements as follows:

- The term is one winter season, commencing November 1, 2016 to April 15, 2017 with an option to renew for an additional three - one year terms pending vendor performance and mutual agreement of any requested price adjustment vs two year term with optional extensions;
- Tender surety was reduced to \$2,000.00 per tender with no performance surety requested. In the former Tender 2016-84-OT a \$5,000.00 tender surety was required per tender followed by a \$2,000.00 performance surety to be submitted per maintenance area awarded.

Tender 2016-90-OT yielded the same bid results for Manilla, Woodville, Bethany, Janetville and Pontypool maintenance areas.

The tender received from Marquis Snow & Ice included more maintenance areas bid than in the former Tender 2016-84-OT. If the additional areas included in the current tender are not considered in an analysis of the two tenders, then there was an overall reduction in cost per event of \$384 (using plow and salt as the unit rate of measure).

Rationale:

Winter maintenance of sidewalks within the City of Kawartha Lakes is maintained at a level of service as regulated and in accordance with the City's Level of Service Policy.

Call-out is controlled by the Winter Control Command Centre or Area Supervisor. Resources are deployed as soon as practicable to clear and maintain snow accumulation. The number of times a Contractor is called upon to supply these services is subject to weather conditions.

The City is recommending that Tender 2016-90-OT for the Winter Maintenance of Sidewalks in Specified Areas be awarded as follows:

- Marquis Snow & Ice Ltd.Oakwood
 - a) Cameron
 - b) Coboconk
 - c) Dunsford
 - d) Kirkfield
 - e) Lindsay SW and NW
 - f) Lindsay W (provisional item)
 - g) Little Britain
 - h) Norland
 - i) Oakwood
 - j) Kinmount
 - k) Victoria Road
 - l) Cambray
 - m) Glenarm
 - n) Valentia
- Teels Aggregates Woodville
 - a) Manilla
 - b) Woodville

On Tuesday December 8, 2015, the Department of Public Works brought forward report 2015-007 Core Service Review – Winter Sidewalk Maintenance with the following council resolution:

Moved by Councillor Elmslie, seconded by Councillor Miller,

RESOLVED THAT Report PLAN2015-007, **Core Service Review - Winter Sidewalk Maintenance**, be received;

THAT the revised Level of Service Policy 125 EPW 011 Sidewalk Level of Service Policy - Winter Maintenance (previously named Roadway Level of Service Policy - Winter Maintenance - Sidewalks), be approved;

THAT \$35,000.00 for the reconditioning of one existing Trackless sidewalk machine for use in Lindsay for winter sidewalk maintenance during the 2016/2017 winter season to be funded from the City Capital Reserve, be approved;

THAT the hiring of one (1) additional Roads Labourer for an estimated 395 hours at a cost of \$16,144.00 for November and December of the 2016 operating budget year for winter sidewalk maintenance in Lindsay, be approved; and

THAT the inclusion of contracted winter sidewalk maintenance in the 2016 operating budget year for the communities of Victoria Road, Cambray, Cameron, Glenarm, Dunsford and Lorneville, be approved.

CARRIED CR2015-1345

Staff proposes to assign the reconditioned trackless unit and operator to service the communities of Omemee, Bethany, Pontypool, and Janetville and to contract the West sidewalk route in Lindsay.

Pricing received for winter sidewalk maintenance for Lindsay West route increased by 10% compared to previous rates, while the rates increased in Omemee by 143%, in Bethany by 346%, in Janetville by 503%, and in Pontypool by 330%. This reallocation of resources will result in an estimated cost avoidance of \$113,600.00 (when balanced against the increased contracted winter sidewalk maintenance costs in Lindsay).

There will be an additional internal cost of approximately \$7,000.00 for the use of a pooled one-ton truck to float the trackless unit from community to community; all other internal equipment and labour is already accounted for in the proposed Public Works Roads' operating budget for 2017. This will result in a remaining estimated budget shortfall of \$213,800.00. Please refer to attachment A for a financial overview.

Other Alternatives Considered:

Council resolution CR2015-1345 approved the addition of winter sidewalk maintenance for six (6) communities which had not historically received this service (Cameron, Dunsford, Victoria Road, Cambray, Glenarm and Valentia). Should Council opt to reverse this decision, the removal of these communities from the tender award could result in an estimated cost avoidance of \$60,200.00, which would result in an estimated remaining budget shortfall of \$153,600.00 to the proposed 2017 contracted winter sidewalk maintenance budget.

Should Council decide to act on this alternative, the following resolutions shall be deleted:

THAT Marquis Snow & Ice Ltd. of Oakwood be awarded the winter sidewalk maintenance areas of Cameron, Coboconk, Dunsford, Kirkfield, Lindsay SW and NW, Lindsay W (provisional item), Little Britain, Norland, Oakwood, Kinmount, Victoria Road, Cambray, Glenarm, and Valentia as identified in Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas;

THAT the overall proposed 2017 operating budget for winter sidewalk maintenance be increased by \$213,800.00 to enable the contract award.

And shall be replaced with the following resolutions:

THAT Marquis Snow & Ice Ltd. of Oakwood be awarded the winter sidewalk maintenance areas of Coboconk, Kirkfield, Lindsay SW and NW, Lindsay W (provisional item), Little Britain, Norland, Oakwood, and Kinmount as identified in Tender 2016-90-OT Winter Maintenance of Sidewalks in Specified Areas;

THAT the overall proposed 2017 operating budget for winter sidewalk maintenance be increased by \$153,600.00 to enable the contract award.

Financial Considerations:

Costs associated with winter maintenance services are allocated annually in the operating budgets for Public Works.

For budgeting purposes, the department has budgeted for approximately 40 events per winter season which starts November 1st of the current year, to April 15th of the following year.

As an example of expenses under this particular tender, the circuit pricing identified for plowing and salting would be multiplied by 40 call outs. Winter activities are weather dependent and could increase or decrease depending on whether we experience a harsh winter season, or not.

Contracted services for plowing and sanding has increased by an average of 101 percent from the last time this tender was released in 2012 to the pricing received from the marketplace in response to this tender. The tendered amounts received in the current tender exceed the proposed 2017 budget amounts for every route. No competing bids were received for any individual route. If all routes were awarded as bid it would result in an estimated increase of \$327,400.00 (131%) over the proposed 2017 budget amount of \$250,000.00 (resulting in a total estimated budget for contracted winter sidewalk maintenance of \$577,400.00.

Staff proposes to assign the reconditioned trackless unit (approved by CR2015-1345 see rationale above) and operator to service the communities of Omemee, Bethany, Pontypool, and Janetville and to contract the West sidewalk route in Lindsay. Pricing received from Marquis Snow and Ice Ltd. of Oakwood for winter sidewalk maintenance for Lindsay West route increased by 10% compared to previous rates, while the rates increased in Omemee by 143%, in Bethany by 346%, in Janetville by 503%, and in Pontypool by 330%. This reallocation of resources will result in an estimated cost avoidance of \$113,600.00 (when balanced against the increased contracted winter sidewalk maintenance costs in Lindsay). There will be an additional internal cost of approximately \$7,000.00 for the use of a pooled one-ton truck to float the Trackless unit from community to community; all other internal equipment and labour is already accounted for in the proposed Public Works Roads' operating budget for 2017. This will result in a remaining estimated budget shortfall of \$213,800.00.

Through this report Staff requested an increase to the 2017 operating budget as a result of the award of this contract. As the winter control season begins in 2016 the award will also have an impact on the 2016 budget. Without the ability to adjust the 2016 budget, Staff will continue to manage 2016 operating budgets to the bottom line and will make the necessary adjustments to work programs to facilitate the work.

Considering the time and impending winter season, Staff recommends award of this tender. Staff will continue to review alternatives in both procurement and implementation, in order to control costs for future seasons.

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

This report aligns with the following initiatives within the Council adopted Strategic Plan, namely:

- Goal 1 – A Vibrant and Growing Economy – Enhancing tourism through year round pedestrian access
- Goal 2 – An Exceptional Quality of Life – Improving wellness through improved walkability and accessibility.

Review of Accessibility Implications of Any Development or Policy:

Not applicable

Servicing Comments:

Not applicable

Consultations:

Nate Boudens, Manager West Maintenance Area
Rodney Porter, Manager East Maintenance Area
Todd Bryant, Manager Fleet Services

Attachments:

Attachment A – Financial Overview



Attachment A -
Financial Overview.pdf

Phone: 705-324-9411 ext. 1143
E-Mail: brobinson@city.kawarthalakes.on.ca
Department Head: Bryan Robinson, Director of Public Works
Department File: 2016-90-OT

Attachment A

Winter Sidewalk Analysis of Costs for Tender 2016-90-OT

Option #1

In this scenario the maintenance areas in question are awarded to the contractors who bid them (there are no low bids as no competitive bids were received). The Lindsay route (Lindsay West) is taken in-house as planned last year (it was previously contracted)

# of Events	40	Estimated cost for season		Proposed 2017 Budget Amounts	Variance to Budget
	Bid				
	\$/Circuit	Extension	Totals		
Bethany	\$1,200.00	\$ 48,000.00	\$ 199,800.00	\$ 50,000.00	\$ (149,800.00)
Janetville	\$1,200.00	\$ 48,000.00			
Pontypool	\$1,200.00	\$ 48,000.00			
Omeme	\$1,395.00	\$ 55,800.00	\$ 79,200.00	\$ 60,000.00	\$ (19,200.00)
Lindsay SW & NW	\$1,980.00	\$ 79,200.00			
Lindsay W	\$1,980.00	\$ -			
Totals		\$ 279,000.00	\$ 110,000.00	\$ (169,000.00)	

Option #2 (Cost avoidance)

In this scenario the refurbished Trackless unit and operator which was supposed to take over a previously contracted route in Lindsay (Lindsay West) is reassigned to service the communities of Omeme, Bethany, Janetville, and Pontypool. It will be floated from community to community using a trailer that is already included in PW budget. An additional 1Ton truck will be required; Fleet Services currently has one pooled 1Ton. Costs are included below. All other internal costs are already included in PW Winter Budget.

	Bid \$/Circuit	Estimated cost for season		Proposed 2017 Budget Amounts	Variance to Budget
		Extension	Totals		
Bethany	\$1,200.00	\$ -	\$ -	\$ 50,000.00	\$ 50,000.00
Janetville	\$1,200.00	\$ -			
Pontypool	\$1,200.00	\$ -			
Omeme	\$1,395.00	\$ -	\$ 158,400.00	\$ 60,000.00	\$ (98,400.00)
Lindsay SW & NW	\$1,980.00	\$ 79,200.00			
Lindsay W	\$1,980.00	\$ 79,200.00			
Cost of 1Ton truck for winter season		\$ 7,000.00	\$ -	\$ (7,000.00)	
Totals		\$ 165,400.00	\$ 110,000.00	\$ (55,400.00)	

	\$	(169,000.00)
Cost Avoidance between Option #1 and Option #2	- \$	(55,400.00)
	\$	(113,600.00)

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PUR2017-053

Date: September 12, 2017

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: Ward 10

Subject: 2017-87-CT Installation of Traffic Lights at McLaughlin Road and Kent Street West

Author Name and Title: Launa Lewis, Buyer

Co-Author: Mike Farquhar, Supervisor, Technical Services

Recommendation(s):

RESOLVED THAT Report PUR2017-053, **2017-87-CT Installation of Traffic Lights at McLaughlin Road and Kent Street West**, be received;

THAT Guild Electric Limited of Toronto, be selected for the award of Tender 2017-87-CT Installation of Traffic Lights at McLaughlin Road and Kent Street West for the tender price of \$189,800.00, plus HST;

THAT subject to receipt of the required documents, the Mayor and Clerk be authorized to execute the agreement to award this tender; and

THAT Purchasing Division be authorized to issue a Purchase Order.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The installation of traffic lights at the intersection of McLaughlin road and Kent St had been identified as a need in the City's Transportation Master Plan as well as in the Kent St corridor study. Based on this a project was approved in 2016 capital budget for the installation of traffic lights at this intersection. Design and approvals were done over 2016 to accommodate tendering and construction in 2017

Tender 2017-87-CT was prepared and advertised in accordance with the Council Policy. The tender package was taken out by 2 companies.

Tender 2017-87-CT closed on Thursday, August 24, 2017 and was opened in public by Mayor Andy Letham, Mayor and Ashley Wykes, Buyer.

Results of Opening:

Tender Received From	Tender Amount (Excluding HST)
Guild Electric Limited	\$189,800.00

Although this report is within the Capital Budget for Engineering, because there were fewer than three submissions, the report must be approved at Council.

References were checked and found to be favorable.

Rationale:

Staff recommends that Guild Electric Limited of Toronto, be selected for the award of Tender 2017-87-CT Installation of Traffic Lights at McLaughlin Road and Kent Street West for the tender price of \$189,800.00, plus HST.

Other Alternatives Considered:

None as a competitive process was issued and the pricing is favorable to the City.

Financial/Operation Impacts:

Funds for the installation of traffic lights at McLaughlin Road and Kent Street West were approved in the 2016 Engineering Capital Budgets.

Capital Project	Capital Project Budget	Other Committed Funds * (see below)	Capital Project Balance	Tender Amount (incl HST)	HST Rebate	10% Contingency	Total Tender Cost	Capital Project Balance
9831614	\$260,000	\$19,711	\$240,289	\$214,474	(\$21,333)	\$21,447	\$214,588	\$25,701

Upon completion of the work, 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.

Servicing Implications:

The intersection was designed as AODA compliant.

Consultations:

Junior Accountant

Attachments:

N/A

Department Head E-Mail: vrojas@kawarthalakes.on.ca

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

Department File: 2017-87-CT

The Corporation of the City of Kawartha Lakes

Council Report

Report Number ED2017-015

Date: September 12, 2017

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: Wards 6, 10 and 12

Subject: Downtown Lindsay and Oak Street Heritage Conservation District Designation Bylaws

Author Name and Title: Debra Soule, Economic Development Officer – Arts, Culture and Heritage

Recommendations:

RESOLVED THAT Report ED2017-015, **Downtown Lindsay and Oak Street Heritage Conservation District Designation Bylaws**, be received;

THAT the draft By-law being “A By-law to Designate the Downtown Lindsay area, as identified in the Downtown Lindsay Heritage Conservation District Plan”, in accordance with Section 41 of the Ontario Heritage Act, be approved;

THAT the draft By-law being “A By-law to Designate the Oak Street neighbourhood in Fenelon Falls, as identified in the Oak Street Heritage Conservation District Plan”, in accordance with Section 41 of the Ontario Heritage Act, be approved; and

THAT the necessary By-laws be brought forward for adoption.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

At the Council Meeting of July 11, 2017, Council adopted the following resolution:

CR2017-627

RESOLVED THAT Report ED2017-013, **Downtown Lindsay and Oak Street Heritage Conservation District Plans**, be received;

THAT the recommendation of Heritage Victoria to adopt the Heritage Conservation District Plans for the Oak Street neighbourhood in Fenelon Falls and for Downtown Lindsay Neighbourhood under Part V, Section 41.1(6) of the Ontario Heritage Act (R.S.O. 1990, c.O.18), be approved;

THAT staff be authorized to proceed with the process to designate the districts under Part V of the Ontario Heritage Act, including preparation and circulation of a Notice of Intention to Designate, and preparation of designating by-laws;

THAT the designating by-laws be presented to Council for its consideration after the notification process has been completed; and

THAT two new municipal heritage committee member categories be introduced on Heritage Victoria to provide the opportunity for one representative member from the Lindsay BIA and one from the Oak Street neighbourhood to provide advice to Council on matters of heritage conservation in the City of Kawartha Lakes.

CARRIED

This report addresses the first four resolutions in that direction.

Rationale:

Council has completed all of the requirements for the creation of a Heritage Conservation District under Part V of the Ontario Heritage Act and approved Heritage Victoria's recommendations that Downtown Lindsay and the Oak Street neighbourhood on Fenelon Falls become Heritage Conservation Districts based upon their distinctive character and significant historical associations.

Other Alternatives Considered:

Other alternatives are not recommended based upon Council approval to proceed with the creation and adoption of by-laws to designate Downtown Lindsay and the Oak Street neighbourhood in Fenelon Falls as Heritage Conservation Districts.

Financial/Operation Impacts:

There are no financial implications resulting from the adoption of this report.

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

The HCD Plans for Downtown Lindsay and for the Oak Street neighbourhood in Fenelon Falls contribute to the Council Adopted Strategic Plan:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life

Specifically, the HCD Plans contribute to Goal 2 in the Council Adopted Strategic Plan: An Exceptional Quality of Life and Action 2.1.1: Strengthen existing cultural and heritage assets.

Review of Accessibility Implications of Any Development or Policy:

N/A

Servicing Implications:

N/A

Consultations:

Heritage Victoria
Senior Licensing Officer
Ministry of Tourism, Culture and Sport
Ontario Heritage Trust

Attachments:

Attachment A – By-Law to designate Downtown Lindsay as an HCD



20170817

DowntownLindsayHCD

Attachment B – By-Law to designate Oak Street in Fenelon Falls as an HCD



20170817

OakStreetHCDBy-law

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall

The Corporation of the City of Kawartha Lakes

By-Law 2017-XXX

A By-law to Designate Downtown Lindsay as a Heritage Conservation District in the City of Kawartha Lakes

Recitals

1. Section 41(1) of the Ontario Heritage Act, R.S.O. 1990 c.O.18 authorizes the Council of a Municipality to enact By-laws to designate a defined area, including all buildings and structures thereon, as a heritage conservation district;
2. Council intends to designate the Downtown Lindsay area defined by this by-law as a heritage conservation district;
3. Council has adopted a heritage conservation district plan for the district that is designated in the by-law, as required under Section 41.1 (1) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
4. Council has made available to the public the "Downtown Lindsay Heritage Conservation District Plan" and held a public meeting on April 13, 2017 with appropriate notice given in accordance with the Act as required by Section 41.1(6) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
5. Council has consulted with Heritage Victoria, its Municipal Heritage Committee as required under Section 41.1(6) (c) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
6. The Official Plan for the City of Kawartha Lakes contains policies pertaining to the establishment of heritage conservation districts.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-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;

“Director of Development Services” 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: Designation

- 2.01 The area shown on Schedule “A” attached to and forming part of this by-law is designated as a Heritage Conservation District, known as the Downtown Lindsay Heritage Conservation District.
- 2.02 The plan shown in Schedule “B” attached to and forming part of this by-law is adopted as a Heritage Conservation District Plan for the Downtown Lindsay Heritage Conservation District.
- 2.03 The City is authorized to cause a copy of this by-law to be registered against all properties located within the heritage conservation district boundaries described above in the proper Land Registry Office.
- 2.04 The City Clerk is authorized to cause a copy of this by-law to be served upon each owner of property located in the Downtown Lindsay Heritage Conservation District and upon the Ontario Heritage Trust, and to cause notice of the passing of this by-law to be published in the newspaper as required by the Ontario Heritage Act, R.S.O. 1990, c.O.18;

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Director of Development Services is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force either on the day following the last day of the prescribed appeal period or as otherwise provided by subsection 41(10) of the Ontario Heritage Act, R.S.O. 1990, c.O.18.

By-law read a first, second and third time, and finally passed, this 12th day of September, 2017.

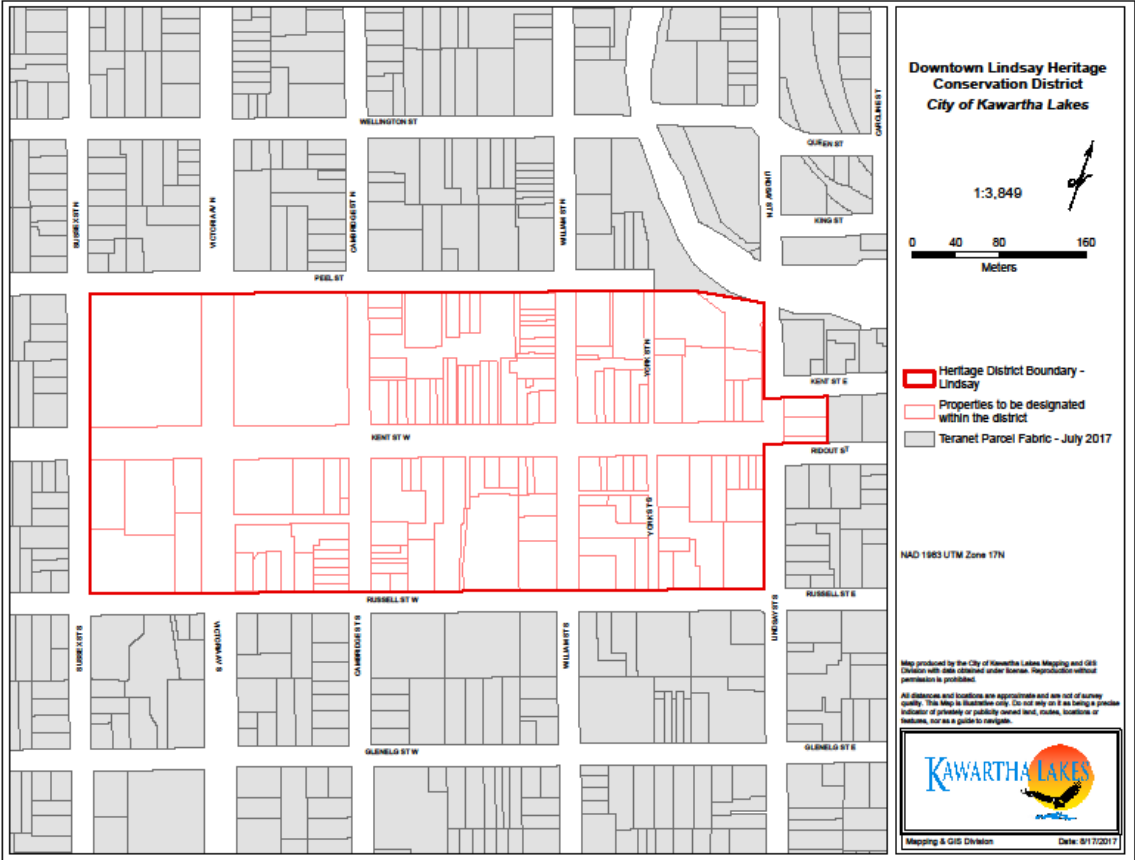
Andy Letham, Mayor

Ron Taylor, Acting City Clerk

Schedule “A” – Downtown Lindsay Heritage Conservation District



Heritage District
Lindsay_17Aug2017(



Schedule "B" – Downtown Lindsay Heritage Conservation District Plan



20170628
LindsayHCDPlanFINA

The Corporation of the City of Kawartha Lakes

BY-LAW 2017-XXX

A By-law to Designate Oak Street in Fenelon Falls as a Heritage Conservation District in the City of Kawartha Lakes

Recitals

1. Section 41(1) of the Ontario Heritage Act, R.S.O. 1990 c.O.18 authorizes the Council of a Municipality to enact By-laws to designate a defined area, including all buildings and structures thereon, as a heritage conservation district;
2. Council intends to designate the Oak Street area in Fenelon Falls defined by this by-law as a heritage conservation district;
3. Council has adopted a heritage conservation district plan for the district that is designated in the by-law, as required under Section 41.1 (1) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
4. Council has made available to the public the "Oak Street Heritage Conservation District Plan" and held a public meeting on April 12, 2017 with appropriate notice given in accordance with the Act as required by Section 41.1(6) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
5. Council has consulted with Heritage Victoria, its Municipal Heritage Committee as required under Section 41.1(6) (c) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
6. The Official Plan for the City of Kawartha Lakes contains policies pertaining to the establishment of heritage conservation districts.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-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;

“Director of Development Services” 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: Designation

- 2.01 The area shown on Schedule “A” attached to and forming part of this by-law is designated as a Heritage Conservation District, known as the Oak Street Heritage Conservation District.
- 2.02 The plan shown in Schedule “B” attached to and forming part of this by-law is adopted as a Heritage Conservation District Plan for the Oak Street Heritage Conservation District.
- 2.03 The City is authorized to cause a copy of this by-law to be registered against all properties located within the heritage conservation district boundaries described above in the proper Land Registry Office.
- 2.04 The City Clerk is authorized to cause a copy of this by-law to be served upon each owner of property located in the Oak Street Heritage Conservation District and upon the Ontario Heritage Trust, and to cause notice of the passing of this by-law to be published in the newspaper as required by the Ontario Heritage Act, R.S.O. 1990, c.O.18;

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Director of Development Services is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force either on the day following the last day of the prescribed appeal period or as otherwise provided by subsection 41(10) of the Ontario Heritage Act, R.S.O. 1990, c.O.18.

By-law read a first, second and third time, and finally passed, this 12th day of September, 2017.

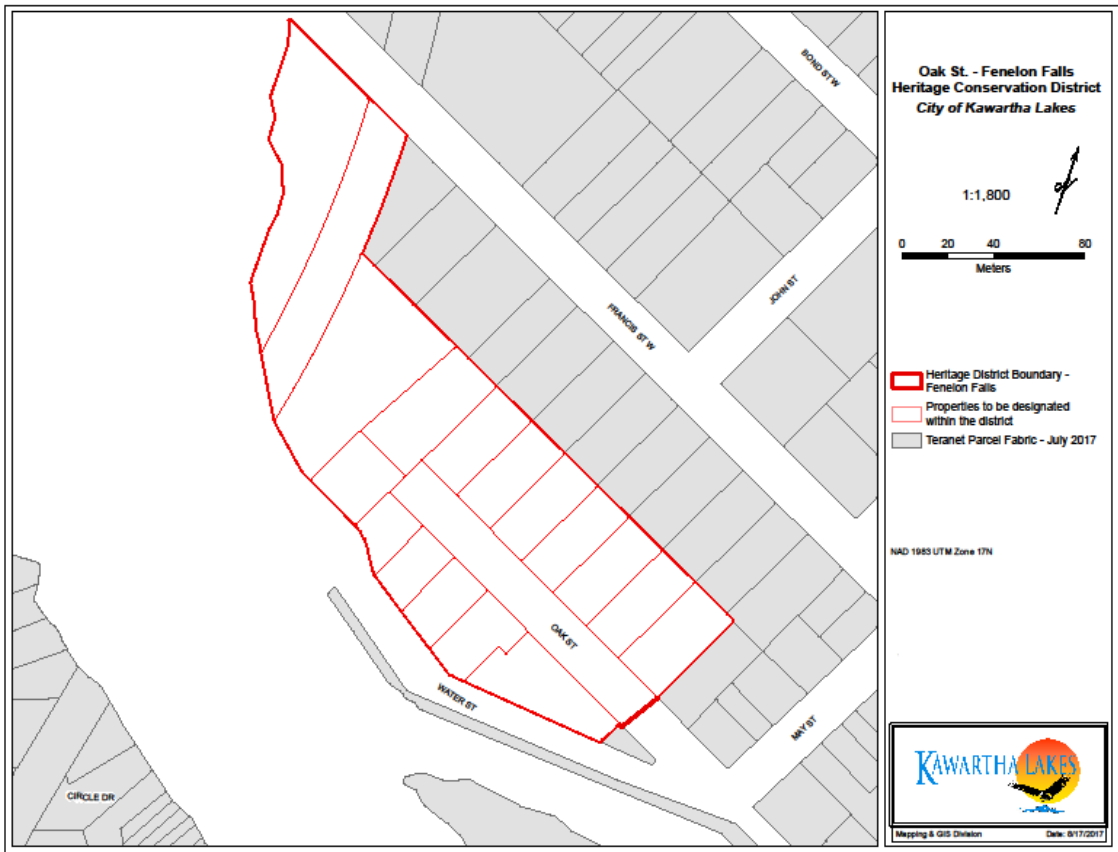
Andy Letham, Mayor

Ron Taylor, Acting City Clerk

Schedule “A” –Oak Street Heritage Conservation District



Oak St FF Heritage
District Boundaries_1



Schedule "B" –Oak Street Heritage Conservation District Plan



20170628
finalOakStHCDPlan.pdf

The Corporation of the City of Kawartha Lakes

Council Report

Report Number ENG2017-016

Date: September 12, 2017

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier:

Subject: Request for Noise By-Law Exemption-Stoney Creek Culvert-Hwy 35

Author Name and Title: Martin Sadowski

Recommendation(s):

RESOLVED THAT Report ENG2017-016, **Request for Noise By-Law Exemption-Stoney Creek Culvert-Hwy 35**, be received;

THAT the construction activity for the MTO project “Stoney Creek Culvert Rehabilitation” on Hwy 35 be exempt from the City’s Noise By-Law 2005-025, during the period of September 25, 2017 to November 17, 2017;

THAT a By-law to prohibit Heavy Traffic from using:

- Tower Road from Mt.Horeb Rd to Hwy 35
- Star Hill Rd from Tower Rd to Hillhead Rd
- Hillhead Rd from Mt.Horeb Rd to River Rd
- Post Rd from Mt.Horeb Rd to Hwy 7
- Confederation Rd from Hillhead Rd to Post Rd
- Crosswind Rd from Post Rd to Heights Rd
- Old Mill Rd from Mt.Horeb Rd to Hwy 7
- Lilac Rd from Mt.Horeb Rd to Hwy 7
- Heights Rd from Mt.Horeb to Hwy 7
- River Rd from Hwy 35 to Hwy 7

be enacted during the period of September 25, 2017 to November 17, 2017 (local deliveries will be exempted);

THAT the necessary By-law for the above recommendations be forwarded to council for adoption; and

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

THAT the Mayor and Clerk be authorized to execute any documents and by-laws required by the approval of this application/agreement/decision.

Background:

At the Council Meeting of January 24, 2017, Council adopted the following resolution:

CR2017-055

RESOLVED THAT the December 14, 2016 correspondence from Brad Craig, Dillon Consulting Limited Project Manager, requesting an exemption from the City's Noise By-law, be received;

THAT the construction activities for the replacement of the Stoney Creek Culverts on Highway 35, located approximately 6 km south of Lindsay, be exempted from the City's Noise By-law 2005-025, as amended, from September 5, 2017 to December 22, 2017; and

THAT the contractor be required to provide written notice, to all property owners within 500 meters and the City, of the construction schedule a minimum of 14 days prior to the commencement of construction activities.

This report addresses that direction.

The Ministry of Transportation has hired Brennan Paving & construction Ltd. to rehabilitate the Stoney Creek Culvert on Highway 35. In Order to complete this work, Highway 35 will be closed South of River Road and North of Tower Road from September 25th, 2017 to November 17th, 2017. A signed detour route will be in place during the closure.

In order to expedite construction, an exemption is required for the construction activities for the replacement of the Stoney Creek Culverts on Highway 35, located approximately 6 km south of Lindsay from the City's Noise By-law 2005-025, as amended, from September 25, 2017 to November 17th, 2017.

In addition, it is recommended that a By-law to prohibit Heavy Traffic be enacted on all roads adjacent to the proposed detour.

Tower Rd, Star Hill Rd, Hillhead Rd, Post Rd, Confederation Rd, Crosswinds Rd, Old Mill Rd, Lilac Rd, Heights Rd and River Road were not designed or built to withstand the increased heavy truck traffic that is expected due to the proposed detour.

During June of 2017 the MTO conducted a pre-construction condition survey of CKL 31 (Mt.Horeb) from Highway 35 easterly to the intersection with Highway 7, Hillhead Road from Mt.Horeb to River Road and River Road from Hillhead to Highway 35. A second pavement condition assessment will be conducted by the MTO Geotechnical department prior to September 22nd and finally a post-construction assessment will take place once construction is complete to determine what repairs if any are required due to the increased traffic from the detour.

The attached newsletter was sent out to all property owners within 500m of the construction in December 2016, in addition Brennen Paving & Construction Ltd. will be distributing the attached letter notifying stakeholders prior to commencing with construction.

It was agreed that during the first two weeks of the closure of Highway 35, OPP/CKL Police Services will be present to enforce the proposed detour and No Heavy Truck restrictions on all roads adjacent to the detour.

Because the closure of Highway 35 would cause delays to EMS response times , during the rehabilitation project of the Stoney Creek culverts a temporary station in Pontypool will be staffed.

The City will be compensated for both Police and EMS by invoicing the MTO directly.

Rationale:

Installing these detours signs prohibiting heavy trucks on local roads will mitigate damage caused by heavy loads.

Noise By-Law Exemption will increase the construction productivity and shorten the duration of construction.

Other Alternatives Considered:

Not Applicable

Financial/Operation Impacts:

Not Applicable

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

The City's Strategic Plan outlines Council's Vision of a Vibrant and Growing Economy, An Exceptional Quality of Life and a Healthy Environment.

Providing life safety and protection is a priority objective of the City.
[Link to Strategic Plan](#)

Review of Accessibility Implications of Any Development or Policy:

Not Applicable

Servicing Implications:

Not Applicable

Consultations:

Juan Rojas, Director of Engineering
Ontario Provincial Police
Ministry of Transportation
Kawartha Lakes EMS
Kawartha Lakes Police
Kawartha Lakes Fire Department

Attachments:

Appendix A – Stoney Creek Newsletter Brochure Embed Document



StoneyCreek_Newsle
tter_Brochure.pdf

Appendix B – MTO – 2017 Stakeholder Notification Embed Document



MTO Stakeholder
Notification.pdf

Phone: 705-324-9411 ext. 1151

E-Mail: jrojas@city.kawarthalakes.on.ca

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

Department File: Engineering

PROJECT BACKGROUND

2007 — to address future operations, capacity and safety requirements, a planning and preliminary design study was completed for a future four lane expansion of Highway 35. The Stoney Creek culverts were identified for replacement as part of the highway expansion.

2016/2017 — a Group 'C' Class EA was completed and determined that the culverts will be replaced in advance of the highway expansion to address the existing poor condition of the culverts. The culverts will accommodate the existing two lane Highway 35. An Environmental Screening Document was prepared for MTO's internal use.

Spring 2017 — The project is currently in the detail design stage, which includes preparing final design drawings and the contract documents.

*We are
here*

Fall 2017 — Construction is anticipated to begin in the fall of 2017. Highway 35 will be closed following the Lindsay Fair. The highway closure is anticipated to be approximately 6 weeks. Adjacent property and business owners will be notified prior to the start of construction.

Questions

Please contact us if you have any questions regarding the replacement of the Stoney Creek culverts and/or the detour route.

Dan Brandao, P.Eng.
Project Engineer, Planning & Design
Ministry of Transportation
1355 John Counter Blvd.
Postal Bag 4000
Kingston, ON, K7L 5A3
1-800-267-0295 ext. 4741
dan.brandao@ontario.ca

Brad Craig, P.Eng.
Project Manager
Dillon Consulting Limited
130 Dufferin Avenue, Suite 1400
London, ON, N6A 5R2
1-888-345-5668 x 1318
StoneyCreekCulvert@dillon.ca

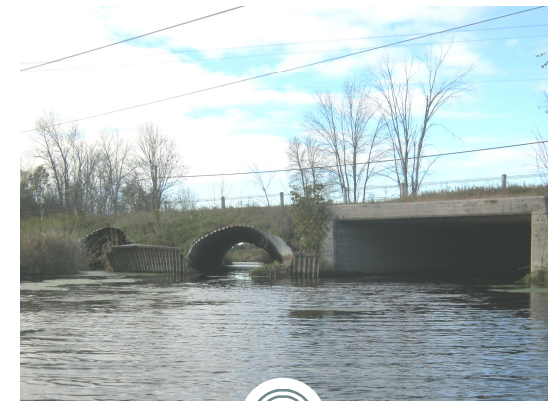
MINISTRY OF
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DILLON
CONSULTING

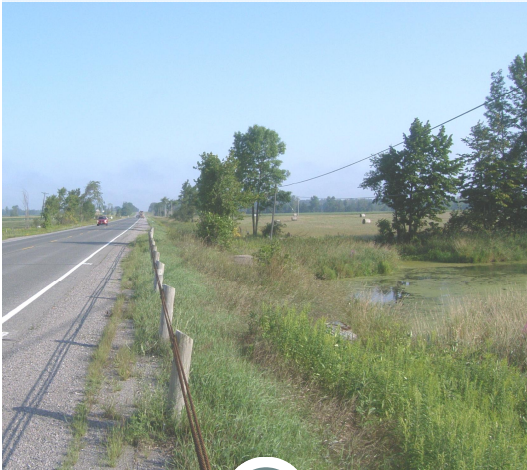
Replacement of the Stoney Creek Culverts on Highway 35



The Ministry of Transportation, Ontario (MTO) is replacing the Stoney Creek culverts on Highway 35, approximately 6 km south of the community of Lindsay. A Class Environmental Assessment (EA) Study was completed in 2016-2017 and confirmed the need to replace the culverts. Highway 35 will be closed at the culverts during construction.

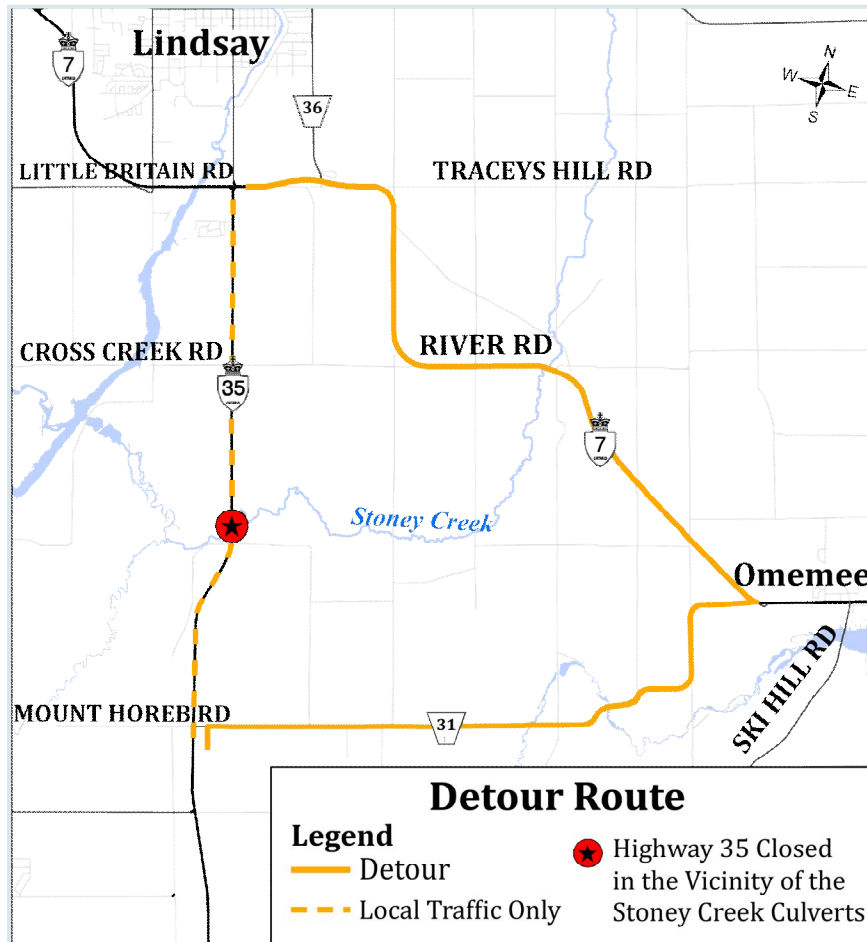
www.eastontariobridges.ca

Looking north on Highway 35 at the Stoney Creek culverts



About the Stoney Creek Culverts

- There are three culverts at this highway crossing: one concrete open footing structure and two corrugated steel arches
- The culverts have come to the end of their useful life and need to be replaced
- This flyer provides background information on the project and outlines the timing for construction



Looking south on Highway 35 at the Stoney Creek culverts



Temporary Closure of Highway 35 and Detour Route

Three alternatives for constructing the work were considered during the Class EA. Closing the Highway was selected as the preferred option based on safety, duration of construction and cost. Consultation with agencies, Indigenous communities, businesses and local property owners was completed as a part of the Class EA.

Subject to funding, construction is anticipated to begin in the fall of 2017. The temporary full closure of Highway 35 and detour will occur after the Lindsay Exhibition Fair. It is anticipated that Highway 35 will be closed for approximately 6 weeks.

The detour will direct traffic to use City of Kawartha Lakes Road 31/Mount Horeb Road and Highway 7.



Brennan Paving & Construction Ltd.
PO Box 520, Station Brooklin
4615 Thickson Rd N
Whitby, Ontario L1M 1B5
Telephone: (905) 655-3889
Fax: (905) 655-8748

Sept 5, 2017

Dear Business Owner/Property Owner,

Please be advised that Brennan Paving & Construction Ltd. will be rehabilitating the Stoney Creek Culvert on Highway 35. In order to complete this work Highway 35 will be closed South of River Road and North of Tower Road from September 25th, 2017 to November 17th, 2017. A signed detour route will be in place during the closure.

Please contact us should you have any question or concerns:

Jason Cockburn – 289-685-2145
Superintendent, Brennan Paving & Construction Ltd.

Jenn Wakefield – 905-621-0634
Project Manager, Brennan Paving & Construction Ltd.

Shane Cassidy – 905-885-6381 Ext 207
Contract Administrator, Ministry of Transportation

Your cooperation in this matter is greatly appreciated.

Thank-you

Rodney Patey
Rodney Patey
Construction Manager
Brennan Paving & Construction Ltd.
Phone: 905-655-3889

The Corporation of the City of Kawartha Lakes

Council Report

Report Number ENG2017-017

Date: September 12, 2017

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: 5

Subject: Petition for Drainage Works By Owner - Waite

Michael Farquhar, Supervisor, Technical Services

Recommendation(s):

THAT Report ENG2017-017, "Petition for Drainage Works by Owner – Waite", be received;

THAT Council proceeds with the petition submitted by Joseph and Carol Waite for drainage works by owners for Part Lt. 10 West Half of Concession 6, Fenelon, and instruct the City Clerk to proceed with the notices required under Section 5 of the Drainage Act;

THAT Council appoints and retains, R.J Burnside & Associates in accordance with the Drainage Act, as the Engineer of Record and for the petition and to proceed with the requirements of a petition drain; and

THAT should, R.J Burnside & Associates not be available, that Council instructs staff to retain an alternate qualified Engineer from is standing list.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

On August 15, 2017 a “Petition for Drainage Works by Owners” was filed with the City for Part Lt 10 West Half of Concession 6, Fenelon, (see Appendix A – Waite petition Memo).

The Drainage Board considered the petition at its meeting held on August 28, 2017. The Drainage Board passed the following resolutions recommending that Council proceed with the petition, to instruct the Clerk to proceed with the notices required under Section 5 of the Drainage Act and to also appoint an Engineer as follows:

Moved By J. Bedard

Seconded By J. Oriotis

RECOMMEND THAT the memorandum by Supervisor of Technical Services – Engineering and Corporate Assets, Mike Farquhar, dated August 28, 2017, regarding the petition for drainage works by Joseph and Carol Waite owners of Part Lot 10 West Half of Concession 6 Fenelon, be received,

THAT Council proceed with the petition submitted from Joseph and Carol Waite for drainage works for Part Lt 10 West Half of Concession 6 Fenelon to be known as the “Waite Drain” and instruct the City Clerk to proceed with the notices required under Section 5 of the Drainage Act; and

THAT Staff concurrently continue to pursue with the petitioner options for a mutual drain agreement as per the City's Agricultural Tile Drain Discharge to Roadside Ditches Policy 114 EPW 007.

CARRIED

Moved By J. Oriotis

Seconded By E. Bagshaw

RECOMMEND THAT pursuant to Section 8(1) of the *Drainage Act, R.S.O. 1990, Chapter D. 17*, that staff recommend to Council a Drainage Engineer for the examination of the area requiring drainage and proceed with the requirements of a petition drain for Part Lt 10 West Half of Concession 6 Fenelon.

CARRIED

This report addresses and brings forward those recommendations of the Drainage Board so that Council can make their decisions on this matter within the prescribed 30 day time frame as set out in the Drainage Act.

Rationale:

The Drainage Board has made a recommendation to Council to proceed with the petition. Neither the Drainage Board nor Council has the authority to determine if the petition is valid; this responsibility is vested with the Engineer under the Drainage Act.

Once a decision has been made to accept the petition and proceed, notice of its intention to proceed must be sent, within 30 days, to each petitioner, the Clerk of any other municipality that may be affected, the local conservation authority and the Director of the Ministry of Agriculture, Food and Rural Affairs.

Section 8(1) of the Drainage Act stipulates that where Council has decided to proceed with the drainage works, Council shall by by-law or resolution appoint an Engineer to make an examination of the area and to prepare a report.

An alternative to a petition drain would be to consider mutual agreements between the City of Kawartha Lakes, the petitioners and any downstream property owners. Staff presented this alternative to the Drainage Board. The petitioners were not in support of a mutual agreement and requested that a petition drain process be followed.

In order for any mutual agreement to be viable, all parties involved need to be in agreement. As the petitioners were not receptive to this course of action and there was no representation from the downstream landowners, a mutual agreement was not likely to succeed. In light of this information, the Drainage Board recommended that a petition drain process commence. Staff is satisfied and agrees that accepting the petition is a suitable course of action to deal with this petition.

The Drainage Board left the selection of a Drainage engineering firm up to Council based on a recommendation by staff. Staff has recommended single sourcing drainage engineer, R J Burnside & Associates, noting that this engineering firm has suitable experience and familiarity with the surrounding municipal drains and subject area. Staff supports this recommendation, and if accepted by Council, would proceed through the City's procurement process to implement.

Other Alternatives Considered:

If Council's decision is not to accept the petition, the Drainage Act states that the Council must, within 30 days of the filing of the petition, send notice to each petitioner of Council's decision not to accept the petition (section 5(2)). Each

petitioner has the right to appeal to the Tribunal against Council's decision not to accept the petition (Section 5(2)). This action is not recommended.

Financial/Operation Impacts:

If the drainage works proceed, the engineer's report will include an estimate of the cost of the works, which includes the engineer's costs for the preparation of the report and the tendering and construction inspections. The report includes an assessment schedule, which indicates the total assessment of each property assessed on the drainage works, including assessments on roads. When the construction is completed and the final costs of the project are known, a by-law is passed to reflect the true costs, and the costs are billed out to the owners assessed in the report.

Notwithstanding the above, Council adopted Policy No. 118 FD 013 Municipal Drainage Projects on March 23, 2005 which outlines the process to follow for drainage works, as follows:

1. Prior to the commencement of each phase of the project, the Drainage Engineer shall prepare a detailed work program. The work program shall lay out the major items of work, the resources to be employed and the associated costs. The work program shall be reviewed by the Drainage Superintendent and subsequently, the Drainage Board for approval.
2. A schedule of payments shall be determined prior to the commencement of each phase of the work and approved by the Drainage Board. Once approval has been obtained, a purchase order shall be established for the value of the work. According to City policy, a change order is required to amend the initial tender. No payments shall be made until the change order receives the appropriate approvals. City staff shall not proceed with a change order without an amendment to the Engineer's original report which shall be undertaken pursuant to the provisions of the Drainage Act.
3. Once an Engineer's report has been received, the cost of the works shall be built into the City's capital budget. If the construction is to cover multiple taxation years, the capital budget will also be planned for multiple years.
4. The Drainage Superintendent shall satisfy himself that the invoice conforms to the schedule of payments and the work has been completed in accordance with the work program. When satisfied, the Drainage Superintendent shall recommend the invoice for payment. Final sign off shall be by the Director of Public Works or designate.
5. The Finance department shall prepare quarterly reports on all municipal drains for the Drainage Board meetings that document the financial status of all active capital drainage projects.

6. The final step of the procedure is to set the levying by-law before Council for approval, and subsequently, issue invoices to the ratepayers. The Finance Department shall confirm all expenses with the Engineer prior to setting the rate By-law.

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

Section 3.1.7 of the Strategic Plan recognizes the protection of prime agricultural land by including policies in the Official Plan and working with the agricultural community to identify opportunities to support the sector.C05

Consultations:

Drainage Board
Office of the City Clerke

Attachments:

Appendix A – Waite petition memo to Drainage Board



Waite petition.pdf

Department Head: Juan Rojas Director of Engineering and Corporate

Assets

Department Head: jrojas@city.kawarthlakes.on.ca



THE CORPORATION OF THE
CITY OF KAWARTHA LAKES
12 Peel Street P.O. Box 9000
Lindsay, ON K9V 5R8
Phone: 705-324-9411, Ext. 1156
Fax: 705-324-2982

MEMO

Date: August 28, 2017
To: Drainage Board
From: Mike Farquhar, Supervisor Technical Services – Engineering & Corporate Assets
Re: Petition for Municipal Drainage Waite Petition
CC: Juan Rojas Director of Engineering and Corporate Assets
Paul Herlihey, Municipal Drain Superintendent.

Recommendation:

THAT the Drainage Board receives the memorandum from the Supervisor of Technical Services- Engineering and Corporate Assets dated August 28, 2017, for information in response to the petition for drainage works by owners of:

Part Lt 10 West Half of Concession 6 Geographic Township of Fenelon

From Joseph and Carol Waite.

THAT the Drainage Board recommends to Council for consideration this petition for a Municipal Drain as prescribed under the Ontario Drainage Act; and

THAT Staff pursue with the petitioners concurrently an option for a mutual drainage agreement as per the City's Agricultural Tile Discharge to Roadside Ditches Policy.

Background:

The subject area/land is bounded by Cameron road to the West, Chambers Road to the North (refer to Appendix A). There are no existing Municipal Drains within the vicinity. The area of the land identified as Part Lt 10 West Half of Concession 6 is approximately 98 acres in size.

The property is within the Kawartha Conservation Authority jurisdiction as defined under the Ontario Conservation Act and has two separately identified watercourses on the property (see appendix B). The grade of the lands from the middle of the property contours to the east and west.

On August 15, 2017 the City of Kawartha Lakes Clerks department received a petition for Drainage works within the subject area (Appendix C).

Alternatives:


As an option for required drainage the City firstly promotes the use of a Mutual agreement through the City’s policy for Agricultural Tile discharge to roadside ditches prior to pursuing a petition for a Municipal drain under the Ontario Drainage Act. At this point in time the Drainage Superintendent has currently presented this option to the petitioners and explained its avenues in comparison to petitioning for a Municipal Drain under the Drainage Act. At this current time the petitioners wish to carry on with the process under the Drainage Act for the petition. Staff will leave the door open for pursuing a mutual agreement up until the prescribed time the petitioner has under the Drainage Act for removing their names and abandoning the petition.


Recommendation for appointment of a Drainage Engineer:


Currently the City has a pool of Drainage Engineers which list in the Following.

- Burnside Engineering
- Tulloch Engineering
- K-Smart Engineering
- R. D. Dobbin Engineering
- DM Wills Engineering.

Attachments:


Appendix B.pdf


Appendix A.pdf

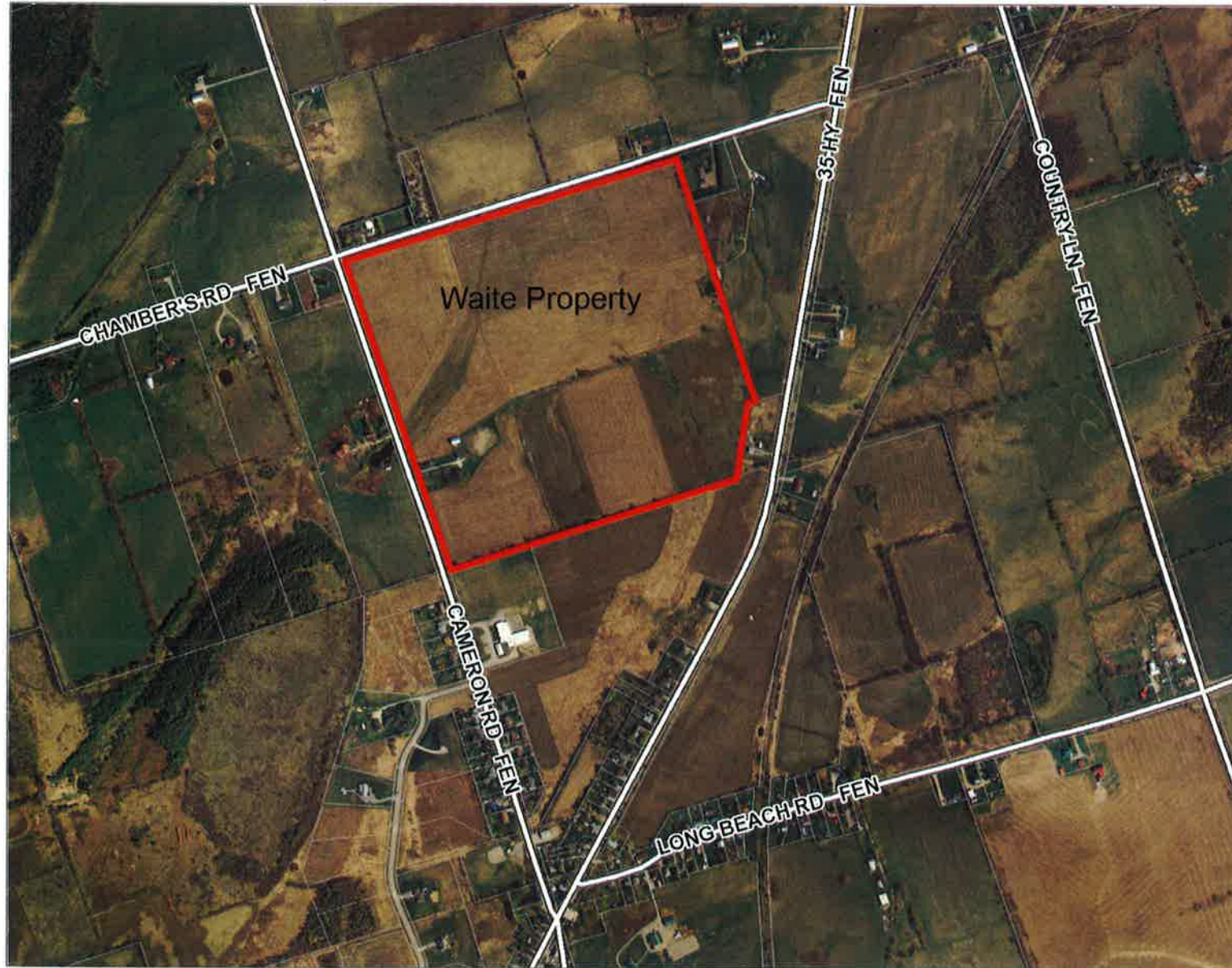

Appendix C.pdf



Petition for Drainage
Works Form 1 - Waite



Waite Municipal Drain Petition



Legend

- Road Centreline
- Upper Municipalities
- Lower Tier Municipalities
- ⊙ Populated Places
- Water Labels
- Property ROLL#

Notes

Notes

0.77

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PUPOSES



KRCA regulated areas and watercourses



Legend

- Road Centreline
- Upper Municipalities
- Lower Tier Municipalities
- Populated Places
- Water Labels
- Property ROLL#
- KRCA Regulated Areas
- LSRCA Regulated Areas
- ORCA Regulated Areas
- Oak Ridges Moraine

Notes

Notes

0.77

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR COMMERCIAL OR LEGAL PUPOSES



CORPORATE POLICY AND PROCEDURES MANUAL

Policy No:

114 **EPW** **007**

Policy Name:
Agricultural Tile Drain Discharge to Roadside Ditches

DEVELOPED BY: Wayne Hancock
DEPARTMENT: Public Works

DATE: Nov. 18/03

REVIEWED BY:
APPROVED BY: Council

DATE:
DATE: Oct. 28/03

RESOLUTION CR2003-1002
NUMBER:

EFFECTIVE: Oct 28/03

CROSS-REFERENCE:

REVISIONS:

POLICY STATEMENT AND RATIONALE:

The City of Kawartha Lakes is generally concerned with drainage matters, particularly with respect to liability and the assessment of costs for construction and long-term maintenance. This policy deals with the use of roadside ditches as a means for providing outlets for private agricultural drains and ditches.

The *Drainage Act* provides the necessary procedures for obtaining the required drainage systems and for assessing construction and long-term maintenance costs. Details and the *Drainage Act* are not discussed in this policy and may be obtained by contacting the Drainage Superintendent.

SCOPE:

The City encourages the use of the *Drainage Act* as the preferred means for obtaining a suitable outlet for most drainage systems required within the City.

DEFINITIONS:

In reading and interpreting the *Agricultural Tile Drain Discharge to Roadside Ditches* policy, the following definitions apply:

- a) "City" means The Corporation of the City of Kawartha Lakes.

Policy 114 EPW 007
Agricultural Drainage Tile to Roadside Ditches
Page 1 of 3

**Petition for Drainage Works by Owners
Form 1**
Drainage Act, R.S.O. 1990, c. D.17, clause 4(1)(a) or (b)

This form is to be used to petition municipal council for a new drainage works under the *Drainage Act*. It is not to be used to request the improvement or modification of an existing drainage works under the *Drainage Act*.

To: The Council of the Corporation of the City of Kawartha Lakes

The area of land described below requires drainage (provide a description of the properties or the portions of properties that require drainage improvements)

Part Lt 10 West Half of Concession 6 Geographic Township of Fenelon

In accordance with section 9(2) of the *Drainage Act*, the description of the area requiring drainage will be confirmed or modified by an engineer at the on-site meeting.

As owners of land within the above described area requiring drainage, we hereby petition council under subsection 4(1) of the *Drainage Act* for a drainage works. In accordance with sections 10(4), 43 and 59(1) of the *Drainage Act*, if names are withdrawn from the petition to the point that it is no longer a valid petition, we acknowledge responsibility for costs.

Purpose of the Petition (To be completed by one of the petitioners. Please type/print)

Contact Person (Last Name) Waite	(First Name) Joseph	Telephone Number 705 464-2647 ext.
Address		
Road/Street Number 536	Road/Street Name Country Lane	

Location of Project

Lot Pt. Lt. 10	Concession 6	Municipality Kawartha Lakes	Former Municipality (if applicable) Fenelon Township
-------------------	-----------------	--------------------------------	---

What work do you require? (Check all appropriate boxes)

- ☐ Construction of new open channel
☒ Construction of new tile drain
☐ Deepening or widening of existing watercourse (not currently a municipal drain)
☐ Enclosure of existing watercourse (not currently a municipal drain)
☐ Other (provide description ▼)

Name of watercourse (if known)

N/A

Estimated length of project

Unknown

General description of soils in the area

Loam

What is the purpose of the proposed work? (Check appropriate box)

- ☐ Tile drainage only
☐ Surface water drainage only
☒ Both

Petition filed this 15th day of August, 20 17
Name of Clerk (Last, first name)

Currins, Judy

Signature



- Your municipal property tax bill will provide the property description and parcel roll number.
- In rural areas, the property description should be in the form of (part) lot and concession and civic address.
- In urban areas, the property description should be in the form of street address and lot and plan number if available.
- If you have more than two properties, please take copy(ies) of this page and continue to list them all.

Number	Property Description
88	Cameron Road, Cameron ON (Con 6 Pt Lt 10)
Ward or Geographic Township	Parcel Roll Number
Fenelon	165121001036800.0000

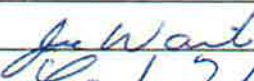

I hereby petition for drainage for the land described and acknowledge my financial obligations.

Ownership

☐ Sole Ownership

Owner Name (Last, First Name) (Type/Print)	Signature	Date (yyyy/mm/dd)

☒ Partnership (Each partner in the ownership of the property must sign the petition form)

Owner Name (Last, First Name) (Type/Print)	Signature	Date (yyyy/mm/dd)
Waite, Joseph		2017/08/15
Waite, Carol		2017/08/15

☐ Corporation (The individual with authority to bind the corporation must sign the petition)

Name of Signing Officer (Last, First Name) (Type/Print)	Signature
Name of Corporation	
Position Title	I have the authority to bind the Corporation. Date (yyyy/mm/dd)

Number	Property Description
Ward or Geographic Township	Parcel Roll Number

I hereby petition for drainage for the land described and acknowledge my financial obligations.

Ownership

☐ Sole Ownership

Owner Name (Last, First Name) (Type/Print)	Signature	Date (yyyy/mm/dd)

☐ Partnership (Each partner in the ownership of the property must sign the petition form)

Owner Name (Last, First Name) (Type/Print)	Signature	Date (yyyy/mm/dd)

☐ Corporation (The individual with authority to bind the corporation must sign the petition)

Name of Signing Officer (Last, First Name) (Type/Print)	Signature
Name of Corporation	
Position Title	I have the authority to bind the Corporation. Date (yyyy/mm/dd)

☐ Check here if additional sheets are attached

Clerk initial

Petitioners become financially responsible as soon as they sign a petition.

- Once the petition is accepted by council, an engineer is appointed to respond to the petition. *Drainage Act*, R.S.O. 1990, c. D. 17 subs. 8(1).
- After the meeting to consider the preliminary report, if the petition does not comply with section 4, the project is terminated and the original petitioners are responsible in equal shares for the costs. *Drainage Act*, R.S.O. 1990, c. D. 17 subs. 10(4).
- After the meeting to consider the final report, if the petition does not comply with section 4, the project is terminated and the original petitioners are responsible for the costs in shares proportional to their assessment in the engineer's report. *Drainage Act*, R.S.O. 1990, c. D. 17 s. 43.
- If the project proceeds to completion, a share of the cost of the project will be assessed to the involved properties in relation to the assessment schedule in the engineer's report, as amended on appeal. *Drainage Act*, R.S.O. 1990, c. D. 17 s. 61.

Notice of Collection of Personal Information

Any personal information collected on this form is collected under the authority of the *Drainage Act*, R.S.O. 1990, c. D.17 and will be used for the purposes of administering the Act. Questions concerning the collection of personal information should be directed to: where the form is addressed to a municipality (*municipality to complete*)

City of Kawartha Lakes 26 Francis Street, Lindsay ON K9V 4R8 (705-324-9411 ext. 1295 or 1341)

and where the form is addressed to a territory without municipal organization, the Drainage Coordinator, Ministry of Agriculture, Food and Rural Affairs, 1 Stone Rd W, Guelph ON N1G 4Y2, 519 826-3552.

The Corporation of the City of Kawartha Lakes

Council Report

Report Number SOC2017-003

Date: September 12, 2017

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: All

Subject: Children's Services 2017 Funding and Allocations

Author Name and Title: Janine Mitchell, Manager Social Services

Recommendation(s):

RESOLVED THAT Report SOC2017-003, **Children's Services Update and Funding Allocations**, be received.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The City of Kawartha Lakes is the designated Consolidated Municipal Service Manager (CMSM) for Children's Services in the City and County of Haliburton. The City, through the Social Services Division, enters into an annual Service Contract with the Ontario Ministry of Education (MEDU) for Children's Services funding under the Child Care and Early Years Act.

Due to the timing of the funding allocations from MEDU the City's 2017 Operating Budget was developed and approved based on 2016 funding levels. The revised 2017 subsidy levels were released by MEDU on April 28.

The current provincial funding formula was first implemented in 2013. Since 2013, the cumulative increase in provincial funding locally totals \$2,578,621 and includes additional funding for 2017 allocated specifically to support increasing access to licensed care.

CMSMs are required to maintain a minimum municipal contribution equal to the 2012 annualized cost share requirements. The total for the CMSM is approximately \$625,725.

