

The Corporation of the City of Kawartha Lakes

Minutes

Regular Council Meeting

CC2019-31

Tuesday, December 10, 2019

Open Session Commencing at 10:00 a.m.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Mayor Andy Letham

Deputy Mayor Doug Elmslie

Councillor Ron Ashmore

Councillor Pat Dunn

Councillor Patrick O'Reilly

Councillor Tracy Richardson

Councillor Kathleen Seymour-Fagan

Councillor Andrew Veale

Councillor Emmett Yeo

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1. Call to Order

Mayor Letham called the Meeting to order at 10:00 a.m. Deputy Mayor D. Elmslie and Councillors R. Ashmore, P. Dunn, P. O'Reilly, T. Richardson, K. Seymour-Fagan, and A. Veale were in attendance.

CAO R. Taylor, City Clerk C. Ritchie, Administrative Assistant S. O'Connell and Directors J. Rojas, B. Robinson, R. C. Shanks, C. Marshall, City Solicitor R. Carlson, and Treasurer C. Daynes were also in attendance.

Late Arrival:

Councillor Yeo (10:17 a.m.)

Director Sutherland (10:12 a.m.)

2. Opening Ceremonies

2.1 O Canada

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

2.2 Moment of Silent Reflection

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

2.3 Adoption of Open Session Agenda

CR2019-702

Moved By Councillor Richardson

Seconded By Councillor O'Reilly

That the Agenda for the Open Session of the Regular Council Meeting of Tuesday, December 10, 2019, be adopted as circulated and with the following amendments:

Additions:

Item 11

Special Council Meeting Minutes - December 3, 2019

Item 13.1.1

Correspondence Respecting Report PLAN2019-072

Michael Testaguzza, The Biglieri Group Ltd.

Item 13.1.2

Correspondence Respecting Report PLAN2019-072

Martyn J. Stollar, J. Stollar Construction Limited

Item 13.2

Planning Advisory Committee Minutes - December 4, 2019 (PC2019-12)

Item 13.5

Planning Advisory Committee Minutes - December 4, 2019 (PC2019-13)

Item 14.2.2

Correspondence - The Proposed 2019 Development Charges Background Study, The Proposed New Development Charges By-law and the Proposed Development Charges Assistant Policy, Report EA2019-018

Item 17.1.2

By-law to Amend By-law 2018-234, being a By-law to Establish and Require Payment of Fees for Information, Services, Activities and Use of City Property in the City of Kawartha Lakes (Consolidated Fees By-law)

Carried

3. Disclosure of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

4. Notices and Information by Members of Council and Staff

4.1 Council

Councillor Richardson made the following announcements:

- The Bethany United Church will be hosting a Breakfast with Santa on December 14, 2019.
- The Ballyduff United Church will be hosting a Christmas Eve Service in recognition of their 100th Anniversary.
- The 407 extension at Highway 115 opened on December 9, 2019.

Councilor Ashmore made the following announcements:

- Local resident James Clark represented the City of Kawartha Lakes on the world stage by competing in the Mixed Martial Arts World Championship which was held in Singapore.
- A new hardware store has opened within the Mister Convenience in Omemee. The new retail space offers contractor grade items which are available to contractors and the public.

- The Dunsford Santa Claus Parade will be held on December 15th at 2:00 p.m.

Councillor O'Reilly made the following announcements:

- The Christmas Show and Market will be held at the Victoria Park Armoury in Lindsay from December 14th to December 21st.
- The Lindsay Kinsman Toy Drive is ongoing and collection barrels are located throughout Lindsay and Kawartha Lakes.
- It is with sadness that we announce the recent passing of long time business person Mr. Bob Brown. Mr. Brown was the owner of Brown's Furnace and Sheet Metal.
- Volunteers are needed for the International Plowing Match that will be held at the Lindsay Exhibition in 2020; anyone interested in volunteer are asked to contact Councillor O'Reilly.
- Kelly Isfan has been appointed as the new CEO for Ross Memorial Hospital

Councillor Veale made the following announcements:

- The Little Britain Santa Claus Parade will be held on December 13th.
- The Woodville Santa Clause Parade will be held on December 14th.