The province continues to provide the wage enhancement initiative for licensed child care and home child care program staff. This initiative is 100% provincially funded and once all applications have been reviewed and approved, the province will provide sufficient funding to fully meet the costs of the program.

Rationale:

The CMSM has the responsibility of allocating funding to individual agencies consistent with provincial and local guidelines and policies. The allocations of subsidy for 2017 were determined consistent with the allocation model that has been in place since 2013. While the provincial funding identified in Table 1 is based on allocation categories, the expenditures can be allocated to agencies in the following program areas:

- Administration: for CMSM expenses related to delivery agent role
- Operating Funding: ongoing child care agency operating expenses
- Special Needs Resourcing: agency funding for programs for children with special needs
- Fee Subsidy: assistance with child care fees for eligible families based on income
- Small Water Works: for one agency's water testing requirements
- Capital: assists in creating new or retrofitting facilities to serve children 0 – 4 years of age
- Planning: supports the local Children's Services Planning Table in broader community service planning and co-ordination

- Data Analysis Services: funding specifically allocated for the Data Analysis Coordinator position

The last four program areas listed above have specific program criteria relating to special projects or needs and have limited or no flexibility to use for other programs areas.

Table 1 below lists the 2015-2017 provincial subsidies for Children's Services based on the Ministry's funding categories.

Table 1: Provincial Funding Allocations

Funding Category	Component	2015 Allocations	2016 Allocations	2017 Allocations
Operating				
Core Services Delivery		4,180,959	4,116,619	4,722,858
Special Purposes Allocation	Rural/Remote	675,910	682,670	811,190
	Language	35,934	36,293	43,126
	FDK Transition	247,076	250,280	0
	Transformation	24,069	24,799	0
	Cost of Living	151,193	153,495	181,340
	Indigenous	10,949	18,773	22,308
	Capacity Building	29,583	30,212	35,189
	Repairs and Maintenance	12,287	12,593	13,585
	Utilization	-48,076	-59,151	275
Capital	Retrofits	35,583	44,701	0
Capping		- 94,808	- 74,658	-60,432
Total Operating		5,260,659	5,236,626	5,769,438¹
Other Allocations				
Small Water Works		2,805	2,805	1,914
Wage Enhancement		267,793	609,886	616,515
Wage Enhancement Administration		0	25,574	25,574
Total Other Allocations		270,598	638,265	644,003
Family Support Programs				
Data Analysis Services		0	0	73,153
Planning – Regular		20,600	20,600	20,600
Planning – Indigenous		1,800	1,800	1,800
Total Family Support Programs		22,400	22,400	95,553
Expansion Funding				381,111
GRAND TOTAL		5,553,657	5,897,291	6,890,105

In June of 2017 the Ministry announced a shared commitment by the Ontario and Federal governments to provide investments in early learning and child care to increase quality, accessibility, affordability, flexibility and inclusivity. The intent of this funding is to help parents, families and communities in their efforts to ensure the best possible future for their children. The CMSM's allocation under this initiative for 2017 and for the first quarter in 2018 is \$381,111. The total funding available to the CMSM for 2017 is \$6,890,105.

¹ Total due to provincial rounding

Changes in 2017 allocations to agencies reflect changes as calculated under each agencies eligible allocation under the funding formula including additional funding.

Table 2 below lists the anticipated funding allocations by program area and agency and includes the required municipal cost share. Agencies funding allocations were reviewed and adjusted as per Ministry guidelines, local policies and procedures.

Table 2: Agency and Program Operating Funding²

Program Area	Agency	2015 Funding	2016 Funding	2017 Funding	Variance (from 2016)
General Operating	Bobcaygeon Day Care and Nursery School Corp.	286,416	357,056	363,652	6,596
	Boys and Girls Clubs Kawartha Lakes	246,800	246,800	305,682	58,882
	Haliburton Wee Care Day Nursery	155,141	171,621	171,621	0
	Heritage Christian School	37,880	37,880	37,880	0
	Compass	657,459	610,390	786,159	175,769
	Mother's Reaching Out Nursery School	18,945	17,322	0	(17,322)
	Omeme Children's Centre	160,690	157,099	216,474	59,375
	Ontario Early Years Centre Victoria-Haliburton-Brock	143,651	128,311	125,311	(3,000)
	Preschool Centre for Child Enrichment (Lindsay Montessori)	58,261	45,483	42,483	(3,000)
	Wentworth Day Care Services (Wee Watch Home Child Care)	65,000	65,000	87,400	22,400
Special Needs Resourcing	Point in Time Centre for Children, Youth and Families	377,441	377,441	388,023	10,582
	Community Living Kawartha Lakes	1,045,077	1,045,077	1,075,100	30,023
Capacity Building	Community Living Kawartha Lakes	95,000	95,000	95,000	0
Small Water Works	Haliburton Wee Care	2,805	2,805	1,914	(891)
Capital Funding	Boys and Girls Clubs Kawartha Lakes			120,000	120,000
Wage Enhancement	Child Care Agencies		614,886	642,089	27,203
Total Agency Funding		3,350,566	3,971,570	4,458,788	486,617
Fee Subsidy Funding		2,091,341	2,056,919	2,651,578	237,951
Total Funding		5,441,907	6,028,489	7,110,366	724,568

The additional 100% provincial funding in 2017 will increase access, affordability and the number of licensed child care spaces. Supported initiatives for 2017 and the first quarter of 2018 include:

² Agency funding includes any municipal contribution as applicable

- Ten new infant spaces in Omemee
- Fifteen additional toddler spaces in Lindsay
- Expanding home child care to include an additional 7 homes with an emphasis on growth in northern Kawartha Lakes and the County of Haliburton
- Subsidy to reduce home child care per diems in northern Kawartha Lakes and the County of Haliburton
- Opening before and after school programs in 4 schools located in Woodville, Fenelon Township, Mariposa and Cardiff
- Supporting the re-opening of the child care program that was located at the Alternative Adult Education Centre in Lindsay supporting 3 infant, 5 toddler and 9 preschool spaces.

The demand for subsidized child care did decrease for 2016 but with the increase in number of spaces for 2017 and with the increase in child care per diems, we are anticipating an increase in demand for fee subsidy. These increases will be supported with the additional 100% provincial funding. In 2016, \$2,097,254 in fee subsidies was issued to support 734 children in licensed child care.

The tables below are an example of some of the data sets used in our allocation review process. The tables show the number of children 0 – 12 located in both the City of Kawartha Lakes and the County of Haliburton, the percentage of children compared to the number of licensed spaces and the minimum and maximum child care per diem fees.

Haliburton County	# of Children 2016	Number of Licensed Spaces		% of Licensed Spaces to Children		Full Day Child Care Fees	
		Min.	Max.	Min.	Max.	Min.	Max.
Average Income \$35,510							
Infant	128	0	0	0.0%	0.0%	N/A	N/A
Toddler	163	20	30	12.3%	18.5%	\$30.45	\$35.00
Preschool	388	64	80	16.5%	20.6%	\$29.45	\$34.00
Kindergarten	382	0	25	0.0%	6.6%	\$16.00	\$20.00
Primary/Junior School Age	1023	73	75	7.1%	7.3%	\$16.00	\$20.00

Kawartha Lakes	# of Children 2016	Number of Licensed Spaces		% of Licensed Spaces to Children		Full Day Child Care Fees	
Average Income \$36,873		Min.	Max.	Min.	Max.	Min.	Max.
Infant	923	39	67	4.2%	7.3%	\$42.00	\$54.50
Toddler	908	105	135	11.6%	14.9%	\$34.00	\$43.75
Preschool	2233	259	347	11.6%	15.5%	\$31.00	\$41.30
Kindergarten	2128	225	347	10.6%	16.3%	\$18.00	\$23.00
Primary/Junior School Age	5610	401	525	7.1%	9.4%	\$18.00	\$23.00

Other Alternatives Considered:

Funding allocations for 2017 were determined based on established processes and consistent with Ministry and local formulae. City staff completed extensive analyses and reviews of data and reports to assist in the determination of funding allocations and service needs.

Financial/Operation Impacts:

All additional funding described in this report that was not included in the 2017 operating budget is 100% provincially subsidized.

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

The recommendation relates to the strategic goal of providing an exceptional quality of life by supporting access to Human Services.

The Social Service Division's approach to customer service and service planning are built on the City's mission of providing responsible, efficient and effective services. The City's values of collaboration, continuous improvement, excellence, innovation and results are woven into the fabric of our work culture

Review of Accessibility Implications of Any Development or Policy:

Funding agencies must comply with all applicable accessibility regulations and legislation.

Consultations:

Program Supervisor, Children's Services
Data Analysis Coordinator
Ministry of Education

Department Head E-Mail: rsutherland@kawarthalakes.ca

Department Head: Rod Sutherland

The Corporation of the City of Kawartha Lakes

Council Report

Report Number WM 2017-007

Date: September 12, 2017

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: All

Subject: Construction and Demolition Waste Recycling Program

Author Name and Title: Angela Porteous, BESC., Regulatory Compliance Officer

Recommendation(s):

RESOLVED THAT Report WM 2017-007, **Construction and Demolition Waste Recycling Program**, be received;

THAT Council approve 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 for 2018 and \$155,000 for 2019; 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.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

At the Council Meeting of October 27, 2015, Council adopted the following resolution:

RESOLVED THAT Report WM 2015-011, **Integrated Waste Management Strategy**, be received;

THAT Council approves the Integrated Waste Management Strategy as appended to Report WM 2015-011, as the guiding strategy to inform the City's Waste Management Program and waste master planning consideration;

THAT staff be directed to plan and phase-in the recommended initiatives, in consultation with Council and the Waste Management Strategy Task Force, as generally outlined in the appended Strategy; and

THAT the Waste Management Strategy Task Force's Terms of Reference be updated and approved to include the implementation of the Integrated Waste Management Strategy, as appended to this Report to November 30, 2018.

CR2015-1119

The Integrated Waste Management Strategy, as approved by Council, recommends a construction and demolition (C&D) waste recycling program as one of the short term initiatives to be launched in 2018.

In keeping with this recommendation, the City retained Reclay StewardEdge (Reclay) to assess the feasibility of a C&D waste recycling program at one or more of our five operating landfill sites.

As part of the background research Reclay noted that in most municipalities including Kawartha Lakes, the quantity of C&D waste generated far exceeded the amount of municipal solid waste generated. As well, C&D materials are bulky and are challenging to compact in a landfill. Many materials generated through C&D activities can be recycled or provide a fuel source. For all of these reasons, C&D waste is a resource, if managed properly, and an important material type to divert from City landfills.

Through the Reclay C&D Feasibility Study (attached as Appendix A), the primary recommendation is for the City to implement a pilot recycling program at both the Fenelon and Lindsay Ops landfill sites. This report supports Reclay's recommendation and proposes a start date of March 1, 2018 to December 31, 2019. Prior to implementation staff will need to ensure that appropriate staff training occurs and a competitive tender process is undertaken to secure a third-party contractor to process material. This schedule will ensure there is sufficient timing for the procurement process and startup (further details are provided in the rationale section). 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 those sites.

The staff report and Feasibility Study was presented in draft to the Waste Management Strategy Task Force as well as the Lindsay Ops and Fenelon landfill public review committees for comments prior to finalization.

For information the resolutions from the Task force and public review committees are as follows;

At the Waste Management Strategy Task Force Meeting of August 16, 2017, the committee adopted the following resolution:

Moved By Councillor Rob Macklem
Seconded By Councillor Stephen Strangway

THAT the Waste Management Strategy Task Force endorse the implementation of a 22 month pilot C&D waste recycling program for the City of Kawartha Lakes to start March 1, 2018 to December 31, 2019; and

THAT staff provide recommendations to the Waste Management Strategy Task Force after one year of the pilot program in April/ May 2019.

CARRIED

At the Lindsay Ops landfill public review committee Meeting of August 23, 2017, the committee adopted the following resolution:

Moved By Larry Scrivens,
Seconded By Barry Hodgson

THAT the Lindsay Ops PRC endorse the implementation of a pilot C&D waste recycling program for the City of Kawartha Lakes to start March 1, 2018 to December 31, 2019; and

THAT staff circulate the one year pilot recommendations to the committee for feedback and input in April/ May 2019.

CARRIED

At the Fenelon landfill public review committee Meeting of June 22, 2017, the committee adopted the following resolution:

Moved By Julia Taylor,
Seconded By Marlene Edwards

THAT the Fenelon landfill PRC receive the final Reclay C&D Feasibility Report and support the implementation of a pilot C&D waste recycling program for the City of Kawartha Lakes; and

THAT staff report back to the committee on the program success when information is available.

CARRIED

Rationale:

Staff is recommending that a 22 month pilot C&D waste recycling program be launched March 1, 2018 to December 31, 2019. A mid-program review with one year of pilot results will provide sufficient data to make future recommendations and 2020 budget considerations to present to the Waste Management Strategy Task Force and landfill public review committees in April or May of 2019. As well, a staff report will be presented to Council by June 30, 2019 with Waste Management Strategy Task Force and public review committee resolutions and future program recommendations ahead of the 2020 budget preparation schedule. The implementation of a 22 month pilot C&D waste recycling program is proposed at the Fenelon and Lindsay Ops landfills.

Based on the recent Reclay study, it is anticipated that at least 10% of C&D waste being landfilled at these two sites will be diverted through this pilot program. The 10% reduction is conservative and could be as high as 20% or more based on experience from other municipalities. The estimated 10% reduction is also consistent with the UEM's projected diversion rate. UEM is the original firm retained by the City to assist in preparing the City's Integrated Waste Management Strategy. According to the Reclay C&D Feasibility Study, the 10% equates to approximately 1,339 tonnes of mixed C&D waste diverted per year from both landfills (i.e. 277 tonnes from Fenelon and 1,062 tonnes for Lindsay Ops). In addition to diversion, the benefits include:

1. A potential reduction in required cover material as there is less waste being landfilled;
2. Potential savings on fuel as there is less waste to compact; and
3. Increase in landfill site life.

The driving factor for moving this recycling program forward is the conservation of landfill space, which valued at the industry standard of \$150/tonne (Reclay) equates to savings of landfill space valued at an estimated \$200,000/year from both landfills. This is the estimated savings per year if the City had to build a new landfill site. Therefore, this is the savings per year to defer closing the landfills. In terms of landfill space saved, 1,339 tonnes of C&D waste is approximately 9,000 m³ of airspace saved per year. This airspace saved will result in an increase in

landfill life of 0.21 years (i.e. 0.04 years for Fenelon and 0.17 years for Lindsay Ops) for each year a C&D waste recycling program operates. Therefore, over the anticipated 19 years of landfill life remaining at the Lindsay Ops landfill the City could gain an additional 3.2 years of landfilling capacity at existing fill rates. As well, over the anticipated 7.6 years of landfill life remaining at the Fenelon landfill the City could gain an additional 0.5 of a year of landfilling capacity at existing fill rates. Should the C&D waste diverted from this pilot be greater than 10%, additional landfill life saved will increase.

As the 22 month pilot program progresses staff will be evaluating if the program is also able to reduce cover material used and fuel consumed.

To implement a C&D waste recycling pilot, Reclay is recommending the City issue a request for proposals (RFP) to seek a contractor to collect, transport and recycle the C&D waste. Staff is in support of this recommendation and after discussion with Reclay it was agreed that the initial term of this RFP be a 22 month contract with optional one year renewals should the two year pilot program be successful. As well, the work will be monitored closely and the recommendations from the pilot program will include whether or not there is a business case justification to run future portions of the program internally and what implications that would have for staffing. Through the RFP process pricing will be secured for select C&D waste where known recycling markets exist including drywall only or wood waste only or mixed C&D (including wood, drywall, aggregates, glass, metals and shingles). The pricing secured to process each material type through the RFP will determine the material(s) that will be accepted in the C&D waste recycling program. The RFP will be structured to request pricing for three separate material types as per Reclay's recommendations. This will allow the City some flexibility in terms of managing processing costs vs. budget while allowing a high volume of material to be diverted from the landfill to realize landfill space savings. There is space at each landfill site to setup a staging area for C&D materials and operations staff will manage the selected third party contractor. Processing costs and savings to divert C&D waste is further discussed in the finance section below.

For the implementation of a 22 month pilot program staff has also considered requirements for landfill approvals, landfill site staging, health and safety and tipping fees discussed below.

Landfill Approvals

The most current Waste Management By-Law 2016-144, section 4.06 b) allows for the Director of Public Works and/or his or her designate to establish procedures to accept other materials for recycling including C&D waste.

In terms of regulatory approvals required, the project was discussed with the MOECC Peterborough District Office and they have indicated in writing that they are very supportive of the pilot project since it is providing diversion of materials

otherwise destined to be landfilled. Should the recommendation after one-year of the pilot be for this program to become permanent, MOECC will require that the Environmental Compliance Approval (ECA) for each landfill site be amended to reflect C&D recycling.

Landfill Site Staging

The staging of a C&D waste recycling program will be dependent on the responses received from an RFP process. However, there are two setup options that Reclay recommended that could occur including collecting diverted C&D waste in roll off bins or construction of open bunkers. If open bunkers was the preferred option, staff may be required to load material from bunkers into trailers.

Health and Safety

Standard Operating Procedures (SOPs) would be established in consultation with internal departments, to ensure that each site meets and exceeds occupational health and safety standards. Also, training to all landfill staff will be provided prior to the launch of the two-year pilot program.

Tipping Fees

When the pilot is launched in March 2018, the City will charge \$105 per tonne at all landfill sites for C&D waste in CKL in accordance with the Consolidated Fees By-Law. When a program review is completed after one year, recommendations can be made if the tipping fee should be lowered as an incentive and the loss in revenue can be reported.

Should RFP pricing be higher than the proposed tipping fee, a tipping fee adjustment would be required to ensure the City costs of this program remain within the financial impacts as outlined in this report. If a tipping fee needs to be adjusted as the price to manage the C&D waste is higher than the current tipping fee then staff would report back to Council with further recommendations as to whether or not it is worthwhile to run the pilot program prior to commencing the program. Any staff recommendations will be based on consultation with the Waste Management Strategy Task force and landfill public review committees. Any changes to tipping fees will be included in an amendment to the consolidated fee by-law.

As part of the 22 month pilot, tonnages of C&D waste that are recycled will be recorded to gauge the success of the program. This information will be included in the update that will be provided to Council by June 2019.

Other Alternatives Considered:

Option 1: Council could choose to not implement a C&D pilot. This would go against the Integrated Waste Management Strategy and valuable landfill space would continue to be taken up by recyclable materials.

Other recycling alternatives have been identified and considered throughout the Integrated Waste Management Strategy process. These alternatives are well documented in the strategy and many did not meet the criteria that were set by the City in consultation with the public. The main criteria are listed below.

- Proven method by other municipalities
- Ease of regulatory implementation
- Low cost to the municipality
- Extending landfill space
- Reducing municipal liability

For instance staff reviewed potential implementation of a carpet recycling program, disposal bans or establishing recycling incentives. After the review of all alternatives the implementation of a construction and demolition waste recycling program was selected as one of the highest ranked strategies. A construction and demolition waste recycling program was deemed to be one of the most effective proven ways to divert large volumes of material from landfill, saving valuable landfill space.

Financial/Operation Impacts:

The following table summarizes the anticipated expenses and revenue associated with the implementation of a 22 month pilot C&D recycling program that will divert 10% or approximately 1,116 tonnes diverted in 2018 and 1,339 tonnes diverted in 2019. There will be a cost to operate a C&D waste recycling program. The benefits to the City from this program will be in the landfill space saved (i.e. deferred cost to build additional landfill cells).

Expenses				
Itemized Costs	Unit Rate	2018 Costs (10 months)	2019 Costs (12 months)	22 Month Pilot Total
1) Processing (estimated contractor cost)	10% Diverted plus contingency	\$123,000	\$148,000	\$271,000
2) Incremental Staff Cost	Monthly Loading from bunkers	\$6,500	\$7,000	\$13,500
3) Education Materials	Industry Flyer, soft-launch	\$4,000	-	\$4,000
Expenses Sub-Total (A)		\$133,500	\$155,000	\$288,500
Savings				
Savings	Unit Rate	2018 Savings (10 months)	2019 Savings (12 months)	22 Month Pilot Total
1) Landfill Space	\$150 per	\$167,500	\$201,000	\$368,500

Saved	tonne			
Savings Sub-Total (B)		\$167,500	\$201,000	\$368,500
TOTAL Pilot Savings (B-A)		\$34,000	\$46,000	\$80,000

It should be noted that as indicated there is an increase in operation costs to run this program of an estimated \$133,500 in year one (2018) and \$155,000 in year two (2019) but this cost is offset by deferral of capital due to landfill space savings. The net value to the City is estimated to be at least \$34,000 in year one (2018) and \$46,000 in year two (2019) in landfill space savings.

Therefore, it is recommended that \$133,500 be incorporated into the 2018 operating budget and that \$155,000 be incorporated into the 2019 operating budget for a 22 month pilot starting March 1, 2018 to December 31, 2019.

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.

Review of Accessibility Implications of Any Development or Policy:

None

Servicing Implications:

None

Consultations:

Reclay StewardEdge
Waste Management Strategy Task Force
Fenelon Public Review Committee
Lindsay Ops Public Review Committee
Environmental Services
Finance
Asset Management

Attachments:

Appendix A – Reclay C&D Feasibility Study



FINAL CD Report.pdf

Department Head E-Mail: brobinson@city.kawarthalakes.on.ca

Department Head: Bryan Robinson



Reclay StewardEdge

Product Stewardship Solutions

Appendix # A

to

Report # WM2017-007

City of Kawartha Lakes

Construction and Demolition Diversion Feasibility Study

July 2017

PREPARED BY: Reclay StewardEdge Inc.



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1. Introduction

The City of Kawartha Lakes (“the City”) is a single-tier municipality in Central Ontario located about 90 minutes northeast of Toronto. It has a land area of 3,083 km², which accounts for about 0.34% of the province’s land area. The area is comprised of over 250 lakes and rivers nestled within farmland and scenic vistas. There are 38,444 residential homes in the City, with a population of 75,423, or 0.56% of the population of Ontario. Kawartha Lakes is known for its natural beauty and year-round recreational opportunities including snowmobiling and lake activities. Therefore, many households are vacation homes.

The City has a Strategic Plan that puts a top priority on having a “Healthy Environment”. The City has also developed a sustainability plan, and is working to ensure that natural resources are conserved, pollution is minimized, and that growth decisions are made with sustainability in mind. To compliment this document an Integrated Waste Management Strategy (IWMS) titled ‘Making Waste Matter’ was approved in 2015. The IWMS outlines short term and long term waste management goals over a 32 year timeframe. Currently, the City provides a recycling program, a clear bag garbage collection program, and operates five open landfill sites. Residents and businesses that participate in the City’s curbside collection program must adhere to weekly set out limits. This level of service is covered by the tax base, however, if waste generators exceed their allotted limits then they are able to purchase bag tags for additional waste or alternatively take waste directly to a landfill where the waste is subject to tipping fees based on tonnage and/or volume. Thus, the City is encouraging waste reduction of municipal solid waste generated by the community.

As identified in the IWMS, the City’s plan is to divert construction and demolition (C&D) debris from landfill disposal. In most communities the quantity of C&D waste generated far exceeds the amount of municipal solid waste (MSW) generated. C&D materials can also be bulky in a landfill and are challenging to compact. Many materials generated through C&D activities can be recycled or turned into fuel if properly managed. For all of these reasons, C&D is an important material type to divert from disposal.

In addition, because C&D waste is not currently a designated waste material by the Province there are no producer funded mechanisms to aid in the management of the material type. Until such time as full producer responsibility designation, management of C&D materials through a diversion program by the City will be seen as a pro-active approach to extend the lifespan of the landfills although solely funded through municipal taxes.

1.1. Purpose of Study

The City hired Reclay StewardEdge (RSE), an environmental consultancy, to assess the feasibility of a C&D recycling program at one or more of the five operating landfill sites in the City through a request for quotation process (RFQ 2016-012: Investigation Option for a Construction & Demolition Waste Recycling Program).

Currently, there are no diversion programs in place in the City for C&D materials other than scrap metal and reuse facilities for furniture. There are five landfills located throughout the City – two of which (Fenelon and Lindsay Ops) experience significantly more traffic and volume and are centrally located to the higher-population areas of the City than the other landfills.

2. Methodology of Study

In order to assess the status of C&D activities in the City and the quantity of C&D waste material generated, Reclay StewardEdge conducted several activities, including:

- Consultations with surrounding jurisdictions to obtain information about other C&D recycling programs and policies in the region;
- Consultations with members of industry identified in the region;
- Review of historic waste quantities generated by City of Kawartha Lakes; and
- Visual landfill audits at each of the five operating landfills in the City to gain an understanding of the types and quantities of materials generated and the generator types.

In addition, the project team drew on its experience and expertise regarding the management of C&D waste materials to develop policies and strategies that the City could undertake in order to encourage generators of C&D waste to recycle their materials as opposed to landfilling them.

2.1. Consultations

A broad range of municipal and industry contacts were identified and an initial list was compiled by RSE. The collective list was provided to the City to seek any further additions and approval. Although the lists were extensive, RSE highlighted the key organizations that would be engaged in consultation. This was done on the basis of seeking to engage a range of organizations that represented municipalities, waste management industry and C&D waste processing sector. The final list of target contacts was agreed to in direct consultation with the City.

Tables 2 and 3 provide a list of the organizations consulted in each jurisdiction. However, it should be noted that organizations beyond those listed were invited to participate but may have declined to be included, or were unavailable at the time of consultation.

The range of organizations and individuals consulted included:

- Municipalities
- Transporters
- Material Processors
- End Markets
- City's Economic and Agricultural Development committee

The breadth of consultations was to ensure that the range of organizations spanning the C&D

waste management sector was covered, and that their engagement was sought. It should be acknowledged that the timeframe and resources available for the study meant that consultation was targeted to industry that has the potential to service the City. As well, contact was made with municipality's similar waste services and demographics. A broad range of stakeholders were consulted, although this does not represent an exhaustive list of all the individuals and organizations involved in the C&D waste management sector. The commentary seeks to clarify this when discussing various issues that are highlighted throughout the review.

The consultations were undertaken predominantly over the phone to discuss issues including:

- Material flows
- Pricing strategies
- Products and markets
- Incentives and programs
- Barriers and opportunities across all the aspects of the sector.

2.2. Waste Audit

The C&D waste audits were carried out at the City's five operating landfills: Lindsay Ops, Fenelon, Somerville, Eldon and Laxton. RSE's waste audit sub-contractor was based at the landfills during each site visit for the entire operating day. At the scalehouse, inbound loads of C&D waste materials were directed to the waste auditors positioned near the tipping face. As loads were audited, information such as scale ticket number, vehicle licence plate truck number, vehicle type, source of waste materials, and load dimensions were collected. A photograph was taken of each load after tipping. The net weight of each audited load was collected at the end of the day through a scale ticket printout provided by the City.

After each C&D waste materials load was tipped, an auditor did a walk around of the material pile and took photographs. During this time, a visual volumetric assessment of the material composition was completed. A list of material categories (Appendix A) was utilized for all sites. As inbound loads were visually audited, the percentage of materials by volume was recorded.

Following the completion of the field work, all collected data was entered electronically into excel based model which converted truck loads from volumetric composition to weight equivalents. This was completed using the net weights of each load, the size and fullness of each truck, and bulk density conversion factors (found in Appendix B) for each material type. The annual quantity of each material type received at the facilities was then calculated based on the results of the converted volume to weight equivalents and the provided annual total extrapolated weight of C&D waste disposed at each landfill from 2015.

The accuracy of each sample's bulk density conversion was calculated relative to the actual net weight of the load, as reported on the scale ticket. For example, if the bulk density conversion resulted in an estimated total weight of 1,000 kg for a particular sample, and the scale ticket indicated the load weight was 950 kg, then the accuracy for that sample was -5%. The combined

aggregate bulk density accuracy of all loads was also calculated, and was found to be within 6.7%. This variance is not unexpected and supports the observation of significant variance in material composition between loads (in particular mixed loads), which adds complexity in the audit of the loads.



Drywall Load – Lindsay Ops



Wood Waste Load – Fenelon



Mixed C&D Load – Lindsay Ops



Mixed C&D Load – Fenelon

3. Consultation Findings

Consultation findings revealed that the external infrastructure within Ontario for C&D waste processing is still in development, with four facilities identified as accepting mixed C&D waste loads. Mixed C&D waste is comprised of varying C&D wastes including wood, drywall, aggregates, glass, metals, and shingles. Most of these facilities rely on manual sorting, screens and magnets to sort the mixed loads of C&D waste into separated streams. Through the consultations, it was revealed that beneficial outlets exist for several types of C&D waste materials. However, many municipalities consulted (and industrial contacts as well) indicated that markets for most materials remain at a regional or local level. Table 1 provides a summary overview of C&D waste markets by material type.

Table 1: Summary of C&D Waste Markets by Material Type

Material Type	Infrastructure/Markets	Cost/Revenues
Mixed C&D	<ul style="list-style-type: none"> Emerging infrastructure with four known facilities that accept strictly mixed C&D waste loads. 	<ul style="list-style-type: none"> Net costs are volume driven. Markets are not strong, and get by on processing fees.
Concrete/Rubble	<ul style="list-style-type: none"> Recycled for use in road construction. Some material used for municipal projects. 	<ul style="list-style-type: none"> End markets do not pay for material, but may pay for transport. Costly for service providers to mobilize equipment to crush material on site for municipal use (one program mentioned \$100K), however only needs to be done once every several years. This may be an attractive option provided that enough material is generated and the availability of storage.
Wood	<ul style="list-style-type: none"> Untreated wood is ground and used as a fuel locally. Limited market for treated/painted wood. Material is ground and used for fill in roadbeds. Some service providers will use mobile equipment and process material on site. 	<ul style="list-style-type: none"> Most markets do not pay for material, but may pay for transportation of clean wood. Costs are dependent on location of market in relation to generation source. Wood market has declined in recent months.
Drywall	<ul style="list-style-type: none"> Gypsum recovered and shipped to drywall manufacturers. Paper backing used in animal bedding. Crushed and fine drywall can be used as a soil amendment material. 	<ul style="list-style-type: none"> Gypsum – Most markets do not pay for material, but transportation costs may be covered.
Asphalt Shingles	<ul style="list-style-type: none"> Ground asphalt shingles are used internally by the municipality in road works. Municipalities stockpile/fill trailers until full load. 	<ul style="list-style-type: none"> Most markets do not pay for material, but pay for transport/to spot trailer. Grinding shingles provides enhanced marketability. However, grinder to process is relatively costly, which may be a barrier to enter the market. Capital cost of a grinder as noted by one municipality consulted was \$750,000.
Scrap Metal	<ul style="list-style-type: none"> Scrap metal has strong markets. 	<ul style="list-style-type: none"> The only material with positive revenues. Most municipalities accept at no fee. City currently has a scrap metal diversion program.
Other C&D Materials	<ul style="list-style-type: none"> Some reuse for cabinets, fixtures through Habitat for Humanity. 	<ul style="list-style-type: none"> Revenue opportunities are low, this is essentially a reuse opportunity.

3.1. Municipal Consultations

RSE conducted consultations with ten local municipal jurisdictions in Ontario to identify the C&D materials they accept for recycling, how much material is diverted annually, and how they operate and fund their programs. Three of the ten jurisdictions accept mixed C&D materials for recycling. Table 2 below provides a summary of the C&D materials accepted, and tip fees charged for various material types. The City currently accepts C&D materials for disposal at \$100/MT, the same rate charged for garbage.

As Table 2 indicates, several jurisdictions accept scrap metal, a positive revenue material, at no fee. Durham Region, accepts porcelain and drywall from residential generators at no fee, and Oxford County accepts cardboard, not a C&D material, but prevalent in C&D, at no fee. Several communities, including the City, charge an extra high tip fee (e.g., double that of the fee for garbage) for “mixed loads” – those containing a specified or unwanted quantity of recyclable/compostable diversion materials mixed in the waste load. This is to serve as a deterrent for not separating materials for recycling/composting. Muskoka District charges different rates for some materials based on the quantity delivered, as well as the generator type (residential or commercial).

C&D programs are essentially all drop-off (i.e., materials must be delivered to the landfill or transfer station). One exception is that porcelain items in some communities in Durham Region are collected curbside, by appointment only. Most drop-off programs are serviced by City staff with private haulers collecting some materials and transporting them to processing facilities. Most municipalities only receive revenues for scrap metal, though one (Simcoe County) indicated that they receive revenues for asphalt shingles. Most communities, when implementing their C&D programs, first began with a pilot program to better understand the quantities that they could expect to be generated, and the issues they might face. Some communities indicate that they did not start as a pilot but wished they had. Most communities rely on tip fees to fully or partially fund their program, but many also use taxes.

A detailed table of the municipal C&D programs and their response is provided in Appendix C.

Table 2: Municipal Consultation

Municipality	Materials Accepted for Recycling						General Tip Fees Charged in Metric Tonnes (MT)
	Dry-wall	Wood	Scrap Metal	Asphalt Shingles	Concrete	Asphalt	Mixed C&D
County of Northumberland	✓		✓				<ul style="list-style-type: none"> Mixed Loads \$115/MT Drywall \$85/MT
City of Barrie	✓			✓			<ul style="list-style-type: none"> Garbage, non-recyclable C&D \$142/MT Mixed Loads with 10% or more recyclable, compostable, \$262.50/MT
City of Orillia	✓	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> Mixed Loads with > 10% Recyclable \$310/MT Garbage, C&D Wood, \$155/MT Concrete/Asphalt \$80/MT Drywall \$110/MT Shingles \$130/MT
County of Simcoe	✓	✓		✓			<ul style="list-style-type: none"> Mixed Waste \$310/MT Carpet, Window Glass, Pressure Treated Wood \$155/MT Asphalt Shingles, Drywall, \$75/MT Clean Wood \$75/MT
Haldimand County	✓	✓	✓	✓			<ul style="list-style-type: none"> Garbage/Waste \$121/MT
Muskoka County		✓		✓			<ul style="list-style-type: none"> Shingles \$157-\$163/MT Clean Wood \$67/MT Unclean Wood \$133-\$157/MT



Reclay StewardEdge

Municipality	Materials Accepted for Recycling						General Tip Fees Charged in Metric Tonnes (MT)
	Dry-wall	Wood	Scrap Metal	Asphalt Shingles	Concrete	Asphalt	
							<ul style="list-style-type: none"> • Other Waste \$133-157/MT
Oxford County			✓	✓			<ul style="list-style-type: none"> • C&D Materials \$71.40/MT • Garbage \$68.89/MT
York Region	✓	✓	✓		✓		<ul style="list-style-type: none"> • Garbage, Concrete \$100/MT
Durham Region	✓	✓	✓				<ul style="list-style-type: none"> • Garbage \$125/MT • Porcelain, Drywall \$125/MT
City of Peterborough	✓	✓		✓			<ul style="list-style-type: none"> • Shingles, Construction Material, Drywall \$95/MT • Cardboard \$45/MT • Asbestos \$200/MT

3.2. Industry Consultations

RSE conducted consultations and other research with ten industry representatives. While industrial stakeholders identified do not represent an exhaustive listing, a summary of information obtained about their operations is provided in Table 3. Note that costs charged by private service providers will vary according to market factors and logistics, particularly distance hauled or driven to process material on site.

A more detailed table of the industry C&D programs and their response is provided in Appendix D.

Table 3: Industry Consultations

Company	Role			Materials Accepted						Notes
	Trans- porter	Processor	End Market	Drywall	Wood	Scrap Metal	Asphalt Shingles	Aggregate	Mixed C&D	
New West Gypsum Oakville, ON		✓		✓						Only receive drywall. Gypsum at the plant is separated from paper and sent back to wallboard manufacturer.
Try Recycling London, ON Arva, ON	✓	✓		✓	✓	✓	✓	✓	✓	Material travels down a sorting line, (screen, magnets, and then manually sorted). Currently very labour intensive, but looking at new options.
Countrywide Recycling Mount Hope, ON	✓	✓		✓	✓	✓	✓	✓	✓	Material pre-sorted on floor. Excavator feeds onto different conveyors. System automatically sorts smaller and larger material (12"). Material fed to a manual sort room.
Habitat for Humanity Lindsay, ON		✓	✓	✓		✓				For resale at local store. General C&D materials from renovations (cabinets, fixtures, etc.)
M+M Disposal Lakefield, ON	✓	✓			✓	✓	✓	✓	✓	Material placed on conveyor, screened, (2"). Fines used as landfill cover. Larger material continues on manual sort line, positively sorted.

Company	Role			Materials Accepted						Notes
	Transporter	Processor	End Market	Drywall	Wood	Scrap Metal	Asphalt Shingles	Aggregate	Mixed C&D	
Simtor Environmental/ Durham Disposal Whitby, ON	✓	✓	✓		✓	✓	✓	✓	✓	Tipped onto sort floor for manual sort. Have a new Untreated wood chipped onsite chipping (new chipper).
LaFarge Lindsay, Kirkfield, ON		✓	✓							Recycler and end user of aggregate material. Typically not involved in municipal waste management contracts.
Ken Redmond Little Britain, ON	✓									Hauler of materials, does not process.
Walker Environmental Niagara Falls, ON		✓			✓		✓			Grind wood, shingles under contract with municipalities. They have mobile equipment to provide service on site.
Ecowood Products Concord, ON		✓	✓		✓					Grind clean wood for mulch and fuel.

4. Policies and Programs that Can Support C&D Recycling

There are several programs and policies that communities can implement that encourage and/or mandate the recycling of certain C&D materials. For example, it is vital that markets or beneficial uses diverted materials exists and are encouraged. Also, generators must be made aware of opportunities to recycle materials and the proper way to prepare materials (e.g., to separate clean wood from painted/treated wood, etc.). These policies and programs are meant to compliment an existing C&D recycling program and are secondary to overall project objectives. Some jurisdictions in Ontario with which RSE consulted have implemented certain policies and programs (or program features) to encourage the recovery of C&D. They include:

- **Charging a lower tip fee for recyclable materials** – Many communities in the region will accept recyclable C&D materials at a lower rate than garbage. (e.g. County of Northumberland, County of Simone, Muskoka District, York Region)
- **Banning the disposal of certain C&D materials** – No communities in Ontario are known to have implemented such a policy.
- **Requiring certain C&D materials to be recycled** -- Oxford County, through Bylaw requires the recycling of certain C&D materials, including scrap metal, corrugated cardboard, wood and pallets, and construction wastes (by definition, includes any discarded building material, resulting from the erection, demolition, repair, removal or improvement of any building, structure or property, including, but not limited to, concrete, stones, earth from excavations or grading, shingles, lumber, plaster, sawdust and shavings.). A significant fine (double the tip fee for the first violation, three times the tip fee for the second violation, and five times the tip fee for the third violation) is imposed for loads that are in violation.
- **Developing beneficial uses for materials locally** – Some jurisdictions grind rubble/concrete, asphalt shingles and wood for beneficial use in landfill or municipal projects. Processing can be achieved through purchasing equipment (often a cost prohibitive option) or hiring processors with mobile equipment.

Table 4 below provides a broad summary of these policies and others that can be used to encourage the recycling of C&D. A more detailed table further describing potential policy nuances is provided in Appendix E.

Table 4: C&D Recycling Policies and Mechanisms

Policy/Program	Potential Nuances	Strength of Approach	Drawbacks of Approach	Diversion Impact
Ban disposal of certain materials	<ul style="list-style-type: none"> By material type 	<ul style="list-style-type: none"> Can implement by material as markets develop 	<ul style="list-style-type: none"> Must be enforced 	<ul style="list-style-type: none"> High – C&D materials otherwise landfilled would be diverted. Overall impact is dependent on material type banned
Require recycling of C&D materials	<ul style="list-style-type: none"> Can be by material type Can be by project size/value Can be by generator type (e.g., municipal projects) Can be by overall weight percentage) Require haulers to deliver material to mixed C&D processing facility 	<ul style="list-style-type: none"> Can implement by material as markets developed Can fast track or provide partial or full permit application rebate to incentivize higher rates. 	<ul style="list-style-type: none"> Must be enforced May not be seen as politically palatable Some options require hauler licensing 	<ul style="list-style-type: none"> Medium – diversion impact is dependent on the material types that would require recycling
Require recycling plan	<ul style="list-style-type: none"> Can be paired with other policies Can apply to projects of certain size/value Can be by generator type (e.g., municipal projects) 	<ul style="list-style-type: none"> Forces generator to consider markets 	<ul style="list-style-type: none"> Requires staff time May not be seen as politically palatable 	<ul style="list-style-type: none"> Low – scope and scale of recycling plan is highly variable and may be insufficient to force generator to avoid landfill
Charge lower tip fee for recyclable materials	<ul style="list-style-type: none"> By material type 	<ul style="list-style-type: none"> Can implement by material as markets develop Provides financial incentive 	<ul style="list-style-type: none"> May result in lower revenues overall to facility 	<ul style="list-style-type: none"> Low to medium – diversion impact dependent on material type in question and willingness of generators to recycle



Policy/Program	Potential Nuances	Strength of Approach	Drawbacks of Approach	Diversion Impact
Provide additional opportunities to recycle materials	<ul style="list-style-type: none"> By material type By additional site Curbside 	<ul style="list-style-type: none"> Can expand as markets develop Convenience may expand participation 	<ul style="list-style-type: none"> Can become costly, particularly where markets are not lucrative 	<ul style="list-style-type: none"> Low to high – dependent on material type examined and supported through market development
Education and outreach	<ul style="list-style-type: none"> Signs, website, recycling guide Education for developers on best practices for managing materials Recognition program for developers that recover a high percentage 	<ul style="list-style-type: none"> Relatively low cost Seen as a service to generators 	<ul style="list-style-type: none"> May not have much influence unless paired with other options 	<ul style="list-style-type: none"> Low – limited diversion impact on its own
Grants, Studies, other Municipal Benefits	<ul style="list-style-type: none"> Provide grants for equipment, pilot program Conduct beneficial reuse study/develop markets Relax certain permit requirements (e.g., roll-off placement on sidewalk) to encourage recycling 	<ul style="list-style-type: none"> Provides an opportunity for innovation City seen as partner 	<ul style="list-style-type: none"> Can be costly 	<ul style="list-style-type: none"> Low – medium – dependent on scope and support provided

5. Results and Data Analysis

This section of the report seeks to characterize the overall C&D waste stream for all five landfill sites based on the audits carried out and the savings that may be achieved at Fenelon and Lindsay Ops through a diversion program.

5.1. Landfill Audits

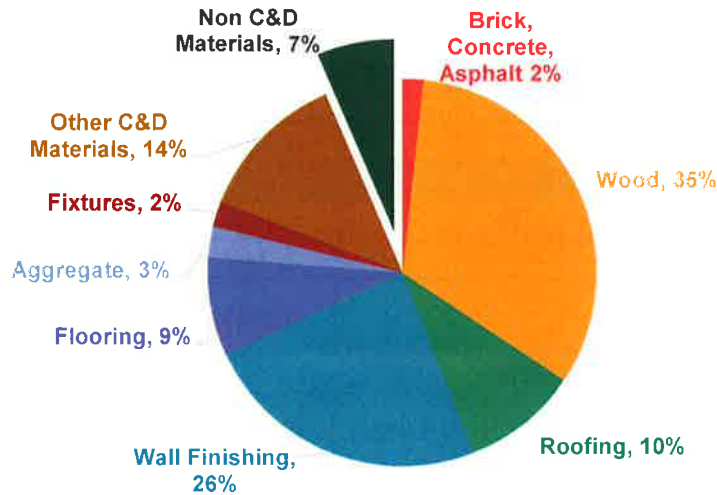
A total of 236 sample loads were characterized to produce the composition estimates in this section. A summary of the site visits and number of C&D waste loads audited at the five landfills is displayed in Table 5.

Table 5: Landfill C&D Loads Audited by Site

Landfill	Site Visits	Loads Audited
Lindsay Ops	7	107
Fenelon	5	89
Somerville	3	19
Eldon	3	17
Laxton	3	4
Total	21	236

Table 6 and Figure 1 below illustrate composition estimates of the overall C&D waste stream received at City landfills. Approximately 93% of the stream was estimated to be C&D waste materials. The largest recoverable category was wood waste, which made up about 35%. Wall finishing, which includes items such as drywall, ceiling tiles, and insulation, accounted for about 26%. Other C&D materials which include glass and metals made up 14% of the C&D stream. The roofing material category (which includes shingles) made up 10% of the stream. The composition results generated through this study are consistent with results obtained from a September 2012 study.

Figure 1: Composition of the C&D Waste Stream



The colour coding in the table 6 below relates to ranking which indicates

- Red, a high percentage of the material type in the stream and high number of loads audited that contained the material type;
- Green, with the least amount of the material in the stream and number of loads; and
- Orange, is a presence within the mid-range.

Table 6: C&D Waste Loads Audit Results (February/ March 2017)

	Somerville (kg)	Lindsay Ops (kg)	Fenelon (kg)	Eldon (kg)	Laxton (kg)	Total (kg)	Composi tion (%)	Count
Total Audited Weight (kg)	11,400	103,180	70,946	4,750	710	190,986	100%	
Brick, Concrete, Asphalt								
Bricks	146	193	302	-	-	641	0.3%	6
Concrete	553	1,063	753	-	-	2,369	1.2%	16
Concrete with metal	-	523	-	-	-	523	0.3%	1
Wood								
Dimensional Lumber – Untreated	808	15,556	12,319	1,134	117	29,934	15.6%	168
Dimensional Lumber -	756	14,723	5,614	721	60	21,875	11.4%	108

	Somerville (kg)	Lindsay Ops (kg)	Fenelon (kg)	Eldon (kg)	Laxton (kg)	Total (kg)	Composi tion (%)	Count
Treated/Paint ed								
Composite (e.g. particle board)	1,519	5,453	3,587	124	-	10,683	5.6%	65
Pallets	-	1,683	2,699	-	-	4,381	2.3%	26
Roofing								
Shingles	110	9,038	5,967	291	-	15,405	8.1%	33
Tarpaper	11	508	726	-	-	1,246	0.7%	17
Other roofing material	-	2,649	311	-	-	2,960	1.6%	4
Wall Finishing								
Drywall	4,445	22,740	13,988	1,570	416	43,159	22.5%	132
Compound	1	-	46	11	5	64	0.0%	7
Stucco Wall Finishing	-	91	181	-	-	272	0.1%	2
Ceiling Tiles	437	3,746	159	-	-	4,341	2.3%	16
Insulation	148	469	742	71	2	1,433	0.7%	125
Flooring								
Floor Tiles	247	914	273	300	48	1,782	0.9%	30
Carpet	114	3,244	1,688	195	-	5,241	2.7%	54
Under Padding	23	1,267	663	131	-	2,085	1.1%	27
Linoleum	260	1,092	319	198	119	1,988	1.0%	32
Wood Flooring	-	1,939	3,483	249	-	5,671	3.0%	16
Aggregate								
Rock and Gravel	-	2,915	69	-	-	2,984	1.6%	3
Dirt and Sand	-	1,703	606	-	-	2,309	1.2%	2
Fixtures								
Vanities and Countertops	114	864	133	35	242	1,389	0.7%	15
Cabinets	-	91	1,547	6	133	1,777	0.9%	14
Ceramic Fixtures	21	728	588	114	-	1,452	0.7%	23
Other C&D Materials								

	Somerville (kg)	Lindsay Ops (kg)	Fenelon (kg)	Eldon (kg)	Laxton (kg)	Total (kg)	Composi tion (%)	Count
Electrical	53	514	127	39	-	734	0.4%	24
Metals	893	3,989	7,470	195	-	12,547	6.3%	98
Glass	1,476	4,650	3,608	363	242	10,339	5.4%	35
Plastic	89	1,229	1,259	32	6	2,615	1.4%	149
Non C&D Materials								
OCC (cardboard)	135	704	319	18	2	1,178	0.6%	117
Blue Box Recyclables	159	779	592	75	-	1,605	0.8%	93
HHW	48	131	175	-	-	354	0.2%	7
Furniture	88	1,264	1,065	-	24	2,442	1.3%	29
Bulky Plastic	45	533	587	36	-	1,201	0.6%	82
Organic Waste	306	422	617	25	-	1,369	0.7%	20
Appliances	63	163	196	-	-	422	0.2%	15
Other	281	2,829	1,075	291	34	4,509	2.3%	156

5.2. Extrapolated Figures

Using 2015¹ total waste to landfill actuals provided by the City and 2017 audit data, RSE was able to extrapolate the C&D portion from the total waste category. For example, of the 1,302 tonnes reported by the City that was landfilled at Eldon, 669 tonnes is estimated to be C&D waste based on this study. In total for all sites, approximately 38% of the waste stream is estimated to be C&D waste materials (see Table 7).

Table 7: Landfilled Actual Totals and Estimated C&D Waste for 2015 (Metric Tonnes- MT)

Landfill	Total Waste to Landfill (MT)	C&D Waste to Landfill (MT)²	C&D Portion (%)
Eldon	1,302	669	51.4%
Laxton	2,582	898	34.8%
Fenelon	6,806	2,770	40.7%
Lindsay Ops	29,152	10,624	36.4%
Somerville	1,960	884	45.1%
Total	41,802	15,846	37.9%

¹ At the time of this analysis, total 2016 actuals were not available.

² Extrapolated using 2017 audit data and 2015 tonnage actuals.

Table 8 below provides a breakdown of the 15,846 tonnes of C&D waste stream generated at the five landfill sites based on recent audits. Using drywall as an example, 2,393 tonnes are generated annually at Lindsay Ops, with an additional 624 tonnes generated at Fenelon.

Table 8: Annual Estimated Generation C&D Waste Materials (MT) per Site

	Somerville (MT)	Lindsay Ops (MT)	Fenelon (MT)	Eldon (MT)	Laxton (MT)	Total (MT)
Total C&D Waste (MT)	884	10,624	2,770	669	898	15,846
Brick, Concrete, Asphalt						
Bricks	3	36	9	2	3	53
Concrete	11	132	34	8	11	197
Concrete with metal	2	29	8	2	2	43
Wood						
Dimensional Lumber - Untreated	138	1,661	433	105	140	2,477
Dimensional Lumber - Treated/Painted	101	1,208	315	76	102	1,802
Composite (e.g. particle board)	49	593	155	37	50	884
Pallets	20	244	64	15	21	364
Roofing						
Shingles	71	857	224	54	73	1,279
Tarpaper	6	69	18	4	6	103
Other roofing material	14	165	43	10	14	246
Wall Finishing						
Drywall	199	2,393	624	151	202	3,569
Compound	0	4	1	0	0	5
Stucco Wall Finishing	1	15	4	1	1	23
Ceiling Tiles	20	242	63	15	20	360
Insulation	6	77	20	5	6	115
Flooring						
Floor Tiles	8	99	26	6	8	148
Carpet	24	286	75	18	24	427
Under Padding	10	116	30	7	10	172
Linoleum	9	110	29	7	9	164
Wood Flooring	26	316	82	20	27	471
Aggregate						
Rock and Gravel	14	166	43	10	14	248
Dirt and Sand	11	128	34	8	11	192

	Somerville (MT)	Lindsay Ops (MT)	Fenelon (MT)	Eldon (MT)	Laxton (MT)	Total (MT)
Fixtures						
Vanities and Countertops	6	77	20	5	7	115
Cabinets	8	91	24	6	8	136
Ceramic Fixtures	6	78	20	5	7	116
Other C&D Materials						
Electrical	3	40	11	3	3	60
Metals	56	674	176	42	57	1,006
Glass	48	575	150	36	49	858
Plastic	12	144	38	9	12	215
Non C&D Materials						
OCC (cardboard)	5	64	17	4	5	96
Blue Box Recyclables	7	89	23	6	8	132
HHW	2	20	5	1	2	29
Furniture	11	136	35	9	11	203
Bulky Plastic	6	67	17	4	6	99
Organic Waste	6	76	20	5	6	114
Appliances	2	24	6	1	2	35
Other	21	249	65	16	21	372

5.3. Savings at Landfill

Table 9 below calculates the annual savings of landfill airspace, lifespan and costs if all amounts of certain C&D materials are diverted from landfill. For example, if 100% of the currently landfilled wood waste is diverted from Fenelon and Lindsay Ops, 31,697 m³ of airspace would be saved, lifespan of the landfills would be extended by 0.74 years (see Figure 2) and with a landfill cost savings of \$828,049.

Table 9: Landfill Life and Cost Savings Through Diversion

Items	Total			Fenelon		Lindsay Ops	
	Airspace Saved (m3)	Years Saved	Cost Savings	Airspace Saved (m3)	Years Saved	Airspace Saved (m3)	Years Saved
Brick, Concrete, Asphalt	585	0.01	\$44,003	121	0.003	464	0.01
Wood	31,697	0.74	\$828,949	6,555	0.15	25,142	0.59
Roofing	3,379	0.08	\$244,200	699	0.02	2,680	0.06
Wall Finishing	21,679	0.51	\$610,769	4,484	0.11	17,196	0.40
Flooring	7,350	0.17	\$207,243	1,520	0.04	5,830	0.14
Aggregate	395	0.01	\$65,900	82	0.00	313	0.01
Fixtures	1,951	0.05	\$55,166	403	0.01	1,547	0.04
Other C&D Materials	8,867	0.21	\$320,963	1,834	0.04	7,033	0.16
Non C&D Materials	14,020	0.33	\$162,066	2,900	0.07	11,121	0.26
Total	89,924	2.11	\$2,539,260	18,598	0.44	71,326	1.67

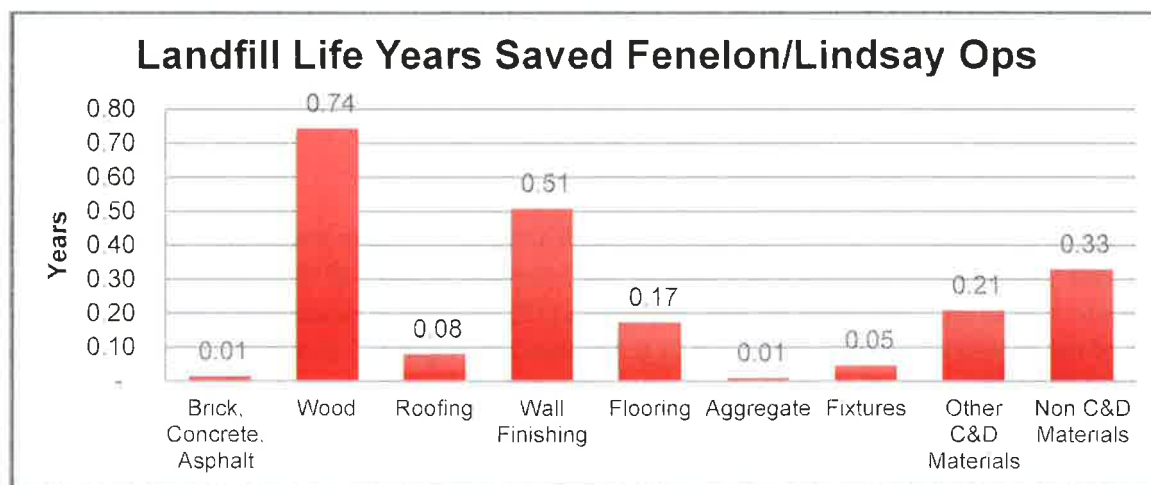


Figure 2: Landfill Life Years Saved Through C&D Diversion at Fenelon and Lindsay Ops

6. Recommendations

The combination of consultations and landfill audits reveal the potential for the cost-effective operation of a C&D recycling program in the City. Consultations with industry identified market potential for specific C&D materials, and consultations with the municipalities revealed that a C&D diversion program can be implemented to be a cost effective means of reducing the amount of material landfilled.

6.1. Establish a Pilot C&D Materials Recycling Program

Based on audit results, Fenelon and Lindsay Ops landfills are the only recommended locations for a one year pilot C&D recycling program. After the one year, the success of the program should be evaluated. If successful, program can be made permanent and potentially expanded to the more rural landfill sites. The C&D materials that currently have a market³ and that can be diverted are:

- Mixed C&D Waste (including wood, drywall, aggregates, glass, metals and shingles)
- Drywall
- Wood Waste

The amount of available drywall, wood waste and mixed C&D waste at Fenelon and Lindsay Ops is outlined in Table 10. However, it is not expected that if a C&D diversion program is implemented that the entire amounts will be captured. For example, if drywall is collected through a segregated stream it is not likely that generators will separate the drywall from a mixed load. Instead, the likely users of the program will be the generators with homogenous loads of drywall.

Table 10: Annual C&D Waste Generation at Fenelon and Lindsay Ops

Material Type	Fenelon (MT)	Lindsay Ops (MT)
Drywall	624	2,393
Wood Waste	966	3,705
Mixed C&D Waste	2,770	10,624

Accordingly, and as outlined in Table 11, it is estimated that based on results from other municipalities that 5 to 10% of drywall and wood waste can be recovered through a source separated diversion program. For drywall this translates to a total of 151 and 302 MT. For wood waste, total amount for both sites is 234 and 467 MT. Mixed C&D waste because it does not require source separation by the generator will see greater uptake with an estimated 20% recovery rate. This translates to a total of 2,679 MT.

Table 11: Potential Amount of C&D Waste to be Diverted

Material Type	Fenelon (MT)			Lindsay Ops (MT)			Total (MT)		
	5%	10%	20%	5%	10%	20%	5%	10%	20%
Drywall	31	62	-	120	239	-	151	302	-
Wood Waste	48	97	-	185	371	-	234	467	-
Mixed C&D Waste⁴	-	277	554	-	1,062	2,125	-	1,339	2,679

³ Source separation for other C&D materials such as shingles, glass, carpet are not currently recommended. Limited market outlets exists for the materials.

⁴ These figures represent the total tonnes diverted through a mixed C&D waste collection only. It is not recommended to collect drywall and wood waste separately, as well as mixed C&D waste at the same time. The City must elect either to collect drywall and wood waste separately, or collected mixed C&D waste.

Through a scenario analysis, Table 12 below highlights the amount of landfill airspace, lifespan in years and costs saved through a C&D diversion program of drywall and wood waste or mixed waste at both Fenelon and Lindsay Ops landfills. For example, if 10% of the generated drywall and wood waste is diverted, this would result in a savings of 5,338 m³ in landfill airspace, 0.125 years in landfill life and \$115,318 in landfill costs. For mixed waste, if 20% is diverted, this would result in a savings of 17,985 m³ in landfill airspace, 0.42 years in landfill life and \$401,831 in landfill costs. The landfill airspace cost has been valued at \$150/tonne which was determined to be an industry standard. It is an all-encompassing cost that includes the capital costs, operating costs as the landfill is open, and maintenance cost during operation and after closure. This cost also includes all approvals, planning, EA, CofAs and miscellaneous costs.

Table 12: Annual Savings at Landfill from Diversion

	Airspace (m3) Saved			Years Saved			Cost (\$) Saved		
	5%	10%	20%	5%	10%	20%	5%	10%	20%
Drywall	1,084	2,168	-	0.025	0.051	-	\$22,625	\$45,250	-
Wood Waste	1,585	3,170	-	0.037	0.074	-	\$35,034	\$70,068	-
Mixed Waste	-	8,992	17,985	-	0.21	0.42	-	\$200,916	\$401,831
Drywall & Wood Waste Only	2,669	5,338		0.063	0.125		\$57,659		

Through an additional scenario analysis, Table 13 outlines the costs to process the amount of C&D materials that could be reasonably diverted from Fenelon and Lindsay Ops landfills. For example, if the cost to collect, transport and recycle one tonne of drywall is at \$80 (based on a competitive process, see section 6.2 below), this translates to an annual cost of \$12,067 at 5% recovery or \$24,134 at 10% recovery.

Table 13: Cost to Process Diverted C&D Waste

Cost/MT	Drywall		Wood Waste		Mixed C&D Waste
	5%	10%	5%	10%	20%
\$80	\$12,067	\$24,134	\$18,685	\$37,370	\$214,310
\$90	\$13,575	\$27,150	\$21,020	\$42,041	\$241,099
\$100	\$15,083	\$30,167	\$23,356	\$46,712	\$267,887

It should be noted that mixed C&D waste cannot be diverted at the same time as drywall and wood waste through a separate program as they are in competition with each other. Drywall and wood waste will be lost in mixed C&D waste and the inverse is true. The assumption is that a market outlet may be interested in collecting mixed C&D waste for the benefit of being able to recover drywall and wood waste materials. If drywall and wood waste is diverted through separate programs, this will effectively reduce the demand for the mixed C&D waste stream.

6.1.1. Site Specifications

In order to establish a C&D recycling program at Fenelon and Lindsay Ops landfills, a number of site specific questions need to be considered, they include:

- Regulatory Approval – Both the Fenelon and Lindsay Ops landfill sites are provisionally approved to accept non-hazardous waste materials generated within the City, which includes C&D waste. However, the establishment of a permanent C&D waste diversion program may still require a technical amendment to both site ECAs. The local MOECC district office should be consulted in order to verify amendment application requirements. For a pilot program to take place, an approval letter from the MOECC should suffice.

In addition, for Fenelon, additional discussions may be required with the MOECC as it pertains to any updates to the 2015 Design and Operations (D&O) plan for the site. For Lindsay Ops, the Operations and Maintenance Manual (O&M) is scheduled to be updated in the next year, which provides a good opportunity for the City to include any C&D related diversion programs.

Lastly, support for a C&D recycling program from the public review committees for both should be considered.

- Site Staging – The staging of the C&D program will be dependent on the response from interested end markets through an RFP process (see section 6.2 below). For some local end markets, collecting diverted C&D waste material using roll off bins is preferred. However, for outlets that are not local, collection of C&D waste material via open top trailer loading will require the construction of open bunkers. The frequency of material loading into a trailer is dependent on the reception the program received from the general public. Using drywall and wood waste, it is anticipated that they may need to be collected through open top trailer on a monthly basis. Loading of one trailer using a loader takes approximately 30-40 minutes.
- Health and Safety – If a C&D diversion program is established, it is recommended that working conditions at the sites meet or exceed occupational health and safety standards. This includes the provision of good quality personal protective equipment for staff and the

tools necessary to ensure work is carried out safely. In addition, on-site personnel will need to be trained in the management of the program, including the identification of hazardous and unacceptable materials. Maintaining the appropriate level of training/certification will help ensure C&D waste is disposed of properly, and that hazardous and unacceptable materials are disposed safely and appropriately.

- **Data Tracking** – If a C&D diversion program is implemented, the amount of material that is diverted should be tracked. This will be relatively easy for the City to control utilizing the existing data management program.

6.2. Marketing of C&D Materials Through a Competitive Procurement Process

For the pilot program, it is recommended that the City develop and issue a public tender document (e.g. RFP) seeking a contractor to collect and transport and recycle the above noted C&D materials. The material is to be collected from Lindsay Ops and Fenelon landfill sites. To provide greater flexibility for potential bidders, it is recommended that pricing is requested per material stream through both a large roll-off bin (e.g. 40 yd3) and open top trailer collection (see Table 13). Having the ability to transport the materials through an open-top trailer provides non-regional markets the competitive ability to bid on the materials, in relation to local markets. Contract duration should be for one year, with multiple one year extensions.

Table 14: Sample Pricing Sheet

Recyclable Material	Price per tonne for transportation and diversion of recyclable material. The price is to include the provision of 40-yard roll-off bin(s).	Price per tonne for transportation and diversion of recyclable material through open-top trailer collection.
Drywall	\$__	\$__
Wood Waste	\$__	\$__
Mixed C&D	\$__	\$__

In addition to pricing, it is also recommended that the RFP require bidders to provide references where similar goods and services were provided in the last three years. References will help ensure the sustainability of their program by confirming the reputation of the bidder. In addition, bidders should also be required to provide a diversion plan, outlining the intended use for each material included in their proposal. Lastly, the proponents capabilities should be reviewed based on a description of services provided and number of years in operation.

The proposals submitted should then be evaluated according to pricing, diversion plan,

capabilities of the proponent and references. Sample evaluation criteria are noted in Table 13.

Table 15: Sample Evaluation Criteria

Component	Maximum Score
Pricing	70
Diversion Plan	15
Proponent Capabilities	10
References	5
Total	100

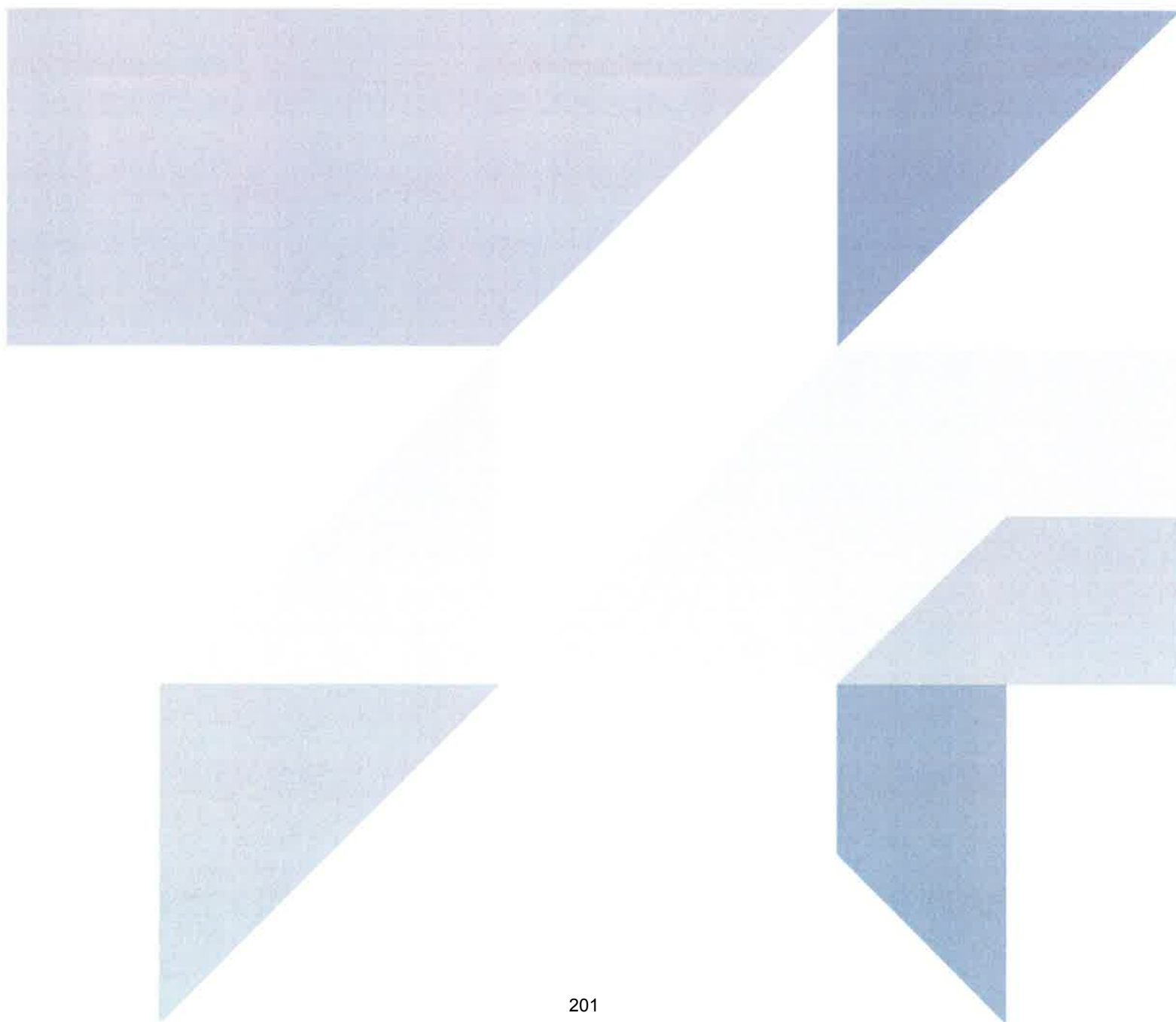
6.3. Drywall as a Soil Amendment Material

Through the industry consultations, specifically with the City's Agricultural Development Advisory Board, it was identified that gypsum, the primary component in drywall, can be utilized as a soil amendment material. It is recommended that the City investigate and consider the diversion of drywall waste as a soil amendment material on City farms. This will require an examination of the quality of the drywall to determine its suitability. If the drywall is deemed suitable, the City will need to investigate the process required to convert drywall scrap into a farm-ready amendment material or require their contracted recycler to divert a portion of the material back to the City for farm use.

6.4. Best Practices Policy Review and Consideration

As a secondary recommendation best practice policy mechanisms, outlined in Section 5, should be reviewed for applicability within the City. This will require a multi-disciplinary approach with other departments. A policy mechanism example includes requiring construction contractors to prepare a recycling plan when applying for a building or demolition permit.

Appendices



Appendix A: City of Kawartha Lakes Audit Material Categories - 2017

Site:	Load	Load	Load	Load	Load	Load
Date:	Time:					
Scale Ticket #:						
Licence Plate #:						
Vehicle Type:						
Material Source (new, reno, demo):						
Load Dimensions (LxWxH):						
Load Weight:						
<u>Brick, Concrete, Asphalt</u>	%	%	%	%	%	%
Bricks - whole						
Bricks - cut offs/broken						
Concrete						
Concrete with metal						
Asphalt						
<u>Wood</u>	%	%	%	%	%	%
Dimensional Lumber - Untreated						
Dimensional Lumber - Treated/Painted						
Composite (e.g. particle board)						
Pallets						
<u>Roofing</u>	%	%	%	%	%	%
Shingles - asphalt						
Shingles - other (e.g. wood)						
Tarpaper						
Other roofing material						
<u>Wall Finishing</u>	%	%	%	%	%	%
Drywall						
Compound						
Stucco Wall Finishing						
Ceiling Tiles						
Insulation (all types)						
<u>Flooring</u>	%	%	%	%	%	%
Floor Tiles - ceramic/stone						
Carpet						
Under padding						
Linoleum						
Wood Flooring						
<u>Aggregate</u>	%	%	%	%	%	%
Rock and Gravel						
Dirt and Sand						
<u>Fixtures</u>	%	%	%	%	%	%
Vanities and Countertops						
Cabinets						
Ceramic Fixtures (e.g. toilet, sinks)						
<u>Other C&D Materials</u>	%	%	%	%	%	%
Electrical (e.g. conduit, ballast)						
Metals (e.g. piping)						
Glass (e.g. window panes)						
Plastic (e.g. piping, plastic film wrap)						
<u>Non C&D Materials</u>	%	%	%	%	%	%
OCC						
Blue Box Recyclables						
HHW						
Furniture						
Bulky Plastic						
Organic Waste						
Appliances						
Other (make note of other materials)						

Appendix B - Volume to Weight Bulk Densities

	Factors Used	Washington Study	US EPA
	Density (lb/cu. yd.)	Density (lb/cu. yd.)	Density (lb/cu. yd.)
Brick, Concrete, Asphalt			
Bricks - whole	484		484
Bricks - cut offs/broken	484		484
Concrete	712	2700	860
Concrete with metal	1780	2700	860
Asphalt	795.2	1215	773
Wood			
Dimensional Lumber - Untreated	249.5	330	169
Dimensional Lumber - Treated/Painted	249.5	330	169
Composite (e.g. particle board)	300	300	
Pallets	169		169
Roofing			
Shingles - asphalt	686.5	600	773
Shingles - other (e.g. wood)	600	600	
Tarpaper	600	600	
Other roofing material	730	600	860
Wall Finishing			
Drywall	394	394	
Compound	100	100	
Stucco Wall Finishing	100	100	
Ceiling Tiles	300	300	
Insulation (all types)	24.5	17	32
Flooring			
Floor Tiles - ceramic/stone	320	320	
Carpet	226	305	147
Under padding	183.5	305	62
Linoleum	370	370	
Wood Flooring	330	330	
Aggregate			
Rock and Gravel	1599.5	2200	999
Dirt and Sand	1564.5	2200	929
Fixtures			
Vanities and Countertops	250	250	
Cabinets	250	250	
Ceramic Fixtures (e.g. toilet, sinks)	320	320	
Other C&D Materials			
Electrical (e.g. conduit, ballast)	440	440	
Metals (e.g. piping)	1094	1094	
Glass (e.g. window panes)	1000	1000	
Plastic (e.g. piping, plastic film wrap, vinyl, plastic lumber, siding,	50	50	
Non C&D Materials			
OCC	50	50	
Blue Box Recyclables	262		262
HHW	825	825	
Furniture	150		150
Bulky Plastic	50	50	
Organic Waste	953.5	1443	464
Appliances	170	180	160
Other (make note of other materials)	100	100	

Sources

CIWMB: California Integrated Waste Management Board. FEECO: FEECO Incorporated. Tellus: Tellus Institute, Boston Massachusetts. U.S. EPA: United States Environmental Protection Agency (Business Users Guide). Washington State Dep of Env

Appendix C – Audit Material Categories

Jurisdiction	Materials Accepted for Recycling						Annual Tonnage Collected (MT)	Operations	Tip Fees Charged	Program Funding Source(s)	Annual Operating Costs/ Serv. Provider Terms	Diversion Impact/LF Space Saved
	Drywall	Wood	Scrap Metal	Asphalt Shingles	Concrete	Asphalt	Mixed C&D	Other				
County of Northumberland	✓		✓						Mixed Loads with > 10% Recyclable \$115/MT Drywall \$85/MT Metal \$0/MT	Tip Fees/ Scrap Metal Revenue Government Funds (WDO Grants?)	Difficult to determine due to shared admin. Pay \$85/MT for drywall removal.	Unknown beyond MT diverted annually.
City of Barrie	✓			✓					Garbage, non recyclable C&D \$142/MT Mixed Loads with 10% or more recyclable, compostable, \$262.50/MT	Taxes	The City budgets \$40K per year.	Since program began (September 2016), estimated space saved is 206 m³
City of Orillia	✓	✓	✓	✓	✓	✓			Mixed Loads with > 10% Recyclable \$310/MT Garbage, C&D Wood, \$155/MT Concrete/Asphalt \$80/MT Drywall \$110/MT Shingles \$130/MT	Tonnage, cost to market the product, cost to ship, administrative costs divided by expected tonnage	C+D Depot costs: Gypsum \$8,000, Scrap metal \$3,500, Concrete (every 5-10 years as necessary \$100,000 to crush concrete for on-site use)	
County of Simcoe	✓	✓		✓				Window-panes Rubble	Mixed/Difficult Waste \$310/MT	Mostly funded via tipping fees.	Unknown	

										e.g., purchased grinding equipment, grind shingles.	Carpet, Window Glass, Pressure Treated Wood \$155/MT Asphalt Shingles, Drywall, \$75/MT Clean Wood \$75/MT	Some admin is covered under general departmental costs.		
Haldimand County	✓	✓	✓	✓	✓	✓	✓	✓	787 MT	City operates Private service providers collect/process material in bins. (Countrywide for most material, Try Recycling for shingles)	\$121/MT for all Waste Scrap Metal \$0/MT	Tip fees and taxes	C+D program budgeted \$82K which was \$83/MT	4-5% once taking into consideration residual waste. Estimated to be 1.5 MT/m³ and estimated space saved is 500M³.
Muskoka District	✓	✓	✓	✓	✓	✓	✓	✓		Pvt. - Walker Environmental grinds yard waste, wood and shingles.	Shingles \$163 (R) or \$157 (C)/MT > 10 cy; \$63/MT for less Clean Wood \$67/MT Unclean Wood \$133 (R) or \$157 (C)/MT Other Waste \$133 (R) or \$157 (C)/MT			Unknown
Oxford County			✓	✓	✓	✓	✓	✓	About 7K annually, 2016: 2200: Shingles, 3400 Mixed C+D, 30 Glass. 49K total since 2010.	City Staff run the program, but Pvt. contractor (Try Recycling) removes bins.	C&D Materials \$71.40/MT Scrap Metal, Cardboard \$0/MT	Tip fees – 100%	Unknown Pay for removal with Try Recycling	Landfill was set to close in 2014, and now have another 40 years of capacity.
York Region	✓	✓	✓	✓	✓	✓	✓	✓	3,977 MT	Pvt. - SP. Collection/trans- port included in the fee (cost per	Garbage, Concrete (at TS), \$100/MT Scrap Metal, drywall,	Currently costs determined by vehicle size.	Unknown	Accounts for < 1% of all diversion.

Durham Region	✓	✓	✓							MT or per lift) + tip fee	concrete, rubble, drywall, wood (at 2 of Env. Centers) \$0/MT	Transitioning to a weight-based model. \$100/MT with \$10 minimum charge.		16% diversion based on visual estimates.
										Yearlong pilot accepting mixed C&D run by Durham Disposal (ended in 2016.)	\$125/MT garbage Fee charged for accepted C&D materials as well.			
City of Peterborough	✓	✓	✓						✓	Pvt. Service Provider – Durham Disposal	Shingles, Construction Material, Drywall, \$95/MT Cardboard, \$45/MT Asbestos, \$200/MT	Tip Fees	Disposal Cost is \$69/MT per contract with Durham Disposal. Includes Pick up, drop off of bins, processing, disposal.	

Appendix D: Consultation - Industry

	Company	Role	Materials Accepted	Sorting Process/Material Processing	Cost to Transport (Mixed or Individual)	End Market Opportunities	Other Comments
1	New West Gypsum Oakville, ON	Processor	Drywall	Only receive drywall. Gypsum is separated from paper and sent back to manufacturer.	Depends on trucking, \$80-\$90 M/T.	Send the Gypsum back to the manufacturer, but they pay to ship at \$30/MT. Paper sent to farms for bedding/compost.	Manufacturer goal to have 25% recycled content in drywall.
2	Try Recycling London, ON Arva, ON	Transporter, Processor	Wood, asphalt shingles, concrete drywall	Material travels down a sorting line, (screen, magnets, and then manually sorted). Currently very labour intensive, but looking at new options.	Cost to pickup transport a tonne of mixed C+D to Oxford County would be about \$20 M/T.	Wood markets are not strong. Generally, markets are regional, [for example] an energy plant in Ajax would buy wood chips. Most material goes to local markets, [for example] most of the wood goes to greenhouses in Leamington to be used in the boilers.	Rick was adamant that this information (pricing) is confidential and can only be used in aggregate form and that I cannot use the pricing estimates provided as quotes.
3	Countrywide Recycling Mount Hope, ON	Transporter, Processor	Wood, metal, concrete, red brick, granite, marble, ceramic tile, drywall etc.)	Sorting process is two-fold, automated and manual. First material is tipped out onto the pre-sort floor where it is pushed into piles and the excavator feeds into different conveyors to be sorted by weight and size. Automatically the system will sort smaller and larger material (12 inches) and then material is fed into a manual sort room, where 12	\$34 per M/T. Does not include transportation/collection (average across all materials).	Only scrap metal has an end market opportunity in terms of revenue – other avenues for diversion but at a cost. Some material used for road aggregate (LaFarge).	Volume driven. They take everything and do not require the customers to sort but business is driven by volume. Even for smaller Municipalities – stockpiling material becomes most feasible.

Appendix D: Consultation - Industry

	Company	Role	Materials Accepted	Sorting Process/Material Processing	Cost to Transport (Mixed or Individual)	End Market Opportunities	Other Comments
4	Habitat for Humanity Lindsay, ON	Processor, End Market	Whole clean drywall pieces, fixtures, vanities	people will be responsible for the different material categories and complete dedicated picks. NA	NA	NA	Material is collected at the store or in drop-off bins and is sorted based on material type (clothing, cabinets, e-waste, scrap metal etc.).
	M+M Disposal Lakefield, ON	Transporter, Processor	Wood, clean shingles, rubble/concrete	Material goes up the line and goes up to a screener (2" -) that material goes to landfill as cover material. The larger material continues up the line to a manual sort room where sorters will pick off materials (wood, concrete, metal, and shingles).	Shingles \$50-55/MT, wood \$30-35/MT but all in costs are probably closer to \$68-70/MT.	Untreated Wood has the most volume, but no revenue. Only revenue comes from cardboard and metal.	Wood is difficult to move – markets have dropped. Wood is ground, burned as fuel, and therefore does not actually count as diverted material. Fill (dirt, bottom of load) counts for 40-45% of the weight of the load and goes to landfill as cover material – but have to pay (county of Peterborough takes it). M+M is currently doing a pilot program for shingles, grind it and then used with local contact as road aggregate. If it meets the 30% tar content then it goes right into the asphalt mix, if not goes into the recycled content mix.
5							

Appendix D: Consultation - Industry

	Company	Role	Materials Accepted	Sorting Process/Material Processing	Cost to Transport (Mixed or Individual)	End Market Opportunities	Other Comments
6	Simtor Environmental/ Durham Disposal Whitby, ON	Transporter, Processor	Wood, scrap metal, concrete/rubble, glass, shingles	All manual – tipped onto the floor and manually sorted by material. Have a new onsite chipping machine (to process the untreated wood).	General charge of 170 per bin plus \$85 per MT of material inside. Cheaper if it is all wood (because they want it) flat fee for concrete, \$79.50 for shingles.	Some materials are processed internally (wood chips) metal is sold, Concrete goes to Hardco or CoCo Paving, Glass is landfilled and shingles they use as a weight in their garbage trucks.	Chipper purchased in the last 6 months.
7	LaFarge Lindsay, Kirkfield, ON	Processor, End Market	Aggregate	Aggregate is crushed.	NA	Material is used internally.	Recycler and end user of aggregate material. Typically not involved in municipal waste management contracts.
8	Ken Redmond Little Britain, ON	Transporter	Hauler of all material types	NA	Dependent on bin size, travel distance, etc.	NA	A bin provider and hauler of waste materials.
9	Walker Environmental Niagara Falls, ON	Processor	Asphalt shingles, wood	NA	NA	NA	Grind wood, shingles under contract with municipalities. They have mobile equipment to provide service on site.
10	Ecowood Products Concord, ON	Processor, End Market	Wood	NA	NA	NA	Grind clean wood for mulch and fuel.

Mechanism	Description	Potential Strengths	Potential Drawbacks
PROJECT RECYCLING PLAN REQUIREMENTS			
Requires that projects of a certain size have a recycling/waste management plan and follow up report	C&D waste generators must submit a recycling/waste management plan for projects of a certain size with their building permit application. Do not have to recycle everything – but if not recycled, must provide reason in post-project report. Documentation (weight slips or other receipts from C&D processor/recycler or reuse center) would be required. Plans would include material types, quantities to be generated, how they will be transported, where they will be delivered, if not recycled, why not, with documentation. Receiving facility may also be required to submit documentation to City. Might be combined with other policies, such as requirement that a percentage of material is recycled. A refundable fee can also be required, with the percentage refunded based upon portion of waste recycled (can waive material for which no markets exist, if desired). Works best with mandatory tag on bins (provided by mixed C&D processing facility) – so all weights recorded. Another option is to have fast track permitting for those who plan to reach a certain recycling rate	<ul style="list-style-type: none"> Can encourage markets to develop and Generators are not penalized if markets do not exist Can make certificate of occupancy dependent upon final report Delivery of material to a processing facility (or certified processing facility) may suffice Works best when weight slips/container tags required Can phase in based on size (value or square footage) of project, initially requiring only larger projects, then lowering the size requirement Refundable fee provides a financial incentive to recycle 	<ul style="list-style-type: none"> Effectiveness is dependent upon markets development and proper enforcement Requires city staff resources to implement and enforce, including reviewing weight tags
RECYCLING REQUIREMENTS/DISPOSAL BANS			
Require that a certain percentage of material generated be recycled	Require that a certain percentage of material, by weight, be recycled. This percent could increase over time, as markets develop. Would work best if combined with recovery plan/report requirement.	<ul style="list-style-type: none"> Can encourage the development of material markets Can phase in by increasing percentage over time, as more markets develop 	<ul style="list-style-type: none"> Requires staff resources for enforcement Adequate material markets must exist May encourage recovery of only heavy materials Relies upon full submittal of documentation
Require that specific materials be recycled	Require certain material type(s) to be recycled.	<ul style="list-style-type: none"> Can be expanded as markets for additional materials exist. 	<ul style="list-style-type: none"> Must have markets in place for material type(s) selected Does not address other materials Requires staff resources to enforce at disposal facilities
Set recycling standards for City building projects	By requiring public building projects (or those of a certain size or value) to recycle certain materials, reach a certain recycling rate, use deconstruction techniques, etc., the City shows	<ul style="list-style-type: none"> Can encourage market development 	<ul style="list-style-type: none"> May not be influential alone, but could be combined with other approaches.

Mechanism	Description	Potential Strengths	Potential Drawbacks
	leadership. Works best when city touts successes. Some cities require LEED certification of a specified level or higher, but the City could develop other types of standards. The City would ban the disposal of certain material type(s).		<ul style="list-style-type: none"> Requires staff resources to enforce at disposal facilities Requires the existence of end markets
Ban the disposal of certain recyclable materials.		<ul style="list-style-type: none"> Announcing ban in advance can spur development of end markets. 	
Require licensed haulers to deliver materials to C&D sort facility.	The City would require haulers to be licensed, and set certain conditions to obtain a license.	<ul style="list-style-type: none"> Can encourage the development of C&D facilities if announced then later implemented Requirements can also include tracking tonnage data/tagging containers to obtain accurate records, provide data to City 	<ul style="list-style-type: none"> Will not capture self-hauled material Requires the existence of C&D facilities Requires a hauler licensing program
LOWER TIP FEES FOR RECYCLABLE MATERIALS			
Charge lower tip fees at C&D processing facility and/or drop-off site where materials are source separated for recycling (versus disposal tip fee)	Can be initiated with public facility – eventually competing facilities may develop, if demand is strong. Tip fee differential must be adequately significant to encourage generators to rent another container. May work best in combination with disposal fee on C&D.	<ul style="list-style-type: none"> Providing a less costly alternative may be more appealing to generators than mandates 	<ul style="list-style-type: none"> City must own facility to influence fees – requires some investment and expense Many generators may still not take initiative depending upon level of convenience relative to cost differential and space constraints/other barriers. City may not cover costs City may discourage private sector facilities if tip fee at facility is artificially low May result in overall reduced revenues
HIGHER TIP FEE FOR MIXED LOADS/LOADS TO BE DISPOSED/REQUIRING SORTING			
Charge a disposal surcharge (or require that one be assessed) on C&D that is disposed, at all disposal facilities.	A per-ton fee would be charged on all C&D loads disposed at in-City landfills.	<ul style="list-style-type: none"> May make C&D processing more cost-competitive Funds can be used to develop C&D recovery programs 	<ul style="list-style-type: none"> Requires monitoring, enforcement, administration May not be well accepted May provide for a competitive advantage for nearby landfills not affected by the fee
Charge a higher tip fee (or require that one be assessed) on C&D that is	Specific fees, price differentials or per-ton surcharges assessed on all mixed C&D loads and or “mixed loads” – those that contain at least 10% of recyclable materials.	<ul style="list-style-type: none"> May make C&D processing more cost competitive 	<ul style="list-style-type: none"> Requires monitoring, enforcement, administration

Mechanism	Description	Potential Strengths	Potential Drawbacks
mixed, versus separated by material type, at all disposal and processing facilities.		<ul style="list-style-type: none"> Would provide a financial incentive to source separate materials, increasing likelihood they will be reused or recycled. 	<ul style="list-style-type: none"> May not be well accepted May provide for a competitive advantage for nearby facilities not affected by the fee
Provide “free” disposal of reusable materials at a swap shop.	City could operate a swap shop on site for materials that are readily reusable and in demand. Might require changing what is accepted from time to time, if material is not in demand. Specifications would be clear (e.g., no nails, no mold, no wood rot, etc.).	<ul style="list-style-type: none"> Encourages reuse, which retains resource value to a greater degree than recycling 	<ul style="list-style-type: none"> Must be monitored or could encourage “dumping” of non-reusable materials. Some materials may never be claimed, and will require management without a tip fee having been paid.
PROVIDE ADDITIONAL OPPORTUNITIES TO RECYCLE MATERIALS			
Provide curbside collection of certain recoverable, reusable materials.	City could operate a curbside collection program for certain material types with high demand and/or high value. (Examples: clean wood, cardboard, metals). Some costs might be recouped through permitting fees.	<ul style="list-style-type: none"> Generators may be financially motivated to set materials at curb vs. include in dumpster/roll-off 	<ul style="list-style-type: none"> Would require significant education and outreach Would require additional resources If material not acceptable, may sit at curb for long periods of time Would likely be a net cost to City through contracted hauler, even if City were able to beneficially use materials City would have to develop weighing/recording/data protocol to report accurately to WDO
Develop/expand drop-off sites for certain recoverable/reusable materials.	City would provide drop-off sites where certain materials could be tipped at no cost. Could potentially combine with disposal surcharge or permitting fees to help cover costs.	<ul style="list-style-type: none"> Could start with one material type and one drop-off and expand 	<ul style="list-style-type: none"> Would work best if sites monitored – otherwise other materials may be illegally dumped, or materials in unacceptable condition may be left Requires staff resources and capital to construct Would require education and outreach efforts

Mechanism	Description	Potential Strengths	Potential Drawbacks
EDUCATION AND OUTREACH			
Provide training to developers and staff about best practices for material management	Training can be geared toward building inspectors, developers, and DIY-ers. Might include tips for source separation, how to deconstruct, benefits of recycling, existing markets.	<ul style="list-style-type: none"> May be able to make training mandatory May be able to recoup costs through permitting fees 	<ul style="list-style-type: none"> City would have to develop weighing protocol/system for such materials for WDO
Provide information to developers about existing end markets for materials and the benefits of recycling C&D materials	The City can create awareness about reuse and recycling opportunities for C&D materials, as well as educate about the benefits of C&D reuse and recycling. This can be done through printed materials provided when applying for permits, via website, and possibly through hardware retail outlets and lumber mills	<ul style="list-style-type: none"> May help encourage the development of new markets and strengthen existing markets Develops awareness of the benefits of C&D recovery 	<ul style="list-style-type: none"> Requires staff resources to implement. Program is only as good as the staff May not reach a large portion of DIY-ers. End markets must exist to be beneficial
Develop recognition program	By developing a recognition program of developers that meet certain recovery rates of C&D materials, the City provides a mechanism for developers to differentiate themselves. The City could recognize on a part of website, by allowing the use of an established logo, etc. Another category might be developed for DIY-ers.	<ul style="list-style-type: none"> Can encourage developers to seek out recovery options, perhaps developing innovative end markets themselves May be more widely accepted than mandates 	<ul style="list-style-type: none"> Requires city monitoring, enforcement and development and assessment of standards
GRANTS/STUDIES AND OTHER MUNICIPAL BENEFITS			
Provide grants for recycling project or pilot study.	The City would develop a grant program, provide technical assistance, and/or develop a pilot study to implement C&D recycling projects. Program could possibly be funded through permitting fees.	<ul style="list-style-type: none"> If partner with entrepreneur, can help develop market for material Can be more accepted by generators than a mandate Could be coupled with the start of a City innovative end market 	<ul style="list-style-type: none"> Requires City funds Requires staff resources to implement/monitor
If space is an issue, relax constraints regarding roll-off setbacks, etc., to allow for more containers on site.	Relaxing setbacks, allowing dumpsters on sidewalks, etc., can encourage multiple containers – which encourages recycling – but not at risk of safety.	<ul style="list-style-type: none"> Can remove one barrier to recycling. Minimal resources required. 	<ul style="list-style-type: none"> May not be influential alone, but could be combined with other approaches.

www.reclaystewardedge.com

The Corporation of the City of Kawartha Lakes

Council Report

Report Number WWW2017-009

Date: September 12, 2016
Time: 2:00 p.m.
Place: Council Chambers

Ward Community Identifier: All

Subject: Update on Mandatory Connection Compliance By-law Amendment

Author/Title: Rob MacPherson, Water and Wastewater Technician

Recommendation(s):

RESOLVED THAT Report, WWW2017-009, **Update on Mandatory Connection Compliance By-law Amendment**, be received;

THAT Section 2.06 of By-Law 2014-255 “A By-Law To Require Owners Of Buildings To Connect Such Buildings To Drinking Water Systems And/Or Wastewater Collection Systems In The City Of Kawartha Lakes” be added and read:

- 2.06 Subject to section 2.01, 2.02 or 2.03 of this by-law any Owner of a building on land that meets the requirements to connect to the municipal water and/or wastewater services shall be billed the Fixed Rate and Capital Levy charges for water and/or wastewater as per the provisions of By-law 2011-260 and the consolidated fees By-Law 2016-206, as amended following three (3) months of the mailing of a notice to the Owner shown on the current tax roll; and

THAT the necessary amending by-Law be brought forward for adoption.

Department Head: _____

Corporate Services Director / Other: _____

Chief Administrative Officer: _____

Background:

By-law 2014-255 “A By-Law to Require Owners Of Buildings To Connect Such Buildings To Drinking Water Systems And/Or Wastewater Collection Systems In The City of Kawartha Lakes”, referred to as the “Mandatory Connection By-Law” was amended in 2014 requiring property owners to connect to municipal water and sewer infrastructure if available and pay for the required connections from the water and/or sewer mains to their private residence or building.

Staff are continuing to implement the requirements of By-Law 2014-255 but residents can connect their building(s) at any time to the municipal infrastructure prior to receiving their notice to connect. Due to the large number of properties required to connect, the City’s various departments involved in the connection process do not have adequate resources to administer the immediate connection all eligible users to the municipal water and/or sewer mains. The implementation therefore is being completed in a phased-in approach. Following completion of the pilot program in Fenelon Falls the internal stakeholders involved in the process will review the program and update any processes deemed necessary. The full implementation may take many years to complete.

Council has made several decisions to temporarily exempt properties from the requirement to connect, but still collect the capital and fixed rate portion of the user rates. As a result, a report was brought forward to Council in July 2017 recommending that all those properties that are subject to the Mandatory Connection By-law pay the Fixed Rate and Capital Levy charges even prior to connection as their property is still receiving a benefit from the infrastructure being available.

At the Council Meeting of July 11, 2017, Council adopted the following resolution:

Moved By Councillor Elmslie

Seconded By Councillor Yeo

RESOLVED THAT Report WWW2017-005, **Mandatory Connection Compliance and User Rate Cost Recovery**, be received; and

THAT staff be directed to prepare the necessary amendments to By-Law 2014-255, A By-Law To Require Owners Of Buildings To Connect Such Buildings To Drinking Water Systems And/Or Wastewater Collection Systems In The City Of Kawartha Lakes, to begin charging qualifying properties the Fixed Rate and Capital Levy for Water and/or Sewer as per By-law 2011-260 following three (3) months’ written notice.

CARRIED: CR2017-643

This report addresses that direction.

Rationale:

The properties adjacent to but not connected to the existing water and/or sewer mains are currently benefitting from the infrastructure available to them with increased property values and in some cases readily accessible fire protection. Those properties within areas which are fire rated receive reduced insurance premiums. In addition the owners have a readily available source of safe and reliable drinking water. Although these properties are benefitting from the services available to them, they are not contributing financially to the operations, maintenance, or capital renewal of the infrastructure.

Endorsing the proposed Section 2.06 amendment of the “Mandatory Connection By-law” will allow staff to provide three (3) month notice to all those benefitting properties and begin charging the applicable Fix Rate and Capital Levy for Water and/or Sewer as set out in By-law 2011-260. This would result in approximately \$62,784 of additional revenue to the Water and Wastewater User Rate budget annually. The revenue collected would help reduce the financial pressures on the current users, would offset any required increase to the user rates and would support Council’s initiative to make our municipal systems financially sustainable.

Other Alternatives Considered:

Council has passed a resolution requesting Staff present the proposed amendment to the By-law, however if Council decides not to accept the proposed amendment to the By-Law, staff will continue with the application of the Mandatory Connection Program as originally planned. It must be stressed that the City will miss out on significant monthly revenue if the amendment is not endorsed.

Financial/Operational Impacts:

There are approximately 160 properties within the City that front along a municipal right-of-way that has municipal water and/or sewer infrastructure available. Of the 160 properties, 94 have only municipal water available to them and 31 have only municipal sewer available to them. The remaining 35 properties have both water and sewer available. Below is a summary of the estimated additional monthly revenue that would be received if the Mandatory Connection By-law is amended as recommended. These estimates are based on the fees included as Schedule B to By-law 2011-260 “Water and Wastewater Services in the City of Kawartha Lakes” for a 5/8” – 3/4” meter size.

Estimated Monthly Revenue			
Water Fixed Rate	Water Capital Levy	Sewer Fixed Rate	Sewer Capital Levy
\$2668.00	\$871.00	\$1284.00	\$410.00

Because the properties are currently not serviced it is unknown what the actual size of water meter they would require. Once properties are serviced they would be billed according to the meter size they install.

The total estimated monthly revenue to the Water & Wastewater Budget would be \$5,232.00 per month, which is \$62,784 per year. This equals approximately 0.3% of the total User Rate Budget.

Based on the 2017 rates and based on a standard water service size, the annual cost to residents would be \$329.16 for water and \$307.80 for sewer. If a building is serviceable by both there would be a charge of \$636.96 for the year. Once connected the property owner would also be responsible for the consumption portion of the rates.

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

The recommendation to Council is consistent with the Council Adopted Strategic Plan in two ways:

Goal 1 “Vibrant and Growing Economy” – will be met through the proper servicing and collection of appropriate user fees to fund the maintenance, capacity and growth of the municipal water and wastewater systems.

Goal 3 “Healthy Environment” - will be met by through community preparedness by ensuring that the necessary funds are secured in order to sustain water and wastewater infrastructure necessary to protect the health of the Environment.

This Report is also in line with the City’s values, specifically continuous improvement and excellence, as this amendment will aid in the improvement of the municipal drinking water and wastewater systems as well as provide excellent, efficient, and safe services for the public of Kawartha Lakes.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications from this report.

Servicing Implications:

The report focuses on the financial impacts of implementation of mandatory connection to the municipal servicing of water and wastewater. There are no changes in physical servicing requirements resulting from this report.

E-Mail: brobinson@kawarthalakes.ca

Department Head: Bryan Robinson

The Corporation of the City of Kawartha Lakes

Council Report

Report Number ENG2017-008

Date: September 12, 2017

Time: 2:00 p.m.

Place: Council Chambers

Ward Community Identifier: All

Subject: Airport Core Service Review

Author Name and Title: Juan Rojas, Director of Engineering & Corporate Assets

Recommendation(s):

RESOLVED THAT Report ENG2017-008, **Airport Core Service Review**, be received;

THAT the City of Kawartha Lakes continues to financially support both Operating and Capital Budget, in accordance with the asset management plan, to maintain the existing Level of Service for the Kawartha Lakes Municipal Airport;

THAT funds be allocated to multi-year Capital Budgets for studies / options for the Airport to expand services in the future; and

THAT the Kawartha Lakes Airport Board reviews the governance model of the Airport and report back to Council in 2018.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

At the Council Meeting of May 16, 2017, Council was provided with an overview / framework for the Airport Core Service review and adopted the following resolution:

10.4.1 CC2017-14.10.4.1

Ron Taylor, CAO

Brenda Stonehouse, Strategy and Performance Specialist

Doug Erlandson, Chair, Kawartha Lakes Municipal Airport Board

Bob Hunter, City of Kawartha Lakes Airport Manager, Loomex

Core Service Review - Airport Board Presentation

CAO Taylor provided opening remarks noting that this presentation is the first phase the Core Service Review regarding the Kawartha Lakes Municipal Airport, and that this presentation is for information only. He also introduced the members of the board present. Ms. Stonehouse gave an overview of the Airport and its current operations. She highlighted several options for the Airport including retaining the status quo, investing now for growth, leasing the airport to a private company, and closing the airport. She noted that a report would be presented to Council outlining options with recommendations. A copy of the presentation is available in the Clerk's Office. Mr. Erlandson, and CAO Taylor responded to questions put forward by members of Council.

CR2017-425

Moved By Councillor Macklem

Seconded By Councillor Breadner

RESOLVED THAT the presentation by Ron Taylor, Brenda Stonehouse, and Doug Erlandson, regarding Core Service Review - Airport Board, be received.

CARRIED

This report addresses and brings forward recommendations related to the Airport Core Service Review. The Airport presentation of May 16, 2017 is attached as Appendix A to this report.

As part of the City's Core Service Review, the Kawartha Lakes Municipal Airport has been reviewed by Engineering and Corporate Assets staff in consultation with the Kawartha Lakes Municipal Airport Board and the Office of Strategy Management.

The Kawartha Lakes Municipal Airport was constructed as a general aviation facility in the early 1960's. The facility was operated under a lease agreement until 2001 when the City took back responsibility for operations. The airport is

governed by the volunteer Kawartha Lakes Municipal Airport Board which includes representatives of Council.

The airport is located on 168 acres on Hwy. 35 N in Lindsay. Amenities include a primary paved runway, secondary grass runway, two 10-unit T hangar buildings, a 4500 sq. ft. hangar, a terminal building with flight school and restaurant, 40 outdoor aircraft parking spots and a self-serve Avgas and Jet-A dispensing system.

A number of plans and studies have been undertaken in the past including:

- 2002 Airport Master Plan from Marshal Macklin Monahan
- Airport Task Force Final Report 2008
- Comprehensive Airport Review 2009 with public consultation
- Business Plan – Fortin & Associates 2011
- Updates Business Plan 2012

Rationale:

On July 6, 2017 various Airport Stakeholders, including City Engineering staff, Office of Strategy Management, Members of the Airport Board and Loomex Group met to review and discuss several options in regards to the Airport Core Service Review.

The following options were considered / identified and followed up with additional investigation. The following is a summary of the results of the various options that have been considered:

1. Status Quo

The Kawartha Municipal Airport is overseen / managed by a volunteer board (Airport Board), with day to day activity being supported by the Loomex Group (3rd Party, under contract) and liaison with the CKL Engineering & Assets Group and Corporate Services (mainly Purchasing and Finance).

Currently the Municipal Airport is utilized by various User groups including:

- Flight school
- Ornge (support Health Care – Air Ambulance)
- OPP
- MNRF
- Canadian Military
- Private aircraft
- Tenants include restaurant, flight school and hanger tenants

The Airport is categorized as a local/regional public aerodrome and is compliant with Federal regulations and accepted industry practice, it is operational and terminal and fuel are accessible 24 hours a day.

It currently directly supports 3 small businesses and approximately 8 full and part-time jobs and provides a valuable asset in attracting businesses and professions to the area.

An Economic Impact Study for the Lindsay Airport was completed in June 2014 by “Inside Canadian Airports”. The results concluded that the total gross revenues generated by activities at the Lindsay Airport during 2006 contributed approximately \$5,500,000 to the Kawartha Lakes economy and supported an estimated 45 person years of employment.

A Study of Municipal Airports in Ontario 2006 found that 74% of airports were non self-sustaining. A goal of the Kawartha Lakes Airport is to break even in regards to their annual operating costs. This was achieved in 2015; however, as with other public organizations with aging assets, this is becoming increasingly difficult. It is anticipated that the airport would require approximately \$50,000 yearly in the operating budget in order to break even, which represents less than 0.5% of the \$11M value of the airports capital assets

2. Invest now for growth

This option would require significant Capital investment, i.e. construction and expansion of the runways, taxiways and facilities in order to attract new users to the Airport and new businesses to Kawartha Lakes. Land acquisition, most likely to the north, would also have to be considered.

There is an opportunity for an increased economic benefit to the community by attracting new business to the area; however, the return on investment (ROI) is difficult in the absence of an “anchor”/ major tenant.

The estimated cost of expansion is within the range of \$5-8 Million over the next 5-10 years.

3. Plan for the Future

As with any organization, sound and sustainable planning is key in order to maintain the longevity of the organization. A strategy would be to fund some pre-design / study cost to position the airport for future expansion once a major tenant comes to fruition.

This would facilitate a moving forward strategy and show potential investors, tenants and business professionals that the City is committed to a Municipal Airport. As well as being ready to react when a tenant commits.

This option will allow the City to proceed with limited “soft cost”, i.e studies and design but not implement construction.

Federal / Provincial grant eligibility (opportunities) would be improved for “shovel ready” projects.

4. Lease or sale to a private company

The airport could be leased or sold for a private company to continue providing airport operations. This model was used in the past when the airport was leased to Lindsay Airpark until 2001.

Under this model, the private company would be responsible for all operating costs related to the airport. If it is a lease, the City would retain ownership of the land and assets. Improvement of capital assets would have to be negotiated as part of the lease.

The property could be sold with the provision that it remains an airport which would keep the asset within the community but relieve the municipality of all costs (operating and capital) associated with the airport.

There are very few privately owned airports in Ontario. There are very limited number of private companies that would be interested in leasing or purchasing the airport. As 74% of airports are not self-sustaining, it would be difficult for a company to make any profit by operating an airport.

for the future) over 3 years to maximize the potential of the Airport to attract new users and be ready for implementation once an acceptable / desirable business case is made for expansion.

Governance Model

The Governance of the Airport has gone through various iterations with various City departments providing supporting roles. In 2001, the Airport was led by Public Works, followed by Corporate Services and most recently Engineering and Assets.

A By-Law for an Airport Board was enacted in 2010, with revisions in 2011, 2012 and 2013.

By-Law 2010-100, “A By-Law to establish a Municipal Service Board” is attached as Appendix B to this report.

The Current Governance Model is that of an Airport Board (establishing priorities) – Third Party Management (day to day operations) – CKL Staff support, with Council setting the Operating and Capital Budget on a yearly basis, with the Airport having a separate purchasing policy.

The role of the Airport Board and respective governance model should be reviewed in 2018.

Other Alternatives Considered:

As indicated, Staff recommends maintaining the status quo for the Kawartha Lakes Municipal Airport and allocating funds over a multi-year capital project, for studies to allow the option for the Airport to expand services in the future, if warranted and council approved.

Other alternatives considered are mentioned above in the Rationale Section of this report.

Financial/Operation Impacts:

The City’s Asset Management Plan identifies the total value of the Airport Assets at \$11,030,500.

The Airport List of Assets is attached as Appendix C to this report.

The target annual capital need for the Airport is \$274,000.

The draft proposed 2018 Capital Budget has identified the following three capital programs for the airport:

AP1801 – Airport Site Works	\$201,500
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AP1802 – Airport Facilities	\$ 10,000
<u>AP1803 – Study for possible expansion</u>	<u>\$ 35,000</u>
Total draft proposed capital budget	\$246,500

As identified above, the capital funding request is below the AMP threshold; however, in accordance with the City’s Asset Management Plan Strategy to phase in the Capital Needs over 4 years, the draft proposed Airport Capital Budget meets the 4 year phasing criteria.

It is anticipated that a full study to review expansion and increased level of service would require a budget amount in the range of \$100K - 150K, this can be funded over three years, with \$35K in year 1, \$45K in year 2 and \$55K in year 3, with funding amounts being reviewed / adjusted annually during budget deliberations.

The Study would be dependent on potential tenants and/or user group(s) for the Municipal Airport which may correlate to improvements to certain airport assets such as the runway, taxi way and additional facilities.

A portion of the Study funds would be utilized for pre-design work that can be undertaken, such as geotechnical investigation, concept plans and functional servicing reports that would facilitate and plan for expansion. Some of this work is required for the Status Quo level of service for the airport.

The remaining portion of the funds could be held in abeyance until user group(s) materialize and the respective business case is made and design specific work can be completed.

The growth related elements of the study would be eligible for DC funding.

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

The Kawartha Lakes Municipal Airport 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:

There is no accessibility implications associated with the above noted recommendations.

Servicing Implications:

There are no servicing implications.

Consultations:

Kawartha Lakes Municipal Airport Board
Strategy and Performance Specialist
Loomex Group - City of Kawartha Lakes Airport Manager

Attachments:

Appendix A – Core Service Review Presentation May 16, 2017



Airport - Core
Service Review.pptx

Appendix B – Asset Management Plan – Kawartha Lakes Airport



KLMA (Airport)
Assets .xlsx

Appendix C – By-Law 2010-100 – A By-Law to establish a Municipal Service Board to be known as “Kawartha Lakes Municipal Airport Board” to Govern, Control, Operate and Manage the City’s Provision of a Municipal Airport in the City of Kawartha Lakes



2010-100 Establish
Kawartha Lakes Munic

Department Head E-Mail: jrojas@city.kawarthalakes.on.ca

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

Department File: Engineering

Kawartha Lakes Municipal Airport



May 16, 2017

Core Service Review



Kawartha Lakes Municipal Airport

- Constructed as a general aviation facility in the early 1960's
- Facility was operated under a lease agreement until 2001 when the City took back responsibility for operations
- Governed by the volunteer Kawartha Lakes Airport Board



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Slide 2

LeanSigma Project Presentation

Infrastructure

- 168 acres on Hwy. 35 N
- Primary paved runway 3500 ft long
- Secondary grass runway 2641 ft long
- Houses a 6,674 sq ft terminal with flight school and restaurant built in the 1960's
- Two 10-unit T hangar buildings plus one 4,500 sq ft hangar
- 40 outdoor aircraft parking spots with 16 full-time occupants
- Self-serve Avgas and Jet A dispensing system

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Slide 3

Tenants

- 36 resident aircraft in hangars or on ramp paying monthly rent
- Restaurant
- Flight school
- Hangar tenant

- Expect to attract up to two international flight training academies
- Staying in close communication with a major prospect

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Slide 4

Operations/Management

- Airport is operational and terminal and fuel accessible 24 hours a day
- Management is contracted to The Loomex Group – operations, administration, management of airport capital projects, snow plowing, grass cutting, etc.
- Staffed 5 days per week with 1 full-time and 1 part-time employee

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Slide 5

Operations/Management

- Municipal Airport Board governance
- Engineering and Assets is liason department
- City provides admin supports – legal, finance, etc.

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Slide 6

LeanSigma Project Presentation

Users

- Flight school
- Private aircraft
- Ornge
- OPP
- MNRF
- Canadian Military



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Slide 7

Guiding Documents

- 2002 Airport Master Plan from Marshal Macklin Monahan
- Airport Task Force Final Report 2008
- Comprehensive Airport Review 2009 with public consultation
- Business Plan – Fortin & Associates 2011
- Updated Business Plan in 2012

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Slide 8

LeanSigma Project Presentation

What is it costing us?

Operating - Actual

	Revenue	Expenses		
2010	\$ 159,439.43	\$ 221,119.50	\$	(61,680.07)
2011	\$ 179,943.17	\$ 294,233.01	\$	(114,289.84)
2012	\$ 278,396.93	\$ 308,042.60	\$	(29,645.67)
2013	\$ 356,715.54	\$ 359,386.26	\$	(2,670.72)
2014	\$ 315,686.94	\$ 360,727.44	\$	(45,040.50)
2015	\$ 337,550.98	\$ 334,653.90	\$	2,897.08
2016	\$ 346,288.87	\$ 407,541.74	\$	(61,252.87)

Budget 2017 \$ 463,175.00 \$ 474,393.00 \$ (11,218.00)

Revenue in 2016 was impacted by issues with the payment system for the fuel system. It was replaced in mid-2016 which added extra expense.

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Slide 9

Capital

Year	Description	Budget	Total Spending	Remaining Budget for open Projects
2017	Runway Resurfacing	200,000.00	-	200,000.00
2016	HVAC System for Terminal	7,000.00	7,373.54	
2016	Parking Lot & Apron Lighting	15,000.00	-	15,000.00
2016	Airport Internal Roadway	24,000.00	21,871.54	
2016	Airport Apron Rehab	49,000.00	-	49,000.00
2014	Internal Roadway & Apron Rehab	146,000.00	-	
2013	Site prep to west of extended apron	25,000.00	-	
2013	Grass area improvement, concrete rehabilitation	75,000.00	141,806.26	
2013	Underground hydro, water, ww services to airport facilities	25,000.00	22,548.62	
2012	Airport movement area repairs	80,000.00	2,238.72	
2012	Site drainage plan/drainage improvements	80,000.00	313,410.91	
2012	Apron expansion to north	100,000.00	3,461.86	
		826,000.00	512,711.45	264,000.00

2008 Council resolution: "That the net proceeds from the sale of the Denfield Road property be placed in the Capital Projects reserve designated for the rehabilitation of the airport infrastructure."

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Slide 10

Municipal Airports

- Study of Municipal Airports in Ontario 2006
- 74% Not Self-sustaining
- 21% Self-sustaining
- 2% Viable

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Slide 11

Options

1. Status Quo
2. Invest now for growth
3. Lease to a private company
4. Close the airport

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Slide 12

Status Quo - Description

- Maintain current service levels
- Continue to operate at break even
- Continue marketing to attract new businesses (very real prospect)



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Slide 13

Status Quo - Benefits

- Minimal impact to city resources
- Supports 3 small businesses – approx. 8 full & part-time jobs
- Provides employment – one full-time and one part-time
- Availability of an airport is a factor in businesses evaluating locations for expansion or relocation

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Slide 14

LeanSigma Project Presentation

Status Quo - Risks

- May lose current tenants
- Minimal opportunity for growth
- Aging infrastructure

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Slide 15

Status Quo - Costs

- Difficult to stay break-even
- Capital investment is necessary to maintain assets

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Slide 16

Invest - Description

- Invest in capital upgrades to the facility as outlined in the Business Plan
- Replace aging infrastructure
- Add amenities to attract businesses

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Slide 17

Invest - Benefits

- Opportunity to attract new businesses and aircraft to the airport
- Economic benefit to the community

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Slide 18

LeanSigma Project Presentation

Invest - Risks

- ROI on capital very difficult to fund through new business
- Very limited opportunities for funding
- If we build it, will they come?

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Slide 19

Invest - Costs

- Capital investment of \$5-8 million over the next 5 – 10 years

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Slide 20

Lease - Description

- Lease the property and buildings to a third party to maintain and operate
- Similar model used prior to 2001
- Expression of Interest to gauge interest?

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Slide 21

Lease - Benefits

- Eliminates City resource support
- Financial benefit to City if capital is covered by lessee
- Retains the airport within the community

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Slide 22

Lease - Risks

- Difficult to find third party interested in taking on the investment in infrastructure
- May have to continue with some capital support

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Slide 23

Lease - Costs

- May have to continue with some support for capital depending on arrangement

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Slide 24

Close - Description

- The airport could be closed
- The property repurposed or sold

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Slide 25

Close - Benefits

- Capital investment not required for infrastructure

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Slide 26

Close - Risks

- Property not well suited for development: outside settlement area, flood plain, designated as an airport
- Would close 3 small businesses with current leases
- Impact to tourism and local business if airport was no longer accessible

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Slide 27

Close - Costs

- Costs to decommission buildings, well, septic or sell as is
- Realty costs if the property is sold

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Slide 28

LeanSigma Project Presentation

Next Steps

- Report to Council to outline options in more detail
- Provide recommended option

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Slide 29

Identifier	Asset	Level 1 - Class	Level 2 - Category	Level 3 - Group	Level 6 - Type	Material	Quantity	Quantity Type	Quantity Units	In-Service Year	Expected Useful Life	Condition Rating	Unit Replacement Cost	Replacement Cost	Average Annual Need
44850	Airport Terminal	Facilities	Buildings				7,000	Area	ft²	1965	60	4	357.14	2,500,000	41,667
44851	North T-Hanger 1	Facilities	Buildings				10,330	Area	ft²	1985	60	4	96.81	1,000,000	16,667
44852	North T-Hanger 2	Facilities	Buildings				11,092	Area	ft²	2015	60	4	90.16	1,000,000	16,667
44853	South Aircraft Hanger	Facilities	Buildings				4,035	Area	ft²	1982	60	4	86.74	350,000	5,833
73633	General Parking Lot	Infrastructure	Airport Sitewoi	Parking Lots	Vehicular	Asphalt	2,195	Area	m²	2010	30	2	113.90	250,000	8,333
73634	South Hanger Entrance	Infrastructure	Airport Sitewoi	Roadways		Asphalt	301	Area	m²	1963	30	6	116.28	35,000	1,167
73635	South Hanger Parking Lot	Infrastructure	Airport Sitewoi	Parking Lots		Gravel	1,067	Area	m²	1963	20	6	32.80	35,000	1,750
73636	Sidewalk	Infrastructure	Airport Sitewoi	Pathways		Concrete	152	Area	m²	1996	40	5	131.58	20,000	500
73637	Runway 13-31	Infrastructure	Airport Sitewoi	Runways		Asphalt	24,610	Area	m²	1985	30	6	101.58	2,500,000	83,333
73638	Runway 03-21	Infrastructure	Airport Sitewoi	Runways		Turf	18,515	Area	m²	1963	75	3	13.50	250,000	3,333
73639	Taxiway Alpha	Infrastructure	Airport Sitewoi	Taxiways		Asphalt	2,040	Area	m²	1963	30	4	98.04	200,000	6,667
73640	Taxiway Bravo - Paved	Infrastructure	Airport Sitewoi	Taxiways		Asphalt	4,367	Area	m²	2012	30	2	80.15	350,000	11,667
73641	Taxiway Bravo - Unpaved	Infrastructure	Airport Sitewoi	Taxiways		Turf	1,892	Area	m²	1963	75	3	13.21	25,000	333
73642	Taxiway Charlie	Infrastructure	Airport Sitewoi	Taxiways		Turf	3,750	Area	m²	1963	75	4	26.67	100,000	1,333
73643	T-Hangar Taxiways	Infrastructure	Airport Sitewoi	Taxiways		Asphalt	9,321	Area	m²	2014	30	0	80.46	750,000	25,000
73644	Parking Lot	Infrastructure	Airport Sitewoi	Aircraft Parking Lc Aircraft		Asphalt	9,311	Area	m²	1963	30	6	107.40	1,000,000	33,333
73645	Runway Edge Light	Infrastructure	Airport Sitewoi	Runway/Taxiway Lights		Metal Pole; Metal Baseplat	36	Count	Each	2002	25	2	888.89	32,000	1,280
73646	Runway Edge Light	Infrastructure	Airport Sitewoi	Runway/Taxiway Lights		Metal Pole; Metal Baseplat	12	Count	Each	2002	25	2	833.33	10,000	400
73647	Taxiway Edge Light	Infrastructure	Airport Sitewoi	Runway/Taxiway Lights		Metal Pole; Metal Baseplat	14	Count	Each	2002	25	2	714.29	10,000	400
73648	Airfield Lighting Cable	Infrastructure	Airport Sitewoi	Runway/Taxiway L Electrical		Polyethylene; Copper	2,700	Length	m	2002	25	2	3.70	10,000	400
73649	Runway/Taxiway Counterpo	Infrastructure	Airport Sitewoi	Runway/Taxiway L Ground W		Copper	2,700	Length	m	2002	25	2	1.85	5,000	200
73650	Taxiway Apron Flood Light	Infrastructure	Airport Sitewoi	Runway/Taxiway Lights		Metal	4	Count	Each	1963	25	5	7,500.00	30,000	1,200
73651	Property Light	Infrastructure	Airport Sitewoi	Columns/Posts		Metal	1	Count	Each	1998	35	2	3,500.00	3,500	100
73652	Property Light	Infrastructure	Airport Sitewoi	Columns/Posts		Wood	1	Count	Each	1997	35	5	3,500.00	3,500	100
73653	Aircraft Fuel Station	Infrastructure	Airport Sitewoi	Fuel Stations	Aircraft	Metal	1	Count	Each	2011	50	0	250,000.00	250,000	5,000
73654	Wind Direction Indicator	Infrastructure	Airport Sitewoi	Columns/Posts		Metal	2	Count	Each	1996	35	4	500.00	1,000	29
73655	Property Culvert	Infrastructure	Airport Sitewoi	Drainage Systems Riveted P		Galvanized Steel	6	Length	m	2005	50	3	675.00	3,848	77
73656	Property Culvert	Infrastructure	Airport Sitewoi	Drainage Systems Riveted P		Galvanized Steel	48	Length	m	2005	50	3	2,000.00	96,000	1,920
73657	Property Culvert	Infrastructure	Airport Sitewoi	Drainage Systems Riveted P		Galvanized Steel	29	Length	m	2005	50	3	2,250.00	64,125	1,283
73658	Property Culvert	Infrastructure	Airport Sitewoi	Drainage Systems Riveted P		High Density Polyethylene	6	Length	m	2015	50	0	675.00	4,185	84
73659	Property Culvert	Infrastructure	Airport Sitewoi	Drainage Systems Riveted P		Galvanized Steel	9	Length	m	2015	50	0	300.00	2,640	53
73660	Interior Fence	Infrastructure	Airport Sitewoi	Fences/Gates		Chain-Link Galvanized Steel	75	Length	m	2012	60	1	85.00	6,409	107
73661	Interior Fence	Infrastructure	Airport Sitewoi	Fences/Gates		Chain-Link Galvanized Steel	97	Length	m	2012	60	1	85.00	8,279	138
73662	Perimeter Fence	Infrastructure	Airport Sitewoi	Fences/Gates		Page Wire Metal; Wood	4,078	Length	m	1963	60	6	14.71	60,000	1,000
73663	Flagpole	Infrastructure	Airport Sitewoi	Columns/Posts		Metal	2	Count	Each	1963	35	2	3,000.00	6,000	171
73664	Propane Tank	Infrastructure	Airport Sitewoi	Utilities		Steel	1	Count	Each	1988	50	4	2,700.00	2,700	54
73665	Commercial Pylon (Road Sign)	Infrastructure	Airport Sitewoi	Signs	Pylon	Metal; Fiberglass; Plastic	1	Count	Each	2012	25	1	15,000.00	15,000	600
73666	Acrylic Pylon Insert (Sign)	Infrastructure	Airport Sitewoi	Signs		Acrylic; Vinyl	2	Count	Each	2012	25	1	255.00	510	20
73667	Guard Post	Infrastructure	Airport Sitewoi	Columns/Posts	Bollard	Concrete; Steel	2	Count	Each	2012	40	3	2,500.00	5,000	125
73668	Airport Sign	Infrastructure	Airport Sitewoi	Signs		Wood	3	Count	Each	2012	25	1	300.00	900	36
73669	Various Signage	Infrastructure	Airport Sitewoi	Signs		Wood; Vinyl; Aluminum	1	Count	Each	2012	25	2	15,000.00	15,000	600
73670	Property Reference Post	Infrastructure	Airport Sitewoi	Columns/Posts	Survey	Concrete	1	Count	Each	1963	100	4	10,000.00	10,000	100
73671	Picnic Table	Equipment	Furniture	Picnic Tables		Wood; Steel Frame	5	Count	Each	2010	10	3	600.00	3,000	300
73672	Picnic Table	Equipment	Furniture	Picnic Tables		Wood; Galvanized Steel Fr	4	Count	Each	2010	10	1	600.00	2,400	240
73673	Bench	Equipment	Furniture	Benches		Wooden Boards; Plastic Fr	5	Count	Each	2010	10	3	900.00	4,500	450

TOTAL Value 11,030,495.50 274,049.48

APPENDIX "B"
to
REPORT ENR 2017-008
FILE NO ENR

The Corporation of the City of Kawrtha Lakes

Office Consolidation of By-Law 2010-100

Consolidated on July 13, 2015

Passed by Council on June 7, 2011

Amendments:

1) By-law 2011-130	June 7, 2011	Sections 1.01, 3.06(d), 04(a), 4.05, 4.06, 4.12, 5.13, 6.02, 6.04 7.01, 7.02
2) By-law 2012-171	June 26, 2012	Section 3.03 (i)
3) By-law 2013-075	April 23, 2013	Section 7.01, 7.02
4) By-law 2015-083	April 28, 2015	Section 2.02
5) By-law 2015-128	July 7, 2015	Sections 1.01, 3.03, 4.19

Note: This consolidation is prepared for convenience only. For accurate reference the original by-laws should be reviewed.

The Corporation of the City of Kawartha Lakes

By-Law 2010-100

A By-Law to Establish a Municipal Service Board to be Known as “Kawartha Lakes Municipal Airport Board” to Govern, Control, Operate and Manage the City’s Provision of a Municipal Airport in the City of Kawartha Lakes

Recitals

1. Sections 194 – 202 of the Municipal Act, 2001 S.O. 2001, c. 25, as amended, provide for the establishment of Municipal Service Boards.
2. A municipality may establish such Municipal Service Boards for the purpose of delivering a service under the jurisdiction of the municipality.
3. It is considered expedient to establish a Municipal Service Board to operate the Corporation’s Municipal Airport.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2010-100.

Section 1.00: Definitions and Interpretation

1.01 **Definitions:** In this by-law,

“**Administration**” means the administration of the City of Kawartha Lakes.

“**Airport**” means a place for the landing and taking off of aircraft and includes facilities provided for the support of these activities. In the context of this by-law it means the City of Kawartha Lakes Municipal Airport and all related facilities.

“**Airport Manager**” means the Management Company hired to oversee the operations of the Airport.

2015-128, effective July 7, 2015

“**Board**” also known as “**Kawartha Lakes Municipal Airport Board**” means the Board of Directors of the Municipal Service Board established by this by-law.

“Business” means the operation, management, maintenance and control of the business which has, until the passage of this by-law, operated as the Corporation’s Municipal Airport.

“C.A.O” means the person who holds the position of Chief Administrative Officer and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

“City”, “City of Kawartha Lakes”, “Corporation” 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.

“Director” means the person who holds the position of Director within the Corporation and his or her delegate(s) or, specifically excludes each person or persons who is a director of the board for the purpose of this by-law.

2011-130, effective June 7, 2011

“Member of the Board”, “Board Member” or “Member” means any individual Member of the Board, including the Chair, whether the person is a voting Member or a non-voting Member.

“Municipal Act, 2001” means the Municipal Act, 2001, S.O. 2001, c. 25, as amended.

“Municipal Service Board” means a body corporate as contemplated by the Municipal Act, 2001.

“Quorum” means a majority of voting members present and not otherwise disqualified from voting under any Federal or Provincial legislation or municipal by-laws.

“Treasurer” means the person appointed by Council to carry out the duties of the treasurer described in section 286 of the Municipal Act, 2001.

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: Establishment of Kawartha Lakes Municipal Airport Board

2.01 **Creation of Board:** The Kawartha Lakes Municipal Airport Board is established as a body corporate and, subject to the provisions of this by-law, is entrusted with the Business.

2.02 **Composition:** The Kawartha Lakes Municipal Airport shall be comprised of eight (8) voting members appointed by Council, and the Mayor as ex-officio, as follows:

- a) The Mayor of the City of Kawartha Lakes as ex-officio;
- b) The Ward Nine Councillor of the City of Kawartha Lakes;
- c) One member of Council of the City of Kawartha Lakes representing a ward from outside of the Geographic Lindsay area;
- d) Three representatives from the general aviation community;
- e) Three representatives from the community at large (the "Community at Large appointment").