4.2 Staff

There were no announcements made by Staff.

5. **2019 Deputy Mayor Report**

Deputy Mayor Elmslie reflected on his time as Deputy Mayor for the City of Kawartha Lakes. Deputy Mayor Elmslie thanked his fellow councillors, staff and members of the public for their support as he executed the duties associated with the position. Deputy Mayor Elmslie outlined the importance of the Deputy Mayor position how it was an honour to be Deputy Mayor for the 2019 calendar year.

6. **2020 Deputy Mayor Election**

Presiding Officer - Cathie Ritchie, City Clerk

6.1 CC2019-31.6.1

Call for Nominations for Deputy Mayor

C. Ritchie, City Clerk, called for nominations for Deputy Mayor.

Nominated By Deputy Mayor Elmslie
Seconded By Councillor Richardson

That Councillor O'Reilly be nominated as Deputy Mayor for the City of Kawartha Lakes.

There was a second and final call for nominations for Deputy Mayor.

CR2019-703

Moved By Deputy Mayor Elmslie
Seconded By Councillor Ashmore

That nominations for the election of Deputy Mayor be closed.

Carried

Councillor O'Reilly was acclaimed as Deputy Mayor for the City of Kawartha Lakes for the 2020 calendar year.

6.2 CC2019-31.6.2

Introductory Remarks from the Deputy Mayor Elect

Deputy Mayor Elect O'Reilly thanked Council for the nomination to the position of Deputy Mayor for the 2020 calendar year. Deputy Mayor Elect O'Reilly noted the importance of the Deputy Mayor position and how he looks forward to working with council, staff and members of the public in the coming year.

7. **CC2019-31.7**

Launch of the 2020-2023 Strategic Plan

Ron Taylor, CAO

Brenda Stonehouse, Strategy and Performance Specialist

CAO Taylor introduced the launch of the 2020-2023 Strategic Plan.

B. Stonehouse, Strategy and Performance Specialist provided an overview of the process that was followed to draft the proposed Strategic Plan. The draft plan will be available for public comment until January 5th through the "Jump In" portal. It is anticipated that the final version of the Strategic Plan will be included within the January 14th Committee of the Whole meeting.

CR2019-704

Moved By Councillor Seymour-Fagan
Seconded By Councillor O'Reilly

That the presentation by CAO Taylor and Brenda Stonehouse, Strategy and Performance Specialist, **regarding the launch of the 2020-2023 Strategic Plan**, be received.

Carried

8. CC2019-31.8

Launch of Procedural By-law and Code of Conduct Review

Cathie Ritchie, City Clerk

R. Taylor provided opening remarks pertaining to the review of the Procedural By-law and the Code of Conduct review. C. Ritchie, City Clerk, outlined how the review of the Procedural By-law and the Code of Conduct will be approached. It is anticipated that the revised documents will be circulated at the end of December and considered at the January 14th Committee of the Whole meeting.

CR2019-705

Moved By Councillor Veale

Seconded By Councillor Richardson

That the presentation by C. Ritchie, City Clerk, **regarding the launch of the Procedural By-law and Code of Conduct Review**, be received.

Carried

9. Closed Session

9.1 Adoption of Closed Session Agenda

CR2019-706

Moved By Deputy Mayor Elmslie

Seconded By Councillor Veale

That the Closed Session agenda be adopted as circulated.

Carried

9.2 Disclosure of Pecuniary Interest in Closed Session Items

There were no declarations of pecuniary interest noted.

9.3 Move Into Closed Session

CR2019-707

Moved By Councillor Yeo

Seconded By Councillor Richardson

That Council convene into closed session at 10:31 a.m. in order to consider matters on the Tuesday, December 10, 2019 Closed Session Agenda and that are permitted to be discussed in a session closed to the public pursuant to Section 239(2)(b, c, d, e, f, h) of the Municipal Act, S.O. 2001. S.25.

Carried

11. Council Minutes

Special Council Meeting Minutes - November 13, 2019
Regular Council Meeting Minutes - November 19, 2019
Special Council Meeting Minutes - November 26, 2019
Special Council Meeting Minutes - December 3, 2019

CR2019-717

Moved By Deputy Mayor Elmslie

Seconded By Councillor Seymour-Fagan

That the Minutes of the November 13, 2019 Special Council Meeting, November 19, 2019 Regular Council Meeting, November 26, 2019 Special Council Meeting and December 3, 2019 Special Council Meeting, be received and adopted.

Carried

The meeting recessed at 11:48 a.m. and reconvened at 1:00 p.m.

10. Matters from Closed Session

Item 9.3.2

CR2019-718

Moved By Councillor Richardson

Seconded By Councillor Veale

That the following members of the public be appointed to the Kawartha Lakes Accessibility Advisory Committee (AAC); Andre O'Bumsawin, Sonya Fox, Mary Jean (Gigi) Porteous; each for the remaining term of Council.

Carried

Item 9.3.3

CR2019-719

Moved By Deputy Mayor Elmslie

Seconded By Councillor Seymour-Fagan

That the following member of the public be reappointed to the Fenelon Landfill Public Review Committee:

Julia Taylor for a term of four years (2019-2023).

Carried

Item 9.3.4

CR2019-720

Moved By Councillor Dunn

Seconded By Councillor Yeo

That the following member of the public, being Robyn James, be appointed to the City of Kawartha Lakes Environmental Advisory Committee for a term commencing January 1, 2020 and expiring December 31, 2022.

Carried

Item 9.3.5

CR2019-721

Moved By Deputy Mayor Elmslie

Seconded By Councillor Veale

That Report WWW2019-013, **Operations and Maintenance of City Owned Facilities**, be received.

Carried

Item 9.3.6

The City Solicitor provided an update pertaining to litigation commenced by the City against Greer Galloway Group Inc., being Court File 0084/16, and received instruction pertaining to the same.

Item 9.3.8

The Manager of Human Resources provided an update regarding the CUPE 855 Settlement Ratification

Item 9.3.7

The City Solicitor provided an update to Council on Case PL120217 before the Local Planning Appeal Tribunal, being the City of Kawartha Lakes Official Plan 2012 and Secondary Plans thereto, and received instruction pertaining to the same.

12. Deputations

13. Planning Advisory Committee

13.1 Correspondence Regarding Planning Advisory Committee Recommendations

13.1.1 CC2019-31.13.1.1

Correspondence Respecting Report PLAN2019-072, being File D01-2018-005, D006-20118-026, D005-004 and D19-2019-001, Lands at the Northeast Corner of Colborne Street West and Highway 35 - Lindsay 2017 Developments Inc.

Michael Testaguzza, The Biglieri Group Ltd.
(Item 13.3.5 on the Agenda)

CR2019-722

Moved By Councillor O'Reilly

Seconded By Councillor Richardson

That the December 3, 2019 correspondence from Michael Testaguzza, The Biglieri Group Ltd., **regarding Report PLAN2019-072, being File D01-2018-005, D06-2018-026, D19-2019-001, Lands at the Northeast Corner of Colborne Street West and Highway 35 - Lindsay 2017 Developments Inc.**, be received.

Carried

13.1.2 CC2019-31.13.1.2

Correspondence Respecting Report PLAN2019-072, an Application for Draft Approval for a Proposed Mixed-Use Residential and Commercial Plan of Subdivision for 563 Residential Units

Martyn Stollar, J. Stollar Construction Limited
(Items 13.3.2 and 13.3.5 on the Agenda)

CR2019-723

Moved By Deputy Mayor Elmslie

Seconded By Councillor Ashmore

That the December 7, 2019 correspondence from Martyn J. Stollar, J. Stollar Construction Limited, **regarding PLAN2019-072, an Application for Draft Approval for a Proposed Mixed-Use Residential and Commercial Plan of Subdivision for 563 Residential Units**, be received.