2015-083, effective April 28, 2015

2.03 **Qualifications:** In order to be eligible to be a voting Member of the Board, a person must meet the following minimum requirements, in addition to any criteria established by the Board or Council from time to time:

- a) He or she is at least eighteen years of age;
- b) He or she is a Canadian citizen;
- c) He or she is eligible to run for Council for the City of Kawartha Lakes
- d) He or she will not, as a result of direct or indirect pecuniary interests under the Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50, as amended, be consistently prevented from participating in the business of the Board
- e) He or she is not an undischarged bankrupt.

2.04 **Term of Office:** Members of the Kawartha Lakes Municipal Airport Board shall hold office for a term concurrent with the term of Council and shall continue to hold office until their successors are appointed. Members are eligible for re-appointment to the Board.

2.05 **Non-Voting Participants:** The Kawartha Lakes Municipal Airport Board may request any municipal staff member to attend any meeting of the Board through their respective Director and subject to availability as a non-voting participant.

The Kawartha Lakes Municipal Airport Board may appoint a non-member of the Board to act in the capacity of "Recording Secretary" to fulfill the duties outlined in this by-law.

No person other than those appointed by Council are entitled to vote at Board meetings.

2.06 **Reappointment:** Any Board Member is eligible for reappointment on the expiration of his or her term of office, subject to any by-laws of the Board within the following parameters:

- a) Subject to Subsection 2.04, no person shall serve as a Member of the Board for more than twelve (12) consecutive years;
- b) The twelve (12) years referenced in Subsection 2.06(a) may be increased by up to eight (8) years where the additional eight (8) years are spent as Chair of the Board.

2.07 **Vacancies:** The seat of a member of the Board (excluding Council members) becomes vacant if:

- a) the member no longer satisfies the qualifications required in Section 2.03 of this by-law;
- b) the appointed term of the member expires;
- c) the member dies;
- d) the member tenders his or her resignation;
- e) the member is absent from the meetings of the Board for three (3) consecutive months or meetings (whichever is greater) without being authorized to do so by resolution of the Kawartha Lakes Municipal Airport Board, or by act of Council; or
- f) Council chooses to remove the member.

Where a vacancy occurs with the Community at Large appointment, the City of Kawartha Lakes shall advertise the position as vacant and select a suitable representative.

Where a vacancy occurs, other than the Community at Large appointment, in the membership of the Board for any cause, Council shall appoint a qualified person to fill the vacancy for the remainder of the term for which his or her predecessor was appointed. The constituency previously represented by the vacated member may nominate to the Board a person to fill the vacated seat. The Board shall put the names of possible candidates for appointment forward for consideration by Council.

Section 3.00: Mandate and Responsibilities

- 3.01 **Mandate of the Board:** The purpose of the Kawartha Lakes Municipal Airport Board is to manage the municipal interests at the Kawartha Lakes Municipal Airport in a cost effective and coordinated manner so as to promote and protect the public's interest and investment, as well as the long-term sustainability of the Airport as a viable municipal service for the use of both residents and visitors.
- 3.02 **Exemptions:** The Corporation shall be responsible for the enforcement of all municipal by-laws (i.e. parking control, noise, zoning etc.) and the Kawartha Lakes Municipal Airport Board shall abide by all applicable municipal by-laws. For purposes of City Noise By-law Schedule "B", the Kawartha Lakes Municipal Airport is considered a "licensed airport".
- 3.03 **Responsibilities of the Kawartha Lakes Municipal Airport Board:**
- The Kawartha Lakes Municipal Airport Board shall be responsible to:
- a) ensure the best interests of all residents, users and ratepayers of the City of Kawartha Lakes are considered in relation to the Kawartha Lakes Municipal Airport;
 - b) provide airport services to the public in an efficient and effective manner;
 - c) develop and present a five (5) year strategic plan for the operation of the Kawartha Lakes Municipal Airport to be approved by Council;
 - d) develop and present annual operational plans, in accordance with Section 5.13 of this by-law, based on the strategic plans approved by Council for the Kawartha Lakes Municipal Airport and Council's Strategic Plan;
 - e) develop and implement a marketing plan for the Kawartha Lakes Municipal Airport that is consistent with the overall City of Kawartha Lakes Marketing Plan;
 - f) adhere to all applicable legislation, municipal by-laws and policies and procedures of the City of Kawartha Lakes;
 - g) develop policies and recommend to Council by-laws to achieve the objectives of the Board and Council for airport services;
 - h) oversee all operational aspects (cost and implementation) of the Kawartha Lakes Municipal Airport including maintenance, care and operations of all public infrastructure, site landscaping, public buildings and publicly operated buildings;
 - i) the Economic Development for the City of Kawartha Lakes shall work in conjunction with the Board to promote and facilitate business retention, expansion and attraction to the Kawartha Lakes Municipal Airport.

2015-128, effective July 7, 2015
2012-171, effective June 26, 2012 (Section 3.03(j) deleted)

- 3.04 **Chair:** At the time of the appointments to the Board, one member will be appointed as Chair by the majority of members of the Board in attendance at the first meeting. The Chair, or in the absence of the Chair, the Vice-Chair shall:
- a) preside at all meetings of the Board;
 - b) sign all formal documentation;
 - c) provide leadership to the Board;
 - d) ensure that the meetings proceed in an orderly and efficient manner while adhering to administrative policies, practices and procedures;

- e) enforce, on all occasions, the observance of order and decorum among the members and attendees; and
 - f) ensure that accountability and transparency are priorities to be considered by the Board in its operations.
- 3.05 **Vice-Chair:** At the time of appointments to the Board, one member will be elected as Vice-Chair by a majority of members of the Board in attendance at the first meeting. The Vice-Chair shall serve as Chair in the absence of the Chair.
- 3.06 **Recording Secretary:** In accordance with the provisions of this by-law, the City of Kawartha Lakes Procedural By-law and municipal policies and procedures, the Recording Secretary shall be responsible for:
- a) preparing and distributing the agenda for all meetings of the Board in accordance with the provisions of this by-law and making the agenda available to the public and media following distribution of the regular agenda to members of the Board;
 - b) ensuring due notice of all meetings is provided to the members and the public in accordance with established policies;
 - c) preparing minutes without note or comment and distributing all minutes in accordance with established policies;
 - d) maintaining all original copies of minutes of Board meetings and ensuring that copies are forwarded to the City Clerk; and
 - e) ensuring that all records management policies and procedures are followed.
- 2011-130, effective June 7, 2011
- 3.07 **Conduct of Members:** All members appointed to the Kawartha Lakes Municipal Airport Board shall adhere to all applicable legislation including, but not limited to, the Municipal Act, 2001 and any regulations thereto, the Municipal Conflict of Interest Act, and the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56.
- All members of the Kawartha Lakes Municipal Airport Board shall:
- a) maintain in confidence the business of the Kawartha Lakes Municipal Airport Board unless the Board resolves otherwise;
 - b) avoid conflicts of interest with the business of the Board, both ethical and financial;
 - c) act in good faith and in the best interests of the Kawartha Lakes Municipal Airport Board;
 - d) comply with all applicable law;
 - e) speak the truth and make full and fair disclosure and representation when transacting the business of the Board;
 - f) prepare appropriately for, and participate fully in, meetings of the Board; and
 - g) diligently participate in the activities of the Kawartha Lakes Municipal Airport Board.

Section 4.00: Meetings

- 4.01 **Open Meetings:** All meetings of the Kawartha Lakes Municipal Airport Board shall be open to the public and no person shall be excluded from a meeting that is open to the public except for improper conduct.

Where not identified in this by-law, and in accordance with the Municipal Act, 2001, the Kawartha Lakes Municipal Airport Board shall be subject to the Procedural By-law of the City of Kawartha Lakes and the provisions of ss. 239, 239.1 and 239.2 of the Municipal Act, 2001.

- 4.02 **Closed Meetings:** A meeting of the Kawartha Lakes Municipal Airport Board, may be closed to the public, in accordance with Section 239 of the Municipal Act, 2001, when the subject matter under consideration involves:

- a) the security of the property and services of the Kawartha Lakes Municipal Airport Board as it relates to property of the City of Kawartha Lakes;
 - b) personal matters about an identifiable individual, including municipal or local board employees;
 - c) labour relations or employee negotiations;
 - d) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - e) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
 - f) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.
- 4.03 **Location:** Meetings of the Kawartha Lakes Municipal Airport Board shall be held at a location within the boundaries of the City of Kawartha Lakes. The location to be determined and published on the agenda.
- 4.04 **Regular Meetings:** The Board shall schedule its regular meetings so that there are at least nine (9) regular meetings per year. The policies and procedures required by Section 6.01 shall provide as a minimum that:
- a) notice of all meetings of the Board, together with the agenda for the meeting, must be provided to the City Clerk and the Director; and
 - b) for any item of business on any agenda of any meeting of the Board, the Board shall not refuse to hear comments by or on behalf of the City.
- 2011-130, effective June 7, 2011
- 4.05 **Posting of Agendas and Minutes:** Agendas shall be provided to the Clerk and posted on the City of Kawartha Lakes Website a minimum five (5) days prior to the meeting.
- Minutes shall be provided to the City Clerk and posted on the City of Kawartha Lakes Website once the Board has adopted them.
- 2011-130, effective June 7, 2011
- 4.06 **Cancellation or Rescheduling of Meetings:** Any meeting may be cancelled or rescheduled with forty-eight (48) hours notice to each Member, the local newspapers, to any delegations/deputations which have previously notified the Board of their desire to appear before the Board and the general public by the posting of a notice on the website. Email advising of the meeting cancellation shall be deemed as appropriate notice.
- A meeting may be cancelled or rescheduled on less than forty-eight (48) hours notice if a quorum would not be present or for weather related matters. Every attempt is to be made to contact the public and the media to advise of the cancellation/rescheduled meeting in a timely fashion.
- 4.07 **Special Meetings:** No special meeting of the Kawartha Lakes Municipal Airport Board shall be called except on twenty-four (24) hours notice. The notice calling a special meeting shall state the business to be considered at the special meeting and no business other than that stated shall be considered at such meeting without the consent of the majority of the Board.
- 4.08 **Emergency Meetings:** Notwithstanding any other provision of this by-law, the Chair may at any time summon an emergency meeting of the Board. An emergency meeting may be held without notice, provided that an attempt has been made by the Recording Secretary to notify each Member about the meeting as soon as possible and in the most expedient manner available. An emergency meeting may only be called by the Chair or a majority of members of the Board submitted in writing to the City Clerk to deal with an emergency or extraordinary situation.
- 2011-130, effective June 7, 2011

- 4.09 **Minutes:** The Board shall provide to Council on a regular basis, for information, the minutes of the meetings of the Board. Minutes are not subject to approval by Council and will be provided to Council in accordance with established policy. Where the Board has appointed committees, those committees shall report to the Board, and the minutes of the Board meetings shall reflect the reports of committees.

All minutes shall record the following:

- (a) The place, date and time of meeting;
- (b) The name(s) of the Chair and record of attendance of the Members;
- (c) The reading, if requested, correction and adoption of the minutes of the prior meeting; and
- (d) All other proceedings of the meeting without note or comment.

All minutes of a closed session shall be recorded in separate minutes, closed to the public, and shall include the same information as is set out in Section 4.09.

- 4.10 **Quorum:** A quorum shall be 50 percent (50%) of the total Board members plus one (1) member of the Kawartha Lakes Municipal Airport Board including the Chair or Vice-Chair. In the absence of both the Chair and Vice-Chair, the members present may appoint an Acting Chair who shall preside over the meeting.

Notwithstanding the Board's Procedural By-law, the lack of a quorum for a Board meeting may be resolved by:

Twenty minutes after the time appointed for a meeting of the Board, the Recording Secretary shall, at the request of a majority of the members present, call the roll and record the names of the members present and the members shall stand discharged from waiting further.

If, during the course of a Board meeting, a quorum is lost then the Chair may:

- i) declare that the meeting stand adjourned, not ended, to reconvene at such time and place as he/she shall be determined; or
- ii) cancel the balance of the meeting if, in his/her opinion, it is not essential to deal with the balance of the agenda before the next regular meeting.

- 4.11 **Order of Business:** The routine order of business for regular board meetings shall be as follows:

- 1. Adoption of Agenda
- 2. Disclosure of Pecuniary Interest/Conflict of Interest
- 3. Deputations
- 4. New Business
- 5. Other Business
- 6. Closed Session
- 7. Business Arising from Closed Session
- 8. Adjournment

All business (other than Closed Session) shall be taken up in the order or routine in which it stands as shown on the Agenda unless otherwise decided by the concurring vote of the majority of the Members. Motions shall be read as presented.

Closed Session Meetings may be held at a time earlier than the regular commencement time or immediately following the Board Meeting. Wherever possible, meetings to commence at an earlier time will be specified on the cover page of the agenda.

- 4.12 **Agendas:** Regular meeting agendas shall be prepared in order of topics set out as the routine of business (Order of Business), printed and circulated to each Member a minimum of five (5) days prior to the meeting.

Agendas shall be made available to the media and those members of the public who have requested a copy prior to the scheduled meeting. Agendas are sent to the City Clerks Office and the cover page of the agenda and background information (where possible) will be available on the City's website a minimum three (3) days before the meeting.

2011-130, effective June 7, 2011

- 4.13 **Addendum Items:** Items not listed on the printed agenda shall require a majority vote of the members present to add the item to the agenda.
- 4.14 **Deputations/Delegations:** Persons desiring to verbally present information on matters of fact or make a request of the Board shall give notice legibly written or printed outlining the specific nature of the presentation, signed by at least one person and filed with the Recording Secretary, or designate, no less than seven (7) days preceding the meeting of the Board. That person shall be limited in speaking to not more than five (5) minutes, except by special leave of the Chair.
- 4.15 **Subcommittees:** The Board shall have the ability to create project-specific subcommittees and appoint members to these subcommittees as needed for a specified time and purpose. All such committees and members shall be subject to all policies of the Board and City of Kawartha Lakes.
- 4.16 **Voting:** Each Member shall be entitled to one (1) vote on all matters.
- Each member shall be present at a duly constituted meeting in order to exercise his or her vote.
- Abstaining from casting a vote shall mean a vote in the negative.
- In the event of a tie vote, the motion shall be deemed to be lost.
- 4.17 **Joint Meetings:** At least once per calendar year, the Board and the Council shall attend a joint meeting, hosted by the Council, to review matters of mutual interest. The meeting shall be held between September and December at a date and place mutually agreed upon by the Board and Council. Other joint meetings may be requested by either the Board or the City by resolution or by communication of the Board or the Council, as appropriate.
- 4.18 **Remuneration of the Board Members:** All Board Members are considered volunteer positions. Mileage costs and other minor expenses related to Board activities may be eligible for reimbursement subject to budget approvals by Council and policies adopted by Council.
- 4.19 **Remuneration of the Recording Secretary:** The Recording Secretary is considered a volunteer position. The Board may choose to provide a per diem to compensate for duties performed as per section 3.06 of this By-law subject to Board approval and budget availability.

2015-128 effective July 7, 2015

Section 5.00: Financial

- 5.01 **Transfer of Jurisdiction:** Subject to Section 10.02, when this by-law takes effect, all the powers, rights, authorities and privileges conferred upon the Corporation by any general or special act with respect to the Business shall be exercised by the Kawartha Lakes Municipal Airport Board, and not by the Corporation. The Board shall conduct the Business on a commercially prudent basis to provide a reliable, effective, competitive and efficient airport system to its customers.
- 5.02 **Corporate Consents Required:** Nothing in this by-law or in Sections 196-198 of the Municipal Act, 2001 authorizes the Board, without the consent of the Corporation, to:
- amalgamate with another entity, apply to continue under the laws of another jurisdiction, merge, consolidate or reorganize, or approve or

effect any plan of arrangement, in each case, whether statutory or otherwise;

- b) take any steps for winding up, arrangement, or dissolution;
- c) sell or pledge as security any realty asset;
- d) commit to loans, expenditures or pledges of security to a cumulative value exceeding the capital reserve approved within the context of the Kawartha Lakes Municipal Airport Board's policies regarding maintenance and use of reserve funds, referenced in Section 5.04;
- e) commit to loans, expenditures, contractual commitments or pledges of security that exceed the limits approved within the context of Council's approval of the Kawartha Lakes Municipal Airport Board's annual budgets;
- f) amend its corporate by-laws in a manner inconsistent with this by-law;
- g) enter a new line of business not recognized and approved within the context of Council's approval of the Kawartha Lakes Municipal Airport Board's annual budgets;
- h) take any steps or make any decisions that would materially adversely affect the tax or regulatory status of the Kawartha Lakes Municipal Airport; or
- i) any matters required by the Canada Business Corporations Act to be approved by the shareholders of a business corporation.

5.03 **Properties:** The title to all lands, building and equipment acquired or constructed for the purposes of the Kawartha Lakes Municipal Airport shall be held in the name of the Corporation.

5.04 **Debt Financing:** Nothing in this by-law authorizes the Board to provide for the financing of the Business by means other than fees and charges under Part XII of the Municipal Act, 2001, and any by-law of the Board purporting to impose fees and charges shall not come into force until the Council passes a resolution approving the by-law of the Board.

5.05 **Revenue:** The Board shall use the revenues generated for the operation and maintenance of the Business and for the establishment of reserve funds authorized by the Corporation for the purposes of the Business.

5.06 **Trust:** All assets of the Kawartha Lakes Municipal Airport that are held and controlled by the Board are held and controlled in trust for the Corporation.

5.07 **Payment to the Corporation:** In keeping with its policies and procedures, the Board shall, unless otherwise directed by the Council, pay one hundred (100%) percent of its surplus revenues to the Corporation to be placed by the Council, in their entirety, into a restricted reserve for the sole purpose of the Kawartha Lakes Municipal Airport Board of Management.

5.08 **Financial Year:** The financial year for the Kawartha Lakes Municipal Airport Board shall be consistent with the City of Kawartha Lakes, which is January 1st to December 31st.

5.09 **Budgets:** The Board shall submit to Council through the Treasurer its estimates for each year prior to August 31st and in the form prescribed by the Treasurer and shall make requisitions upon the Council for any sums of money required to carry out its powers and duties, but nothing in this by-law divests Council of its authority with reference to providing the money for the purposes of the Board and, when money is so provided, the Treasurer shall, pay out the money approved.

5.10 **Annual Report:** On or before March 31st in each year, the Board shall submit to Council its annual report, in writing, for the preceding year.

5.11 **Auditor Statement:** A complete audited and certified financial statement for the Board shall be prepared by the Treasurer and the Corporation's auditor and presented to Council as part of the City financial statements.

- 5.12 **Auditor:** The auditor appointed by the Corporation shall be the auditor for the Kawartha Lakes Municipal Airport Board.

The auditor shall have the right of access at all reasonable hours to all records of the Kawartha Lakes Municipal Airport.

Upon receipt of an invoice from the Treasurer, the Kawartha Lakes Municipal Airport shall pay the audit fees attributable to the audit of its accounts, transactions, and financial statements by the Auditor.

- 5.13 **Five-Year Strategic Plan:** The Kawartha Lakes Municipal Airport Board shall establish and maintain a renewing 5-year Strategic Plan to be presented and adopted by the Council of the City of Kawartha Lakes in conjunction with the annual budget.

The Board shall provide to Council on an annual basis through the office of the City Clerk, a summary of its strategic business plans for the Kawartha Lakes Municipal Airport. The Board shall approve and report to Council any changes in service commitments, which vary from the service levels, identified in the approved five (5) year strategic business plan.

2011-130, effective June 7, 2011

- 5.14 **Quarterly Financial Reports:** The Treasurer of the City of Kawartha Lakes shall provide to the Kawartha Lakes Municipal Airport board on a quarterly basis, financial statements.

- 5.15 **Records:** The Board's records shall be maintained by the City and in accordance with the City's record retention by-law.

- 5.16 **Municipal Services:** In accordance with the normal municipal practice, any services provided by the City to the Kawartha Lakes Municipal Airport Board shall be applied and paid for by the Board. The Board shall also pay for all insurance premiums or any other costs deemed appropriate by the Treasurer paid by the City of Kawartha Lakes on its behalf in connection with the Kawartha Lakes Municipal Airport Board.

- 5.17 **Purchasing:** In accordance with Section 270 of the Municipal Act, 2001, the Kawartha Lakes Municipal Airport Board shall be subject to adopt the Purchasing by-law of the City of Kawartha Lakes subject to any amendments that may be made from time to time.

- 5.18 **Revenues:** In accordance with the Municipal Act, 2001, all revenues generated by the Kawartha Lakes Municipal Airport will be utilized to fund the operation and maintenance of the Kawartha Lakes Municipal Airport. All fees and charges are established in accordance with the provisions of the Municipal Act, 2001, on a cost-recovery basis and any by-law of the board purporting to impose fees and charges shall not come into force until the Council passes a resolution approving the by-law of the Board.

- 5.19 **Co-Operation Between Administrations:** Notwithstanding the introduction of the municipal services board created by this by-law, administration of Kawartha Lakes Municipal Airport and administration of the Corporation are expected to continue to work together as required from time to time on issues and subjects related to the management of the Board.

Section 6.00: Kawartha Lakes Municipal Airport Board By-laws, Policies & Procedures

- 6.01 **Required Policies:** The Board shall establish its own policies and procedures as may be required or appropriate for a federally-regulated enterprise that are consistent with this by-law.

At a minimum and in compliance with Section 270 of the Municipal Act, 2001, c.M.45, the Board shall follow the policies of the Corporation as it applies to:

- a) meeting schedules and procedures;
- b) corporate signing authority and jurisdiction;
- c) human resources policies;
- d) purchasing policies;
- e) the maintenance and use of reserve funds;
- f) sale or disposition of land; and
- g) conflict of interest among Members.

- 6.02 **Corporate By-laws:** The Board may develop by-laws for itself to be recommended to Council for adoption, which are consistent with this by-law, and maintain them, through the City Clerk, in appropriate minute books.

By-law 2011-130, effective June 7, 2011

- 6.03 **Corporation's Policies:** Wherever the Board has not established a policy to govern any procedure, issue, matter or event, it shall rely on and apply the Corporation's policies for that procedure, issue, matter or event should same arise. Where the Board has issued a policy, its policy takes precedence over the Corporation's Policies on the same subject matter.

- 6.04 **Amendments to this By-law at Board's Request:** In the event that the Board wishes to request that the Corporation amend this by-law in any respect, it shall specify its request in writing. Once the Board has, by recorded vote, passed the resolution requesting the change, it shall provide notice of the request to the City Clerk in accordance with Section 8.01 of this by-law. The City Clerk shall, subject to Council's procedural by-laws, place the item on the agenda for the next regularly scheduled meeting of the Council for consideration.

2011-130, effective June 7, 2011

- 6.05 **Amendments to this By-law at Corporation's Request:** In the event that the Corporation proposes to amend this by-law, it shall provide eight (8) weeks' written notice to the Board indicating the proposed change. Within the notice period, the Board may provide written comment upon and input into the proposed change.

Section 7.00: Administration

- 7.01 **Administration of the By-law:** The Director of Corporate Services is responsible for the administration of this by-law.

2011-130, effective June 7, 2011
2013-075, effective April 23, 2013

- 7.02 **Staffing:** The Office of the Director of Corporate Services of the City of Kawartha Lakes shall act as the staff liaison with the Kawartha Lakes Municipal Airport Board.

2011-130, effective June 7, 2011
2013-075, effective April 23, 2013

- 7.03 **Approval Authorities:** The Corporation retains all authority for approval and execution of all documents. In accordance with the City's Purchasing By-law, a summary of all invoices for payment must be presented by municipal staff and a motion to approve the accounts approved by a majority of the Board. Staff are authorized to pre-approve any invoices which may incur late payment charges depending on the timing of the meeting and based upon current practice for such things as utilities.

- 7.04 **Insurance:** The Corporation shall maintain insurance with regard to normal operations and practices of the Kawartha Lakes Municipal Airport Board.

Section 8.00: Notice

- 8.01 **Notice:** Any notice to be given by the Board to the City under this by-law shall be sufficiently given if delivered by hand, or facsimile, or if sent by prepaid first class mail and addressed to the City at:

The Corporation of the City of Kawartha Lakes

Attention: City Clerk
P.O. Box 9000
26 Francis Street
Lindsay, Ontario K9V 5R8
Facsimile: (705) 324-8110

Any notice to be given by the Corporation to the Board under this by-law shall be sufficiently given if delivered by hand, or facsimile, or if sent by prepaid first class mail and addressed to the Board at:

Kawartha Lakes Municipal Airport Board
Attention: Board Secretary
12 Peel Street,
Lindsay, Ontario. K9V 3L8
Facsimile: (705) 324-2147

Receipt of notice shall be deemed on:

- a) the date of actual delivery of a hand delivered document; or
- b) the business day next following the date of facsimile transmission; or
- c) five (5) days following the date of mailing of the notice; whichever is applicable. Notice shall not be given by electronic mail.

Section 9.00: Airport Name

9.01 **Airport Name:** The Corporation’s Municipal Airport shall forthwith be known as the “Kawartha Lakes Municipal Airport”.

Section 10.00: Effective Date

10.01 **Effective Date:** This by-law shall come into force and take effect upon its final passing. Notwithstanding the effect of this by-law, it is recognized that the Board will take time to become established. Until the Board has been established and has enacted its corporate by-laws, the City’s Public Works Department will continue to operate the Business as it has prior to the date of passage of this by-law.

By-law read a first, second and third time, and finally passed, this 25th day of May, 2010.

_____ Mayor	_____ Clerk
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The Corporation of the City of Kawartha Lakes

By-Law 2017-

A By-Law to Stop Up and Close Part of the Original Shore Road Allowance in Front of Lot A, Concession 1, in the Geographic Township of Carden, City of Kawartha Lakes, Designated as Parts 1, 2, and 3 on Reference Plan 57R-10579, to Authorize the Sale of the Land to the Abutting Owners and to Authorize a Grant of Easement in Favour of Hydro One Networks Inc. Over Part of the Original Shore Road Allowance in Front of Lot A, Concession 1, in the Geographic Township of Carden, City of Kawartha Lakes, Designated as Part 2 on Reference Plan 57R-10579

Recitals

1. Pursuant to the *Municipal Act*, 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 forms part of the original shore road allowance along Lake Dalrymple and has been declared to be surplus to municipal needs.
3. It is desirable to stop up and close that part of the original shore road allowance along Lake Dalrymple described in Schedule "A" attached to this by-law and to authorize the sale of the land to the abutting owners.
4. Notice of the 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 17th, 24th, and 31st days of August, 2017, in accordance with the provisions of the *Municipal Act* and By-law number 2015-095 and 2010-118, as amended.
5. The proposed by-law came before Council for consideration at its regular meeting on the 12th day of September, 2017 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. This matter was approved by City Council on the 30th day of August, 2016 by the adoption of Report RS2016-002 by CR2016-739.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-_____.

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: Shoreline Road Closure, Sale, and Easements

- 2.01 **Closure and Sale:** That part of the original shore road allowance described in Schedule “A” attached has been declared to be surplus to municipal needs and is hereby stopped up, closed and authorized to be sold to the abutting owners for \$20.00 per linear foot of frontage being the sum of Three Thousand Sixty-Four Dollars and Thirty Cents (\$3,064.30) 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.
- 2.02 **Easements:** Prior to the transfer of that part of the shore road allowance described in Schedule “A” to the abutting owners the City of Kawartha Lakes is authorized to grant an easement in favour of Hydro One Networks Inc. over Part of the Original Shore Road Allowance in Front of Lot A, Concession 1, in the Geographic Township of Carden, City of Kawartha Lakes, designated as Part 2 on Plan 57R-10579.

Section 3.00: Effective Date

- 3.01 **Effective Date:** This By-law shall come into force and take effect when it has been 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 12th day of September, 2017.

Andy Letham, Mayor

Ron Taylor, Acting City Clerk

**Schedule "A" to City of Kawartha Lakes
By-Law Number 2017-
Passed this 12th Day of September, 2017**

**Description of Land to be Stopped Up, Closed
and Conveyed to the Abutting Owners**

Part of the Original Shore Road Allowance in Front of Lot A, Concession 1,
Geographic Township Of Carden, City Of Kawartha Lakes, Designated as Parts
1, 2 And 3 On Reference Plan 57R-10579

The Corporation of the City of Kawartha Lakes

By-Law 2017-

A By-law to Authorize the Sale of Municipally Owned Property Legally Described as Lot 14, Registrar's Compiled Plan No. 5, in the Geographic Township of Eldon, City of Kawartha Lakes, Designated as Parts 1, 2, and 3 on Reference Plan 57R-10548, being PIN: 63170-0709 (LT) and to Authorize a Grant of Easement in Favour of Hydro One Networks Inc. Over Part 3 on Reference Plan 57R-10548 and to Authorize a Grant of Easement in Favour of the City of Kawartha Lakes Over Part 2 on Reference Plan 57R-10548

Recitals

1. The subject land was declared surplus to municipal needs by City Council on the 28th day of January, 2014 by the adoption of Report LM2014-003 by CR2014-101.
2. Notice of the 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 17th, 24th, and 31st days of August, 2017, in accordance with the provisions of the *Municipal Act* and By-laws 2008-065 and 2010-118, as amended.
3. The proposed by-law came before Council for consideration at its regular meeting on the 12th day of September, 2017 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.
4. The sale of this land was approved by the City Council on the 28th day of January, 2014 by the adoption of Report LM2014-003 by CR2014-101.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-_____.

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: Sale of Surplus Property and Easement

- 2.01 **Sale:** Lot 14, Registrar’s Compiled Plan No. 5, in the Geographic Township of Eldon, City of Kawartha Lakes, designated as Parts 1, 2, and 3 on Reference Plan 57R-10548, being PIN: 63170-0709 (LT) is hereby authorized to be sold to Garry Joseph Steele and Marjorie Doris Steele for Seven Thousand Five Hundred Dollars (\$7,500.00), plus HST, if applicable, and all additional costs associated with this transaction.
- 2.02 **Easements:** Prior to the transfer of Lot 14, Registrar’s Compiled Plan No. 5, in the Geographic Township of Eldon, City of Kawartha Lakes, designated as Parts 1, 2, and 3 on Reference Plan 57R-10548, being PIN: 63170-0709 (LT), the City of Kawartha Lakes is authorized to grant an easement in favour of Hydro One Networks Inc. over Part 3 on Reference Plan 57R-10548 and to authorize a grant in favour of the City of Kawartha Lakes over Part 2 on Reference Plan 57R-10548.

Section 3.00: Effective Date

- 3.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed by Council.

By-law read a first, second and third time, and finally passed, this 12th day of September, 2017.

_____ Andy Letham, Mayor	_____ Ron Taylor, Acting City Clerk
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The Corporation of the City of Kawartha Lakes

By-Law 2017-

A By-law to Stop Up and Close that Portion of the Road Allowance Set Out as PT RD PLAN 152, Fenelon as in R465190, Being Part of PIN: 63144-0116 (LT), in the Geographic Township of Fenelon, City of Kawartha Lakes

Recitals

1. Pursuant to the Municipal Act 2001, Council is empowered to stop up and close any part of a highway;
2. It is desirable to stop up and close that part of the Road on Plan 152, more particularly described as PT RD PLAN 152, Fenelon as in R465190, being part of PIN: 63144-0116 (LT), and to authorize the conveyance of the land to the abutting owner.
3. Notice of the intention of City Council to pass this By-law was given by ad notice duly published in the Kawartha Lakes This Week on the 17th, 24th, and 31st days of August, 2017, in accordance with the provisions of the Municipal Act, 2001 and By-law 2008-065, as amended.
4. The proposed By-law came before Council for consideration at its regular meeting on the 12th day of September, 2017 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.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-____.

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:** That part of the road allowance described PT RD PLAN 152, Fenelon as in R465190, Being Part of PIN: 63144-0116 (LT), is hereby stopped up and closed, and the Mayor and Clerk are authorized to execute all instruments necessary to effect a release of any right, title or

interest in such lands on behalf of the City in order to correctly establish the parcel description of PIN: 63144-0116 (LT), for nominal consideration plus all costs incurred by the City, such as advertising costs, legal fees, disbursements and registration costs.

Section 3.00: Effective Date

3.01 **Effective Date:** This By-law shall come into force and take effect when it has finally been 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 12th day of September, 2017.

Andy Letham, Mayor

Ron Taylor, Acting City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2017-

A By-Law to Authorize the Sale of Municipally Owned Property Legally Described as Block E Registered Plan 494, in the Geographic Township of Somerville, City of Kawartha Lakes, described as Part 1 on Plan 57R-10600, being PIN: 63120-0559 (LT)

Recitals

1. The subject land was declared to be surplus to municipal needs by City Council on the 10th day of November, 2015 by the adoption of Report LM2015-015 by CR2015-1164.
2. Notice of the 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 9th, 16th, and 23rd days of February, 2017, in accordance with the provisions of the *Municipal Act* and By-laws 2008-065 and 2010-118, as amended.
3. The proposed by-law came before Council for consideration at its regular meeting on the 12th day of September, 2017 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.
4. The sale of this land was approved by City Council on the 10th day of November, 2015 by the adoption of Report LM2015-015 by CR2015-1164.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-_____.

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;

“Mayor” means the Chief Executive Officer of 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: Sale of Surplus Property

2.01 Sale: Block E Registered Plan 494, in the Geographic Township of Somerville, City of Kawartha Lakes, described as Part 1 on Plan 57R-10600, being PIN: 63120-0559 (LT) is hereby authorized to be sold to Lino Correia

for Fifty-Five Thousand Dollars (\$55,000.00), plus HST, if applicable, and inclusive of all additional costs associated with this transaction.

Section 3.00: Effective Date

3.01 **Effective Date**: This By-law shall come into force and take effect when it has been finally passed by Council.

By-law read a first, second and third time, and finally passed, this 12th day of September, 2017.

Andy Letham, Mayor

Ron Taylor, Acting City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2017-

A By-Law to Authorize the Sale of Municipally Owned Property Legally Described as Part of West Half Lot 16, Concession 5, in the Geographic Township of Mariposa, City of Kawartha Lakes Described as Parts 1, 2 and 3 on Plan 57R-10515 Being Part of PIN: 63191-0128 (LT)

Recitals

1. The subject land was declared to be surplus to municipal needs by City Council on the 11th day of February, 2014 by the adoption of Report LM2014-005 by CR2014-147.
2. Notice of the intention of City Council to pass this by-law was given by notice duly published in the Kawartha Lakes This Week newspaper in the City of Kawartha Lakes on the 3rd, 10th, and 17th days of September, 2015, in accordance with the provisions of the *Municipal Act* and By-laws 2008-065 and 2010-118, as amended.
3. The proposed by-law came before Council for consideration at its regular meeting on the 12th day of September, 2017 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.
4. The sale of this land was approved by the City Council on the 11th day of February, 2014 by the adoption of Report LM2014-005 by CR2014-147.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-_____.

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;

“Mayor” means the Chief Executive Officer of 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: Sale of Surplus Property

2.01 **Sale:** Part of West Half Lot 16, Concession 5, in the Geographic Township of Mariposa, City of Kawartha Lakes Described as Parts 1, 2 and 3 on Plan

57R-10515 Being Part of PIN: 63191-0128 (LT) is hereby authorized to be sold to Ercole Normantino for One Hundred Thirty Thousand Dollars (\$130,000.00), plus HST, if applicable, and all additional costs associated with this transaction.

Section 3.00: Effective Date

3.01 **Effective Date**: This By-law shall come into force and take effect when it has been finally passed by Council.

By-law read a first, second and third time, and finally passed, this 12th day of September, 2017.

Andy Letham, Mayor

Ron Taylor, Acting City Clerk

The Corporation of the City of Kawartha Lakes

By-law 2017-XXX

A By-law to Temporarily Prohibit Heavy Traffic From Using Portions of Various Roads in the Area of the Stoney Creek Culvert, Highway 35

Recitals

1. In the *Municipal Act, 2001*, Section 35 authorizes a municipality to pass a by-law removing or restricting the common law right of passage by the public over a highway.
2. The Ministry of Transportation will temporarily close Highway 35 south of River Road and North of Tower Road in order to complete culvert rehabilitation at Stoney Creek.
3. Council deems it necessary to prohibit heavy traffic from using portions of various roads in the area of the Stoney Creek Culvert, Highway 35.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-XXX.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law:

- (a) **"City", "City of Kawartha Lakes" or "Kawartha Lakes"** means The Corporation of the City of Kawartha Lakes and includes its entire geographic area.
- (b) **"Council"** means the municipal council for the City.
- (c) **"Heavy Traffic"** means the use of Highways by a Vehicle, object or contrivance for moving loads, having a registered Gross Weight, including the Vehicle, object or contrivance and load, in excess of four thousand, five hundred and forty five point forty five (4,545.45) kilograms, but does not include a passenger Vehicle, an ambulance, a public works Vehicle, a Vehicle of the police or fire departments, a privately owned commercial Vehicle, being driven to or from the residence of the owner by the owner or other family member or a Commercial Motor Vehicle making a delivery to or collection from a bonafide destination, which cannot be reached by way of a Highway or Highways upon which Heavy Traffic is not prohibited by this By-Law or a School Bus as defined in this By-Law.
- (d) **"Municipal Act, 2001"** means the provincial legislation cited as S.O. 2001, c. 25, as amended from time to time, including successor legislation.
- (e) **"Vehicle"** includes a Motor Vehicle, trailer, traction engine, farm tractor, road building machine, Bicycle and any Vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow Vehicle or a Street car.

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: Heavy Traffic Prohibited

2.01 Excepting local deliveries, no person shall operate "Heavy Traffic" on any of the Highways or parts of Highways when properly worded signs have been erected and are on display as listed below:

- Tower Road from Mt.Horeb Rd to Hwy 35
- Star Hill Rd from Tower Rd to Hillhead Rd
- Hillhead Rd from Mt.Horeb Rd to River Rd
- Post Rd from Mt.Horeb Rd to Hwy 7
- Confederation Rd from Hillhead Rd to Post Rd
- Crosswind Rd from Post Rd to Heights Rd
- Old Mill Rd from Mt.Horeb Rd to Hwy 7
- Lilac Rd from Mt.Horeb Rd to Hwy 7
- Heights Rd from Mt.Horeb to Hwy 7
- River Rd from Hwy 35 to Hwy 7

Section 3.00: Effective Date

3.01 **Effective Date:** This by-law shall come into force on the date it is finally passed.

3.02 **Expiry:** This by-law expires on November 17, 2017.

By-law read a first, second and third time, and finally passed, this 12th day of September, 2017.

Andy Letham, Mayor

Ron Taylor, Acting City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2017-

A By-law to Amend By-law 2014-255, being A By-law to Require Owners of Buildings to Connect Such Buildings to Drinking Water Systems and/or Wastewater Collection Systems in the City of Kawartha Lakes

Recitals

1. Council adopted Resolution CR2017-XXX on September 12, 2017 directing amendments to By-law 2014-255.
2. An amendment is required to allow staff to begin charging the applicable Fixed Rate and Capital Levy for Water and/or Sewer as set out by By-law to benefitting property owners.
3. These changes require an amendment to the original by-law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017- .

Section 1.00: Definitions and Interpretation

Definitions:

All defined terms in the amending By-law take their meaning from By-law 2014-255 of the City of Kawartha Lakes.

Section 2.00: Amendment Details

- 2.01 **Amendment:** Section 2.00 to By-law 2014-255 is amended by adding Section 2.06 as follows:
- 2.06 Subject to section 2.01, 2.02 or 2.03 of this by-law any Owner of a building on land that meets the requirements to connect to the municipal water and/or wastewater services shall be billed the Fixed Rate and Capital Levy charges for water and/or wastewater as per the provisions of By-law 2011-260 and the consolidated fees By-Law 2016-206, as amended following three (3) months of the mailing of a notice to the Owner shown on the current tax roll.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Director of Public Works is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 12th day of September, 2017.

Andy Letham, Mayor

Ron Taylor, Acting City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2017-XXX

A By-law to Designate Downtown Lindsay as a Heritage Conservation District in the City of Kawartha Lakes

Recitals

1. Section 41(1) of the Ontario Heritage Act, R.S.O. 1990 c.O.18 authorizes the Council of a Municipality to enact By-laws to designate a defined area, including all buildings and structures thereon, as a heritage conservation district;
2. Council intends to designate the Downtown Lindsay area defined by this by-law as a heritage conservation district;
3. Council has adopted a heritage conservation district plan for the district that is designated in the by-law, as required under Section 41.1 (1) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
4. Council has made available to the public the "Downtown Lindsay Heritage Conservation District Plan" and held a public meeting on April 13, 2017 with appropriate notice given in accordance with the Act as required by Section 41.1(6) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
5. Council has consulted with Heritage Victoria, its Municipal Heritage Committee as required under Section 41.1(6) (c) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
6. The Official Plan for the City of Kawartha Lakes contains policies pertaining to the establishment of heritage conservation districts.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-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;

“Director of Development Services” 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: Designation

- 2.01 The area shown on Schedule “A” attached to and forming part of this by-law is designated as a Heritage Conservation District, known as the Downtown Lindsay Heritage Conservation District.
- 2.02 The plan shown in Schedule “B” attached to and forming part of this by-law is adopted as a Heritage Conservation District Plan for the Downtown Lindsay Heritage Conservation District.
- 2.03 The City is authorized to cause a copy of this by-law to be registered against all properties located within the heritage conservation district boundaries described above in the proper Land Registry Office.
- 2.04 The City Clerk is authorized to cause a copy of this by-law to be served upon each owner of property located in the Downtown Lindsay Heritage Conservation District and upon the Ontario Heritage Trust, and to cause notice of the passing of this by-law to be published in the newspaper as required by the Ontario Heritage Act, R.S.O. 1990, c.O.18;

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Director of Development Services is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force either on the day following the last day of the prescribed appeal period or as otherwise provided by subsection 41(10) of the Ontario Heritage Act, R.S.O. 1990, c.O.18.

By-law read a first, second and third time, and finally passed, this 12th day of September, 2017.

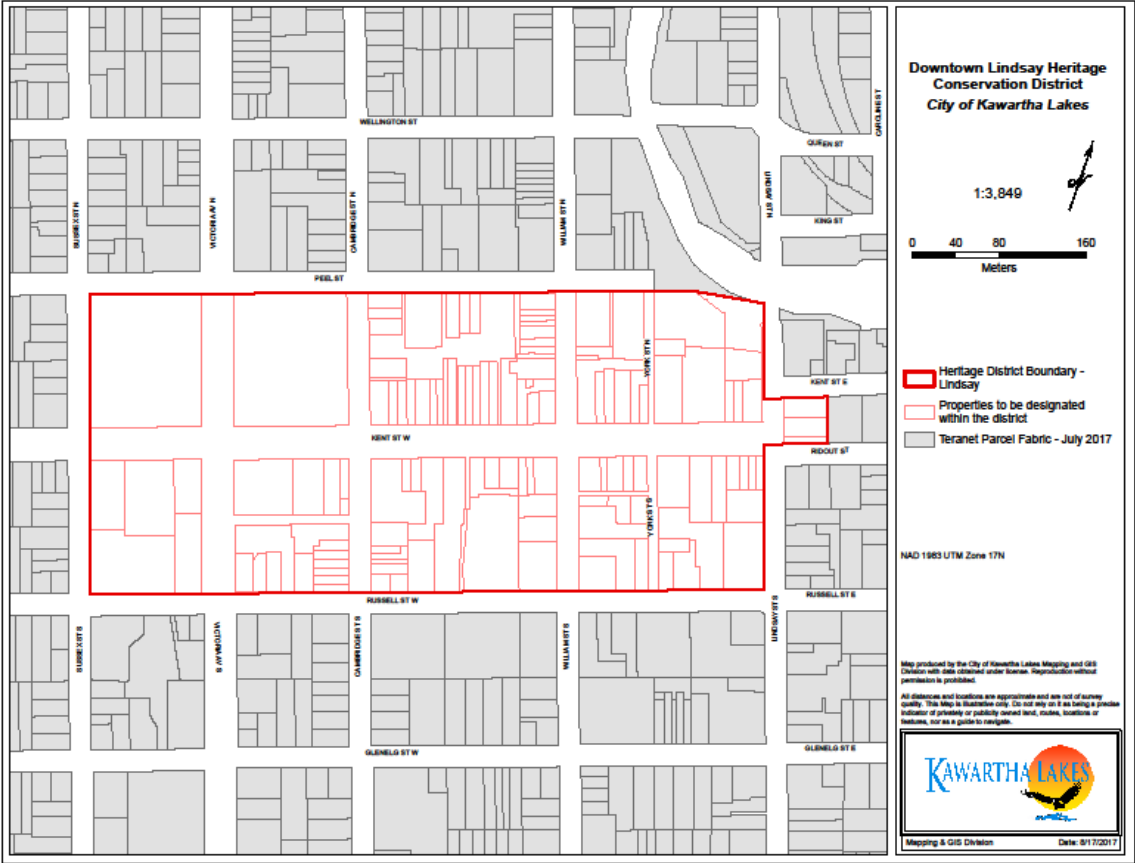
Andy Letham, Mayor

Ron Taylor, Acting City Clerk

Schedule “A” – Downtown Lindsay Heritage Conservation District



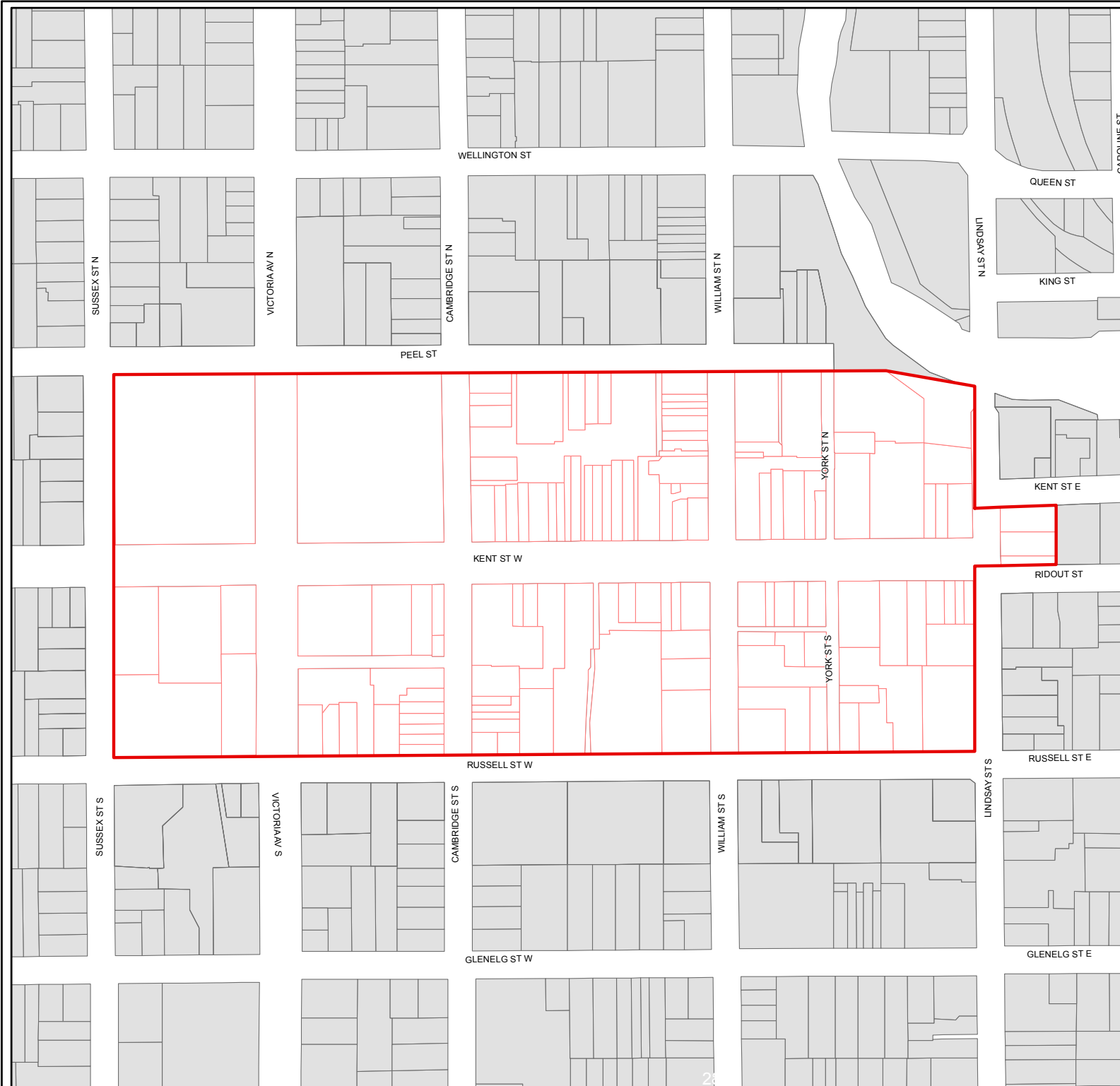
Heritage District
Lindsay_17Aug2017(



Schedule "B" – Downtown Lindsay Heritage Conservation District Plan

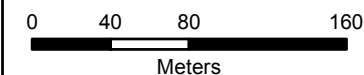


20170628
LindsayHCDPlanFINA



Downtown Lindsay Heritage Conservation District City of Kawartha Lakes

1:3,849



- Heritage District Boundary - Lindsay
- Properties to be designated within the district
- Teranet Parcel Fabric - July 2017

NAD 1983 UTM Zone 17N

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All distances and locations are approximate and are not of survey quality. This Map is illustrative only. Do not rely on it as being a precise indicator of privately or publicly owned land, routes, locations or features, nor as a guide to navigate.



Mapping & GIS Division

Date: 8/17/2017

Downtown Lindsay



Final report:
June 2017

Heritage Conservation District Plan

Prepared for:

City of Kawartha Lakes

Prepared by:

Bray Heritage
with

Letourneau Heritage Consulting Inc.
Baird Sampson Neuert Architects

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Users' guide

(This does not constitute part of the District Plan.)

Frequently Asked Questions About District Designation

What is a Heritage Conservation District?

It is an area of special character, combining buildings, landscape features, and their settings that, together, make up a district that has an identifiably distinct “sense of place”. Cultural heritage resources within an HCD can include buildings, structures, cultural landscapes, and sites of archaeological potential as well as intangible resources, such as associations with historical events and traditional activities. The *Ontario Heritage Act* is legislation allowing district designation and codifying an area’s “heritage character” in order to protect the elements that define its character.

Why was the Downtown Lindsay Area selected for study as a Heritage Conservation District?

Containing one of the highest concentrations of historic buildings and cultural landscapes in the City of Kawartha Lakes, and one of the highest in Lindsay, the downtown core has been identified as a priority for conservation in the City’s Heritage Master Plan. The City of Kawartha Lakes Official Plan identifies this area as a priority for conservation, and other City policies promoting sustainability, cultural planning and tourism all support this goal.

How would District designation impact residents?

Designation allows the City to manage change within the District in ways that will conserve and enhance District character. Designation also celebrates what is special about the District, building community pride and encouraging compatible improvements to both public and private properties. Proposed changes of a major sort are regulated by the City, using guidelines produced as part of the District Plan.

How does District designation affect changes to my property?

Designation entails a municipal requirement for a heritage permit for any significant change to the public face of your property (i.e. front, sides and roof, but usually not the rear). Routine maintenance is not affected, and professional heritage planning staff work with property owners to provide advice on compatible alterations, using guidelines in the District Plan.

Will the value of my property change?

Studies in Canada and the United States have shown that property values in Heritage Conservation Districts either stay the same or increase.

What are the next steps, and how do I get involved?

To learn more about the Plan, contact the City's Economic Development Officer – Arts, Culture and Heritage dsoule@city.kawarthalakes.on.ca T (705) 324-9411 x 1498.

How do I Use This Plan?

This document is intended to be used by the general public, agents of applicants, and consultants, as well as by City staff. It contains the information required by the Province of Ontario for the preparation of Heritage Conservation District Plans, as laid out in the *Ontario Heritage Act* and described in the Ministry of Tourism, Culture and Sport's *Ontario Heritage Tool Kit*.

The Plan has four main sections and appendices:

- Part A: Conserving and Enhancing District Character, which describes the reasons for designation, the heritage attributes, conservation goals and objectives, and shows the District boundary;
- Part B: Conservation Goals, Objectives, and Policies, which describes the context for, and content of, mandatory conservation policies;
- Part C: Conservation and Development Guidelines, which provides discretionary guidelines, the latter offering detailed advice for the conservation of buildings and landscapes within the District and establishing criteria to evaluate any changes, including new construction; and
- Part D: Implementation Process, which sets out the process for regulating change in the Districts, including heritage permit applications.

Appendices, which do not form part of the District Plan, include an inventory and evaluation of District properties (separate document), recommendations to help municipal staff in implementing the Plan, including future changes to the City's heritage planning policies and procedures, and a record of public consultation.

The Plan should be read as a whole, however, each section is a discrete document, and the guidelines can be referred to individually. So, for example, if you wish to find advice on what actions require a heritage permit, you can refer directly to that section. Similarly, if you seek advice on how best to undertake an alteration to a heritage building, that section can be referred to directly. Use the table of contents to find the section you need.

PART A: Conserving and Enhancing District Character



1. Introduction

1.1 What is a Heritage Conservation District?

A Heritage Conservation District (HCD) is a distinctive urban setting that has significant historical value. Its special character is often a function of the age of its structures, the history of its occupation, and the land uses it contains. The boundaries may be sharply defined, as along a waterfront, or blurry, as in mixed use areas. The Provincial Ministry of Tourism, Culture and Sport, (the Ministry of Culture) the agency responsible for heritage planning, defines districts broadly, from a group of buildings to entire settlements. The key is that the defined area has “a concentration of heritage resources with special character or historical association that distinguishes it from its surroundings” (Ontario Heritage Tool Kit, Heritage Conservation Districts, 5).

As described in greater detail in the Downtown Lindsay Heritage Conservation District Study, this area contains the main concentration of historic commercial and institutional buildings in the City and is the heart of downtown Lindsay. It is primarily for these reasons that the area should be designated as a Heritage Conservation District.

Heritage districts are not new: they have been widely used in Britain and Europe since the end of WWII, in the United States since the 1950s, and in Canada since the 1970s. They have proven to be effective ways of conserving and enhancing special places while supporting the everyday lives of residents and visitors.

The Tool Kit (op. cit., 10) goes on to describe the common characteristics of heritage districts. They are:

- “A *concentration of heritage resources*” (buildings, sites, structures, landscapes, archaeological sites) that have some common link for reasons of use, aesthetics, socio-cultural or historical association;
- “A *framework of structured elements*” that provide edges, such as major routes, shorelines, landforms, or land uses;
- “A *sense of visual coherence*” that is expressed in built form or streetscapes, and;
- “A *distinctiveness*”, whether tangible or not, that makes the district recognizably different from its surroundings.

The intent is to establish a Heritage Conservation District that conserves and enhances the heritage character of downtown Lindsay and the City as a whole. As one of the first Heritage Conservation Districts to be designated in the City of Kawartha Lakes, the Plan should serve as a prototype for similar designation processes that the City intends to undertake for other areas of the municipality.

1.2 Contents of a Heritage Conservation District Plan

Any Conservation District Plan must comply with Subsection 41.1(5) of the *Ontario Heritage Act*, and must include the following:

- i. A statement of objectives to be achieved in designating the area as a heritage conservation district;
- ii. A statement explaining the cultural heritage value or interest of the heritage conservation district;
- iii. A description of the heritage attributes of the heritage conservation district and of the properties in the district;
- iv. Policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district; and
- v. A description of the alterations or classes of alterations that are minor in nature and that the owner of the property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without obtaining a permit under section 42.2005,c.6,s.31.”

Policies have been developed to govern the conservation of contributing resources and the heritage attributes of Downtown Lindsay Heritage Conservation District. These policies set the direction for change management. It is not the intent of these policies to stop or freeze change, but to appropriately manage change in a manner that is consistent with the cultural heritage values of the Downtown Lindsay Heritage Conservation District.

To support these policies, **guidelines** have been developed to articulate suggested actions or recommendations. These are more discretionary in use, but should be considered directional. The guidelines were created to fit a wide range of situations, but exhaustive guidelines are not possible considering the range of possible circumstances. Guidelines should be applied as appropriate. Adherence to the guidelines of the Downtown Lindsay Heritage Conservation District is not compulsory, but is recommended.

Also found within Heritage Conservation Plans are specific **terms** to describe cultural heritage resources and the actions used to conserve them. Knowing exactly what is being affected by District designation is important, and defining these elements is a key part of the policies and guidelines. There

are several terms that recur. Some have meanings that are determined by federal or Provincial legislation, while others are municipally defined or defined in the context of this Plan. Notwithstanding the definitions below, however, in the event of a conflict between the definition here and a definition provided by federal or Provincial legislation or policy, particularly in cases where such policies are periodically updated, the most current legislative version of policy definition shall apply.

Adjacent: means those lands adjoining a property on the Heritage Register or lands that are directly across from and near to a property on the Heritage Register and separated by land used as a private or public road, highway, street, lane, trail, right-of-way, walkway, greenspace, park and/or easement, or an intersection of any these; whole location has the potential to have an impact on a property on the Heritage Register; or as otherwise defined in a Heritage Conservation District Plan adopted by by-law (By-law 2017-098).

Alteration: whereas in the *Ontario Heritage Act* this term means any “change in any manner and includes to restore, renovate, repair or disturb”, in the context of this Plan, the Official Plan definition prevails: “any change to a property on the Heritage Register in any manner including its restoration, renovation, repair or disturbance, or a change, demolition or removal of an adjacent property that may impact the heritage attributes of a property, district or designated feature on the Heritage Register” (By-law 2017-098). Within the context of this Plan, an “addition” is a type of alteration involving physical enlargement of the built form of a property. A minor alteration is one that would not require a building permit, whereas a “substantive change” type of alteration would be one that would also require a building permit.

Compatible: development that is capable of existing in harmony with, and that will not have an undue physical or functional adverse impact on, existing or proposed development in the area, or pose an unacceptable risk to environmental or human health. For the purposes of this HCD Plan, the Plan policies and guidelines constitute the criteria described in the above definition.

Conservation: all actions or processes that are aimed at safeguarding the character defining elements [“heritage attributes” in the Ontario legislation] of a cultural (heritage) resource so as to retain its heritage value and extend its physical life. This may involve “Preservation,” “Rehabilitation,” “Restoration,” or a combination of these actions or processes. Reconstruction or reconstitution

of a disappeared cultural resource, except in the circumstances described in policy 2.6.7 (i), is not considered conservation and is therefore not addressed in this document.

Contributing properties: are properties that contain buildings and landscapes that support the character of the District, as defined in the District Plan, through compatible design, historical associations and physical or visual links to their surroundings. They also help define area character if they are well-preserved examples of earlier periods or are a landmark.

As part of the research for this HCD Plan, this definition has been further refined into 2 sub-categories, as follows:

- **Contributing Historical** includes all existing pre-WWII properties within the HCD
- **Contributing Contemporary** includes all existing post-WWII properties that are designed in ways that have regard for the heritage attributes of the District in terms of materials, massing, architectural design and detailing
- Note: surface parking lots are included within contributing properties (See the plan in Section 2.5.1, below, for mapping of contributing and non-contributing properties)

Cultural heritage resource: "...cultural heritage is not just about the past – it is about the places, spaces and stories we value today that we want to build on for the future.....Cultural heritage resources can take many forms – museum, archive and library collections; buildings and monuments; streetscapes and landscapes; bridges and railway stations; cemeteries; archaeological sites; artifacts; document and photographs; stories and folktales; traditional arts, crafts and skills." This term is defined in several sources, for example, in the Province of Ontario's introductory guide to conservation of heritage (Identify, Protect, Promote: Strengthening Ontario's Heritage; An introductory guide to identifying, protecting and promoting the heritage of our communities, p.2).

Enhance: In the context of this Plan, "enhance" is taken to mean "to heighten the character of a building and its surroundings, in ways relating to the heritage attributes of the property as well as of the sub-area in which it is located".

Heritage attribute definitions: The Province has provided two possible definitions that should be utilized according to the context in which they are being applied.

Heritage attribute: means in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest (*Ontario Heritage Act*).

Heritage attribute: means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*). (Provincial Policy Statement, 2014, P. 43).

Maintenance: Routine, cyclical, non-destructive actions, necessary to slow the deterioration of Contributing Heritage Properties, including the following: periodical inspection, property cleanup; gardening and repair of landscape features; replacement of broken glass in windows, minor exterior repairs, including replacement of individual asphalt shingles where there is little or no change in colour or design; repainting; re-pointing areas of brick or stone masonry or; caulking and weatherproofing; and any other work defined as maintenance in an individual designation by-law.

Non-contributing properties: are properties that disrupt the visual coherence of the District through incompatible treatment of elements such a building scale, massing, height, material, proportion and colour, elements that are otherwise found in the heritage properties in the Districts, as defined in the District Plans.

(See the plan in Section 2.5.1, below, for mapping of contributing and non-contributing properties)

Preservation: involves protecting, maintaining and stabilizing the existing form, material and integrity of a historic place, or of an individual component, while protecting its heritage value.

Rehabilitation: involves the sensitive adaptation of a historic place or individual component for a continuing or compatible contemporary use, while

protecting its heritage value. This is achieved through repairs, alterations and or additions.

Restoration: involves revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, as accurately as possible, while protecting its heritage value.

1.3 District Planning Process and Mandate

Subsection 41.(1) of the *Ontario Heritage Act* enables municipal councils to designate all or part of the municipality as a Heritage Conservation District (HCD). As stated in the Provincial Ministry of Culture's "Ontario Heritage Tool Kit" for HCDs, "district designation enables the council of a municipality to manage and guide future change in the district, through adoption of a district plan with policies and guidelines for conservation, protection and enhancement of an area's special character. (p. 5)"

The current District Plan must be seen in the context of the designation process for such Plans. There are three basic steps: study; plan; and designation. The designation process often begins with a request to designate, originating from a municipal council or from the public, in consultation with its municipal heritage advisory committee. Once Council has authorized commencement of a study to determine if the area warrants designation, staff prepares a request for proposal, with detailed study goals and objectives based on the requirements of the *Ontario Heritage Act*, and proposes a study boundary.

The study phase begins with an assessment of the study area identified by the municipality. The study contains a history of the area's development and an inventory of its heritage resources (buildings, cultural landscapes, areas of archaeological potential), following guidelines that are found in the Ontario Heritage Tool Kit, and includes public consultation. The area's cultural heritage resources are then evaluated, using the Ontario Heritage Tool Kit's criteria. Assuming that the result of this evaluation is favourable, the next step is a recommendation for Council to authorize staff and the consultant to proceed with preparation of a District Plan containing policies, design guidelines and a regulatory process. Following public consultation, if the Plan is adopted by Council, designation by-laws are passed and, if there are no objections from the public, the District comes into effect.