Carried

13.2 Planning Advisory Committee Minutes - December 4, 2019 (PC2019-12)

CR2019-724

Moved By Councillor O'Reilly

Seconded By Councillor Veale

That the Minutes of the December 4, 2019 (PC2019-12) Planning Advisory Committee Meetings be received and the recommendations, included in Section 13.3 of the Agenda, be adopted.

Carried

13.3 Business Arising from Planning Advisory Committee Minutes of December 4, 2019 (PC2019-12)

13.3.1 PAC2019-078

That the deputation of Bryce Jordan, GHD (on behalf of 257532 Ontario Inc.), regarding Report PLAN2019-067, be received.

Carried

13.3.2 PAC2019-079

That the deputation of Michael Fry, D.G. Biddle and Associates Ltd., regarding PLAN2019-072, be received.

Carried

13.3.3 PAC2019-080

That the deputation of Michael Testaguzza, Biglieri Group, regarding PLAN2019-072, be received.

Carried

13.3.4 PAC2019-081

That Report PLAN2019-067, **Part of Lot 24, Concession 5, geographic Township of Ops and Part of Lot 3 and Block X, Plan 1, former Town of Lindsay, Applications D01-2019-001, D04-2019-001, D05-2019-001 and D06-2019-007** be received;

That a By-law to implement the proposed Official Plan Amendment, substantially in the form attached as Appendix C to Report Plan 2019-067, be referred to Council for approval and adoption;

That the Zoning By-law Amendment, D06-2019-007, be referred back to staff for further review;

That the Draft Plan of Subdivision (16T-19501), D05-2019-001, as shown on Appendix D and the conditions substantially in the form attached as Appendix E to Report Plan 2019-067, be referred to Council for approval and adoption;

That the Draft Plan of Common Element Condominium (16CD-19501), D04-2019-001, as shown on Appendix F and the conditions substantially in the form attached as Appendix G to Report Plan 2019-067, be referred to Council for approval and adoption;

That Council having considered the changes to the revised Draft Plan of Subdivision and Draft Plan of Common Element Condominium deems no further public notice to be necessary; and

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

Carried

13.3.5 PAC2019-082

That Report PLAN2019-072, **Concession 4, Part of Lot 22, geographic Township of Ops; 57R-6839, Parts 1, 2 and 6 to 20, and Part of Parts 3 to 5, Former Town of Lindsay, Lindsay 2017 Developments Inc. – Applications D01-2018-005, D06-2018-026 and D05-2018-004**, be received;

That a By-law to implement the proposed Official Plan Amendment, substantially in the form attached as Appendix C to Report PLAN2019-072, be referred to Council for adoption;

That the zoning by-law amendment, substantially in the form attached as Appendix D and as amended, to Report PLAN2019-072, including additional exemptions to sections 8.2 h. and 9.2 i., be referred to Council for approval and adoption;

That the Draft Plan of Subdivision (16T-18501), Application D05-2018-004, as shown on Appendix B and the conditions substantially in the form attached as Appendix E to Report PLAN2019-072, as amended, be approved and adopted by Council;

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

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

Carried

13.3.6 PAC2019-083

That Report PLAN2019-073, **405 St. David Street Investments Inc. (Riverview Estates - Phase 2), Subdivision Agreement**, be received;

That the Subdivision Agreement for 405 St. David Street Investments Inc., City of Kawartha Lakes, substantially in the form attached as Appendix C to Report PLAN2019-073 be approved by Council;

That the recommended payment of Development Charges, as outlined in the draft subdivision agreement contained in Appendix C to Report PLAN2019-073, be received and approved by Council; and

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

Carried

13.4 Items Extracted from Planning Advisory Committee Minutes of December 4, 2019 (PC2019-12)

13.5 Planning Advisory Committee Minutes of December 4, 2019 (PC2019-13)

CR2019-725

Moved By Councillor O'Reilly

Seconded By Councillor Seymour-Fagan

That the Minutes of the December 4, 2019 (PC2019-13) Planning Advisory Committee Meeting be received and the recommendations, included in Section 13.6 of the Agenda, be adopted.