In this case, in addition to policy statements in the City's Official Plan and Heritage Master Plan, the mandate for designation arises from the issuance by the City of Kawartha Lakes of a proposal for heritage consulting services to prepare Heritage Conservation District Studies for Downtown Lindsay and the Oak Street neighbourhood in Fenelon Falls (RFP 2015-82-P). Bray Heritage, the team awarded the contract, completed the Study in 2016 and recommended that the City proceed with designation and provided a recommended district boundary. In September, 2016, Council approved the recommendation and authorized staff and the consulting team to proceed with preparation of District Plans. The District Plan in this case contains policies, guidelines and an approval process for implementing the Plan. Taken together, the District Study and the District Plan constitute the documents required for preparation of the by-law to designate the Downtown Lindsay area as a Heritage Conservation District under Part V of the *Ontario Heritage Act*.

1.4 Benefits of Designation

Promoting Civic Pride

The “sense of place” generated by Downtown Lindsay is determined by the experience of being in and around its physical setting, that is, its buildings, streetscapes and parks. These “cultural heritage resources”, to use the term found often used in heritage planning, are precious and deserve good stewardship. Numerous comments from both new and long-time residents support this. In response to these values, designation is a means by which local owners and tenants are able to express pride in their property and in the area as a whole: it is also a way of promoting public appreciation of local history.

Managing Change

Changes brought about by downtown revitalization, as well as neglect or natural disaster, can have a negative impact on these settings and erode local identity. To counter these trends, district designation is one of the most effective heritage planning tools available to Ontario municipalities. While the *Planning Act* handles most of the land development issues, it makes little reference to matters of community identity and heritage. Except where individual properties have been designated under Part IV of the *Ontario Heritage Act*, Downtown Lindsay's cultural heritage resources are not fully protected by the current policies in the City's Official Plan or Zoning By-law. By contrast, the recently updated *Provincial Policy Statement* and *Ontario Heritage Act* put the onus on municipalities to conserve “significant” cultural heritage resources, and provide

policy tools and procedural guidelines with which to do so. Designation of a district under Part V of the *Ontario Heritage Act* is the means by which a municipality puts these tools and guidelines to use, and fills the policy gap left by the *Planning Act*.

Encouraging Compatible Growth

Heritage conservation district designation is not necessarily, as the term may seem to imply, a device for preserving an existing setting. The main focus of district designation is *change management*. In recognizing the inevitability of change, designation can plan for its best course. Change in itself is the result of conscious action, in the case of renovation or new development, or inaction, in the case of deterioration by neglect. Downtowns can change for the worse, sometimes before people realize it is too late, when the “tipping point” has been reached, and the area’s “carrying capacity” has been exceeded. A district designation can help identify these critical thresholds and provide policy tools to ensure that they are respected.

At the very least, designation can identify the types of changes that suit a District’s character, and those that do not. Property owners get the information they need to make informed choices for improvements, and the municipality gets the guidelines and legislative mandate to regulate changes. In practice, change management in a Heritage Conservation District is seldom imposed from above but, rather, involves an ongoing discussion between property owners and City staff and heritage advisory committee, based on policies and guidelines found in the District Plan, as to what the best course of action will be.

There is public support for designation in Downtown Lindsay but there are also understandable concerns. Key issues are the degree of regulation imposed by designation (e.g. “will the municipality tell me what colour I can paint my front door?”), the cost of maintaining or upgrading older properties, and the mix of institutional and commercial land uses now present, and the potential effect on property values.

Regulation is something the Heritage Conservation District Plan addresses, and is influenced by comments from local residents and business owners. The degree of regulation is moderate and the process is overseen by trained heritage staff and volunteer members of a Council-appointed heritage advisory committee. The process is designed to be transparent and straightforward, and follows policies and guidelines that are based on widely accepted ways of dealing with older properties. As demonstrated

in successful downtown HCDs in Port Perry, Collingwood, Cobourg and Port Hope, designation's benefits outweigh the minor inconveniences of an additional regulatory process. These heritage districts have maintained diversity and stabilized or improved property values, and local property owners and tenants have expressed high degrees of satisfaction with the results of designation. Although designation entails an additional level of municipal control over changes to property, it also helps stabilize areas, enhancing investment by reducing risk. And at a very basic level, one benefit of designation is often improved enforcement of existing property standards, an ongoing concern for residents and the municipality alike.

What works, what doesn't

Although designation as a Heritage Conservation District has been proven to provide many benefits to municipalities that have designated such areas, there are lessons that can be learned from designations in other communities. Foremost is the need to ensure that designation does not turn the proposed District into a place that caters primarily to tourists. This has been an ongoing problem in communities where a focus on promoting tourism has resulted in a downtown commercial area that is no longer a typical main street offering a wide variety of retail stores that meet the needs of local residents. By contrast, towns such as Perth and Cobourg have accommodated tourism while managing to retain and enhance the retail mix within their downtown HCDs. They did so by working closely with their Business Improvement Associations, Council and municipal economic development departments to balance local needs with those of visitors.

An important way to ensure that the District works for residents as well as visitors is to describe in the HCD Plan the heritage attributes of the District that are most important to local people. In Kingston, for example, it was the Market Square, a place that is shared by retail (farmers' market), recreation (skating), and civic gatherings (movies, concerts and various local events). That these activities also appeal to visitors is an additional benefit, not the main intent.

In addition, since Heritage Conservation Districts tend to be attractive to businesses, residents and visitors, they must also have good access, parking and circulation. The Downtown Lindsay Heritage Conservation District includes the core of Lindsay's downtown and already provides large areas of surface parking and good access. However, as demand increases, there will need

to be plans that provide sufficient parking and access while conserving and enhancing the heritage attributes of the District. Anticipating the increased demand for parking and an attractive public realm are important aspects of planning for the future of the District and its surrounding area.

PART B: Conservation Goals, Objectives And Policies



2. Statement of Objectives

2.1 Rationale for Designation

It should be made clear that designation does not entail freezing the district in time. Rather, designation is a form of change management that allows communities to control the rate and type of change within the district. With this definition in mind, the rationale for designation can be summarized as follows:

- The Downtown Lindsay study area is a discrete district with significant heritage character in the form of built heritage resources, cultural heritage landscapes, and associations with important people and events in the municipality's history.
- The inventory and evaluation of the study area have shown that these cultural heritage resources merit conservation.
- The area shows evidence of the major stages of its evolution.
- Provincial planning policies require conservation of significant cultural heritage resources.
- The area has potential for intensification and redevelopment that could affect the cultural heritage resources.
- The downtown is a popular tourist destination and designation would support its conservation goals and ongoing economic viability.
- District designation has proven to be the best policy tool available to Ontario municipalities for meeting their conservation goals and objectives.

2.2 Summary Statement of District's Cultural Heritage Value or Interest

The Downtown Lindsay study area offers a capsule history of the town. Within it is evidence of the original townsite plan and the land uses that were developed as the town matured. Along Kent Street, itself distinctive because of its width, concentration of 19th and early 20th century buildings and terminal vista, are components of military, rail, commercial and institutional history. The street names echo the titled aristocracy and royalty of the early British Empire. The area is the cultural, economic and political hub of Lindsay and, to some extent, of the City of Kawartha Lakes and beyond.

The area's heritage value lies both in its collection of individually important properties and in its combination of these resources within a compact urban form. The area has value because of properties that represent key stages of the town's development, because the area is relatively unchanged,

homogeneous and intact, and because it offers examples of some of the best buildings and commercial and institutional streetscapes in Lindsay. Overall, the study area's heritage value lies in its collection of significant heritage properties and in its concentration of material and associative cultural heritage resources that are integral to the town's identity.

2.3 Description of Heritage Attributes

- Architecture that generally follows a common 2-3 storey brick vernacular commercial style, predominantly Italianate Revival with some Second Empire and eclectic styles;
- The largely uniform massing, setback and bay widths of many buildings;
- Architectural details at cornices, window surrounds and ground floor entrances and display windows on many buildings;
- Public open spaces that are concentrated at Queen's Square and the civic complex (with the addition of the closed portion of Victoria Street on market days);
- Overall spatial pattern/boundary features of a mixed use main street bookended by public land uses (Armoury and Academy Theatre);
- Vegetation pattern of ornamental tree, shrub and perennial/annual plantings in Queen's Park and the civic complex grounds, with the formal planting along the central median on Victoria Street as an added element;
- Historical association with the town's origins and, especially, the rebuilding of the downtown following the 1860s fire;
- Landmarks that include the Armoury/Queen's Square/civic complex at one end and the Academy Theatre block at the other; and
- Historic views east to the Academy Theatre block and west to the Armoury and up the hill; keyhole views to and from the street via walkways to the rear yards and laneways.

2.4 District Boundary

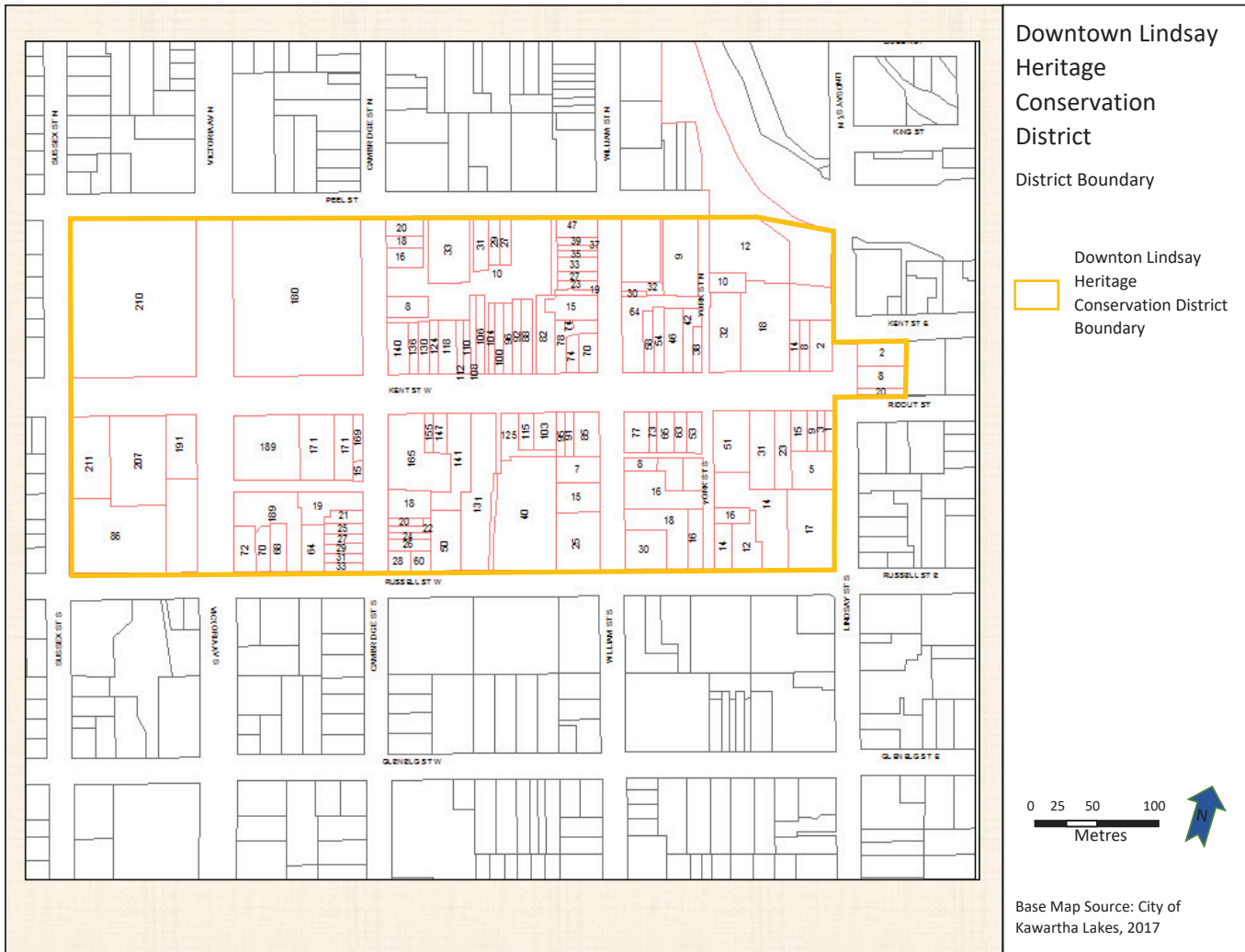
As a point of departure, the Provincial Tool Kit outlines criteria for determining a boundary. They include:

- Historic factors
- Visual factors
- Physical features
- Legal or planning factors

The recommended boundary addresses the Provincial criteria for boundary delineation as follows:

- Historic factors: incorporates the key physical components that represent the District's evolution;
- Visual factors: includes the key architectural styles and elements, landscapes and view corridors;
- Physical factors: uses major changes in land use, topography and building type to define its edges; and
- Legal or planning factors: follows the general boundaries of the original townsite subdivision and is confined to lands owned municipally or in private hands.

The recommended boundary meets the goals set out by the City in the RFP while addressing comments from local residents and reflecting the results of research undertaken during this Study. It also allows the policies and guidelines of the Heritage Conservation District Plan to prevail when applied to the rear portions of the properties flanking the streets within the study area. Development behind the buildings lining the streets within the boundary will be subject to the policies and guidelines of this Plan as they apply to the conservation of the heritage attributes of the District.



2.5 Designation Goals and Objectives

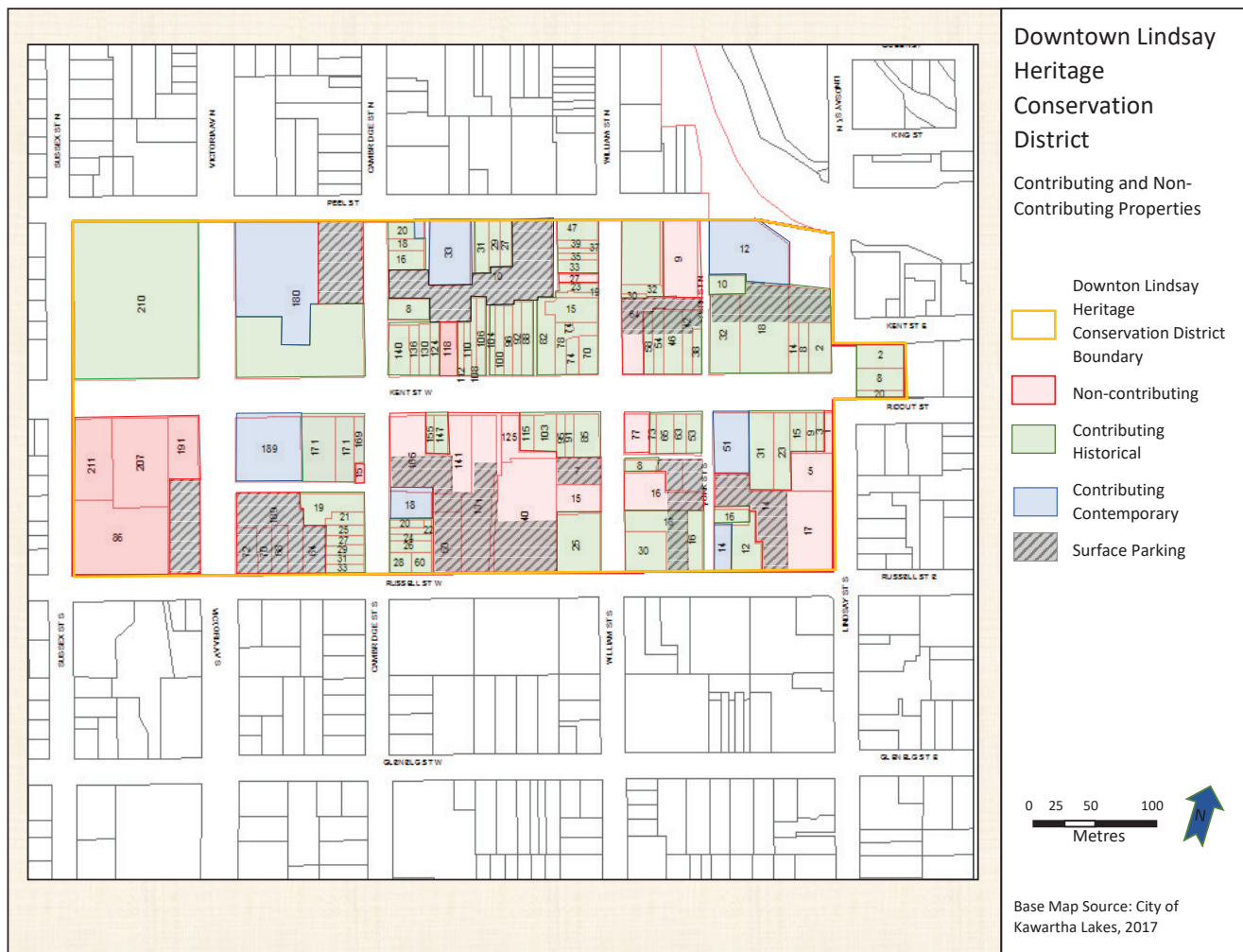
Section 41.1 (5) of the *Ontario Heritage Act* requires an HCD Plan to include a statement of objectives, a statement of cultural heritage value, a description of the heritage attributes of the HCD, policy statements and guidelines. The Plan must also contain procedures for achieving the objectives of the Plan and managing change, as well as describing the types of alterations that are minor in nature and can be undertaken without a permit.

The following goals and objectives provide a framework for the ongoing conservation of the District's material heritage resources, including built heritage resources, cultural heritage landscapes, and areas of archaeological potential, as well as non-material resources, such as historical associations and the mixed-use character of the district. They are integral to the planning policies and design guidelines provided by this Heritage Conservation District Plan and set out what is to be accomplished by District designation. These Plans also include specific objectives for the major components of the District.

The overall policy objectives for conservation and development in the proposed District are:

- To acknowledge and protect the cultural heritage value of Downtown Lindsay;
- To ensure the long-term conservation and management of contributing resources in Downtown Lindsay, including protected heritage properties, built heritage resources, cultural heritage landscapes, views, and historical associations;
- To establish a planning process that takes a "change management" approach for cultural heritage conservation;
- Providing guidance for ongoing maintenance and change so that the heritage attributes of the District are retained and, whenever possible, enhanced;
- Encouraging community awareness of, and support for, conservation of the District's heritage values and attributes and for heritage conservation best practices;
- To provide policies, guidelines and associated regulatory procedures that will serve to guide change in ways that conserve and enhance the heritage attributes of the District; and
- To promote an increased awareness of heritage value in the District.

2.5.1 Contributing Properties



Cultural heritage resources (contributing properties) will be conserved and protected from inappropriate changes or demolition by:

- Retaining and conserving contributing properties in the District;
- Fostering continuing use of contributing built heritage resources and cultural landscapes;
- Using the provisions of the *Ontario Heritage Act* and *Planning Act* to control the demolition or removal of contributing properties (including buildings or structures);

- Fostering collaboration on conservation matters between the City and other agencies responsible for heritage resources, such as the Ontario Heritage Trust, Infrastructure Ontario, Parks Canada/Trent-Severn Waterway;
- Pursuing all measures available to the municipality to prevent demolition or removal of contributing buildings or structures;
- Conserving buildings or structures on contributing properties by using the accepted principles and standards for heritage conservation, as outlined in these Plans;
- Encouraging retention and restoration of original features of buildings on contributing properties, based on archival and pictorial evidence and the assessment provided in the District Study and, where feasible, to remove incompatible past alterations made to such buildings;
- Encouraging property owners to maintain the exteriors of buildings on contributing properties to prevent deterioration as well as damage from fire or the elements; and
- Providing additional protection to significant heritage resources within the District: to do so, Council shall maintain the individual designations for properties under Part IV of the *Ontario Heritage Act*, and shall consider designating other significant heritage resources such as buildings (including interior elements), structures, and cultural landscapes, as identified by further study.

2.5.2 Landscapes/Streetscapes

The visual, contextual and functional character of the Downtown Lindsay streetscapes and public realm will be maintained and enhanced by:

- Retaining and conserving existing street trees and instituting an ongoing program of street tree replacement, in consultation with City staff and the utility companies;
- Preserving the existing pattern of blocks, streets, and lanes for the area;
- Encouraging property owners to retain and conserve existing trees on private property;
- Conserving and enhancing existing parks and public open space;
- Ensuring conservation of landmarks, especially public buildings;
- Preserving views along existing streets of landscape and built features, especially views down to the river and down Kent Street in both directions; and
- Ensuring that municipal improvements to public infrastructure in the District's public realm, such as upgrades to public utilities, roadways

and sidewalks, conserve the heritage character of the Districts as defined in this Plan.

2.5.3 Land Use

The ground floor commercial with residential above and low-medium density character of the Downtown Lindsay HCD will be conserved by:

- Encouraging alterations and new infill that is compatible with the arrangement, scale, architectural styles and materials that constitute the District's heritage character;
- Encouraging replacement of properties containing non-contributing buildings or structures with compatible new development;
- For properties designated under section 29 Part IV of the *Ontario Heritage Act*, ensuring that the highest standard of heritage conservation practice is applied; and
- For adjacent properties to the HCD boundary, applying the Cultural Heritage and Archaeology Policy (Policy 2.6.3 of the current Provincial Policy Statement) whenever there is an application for site alteration or development on lands adjacent to the District.

2.5.4 Regulatory Process, Community and Economic Benefit

The regulatory process for managing the HCD will be clear, objective and efficient and will realize community and economic benefit from the conservation and interpretation of the District by:

- Providing an application for alteration process that is easy for the public to use and can be undertaken by City staff and Municipal Heritage Committee;
- Clearly identifying the types of alterations that do and do not require an application for alteration;
- Fostering understanding, appreciation and pride in the District amongst local residents and the community at large;
- Using interpretation, programming and public education to promote conservation values for future generations;
- Offering assistance and, where feasible, financial or other incentives, to property owners within the HCD in the conservation of their properties; and
- Interpreting and promoting the heritage character of the HCD in order to foster cultural tourism, provided that such initiatives do not negatively impact the heritage attributes of the District, as identified in these Plans.

2.6 Conservation and Development Policies

The City can use a variety of heritage policy tools to foster heritage conservation and compatible development in the HCD. These include the policies of the Provincial Policy Statement as they affect cultural heritage resources, the heritage policies of the City of Kawartha Lakes Official Plan (or other applicable Official Plans), Secondary Plans, Zoning by-law and related policies (Heritage Master Plan, Cultural Plan) as well as the Heritage Conservation District Plan. Other legislative tools are found in the Municipal Act as well as in the City's own demolition control by-law, and property standards by-laws. Site Plan Control provisions apply to some forms of development in Heritage Districts, while all construction must meet the provisions of the Ontario Building Code, which has been progressively updated over the years to take into account the special conditions found in older structures (e.g. AODA, fire and life safety). Finally, there are easements and covenants, held by the municipality or the Ontario Heritage Trust, which can be applied to properties within the District. Of these tools, Site Plan Control is an especially good means of controlling exterior changes to properties, such as building and landscape elements.

From this summary, it is clear that the *Ontario Heritage Act* and the *Planning Act* are powerful policy tools on their own. However, when used in combination, they provide the City with an enhanced approach to managing conservation and new development within the Heritage Conservation District.

In order to meet the goals and objectives of this HCD Plan, specific policies are to be followed by the City in regulating changes within the District. The policies are in several categories, each addressing a specific issue affecting the evolution of the District:

- District as a whole
- Landscape/streetscape
- Contributing buildings
- Regulatory process, community and economic benefit

Guidelines providing ways to address these policies are found in Sections 3-7, below.

2.6.1 General Policies

ONTARIO HERITAGE ACT

1.1 Conflict

Potential conflicts or inconsistencies may arise within the planning framework where existing policy does not conform to the objectives of the Heritage Conservation District Plan. In situations of disagreement between the Heritage Conservation District Plan and municipal policy, the Heritage Conservation District Plan shall prevail to the extent of the conflict.

Subsection 41.2(1) of the *Ontario Heritage Act* bestows priority of the provisions of a Heritage Conservation District Plan over public works and other municipal bylaws:

- (1) Despite any other general or special Act, if a Heritage Conservation District Plan is in effect in a Municipality, the Council of the Municipality shall not,
 - (a) Carry out any public work in the Heritage Conservation District that is contrary to the objectives set out in the Heritage Conservation District Plan; or
 - (b) Pass a by-law for any purpose that is contrary to the objectives set out in the Heritage Conservation District Plan. 2005, c.6, s.31.

1.2 Contravention of the *Ontario Heritage Act*

Contravention of the *Ontario Heritage Act* is a Provincial offence. Illegal demolition in contravention of the *Ontario Heritage Act* is subject to a fine of up to \$1,000,000. Under Section 69.5.1 of the *Ontario Heritage Act*, in addition to any other penalties, the City of Kawartha Lakes or the Minister of Tourism, Culture and Sport may restore an illegally demolished protected heritage resource as nearly as possible to its previous condition and may recover the cost of the restoration from the property owner.

1.3 Part IV Designation within a Heritage Conservation District

A property that is individually designated (pursuant to Part IV of the *Ontario Heritage Act*) may be included within the boundaries of a Heritage Conservation District. For these “doubly designated” properties, the highest standard of conservation shall apply in the event of a conflict between the heritage attributes identified within a Part IV designation bylaw or the policies and guidelines of the Heritage Conservation District Plan with respect to any alterations of the property or demolition or removal of buildings or structures on the property.

1.3.1 *Part IV Designation Policy*

- a) The policies and guidelines of the Heritage Conservation District Plan are applicable to all properties designated under Part IV of the *Ontario Heritage Act* that are located within the Heritage Conservation District. The highest standard of conservation shall prevail in the event of a conflict between the Part IV designation bylaw and the Heritage Conservation District Plan.

HERITAGE CONSERVATION EASEMENTS

1.4 Heritage Conservation Easements in an HCD

Properties protected by a Heritage Conservation Easement can be included within the boundaries of a Heritage Conservation District. For these “doubly designated” properties, the highest standard of conservation shall apply in the event of a conflict between the heritage attributes identified within a Heritage Conservation Easement or the policies and guidelines of the Heritage Conservation District Plan with respect to any alterations of the property or demolition or removal of buildings or structures on the designated property.

1.4.1 *Heritage Conservation Easement Policy*

- a) The policies and guidelines of the Heritage Conservation District Plan are applicable to all properties protected by a Heritage Conservation Easement. The highest standard of conservation shall prevail in the event of a conflict between the Heritage Conservation Easement and the Heritage Conservation District Plan.

PLANNING ACT

1.5 Planning Act Processes

Planning Act processes must ensure that any approvals are consistent with the heritage conservation district Plan and Guidelines. To this end:

- a) Any proposed Official Plan Amendment that may apply to the Heritage Conservation District must demonstrate that the cultural heritage value and the contributing resources of the Heritage Conservation District shall be conserved;
- b) Any proposed Zoning By-law Amendment that may apply to the Heritage Conservation District must demonstrate that the cultural heritage value and the contributing resources of Heritage Conservation District shall be conserved; and

- c) When a Site Plan Application is received for lands within the Heritage Conservation District, the application must demonstrate that it is consistent with the Heritage Conservation District Plan.

1.6 Severances and Minor Variances

The Committee of Adjustment has the responsibility to address applications for lot severances and minor variances. The Committee of Adjustment process is a mechanism for evaluating requested changes in property (lot severances, additions or lot line adjustments) and relief from zoning regulations (such as building setbacks, height, and parking) which are minor in scope, and ensuring that these changes are in keeping with the general intent of the City's *Official Plan*, Zoning By-law, and other applicable plans or policies.

Within the Heritage Conservation District, the following policies have been developed in the circumstance that severance becomes a possibility within or adjacent to the Heritage Conservation District.

1.6.1 Severance and Minor Variance Policies

- a) The decision of the Committee of Adjustment shall be consistent with the policies and guidelines of the Heritage Conservation District Plan when reviewing applications within or adjacent to the Heritage Conservation District; and,
- b) A Heritage Impact Assessment may be required where there is potential for the application to impact an identified contributing resource or the heritage attributes of Heritage Conservation District to ensure that the application is in keeping with the Heritage Conservation District Plan.

1.7 Building Permits

A Building Permit is required for any new structure that is larger than 10 square metres (108 square feet) consisting of a wall, roof and floor (or any of them), structures containing plumbing, and structures designated in the Ontario Building Code. As such, Building Permits are required for many interior renovation projects and additions as well as exterior and façade projects including porches, additions, structural alterations to doors or windows, decks, basement excavation, and chimney reconstruction for example. Building Permits shall continue to be required within the Heritage Conservation District. The Chief Building Official of the City should be involved in the review of Building Permit applications, including protected heritage resources within the Heritage Conservation District, to provide comments and determine any requirements for a Heritage Permit, if necessary.

1.7.1 Building Permit Policies

- a) Obtaining a Heritage Permit does not negate the necessity of other permits required under other legislation (such as the *Ontario Building Code* or the *Planning Act*); and,
- b) Obtaining a permit under other legislation (such as the *Ontario Building Code* or the *Planning Act*) does not negate the requirement for obtaining a Heritage Permit.

1.8 Consistency with other Acts and Legislation

- a) The administration of the *Ontarians with Disabilities Act*, the *Ontario Building Code*, and related acts, codes, and regulations shall be undertaken in such a manner to permit alteration and conserving the heritage values and attributes of the District while still ensuring the health and safety of the public. Preference should be given to reversible interventions.

1.9 Emergency Repairs

Extenuating circumstances, immediate or temporary repairs may be required to ensure the protection and conservation of an identified heritage attribute of a protected heritage resource are uncommon but do occur.

Extenuating circumstances are understood to be those situations where a failure to act immediately could result in the irreversible destruction or loss of a heritage attribute of a protected heritage resource and which are considered to be a health, safety or security issue by the Chief Building Official or the Fire Chief. Deferred maintenance shall not constitute an emergency situation or extenuating circumstance. All reasonable efforts should be made to ensure that protected heritage resource and its heritage attributes are not adversely impacted as the result of the immediate or temporary repairs undertaken, and can be appropriately restored at a time when permanent repairs are possible.

- a) In event of a circumstance requiring an immediate or temporary response to ensure the conservation of a identified heritage attribute of a protected heritage resource, the Director is authorized to provide Emergency Approval of the necessary works; and,
- b) Municipal Heritage Committee may be consulted on any Emergency Approval, at the Director's discretion.

2.6.2 District Policies

- a) The distinct heritage values and attributes of the Downtown Lindsay HCD, as defined in this District Plan, shall be conserved and/or enhanced.
- b) Where development is proposed adjacent to the boundaries of the HCD, the policies of Section 2.6.3 of the 2014 Provincial Policy Statement shall apply, and Council, through its Official Plan policies, may require a heritage impact assessment to be prepared by the proponent of any such development in order to assure that the heritage values and attributes of the HCD will be conserved.
- c) Ongoing monitoring of the effectiveness of the District Plan shall be undertaken by the City, as will the process of updating the inventory and evaluation of properties within the District. Monitoring and review processes shall have regard for the policies and guidelines of this District Plan.
- d) The City shall undertake a program of public education regarding designation, new development and the conservation process (e.g. topic-based workshops, in-house training sessions, attendance at heritage conferences and study tours), and shall provide training for staff and volunteers for implementing this Plan.
- e) The City shall work with representatives of Parks Canada whose properties abut the HCD to encourage works that support and, where possible, conform to the policies and guidelines of this Plan.
- f) The City will work with the local Conservation Authority to encourage works that support and, where possible, conform to the policies and guidelines of this Plan.
- g) Future amendments to the City Official Plan and Zoning By-law shall be in accordance with and shall implement the policies and guidelines of this Plan.
- h) Enforcement of the City's property Standard By-law (By-law 2016-12 as amended) shall be consistently undertaken by City staff within the District and shall, in addition to the standards found in that By-law, have regard for the guidelines found in this Plan.

2.6.3 Contributing Properties

- a) All alterations and conservation work requiring an application for alteration, as defined in the District Plan, shall be undertaken in accordance with the policies and guidelines of the District Plan.
- b) Council shall maintain the individual designations for properties under Section 29 Part IV of the *Ontario Heritage Act*, and shall consider designating other significant heritage properties, as identified through further study.
- c) Demolition of contributing properties, as defined in this Plan, shall not be permitted except as a last resort, and rehabilitation of the existing

structure will be encouraged. Where, by Council decision, buildings must be demolished for reasons of health and safety such as those due to fire, natural disaster or other reasons, any replacement structure shall be designed in accordance with the policies and guidelines of this District Plan.

- d) Where a demolition has been approved by Council, the contributing resources shall be documented in written/photographic form, for deposition in the municipal archives, and consideration given to salvaging any materials, where possible, for reuse on site or on other properties within the District.

2.6.4 Non-contributing Properties

- a) Proposed development of, or site alteration to, non-contributing resources shall be permitted provided that the proposed development or site alteration does not diminish or adversely impact contributing resources and the heritage attributes of the Heritage Conservation District.
- b) The conversion of non-contributing resources may be permitted, provided other municipal requirements are met and the proposed conversion does not require proposed development or site alteration that may result in adverse impacts on adjacent contributing resources or the heritage attributes of the Heritage Conservation District. The preparation of a Heritage Impact Assessment may be required, as determined by City heritage staff on a case-by-case basis.
- c) Demolition of non-contributing resources within the Heritage Conservation District shall be permitted. Obtaining a Demolition Permit shall be required.

2.6.5 New Development

- a) New construction shall consider and respect the scale and massing of adjacent buildings, reflecting the base, middle and top of those buildings.
- b) New construction shall generally maintain front wall alignment with adjacent existing buildings' front walls.
- c) New construction shall respect the pattern of façade division by ensuring that the horizontal and vertical architectural elements are aligned with neighbouring buildings.
- d) New construction shall maintain the general height of adjacent buildings. New development within the District should be limited to 3 storeys along the street to ensure consistency with the existing heritage streetscape. Accordingly, the street frontage of new infill shall be no higher than the tallest existing building on the block. Additional height beyond this maximum may be permitted if set back from the cornice

line at a 45-degree angle to a maximum of 5 storeys, as an addition to an existing building or as a new building on property to the rear of existing buildings, and where there is no negative impact on the streetscape or any heritage attributes of cultural heritage resources.

- e) Proposed development or site alteration that is not sympathetic to contributing resources and the heritage attributes of the Heritage Conservation District and/or may result in a negative impact shall not be permitted.
- f) Council shall, through its approval process, prevent proposed developments or site alterations that detract or negatively impact contributing resources or the heritage attributes of the Heritage Conservation District.
- g) The replacement of non-contributing resources and/or structures or dwellings lost due to circumstances such as severe structural instability, fire, flood, or other catastrophic reasons shall be sympathetic, contextual, and respectful to contributing resources and the heritage attributes of the Heritage Conservation District. The replication of a lost structure or dwelling is not required; however, the replacement structure or dwelling shall conform to the guidelines of the Heritage Conservation District Plan.
- h) Guidelines, as outlined in this Heritage Conservation District Plan, should be used in the evaluation of Heritage Permits for new development. Proposed development or site alterations shall be consistent with the guidelines of the Heritage Conservation District Plan.
- i) When considering change or an alteration to a contributing resource, property owners are encouraged to consult with the City of Kawartha Lakes early in the design process in order to understand the objectives, policies, and guidelines of the Heritage Conservation District Plan as well as the resources available to them.
- j) The City shall consider strategies to facilitate conversion of upper storeys of existing buildings that have underutilized upper floors.
- k) The City shall encourage intensification on vacant or underused lots. Additions and new construction should be encouraged at the rear of existing buildings.

2.6.6 Landscapes/Streetscapes

- a) Proposed infill development shall be designed in accordance with the policies and guidelines of this Plan.
- b) Heritage attributes of landscapes and streetscapes, including parks and views, and landscape treatments in the private portions of the streetscapes, as defined in the District Plan, shall be conserved and enhanced following the policies and guidelines of this District Plan.

- c) Alterations to landscapes and streetscapes within the District shall be permitted, providing that such alterations conform to the policies and guidelines of this Plan and are compatible with the Streetscape and Façade Guidelines for downtown Lindsay (December 17, 2015).
- d) Lot consolidation and lot severance shall be considered subject to a Heritage Impact Statement being prepared to the satisfaction of the City of Kawartha Lakes that demonstrates that the proposed severance causes no negative impact on the heritage attributes of the HCD.
- e) Provision of parking and traffic management within the HCD shall be consistent with the policies and guidelines of this District Plan.
- f) All major public works undertaken within the HCD shall have regard for the policies and guidelines of this Plan. Conservation of mature tree canopies shall be conserved, in consultation with utility companies and City engineering and public works staff and a program of replacement planting of suitable canopy street trees shall be instituted in the HCD.

2.6.7 Regulatory Process, Community and Economic Benefit

- a) Maintenance and minor alterations, as defined in the District Plan, shall be permitted on properties within the HCD.
- b) Major alterations and additions, as defined in the District Plan, shall require an application for alteration (heritage permit) and be subject to the approval process described in the District Plan.
- c) The City shall initiate public information programs, including topic-based workshops, walking tours and on-line resources, to assist property owners in conserving and enhancing their properties.
- d) The City shall continue to implement currently available financial incentives (e.g. tax relief and grants) and enhance them, where possible, to assist in conservation work on District properties.
- e) In instances where properties within the District are subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*, or are identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties, or are properties protected under Federal legislation, in the event of a conflict between those protections and the policies and guidelines of this Plan, the highest standard of heritage conservation shall prevail.
- f) Enforcement of the City's Property Standards By-law (By-law 2016-12 as amended) shall be consistently undertaken by City staff within the HCD and shall have regard for the policies and guidelines of this Plan.

- g) Where a proposed change in the HCD has the potential to negatively impact the character of the HCD as defined in the Statement of Cultural Heritage Value, the City, through its Official Plan policies, shall require submission of a Heritage Impact Assessment.
- h) In accordance with Subsection 41.2(1) of the *Ontario Heritage Act*, in situations of disagreement between the Heritage Conservation District Plan and any other municipal policy, the Heritage Conservation District Plan shall prevail to the extent of the conflict.
- i) The City can use its authority under Section 69.5.1 of the *Ontario Heritage Act* to require the restoration of an illegally demolished protected heritage resource as similar as possible to its previous condition and may recover the cost of the restoration from the property owner.
- j) The decision of the City of Kawartha Lakes Committee of Adjustment or Planning Committee shall be consistent with the policies and guidelines of the Heritage Conservation District Plan when reviewing applications within or adjacent to the Heritage Conservation District;
- k) Obtaining a Heritage Permit will not negate the necessity of other permits required under other legislation (such as the *Ontario Building Code* or the *Planning Act*);
- l) Obtaining a permit under other legislation (such as the *Ontario Building Code* or the *Planning Act*) will not negate the requirement for obtaining a Heritage Permit.
- m) The administration of the *Ontarians with Disabilities Act*, the *Ontario Building Code* and related codes and regulations will be undertaken in such a manner to ensure the conservation of heritage attributes of contributing resources while still ensuring the health and safety of the public; and
- n) The conversion of contributing resources from a defined use within a Zoning By-law to a different use may be permitted provided that the proposed change does not adversely impact the cultural heritage value of contributing resources or the heritage attributes of the Heritage Conservation District and other applicable municipal requirements are met. The preparation of a Heritage Impact Assessment may be required.
- o) The City shall consider authorizing the use of municipal funds to initiate preparation of a Stage 1 archaeological assessment for the District.
- p) The City shall consider measures available under Provincial legislation and programs to provide relief to property owners for conservation work undertaken on private property within the District that is in accordance with the policies and guidelines of the District Plan.

PART C: Conservation and Development Guidelines



3.1 Introduction

These guidelines are the means by which the District goals and objectives and policies described above are implemented in actual changes to the physical setting. They are intended to help downtown property owners and the municipality care for and enhance the best qualities - or heritage attributes - of the Districts. They are meant to support the good work already being done and to provide information and encouragement to improve work planned for the future.

Design guidelines are meant to encourage the types of renovation work that emphasizes the character of each property and of the District as a whole. The character statements and list of attributes (for each property, as found in the HCD Study inventory, and for the HCD as a whole, as defined in this HCD Plan) are the primary reference to guide any changes proposed to the District or to a property.

Guidelines for proposed changes in a Heritage District are needed because downtowns are in a constant state of flux, responding to changes in ownership and use, upgrades to urban infrastructure, and evolving economic conditions. Pressures for change come in many forms, from a desire to serve emerging markets to the need to repair and maintain an aging structure. In considering how to make changes, there is always the allure of the new and a tendency to take the existing setting for granted. In this context, the characteristics of the District that are valued by the community can be at risk. Poor planning, loss of buildings to fire or neglect (or disaster), and new infill that is out of character, all can degrade the District. Instead, the purpose of the District Plan is to ensure that property owners' first response to the need for change will be to choose building designs, materials and construction methods that are in harmony with the District's heritage attributes. Guidelines in the District Plan are the principal means of maintaining the Districts' integrity and achieving a balance between preservation and new development.

In an urban setting, managing change is all about context. Determining the best way to alter the existing setting requires an understanding of the qualities of the setting, from the nature of the buildings next door to the patterns evident in the streetscape and the character of the District as a whole.

3.2 Guiding Principles

A primary goal of designation is to keep and enhance the experience of daily life in the District. The primary way to accomplish this is to ensure that the best parts are maintained and that changes do not detract from the district character and, ideally, make the place better. Conservation is simply good stewardship of something the community values. It is a universal activity and, as such, is governed by universal principles.

The guidelines in this Plan are based on conservation “best practices” as used in Ontario, Canada and abroad. Key background documents that provide the basis for these guidelines include:

- *Standards and Guidelines for the Conservation of Historic Places in Canada*, Parks Canada, 2nd ed. 2010 (www.historicplaces.ca)
- *Standards & Guidelines for Conservation of Provincial Heritage Properties*, Ontario Ministry of Tourism, Culture and Sport, 2010 (www.mtc.gov.on.ca)
- *Ontario Heritage Tool Kit*, Ontario Ministry of Culture, 2006 (www.mtc.gov.on.ca)
- *Well-Preserved: the Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation*, Mark Fram, Boston Mills Press, 2003 (Third Edition)
- *InfoSheets*, Ontario Ministry of Culture (www.culture.gov.on.ca)
- UNESCO and International Council on Monuments & Sites (ICOMOS) Conventions and Charters

A commonly-used summary of universal best practices can be found in the Ontario Ministry of Tourism, Culture and Sport's “Eight Guiding Principles in the Conservation of Historic Properties”, all of which emphasize respect for original/historic material:

1. *Respect for Documentary Evidence* (do not base alterations on conjecture)
2. *Respect for Original Location* (avoid moving buildings unless there is no other way to conserve them)
3. *Respect for Historic Material* (repair/conservate rather than replace building materials and finishes, except where absolutely necessary)
4. *Respect for Original Fabric* (repair with like materials)
5. *Respect for the Building's History* (do not restore to one period at the expense of another period or periods)

6. *Reversibility* (alterations should allow a return to the property's original conditions)
7. *Legibility* (new work should be distinguishable from old)
8. *Maintenance* (with continuous care, future repair/restoration may not be necessary)

3.3 Applying the Guidelines

The next step for property owners is to prepare a strategy for undertaking the proposed work. The four key questions to be asked at each stage of consideration of a proposed alteration to property in the District are as follows:

- In what ways will the proposed alteration affect the overall character of the streetscape of the HCD?
- Is it possible to find ways to shape an alteration to maximize the extent to which it enhances the heritage character of the HCD?
- If the proposed intervention was commonly applied to other properties would the cumulative impact be in keeping with the overall character of the District?
- What will be the impact of the proposed alteration on the property's heritage attributes and those of its streetscape context?
- Is it possible to find ways to shape the proposed alteration to minimize that impact?

4. Conservation Guidelines for Contributing Properties

4.1 Introduction

General

The HCD boundary encompasses the downtown core, within which is a variety of building types. On Kent Street most are 2 – 3 storey commercial buildings with residential above ground floor retail, but some are entirely commercial and a few are institutional. On the side streets, some are house-form buildings converted to commercial use.

Commercial Character

The majority of the buildings are commercial within the HCD, that is, they typically contain retail or office uses, although some also have residential units above. The majority of them date from the late 19th and early 20th centuries although there are examples of earlier and later structures from the mid-19th to the late 20th century. The majority of the existing buildings were constructed in the period between the 1870s and the 1920s that coincided with Lindsay's years of peak prosperity. The development pattern of two to three storey structures built to the street line was established at this time and has been followed since.

Not all of the structures from the boom years have survived. Several key structures were lost during the period following WWII, when car usage became commonplace. Parking lots and auto-related buildings replaced key structures at street corners, banks replaced former landmark structures with more mundane versions, and 20th century structures within the blocks were often single storey and had a horizontal emphasis, in contrast to the predominantly vertical massing of the existing buildings. Shopfronts were modernized with new materials, re-clad with larger areas of glass, and changed to have reorganized entrances and signage. Upper floors were converted to apartments or storage, covered over, or left vacant. The formerly coherent streetscape became somewhat less so. More recently, some property owners have reversed some of these alterations and restored their buildings to their former appearance, and some replacement structures have revived the design principles of the predominant pattern, interpreted in contemporary ways.

Components of a Commercial Building's Facade

Following the basic tenets of Classical architecture, 19th and early 20th century downtown buildings were made up of three basic components: a base, middle,

and top, arranged within a symmetrical composition. The lowest, street, level typically contained the retail shops and the building entrances, with large plate glass windows occupying approximately half the frontage and signage above and on the windows. The middle section typically had roughly 30% of the wall devoted to window openings and contained non-retail uses such as offices, meeting rooms and apartments. The upper section met the sky with building elements that were both functional and decorative. Each section was typically distinguished from the next by architectural elements such as sign boards, band courses and cornices, and these elements often aligned with those of neighbouring buildings, tying the streetscape together. While each building was distinct, it shared many characteristics with its neighbours. In Lindsay, these elements were composed within three main styles: Georgian; Italianate; and Second Empire (see <http://www.ontarioarchitecture.com/Styles.html> for an Ontario architectural styles glossary). Within these three main stylistic types, each of the three components of commercial buildings has specific elements that serve particular functions.

The street level is the storefront in which display of commercial goods is the primary use. Its base provides a solid visual underpinning to the building as well as protecting the facade from damage due to snow clearance and pedestrian traffic. The display windows above are important features of the facade and are often elaborately finished with metal or wood sash, trim and glazing bars. They draw the eye into the building interior, highlighting the goods within during store hours and in the evening, and are augmented by lettering on glass, displays and lighting. The main entrance is another key feature. Often recessed in order to provide additional window frontage as well as shelter, it draws customers into the shop. The void created by the recessed entrance adds visual interest to the street. Doors and door hardware were carefully chosen to signify quality and solidity, another way to attract custom. Above the display windows and entrance, signage is another key component. Signage is usually arrayed horizontally in a signboard below the cornice or entablature of the storefront which, in turn, often has decorative projections and ornamentation. The final features of storefront are pilasters, or protruding vertical elements framing the entranceway or marking divisions between bays, and awnings, which shelter customers and produce displayed outside as well as provide visual interest.

The upper two sections are further away from street level and thus are designed to be seen at a greater distance. The middle section usually contains less fine detail and features larger scale decorative elements, such

as band courses or inset decorative brickwork. Window openings arranged at regular intervals typify this section. The upper section contains the cornice and roof and it is here that many of the most prominent details are found. A decorative treatment of the roofline completes the facade, making a dramatic outline against the sky and relating to similar treatments on adjacent buildings. Cornice details are often in wood, brick or pressed metal. Roofs are typically shallow monopitches sloping away from the street side, or flat.

Conservation Issues for Commercial and Institutional Properties

Because the front of the building is on public display, its condition is evident to passersby and any deterioration or alteration is easily seen. Roofline components are particularly vulnerable to the elements and need regular maintenance. Changes in architectural fashion have also resulted in the loss or covering up of such details. Removal of building elements not only decreases the building's visual appeal, it also removes some of the property's heritage value and degrades the streetscape. In some cases, however, later alterations of the original design may also have heritage value, so careful analysis of the building's evolution will indicate which elements from various periods merit conservation or restoration. Historic photographs, such as those found in the HCD Study, show how vibrant and varied the skyline of Lindsay's downtown was in the late 19th century, when most of the buildings were first constructed. Some of that detail is now missing or in poor repair. The guidelines in this Plan are intended to encourage property owners to make the extra effort to preserve such elements and, in some cases, restore those that are beyond repair or have been lost.

Starting at the building's grade level, the base of the shopfront is subject to constant wear and exposure to moisture and dirt: it needs regular inspection and maintenance. Display windows and their accompanying signage, awnings and lighting are also delicate and should be carefully repaired and/or restored. The entrance door, if original or a later alteration of heritage value, should be retained or a replacement chosen that complements the original facade. Since early signage is often replaced or covered, care should be taken to preserve or restore signboards and the cornice, entablature and pilasters that complete the storefront composition.

In the upper sections, windows should not be reduced in height (often to accommodate dropped ceilings in the interior) or blocked off, thus disrupting the facade composition. The cornice is often left to deteriorate or is removed because of the difficulty in getting access to it for maintenance and repair. Exposure to the elements hastens decay, as do poor protection from moisture

penetration due to flashing failure, poor caulking, or inadequate roof drainage. But because the eye is drawn upward by the vertical emphasis of most commercial facades, a poorly maintained or missing roofline is a dramatic disappointment.

Institutional buildings are usually designed to stand alone, as landmarks, in contrast to commercial buildings, which are usually aligned side by side to form a consistent street edge along a block, or residential buildings, which are usually spaced more or less evenly along a tree-lined street. This is especially true of the important public buildings in Lindsay's downtown, the most prominent of which are the municipal complex of Town Hall, Fire Hall and Library. All stand out in their settings even though they share common materials (and, sometimes, architectural styles) with their commercial neighbours. In most cases, however, the public buildings are stylistically distinct from the private buildings, with Classical, Romanesque Revival or Modernist styles predominating. In addition, public buildings are often considerably larger, and taller, than the predominant one-to-three storey massing of the rest of the downtown core.

Conservation Issues for all Properties

Most owners of older properties accept the added maintenance that such places often entail in return for the quality of setting they supply. That said, many older properties are very well built and are more robust than their newer counterparts. If the conservation regime suggested in this Plan is followed, owners of an older building will often have a better long-term investment than will owners of a new property.

The City and other public agencies own many of the landmarks within the District, and with that ownership comes an additional responsibility to show by example in any conservation and alteration work done. Since these buildings are special, they have often been designed by architects and incorporate high quality materials and construction techniques. As a result, any work undertaken on them requires a high level of care and expertise. The guidelines in the District Plan, especially those in the federal Standards and Guidelines (2nd ed. or as superseded) offer specialist advice on how to address the unique issues that arise in landmark heritage buildings.

With all older properties, issues arise in finding skilled tradespeople (and materials) to do the maintenance work required for some parts of older buildings. If such people are available, they are sometimes booked well

in advance and charge higher rates than would everyday contractors. Municipalities can be of assistance here by providing lists of qualified specialist contractors, even though public agencies are not able to recommend specific firms.

On residential properties, the most vulnerable parts of the public face of houses are the wooden details such as those found in eaves, verandahs and porches. Exposed to the elements and, in the case of entrances, to everyday wear and tear, these wooden details tend to require ongoing maintenance if they are to survive. Often the temptation is simply to remove them, by covering a cornice or by taking off a porch. But this action also removes much of the visual character of the house and often leaves an ugly scar on the brickwork where the wooden structure once attached. Since Lindsay prides itself on its porches, extra effort should be made to conserve these elements.

Other issues include upgrades to windows, where upgrading the existing windows sometimes seems more onerous than replacing them with new units. While there are many manufacturers able to supply windows that are energy-conserving while compatible with heritage settings, such as those offering double glazing and true muntins, conservation best practices recommend retrofit rather than replacement as being a better long-term investment as well as a more sustainable practice. City staff, using the guidelines in this Plan, can advise property owners on best options. And in making alterations or additions to older buildings, finding the best design approach requires careful thought if the end result is not to be a jarring contrast between old and new. Again, the guidelines in the District Plan offer sound advice on ways of resolving this issue.

Paint colour is a perennial issue, but paint colour types and colour schemes will not be prescribed in the District Plan. The Streetscape and Façade Guidelines that have been prepared for downtown Lindsay identify a palette of colour schemes that have been recommended for properties within the downtown core.

As is evident from the foregoing discussion, guidelines for Heritage Conservation District primarily address the parts of a property that are visible from the street; in other words, the front. In Lindsay, the guidelines in the District Plan apply primarily to the façade and encourage additions and alterations to the building exterior to be undertaken on the back of the building and, in some cases, on the sides.

4.2 Steps in the Conservation Process

As explained above, the main reason to designate a district is to conserve its heritage resources. Conservation within a District involves careful attention to the area's (and the property's) heritage attributes while encouraging positive change. Conservation of built heritage resources covers the three main approaches to conservation described in the definition above. Within these three approaches, the Parks Canada Standards and Guidelines (2nd ed. or as superseded) provide a comprehensive summary of the steps necessary to conserve heritage properties. The document begins with a set of overall standards governing all types of conservation work, followed by detailed guidelines that provide options for specific conservation projects. Based on that document, the main components of the conservation process can be summarized below, in three major steps:

- Step One: Understanding
 - Refer to the property descriptions in the heritage inventory to determine the heritage value and any heritage attributes/character-defining elements of the subject property (especially the facade composition, cladding and windows).
 - Check on site and document current condition and changes made over the building's history.
 - Augment site investigation and the inventory with archival and oral research, where possible.
 - Assess the property's relationship to the streetscape and District (especially height, setback, architectural design).
- Step Two: Planning
 - Keep or find a suitable use for the property.
 - Identify the needs of current and prospective users as well as municipal requirements.
 - Select the primary conservation process.
 - Review the standards that apply to the selected process (from the Standards and Guidelines 2nd ed. or as superseded.).
 - Follow the guidelines for that process (from the Standards and Guidelines 2nd ed. or as superseded.).
 - Review the proposed scope of work with the City Planning and Building Departments to determine if a permit/application is needed.

- o Review the proposed scope of work with a (heritage) contractor to determine budget and schedule: make revisions to the proposed scope of work as required.
 - o If required, submit Application for Alteration/Building Permit to the City
- Step Three: Intervening
 - o Undertake the proposed project.
 - o Do regular maintenance.

4.3 Maintenance

The majority of work within the District will involve conservation of the existing physical fabric. Maintenance does not require a heritage permit (technically termed an “application for alteration”). Maintenance, as well as rehabilitation and restoration, will be ongoing activities that are needed to retain and enhance the District’s heritage attributes. As with any property, the onus is on the owner to monitor building condition and to plan for both regular and periodic work that will be needed.

There are several degrees of work entailed in conserving older buildings, and one or several of these may be involved, depending upon the situation. They are:

- Protection and stabilization (where portions of a building are badly deteriorated, to stop further decay)
 - o Assessing condition
 - o Closing openings in the roof and walls, and filling broken windows
 - o Preventing water infiltration
 - o Securing against structural collapse
- Routine maintenance (for special architectural features)
 - o Retaining requisite contractors to do work requiring specialist skills
 - o Annual monitoring of building condition
- Cleaning (periodic, using methods befitting the cladding materials)
 - o Undertaken only to retard deterioration or to reveal obscured surfaces
- Reconstruction (of deteriorated or missing elements)
 - o Only to be undertaken based on documentary evidence

For a schedule of ongoing conservation, refer to the following chart:

Recommended Maintenance Checklist Regarding Exterior Building Conditions				
Item	Spring	Summer	Fall	Winter
Check attic	•		•	
Check eaves trough and downspouts	•		•	
Check roof for damaged roofing materials	•		•	
Plan landscaping to avoid soil settlement and ponding	•			
Check caulking for air and water leaks	•		•	
Check & lubricate weather stripping	•		•	
Check exterior cladding	•		•	
Check windows & screens are operating properly	•		•	
Check sheds and garages		•		
Prune trees close to building (consult arborist)				•
Check fireplace & chimney			•	
Check for condensation				•
Check for ice damming				•
Check interior face of exterior walls for moisture or blistering	•			•
Check that no wood is stacked against the building.	•			
Check fencing for deterioration	•			

4.4 Guidelines for Maintenance

4.4.1 Roofs

ROOFING MATERIAL

- On roof areas visible from the public right-of-way, here original roofing remains in place, use replacement roofing material to match original material. Where the existing roofing material differs from the original material, it is preferable that replacement material match the original material. Since most commercial buildings within the downtown core have shallow-pitched or flat roofs that are not visible from the street, choice of roofing material is open.
- Make an effort to recondition existing standing seam metal roofs. Existing standing seam metal roof should not be covered over with dissimilar roofing material.
- For asphalt shingles, use premium quality for maximum life expectancy (up to 30 years); use grey, brown or black colours.
- Provide a continuous air barrier system, insulation, and ventilation at attics to prevent the formation of ice dams. On roofs prone to ice dam formation, install additional waterproofing when re-roofing. The presence of a continuous air barrier system prevents warm interior air from entering the attic space and is a significant defence against ice dam formation.

CHIMNEYS

- Retain existing chimneys whenever possible, even if they are no longer functional, in order to conserve the symmetry and architectural detailing of the building roofline.
- Repair/replace deteriorated material with like materials and replicate original detailing and bond pattern, based on documentary evidence.
- Line the chimney to prevent deterioration by acids and water vapour from the exhaust gases.

GABLES AND DORMERS

- Keep decorative turrets and gables free of siding or coverings that obscure details.
- As with other exterior components, replace deteriorated material with like components in the original design, or replicate based on documentary evidence.
- Ensure weather resistance in new material and in dormers with adequate preservatives and insulation as well as bird protection measures.

SOFFITS AND FASCIAS

- Avoid covering original materials with new materials.
- Strip and repaint original painted surfaces; identify causes of paint film peeling and blistering prior to repainting.
- Retain fascia detailing (e.g. verge boards or pressed metal); replace deteriorated wood with new wood cut to replicate the original.
- Eaves troughs and down spouts are recommended to be installed for the control and diversion of roof water run-off. Eaves troughs and down spouts should be discreet in appearance and connected to the municipal stormwater system, where possible.
- Down spouts should be directed away from the building and away from pedestrian areas.
- Refer to the “Alterations” section of these guidelines for contemplated alterations to roofs.

4.4.2 Exterior Walls

Streetscape and Façade Guidelines for Downtown Lindsay identify building materials for exterior walls that reflect the heritage character of the downtown. In addition, the following guidelines are offered.

BRICK AND STONE

- Keep rainwater from continuous contact with masonry walls (e.g. by ensuring proper drainage from roof surfaces and by retaining roof overhangs).
- Non-heritage contributing cladding that has been applied over original cladding should be removed (e.g. aluminum siding applied over brick or clapboard).
- Re-pointing of brick and stone masonry should match the colour and profile of the original mortar and be of the appropriate type and mixture that will not damage the masonry material.
- Existing brick or stone masonry should not be sandblasted to remove paint finish. Use of chemical paint stripper is acceptable provided it does not damage the brick or stone surface.
- Painting of brick surfaces is not recommended. It is also not appropriate for stone.
- Cracked or deteriorated stone surfaces should be stabilized using concealed non-oxidizing pins and epoxy injections.
- Replacement stone should closely resemble the original.

- Protect brick and stone masonry from spalling at grade. Salt should not be used as de-icing agent adjacent to masonry structures and ensure positive drainage away from foundation walls.

WOOD SIDING

- Preserve as much as possible of original material when making repairs, and replace deteriorated material with similar material.
- Keep wood siding from contact with the ground to avoid rotting and insect damage.
- Whenever possible, replace natural wood siding with new natural or pre-finished wood siding, cut to the same profiles as the original.
- Do not replace wood siding with vinyl or aluminum siding, as they are easily damaged and cover original material. If wood siding cannot be used, fibre-cement board is an acceptable substitute.

STUCCO

- Repair stucco with modern assemblies: match original appearance in colour, texture and finish, retaining specialists in exterior stucco work.
- Avoid the use of External Insulation Finish Systems (EIFS) as they require very careful installation if they are not to obscure architectural details or cause moisture retention problems for the underlying structure.

4.4.3 Decorative Trim and Details

- Regularly inspect, repaint and use wood preservatives on decorative wood components.
- Avoid using stock mouldings in standard profiles: instead, preserve and restore as much of the original trim as possible and use original elements as templates for replacement sections.
- Choose paint colours that are compatible with the heritage character of the District and that are complementary to the age, style and detailing of the subject building.
- For extensive repainting work, select professional painters with specialist knowledge of paint types and application techniques appropriate for older buildings.
- Cornices were a prominent feature of the facades of many of the commercial buildings lining Kent Street. Some of them were constructed of masonry, some of wood, some of metal, and some of combinations of these materials. Regrettably, a number of them deteriorated and have been removed or drastically simplified. Where they continue to exist, masonry cornices and components of cornices should be regularly

pointed, and wood and metal ones repainted. Where possible, missing cornices should be restored, using the best photographic evidence available of their condition before they were removed.

4.4.4 Porches and Verandahs

- Original versions of these elements should be retained; removal or substantial alteration should be avoided, and original details conserved or replaced with new wooden versions.
- If a porch or verandah is being restored or replicated, do so only after finding documentary evidence of the original appearance. Since such exterior elements deteriorate more quickly due to exposure to the elements, decisions may need to be made as to which of several earlier versions of the structure should be the model for the proposed work, based on the heritage attributes of the building.
- Ensure that the new or repaired porch is properly underpinned with footings extending below frost and with forms of skirting that promote good ventilation and prevent animal intrusion.
- Avoid fibreglass or plastic replicas of wooden details unless there are no other reasonable options, provided they match the shape and size of the details they are replacing.

4.4.5 Windows and Doors

- Original windows that suit the heritage character of the building should be maintained rather than replaced. In most cases, wooden sash windows and storm windows, if properly fitted and maintained, can provide superior thermal insulation. However, where replacement is necessary, wood double glazed units with true muntins are preferred, and similar units with false muntins are acceptable.
- Original stained glass windows should be conserved and repaired; replacements for broken or missing glass should replicate the original and complete replacements should have glass details in colours and shapes similar to the original.
- Non-heritage contributing exterior storm windows should be removed; wood double glazed windows are recommended instead.
- Refer to the “Alterations” section of these guidelines if existing windows are sufficiently damaged that they need to be replaced. Avoid the use of aluminum or vinyl-clad windows: if they must be used, match the style, size and proportion of the original wooden windows, and provide a frame that can be painted to match the rest of the facade fenestration. Wood double glazed windows are available and are a preferred replacement option.

4.4.6 Awnings and Shutters

Streetscape and Façade Guidelines for Downtown Lindsay provide recommendations for Downtown Lindsay with respect to awning and shutters that are consistent with the downtown's heritage character. In addition, the following guidelines are provided.

- Original exterior shutters and shutter hardware should be conserved and maintained. Missing louvers and hardware should be replaced.
- Shutters should only be installed on buildings that would have originally had them and should be of the size and design appropriate to the original buildings. Modern shutters in contemporary materials (e.g. aluminum) and in sizes smaller than the window opening, should be avoided.
- Preserve original doors, details, glass, hardware, door surrounds and entrance openings whenever possible.
- Choose storm doors and screen doors that are appropriate for the age and style of the building, and use wooden framed doors where practical.

4.4.7 Foundations

- Ensure positive drainage away from all foundation walls.
- Inspect foundations for cracking, settlement or loose materials, and repair accordingly.
- Foundations with noticeable settlement should be inspected by a structural engineer and may have to be rebuilt. Temporary support for the wall above the foundation work may be required.

4.4.8 Utilities and Telecommunications Installations

- Locate utility meters (gas, electricity) away from the street facade, on side or rear walls, whenever possible.
- Above-grade services connections (e.g. wires) should be grouped together and linked to the building in locations away from the street facade.
- Avoid locating electrical conduit on the exterior face of the building visible from the street.
- Air conditioning units (both window and roof-mounted) should be located away from the street facade if possible.
- Where possible, locate, or relocate, satellite dishes and antennas away from the street facade.

4.4.9 Accessibility

- Design exterior inclined walking surfaces with grades of 5% or less. The 5% grade is easier to negotiate than the 8.3% OBC maximum grade, and also has the benefit of not requiring that a guard assembly be installed.
- A power operated lift is another solution.

4.4.10 Environmental Sustainability

GENERAL

- Make efforts to employ environmental sustainability measures, provided that the measures do not compromise the heritage attributes of the property or the surrounding area.
- Diligent building maintenance contributes to environmental sustainability by reducing the unnecessary consumption of resources as well as stress on landfill sites.

BUILDING ENVELOPE

- Insulate and air/vapour-seal exterior walls from interior (not exterior) where recommended. Insulating heritage structures can significantly affect masonry envelopes, rapidly shortening the life expectancy of existing materials through increased freeze/thaw cycles. Interior masonry surfaces should be repaired and convective air leakage should be reduced on the interior side (e.g. by applying a 25mm layer of spray-applied polyurethane foam insulation).
- A building with an upgraded air-tight building envelope will require mechanical ventilation rather than passive ventilation. Dedicated air intake and exhaust louvers will be required for living space air as well as for combustion air. New air intake & exhaust louvers should not be visible from street.

MECHANICAL SYSTEMS

- Air intake & exhaust vents should not be visible from the street. Coordinate location of mechanical equipment internally to eliminate penetrations visible from street. High efficiency gas fired appliances (boilers, furnaces) require power vented exhausts, typically horizontally through a sidewall rather than vertically like a conventional chimney, which will be possible only on corner properties within the downtown; otherwise, vertical venting will be necessary.

SOLAR PHOTOVOLTAIC/THERMAL PANELS/SKYLIGHTS/WINDMILLS

- Do not take trees down to allow more sunlight to be directed to proposed panels.
- Panels should not be visible from the street.
- Skylights should be installed flush with the roof profile.
- Micro-windmills (vertical axis) should be set back from the cornice line so as to be less visible from the street.

HEAT PUMPS

- Heat pump units should not be visible from street.
- Conduit and supply tubing should not be visible from the street.

Wood burning chimneys

- Retrofit existing chimneys appropriately to accommodate high efficiency EPA wood burning appliances.
- Avoid new chimneys at the front and sides of the exterior of the building.

4.4.11 Signage

The municipality's Sign By-law for Downtown Lindsay articulates sign requirements within the downtown area. The Streetscape and Façade Guidelines for downtown Lindsay also provide signage character recommendations that reflect the downtown's heritage character.

- Signage should be contained within the signboard above the main floor display windows or perpendicular to the facade.
- Light signs directly with light fixtures attached to the building facade.
- Do not use internally-lit plastic signage.
- Lighting of fixed or hanging signage should meet dark sky guidelines to avoid light pollution by being directed downwards.
- Encourage the use of decorative hanging signs projecting from the facade.
- Encourage the use of retractable (not fixed) awnings, incorporating signage.

5. Conservation Guidelines for Building Alterations and Additions

5.1 Introduction

The guidelines that follow contain recommendations for new work/ additions and contemporary repairs/alterations that are not maintenance activities. Repair and maintenance activities that constitute ongoing conservation care are addressed in Section 4.0.

Guidelines for alterations and additions are organized in two groups. “Contributing” properties make the direct contribution to the Heritage Character of the District as a whole. The second group comprises “non-contributing” properties. The guidelines that apply to non-contributing properties are intended to ensure that they do not compromise the heritage character of the District as a whole by adding further inappropriate changes to the building, or to offer suggestions for their integration or ultimate replacement with a more compatible structure.

- The first step is to prepare a strategy for undertaking the proposed work. The five key questions to be asked at each stage of consideration of a proposed alteration to property in the District are as follows:
 - In what ways will the proposed alteration affect the overall character of the streetscape of the District?
 - Is it possible to find ways to shape an alteration to maximize the extent to which it enhances the heritage character of the District?
 - What will be the impact of the proposed alteration on the property’s heritage attributes?
 - Is it possible to find ways to shape the proposed alterations to minimize that impact?
 - If the proposed intervention was commonly applied to other properties would the cumulative impact be in keeping with the overall character of the District?

5.2 General Practices for Alterations and Additions

Alterations and Additions to heritage properties require an Application for Alteration process to be conducted through the City, as described in Part D of the Plan, which makes available City Heritage staff resources to ensure the best practices for managing property changes are identified.

Alterations include major changes such as additions, the construction of multiple dwelling units within an existing building, or the replacement of heritage elements that cannot be maintained and repaired using the conservation measures described in Section 4.

5.2.1 General Guidelines for Alterations

- Find out as much as possible about the appearance and style of the building during its various evolutions in order to determine the best options for alteration that respects the property's heritage attributes.
- In the absence of documentary evidence, examine the building itself to determine original design details, materials and layouts.
- Look for properties within the District that are similar in age and style for further evidence of details and materials suitable for use in an alteration.
- If original materials and construction are available, avoid replacing them with contemporary materials and construction methods.
- Original elements such as windows, doors, porches, verandahs and their details should be retained and restored whenever possible.
- Model replacement features and building forms on the originals in style, size, proportions and materials, whenever possible.
- When in doubt, make changes reversible and as inconspicuous as possible.
- Record the alteration and retain samples of original materials that have been replaced.

5.2.2 General Guidelines for Additions

- Additions should be complementary to the main building and clearly secondary in terms of size; they should also be clearly distinguishable in form and detail.
- Additions should be located away from the main street facade, at the rear of the building.

- The height of the addition should be no more than that of the main building and, preferably, lower, in order to clearly distinguish it from the original building, unless set back within a 45 degree angular plane (from the centreline of the street ROW).
- Construction of additions should not entail removal, covering or other adverse impacts on the heritage attributes or other important architectural features of the original building.
- Additions should avoid causing irreversible changes to the original building.
- Where additions are visible from the street they should include a cornice that is carefully aligned with neighbouring buildings and be of similar proportions.
- Rear addition roof ridgeline height should not exceed the existing building roof ridgeline or be within the angular plane described above. Where the existing roof is a mansard roof, the top of parapet will be considered as the ridgeline.

5.3 Specific Guidelines for Alterations to Contributing Buildings

5.3.1 Roofs

- If possible, during the alteration process, record the alteration and retain samples of earlier materials that have been replaced.
- Roof profile visible from the street should remain unaltered.
- Changes to portions of the roof not visible from the street are permitted.
- Replacement roofing material should be compatible with the age and architectural style of the specific property.

5.3.2 Windows

- Make efforts to re-build or recondition existing heritage- contributing windows before replacing them.
- Where existing heritage- contributing windows are too damaged to be reconditioned, new replacement windows should replicate the sash, stile, and muntin pattern of the original.
- “False” divided lights are permitted and should have true muntins at the exterior of the glass.
- Do not alter the location, size, and shape of all existing windows facing, or visible from, the street.

- Avoid creating new openings for windows on facades visible from the street.
- Avoid the use of mirrored glass.
- Avoid replacing hung sash windows with casement or other windows.
- Where a replacement window is used it should be energy efficient (such as Energy Star rated) wherever possible.

5.3.3 Cladding

- Make efforts to replace exterior cladding that has degraded beyond repair with new or reclaimed material to match.
- Existing exterior cladding that is appropriate to the age and architectural style of the property should not be covered over with different cladding.
- Cladding that is part of a new addition should be distinct from the cladding of the existing building.
- Acceptable cladding for a new addition includes: brick masonry; stone masonry; wood clapboard; fibre cement board with paint finish; stucco; wood shingles (where permitted by Building Code).
- Vinyl siding or asphalt shingles are not acceptable claddings for a new addition.

5.3.4 New multiple dwelling units in existing building

- Required secondary means of egress should be integrated at the interior of the building. Where an exterior fire escape is required (and where permitted by Building Code), the fire escape should be located so that it is not visible from the street wherever possible.
- Hydro and gas meters, conduit, cable connections, telephone connections etc. should be located at the side of the building where access permits, or at the rear of the building wherever possible. No service connections or consumption meters should be located facing the street wherever possible, or should be screened within an openable cabinet if on the street face.
- Parking spaces required by new dwelling units shall be accommodated on the street or in rear parking lots accessed by side driveways or laneways, where such access routes currently exist.

5.3.5 Signage

The municipality's Sign By-law for Downtown Lindsay articulates sign requirements within the downtown area. The Streetscape and Façade Guidelines for downtown Lindsay also provide signage character recommendations that reflect the downtown's heritage character.

5.4 Specific Guidelines for Alterations/Additions to Non-contributing Properties

These properties shall be subject to the foregoing guidelines, with the following exceptions:

- Make efforts to carry out maintenance using materials and methods that do not detract from the heritage attributes of the area.

5.4.1 Windows

- Location, size, and shape of existing windows facing, or visible from, the street can be revised.
- Where visible from the street, new window openings should be designed so that the horizontal and vertical architectural elements are aligned with existing buildings.
- Horizontal slider windows should be avoided.

5.4.2 Cladding

- Existing cladding is permitted to be covered over with different cladding that is more compatible with the heritage character of the adjacent buildings.

6. Guidelines for New Construction/Infill

6.1 General

- New buildings are not required to replicate an existing heritage style but should follow the facade proportions, proportion of window openings to wall area, materials, and design devices (e.g. cornices, string courses dividing storeys) of existing Contributing buildings in the area.
- Attempt to match the setback, footprint, size and massing patterns common on the streetscape in which the property is located, especially in the context of the immediate neighbouring properties.
- Take advantage of unique conditions, such as corner properties, by providing architectural details and features on both street facades or visible upper storeys.

6.2 Massing

- New construction should consider and respect the scale and massing of adjacent buildings, reflecting the base, middle and top of those buildings.
- New construction should generally maintain front wall alignment with adjacent existing buildings' front walls.
- New construction should respect the pattern of façade division by ensuring that the horizontal and vertical architectural elements are aligned with neighbouring buildings.
- New construction should maintain the height of adjacent buildings.

6.3 Roofs

- Flat roofs are permitted in commercial buildings, but gable or mansard roofs are recommended in institutional and residential properties.

6.4 Windows

- Windows should be vertically aligned from floor to floor and horizontally aligned with neighbouring buildings.
- Entries and display windows should be placed at regular intervals consistent with the pattern established on that block.
- A window/wall ratio that has a greater proportion of wall is preferred.
- Large blank expanses of glass are discouraged, but the appearance of divided lights is not required.

- Where ‘false’ divided lights are proposed, make efforts to use true muntins at the exterior surface of the glass.
- Hung sash, casement, awning, or hopper windows are acceptable.
- Do not use horizontal slider windows.
- Windows may be made of: wood; wood with painted extruded aluminum exterior; fibreglass with painted extruded aluminum exterior; vinyl with painted extruded aluminum exterior; thermally broken extruded aluminum frames with painted exterior finish.
- Avoid using white vinyl windows.
- Do not use mirrored glass.
- Use energy efficient (e.g. Energy Star-rated) windows.

6.5 Cladding

- Acceptable cladding materials include: Brick masonry; stone masonry; fibre cement board with paint finish; stucco; where permitted by Building Code.

6.6 Porches, Verandahs and Balconies

- Avoid using white vinyl windows.
- New balconies are acceptable.
- Open-air or glazed-in porches and verandahs are acceptable.

6.7 Signage

The municipality’s Sign By-law for Downtown Lindsay articulates sign requirements within the downtown area. The Streetscape and Façade Guidelines for downtown Lindsay also provide signage character recommendations that reflect the downtown’s heritage character.

The following images show typical elements of the commercial facades within the HCD and illustrate infill options that are compatible with the District’s heritage attributes.

DOWNTOWN LINDSAY - TYPICAL COMMERCIAL FACADES

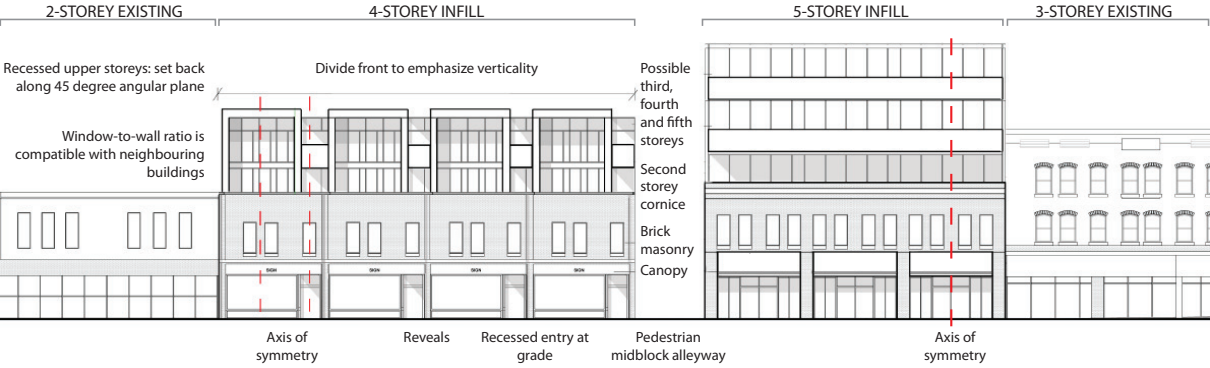


- Restored cornice, height to match adjacent original cornice or historical height
- Restored engraving
- Pilasters divide vertical bays
- Restored decorative ornamentation
- Restored wood frame windows
- Restored ornamental ironwork
- Carved and painted signage (with top lighting, not back lit)
- Retractable or fixed awning
- Restored brick details
- Barrier-free entrance

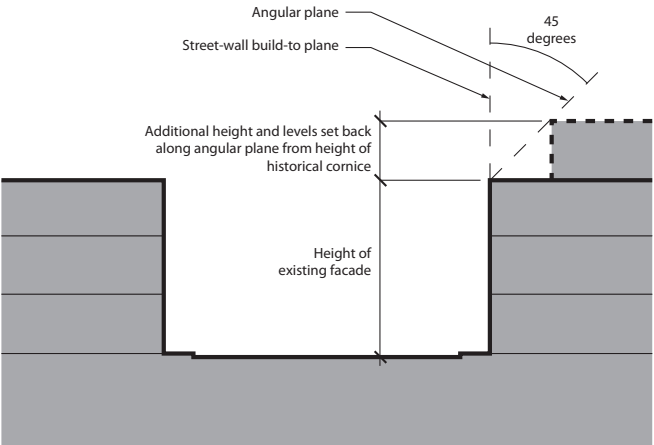


- Restored eyebrow dormer windows
- Restored wood shingle roof
- Restored soffit and profiled eave framing
- Restored brickwork
- Restored wood hung sash windows with muntins
- Restored ornamental brick band and detailing
- Carved and painted signage (with top lighting, not back lit)
- Restored ornamental capitals and moulding
- Restored storefront glazing with muntins
- Restored wood panel bases
- Recessed entrances
- Pilasters divide vertical bays

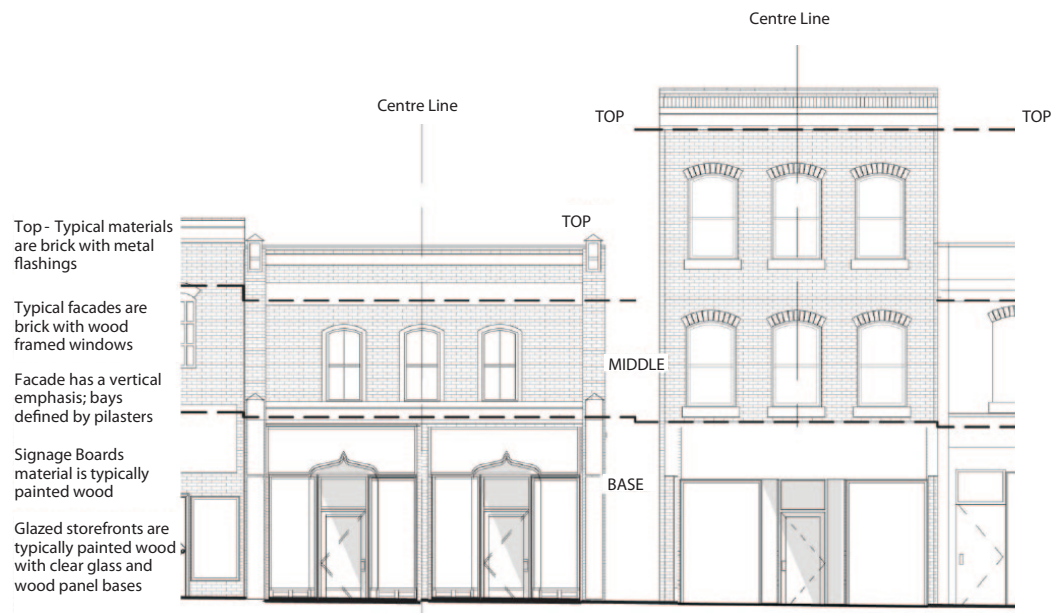
DOWNTOWN LINDSAY - EXAMPLES OF APPROPRIATE INFILL



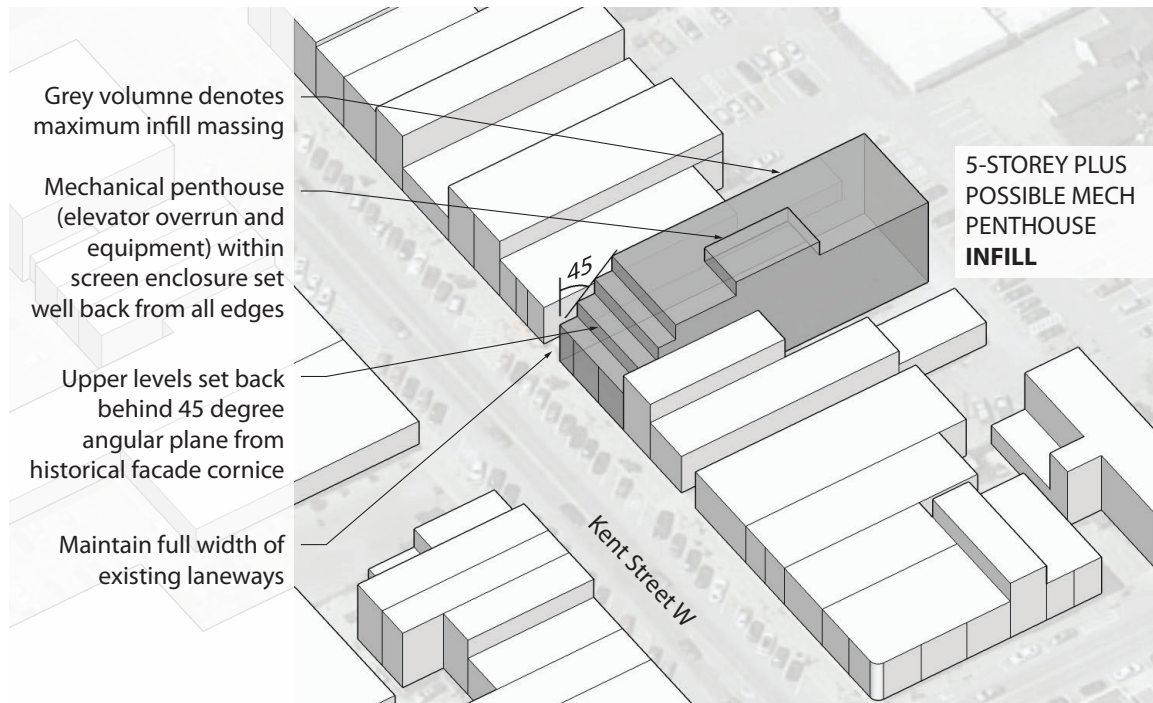
DOWNTOWN LINDSAY - SECTION THROUGH STREET AND APPROPRIATE INFILL



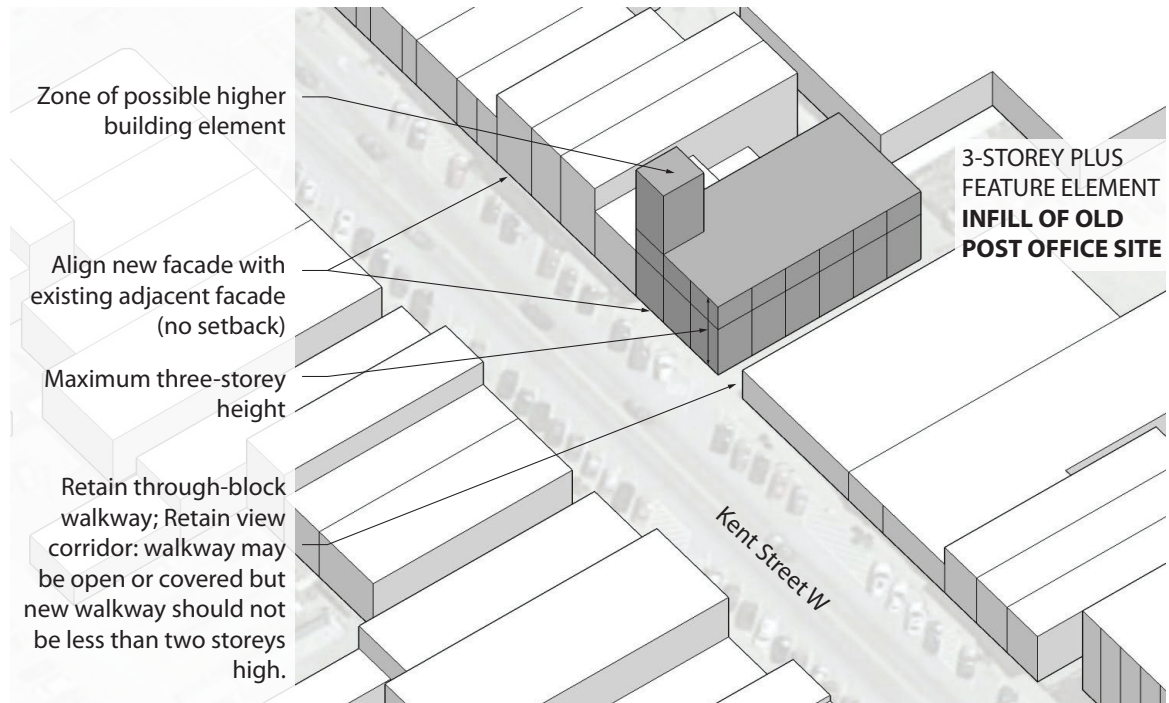
DOWNTOWN LINDSAY - COMPONENTS OF TYPICAL 19TH CENTURY COMMERCIAL BUILDING FACADES



DOWNTOWN LINDSAY - APPROPRIATE MASSING FOR INFILL



DOWNTOWN LINDSAY - APPROPRIATE MASSING FOR INFILL OF OLD POST OFFICE SITE



7. Guidelines for Streetscapes and the Public Realm

7.1 Introduction

The assembly of building frontages, open spaces, streets and laneways collectively make up the character of the District and, in combination, are greater than the sum of their parts. They constitute the “public realm”. They create a “sense of place” that is defined in this Plan as the “heritage character” which, in turn, is made up of the essential “heritage attributes”. These spaces were not originally designed as a unit, but were the result of many individual design decisions made incrementally, over time. However, there was consensus on some underlying principles that created a generally harmonious relationship between the different elements. It is these principles that form the basis for the following guidelines.

Guidelines in the District Plan, in concert with those in the Streetscape and Façade Design Guidelines for downtown Lindsay, illustrate ways in which civic upkeep and improvements can reinforce these established patterns with sensitive installation of lighting, tree planting and street furniture. And when the streets need to be dug up to repair or install municipal services, the guidelines also provide advice on ways to do so without diminishing the District’s heritage values.

In the commercial back yards, the service laneways and parking lots often double as informal pedestrian routes and outdoor amenity space for building tenants. Here the guidelines suggest improvements that would make these spaces more attractive, functional and safer. Outdoor amenity space can be formalized, as can service access. Parking here can often be better arranged to provide more efficient layouts. Links between the rear lanes and the street can be better lit, paved and signed. Overall, the front and rear parts of downtown commercial properties should be seen as a unit, working together as shared public and private space.

In both the public and the private realm, the street and block layout results in views across back and side yards that offer intriguing glimpses of town landmarks, such as church steeples, the fire hall tower and tree canopies. Keeping these views from being obscured by new construction will be important in maintaining the heritage character of the District.

For general guidelines to be applied to urban downtown heritage districts such as Downtown Lindsay, refer to Section 4.1 of the Parks Canada Standards and Guidelines (2nd ed. or as superseded), especially the sub-sections addressing land use, visual relationships, and built features. As applied to Lindsay, the following guidelines cover streetscapes and the public realm:

7.2 Streetscapes

Streetscape and Façade Design Guidelines for downtown Lindsay provide recommendations for Downtown Lindsay that are consistent with the downtown's heritage character. In addition, the following guidelines are provided.

7.2.1 Lanes and pathways

- Treat the rear and side walls of District buildings that are visible from lanes and pathways with similar care to that given the main facade. Encourage pedestrian use of these means of gaining access to downtown buildings and sidewalks.
- Improve the appearance of these access routes with better lighting, paving, and ongoing maintenance. Add display windows or advertising/interpretive images along pathways to make them more attractive.

7.2.2 Public road allowance

- The existing streetscape improvements have been in place for many years and some are showing their age. They should be upgraded over time following the guidelines of the Streetscape and Façade Design Guidelines, as echoed in the guidelines in the District Plan. The design should include, but not be restricted to, such components as parking and loading, plantings, paving, bicycle lanes and storage, street furniture and public art.
- The current placement of utilities infrastructure underground should be continued in order to keep the District viewsapes as uncluttered as possible.

7.2.3 Lighting

- At the time when the existing fixtures are to be replaced, there should be no attempt to have falsely historic street lighting distinctive to the District. The City should use fixtures that are simple and unobtrusive and that incorporate banner arms and electrical outlets. New lighting

should minimize light spill and glare, meeting guidelines for dark sky conditions. As budgets permit, it will be advisable to replace the existing high pressure sodium fixtures with ones that provide a quality of light better suited to pedestrian environments. Metal halide or, if feasible in future, LED luminaires, should be considered for possible installation in the District.

- Special lighting should be considered for key buildings within the District, especially the City Hall. A qualified lighting designer should be retained to prepare a lighting master plan for public buildings in the District.

7.2.4 Street furniture and signage

- Street furnishings such as benches, trash receptacles and bicycle racks are a major component of the District streetscape. When the opportunity arises to implement the recommendations of the Streetscape and Façade Design Guidelines, new furniture should be compatible with the District's heritage character but not falsely historic, and should be co-ordinated with the City's standard selections of such furnishings for downtown installations. Any comprehensive upgrade of street furniture should take place as part of an overall streetscape design.
- Municipal regulatory signage should be kept to a minimum and signs should be grouped on existing poles whenever possible.
- Consideration should be given to having special street signage for streets within the District, in compliance with municipal signage standards. A signage plan for the District should be undertaken to guide any proposed changes to existing street signage.

7.2.5 Plantings

- As described in the Streetscape and Façade Design Guidelines, new trees chosen for planting on public street rights-of-way shall be chosen for their ability to thrive in Lindsay's soil and climatic conditions. They should be non-invasive species. Tree location and canopy type and height should be assessed so as to avoid conflict with below-and-above-grade services. Species selection and tree location shall be made upon recommendations from a landscape architect and/or certified arborist, in consultation with the City staff.
- The historic pattern for street tree planting located trees on the side streets, and none on Kent Street, creating a visual distinction between the main street and the side streets. This pattern should be re-instated in future, as an aspect of the Streetscape and Façade Design Guidelines.

7.2.6 District identity

- Further means of supporting the Districts' distinct character can include special treatments of the streetscape. As shown in the Streetscape and Façade Design Guidelines, these can include, but not be restricted to, decorative banners, contrasting paving at street crosswalks and intersections, interpretive plaques, signage and murals.

PART D: Implementation Process



8. Heritage Management

8.1 Introduction

Once the District is designated, all owners of property within the District must comply with the requirements of the *Ontario Heritage Act* and the District Plan. After designation of a heritage conservation district, the municipality assumes responsibility for managing change within the District and for overseeing conservation and development activity.

This process need not be onerous for property owners. The District Plan identifies the types of changes in the District the City wants to encourage and provide the means to “fast-track” them, in most cases by exempting such changes from the requirement to apply for a heritage permit. In other words, to the extent permitted by the legislation, the heritage permit process is meant to be pro-active rather than restrictive.

8.2 Heritage Permit Applications

The City’s primary management tool is an “Application for Alteration under the *Ontario Heritage Act*” (also known as a “heritage permit”) which is required for any action that may affect the heritage attributes/character defining elements within a Heritage Conservation District (HCD). These heritage attributes/character defining elements can be located on an individual property or in the public realm. Properties designated under Part IV of the *Act* may have additional aspects related to their reasons for designation that may require heritage permits (as in the case of designation of interior elements).

The “Application for Alteration under the *Ontario Heritage Act*” process is administered by the City heritage staff. Requests are processed according to the requirements of the *Ontario Heritage Act* and in accordance with Town requirements. Information concerning the application process can be obtained from the Economic Development Department.

8.3 Municipal Authority for Requiring an “Application for Alteration under the *Ontario Heritage Act*”.

The Council of the Corporation of the City of Kawartha Lakes has the authority under s.42(1) of the *Ontario Heritage Act* to grant, grant with terms and conditions, or refuse an application for a permit to alter, demolish

or remove, or erect any building or structure within the HCDs. The Act states that:

No owner of property within the HCD shall do any of the following unless the owner obtains a permit from the municipality to do so:

- 1. Alter, or permit the alteration of, any part of the property, other than the interior of any structure or building on the property.*
- 2. Erect, demolish or remove any building or structure on the property or permit the erection, demolition or removal of such a building or structure.*

Applications for Alteration under the *Ontario Heritage Act* are required whether the owner is a private citizen, public agency, business or the municipality. The Province of Ontario and the Government of Canada, as senior levels of government, are exempt from the requirement but are encouraged to comply with the City's application requirements.

8.3.1 When is an Application Required?

The *Ontario Heritage Act* stipulates that Applications for Alterations under the *Ontario Heritage Act* are required in HCDs only for work on the exteriors of buildings or structures, unless otherwise propertied by another type of designation such as a Heritage Easement or Part IV (individual property) designation.

The following chart illustrates the typical steps that a property owner should take when contemplating any alterations, additions, or other work to their buildings and properties within the Heritage Conservation District. City staff have delegated authority to make decisions relating to specific works.

TABLE 1: HERITAGE PERMIT: CLASSES OF ALTERATIONS

Type of Work		Heritage Permit Required		Heritage Permit Approval Authority
		For Contributing Resources	For Non-Contributing Resources	
Maintenance For the purposes of the Heritage Conservation District Plan, maintenance shall be defined as the routine, cyclical, non-destructive actions necessary to ensure the long-term conservation of a protected heritage resource, and its heritage attributes. Actions undertaken under the scope of maintenance should use the same type of material to maintain the cultural heritage value of a protected heritage resource, in keeping with the design, colour, texture, and other distinctive features that is to be maintained Typical maintenance actions include: <ul style="list-style-type: none"> ■ periodic inspections; ■ general property cleanup of rubbish and refuse; ■ general gardening; ■ painting; ■ replacement of broken glass in windows with same; ■ replacement of asphalt shingles with same; and/or ■ any work defined as maintenance within Part IV of the <i>Ontario Heritage Act</i> designation by-law or easement agreement 		No	No	No Heritage Permit Required
Interior Renovation		No	No	No Heritage Permit Required
Outbuilding	Erection of a small outbuilding not requiring a Building Permit and is not visible from the street and/or will not impact the identified heritage attributes of a contributing resource	No	No	No Heritage Permit Required

Type of Work		Heritage Permit Required		Heritage Permit Approval Authority
		For Contributing Resources	For Non-Contributing Resources	
Windows	Window replacement, same material, size, and design	No	No	Approval Authority Delegated to City Staff
	Window replacement, different material, size, or design, where window is visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	No	
	Window open removal or addition, including skylight, where visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	No	
	Shutter replacement, same material, size, and design	No	No	
	Shutter replacement, different material, size, or design	Yes	No	
	Shutter removal or addition	Yes	No	
Doors	Door replacement, same material, size, and design	No	No	Approval Authority Delegated to City Staff
	Door replacement, different material, size, or design where door is visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	No	
	Addition of storm or screen door	No	No	
	Door opening removal or addition where visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	No	
Roof	Re-roofing, same material and colour	No	No	Approval Authority Delegated to City Staff
	Re-roofing, different material or colour	Yes	No	
	Alteration to roofline	Yes	No	
Porch/Verandah	Porch/verandah replacement, same materials, size, and design	No	No	Approval Authority Delegated to City Staff
	Porch/verandah replacement, different materials, size, and design where visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	No	
	Porch/verandah removal or addition where visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	No	

Type of Work		Heritage Permit Required		Heritage Permit Approval Authority
		For Contributing Resources	For Non-Contributing Resources	
Cladding, Soffit & Fascia, and Trim	Soffit and/or fascia replacement, same materials	No	No	Approval Authority Delegated to City Staff
	Soffit and/or fascia replacement, different materials	No	No	
	Replacement of siding/cladding, same material, colour	No	No	
	Removal/installation of cladding/siding, different material, colour where visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	No	
	Replication of decorative trim, same material, colour	No	No	
	Decorative trim removal or addition, different material, colour	Yes	No	
Other Exterior Alterations	New or increased parking areas (especially front yard)	Yes	Yes	Approval Authority Delegated to City Staff
	Repaving of existing parking area without expansion, same material	No	No	
	Repaving of existing parking area without expansion, different material	No	No	
	Addition or alteration visible from the street and/or may impact the identified heritage attributes of a contributing resource (e.g. solar panel)	Yes	No	
	Chimney repointing, same material, design	No	No	
	Chimney replacement, different material, design	Yes	No	
	Chimney removal or addition	Yes	No	
	Repair to eaves trough, same material, design	No	No	
	Repair to eaves troughs, different material, design	No	No	
	Addition of/change to eaves trough	No	No	

Type of Work		Type of Work		Heritage Permit Approval Authority
		For Contributing Resources	For Non-Contributing Resources	
Major Interventions	Erection of a new building or structure (requiring a Building Permit) on same property, where new building or structure is visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	Yes	Council Approval Required
	Addition or major alteration visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	Yes	
	Demolition of an existing structure (Demolition Permit)	Yes	Yes	
	Relocation of an existing structure to another location	Yes	Yes	

8.3.2 What is the Application Approval Process?

All applications for approval must follow the requirements of the *Ontario Heritage Act*. In order to do so, the application for alteration (heritage permit) process is as follows:

Step 1: Applicant meets with City heritage staff to discuss the proposed work and to review the application process

Step 2: Applicant makes application

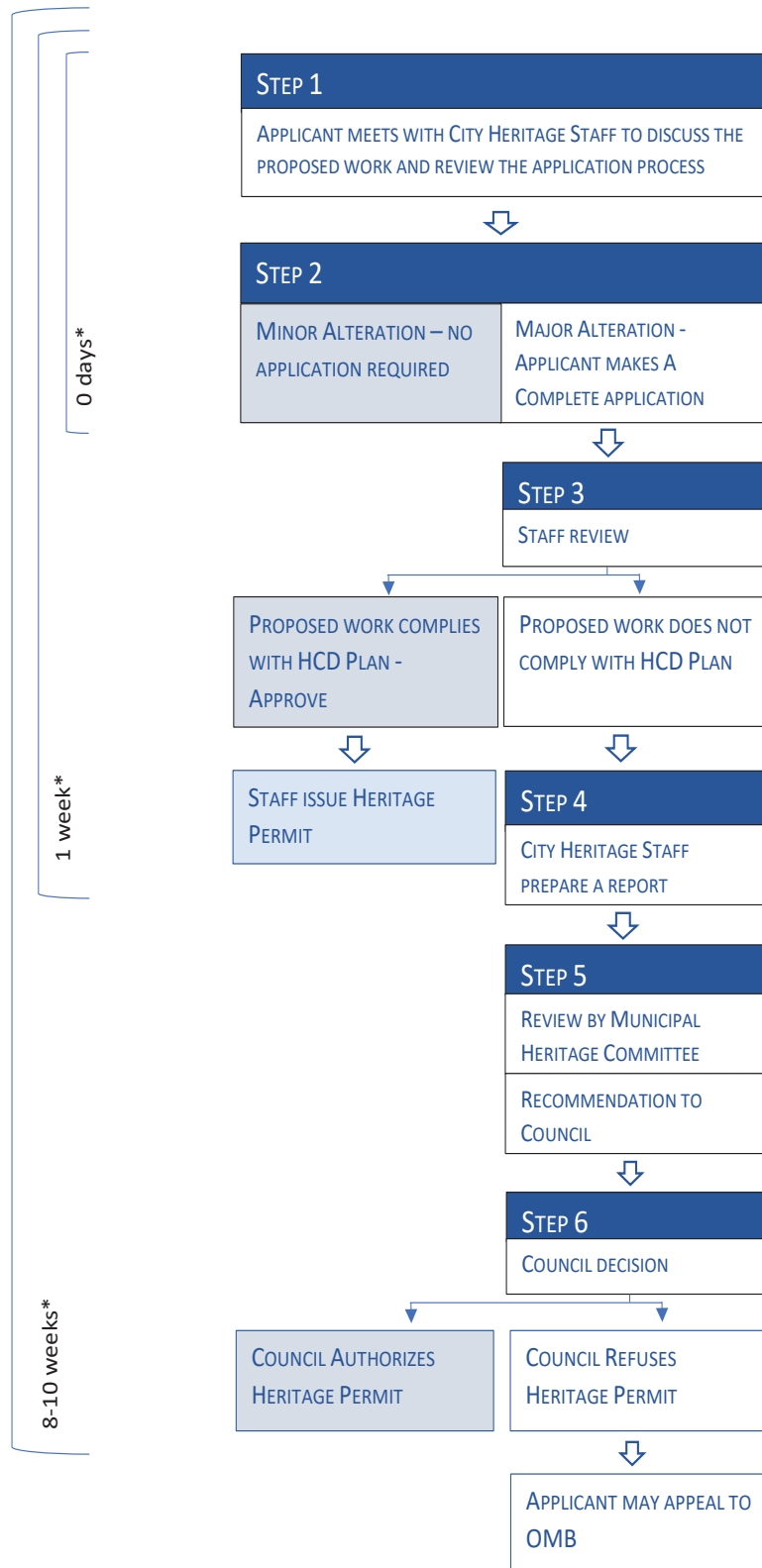
Step 3: There are four versions of this step, depending upon the type of application (see the accompanying chart).

Heritage staff review the application and:

- a) grants the application with no conditions;
- b) grants with conditions;
- c) refuses the application; or
- d) determines that the application is a major alteration requiring further review by the Municipal Heritage Committee and approval by Council.

In the case of c) or d), Heritage staff submits a report with the application to the Municipal Heritage Committee. The Municipal Heritage Committee reviews the report and application and makes recommendations to Council. Council can then decide to grant, grant with conditions, or refuse the application. The applicant has the right to appeal refusal to the OMB (under Section 44 of the *OHA*). In addition, staff or an applicant has the option to request that any application be forwarded to the Municipal Heritage Committee for their consideration.

APPLICATION FOR ALTERATION PROCESS



Some examples of terms or conditions that Council may request include:

- If the proposed development could involve significant changes to the character of the District¹, the City may require the proponent to supply a Heritage Impact Assessment and/or Conservation Plan, to be prepared by a qualified heritage consultant², analyzing the impact of any proposed work on the heritage attributes of the property, neighbouring properties, and the HCD as a whole. The report contains a fitting conservation strategy and recommends approval of the permit application as submitted, provides alternatives, or recommends refusal. Requirements for the scope and format of Heritage Impact Assessments are to be determined in consultation with City heritage staff.
- Documentation of the property prior to the work being proposed in the application. This typically involves historical research, photography of current conditions, measured drawings and may also include requirements for salvage of identified components. Copies of the documents are typically submitted to the municipality for their records.
- Archaeological assessments³.
- A heritage conservation easement agreement under the Act, to be registered on title, or similar covenant, requiring standards of maintenance or conservation work in return for permitted financial or planning incentives.
- Commemoration of the property, for example through installation on the property of an interpretive plaque.

A complete application for a heritage permit must be consistent with the requirements of the *Ontario Heritage Act* and the City of Kawartha Lakes. Once a complete application has been submitted, the *Act* requires the municipality to either grant or refuse the permit within a period of 90 calendar days. Approval will be granted as long as:

- There are no material changes to plans, specifications, documents or other information that forms the basis for issuing the permit, and;

¹ Note that this requirement also applies to properties that are adjacent to the District. In this context, “adjacent” is defined according to the meaning described in this HCD Plan.

² Such a person is to be a member of the Canadian Association of Heritage Professionals (CAHP) and have experience in Heritage Conservation Districts.

³ A Stage 1 archaeological assessment for the entire Downtown Lindsay should be considered by the City to help implement the Plan’s policies and guidelines. Stage 2, 3 or 4 archaeological assessments may be required by the City for proposed works in areas identified in the Stage 1 assessment as having high archaeological potential.

- The work is carried out in accordance with the plans, specifications, documents or other information.

For projects requiring a building permit, the applicant must apply for a building permit as well as a heritage permit: the two review processes will proceed simultaneously. For projects requiring Site Plan Approval, or an amendment to the Zoning By-law or Official Plan, separate applications for these actions must also be made, for review by relevant municipal staff.

For major alterations, the City should require securities to ensure that the proposed work is carried out according to the requirements and conditions of the application for alteration. For municipal works, the City should ensure that contractors have sufficient insurance to cover any damage. The City should consider establishing a committee comprised of the City planning and heritage staff, the Chief Building Official and representatives of the relevant City Departments, to monitor the execution of the application of alteration.

8.3.3 What Should Applicants do to Prepare for an Application?

To make the process as smooth as possible for all concerned, applicants should do some background research. Suggested actions include the following:

- Become familiar with the HCD Plan objectives, policies and guidelines;
- Review the property description in the inventory and evaluation attached to this Plan, noting the building features and heritage attributes outlined in this Plan;
- Become familiar with standard principles and practices for heritage conservation work, as found in the Ontario Heritage Tool Kit and the federal Standards and Guidelines for the Conservation of Historic Places in Canada (2nd ed or as superseded).
- Collect any available documentary research on the history of the property;
- Think of the ways in which the subject property fits within the streetscape and how the proposed work can be integrated; and
- Arrange a meeting with heritage planning staff to preview the application prior to submission.

APPENDICES

A. Monitoring the Plan's Effectiveness

With a number of properties and a predominantly mixed-use character, the District will have a number of changes over time. Since this District will be one of the first to be designated within the City of Kawartha Lakes, it is important for the City, as well as for local property owners and tenants, to see the ways in which change has been managed following designation, and to rectify any problems with the conservation and regulatory processes. Therefore, it is recommended that a monitoring program be put in place subsequent to the passage of the designating by-law, containing:

- Tracking of building permit applications applied for and granted, by type, completeness and location;
- Tracking of applications for Site Plan Control, or amendments to the Zoning By-law or Official Plan applied for and granted, by type, completeness and location;
- Recording number of applications for all types of permits delegated to staff for review, and those reviewed by Heritage Victoria;
- Average time required to review and process heritage permit applications; and
- Comments received from the public, City staff and Council regarding conservation and regulation within the District.

City heritage staff will be responsible for monitoring the implementation process. It is suggested that the monitoring process be undertaken on an annual basis.

In the longer term, consideration should be given to reviewing the HCD Plan policies and guidelines only as necessary to reflect any changes in municipal or Provincial heritage policy, or in response to changes in procedures or functions within the City of Kawartha Lakes.



B. Risk Management Strategies

Although there is little likelihood of a major fire or natural disaster causing extensive damage to a large number of properties within the district, it is prudent for the municipality to have disaster management plans available should those events occur. At a smaller scale, loss of individual properties requires redevelopment that respects the district's heritage character. Using the policies and guidelines of the District Plan, the rebuilding process can be assured of doing so.

The process for preparing for, and dealing with, both natural and human-made disasters has been addressed at an international level. The International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM) published a document that provides a framework for producing a local emergency response process. Even though directed at World Heritage Sites, the 1998 publication entitled "Risk Preparedness: A Management Manual for World Cultural Heritage" has principles and practices that are applicable to municipalities. General guidelines applicable to Old Sydenham are found below and include those for advance planning, for responses during an emergency, and for the recovery period afterwards.

Guidelines for advance planning include the following:

Documentation of existing heritage resources

- Identification of cultural resources within the HCDs that would require special care in an emergency (e.g. architectural details, cultural landscape elements);
- Evaluation of cultural resources to determine heritage attributes (if not already undertaken);
- As-found documentation of cultural resources (buildings, landscapes, archaeological sites) sufficient to allow reconstruction or replacement;
- For built heritage resources, ongoing provision of information to technical professionals (e.g. architects, engineers, skilled trades) in traditional techniques of construction useful in reconstruction or replacement; and
- In the case of built heritage resources and cultural landscapes damaged in a disaster, documentation of the response (e.g. repair/reconstruction/replacement) and recording of lessons learned.

Risk Analysis

- Determination of the types of threats most likely to affect the cultural heritage resources within the HCDs (hazards), the degree of threat (vulnerability) and the resulting level of risk (hazard vulnerability);
- Identification of the portions of properties that would be most vulnerable to damage, and making recommendations for reducing potential damage;
- Assessment of municipal services, including public and private building substructures, that could be vulnerable, and making recommendations for their protection;
- Identification of the most common emergencies that could be expected on properties within the HCDs, and mapping of areas having the most risk; and
- Acquisition of insurance to cover risk (public and private property), to cover all hazards to address liability for emergency response activities and post-emergency reconstruction work.

Emergency Response Plans

- Compilation of a list of qualified emergency response specialists, available for various aspects of response, including salvage/conservation rescue (e.g. heritage architects and landscape architects, skilled trades people, project managers, materials suppliers) and keeping the list current.

Mitigation in Advance of Disasters

- Retrofitting of vulnerable built heritage resources (and, where possible, cultural landscapes) to add strength/cover to resist stresses (e.g. structural reinforcement, flood-proofing);
- Provision of storage space and conservation measures for moveable heritage resources in the event of an emergency (e.g. archival storage); and
- Provision of information on mitigation techniques and measures.

Financial Measures

- Provision, in the municipal budget and budgets of private property owners, of emergency funds for immediate response and for long-term repair and restoration of cultural heritage resources.

The report includes guidelines for responses that will be needed during an emergency. These include:

- Creation of an emergency response team of conservation professionals whose job it is to assess and document the impacts of the disaster and to recommend/provide:
 - Short-term measures for stabilization security and safety;
 - Priorities for long-term repair and restoration;
 - Assessments of instances of imminent loss and loss; and
 - Identification of needs for further survey.

The report ends with guidelines for responses that would be suitable in the period following the disaster. These include:

- Rebuilding and reconstruction activities:
 - Understanding and application of appropriate conservation principles standards (i.e. the Parks Canada “Standards and Guidelines for the Conservation of Historic Places in Canada 2nd ed.” and the policies and guidelines of the subject District Plan);
 - Implementation of the heritage permit application process found in the District Plan;
 - Ongoing information programs for those undertaking repair and restoration activity, based on the guidelines of the District Plan;
 - Identifying and confirming suitable suppliers of materials and skills, using the list compiled in the emergency response plan;
 - Identifying components of damaged properties that continue to be safe to use, based on the report of the emergency response team, and including inspection of municipal serving infrastructure; and
 - Post-disaster monitoring of the effectiveness of the response measures, and recommendations for improvements to existing emergency response guidelines.

C. Incentive Programs

Incentives of various kinds can be effective ways of encouraging owners to maintain and enhance heritage properties. At present, however, there are no programs at either the federal or Provincial level that offer financial assistance to property owners for conservation work on heritage properties. That said, the City will continue to monitor both levels of government for any such programs and will apply for funding to support heritage conservation. There have been different types of incentives available in the past, from both the Provincial and federal governments, and these have included grants, loans and preferential tax treatment. Another common form of incentive that is popular with many property owners is a faster approval process made possible by clear definition of requirements, support by qualified public service staff, and exceptions from certain building regulations. Some of the most effective incentive programs in Ontario have included:

- A clear and efficient review process for heritage permit applications, to save time and money
- Property Tax Relief Program for improvements to heritage properties
- Façade grants
- Full use of the provisions in the Ontario Building Code that allow exceptions for heritage properties

D. Consultation Process

Meetings were held on October 25th, 2016 with the Lindsay Advisory Committee and Heritage Victoria in which City staff and the consultants introduced the Heritage Conservation District Plan process and answered questions regarding the contents of such Plans and the steps involved in preparing the Plans for approval by the City.

Downtown Lindsay HCD Plan: November 8 workshop notes

This is a summary of the comments made at the workshop held at the Academy Theatre on November 8, 2016 from 6-9 in the evening. Comments are categorized by responses to the questions posed to participants.

DOWNTOWN LINDSAY 15 YEARS HENCE (NEWSPAPER HEADLINE)

Many comments were made about increased tourism and apartment living, as well as improved shopping and cultural activities.

- Beautiful downtown Lindsay: Ontario's Heritage Treasure!
 - You can't just drive through; you want to stop
- New heritage waterfront is connected to downtown experience
- A great stop for food and beverage
- Lots of great boutique shopping
- Always great shows and entertainment when you are looking for something to do
- Magical Christmas lighting and street decorations
- Live, work and play in the downtown (with apartments and live/work space)
- New industry coming to the City of Kawartha Lakes
- Vibrant arts culture is alive
- More young people are living in the City of Kawartha Lakes
- Tourism increase seen in 2031
- Lindsay storefronts win award for heritage preservation
- Real estate market hits all-time high
- Upcoming tour of downtown churches
- Lindsay to host international heritage conservation conference
- Why so many visitors come to Lindsay
- Lindsay leads way for downtown restorations in Ontario communities

- Academy Theatre turns 140
- The newest living room in Ontario
- Downtown Lindsay fully revitalized
- Downtown Lindsay sets standard for apartment living in historic buildings

DISTRICT BOUNDARY

In general, those who responded wanted an expanded District, including the properties on the NE edge of the current boundary as well as the church properties just north and south of the current boundary.

- Include the first block of Kent Street East with the old mill property and the canal bank (some included the north bank and former industrial properties, and one extended the HCD further north up the canal north of York Street North)
- Add all of the properties on the east side of Lindsay Street between the canal and Russell Street (one included all of the properties on the block bounded by Lindsay, Kent E., Mill and Ridout)
- Add in the church properties at Cambridge and Peel and Russell (Anglican Church) [Note: based on subsequent meetings and discussions with Heritage Victoria, it has been agreed that the HCD boundary will remain as recommended in the draft Plan]

DEFINITION OF MAINTENANCE

Most defined maintenance as normal upkeep, with permits/approvals required for major exterior changes to buildings.

- Maintenance should include landscaping, repainting (within approved colour palette), replacing damaged brick to match original, repairing roofing, interior work,
- Works requiring staff approval should include façade changes (brick colour, paint schemes outside approved palette or on unpainted brick surfaces, plumbing and electrical upgrades (exterior?), signage and lighting changes
- Works requiring Council approval should include major rebuilding, additions, new cladding, alterations to window and door openings, all signage, demolition of heritage buildings

WHAT WILL THE DOWNTOWN LOOK LIKE IN 15 YEARS?

The comments ranged widely, but common elements were a focus on conserving and enhancing the heritage character and on improving the public realm.

- Central tree-lined boulevard down Kent Street
- Cobblestoned alleyways with awnings and shops
- Period style streetlamps
- Revitalized waterfront that has enhanced connections to the downtown
- More handicapped-accessible area
- Scooter laws
- More pedestrian-friendly elements (i.e. fountains, benches, trees/landscaping)
- Horse facilities (water troughs, horse parking)
- Good mix of businesses (e.g. service industries on second storey)
- Downtown character maintained
- Return to past/2 and 3 storey Victorian architecture
- Pedestrian friendly
- More trees
- Heritage colour palette for buildings
- Communication with all business owners (registry)
- Bicycle stations in alleyways
- Parking (structure?) on surface lots (?) that blends in with maximum 2-3 storey setting
- Special signage explaining heritage/history of buildings

WHAT MUST HAPPEN?

In general, respondents wanted to keep and enhance the existing character, with some municipal assistance (streetscape upgrades, financial incentives) and some work by private property owners.

- Incentives (grants, loans)
- Keep wide street (Kent)
- No new signage that is out of character with the downtown
- Introduce good lighting and good walkways on alleyways
- Add free Wi-Fi downtown
- Keep original architecture

- Maintain original buildings better
- Keep main building features for pre-1950 properties
- Bring Trent-Severn Waterway into better focus within the downtown
- Special signage that suits the heritage character (public and private)
- No parking meters
- Enhance green spaces
- Make better use of waterfront parkland
- Discourage incompatible signage (e.g. backlit)
- Purchase ValueMart property for public parkette (fountain, gazebo)
- Keep ornate brickwork
- Wide street boulevards
- Uninterrupted views of church steeples
- (no) aluminum siding
- Make architectural advice available
- Free parking
- Planters and decoration
- Clean up/revitalize backs of buildings
- Emphasize/celebrate alleyways
- Build multi-level parking lots in back lots that blend into the streetscape

WHAT SHOULD HAPPEN?

Comments ranged from specific suggestions for improvements to the public realm to more general recommendations for architectural improvements.

- Low rise buildings (3-4 storeys)
- Revisit building windows and doors
- Dedicated bike lane
- More pedestrian-friendly wide street
- Replace windows with more energy-efficient versions of original/existing
- More public art
- Bring back the post office (to the main street)
- Expose original brick surfaces
- Keep original character

- More outdoor bistros
- More lighting on secondary/side streets
- Restore original colours or use approved colours for the building type
- New architecture
- Widen William Street sidewalk
- Have a healthy business mix (services, restaurants, shopping): refer to Business Inventory Mix from the Lindsay Downtown Revitalization Advisory Committee)
- Remove 1970s banks and rebuild original buildings
- No cars on Kent Street

CB

The following notes can be read as supplementary to Carl's compilation of the responses, primarily focused on the definition of maintenance (vs. permit vs. council approval) workshop exercise where I joined most of the groups:

- Questions were raised about how regulations will apply to contributing vs. non-contributing buildings? Understandable that maintenance regulations could be relaxed for non-contributing.
- Suggestion that scope of maintenance work to factor into regulatory importance alongside type of maintenance work: suggested that the affected percentage of facade area would distinguish whether brick work was maintenance or major rebuilding requiring a permit or council approval.
- Concerns were raised about available city resources for permits and enforcement: hoped HCD could avoid creating delays or overly bureaucratic system that would discourage needed repairs
- Interested in resources (historical photographs, documentation) for determining historical ideal for restoration project: how can an owner find an original photo or drawing to help design features? Will this be incorporated into the HCD process or does each individual owner and maintenance project require further research later on?
- Strong support for backlit signs to be illegal
- One participant identified Port Perry as an encouraging and impressive precedent for Lindsay's HCD.

AA

Downtown Lindsay HCD meetings on November 25

MEETING #1: CHIEF BUILDING OFFICER

The following is a summary of comments made at a meeting with Susanne Murchison, the Chief Building Official for the City of Kawartha Lakes, held at the Lindsay Service Centre (Old Town Hall) on November 25th, from 3-4 pm. Comments are categorized by the general topics covered and general order of discussion.

IN ATTENDANCE:

- Susanne Murchison – Chief Building Official, City of Kawartha Lakes
- Debra Soule - Arts, Culture and Heritage Co-ordinator, City of Kawartha Lakes
- Carl Bray – Bray Heritage
- Marc Letourneau – Letourneau Heritage Consulting Inc.
- Andrew Ashbury – Baird Sampson Neuert Architects

HCD OVERVIEW AND LINDSAY PRIORITIES:

- HCD Plan can highlight ways for the CBO and Fire Marshal to use code opportunities and interpretations that suit historical buildings: creative solutions, policies and guidelines drawing from other HCD precedents and unique Lindsay downtown
- Primarily unoccupied 3rd floor apartments are major economic opportunity currently facing code limitations: require interior 2nd exit that would cut into ground floor retail area
- Accessibility opportunities and requirements: ramp access from street would cut into retail ground floor
- AODA active as voluntary precedent but not currently legislated
- Precedent in Kingston for renovation: removal of 3rd floor to create double story upper level residential above retail
- Current thresholds for requirement to add barrier free access (elevator): gutting a unit, or changing use (occupancy, i.e. Conversion from residential to office space)
- 15-17 William St N: precedent for three-story office conversion
- Alternative solutions: \$1000 application to prove sufficiency of compliance
- Fire Marshal and Chief Building Officer typically perform site visits together in preparation for handoff from construction to existing building occupancy

- Alternative structure: heavy timber, coated steel: approvable if can show evidence: cut sheets, design, etc.
- Precedents for inadequate structure amidst renovations: front facade fell off of local Kent St property last year
- No applicable special typologies or conversions that would reduce code requirements (student residences, condo vs. rental)
- Rehabilitation/restoration priorities such as moisture penetration
- York Tavern has pending facade repair proposal

HCD IMPLEMENTATION:

- HCD Plan gets adopted by City as enforceable: can include specific language that may be helpful for conservation
- Policy language could encourage conversion and renovation of upper floors
- Fees, financial implications: CBO can't waive fees since contrary to building code act: must remain revenue neutral
- Current policy strategy would ensure Heritage Permit required whenever Building Permit required
- Consultant team welcomes further policy and incentive recommendations: ongoing opportunities for editing and review
- CBO can build HCD district boundary into municipal GIS software/system: HCD property automatically flagged by any applicable municipal processes
- CBO processes 1500 permits/year and HCD will be surge in heritage permits: would add specific heritage role for city official
- Training would be required for city staff: training funding available already, could also be allocated by HCD plan

FIRE CODE:

- Awnings: can be non-combustible depending on size or configuration
- Exits via easements between properties can be problematic for enforcement: local fire spread example via propped open doors

NEXT STEPS:

- Helpful for HCD plan to provide successful examples of conversions and code strategies [Note; these discussions are ongoing with City staff and BIA members]:

- Loft apartments
- Exiting and elevator schematics
- Ramp access from sidewalk:
- Stop-gap ramp vs. permanent construction
- Response to 171-183 Kent St W redevelopment proposal required prior to meeting Thursday, December 1st, 4pm

Meeting #2: Downtown Lindsay HCD Steering Committee

The following is a summary of comments made at a meeting of the Downtown Lindsay HCD Steering Committee, held at the Lindsay Service Centre (Old Town Hall) on November 25th, from 5-6:30pm. Comments are categorized by the general topics covered and general order of discussion.

IN ATTENDANCE:

- Jim Garbutt
- Anthony Polito
- Norm Price
- Carlie Arbour, Economic Development Officer - Community
- Debra Soule - Arts, Culture and Heritage Co-ordinator, City of Kawartha Lakes
- Carl Bray – Bray Heritage
- Marc Letourneau – Letourneau Heritage Consulting Inc.
- Andrew Ashbury – Baird Sampson Neuert Architects

HCD OVERVIEW AND LINDSAY PRIORITIES:

- Penultimate meeting prior to final draft
- Reviewed November 8 meeting and feedback
- Streetscape guidelines already adopted by council need reinforcement for focus on heritage, incentive programs and infill guidelines Requested examples:
- Goderich example: rebuilt respectful of setting, higher rent post-rehabilitation
- Port Perry example: bring back/respect original design intent and elements
- Coburg: mixed-use bank building restoration
- Unionville: outdoor room, generously furnished and planted
- Lindsay: Kent St:
- corner banks: non-contributing
- site of former post office could be future signature infill, civic statement
- Struggle to maintain, rent out and renovate upper floors:
- Common to drop ceilings to reduce heating costs... sometimes obstructing window opening

- Alteration or replacement of windows
- Flashing and cornice water penetration problems
- Permeability of blocks: laneways previously connected back to dense warren of stables, activity
- Upcoming launch of Legends & Lore: historical walking tour of downtown Lindsay
- Many good examples of conservation in Lindsay:
- Restored brick work, cornices
- Awnings, relief signage
- Deep entrance niches
- New windows with false muntins adhered to exterior of glazing: maintain fine scale texture
- Unfavourable examples:
- Overcladding
- Set backs from otherwise consistent streetwall
- Backlit signage
- Demolished historical buildings
- Goal of enhancing the streetscape study but now with legislative enforceable mandate
- Guidelines on appropriate redevelopment and new infill
- Guidance on historical ideal to restore
- Current cascade of local interest in restoration

HCD BOUNDARY:

- Consultant team encouraged to examine possibility of expanding the boundary to include remainder of east side of Lindsay Street: extend easternmost edge of HCD Study boundary to continue north across Kent St E to canal edge and south across Ridout St to Russell Street
- Advantages of extending:
- important for heritage elements on east side of Lindsay Street, such as Kent Hotel (1870-80s) south of Ridout Street, also a former temporary bank after the fire (first drive-through bank teller?)
- double-siding Lindsay Street offers better protection for other side, for streetscape
- natural straight view laneway boundary line behind Lindsay St properties

DISADVANTAGES OF EXTENDING:

- must ensure district has cohesive character and larger district could be more complex, must be justified purely as heritage district decision
- smaller is easier to defend whereas larger is more vulnerable to appeal if seen to be trying to frustrate development
- Federal/Provincial presence: limited/no municipal jurisdiction over canal and regional bridge
- More complex boundary cutting through blocks rather than following streets: need to review property parcels

ALTERNATIVE OPTIONS:

- Still protected by being “adjacent” to HCD
- Other planning tools could be used instead: could be identified as “heritage character district” in Official Plan and require Heritage Impact Assessment, as per Heritage Conservation District properties: HCD plan could recommend a broader cultural heritage study
- Comparing east side of Lindsay vs. current buildings on southwest quadrant of Queen’s Square: though not currently contributing buildings, important as site of former machineworks and intend to capture future development
- Consultant team will review historical research and review extended boundary, east side of Lindsay Street would need to have historical inventory

HCD IMPLEMENTATION:

- HCD Plan and HCD Boundary can be implemented as separate by-laws for easier amendments
- Noted that part 4 individual building designations are stronger for conservation than broader brush of part 5 districts:
- full part 4 by-law must be repealed to demolish
- part 5 HCD can recommend also designating certain buildings under part 4
- Maintenance vs. staff approval vs. council approval: intend to require Heritage Permit for same level of changes that require building permits
- Meeting with Chief Building Official: keen for tools to enforce, also precedents from other cities
- Staff process and capacity:

- Flagged the need for separate monthly meetings for staff approvals including heritage permits: staff from various departments can address heritage properties more efficiently, recognize need for strong recommendation for these meetings
- Kingston as staff “SWAT” meeting successful precedent, especially as way to get Utilities Kingston involved
- New Policies: capacity building/tools of policy frameworks to include heritage conservation triggers, mirrors: Official Plan, zoning, secondary plans, demolition control bylaw, property standards bylaw...
- Policies:
 - public realm development,
 - adjacency,
 - street trees are heritage attribute,
 - greenspace such as pop-up parks,
 - public art,
 - commemoration and interpretation,
 - new infill form, scale, massing and materials,
 - adaptive reuse: recognize low occupancy of upper levels: major interest in examples of renovation and code strategies
- Possibility of design guidance program: local team or architect advisor on as-need basis

ISSUES TO BE ADDRESSED:

- Incentives: loans, grants, permit fees, tax holidays
- Clear process
- Promote new residences downtown
- Promote mix of businesses: gap analysis
- Scooter laws on sidewalks
- Connection to waterfront
- Integration of green technology: wind, PV, green roofs
- Parking: province says downtown needs 300 more spots therefore likely a multilevel parkade

AA

Advisory Committee Meeting, April 12, 2017

ATTENDEES:

Jim Garbutt, Darlene Alaire, Mark Ridout, Bill Bateman, Rebecca Mustard, Debra Soule, Carl Bray

The following is a summary of comments made at the Downtown Lindsay Advisory Committee Meeting held at 1:00 in the City offices.

- In the Official Plan Amendment to permit creation of HCDs, the requirement for a Heritage Impact Assessment has been amended to apply only to Listed or Part IV designated properties, as well as those within a Part V HCD. Archaeology was also mentioned.
- The current zoning downtown allows an apartment building of up to 18m. Amend the Plan text to emphasize HCD policies trumping zoning to the extent of a conflict, recommend changes to the zoning to reflect the 2-3 storey (and up to 5) recommended in the Plan, amend the Plan guidelines in section 6, new construction, accordingly
- Concerns about the impact of new development on views can be handled through a site plan agreement
- Concerns about adjacency can be handled with the definition in the new OPA
- Add text on the expected roles of the municipal heritage committee and staff, note efficiencies (i.e. not more red tape) and avoid overloading staff
- Note the important distinction between contributing and non-contributing properties and emphasize the opportunities in the latter for construction of new contributing structures, also note the different heritage permits requirements (flow chart)
- Consider preparing a summary version of the HCD Plan as a Council briefing note and a handout for the public

Heritage Victoria Meeting, April 12, 2017**ATTENDEES:**

Brian Brethour, Bill Bateman, Rob Macklem, Shelly Peeken, Jim Garbutt, Debra Soule, Carl Bray

The following is a summary of comments made at the Heritage Victoria (Municipal Heritage Committee) meeting held at 2:00 in the City offices.

- Include guidelines for replacement structures (for non-contributing properties)
- Delete reference to Niagara-on-the-Lake in the commentary on other HCDs
- Reword section 2.5.3 to note predominant mixed-use character of ground floor commercial with residential above
- Section 3.4 revise definitions of contributing/non-contributing properties
- Typo section 3.5 “groups” and delete reference to “turrets”
- Section 4.1 add link for architectural styles
- Add the heritage permit flow chart after section 8.3.2 text
- Add survey form date to Appendix E
- Typo in section 1.2 replace North Dumfries with COKL
- Appendix F: add meeting dates for personal meetings
- Next steps: enabling OPA to go to Council in early May and to Council again in early July after the appeal period
- Any further Heritage Victoria comments to be submitted to Debra by May 4th, all public comments due by May 15th.

Downtown Lindsay HCD Public Meeting/BIA Meeting, April 13, 2017

ATTENDEES:

Kathy Traill, Wim Beeuhuis, Jim Garbutt, Bill Bateman, Gord James, Pat Dunn, Isaac Bredner, Bill Coe, Janet Brock, Steve Podolsky, Melissa McFarland, Nick Dedes, John Gennaw, Sandra Falconer, Debra Soule, Carl Bray

The following is a summary of comments made at the breakfast meeting held at the Olympia Restaurant on Kent Street at 8:30 a.m.

- Concerns about an extra layer of bureaucracy can be addressed through the reduction in subjectivity in reviewing development applications within the HCD, with most work delegated to staff rather than to the Municipal Advisory Committee, clarity as to what is required (policy) and what is advisory (guidelines)
- Concerns about cost to the municipality can be addressed through the increase in tax revenue from property improvements, offsetting any municipal grant or tax holiday programs (e.g. via a Community Improvement Program); a good long-term investment by the municipality in the downtown
- Concerns about the potential role of the BIA can be addressed by having ongoing discussion within the BIA of ways to improve the downtown within the HCD and by ensuring a fair and transparent development review and approval process (aided by the HCD Plan)
- Concerns about the zoning height limit can be addressed by the HCD Plan trumping existing zoning to the extent of the conflict and by amendments to the Zoning By-law to bring it into conformity with the HCD Plan
- Questions about potential incentives for property owners to conserve and improve their properties within the HCD:
 - Reduced zoning requirements (e.g. parking, amenity space, setbacks)
 - Waived development fees
 - CIP grants and loans, and tax holidays
 - Potential for a federal tax credit for designated properties (in process)
 - Forming working groups on specific topics, with the Chief Building Official, Fire Chief, architects, contractors, for ways to convert upper floors to residential/office use, for access to low-interest loans (e.g. from Community Development Corporation)

Meeting with Councillor Pat O'Reilly, April 13, 2017

Councillor O'Reilly had been unable to attend the public meeting and asked for a briefing. Debra Soule and Carl Bray summarized the comments from the public meeting and from the meetings the previous day. Councillor O'Reilly appeared to be pleased by the show of support for District designation and asked to be kept informed as the Plan moves to the final report and presentation to Council.

ON-LINE SURVEY

An on-line survey of comments on District designation was sent to all property owners in the study area. There were 4 responses. There was agreement on the recommended District boundary. Several comments supported enhancements to the downtown to increase visitation and use by local residents. Façade repairs and reuse of vacant storefronts and upper storeys were two issues that were mentioned several times.

The Corporation of the City of Kawartha Lakes

BY-LAW 2017-XXX

A By-law to Designate Oak Street in Fenelon Falls as a Heritage Conservation District in the City of Kawartha Lakes

Recitals

1. Section 41(1) of the Ontario Heritage Act, R.S.O. 1990 c.O.18 authorizes the Council of a Municipality to enact By-laws to designate a defined area, including all buildings and structures thereon, as a heritage conservation district;
2. Council intends to designate the Oak Street area in Fenelon Falls defined by this by-law as a heritage conservation district;
3. Council has adopted a heritage conservation district plan for the district that is designated in the by-law, as required under Section 41.1 (1) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
4. Council has made available to the public the "Oak Street Heritage Conservation District Plan" and held a public meeting on April 12, 2017 with appropriate notice given in accordance with the Act as required by Section 41.1(6) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
5. Council has consulted with Heritage Victoria, its Municipal Heritage Committee as required under Section 41.1(6) (c) of the Ontario Heritage Act, R.S.O. 1990, c.O.18;
6. The Official Plan for the City of Kawartha Lakes contains policies pertaining to the establishment of heritage conservation districts.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2017-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;

“Director of Development Services” 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: Designation

- 2.01 The area shown on Schedule “A” attached to and forming part of this by-law is designated as a Heritage Conservation District, known as the Oak Street Heritage Conservation District.
- 2.02 The plan shown in Schedule “B” attached to and forming part of this by-law is adopted as a Heritage Conservation District Plan for the Oak Street Heritage Conservation District.
- 2.03 The City is authorized to cause a copy of this by-law to be registered against all properties located within the heritage conservation district boundaries described above in the proper Land Registry Office.
- 2.04 The City Clerk is authorized to cause a copy of this by-law to be served upon each owner of property located in the Oak Street Heritage Conservation District and upon the Ontario Heritage Trust, and to cause notice of the passing of this by-law to be published in the newspaper as required by the Ontario Heritage Act, R.S.O. 1990, c.O.18;

Section 3.00: Administration and Effective Date

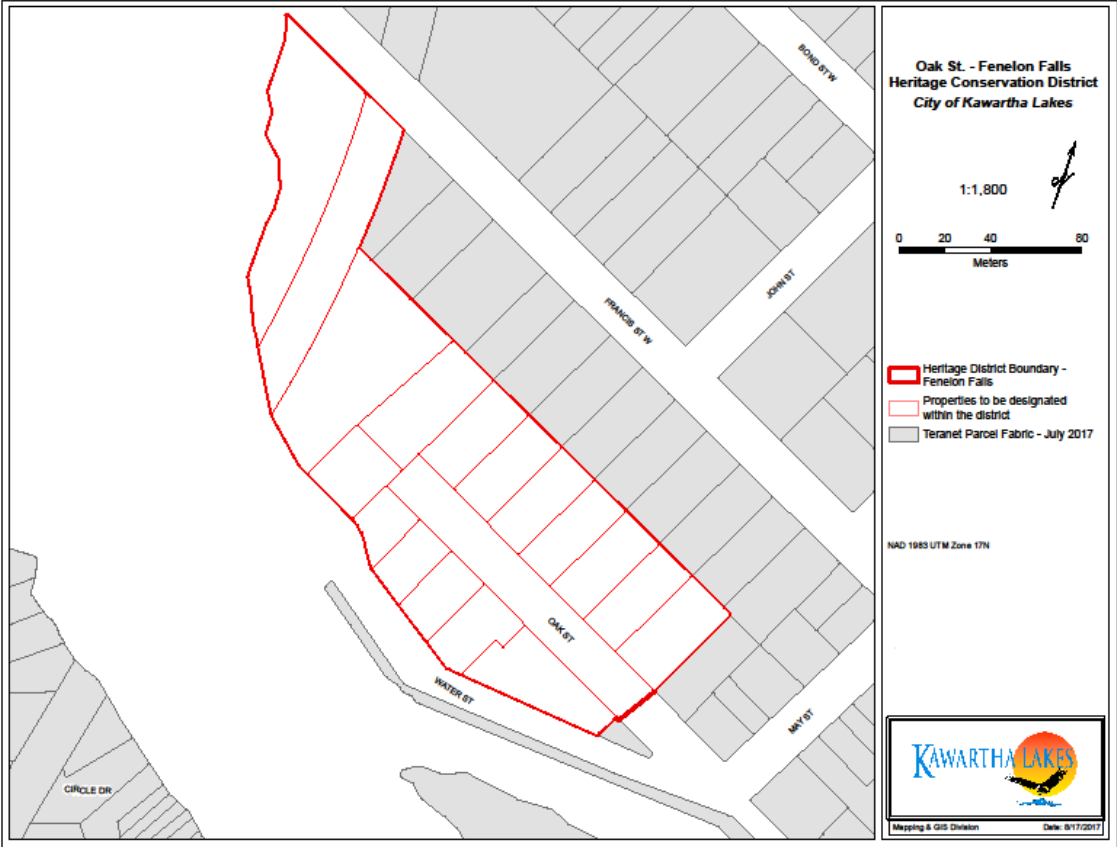
- 3.01 **Administration of the By-law:** The Director of Development Services is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force either on the day following the last day of the prescribed appeal period or as otherwise provided by subsection 41(10) of the Ontario Heritage Act, R.S.O. 1990, c.O.18.

By-law read a first, second and third time, and finally passed, this 12th day of September, 2017.

<hr/> Andy Letham, Mayor	<hr/> Ron Taylor, Acting City Clerk
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Schedule “A” –Oak Street Heritage Conservation District


Oak St FF Heritage
District Boundaries_1



Schedule "B" –Oak Street Heritage Conservation District Plan

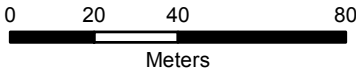


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**Oak St. - Fenelon Falls
Heritage Conservation District
City of Kawartha Lakes**

1:1,800



- Heritage District Boundary - Fenelon Falls
- Properties to be designated within the district
- Teranet Parcel Fabric - July 2017

NAD 1983 UTM Zone 17N

KAWARTHA LAKES

Mapping & GIS Division

Date: 8/17/2017

Oak Street, Fenelon Falls



Final Report:
June 2017

Heritage Conservation District Plan

Prepared for:

City of Kawartha Lakes

Prepared by:

Bray Heritage
with

Letourneau Heritage Consulting Inc.
Baird Sampson Neuert Architects

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Users' guide

(This does not constitute part of the District Plan.)

Frequently Asked Questions About District Designation

What is a Heritage Conservation District?

It is an area of special character, combining buildings, landscape features, and their settings that, together, make up a district that has an identifiably distinct “sense of place”. Cultural heritage resources within an HCD can include buildings, structures, cultural landscapes, and sites of archaeological potential as well as intangible resources, such as associations with historical events and traditional activities. The *Ontario Heritage Act* allows district designation and codifying an area’s “heritage character” in order to protect the elements that define its character.

Why was the Oak Street Area selected for study as a Heritage Conservation District?

Containing one of the few remaining estate houses from the early period of European settlement in the Kawarthas, and also having a largely intact example of both an oak savannah and a late 19th century estate subdivision, the Oak Street area has been identified by the City of Kawartha Lakes as a suitable candidate for District designation.

How would District designation impact residents?

Designation allows the City and local residents to manage change within the District in ways that will conserve and enhance District character. Designation also celebrates what is special about the District, building community pride and encouraging compatible improvements to both public and private properties. Proposed changes of a major sort are regulated by the City, using policies and guidelines produced as part of the District Plan.

How does District designation affect changes to my property?

According to this Plan, designation will entail a municipal requirement for a heritage permit for any significant change to the public face of your property (i.e. front, sides and roof, but usually not the rear). Routine maintenance is not affected, and professional heritage planning staff work with property owners to provide advice on compatible alterations, using guidelines in the District Plan.

Will the value of my property change?

Studies in Canada and the United States have shown that property values in Heritage Conservation Districts either stay the same or increase.

How do I get information on the Plan?

To learn more about the Plan, contact the City's Economic Development Officer – Arts, Culture and Heritage dsoule@city.kawarthalakes.on.ca
T (705) 324-9411 x 1498.

How do I Use This Plan?

This document is intended to be used by the general public, agents of applicants, and consultants, as well as by City staff. It contains the information required by the Province of Ontario for the preparation of Heritage Conservation District Plans, as laid out in the *Ontario Heritage Act* and described in the Ministry of Tourism, Culture and Sport's *Ontario Heritage Tool Kit*.

The Plan has four main sections and appendices:

- Part A: Conserving and Enhancing District Character, which describes the reasons for designation, the heritage attributes, conservation goals and objectives, and shows the District boundary;
- Part B: Conservation Goals, Objectives, and Policies, which describes the context for, and content of, mandatory conservation policies;
- Part C: Conservation and Development Guidelines, which provides discretionary guidelines, the latter offering detailed advice for the conservation of buildings and landscapes within the District and establishing criteria to evaluate any changes, including new construction; and
- Part D: Implementation Process, which sets out the process for regulating change in the Districts, including heritage permit applications.

Appendices, which do not form part of the District Plan, include an inventory and evaluation of District properties (separate document), recommendations to help municipal staff in implementing the Plan, and a record of public consultation.

The Plan should be read as a whole. However, each section is a discrete document, and the policies and guidelines can be referred to individually. So, for example, if you wish to find advice on what actions require a heritage permit, you can refer directly to that section. Similarly, if you seek advice on how best to undertake an alteration to a building, that section can be referred to directly. Use the table of contents to find the section you need.

PART A: CONSERVING AND ENHANCING DISTRICT CHARACTER



1. Introduction

1.1 What is a Heritage Conservation District?

A Heritage Conservation District (HCD) is a distinctive area that has significant historical value. Its special character is often a function of the age of its structures, the history of its occupation, and the land uses it contains. The boundaries may be sharply defined, as along a waterfront, or blurry, as in mixed use areas. The Provincial Ministry of Tourism, Culture and Sport, (the Ministry of Culture) the agency responsible for heritage planning, defines districts broadly, from a group of buildings to entire settlements. The key is that the defined area has “a concentration of heritage resources with special character or historical association that distinguishes it from its surroundings” (Ontario Heritage Tool Kit, Heritage Conservation Districts, 5).

As described in greater detail in the Oak Street Heritage Conservation District Study, this area contains natural and built heritage elements of the original estate as well as the core of a late 19th century estate subdivision. It is primarily for these reasons that the area should be designated as a Heritage Conservation District.

Heritage districts are not new: they have been widely used in Britain and Europe since the end of WWII, in the United States since the 1950s, and in Canada since the 1970s. They have proven to be effective ways of conserving and enhancing special places while supporting the everyday lives of residents and visitors.

The Tool Kit (op. cit., 10) goes on to describe the common characteristics of heritage districts. They are:

- “A *concentration of heritage resources*” (buildings, sites, structures, landscapes, archaeological sites) that have some common link for reasons of use, aesthetics, socio-cultural or historical association;
- “A *framework of structured elements*” that provide edges, such as major routes, shorelines, landforms, or land uses;
- “A *sense of visual coherence*” that is expressed in built form or streetscapes, and;
- “A *distinctiveness*”, whether tangible or not, that makes the district recognizably different from its surroundings.

The intent is to establish a Heritage Conservation District that conserves and enhances the heritage character of Oak Street and the City as a whole. As one of the first Heritage Conservation Districts to be designated in the City of Kawartha Lakes, the Plan should serve as a prototype for similar designation processes that the City intends to undertake for other areas of the municipality.

1.2 Contents of a Heritage Conservation District Plan

Any Conservation District Plan must comply with Subsection 41.1(5) of the *Ontario Heritage Act*, and must include the following:

- i. A statement of objectives to be achieved in designating the area as a heritage conservation district;
- ii. A statement explaining the cultural heritage value or interest of the heritage conservation district;
- iii. A description of the heritage attributes of the heritage conservation district and of the properties in the district;
- iv. Policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district; and
- v. A description of the alterations or classes of alterations that are minor in nature and that the owner of the property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any structure or building on the property, without obtaining a permit under section 42.2005,c.6,s.31."

Policies have been developed to govern the conservation of contributing resources and the heritage attributes of Oak Street Heritage Conservation District. These policies set the direction for change management. It is not the intent of these policies to stop or freeze change, but to appropriately manage change in a manner that is consistent with the cultural heritage values of the Oak Street Heritage Conservation District.

To support these policies, **guidelines** have been developed to articulate suggested actions or recommendations. These are more discretionary in use, but should be considered directional. The guidelines were created to fit a wide range of situations, but exhaustive guidelines are not possible considering the range of possible circumstances. Guidelines should be applied as appropriate. Adherence to the guidelines of the Oak Street Heritage Conservation District is not compulsory, but is recommended.

Also found within Heritage Conservation Plans are specific **terms** to describe cultural heritage resources and the actions used to conserve them. Knowing exactly what is being affected by District designation is important, and defining these elements is a key part of the policies and guidelines. There are several terms that recur. Some have meanings that are determined by

federal or Provincial legislation, while others are municipally defined or defined in the context of this Plan. Notwithstanding the definitions below, however, in the event of a conflict between the definition here and a definition provided by federal or Provincial legislation or policy, particularly in cases where such policies are periodically updated, the most current legislative version of policy definition shall apply.

Adjacent: means those lands adjoining a property on the Heritage Register or lands that are directly across from and near to a property on the Heritage Register and separated by land used as a private or public road, highway, street, lane, trail, right-of-way, walkway, greenspace, park and/or easement, or an intersection of any these; whole location has the potential to have an impact on a property on the Heritage Register; or as otherwise defined in a Heritage Conservation District Plan adopted by by-law (By-law 2017-098).

Alteration: whereas in the *Ontario Heritage Act* this term means any “change in any manner and includes to restore, renovate, repair or disturb”, in the context of this Plan, the Official Plan definition prevails: “any change to a property on the Heritage Register in any manner including its restoration, renovation, repair or disturbance, or a change, demolition or removal of an adjacent property that may impact the heritage attributes of a property, district or designated feature on the Heritage Register” (By-law 2017-098). Within the context of this Plan, an “addition” is a type of alteration involving physical enlargement of the built form of a property. A minor alteration is one that would not require a building permit, whereas a “substantive change” type of alteration would be one that would also require a building permit.

Compatible: development that is capable of existing in harmony with, and that will not have an undue physical or functional adverse impact on, existing or proposed development in the area, or pose an unacceptable risk to environmental or human health. For the purposes of this HCD Plan, the Plan policies and guidelines constitute the criteria described in the above definition.

Conservation: all actions or processes that are aimed at safeguarding the character defining elements [“heritage attributes” in the Ontario legislation] of a cultural (heritage) resource so as to retain its heritage value and extend its physical life. This may involve “Preservation,” “Rehabilitation,” “Restoration,” or a combination of these actions or processes. Reconstruction or reconstitution of a disappeared cultural resource, except in the circumstances described in policy 2.6.7 (i), is not considered conservation and is therefore not addressed in this document.

Contributing properties: are properties that contain buildings and landscapes that support the character of the District, as defined in the District Plan, through compatible design, historical associations and physical or visual links to their surroundings. They also help define area character if they are well-preserved examples of earlier periods or are a landmark.

As part of the research for this HCD Plan, this definition has been further refined into 2 sub-categories, as follows:

- **Contributing Historical** includes all existing pre-WWII properties within the HCD
- **Contributing Contemporary** includes all existing post-WWII properties that are designed in ways that have regard for the heritage attributes of the District in terms of materials, massing, architectural design and detailing
- **Note:** surface parking lots are included within contributing properties (See the plan in Section 2.5.1, below, for mapping of contributing and non-contributing properties)

Cultural heritage resource: "...cultural heritage is not just about the past – it is about the places, spaces and stories we value today that we want to build on for the future.....Cultural heritage resources can take many forms – museum, archive and library collections; buildings and monuments; streetscapes and landscapes; bridges and railway stations; cemeteries; archaeological sites; artifacts; document and photographs; stories and folktales; traditional arts, crafts and skills." This term is defined in several sources, for example, in the Province of Ontario's introductory guide to conservation of heritage (Identify, Protect, Promote: Strengthening Ontario's Heritage; An introductory guide to identifying, protecting and promoting the heritage of our communities, p.2).

Enhance: In the context of this Plan, "enhance" is taken to mean "to heighten the character of a building and its surroundings, in ways relating to the heritage attributes of the property as well as of the sub-area in which it is located".

Heritage attribute definitions: The Province has provided two possible definitions that should be utilized according to the context in which they are being applied.

Heritage attribute: means in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest (*Ontario Heritage Act*).

Heritage attribute: means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*). (Provincial Policy Statement, 2014, P. 43).

Maintenance: Routine, cyclical, non-destructive actions, necessary to slow the deterioration of Contributing Heritage Properties, including the following: periodical inspection, property cleanup; gardening and repair of landscape features; replacement of broken glass in windows, minor exterior repairs, including replacement of individual asphalt shingles where there is little or no change in colour or design; repainting; re-pointing areas of brick or stone masonry or; caulking and weatherproofing; and any other work defined as maintenance in an individual designation by-law.

Non-contributing properties: are properties that disrupt the visual coherence of the District through incompatible treatment of elements such a building scale, massing, height, material, proportion and colour, elements that are otherwise found in the heritage properties in the Districts, as defined in the District Plans.

(See the plan in Section 2.5.1, below, for mapping of contributing and non-contributing properties)

Preservation: involves protecting, maintaining and stabilizing the existing form, material and integrity of a historic place, or of an individual component, while protecting its heritage value.

Rehabilitation: involves the sensitive adaptation of a historic place or individual component for a continuing or compatible contemporary use, while protecting its heritage value. This is achieved through repairs, alterations and or additions.

Restoration: involves revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, as accurately as possible, while protecting its heritage value.

1.3 District Planning Process and Mandate

Subsection 41.(1) of the *Ontario Heritage Act* enables municipal councils to designate all or part of the municipality as a Heritage Conservation District (HCD). As stated in the Provincial Ministry of Culture's "Ontario Heritage Tool Kit" for HCDs, "district designation enables the council of a municipality to manage and guide future change in the district, through adoption of a district plan with policies and guidelines for conservation, protection and enhancement of an area's special character. (p. 5)"

The current District Plan must be seen in the context of the designation process for such Plans. There are three basic steps: study; plan; and designation. The designation process often begins with a request to designate, originating from a municipal council or from the public, in consultation with its municipal heritage advisory committee. Once Council has authorized commencement of a study to determine if the area warrants designation, staff prepares a request for proposal, with detailed study goals and objectives based on the requirements of the *Ontario Heritage Act*, and proposes a study boundary. The study phase begins with an assessment of the study area identified by the municipality. The study contains a history of the area's development and an inventory of its heritage resources (buildings, cultural landscapes, areas of archaeological potential), following guidelines that are found in the Ontario Heritage Tool Kit, and includes public consultation. The area's cultural heritage resources are then evaluated, using the Ontario Heritage Tool Kit's criteria. Assuming that the result of this evaluation is favourable, the next step is a recommendation for Council to authorize staff and the consultant to proceed with preparation of a District Plan containing policies, design guidelines and a regulatory process. Following public consultation, if the Plan is adopted by Council, designation by-laws are passed and, if there are no objections from the public, the District comes into effect.

In addition to policy statements in the City's Official Plan and Heritage Master Plan, the mandate for designation in this case arises from the issuance by the City of Kawartha Lakes of a proposal for heritage consulting services to prepare Heritage Conservation District Studies for Downtown Lindsay and the Oak Street neighbourhood in Fenelon Falls (RFP 2015-82-P). Bray Heritage, the team awarded the contract, completed the Studies in 2016 and recommended that the City proceed with designation and provided a recommended district boundary. In September, 2016, Council approved the recommendation and authorized staff and the consulting team to proceed with preparation of District Plans. The District Plan in each case

contains policies, guidelines and an approval process for implementing the Plan. Taken together, the District Study and the District Plan constitute the documents required for preparation of the by-law to designate the Oak Street area as a Heritage Conservation District under Part V of the *Ontario Heritage Act*.

1.4 Benefits of Designation

Promoting Civic Pride

The “sense of place” generated by Oak Street is determined by the experience of being in and around its physical setting, that is, its buildings, streetscapes and parks. These “cultural heritage resources”, to use a term often used in heritage planning, are precious and deserve good stewardship. Numerous comments from both new and long-time residents support this. In response to these values, designation is a means by which local owners and tenants are able to express pride in their property and in the area as a whole: it is also a way of promoting public appreciation of local history.

Managing Change

Changes brought about by urban expansion, as well as neglect or natural disaster, can have a negative impact on these settings and erode local identity. To counter these trends, district designation is one of the most effective heritage planning tools available to Ontario municipalities. While the *Planning Act* handles most of the land development issues, it makes little reference to matters of community identity and heritage. Except where individual properties have been designated under Part IV of the *Ontario Heritage Act*, Oak Street’s cultural heritage resources are not fully protected by the current policies in the City’s Official Plan or Zoning By-law. By contrast, the *Provincial Policy Statement* and *Ontario Heritage Act* put the onus on municipalities to conserve “significant” cultural heritage resources, and provide policy tools and procedural guidelines with which to do so. Designation of a district under Part V of the *Ontario Heritage Act* is the means by which a municipality puts these tools and guidelines to use, and fills the policy gap left by the *Planning Act*.

Encouraging Compatible Growth

Heritage conservation district designation is not necessarily, as the term may seem to imply, a device for *preserving* an existing setting. The main focus of district designation is *change management*. In recognizing the inevitability of change, designation can plan for its best course. Change in itself is the result of conscious action, in the case of renovation or new development, or inaction, in the case of deterioration by neglect. Neighbourhoods can change for the worse, sometimes before people realize it is too late, when the “tipping point” has been reached, and the area’s “carrying capacity” has been exceeded. A district designation can help identify these critical thresholds and provide policy tools to ensure that they are respected.

At the very least, designation can identify the types of changes that suit a District’s character, and those that do not. Property owners get the information they need to make informed choices for improvements, and the municipality gets the guidelines and legislative mandate to regulate changes. In practice, change management in a Heritage Conservation District is seldom imposed from above but, rather, involves an ongoing discussion between property owners and City staff and heritage advisory committee, based on policies and guidelines found in the District Plan, as to what the best course of action will be.

There is public support for designation in Oak Street but there are also understandable concerns. Key issues are the degree of regulation imposed by designation (e.g. “will the municipality tell me what colour I can paint my front door?”), the cost of maintaining or upgrading older properties, and the potential encroachment of downtown commercial uses, the potential for lot consolidation and higher density development, the property owners who neglect their properties, and the potential effect of designation on property values.

Regulation is something the Heritage Conservation District Plan addresses, and is influenced by comments from local residents and business owners. The degree of regulation is moderate and the process is overseen by trained heritage staff and volunteer members of a Council-appointed heritage advisory committee. The process is designed to be transparent and straightforward, and follows policies and guidelines that are based on widely accepted ways of dealing with older properties. As demonstrated in successful HCDs in Port Perry, Collingwood, Cobourg and Port Hope, designation’s benefits outweigh the minor inconveniences of an additional

regulatory process. These heritage districts have maintained diversity and stabilized or improved property values, and local property owners and tenants have expressed high degrees of satisfaction with the results of designation. Although designation entails an additional level of municipal control over changes to property, it also helps stabilize areas, enhancing investment by reducing risk. And at a very basic level, one benefit of designation is often improved enforcement of existing property standards, an ongoing concern for residents and the municipality alike.

What works, what doesn't

Although designation as a Heritage Conservation District has been proven to provide many benefits to municipalities that have designated such areas, there are lessons that can be learned from designations in other communities. Foremost is the need to ensure that designation does not turn the proposed District into a place that is unduly affected by tourists, given its proximity to the Trent-Severn Canal, Maryboro Museum, the linear pathway system and the downtown core. This has been an ongoing problem in communities where attractive neighbourhoods are located next to, or have within them, popular public attractions. In these cases, it is important in the ongoing management of the District to balance local needs with those of visitors. It is also important to ensure that the commercial activities of the downtown core do not spill over into the adjacent residential areas, and to avoid consolidation of individual properties into land assemblies that allow large scale, higher density development.

An important way to ensure that the District works for residents as well as visitors is to describe in the HCD Plan the heritage attributes of the District that are most important to local people. In Kingston, for example, it was the Market Square, a place that is shared by retail (farmers' market), recreation (skating), and civic gatherings (movies, concerts and various local events). That these activities also appeal to visitors is an additional benefit, not the main intent.

In addition, since Heritage Conservation Districts tend to be attractive to businesses, residents and visitors, they must also have good access, parking and circulation. This is especially the case when a popular museum (Maryboro) is part of the District. Anticipating the increased demand for parking and an attractive public realm are important aspects of planning for the future of the District and its surrounding area.

PART B: CONSERVATION GOALS, OBJECTIVES AND POLICIES



2. Statement of Objectives

2.1 Rationale for Designation

Designation of a heritage conservation district is a form of change management that allows communities to control the rate and type of change within the district. With this definition in mind, the rationale for designation can be summarized as follows:

- The Oak Street study area is a discrete district with significant heritage character in the form of built heritage resources, cultural heritage landscapes, and associations with important people and events in the municipality's history.
- The inventory and evaluation of the study area have shown that these cultural heritage resources merit conservation.
- The area shows evidence of the major stages of its evolution.
- Provincial planning policies require conservation of significant cultural heritage resources.
- The area has potential for intensification and redevelopment that could affect the cultural heritage resources.
- The museum and adjacent public open spaces are popular tourist destinations and designation would support their conservation goals and ongoing economic viability.
- District designation has proven to be the best policy tool available to Ontario municipalities for meeting their conservation goals and objectives.

2.2 Summary Statement of District's Cultural Heritage Value or Interest

The Oak Street study area is a rare example of an early 19th century rural estate in the Kawartha Lakes region that was redeveloped as a planned residential subdivision in the late 19th and early 20th century. It has heritage value because its landscape contains the following elements: part of a bur oak grove/savannah which was incorporated into the rural estate; the original estate house and its immediate grounds; the planned subdivision of high quality late Victorian homes established along Oak Street; and the adjacent Trent-Severn Canal and former rail corridor. The Oak Street area's overall heritage value lies in its collection of individually important properties and in its combination of these resources within a designed landscape.

2.3 Description of Heritage Attributes

- Surviving trees from a rare, possibly pre-settlement, grove of bur oaks;
- Original estate house (Maryboro Lodge), now a museum;
- View corridor from façade of Lodge/museum towards river/Canal;
- View corridor from May Street towards museum property/rail corridor/lake;
- View corridor (E-W) along Water Street;
- Right-of-way of former railway and approach to bridge;
- Lake shore public open space (camping, picnicking);
- Canal infrastructure, including swing bridge (all on Parks Canada property);
- Water Street (original estate access route);
- Maple street tree plantings;
- Significant associations with important persons in the community's history (Wallis and prominent late 19th and early 20th century local business and professional persons who were instrumental in the development of Fenelon Falls);
- High quality architecture with good representative examples of late 19th century period styles found in Ontario at that time;
- Architectural details (porches, verandahs, decorative woodwork, towers and bays);
- Brick and frame construction and cladding;
- Consistent building massing and lot size;
- Predominance of single, detached dwellings; and
- Historical associations with potential pre-contact Aboriginal use, Wallis estate, early navigation, early railways, early tourism (Canal steam and pleasure craft, lakeside camping, Lodge guest house), founding of Fenelon Falls, public use of Lodge grounds for special events.

2.4 District Boundary

As a point of departure, the Provincial Tool Kit outlines criteria for determining a boundary. They include:

- Historic factors
- Visual factors
- Physical features
- Legal or planning factors

The recommended boundary meets the goals set out by the City in the RFP while addressing comments from local residents and reflecting the results of research undertaken during the Study phase of the HCD planning process. The Study phase concluded with a recommended boundary that included properties along the western half of Francis Street. These properties were included because they are also part of the 19th century subdivision of the Maryboro estate and contain buildings that are of a similar age and design as those flanking Oak Street.

However, during the public consultation process for this HCD Plan, residents of both Francis Street and Oak Street raised concerns about this proposed boundary. Several of the property owners along Francis Street argued that their street did not have the same heritage character as Oak Street and that they were not convinced that their properties were a logical component of the proposed HCD. In terms of heritage conservation, one owner felt that individual designation of the property would be suitable, as an alternative to inclusion in the District. Oak Street residents felt that a reduced boundary would result in a simplified shape for the District, with the boundary lines matching the rear property boundaries of the Oak Street properties.

These comments, and further research conducted as part of the HCD Plan, provide the rationale for a boundary change. The revised boundary reduces the size of the proposed District and focuses on properties that flank Oak Street. This boundary configuration reflects the pattern of lot development that followed the subdivision of the original Maryboro estate and emphasizes the role of Maryboro Lodge as the landmark and key built heritage resource within the District. The Oak Street properties within the District would still have the adjacency provisions of the Provincial Policy Statement and the City's Official Plan to provide conservation policies for any development along Francis Street that could potentially have a negative impact on the heritage attributes of the HCD.

It is therefore recommended that the boundary of the Oak Street Heritage Conservation District be amended to exclude the properties facing Francis Street. In terms of the criteria for boundary definition supplied by the Province, the revised boundary meets them, as follows:

- Historic factors: the core of the original estate is on Oak Street, anchored by Maryboro Lodge;
- Visual factors: the two sides of Oak Street, as well as the views to the Lake and downtown core at each end, form a coherent visual entity;
- Physical factors: the majority of the buildings that typify the estate (late 19th century subdivision) as well as Maryboro Lodge, are located on Oak Street and the adjacent public open spaces/former rail corridor and shoreline are included; and
- Legal or planning factors: the boundaries of properties flanking Oak Street provide a clear edge.

The revised boundary is shown in the accompanying map.



2.5 Designation Goals and Objectives

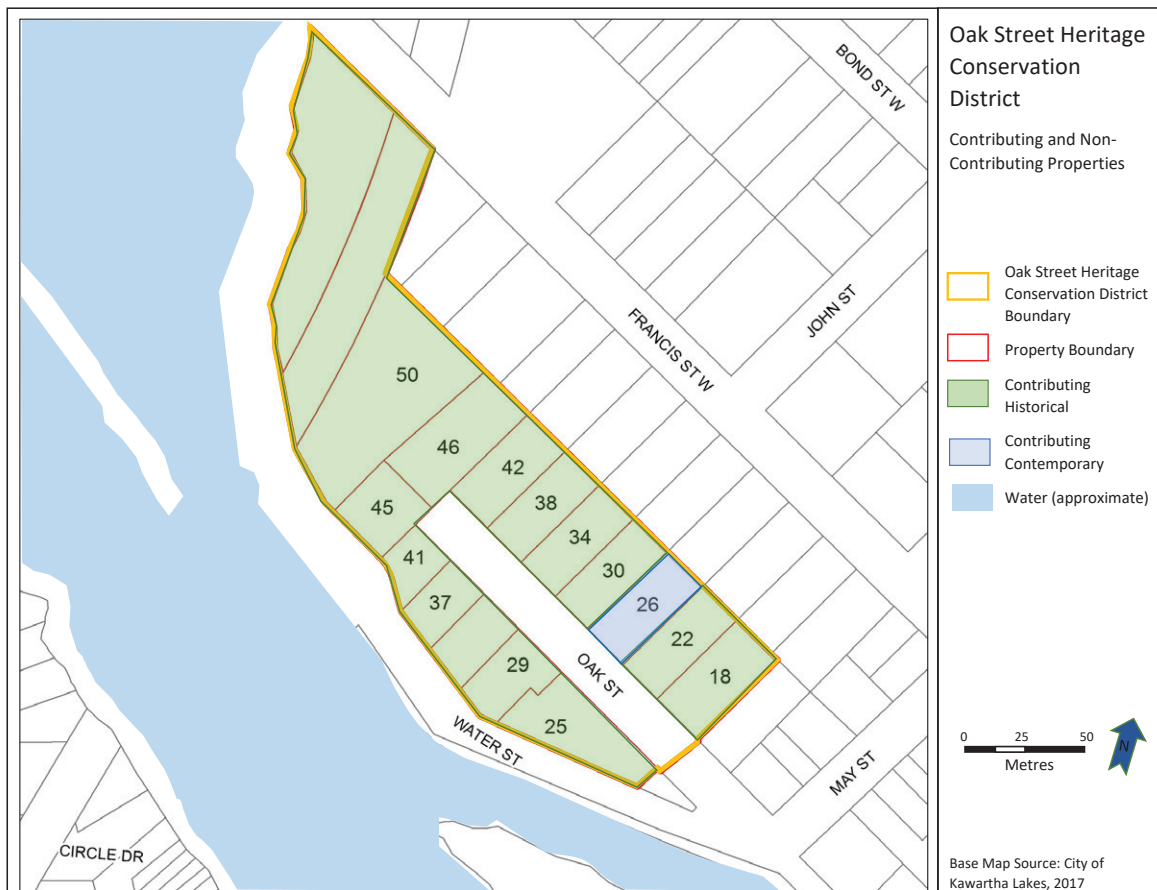
Section 41.1 (5) of the *Ontario Heritage Act* requires an HCD Plan to include a statement of objectives, a statement of cultural heritage value, a description of the heritage attributes of the HCD, policy statements and guidelines. The Plan must also contain procedures for achieving the objectives of the Plan and managing change, as well as describing the types of alterations that are minor in nature and can be undertaken without a permit.

The following goals and objectives provide a framework for the ongoing conservation of the District's material heritage resources, including built heritage resources, cultural heritage landscapes, and areas of archaeological potential, as well as non-material resources, such as historical associations and the mixed-use character of the District. They are integral to the planning policies and design guidelines provided by this Heritage Conservation District Plan and set out what is to be accomplished by District designation. These Plans also include specific objectives for the major components of the District.

The overall policy objectives for conservation and development in the proposed District are:

- To acknowledge and protect the cultural heritage values of Oak Street;
- To ensure the long-term conservation and management of contributing cultural heritage resources in Oak Street, including protected heritage properties, built heritage resources, cultural heritage landscapes, views, and historical associations;
- To establish a planning process that takes a "change management" approach for cultural heritage conservation;
- To provide guidance for ongoing maintenance and change so that the heritage attributes of the District are retained and, whenever possible, enhanced;
- To encourage community awareness of, and support for, conservation of the District's heritage values and attributes and for heritage conservation best practices;
- To provide policies, guidelines and associated regulatory procedures that will serve to guide change in ways that conserve and enhance the heritage attributes of the District; and
- To promote an increased awareness of heritage value in the District.

2.5.1 Contributing Properties



Cultural heritage resources (contributing properties) will be conserved and protected from inappropriate changes or demolition by:

- Retaining and conserving contributing properties in the District;
- Fostering continuing use of contributing built heritage resources and cultural heritage landscapes;
- Using the provisions of the *Ontario Heritage Act* and *Planning Act* to control the demolition or removal of contributing properties (including buildings or structures);
- Fostering collaboration on conservation matters between the City and other agencies responsible for heritage resources, such as the Ontario Heritage Trust, Infrastructure Ontario, Parks Canada/Trent-Severn Waterway;

- Pursuing all measures available to the municipality to prevent demolition or removal of contributing buildings or structures;
- Conserving buildings or structures on contributing properties by using the accepted principles and standards for heritage conservation, as outlined in these Plans;
- Encouraging retention and restoration of original features of buildings on contributing properties, based on archival and pictorial evidence and the assessment provided in the District Study and, where feasible, to remove incompatible past alterations made to such buildings;
- Encouraging property owners to maintain the exteriors of buildings on contributing properties to prevent deterioration as well as damage from fire or the elements; and
- Providing additional protection to significant heritage resources within the District: to do so, Council shall maintain the individual designations for properties under Part IV of the *Ontario Heritage Act*, and shall consider designating other significant heritage resources such as buildings (including interior elements), structures, and cultural landscapes, as identified by further study.

2.5.2 Landscapes/Streetscapes

The visual, contextual and functional character of the Oak Street streetscapes and public realm will be maintained and enhanced by:

- Retaining and conserving existing street trees and instituting an ongoing program of street tree replacement, in consultation with City staff and the utility companies;
- Preserving the existing subdivision lot plan for the area;
- Encouraging property owners to retain and conserve existing trees on private property;
- Conserving and enhancing existing parks and public open space;
- Ensuring conservation of landmarks, especially public buildings;
- Preserving views within the District of landscape and built features, especially views down to the river and down Oak Street in both directions; and
- Ensuring that municipal improvements to public infrastructure in the District's public realm, such as upgrades to public utilities, roadways and sidewalks, conserve the heritage character of the Districts as defined in this Plan.

2.5.3 Land Use

The low density and primarily residential character of the Oak Street HCD will be conserved by:

- Encouraging alterations and new infill that is compatible with the arrangement, scale, architectural styles and materials that constitute the District's heritage character;
- Encouraging replacement of properties containing non-contributing buildings or structures with compatible new development;
- For properties designated under Section 29 Part IV of the *Ontario Heritage Act*, ensuring that the highest standard of heritage conservation practice is applied; and
- For adjacent properties to the HCD boundary, applying the Cultural Heritage and Archaeology Policy (Policy 2.6.3 of the current Provincial Policy Statement) whenever there is an application for site alteration or development on lands adjacent to the District.

2.5.4 Regulatory Process, Community and Economic Benefit

The regulatory process for managing the HCD will be clear, objective and efficient and will realize community and economic benefit from the conservation and interpretation of the District by:

- Providing an application for alteration process that is easy for the public to use and can be implemented by City staff and the Municipal Heritage Committee;
- Clearly identifying the types of alterations that do and do not require an application for alteration;
- Fostering understanding, appreciation and pride in the District amongst local residents and the community at large;
- Using interpretation, programming and public education to promote conservation values for future generations;
- Offering assistance and, where feasible, financial or other incentives, to property owners within the HCD in the conservation of their properties; and
- Interpreting and promoting the heritage character of the HCD in order to foster cultural tourism, provided that such initiatives do not negatively impact the heritage attributes of the District, as identified in these Plans.

2.6 Conservation and Development Policies

The City can use a variety of heritage policy tools to foster heritage conservation and compatible development in the HCD. These include the policies of the Provincial Policy Statement as they affect cultural heritage resources, the heritage policies of the City of Kawartha Lakes Official Plan (or other applicable Official Plans), Secondary Plans, Zoning by-law and related policies (Heritage Master Plan, Cultural Plan) as well as the Heritage Conservation District Plan. Other legislative tools are found in the Municipal Act as well as in the City's own demolition control by-law, and property standards by-laws. Site Plan Control provisions apply to some forms of development in Heritage Districts, while all construction must meet the provisions of the Ontario Building Code, which has been progressively updated over the years to take into account the special conditions found in older structures (e.g. AODA, fire and life safety). Finally, there are easements and covenants, held by the municipality or the Ontario Heritage Trust, which can be applied to properties within the District. Of these tools, Site Plan Control is an especially good means of controlling exterior changes to properties, such as building and landscape elements.

From this summary, it is clear that the *Ontario Heritage Act* and the *Planning Act* are powerful policy tools on their own. However, when used in combination, they provide the City with an enhanced approach to managing conservation and new development within the Heritage Conservation District.

In order to meet the goals and objectives of this HCD Plan, specific policies are to be followed by the City in regulating changes within the District. The policies are in several categories, each addressing a specific issue affecting the evolution of the District:

- District as a whole
- Landscape/streetscape
- Contributing buildings
- Regulatory process, community and economic benefit

Guidelines providing ways to address these policies are found in Sections 3-7, below.

2.6.1 General Policies

ONTARIO HERITAGE ACT

1.1 Conflict

Potential conflicts or inconsistencies may arise within the planning framework where existing policy does not conform to the objectives of the Heritage Conservation District Plan. In situations of disagreement between the Heritage Conservation District Plan and municipal policy, the Heritage Conservation District Plan shall prevail to the extent of the conflict.

Subsection 41.2(1) of the *Ontario Heritage Act* bestows priority of the provisions of a Heritage Conservation District Plan over public works and other municipal bylaws:

- (1) Despite any other general or special Act, if a Heritage Conservation District Plan is in effect in a Municipality, the Council of the Municipality shall not,
 - (a) Carry out any public work in the Heritage Conservation District that is contrary to the objectives set out in the Heritage Conservation District Plan; or
 - (b) Pass a by-law for any purpose that is contrary to the objectives set out in the Heritage Conservation District Plan. 2005, c.6, s.31.

1.2 Contravention of the *Ontario Heritage Act*

Contravention of the *Ontario Heritage Act* is a Provincial offence. Illegal demolition in contravention of the *Ontario Heritage Act* is subject to a fine of up to \$1,000,000. Under Section 69.5.1 of the *Ontario Heritage Act*, in addition to any other penalties, the City of Kawartha Lakes or the Minister of Tourism, Culture and Sport may restore an illegally demolished protected heritage resource as nearly as possible to its previous condition and may recover the cost of the restoration from the property owner.

1.3 Part IV Designation within a Heritage Conservation District

A property that is individually designated (pursuant to Part IV of the *Ontario Heritage Act*) may be included within the boundaries of a Heritage Conservation District. For these “doubly designated” properties, the highest standard of conservation shall apply in the event of a conflict between the heritage attributes identified within a Part IV designation bylaw or the policies and guidelines of the Heritage Conservation District Plan with respect to any alterations of the property or demolition or removal of buildings or structures on the property.

1.3.1 Part IV Designation Policy

- a) The policies and guidelines of the Heritage Conservation District Plan are applicable to all properties designated under Part IV of the *Ontario Heritage Act* that are located within the Heritage Conservation District. The highest standard of conservation shall prevail in the extent of a conflict between the Part IV designation bylaw and the Heritage Conservation District Plan.

HERITAGE CONSERVATION EASEMENTS

1.4 Heritage Conservation Easements in an HCD

Properties protected by a Heritage Conservation Easement can be included within the boundaries of a Heritage Conservation District. For these “doubly designated” properties, the highest standard of conservation shall apply in the event of a conflict between the heritage attributes identified within a Heritage Conservation Easement or the policies and guidelines of the Heritage Conservation District Plan with respect to any alterations of the property or demolition or removal of buildings or structures on the designated property.

1.4.1 Heritage Conservation Easement Policy

- a) The policies and guidelines of the Heritage Conservation District Plan are applicable to all properties protected by a Heritage Conservation Easement. The highest standard of conservation shall prevail in the event of a conflict between the Heritage Conservation Easement and the Heritage Conservation District Plan.

PLANNING ACT

1.5 Planning Act Processes

Planning Act processes must ensure that any approvals are consistent with the heritage conservation district Plan and Guidelines. To this end:

- a) Any proposed Official Plan Amendment that may apply to the Heritage Conservation District must demonstrate that the cultural heritage value and the contributing resources of the Heritage Conservation District shall be conserved;
- b) Any proposed Zoning By-law Amendment that may apply to the Heritage Conservation District must demonstrate that the cultural heritage value and the contributing resources of Heritage Conservation District shall be conserved; and,

- c) When a Site Plan Application is received for lands within the Heritage Conservation District, the application must demonstrate that it is consistent with the Heritage Conservation District Plan.

1.6 Severances and Minor Variances

The Committee of Adjustment has the responsibility to address applications for lot severances and minor variances. The Committee of Adjustment process is a mechanism for evaluating requested changes in property (lot severances, additions or lot line adjustments) and relief from zoning regulations (such as building setbacks, height, and parking) which are minor in scope, and ensuring that these changes are in keeping with the general intent of the City's *Official Plan*, Zoning By-law, and other applicable plans or policies.

Within the Heritage Conservation District, the following policies have been developed in the circumstance that severance becomes a possibility within or adjacent to the Heritage Conservation District.

1.6.1 Severance and Minor Variance Policies

- a) The decision of the Committee of Adjustment shall be consistent with the policies and guidelines of the Heritage Conservation District Plan when reviewing applications within or adjacent to the Heritage Conservation District; and,
- b) A Heritage Impact Assessment may be required where there is potential for the application to impact an identified contributing resource or the heritage attributes of Heritage Conservation District to ensure that the application is in keeping with the Heritage Conservation District Plan.

1.7 Building Permits

A Building Permit is required for any new structure that is larger than 10 square metres (108 square feet) consisting of a wall, roof and floor (or any of them), structures containing plumbing, and structures designated in the Ontario Building Code. As such, Building Permits are required for many interior renovation projects and additions as well as exterior and façade projects including porches, additions, structural alterations to doors or windows, decks, basement excavation, and chimney reconstruction for example. Building Permits shall continue to be required within the Heritage Conservation District. The Chief Building Official of the City should be involved in the review of Building Permit applications, including protected heritage resources within the Heritage Conservation District, to provide comments and determine any requirements for a Heritage Permit, if necessary.

1.7.1 Building Permit Policies

- a) a) Obtaining a Heritage Permit does not negate the necessity of other permits required under other legislation (such as the *Ontario Building Code* or the *Planning Act*); and,
- b) Obtaining a permit under other legislation (such as the *Ontario Building Code* or the *Planning Act*) does not negate the requirement for obtaining a Heritage Permit.

1.8 Consistency with other Acts and Legislation

- a) The administration of the *Ontarians with Disabilities Act*, the *Ontario Building Code*, and related acts, codes, and regulations shall be undertaken in such a manner to permit alteration and conserving the heritage values and attributes of the District while still ensuring the health and safety of the public. Preference should be given to reversible interventions.

1.9 Emergency Repairs

Extenuating circumstances, immediate or temporary repairs may be required to ensure the protection and conservation of an identified heritage attribute of a protected heritage resource are uncommon but do occur.

Extenuating circumstances are understood to be those situations where a failure to act immediately could result in the irreversible destruction or loss of a heritage attribute of a protected heritage resource and which are considered to be a health, safety or security issue by the Chief Building Official or the Fire Chief. Deferred maintenance shall not constitute an emergency situation or extenuating circumstance. All reasonable efforts should be made to ensure that protected heritage resource and its heritage attributes are not adversely impacted as the result of the immediate or temporary repairs undertaken, and can be appropriately restored at a time when permanent repairs are possible.

- a) In event of a circumstance requiring an immediate or temporary response to ensure the conservation of a identified heritage attribute of a protected heritage resource, the Director of Development Services is authorized to provide Emergency Approval of the necessary works; and,
- b) The Municipal Heritage Committee may be consulted on any Emergency Approval, at the Director's discretion.

2.6.2 District Policies

- a) The distinct heritage values and attributes of the Oak Street HCD, as defined in this District Plan, shall be conserved and/or enhanced.
- b) Where development is proposed on any property that is subject to land use planning applications and is adjacent to the boundaries of the HCD, the policies of Section 2.6.3 of the 2014 Provincial Policy Statement shall apply, and Council, through its Official Plan policies, may require a Heritage Impact Assessment to be prepared by the proponent of any such development in order to assure that the heritage values and attributes of the HCD will be conserved.
- c) Ongoing monitoring of the effectiveness of the District Plan shall be undertaken by the City, as will the process of updating the inventory and evaluation of properties within the District. Monitoring and review processes shall have regard for the policies and guidelines of this District Plan.
- d) The City shall undertake a program of public education regarding designation, new development and the conservation process (e.g. topic-based workshops, in-house training sessions, attendance at heritage conferences and study tours), and shall provide training for staff and volunteers for implementing this Plan.
- e) The City shall work with representatives of Parks Canada whose properties abut the HCD to encourage works that support and, where possible, conform to the policies and guidelines of this Plan.
- f) The City will work with the local Conservation Authority to encourage works that support and, where possible, conform to the policies and guidelines of this Plan.
- g) Future amendments to the City Official Plan and Zoning By-law shall be in accordance with and shall implement the policies and guidelines of this Plan.
- h) Enforcement of the City's property Standard By-law (By-law 2016-12 as amended) shall be consistently undertaken by City staff within the District and shall, in addition to the standards found in that By-law, have regard for the guidelines found in this Plan.
- i) The existing lot pattern within the Heritage Conservation District shall be conserved with the following exception: severances shall be permitted. Lot severance shall be considered subject to a Heritage Impact Assessment prepared to the satisfaction of the City of Kawartha Lakes and shall demonstrate that the proposed severance (including any potential construction on the property) causes no negative impact on the cultural heritage values and attributes of the HCD, as defined in this Plan.

- j) Any emergency measures plan adopted by the City shall have regard for the policies and guidelines of this District Plan.

2.6.3 Contributing Properties

- a) All alterations and conservation work requiring an application for alteration, as defined in the District Plan, shall be undertaken in accordance with the policies and guidelines of the District Plan.
- b) Council shall maintain the individual designations for properties under Section 29 Part IV of the *Ontario Heritage Act*, and shall consider designating other significant heritage properties, as identified through further study.
- c) Demolition of contributing properties, as defined in this Plan, shall not be permitted except as a last resort, and rehabilitation of the existing structure will be encouraged. Where, by Council decision, buildings must be demolished for reasons of health and safety such as those due to fire, natural disaster or other reasons, any replacement structure shall be designed in accordance with the policies and guidelines of this District Plan.
- d) Where a demolition has been approved by Council, the contributing resources shall be documented in written/photographic form, for deposition in the municipal archives, and consideration given to salvaging any materials, where possible, for reuse on site or on other properties within the District.

2.6.4 New Development

- a) Proposed development or site alteration that is not sympathetic to contributing resources and the heritage attributes of the Heritage Conservation District and/or may result in a negative impact shall not be permitted. Structures larger than the average height and massing of the existing, detached buildings within the District shall not be permitted. The existing development pattern of single, detached dwellings on large lots, with garages and outbuildings situated to the side and rear shall be maintained in new development. Building design shall use the same or similar massing, vertical emphasis, cladding and trim materials, and the predominance of wall to window in exterior design, in order to be compatible with the heritage attributes of the District.
- b) Council shall not permit, through its approval process, proposed development or site alteration that detracts or negatively impacts contributing resources or the heritage attributes of the Heritage Conservation District.

- c) The replacement of non-contributing resources and/or structures or dwellings lost due to circumstances such as severe structural instability, fire, flood, or other catastrophic reasons shall be sympathetic, contextual, and respectful to contributing resources and the heritage attributes of the Heritage Conservation District. The replication of a lost structure or dwelling is not required; however, the replacement structure or dwelling shall conform to the guidelines of the Heritage Conservation District Plan.
- d) Guidelines, as outlined in this Heritage Conservation District Plan, should be used in the evaluation of Heritage Permits for new development. Proposed development or site alterations shall be consistent with the guidelines of the Heritage Conservation District Plan.
- e) When considering change or an alteration to a contributing resource, property owners are encouraged to consult with the City of Kawartha Lakes early in the design process in order to understand the objectives, policies, and guidelines of the Heritage Conservation District Plan as well as the resources available to them.

2.6.5 Landscapes/Streetscapes

- a) Proposed infill development shall be designed in accordance with the policies and guidelines of this Plan.
- b) Heritage attributes of landscapes and streetscapes, including parks and views, and landscape treatments in the private portions of the streetscapes, as defined in the District Plan, shall be conserved and enhanced following the policies and guidelines of this District Plan.
- c) Alterations to landscapes and streetscapes within the District shall be permitted, providing that such alterations conform to the policies and guidelines of this Plan.
- d) Lot severance shall be considered subject to a Heritage Impact Assessment being prepared to the satisfaction of the City of Kawartha Lakes and that shall demonstrate that the proposed severance causes no negative impact on the heritage attributes of the HCD. A maximum lot size, similar to the average lot size within the District, shall be determined in an amendment to the City of Kawartha Lakes Zoning By-law.
- e) Provision of parking and traffic management within the HCD shall be consistent with the policies and guidelines of this District Plan. In consultation with local residents, the City shall review the parking and traffic management policies for Oak Street and prepare a parking and traffic management plan.

- f) All major public works undertaken within the HCD shall have regard for the policies and guidelines of this Plan. Mature tree canopies shall be conserved, in consultation with utility companies and City engineering and public works staff and a program of replacement planting of suitable canopy street trees shall be instituted in the HCD. Shaping of canopies of existing trees, as part of maintenance or installation of overhead utilities, should be done in ways that do not disfigure the tree wherever possible.
- g) In consultation with the City Arborist, the City shall review and update any existing inventories of existing trees within the District. The City shall prepare special conservation treatments for the existing Bur Oak trees located within the District as well as other mature trees identified in the inventory as meriting conservation, and appropriate measures taken to ensure their ongoing stewardship, including agreements with the utility companies and implementation of a planting plan to replace removed trees.
- h) In consultation with the City Arborist, the City shall undertake a program of street tree planting to augment the existing street trees and to restore the former pattern of a mature deciduous tree canopy bordering both sides of the municipal right-of-way.
- i) In consultation with the City Engineering and Public Works Departments, the City shall undertake improvements to the public realm including, but not limited to street paving, street tree planting, vehicular access controls (e.g. bollards), and signage (traffic and interpretive). In consultation with appropriate City Departments and the utility companies, consideration shall be given to placing above-grade public utilities (e.g. power lines) in underground service trenches. All sidewalks must meet the requirements of the *Ontarians With Disabilities Act*.
- j) The City shall encourage owners of private property within the District to maintain the current streetscape attributes of open lawns, gravel drives and informal landscaping treatments. Choice of private landscape treatments and planting types shall be at the discretion of the property owners, however, they are encouraged to consult with the City (and Museum staff) to explore options for plantings that are appropriate to the construction period of the properties within the District.
- k) Memorials and commemorative or interpretive signage shall be subject to the guidelines of the District Plan as well as the City of Kawartha Lakes Sign By-law, and proposals for its placement within the District shall be subject to review by City heritage planning staff.

2.6.6 Regulatory Process, Community and Economic Benefit

- a) Maintenance and minor alterations, as defined in the District Plan, shall be permitted on properties within the HCD.
- b) Major alterations and additions, as defined in the District Plan, shall require an application for alteration (heritage permit) and be subject to the approval process described in the District Plan.
- c) The City shall initiate public information programs, including topic-based workshops, walking tours and on-line resources, to assist property owners in conserving and enhancing their properties.
- d) The City shall continue to implement currently available financial incentives (e.g. tax relief and grants) and enhance them, where possible, to assist in conservation work on District properties.
- e) In instances where properties within the District are subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*, or are identified by the Province and prescribed public bodies as Provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties (2nd ed. or as superseded), or are properties protected under Federal legislation, in the event of a conflict between those protections and the policies and guidelines of this Plan, the highest standard of heritage conservation shall prevail.
- f) Enforcement of the City's Property Standards By-law (By-law 2016-12 as amended) shall be consistently undertaken by City staff within the HCD and shall have regard for the policies and guidelines of this Plan.
- g) Where a proposed change in the HCD has the potential to negatively impact the character of the HCD as defined in the Statement of Cultural Heritage Value, the City, through its Official Plan policies, shall require submission of a Heritage Impact Assessment.
- h) In accordance with Subsection 41.2(1) of the *Ontario Heritage Act*, in situations of disagreement between the Heritage Conservation District Plan and any other municipal policy, the Heritage Conservation District Plan shall prevail to the extent of the conflict.
- i) The City can use its authority under Section 69.5.1 of the *Ontario Heritage Act* to require the restoration of an illegally demolished protected cultural heritage resource as similar as possible to its previous condition and may recover the cost of the restoration from the property owner.
- j) The decisions of the City of Kawartha Lakes Committee of Adjustment or Planning Committee shall be consistent with the policies and guidelines of the Heritage Conservation District Plan when reviewing applications within or adjacent to the Heritage Conservation District;

- k) Obtaining a Heritage Permit will not negate the necessity of other permits or approvals required under other legislation (such as the *Ontario Building Code* or the *Planning Act*);
- l) Obtaining a permit under other legislation (such as the *Ontario Building Code* or the *Planning Act*) will not negate the requirement for obtaining a Heritage Permit.
- m) The administration of the *Ontarians with Disabilities Act*, the *Ontario Building Code* and related codes and regulations will be undertaken in such a manner to ensure the conservation of heritage attributes of contributing resources while still ensuring the health and safety of the public.
- n) The conversion of contributing resources from a defined use within a Zoning By-law to a different use may be permitted provided that the proposed change does not adversely impact the cultural heritage value of contributing resources or the heritage attributes of the Heritage Conservation District and other applicable municipal requirements are met. The preparation of a Heritage Impact Assessment may be required.
- o) Future amendments to the City of Kawartha Lakes Official Plan and Zoning By-law shall bring these planning tools into conformity with the policies and guidelines of the District Plan. Such amendments shall control subdivision within the District in accordance with the heritage attributes identified in this Plan.
- p) The City shall consider authorizing the use of municipal funds to initiate preparation of a Stage 1 archaeological assessment for the District.
- q) The City shall consider measures available under Provincial legislation and programs to provide relief to property owners for conservation work undertaken on private property within the District that is in accordance with the policies and guidelines of the District Plan.

PART C: CONSERVATION AND DEVELOPMENT GUIDELINES



3.1 Introduction

These guidelines are the means by which the District goals and objectives and policies described above are implemented in actual changes to the physical setting. They are intended to help property owners and the municipality care for and enhance the best qualities - or heritage attributes - of the Districts. They are meant to support the good work already being done and to provide information and encouragement to improve work planned for the future.

Design guidelines are meant to encourage the types of renovation work that emphasizes the character of each property and of the District as a whole. The character statements and list of attributes (for each property, as found in the HCD Study inventory, and for the HCD as a whole, as defined in this HCD Plan) are the primary reference to guide any changes proposed to the District or to a property.

Guidelines for proposed changes in a Heritage District are needed because places evolve, responding to changes in ownership and use, upgrades to urban infrastructure, and changing economic conditions. Pressures for change come in many forms, from a desire to serve emerging personal needs to repair and maintenance of an aging structure. In considering how to make changes, there is always the allure of the new and a tendency to take the existing setting for granted. In this context, the characteristics of the District that are valued by the community can be at risk. Poor planning, loss of buildings to fire or neglect (or disaster), and new infill that is out of character, all can degrade the District. Instead, the purpose of the District Plan is to ensure that property owners' first response to the need for change will be to choose building designs, materials and construction methods that are in harmony with the District's heritage attributes. Guidelines in the District Plan are the principal means of maintaining the Districts' integrity and achieving a balance between preservation and new development.

Managing change is all about context. Determining the best way to alter the existing setting requires an understanding of the qualities of the setting, from the nature of the buildings next door to the patterns evident in the streetscape and the character of the District as a whole.

3.2 Guiding Principles

A primary goal of designation is to keep and enhance the experience of daily life in the District. The primary way to accomplish this is to ensure that the best parts are maintained and that changes do not detract from the District character and, ideally, make the place better. Conservation is simply good stewardship of something the community values. It is a universal activity and, as such, is governed by universal principles.

The guidelines in this Plan are based on conservation “best practices” as used in Ontario, Canada and abroad. Key background documents that provide the basis for these guidelines include:

- *Standards and Guidelines for the Conservation of Historic Places in Canada*, Parks Canada, 2010 (www.historicplaces.ca) (as amended)
- *Standards & Guidelines for Conservation of Provincial Heritage Properties*, Ontario Ministry of Tourism, Culture and Sport, 2010 (www.mtc.gov.on.ca)
- *Ontario Heritage Tool Kit*, Ontario Ministry of Culture, 2006 (www.mtc.gov.on.ca)
- *Well-Preserved: the Ontario Heritage Foundation's Manual of Principles and Practice for Architectural Conservation*, Mark Fram, Boston Mills Press, 2003 (Third Edition)
- *InfoSheets*, Ontario Ministry of Culture (www.culture.gov.on.ca)
- UNESCO and International Council on Monuments & Sites (ICOMOS) Conventions and Charters

A commonly-used summary of universal best practices can be found in the Ontario Ministry of Tourism, Culture and Sport’s “Eight Guiding Principles in the Conservation of Historic Properties”, all of which emphasize respect for original/historic material:

1. *Respect for Documentary Evidence* (do not base alterations on conjecture)
2. *Respect for Original Location* (avoid moving buildings unless there is no other way to conserve them)
3. *Respect for Historic Material* (repair/conservé rather than replace building materials and finishes, except where absolutely necessary)
4. *Respect for Original Fabric* (repair with like materials)
5. *Respect for the Building's History* (do not restore to one period at the expense of another period or periods)

6. *Reversibility* (alterations should allow a return to the property's original conditions)
7. *Legibility* (new work should be distinguishable from old)
8. *Maintenance* (with continuous care, future repair/restoration may not be necessary)

3.3 Applying the Guidelines

The next step for property owners is to prepare a strategy for undertaking the proposed work. The four key questions to be asked at each stage of consideration of a proposed alteration to property in the District are as follows:

- In what ways will the proposed alteration affect the overall character of the streetscape of the HCD?
- Is it possible to find ways to shape an alteration to maximize the extent to which it enhances the heritage character of the HCD?
- If the proposed intervention was commonly applied to other properties would the cumulative impact be keeping with the overall character of the District?
- What will be the impact of the proposed alteration on the property's heritage attributes and those of its streetscape context?
- Is it possible to find ways to shape the proposed alteration to minimize that impact?

4. Conservation Guidelines for Contributing Properties

4.1 Introduction

Although contributing buildings require ongoing maintenance that often entails extra efforts to conserve heritage features, most older properties are very well built and are more robust than their newer counterparts. If the conservation regime suggested in this Plan is followed, owners of an older building will often have a better long-term investment than will owners of a new property.

The City owns Maryboro Museum and with that ownership comes an additional responsibility to show by example in any conservation and alteration work done. Since this building and its setting are special, any work undertaken here requires a high level of care and expertise. The guidelines in the District Plan, especially those in the federal *Standards and Guidelines* (2nd ed. or as superseded), offer specialist advice on how to address the unique issues that arise in landmark heritage buildings.

With all older properties, issues arise in finding skilled tradespeople (and materials) to do the maintenance work required for some parts of older buildings. If such people are available, they are sometimes booked well in advance and charge higher rates than everyday contractors. Municipalities can be of assistance here by providing lists of qualified specialist contractors, even though public agencies are not able to recommend specific firms.

On residential properties, the most vulnerable parts of the public face of houses are the wooden details such as those found in eaves, verandahs and porches. Exposed to the elements and, in the case of entrances, to everyday wear and tear, these wooden details tend to require ongoing maintenance if they are to survive. Often the temptation is simply to remove them, by covering a cornice or by taking off a porch. But this action also removes much of the visual character of the house and often leaves an ugly scar on the brickwork where the wooden structure once attached. Since porches are an important element of the streetscape, extra effort should be made to conserve these elements.

Other issues include upgrades to windows, where upgrading the existing windows sometimes seems more onerous than replacing them with new units. While there are many manufacturers able to supply windows that are energy-conserving while compatible with heritage settings (such as having double-glazing with true muntins), conservation best practices recommend

retrofit rather than replacement as being a better long-term investment as well as a more sustainable practice. City staff, using the guidelines in this Plan, can advise property owners on best options. And in making alterations or additions to older buildings, finding the best design approach requires careful thought if the end result is not to be a jarring contrast between old and new. Again, the guidelines in the District Plan offer sound advice on ways of resolving this issue.

Paint colour is a perennial issue, but paint colour types and colour schemes will not be prescribed in the District Plan. The reason for this is that “the colour you paint your front door” is too restrictive an issue to be included in guidelines that must apply to an entire district. Section 4.3.3 of the guidelines provides general advice. What tends to occur in most HCDs is that property owners correctly assume that a colour scheme similar to that which would have been original to the building is that which most suits it today. Paint suppliers can now offer a wide range of historically-accurate paint colours that will suit the different architectural styles found in the District.

As is evident from the foregoing discussion, guidelines for Heritage Conservation District primarily address the parts of a property that are visible from the street; in other words, the front. In Oak Street, the guidelines in the District Plan apply primarily to the façade and encourage additions and alterations to the building exterior to be undertaken on the back of the building and, in some cases, on the sides. In the case of the many properties on the south side of Oak Street that back onto Water Street and the Canal, the current response from property owners is to balance the need for private outdoor space, parking and storage (the usual components of a rear yard) with a recognition that this part of their property is also open to public view. The variety of responses, such as fences, hedges and attractive outbuildings, show that property owners have been successful in attaining this balance. Property owners on the south side of Oak Street can choose to use the guidelines in this Plan to inform changes to these rear yards but the primary focus of the guidelines is on the Oak Street frontages.

4.2 Steps in the Conservation Process

As explained above, the main reason to designate a district is to conserve its heritage resources. Conservation within a District involves careful attention to the area's (and the property's) heritage attributes while encouraging positive change. Conservation of built heritage resources covers the three main approaches to conservation described in the definition above. Within these three approaches, the Parks Canada Standards and Guidelines (2nd ed. or as superseded) provide a comprehensive summary of the steps necessary to conserve heritage properties. The document begins with a set of overall standards governing all types of conservation work, followed by detailed guidelines that provide options for specific conservation projects. Based on that document, the main components of the conservation process can be summarized below, in three major steps:

- Step One: Understanding
 - Refer to the property descriptions in the heritage inventory to determine the heritage value and any heritage attributes/character-defining elements of the subject property (especially the facade composition, cladding and windows).
 - Check on site and document current condition and changes made over the building's history.
 - Augment site investigation and the inventory with archival and oral research, where possible.
 - Assess the property's relationship to the streetscape and District (especially height, setback, architectural design).
- Step Two: Planning
 - Keep the existing or find a suitable new use for the property.
 - Identify the needs of current and prospective users as well as municipal requirements.
 - Select the primary conservation process.
 - Review the standards that apply to the selected process (from the *Standards and Guidelines* 2nd ed. or as superseded).
 - Follow the guidelines for that process (from the *Standards and Guidelines* 2nd ed. or as superseded).
 - Review the proposed scope of work with the City Planning and Building Departments to determine if a permit/application is needed.

- o Review the proposed scope of work with a (heritage) contractor to determine budget and schedule: make revisions to the proposed scope of work as required.
 - o If required, submit Application for Alteration/Building Permit to the City.
- Step Three: Intervening
 - o Undertake the proposed project.
 - o Do regular maintenance.

4.3 Maintenance

The majority of work within the District will involve conservation of the existing physical fabric. Maintenance does not require a heritage permit (technically termed an “application for alteration”). Maintenance, as well as rehabilitation and restoration, will be ongoing activities that are needed to retain and enhance the District’s heritage attributes. As with any property, the onus is on the owner to monitor building condition and to plan for both regular and periodic work that will be needed. There are several degrees of work entailed in conserving older buildings, and one or several of these may be involved, depending upon the situation. They are:

- Protection and stabilization (where portions of a building are badly deteriorated, to stop further decay)
 - o Assessing condition
 - o Closing openings in the roof and walls, and filling broken windows
 - o Preventing water infiltration
 - o Securing against structural collapse
- Routine maintenance (for special architectural features)
 - o Retaining requisite contractors to do work requiring specialist skills
 - o Annual monitoring of building condition
- Cleaning (periodic, using methods befitting the cladding materials)
 - o Undertaken only to retard deterioration or to reveal obscured surfaces
- Reconstruction (of deteriorated or missing elements)
 - o Only to be undertaken based on documentary evidence

For a schedule of ongoing conservation, refer to the following chart:

Recommended Maintenance Checklist Regarding Exterior Building Conditions				
Item	Spring	Summer	Fall	Winter
Check attic	•		•	
Check eaves trough and downspouts	•		•	
Check roof for damaged roofing materials	•		•	
Plan landscaping to avoid soil settlement and ponding	•			
Check caulking for air and water leaks	•		•	
Check & lubricate weather stripping	•		•	
Check exterior cladding	•		•	
Check windows & screens are operating properly	•		•	
Check sheds and garages		•		
Prune trees close to building (consult arborist)				•
Check fireplace & chimney			•	
Check for condensation				•
Check for ice damming				•
Check interior face of exterior walls for moisture or blistering	•			•
Check that no wood is stacked against the building.	•			
Check fencing for deterioration	•			

4.4 Guidelines for Maintenance

4.4.1 Roofs

ROOFING MATERIAL

- Where original roofing remains in place, use replacement roofing material to match original material. Where the existing roofing material differs from the original material, it is preferable that replacement material match the original material.
- Make an effort to recondition existing standing seam metal roofs. Existing standing seam metal roof should not be covered over with dissimilar roofing material.
- For asphalt shingles, use premium quality for maximum life expectancy (up to 30 years); use grey, brown or black colours.
- Provide a continuous air barrier system, insulation, and ventilation at attics to prevent the formation of ice dams. On roofs prone to ice dam formation, install additional waterproofing when re-roofing. The presence of a continuous air barrier system prevents warm interior air from entering the attic space and is a significant defence against ice dam formation.

CHIMNEYS

- Retain existing chimneys whenever possible, even if they are no longer functional, in order to conserve the symmetry and architectural detailing of the building roofline.
- Repair/replace deteriorated material with like materials and replicate original detailing and bond pattern, based on documentary evidence.
- Line the chimney to prevent deterioration by acids and water vapour from the exhaust gases.

GABLES, DORMERS AND TURRETS

- Keep decorative turrets and gables free of siding or coverings that obscure details.
- As with other exterior components, replace deteriorated material with like components in the original design, or replicate based on documentary evidence.
- Ensure weather resistance in new material and in dormers with adequate preservatives and insulation as well as bird protection measures.

SOFFITS AND FASCIAS

- Avoid covering original materials with new materials.
- Strip and repaint original painted surfaces; identify causes of paint film peeling and blistering prior to repainting.
- Retain fascia detailing (e.g. verge boards or pressed metal); replace deteriorated wood with new wood cut to replicate the original.
- Eaves troughs and down spouts are recommended to be installed for the control and diversion of roof water run-off. Eaves troughs and down spouts should be discreet in appearance.
- Down spouts should be directed away from the building and away from pedestrian areas.
- Refer to the “Alterations” section of these guidelines for contemplated alterations to roofs.

4.4.2 Exterior Walls

BRICK AND STONE

- Keep rainwater from continuous contact with masonry walls (e.g. by ensuring proper drainage from roof surfaces and by retaining roof overhangs).
- Non-heritage contributing cladding that has been applied over original cladding should be removed (e.g. aluminum siding applied over brick or clapboard).
- Re-pointing of brick and stone masonry should match the colour and profile of the original mortar and be of the appropriate type and mixture that will not damage the masonry material.
- Existing brick or stone masonry should not be sandblasted to remove paint finish. Use of chemical paint stripper is acceptable provided it does not damage the brick or stone surface.
- Painting of brick surfaces is not recommended. It is also not appropriate for stone.
- Cracked or deteriorated stone surfaces should be stabilized using concealed non-oxidizing pins and epoxy injections.
- Replacement stone should closely resemble the original.
- Protect brick and stone masonry from spalling at grade. Salt should not be used as de-icing agent adjacent to masonry structures and ensure positive drainage away from foundation walls.

WOOD SIDING

- Preserve as much as possible of original material when making repairs, and replace deteriorated material with similar material.
- Keep wood siding from contact with the ground to avoid rotting and insect damage.
- Whenever possible, replace natural wood siding with new natural or pre-finished wood siding, cut to the same profiles as the original.
- Do not replace wood siding with vinyl or aluminum siding, as they are easily damaged and cover original material. If wood siding cannot be used, fibre-cement board is an acceptable substitute.

STUCCO

- Repair stucco with modern assemblies: match original appearance in colour, texture and finish, retaining specialists in exterior stucco work.
- Avoid the use of External Insulation Finish Systems (EIFS) as they require very careful installation if they are not to obscure architectural details or cause moisture retention problems for the underlying structure.

4.4.3 Decorative Trim and Details

- Regularly inspect, repaint and use wood preservatives on decorative wood components.
- Avoid using stock mouldings in standard profiles: instead, preserve and restore as much of the original trim as possible and use original elements as templates for replacement sections.
- Choose paint colours that are compatible with the heritage character of the District and that are complementary to the age, style and detailing of the subject building.
- For extensive repainting work, select professional painters with specialist knowledge of paint types and application techniques appropriate for older buildings.

4.4.4 Porches and Verandahs

- Original versions of these elements should be retained; removal or substantial alteration should be avoided, and original details conserved or replaced with new wooden versions.
- If a porch or verandah is being restored or replicated, do so only after finding documentary evidence of the original appearance. Since such exterior elements deteriorate more quickly due to exposure to the elements, decisions may need to be made as to which of several

earlier versions of the structure should be the model for the proposed work, based on the heritage attributes of the building.

- Ensure that the new or repaired porch is properly underpinned with footings extending below frost and with forms of skirting that promote good ventilation and prevent animal intrusion.
- Avoid fibreglass or plastic replicas of wooden details unless there are no other reasonable options, provided they match the shape and size of the details they are replacing.

4.4.5 Windows and Doors

- Original windows that suit the heritage character of the building should be maintained rather than replaced. In most cases, wooden sash windows and storm windows, if properly fitted and maintained, can provide superior thermal insulation. However, where replacement is necessary, wood double glazed units with true muntins are preferred, and similar units with false muntins are acceptable.
- Original stained-glass windows should be conserved and repaired; replacements for broken or missing glass should replicate the original and complete replacements should have glass details in colours and shapes similar to the original.
- Non-heritage contributing exterior storm windows should be removed; wood double glazed windows are recommended instead.
- Refer to the “Alterations” section of these guidelines if existing windows are sufficiently damaged that they need to be replaced. Avoid the use of aluminum or vinyl-clad windows: if they must be used, match the style, size and proportion of the original wooden windows, and provide a frame that can be painted to match the rest of the facade fenestration. Wood double glazed windows are available and are a preferred replacement option.
- Original exterior shutters and shutter hardware should be conserved and maintained. Missing louvers and hardware should be replaced.
- Shutters should only be installed on buildings that would have originally had them and should be of the size and design appropriate to the original buildings. Modern shutters in contemporary materials (e.g. aluminum) and in sizes smaller than the window opening, should be avoided.
- Preserve original doors, details, glass, hardware, door surrounds and entrance openings whenever possible.
- Choose storm doors and screen doors that are appropriate for the age and style of the building, and use wooden framed doors where practical.

4.4.6 Foundations

- Ensure positive drainage away from all foundation walls.
- Inspect foundations for cracking, settlement or loose materials, and repair accordingly.
- Foundations with noticeable settlement should be inspected by a structural engineer and may have to be rebuilt. Temporary support for the wall above the foundation work may be required.

4.4.7 Utilities and Telecommunications Installations

- Where there is a need to relocate the meter by the owner, or for new structures, the following approaches are preferred by many utility companies:
 - For single detached or semi-detached dwelling, locate utility meters (gas and electric) away from the street façade on the side walls of the building, but within 3 meters of the street front wall. Regulatory and safety requirements governing placement of meters or regulators will take precedence regarding the preferred placement of meters, which may result in their placement on the street façade.
 - For street row housing or other structures involving multiple common walls defining ownership, the placement of utility meters (gas and electric) will in most case be required on the street façade. Meter locations will be chosen based on safety and regulatory requirements and will enable appropriate landscape screening of the meters from view from the street.
- Property owners considering alterations/renovations to the location of water, gas or electric services/meters are advised to consult with the local utility provider prior to finalizing any plans or undertaking any work.
- Air conditioning units (both window and pad-mounted) should be located away from the street facade wherever possible.
- Locate, or relocate, satellite dishes away from the street facade.

4.4.8 Accessibility

- Design exterior inclined walking surfaces with grades of 5% or less. The 5% grade is easier to negotiate than the 8.3% OBC maximum grade, and also has the benefit of not requiring that a guard assembly be installed.
- A power-operated lift is another solution.

4.4.9 Environmental Sustainability

GENERAL

- Make efforts to employ environmental sustainability measures, provided that the measures do not compromise the heritage attributes of the property or the surrounding area.
- Diligent building maintenance contributes to environmental sustainability by reducing the unnecessary consumption of resources as well as stress on landfill sites.

BUILDING ENVELOPE

- Insulate and air/vapour-seal exterior walls from interior (not exterior) where recommended. Insulating heritage structures can significantly affect masonry envelopes, rapidly shortening the life expectancy of existing materials through increased freeze/thaw cycles. Interior masonry surfaces should be repaired and convective air leakage should be reduced on the interior side (e.g. by applying a 25mm layer of spray-applied polyurethane foam insulation).
- A building with an upgraded air-tight building envelope will require mechanical ventilation rather than passive ventilation. Dedicated air intake and exhaust louvers will be required for living space air as well as for combustion air. New air intake & exhaust louvers should not be visible from street.

MECHANICAL SYSTEMS

- Air intake & exhaust vents should not be visible from the street. Coordinate location of mechanical equipment internally to eliminate penetrations visible from street. High efficiency gas fired appliances (boilers, furnaces) require power vented exhausts, typically horizontally through a sidewall rather than vertically like a conventional chimney, which will be possible only on corner properties within the downtown; otherwise, vertical venting will be necessary.

SOLAR PHOTOVOLTAIC/THERMAL PANELS/SKYLIGHTS/WINDMILLS

- Do not take trees down to allow more sunlight to be directed to proposed panels.
- Panels should not be visible from the street.
- Skylights should be installed flush with the roof profile.
- Micro-windmills (vertical axis) should be set back so as to be less visible from the street.

HEAT PUMPS

- Heat pump units should not be visible from street.
- Conduit and supply tubing should not be visible from the street.

WOOD BURNING CHIMNEYS

- Retrofit existing chimneys appropriately to accommodate high efficiency EPA wood burning appliances.
- Avoid new chimneys at the front and sides of the exterior of the building.

5. Conservation Guidelines for Building Alterations and Additions

5.1 Introduction

The guidelines that follow contain recommendations for new work/ additions and contemporary repairs/alterations that are not maintenance activities. Repair and maintenance activities that constitute ongoing conservation care are addressed in Section 4.0.

Guidelines for alterations and additions are organized in two groups. “Contributing” properties make the direct contribution to the Heritage Character of the District as a whole. The second group comprises “non-contributing” properties. The guidelines that apply to non-contributing properties are intended to ensure that they do not compromise the heritage character of the District as a whole by adding further inappropriate changes to the building, or to offer suggestions for their integration or ultimate replacement with a more compatible structure.

Alterations and Additions to heritage properties require an Application for Alteration process to be conducted through the City, as described in Part D of the Plan, which makes available City Heritage staff resources to ensure the best practices for managing property changes are identified.

Alterations include major changes such as additions, the construction of multiple dwelling units within an existing building, or the replacement of heritage elements that cannot be maintained and repaired using the conservation measures described in Section 4.

5.2 Guidelines for Alterations to Contributing Buildings

5.2.1 General

- Find out as much as possible about the appearance and style of the building during its various stages of evolution in order to determine the best options for alteration that respects the property’s heritage attributes.
- In the absence of documentary evidence, examine the building itself to determine original design details, materials and layouts.

- Look for properties within the District that are similar in age and style for further evidence of details and materials suitable for use in an alteration.
- If original materials and construction are available, avoid replacing them with contemporary materials and construction methods.
- Original elements such as windows, doors, porches, verandahs and their details should be retained and restored whenever possible.
- Model replacement features and building forms on the originals in style, size, proportions and materials, whenever possible.
- When in doubt, make changes reversible and as inconspicuous as possible.
- Record the alteration and retain samples of original materials that have been replaced.

5.2.2 Roofs

- If possible, during the alteration process, record the alteration and retain samples of earlier materials that have been replaced.
- Roof profile visible from the street should remain unaltered.
- Changes to portions of the roof not visible from the street are permitted.
- Replacement roofing material should be compatible with the age and architectural style of the specific property.

5.2.3 Windows

- Make efforts to re-build or recondition existing heritage- contributing windows before replacing them.
- Where existing heritage- contributing windows are too damaged to be reconditioned, new replacement windows should replicate the sash, stile, and muntin pattern of the original. Double-glazed wooden units with true muntins are preferred.
- “False” divided lights are permitted and should have true muntins at the exterior of the glass.
- Do not alter the location, size, and shape of all existing windows facing, or visible from, the street.
- Avoid creating new openings for windows on facades visible from the street.
- Avoid the use of mirrored glass.
- Avoid replacing hung sash windows with casement or other windows.
- Where a replacement window is used it should be energy efficient (such as Energy Star rated) wherever possible.

5.2.4 Cladding

- Make efforts to replace exterior cladding that has degraded beyond repair with new or reclaimed material to match.
- Existing exterior cladding that is appropriate to the age and architectural style of the property should not be covered over with different cladding.
- Cladding that is part of a new addition should be distinct from the cladding of the existing building.
- Acceptable cladding for a new addition includes: brick masonry; stone masonry; wood clapboard; fibre cement board with paint finish; stucco; wood shingles (where permitted by Building Code).
- Vinyl siding or asphalt shingles are not acceptable claddings for a new addition.

5.2.5 New multiple dwelling units in an existing building

- Required secondary means of egress should be integrated at the interior of the building. Where an exterior fire escape is required (and where permitted by Building Code), the fire escape should be located so that it is not visible from the street wherever possible.
- Hydro and gas meters, conduit, cable connections, telephone connections etc. should be located at the side of the building where access permits, or at the rear of the building wherever possible. No service connections or consumption meters should be located facing the street wherever possible, or should be screened within an open-able cabinet if on the street face.
- Parking spaces required by new dwelling units shall be accommodated on the street or in rear parking lots accessed by side driveways or laneways, where such access routes currently exist.

5.3 Guidelines for Additions to Contributing Properties

5.3.1 General

- Additions should be complementary to the main building and clearly secondary in terms of size; they should also be clearly distinguishable in form and detail.
- Additions should be located away from the main street facade, at the rear of the building, and not add to width of the front of the building.

- In exceptional circumstances where additions located at the side of the building are required/ possible, additions should be clearly set back from the principal elevation (façade) of the heritage structure in order to maintain the façade's visual prominence on the street, its main entrance, and its proportions.
- The height of the addition should be no more than that of the main building and, preferably, lower, in order to clearly distinguish it from the original building.
- Construction of additions should not entail removal, covering or other adverse impacts on the heritage attributes or other important architectural features of the original building.
- Additions should avoid causing irreversible changes to the original building.
- Rear addition roof ridgeline height should not exceed the existing building roof ridgeline or be within the angular plane described above. Where the existing roof is a mansard roof, the top of parapet will be considered as the ridgeline.

5.3.2 Rear Yards

- Rear additions should be differentiated from the original building by means of different cladding, a reveal, or a setback on the side yard.
- Rear additions on properties backing onto Water Street should be designed to have minimal visual impact on the views from the public right-of-way and the Canal.

5.3.3 Porches, Verandahs and Balconies

- Existing open-air porches, verandahs and balconies facing the street should remain unenclosed.
- Existing glazed-in porches, verandahs or balconies facing the street should remain glazed or revert to being unenclosed. Glazing should not be replaced with opaque cladding.
- New porches, verandahs and balconies are permitted to be added to an existing building where none currently exist provided that historical evidence and sufficient documentation concerning form and materials exists.

6. Guidelines for New Construction/Infill

6.1 General

- New buildings are not required to replicate an existing heritage style but should follow the facade proportions, proportion of window openings to wall area, materials, and design devices (e.g. cornices, string courses dividing storeys) of existing Contributing buildings in the area.
- Attempt to match the setback, footprint, size and massing patterns common on the streetscape in which the property is located, especially in the context of the immediate neighbouring properties.
- Take advantage of unique conditions, such as properties that have rear yards backing onto the public areas of Water Street and the Canal, by providing architectural details and features on both street facades or visible upper storeys.

6.2 Massing

- New construction should consider and respect the scale and massing of adjacent buildings, reflecting the base, middle and top of those buildings.
- New construction should generally maintain front wall alignment with adjacent existing buildings' front walls.
- New construction should respect the pattern of façade division by ensuring that the horizontal and vertical architectural elements are aligned with neighbouring buildings.
- New construction should maintain the height of adjacent buildings.

6.3 Roofs

- Gable or mansard roofs are recommended in residential properties.

6.4 Windows

- Windows should be vertically aligned from floor to floor and horizontally aligned with neighbouring buildings.
- Entries and display windows should be placed at regular intervals consistent with the pattern established on that block.
- A window/wall ratio that has a greater proportion of wall is preferred.
- Large blank expanses of glass are discouraged, but the appearance of divided lights is not required.

- Where 'false' divided lights are proposed, make efforts to use true muntins at the exterior surface of the glass.
- Hung sash, casement, awning, or hopper windows are acceptable.
- Do not use horizontal slider windows.
- Windows may be made of: wood; wood with painted extruded aluminum exterior; fibreglass with painted extruded aluminum exterior; vinyl with painted extruded aluminum exterior; thermally broken extruded aluminum frames with painted exterior finish.
- Avoid using white vinyl windows.
- Do not use mirrored glass.
- Use energy efficient (e.g. Energy Star-rated) windows.

6.5 Cladding

- Acceptable cladding materials include: Brick masonry; stone masonry; fibre cement board with paint finish; stucco; where permitted by Building Code.

6.6 Porches, Verandahs and Balconies

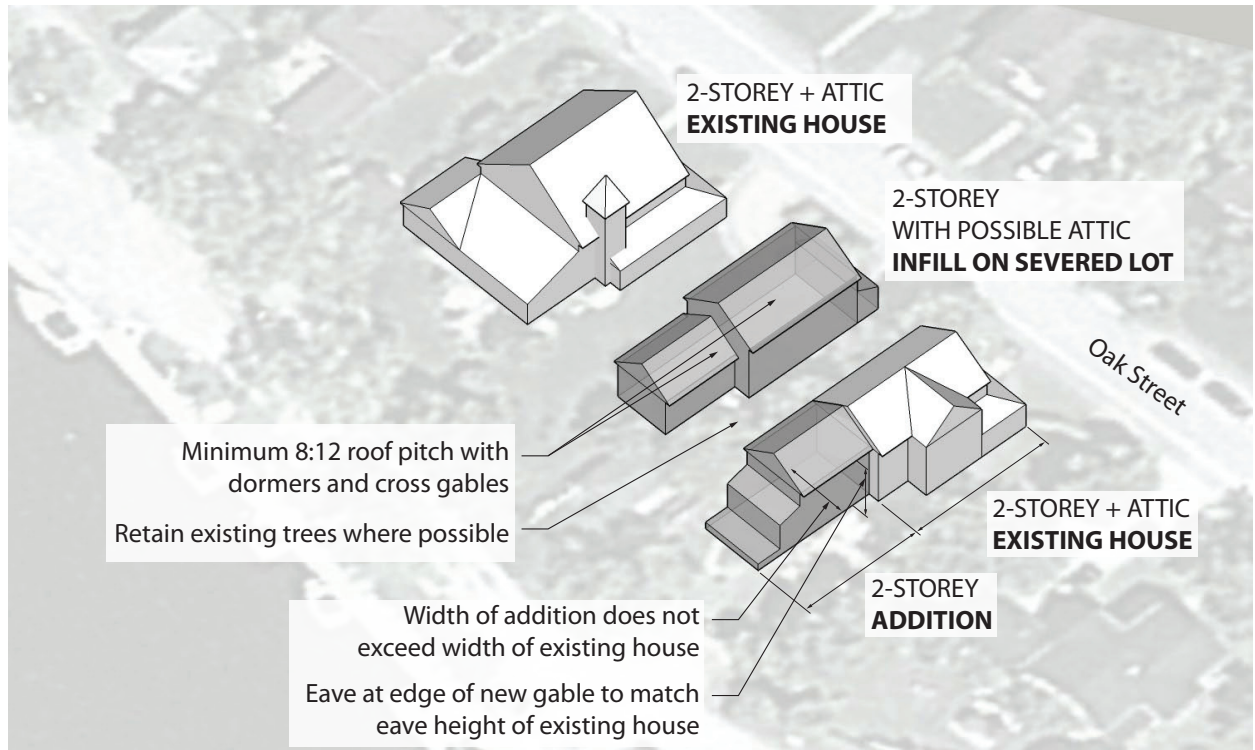
- Avoid using white vinyl windows.
- New balconies are acceptable.
- Open-air or glazed-in porches and verandahs are acceptable.

The following images show typical elements of the Contributing properties within the HCD and illustrate infill options that are compatible with the District's heritage attributes.

OAK STREET - TYPICAL RESIDENTIAL FACADE



OAK STREET - APPROPRIATE MASSING FOR INFILL AND ADDITIONS



7. Guidelines for Streetscapes and the Public Realm

7.1 Introduction

The assembly of building frontages, open spaces, and streets collectively make up the character of the District and, in combination, are greater than the sum of their parts. They constitute the “public realm”. They create a “sense of place” that is defined in this Plan as the “heritage character” which, in turn, is made up of the essential heritage attributes. These spaces were not originally designed as a unit, but were the result of many individual design decisions made incrementally, over time. However, there was consensus on some underlying principles that created a generally harmonious relationship between the different elements. It is these principles that form the basis for the following guidelines.

For general guidelines to be applied to urban heritage districts, refer to Section 4.1 of the Parks Canada *Standards and Guidelines* (2nd ed. or as superseded), especially the sub-sections addressing land use, visual relationships, and built features. As applied to Oak Street, the following guidelines cover streetscapes and the public realm.

7.2 Landscapes/Streetscapes

- The City should continue its program of replacing street trees. Gaps in the continuity of plantings should be filled as budgets permit.
- Chosen species must provide a shade canopy for the sidewalk and street and should have a good chance of thriving in the shallow, clayey soils prevalent in Kawartha.
- There should be no attempt to have falsely historic or otherwise decorative street lighting distinctive to the District. The City should use existing lighting poles and fixtures (or future substitutes) that are simple and unobtrusive.
- Street furnishings such as benches, trash receptacles and bicycle racks are a minor component of the District streetscapes. When the opportunity arises, new furniture should be compatible with the District’s heritage character but not falsely historic, and should be co-ordinated with the City’s standard selections of such furnishings for downtown installations. Municipal regulatory signage should be kept to a minimum and signs should be grouped on existing poles whenever possible.

- Consideration shall be given to having special street signage for streets within the District, in compliance with municipal signage standards.
- Existing trees in private rear yards should be conserved where possible. Parking and landscape treatments should be arranged so as to have no negative impact on the root zone, trunk or canopy of trees in rear yards.

PART D: IMPLEMENTATION PROCESS



8. Heritage Management

8.1 Introduction

Once the District is designated, all owners of property within the district, municipal staff, and City Council must comply with the requirements of the *Ontario Heritage Act* and the District Plan. After designation of a heritage conservation district, the municipality assumes responsibility for managing change within the District and for overseeing conservation and development activity.

This process need not be onerous. The District Plan identifies the types of changes in the District the City wants to encourage and provide the means to “fast-track” them, in most cases by exempting such changes from the requirement to apply for a heritage permit. In other words, to the extent permitted by the legislation, the heritage permit process is meant to be proactive rather than restrictive.

8.2 Heritage Permit Applications

The City’s primary management tool is an “Application for Alteration under the *Ontario Heritage Act*” (also known as a “heritage permit”) which is required for any action that may affect the heritage attributes/character defining elements within a Heritage Conservation District (HCD). These heritage attributes/character defining elements can be located on an individual property or in the public realm. Properties designated under Part IV of the *Act* may have additional aspects related to their reasons for designation that may require heritage permits (as in the case of designation of interior elements).

The “Application for Alteration under the *Ontario Heritage Act*” process is administered by the City heritage staff. Requests are processed according to the requirements of the *Ontario Heritage Act* and in accordance with Town requirements. Information concerning the application process can be obtained from the Economic Development Department.

8.3 Municipal Authority for Requiring an “Application for Alteration under the Ontario Heritage Act”.

The Council of the Corporation of the City of Kawartha Lakes has the authority under s.42(1) of the *Ontario Heritage Act* to grant, grant with terms and conditions, or refuse an application for a permit to alter, demolish or remove, or erect any building or structure within the HCDs. The *Act* states that:

No owner of property within the HCD shall do any of the following unless the owner obtains a permit from the municipality to do so:

- 1. Alter, or permit the alteration of, any part of the property, other than the interior of any structure or building on the property.*
- 2. Erect, demolish or remove any building or structure on the property or permit the erection, demolition or removal of such a building or structure.*

Applications for Alteration under the *Ontario Heritage Act* are required whether the owner is a private citizen, public agency, business or the municipality. The Province of Ontario and the Government of Canada, as senior levels of government, are exempt from the requirement but are encouraged to comply with the City’s application requirements.

8.3.1 When is an Application Required?

The *Ontario Heritage Act* stipulates that Applications for Alterations under the *Ontario Heritage Act* are required in HCDs only for work on the exteriors of buildings or structures, unless otherwise propertyed by another type of designation such as a Heritage Easement or Part IV (individual property) designation.

The following chart illustrates the typical steps that a property owner should take when contemplating any alterations, additions, or other work to their buildings and properties within the Heritage Conservation District. City staff have delegated authority to make decisions relating to specific works. Note that there are no non-contributing resources in the Oak Street HCD: this is a standard chart for HCDs in the City of Kawartha Lakes.

TABLE 1: HERITAGE PERMIT: CLASSES OF ALTERATIONS

Type of Work		Heritage Permit Required		Heritage Permit Approval Authority
		For Contributing Resources	For Non-Contributing Resources	
Maintenance For the purposes of the Heritage Conservation District Plan, maintenance shall be defined as the routine, cyclical, non-destructive actions necessary to ensure the long-term conservation of a protected heritage resource, and its heritage attributes. Actions undertaken under the scope of maintenance should use the same type of material to maintain the cultural heritage value of a protected heritage resource, in keeping with the design, colour, texture, and other distinctive features that is to be maintained. Typical maintenance actions include: <ul style="list-style-type: none"> periodic inspections; general property cleanup of rubbish and refuse; general gardening; painting; replacement of broken glass in windows with same; replacement of asphalt shingles with same; and/or any work defined as maintenance within Part IV of the <i>Ontario Heritage Act</i> designation by-law or easement agreement 		No	No	No Heritage Permit Required
Interior Renovation		No	No	No Heritage Permit Required
Outbuilding	Erection of a small outbuilding not requiring a Building Permit and is not visible from the street and/or will not impact the identified heritage attributes of a contributing resource	No	No	No Heritage Permit Required

Type of Work		Heritage Permit Required		Heritage Permit Approval Authority
		For Contributing Resources	For Non-Contributing Resources	
Windows	Window replacement, same material, size, and design	No	No	Approval Authority Delegated to City Staff
	Window replacement, different material, size, or design, where window is visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	No	
	Window open removal or addition, including skylight, where visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	No	
	Shutter replacement, same material, size, and design	No	No	
	Shutter replacement, different material, size, or design	Yes	No	
	Shutter removal or addition	Yes	No	
Doors	Door replacement, same material, size, and design	No	No	Approval Authority Delegated to City Staff
	Door replacement, different material, size, or design where door is visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	No	
	Addition of storm or screen door	No	No	
	Door opening removal or addition where visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	No	
Roof	Re-roofing, same material and colour	No	No	Approval Authority Delegated to City Staff
	Re-roofing, different material or colour	Yes	No	
	Alteration to roofline	Yes	No	
Porch/Verandah	Porch/verandah replacement, same materials, size, and design	No	No	Approval Authority Delegated to City Staff
	Porch/verandah replacement, different materials, size, and design where visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	No	
	Porch/verandah removal or addition where visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	No	

Type of Work		Heritage Permit Required		Heritage Permit Approval Authority
		For Contributing Resources	For Non-Contributing Resources	
Cladding, Soffit & Fascia, and Trim	Soffit and/or fascia replacement, same materials	No	No	Approval Authority Delegated to City Staff
	Soffit and/or fascia replacement, different materials	No	No	
	Replacement of siding/cladding, same material, colour	Yes	Yes	
	Removal/installation of cladding/siding, different material, colour where visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	Yes	
	Replication of decorative trim, same material, colour	No	No	
	Decorative trim removal or addition, different material, colour	Yes	No	
Other Exterior Alterations	New or increased parking areas (especially front yard)	Yes	Yes	Approval Authority Delegated to City Staff
	Repaving of existing parking area without expansion, same material	No	No	
	Repaving of existing parking area without expansion, different material	No	No	
	Addition or alteration visible from the street and/or may impact the identified heritage attributes of a contributing resource (e.g. solar panel)	Yes	Yes	
	Chimney repointing, same material, design	No	No	
	Chimney replacement, different material, design	Yes	No	
	Chimney removal or addition	Yes	No	
	Repair to eaves trough, same material, design	No	No	
	Repair to eaves troughs, different material, design	No	No	
	Addition of/change to eaves trough	No	No	

Type of Work		Type of Work		Heritage Permit Approval Authority
		For Contributing Resources	For Non-Contributing Resources	
Major Interventions	Erection of a new building or structure (requiring a Building Permit) on same property, where new building or structure is visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	Yes	Council Approval Required
	Addition or major alteration visible from the street and/or may impact the identified heritage attributes of a contributing resource	Yes	Yes	
	Demolition of an existing structure (Demolition Permit)	Yes	Yes	
	Relocation of an existing structure to another location	Yes	Yes	

8.3.2 What is the Application Approval Process?

All applications for approval must follow the requirements of the *Ontario Heritage Act*. In order to do so, the application for alteration (heritage permit) process is as follows:

Step 1: Applicant meets with City heritage staff to discuss the proposed work and to review the application process.

Step 2: Applicant makes application.

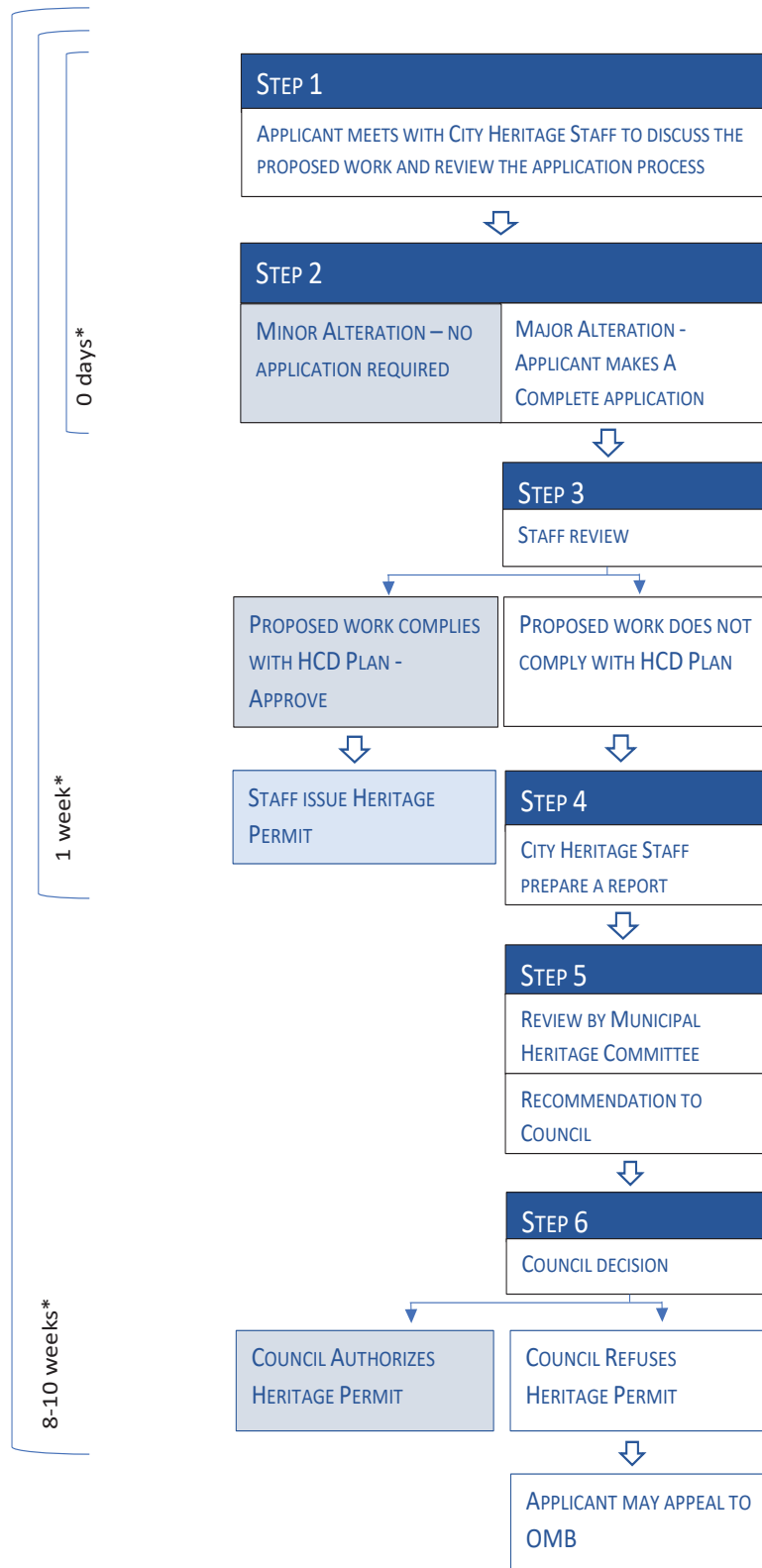
Step 3: There are four versions of this step, depending upon the type of application (see the accompanying chart).

Heritage staff review the application and:

- a) grants the application with no conditions;
- b) grants with conditions;
- c) refuses the application; or
- d) determines that the application is a major alteration requiring further review by the Municipal Heritage Committee and approval by Council.

In the case of c) or d), Heritage staff submits a report with the application to the Municipal Heritage Committee. The Municipal Heritage Committee reviews the report and application and makes recommendations to Council. Council can then decide to grant, grant with conditions, or refuse the application. The applicant has the right to appeal refusal to the OMB (under Section 44 of the *OHA*). In addition, staff or an applicant has the option to request that any application be forwarded to the Municipal Heritage Committee for their consideration.

APPLICATION FOR ALTERATION PROCESS



Some examples of terms or conditions that heritage staff, Municipal Heritage Committee and Council may request include:

- If the proposed development could involve significant changes to the character of the District¹, or is adjacent to the District, the City may require the proponent to supply a Heritage Impact Assessment and/or Conservation Plan, to be prepared by a qualified heritage consultant², analyzing the impact of any proposed work on the heritage attributes of the property, neighbouring properties, and the HCD as a whole. The report contains a fitting conservation strategy and recommends approval of the permit application as submitted, provides alternatives, or recommends refusal. Requirements for the scope and format of Heritage Impact Assessments are to be determined in consultation with City heritage staff.
- Documentation of the property prior to the work being proposed in the application. This typically involves historical research, photography of current conditions, measured drawings and may also include requirements for salvage of identified components. Copies of the documents are typically submitted to the municipality for their records.
- Archaeological assessments³.
- A heritage conservation easement agreement under the *Act*, to be registered on title, or similar covenant, requiring standards of maintenance or conservation work in return for permitted financial or planning incentives.
- Commemoration of the property, for example through installation on the property of an interpretive plaque.

¹ Note that this requirement also applies to properties that are adjacent to the District. In this context, “adjacent” is defined according to the meaning described in this HCD Plan.

² Such a person is to be a member of the Canadian Association of Heritage Professionals (CAHP) and have experience in Heritage Conservation Districts.

³ A Stage 1 archaeological assessment for the Oak Street HCD should be considered by the City to help implement the Plan’s policies and guidelines. Stage 2, 3 or 4 archaeological assessments may be required by the City for proposed works in areas identified in the Stage 1 assessment as having high archaeological potential.

A complete application for a heritage permit must be consistent with the requirements of the *Ontario Heritage Act* and the City of Kawartha Lakes.

Once a complete application has been submitted, the *Act* requires the municipality to either grant or refuse the permit within a period of 90 calendar days. Approval will be granted as long as:

- There are no material changes to plans, specifications, documents or other information that forms the basis for issuing the permit, and;
- The work is carried out in accordance with the plans, specifications, documents or other information.

For projects requiring a building permit, the applicant must apply for a building permit as well as a heritage permit: the two review processes will proceed simultaneously. For projects requiring Site Plan Approval, or an amendment to the Zoning By-law or Official Plan, separate applications for these actions must also be made, for review by relevant municipal staff.

For major alterations, the City may require securities to ensure that the proposed work is carried out according to the requirements and conditions of the application for alteration. For municipal works, the City should ensure that contractors have sufficient insurance to cover any damage. The City should consider establishing a committee comprised of the City planning and heritage staff, the Chief Building Official and representatives of the relevant City Departments, to monitor the execution of the application of alteration.

8.3.3 What Should Applicants do to Prepare for an Application?

To make the process as smooth as possible for all concerned, applicants should do some background research. Suggested actions include the following:

- Become familiar with the HCD Plan objectives, policies and guidelines;
- Review the property description in the inventory and evaluation attached to this Plan, noting the building features and heritage attributes outlined in this Plan;
- Become familiar with standard principles and practices for heritage conservation work, as found in the *Ontario Heritage Tool Kit* and the federal *Standards and Guidelines for the Conservation of Historic Places in Canada* (2010 ed. or as updated.);
- Collect any available documentary research on the history of the property;

- Think of the ways in which the subject property fits within the streetscape and how the proposed work can be integrated; and
- Arrange a meeting with heritage planning staff to preview the application prior to submission.

APPENDICES

A. Monitoring the Plan's Effectiveness

With a limited number of properties and a predominantly residential character, the District will have a limited number of changes over time. Since this District will be one of the first to be designated within the City of Kawartha Lakes, it is important for the City, as well as for local residents, to see the ways in which change has been managed following designation, and to rectify any problems with the conservation and regulatory processes. Therefore, it is recommended that a monitoring program be put in place subsequent to the passage of the designating by-law, containing:

- Tracking of building permit applications applied for and granted, by type, completeness and location;
- Tracking of applications for Site Plan Control, or amendments to the Zoning By-law or Official Plan applied for and granted, by type, completeness and location;
- Recording number of applications for all types of permits delegated to staff for review, and those reviewed by the Municipal Heritage Committee;
- Average time required to review and process heritage permit applications; and
- Comments received from the public, City staff and Council regarding conservation and regulation within the District.

City heritage staff will be responsible for monitoring the implementation process. It is suggested that the monitoring process be undertaken on an annual basis.

In the longer term, consideration should be given to reviewing the HCD Plan policies and guidelines only as necessary to reflect any changes in municipal or Provincial heritage policy, or in response to changes in procedures or functions within the City of Kawartha Lakes.

B. Risk Management Strategies

Although there is little likelihood of a major fire or natural disaster causing extensive damage to a large number of properties within the district, it is prudent for the municipality to have disaster management plans available should those events occur. At a smaller scale, loss of individual properties requires redevelopment that respects the district's heritage character. Using the policies and guidelines of the District Plan, the rebuilding process can be assured of doing so.

The process for preparing for, and dealing with, both natural and human-made disasters has been addressed at an international level. The International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM) published a document that provides a framework for producing a local emergency response process. Even though directed at World Heritage Sites, the 1998 publication entitled "Risk Preparedness: A Management Manual for World Cultural Heritage" has principles and practices that are applicable to municipalities. General guidelines applicable to Oak Street are found below and include those for advance planning, for responses during an emergency, and for the recovery period afterwards.

Guidelines for advance planning include the following:

Documentation of existing heritage resources:

- Identification of cultural resources within the HCDs that would require special care in an emergency (e.g. architectural details, cultural landscape elements);
- Evaluation of cultural resources to determine heritage attributes (if not already undertaken);
- As-found documentation of cultural resources (buildings, landscapes, archaeological sites) sufficient to allow reconstruction or replacement;
- For built heritage resources, ongoing provision of information to technical professionals (e.g. architects, engineers, skilled trades) in traditional techniques of construction useful in reconstruction or replacement; and
- In the case of built heritage resources and cultural landscapes damaged in a disaster, documentation of the response (e.g. repair/reconstruction/replacement) and recording of lessons learned.

Risk Analysis

- Determination of the types of threats most likely to affect the cultural heritage resources within the HCDs (hazards), the degree of threat (vulnerability) and the resulting level of risk (hazard vulnerability);
- Identification of the portions of properties that would be most vulnerable to damage, and making recommendations for reducing potential damage;
- Assessment of municipal services, including public and private building substructures, that could be vulnerable, and making recommendations for their protection;
- Identification of the most common emergencies that could be expected on properties within the HCDs, and mapping of areas having the most risk; and
- Acquisition of insurance to cover risk (public and private property), to cover all hazards to address liability for emergency response activities and post-emergency reconstruction work.

Emergency Response Plans

- Compilation of a list of qualified emergency response specialists, available for various aspects of response, including salvage/conservation rescue (e.g. heritage architects and landscape architects, skilled trades people, project managers, materials suppliers) and keeping the list current.

Mitigation in Advance of Disasters

- Retrofitting of vulnerable built heritage resources (and, where possible, cultural landscapes) to add strength/cover to resist stresses (e.g. structural reinforcement, flood-proofing);
- Provision of storage space and conservation measures for moveable heritage resources in the event of an emergency (e.g. archival storage); and
- Provision of information on mitigation techniques and measures.

Financial Measures

- Provision, in the municipal budget and budgets of private property owners, of emergency funds for immediate response and for long-term repair and restoration of cultural heritage resources.

The report includes guidelines for responses that will be needed during an emergency. These include:

- Creation of an emergency response team of conservation professionals whose job it is to assess and document the impacts of the disaster and to recommend/provide:
 - o Short-term measures for stabilization security and safety;
 - o Priorities for long-term repair and restoration;
 - o Assessments of instances of imminent loss and loss; and
 - o Identification of needs for further survey.

The report ends with guidelines for responses that would be suitable in the period following the disaster. These include:

- Rebuilding and reconstruction activities:
 - o Understanding and application of appropriate conservation principles standards (i.e. the Parks Canada “Standards and Guidelines for the Conservation of Historic Places in Canada (2010 ed.)” and the policies and guidelines of the subject District Plan);
 - o Implementation of the heritage permit application process found in the District Plan;
 - o Ongoing information programs for those undertaking repair and restoration activity, based on the guidelines of the District Plan;
 - o Identifying and confirming suitable suppliers of materials and skills, using the list compiled in the emergency response plan;
 - o Identifying components of damaged properties that continue to be safe to use, based on the report of the emergency response team, and including inspection of municipal serving infrastructure; and
 - o Post-disaster monitoring of the effectiveness of the response measures, and recommendations for improvements to existing emergency response guidelines.

C. Incentive Programs

Incentives of various kinds can be effective ways of encouraging owners to maintain and enhance heritage properties. At present, however, there are no programs at either the federal or Provincial level that offer financial assistance to property owners for conservation work on heritage properties. That said, the City will continue to monitor both levels of government for any such programs and will apply for funding to support heritage conservation. There have been different types of incentives available in the past, from both the Provincial and federal governments, and these have included grants, loans and preferential tax treatment. Another common form of incentive that is popular with many property owners is a faster approval process made possible by clear definition of requirements, support by qualified public service staff, and exceptions from certain building regulations. Some of the most effective incentive programs in Ontario have included:

- A clear and efficient review process for heritage permit applications, to save time and money
- Property Tax Relief Program for improvements to heritage properties
- Façade grants
- Full use of the provisions in the Ontario Building Code that allow exceptions for heritage properties

D. Consultation Process

Date: Sunday, 28 August, 2016, 2:00-5:00 p.m.

Place: Fenelon Falls Museum

Attendees: Craig Backman, Tim and Linda Kieley, Angie Wildgoose, Mike Barkwell, Glen Roberts, John Livingstone, David and Lynn Evans, Charlene Loncoa, Merrill Pierce, Elizabeth and Harvey Korn, Clr. Doug Elmslie, Debra Soule (City staff), Carl Bray, Marc Letourneau, Barry Sampson (all of the consulting team).

The workshop's purpose was to introduce the next phase of the heritage conservation district planning process – the Heritage Conservation District (HCD) Plan. The workshop was held at the beginning of the Plan phase. As a result, the discussion focused on the types of policies and guidelines for conservation and development that local residents would prefer, based on what is typically found in HCD Plans. Ms. Soule and the consulting team provided a brief introduction, after which the discussion resulted in the following main comments:

- The study area is stable but could be impacted by lot consolidation (leading to demolition of existing housing and development of medium density residential or institutional buildings taking advantage of the waterfront location).
- Property standards enforcement is an ongoing concern (one property in particular).
- Parking and traffic generated by visitors to the museum is an issue, as is the traffic to and from the public boat launch.
- There was a general consensus that there should be flexibility in what property owners can do with their buildings, so that there would not be restrictions on such changes as paint colour or window type, and that guidelines should offer options for these and related types of maintenance, alteration or addition. There was a general sense that most property owners would take good care of their heritage buildings and grounds (which are a main reason for living here) and needed regulation only to help ensure that all property owners did so.
- There was a common wish to re-establish shade street trees in the public right-of-way.
- There was discussion about the newer houses within the study boundary and whether they might be replaced in future with more compatible designs.

There were a few objections to regulations of any kind in the context of doubts over the need for District designation. However, there was majority support for designation and for the residents' ongoing role in contributing to the District planning process. One issue that remained unresolved was the wish on the part of property owners on Francis Street to have their properties removed from within the District, with the result that only properties flanking Oak Street would be designated. Staff and the consulting team agreed to consider this option.

Date: Tuesday, 25 October, 2016, 5:30-6:30 p.m.

Place: Fenelon Falls Community Centre

Attendees: Mike Barkwell, Glen Roberts, Doug Oxley, David Evans, Clr. Doug Elmslie, Debra Soule (City staff), Carl Bray, Marc Letourneau, Andrew Ashbury (all of the consulting team).

The workshop's purpose was to introduce the Oak Street HCD Advisory Committee to preliminary contents of the Heritage Conservation District (HCD) Plan. The workshop was held at the middle of the Plan phase. As a result, the discussion focused on comments on the preliminary policies and guidelines for conservation and development in the current draft Plan. Ms. Soule and the consulting team provided a brief introduction, after which the discussion resulted in the following main comments:

- Remove Francis Street properties from boundary, confine to properties bordering Oak Street
- Stage 1 archaeological assessment of public lands: they have been heavily disturbed by railway construction
- Conservation of oak trees needed, preceded by a tree condition survey
- Traffic management needs to be improved (people lost or heading to the museum)
- Need success and failure stories for HCDs
- The City could consider financial incentives to property owners similar to those offered for septic system upgrades

The following are more detailed notes, by topic, taken by Andrew Ashbury.

HCD proposed boundary:

- Recognize advantage of excluding the north properties on Francis St for simplified shape, more concentrated, centered on Maryboro; some are part-time residents, could be swayed, sentiments not towards opt-out
- Could designate Francis St properties as designated individual properties
- Questions arising in neighbourhood about HCD impact on property values
- Recognize concern about opt-out cascade leaving "swiss cheese" boundary
- Additional properties can opt-in later
- Reopen boundary discussion and review every 5-10 years anyways
- City intends to build a splash pad east of the treatment plant

Archeological potential:

- HCD area has high archeological potential, particularly as historical first nations settlement
- HCD area has high archeological potential includes proposed splash pad location, however disturbed by berms for railway that have since been removed, contamination associated with former railway tie plant may have been found, removed, capped under new soil
- Stage 1 archeological assessment can avoid requiring individual owners pay for archeological study when building additions, etc., now a requirement anyways (HCD or not) for new infrastructure upgrades, likely including splash pad
- Stage 1 archeological assessment requires background research that has mostly been completed for the HCD study
- Enbridge gas line follows former railway and Francis Street, may have precipitated archeological study already
- archeological assessments:
 - o stage 1: no field work
 - o stage 2: 5m interval test holes
 - o stage 3: positive test holes proceed with detailed excavation, or left in situ, or removal for preservation
- stage 1 example: Peterborough: full mapping of high, medium and low probability archeological sites

Vegetation:

- characteristic vegetation is oaks remaining from the Bur Oak grove and sugar maples along the right of way
- waterfront side lost white pine
- Hydro has authority to remove any tree; imminent work required on poles
- Utilities Kingston precedent: sought unrestricted authority to remove trees amidst continuous increasing power requirements and maintenance, but some flexibility for preservation by dodging through canopy, replacing lines on same side of street as existing
- Hydro will ultimately have licence to remove but conversation can be initiated sooner than later to make adjustments and preserve, also can have arborist and archeologist on side during hydro work to negotiate
- Particular neighbour's oaks and pines are dying
- Tree condition survey could be done, oaks are at end of lifespan

- Glen Walker (resident) thought inventory of trees was done recently, perhaps by Sir Sanford Fleming College
- City has one or two arborists on staff [Note: this has not been confirmed by City staff]

Policy strategy:

- Recognized preference for permissive rather than restrictive policy framework:
 - appropriate new development or redevelopment
 - enhancing public realm
 - long term conservation
 - parking policies
 - demolition policies
 - property standards
 - other public realm and public works policies
 - new infill form, scale and massing: flexibility in design without permitting massive scale, ties into zoning regulations
- Recognize preference for guidelines on architectural best practices to have less focus on details like windows, doors, etc.:
 - Architectural conservation best practices
 - Vegetation planting recommendations
 - New infill design
 - Intention to prefer square or vertical emphasis rather than horizontal; must address unwanted prominent garages and larger windows; want to direct towards complementary details, brick, wood, instead of steel, glass; want side driveway and additions or garages to be at rear
- Recognized preference to prevent lot consolidation (or set maximum lot size)
- Recognized preference to permit severance: strong opposition to restrictions on severing or selling lot someday

Parking:

- Parking policies to be incorporated
- Better traffic management needed: example of RV backing all the way down street, unsafe one lane junction

Worst-case scenario documents: fire, flood, tornado

- Useful to have risk management strategy: advance, at the time, after
- Can try to minimize response delay by council or ministry of labour

Potential incentives:

- Grants and loans less optimal
- Facade grants, tax relief, development charge discounts, parking benefits, etc. could be provided via Community Improvement Plan
- Examples: 5-year holiday from tax increases after heritage renovation, waiver of development, permit, Kawartha conservation fees
- Not huge amounts but tangible incentives

Next steps:

- Intend to wrap up HCD in January
- Presentation will be emailed around for other residents that couldn't attend tonight
- Request for examples of success stories and failures from previous HCD initiatives: great economic impact study titled The Lazarus Effect (by Heritage Resources Centre at University of Waterloo, free to read online)
 - o Heritage renovations produce local jobs, local value, local small business, tourism, revitalization
 - o Warnings as well, must avoid over-regulation (won't work if too restrictive or complex) and excessive costly time delays
- Potential to circulate guidelines prior to next meeting so people can react and be prepared to provide feedback

Oak Street Advisory Committee Meeting

Date: April 12, 2017 (6:30 p.m.)

Place: Fenelon Falls Community Centre

Attendees: Doug Elmslie, Glen Roberts, Sandra Backman, Anne Mackay, Stewart Branson, Mike Barkwell, Mike Sloboda, Bill Bateman, Linda Kieley, Tim Kieley, Debra Soule, Carl Bray

The purpose of the meeting was to review the draft final HCD Plan and to record comments from the local residents on the Committee. A summary of these comments is provided below:

- Questions about what the City can offer residents in terms of incentives (e.g. tax holidays similar to those available for properties within the adjacent Fenelon Falls downtown CIP)
- Concerns about loss of street trees through removals by hydro utilities (formerly an average of 3 trees for each lot frontage)
- Concerns about bright, high street lights and uneven, asphalt sidewalks
- Concerns about traffic and parking, need for City to prepare a traffic management plan
- Questions about what is “in it” for property owners: response was that it is a risk management tool, protecting your investment by precluding unsympathetic development within the HCD, and providing incentive for the City to invest in streetscape improvements
- Wish to have street tree planting, shorter street lights and better sidewalks (designed to fit the HCD character)
- Questions about views from the HCD to and across the Canal (potential designation of properties on the other side, to conserve the view) and to abutting properties on Francis Street (adjacency policies under the OP and PPS address that via requirement for a Heritage Impact Assessment for any development on those properties that could affect the heritage attributes of the HCD)
- Suggestions for amendments to the Zoning By-law to specify minimum lot sizes (based on the average sizes of the current lots)
- Support for the suggestion of the City preparing a source list of qualified tradespeople for heritage conservation work
- Suggestions for sources of historical photos to assist property owners with restoration of original features (check the local history by Marg Adams “Fenelon Falls Then and Now”, ask John Hoskins, former chair of the Fenelon Falls Historical Society)

ON-LINE SURVEY RESULTS

An on-line survey of comments on District designation was sent to all property owners in the study area. There were 6 responses. There was consensus that the Francis Street properties should be excluded from the District and that Oak Street paving and sidewalks should be improved. There was also a request to reduce vehicular traffic.