Carried

13.6 Business Arising from Planning Advisory Committee Minutes - December 4, 2019 (PC2019-13)

13.6.1 PAC2019-086

That Report PLAN2019-066, respecting **Part Lot 7 and 8, Concession 9, Part 1 on RP57R2522, geographic Township of Somerville, and identified as 466 Pinery Road; Application No. D06-2019-036**, be received;

That a Zoning By-law Amendment respecting application D06-2019-036, substantially in the form attached as Appendix F to Report PLAN2019-066, be approved and adopted by Council; and

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

Carried

13.6.2 PAC2019-087

That Report PLAN2019-068, respecting **Part Lot 21, Concession 4, Part 1, 57R-7657, former Town of Lindsay, 2645286 Ontario Inc. (Fieldgate Commercial) – Applications D01-2019-005 and D06-2019-035**, be received; and

That Report PLAN2019-068 respecting Applications D01-2019-005 and D06-2019-035 be referred back to staff to address issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City departments, and that any comments and concerns have been addressed.

Carried

13.6.3 PAC2019-088

That Report PLAN2019-069, respecting **Plan 100, Lots 124 to 126, former Village of Fenelon Falls, City of Kawartha Lakes, identified as 106 Murray Street, Kawartha Lakes Haliburton Housing Corporation – D06-2019-032**, be received;

That a Zoning By-law Amendment respecting application D06-2019-032, substantially in the form attached as Appendix D to Report PLAN2019-069, 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

13.6.4 PAC2019-089

That Report PLAN2019-070, respecting **Part Lot 22, Concession 7, geographic Township of Ops, City of Kawartha Lakes, identified as 396 Highway 36 – Planning Files D01-2019-002 and D06-2019-023**, be received;

That an Official Plan Amendment respecting application D01-2019-002, substantially in the form attached as Appendix D to Report PLAN2019-070, be approved and adopted by Council;

That a Zoning By-law Amendment respecting application D06-2019-033, substantially in the form attached as Appendix E to Report PLAN2019-070, be approved and adopted by Council; and

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

Carried

13.6.5 PAC2019-090

That Report PLAN2019-071, **respecting Part Lot 10, Concession 3, Behind Plan 145, Lots 7 and 8, geographic Township of Verulam, City of Kawartha Lakes, identified as land behind 19 and 21 Kenhill Beach Road – Planning File D06-2019-033**, be received;

That a Zoning By-law Amendment respecting application D06-2019-033, substantially in the form attached as Appendix D to Report PLAN2019-071, be approved and adopted by Council; and

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

Carried

13.6.6 PAC2019-091

That Report PLAN2019-074, **respecting Part Lot 31, Concession 11, geographic Township of Fenelon, Application D06-2019-034**, be received;

That a Zoning By-law, respecting application D06-2019-034, substantially in the form attached as Appendix D to Report PLAN2019-074 be approved and adopted by Council; and

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

Carried

13.6.7 PAC2019-092

That Report PLAN2019-062, **an application to amend the Township of Eldon Zoning By-law 94-14**, be received;

That application D06-2019-004, respecting a proposed Amendment to the Township of Eldon Zoning By-law to permit an explosive storage facility substantially in the form attached as Appendix 'E' to Report PLAN 2019-062 be approved and adopted by Council;

That in accordance with Section 34(17) of the Planning Act, Council having considered the change to the proposed Zoning By-law Amendment to include the use of the Holding (H) symbol with a condition for its removal that the development of an explosives storage facility be subject to site plan control, deems no further public notice to be necessary; and

That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of these applications.

Carried

13.6.8 PAC2019-093

That Report ENG2019-0, **Assumption of Liam Street, Newton Avenue, and Half of Maloney Street, Lindsay**, be received;

That the Assumption of Liam Street, Newton Avenue, and Half of Maloney Street, Springdale Gardens Subdivision – Phase 2, Geographic Town of Lindsay, City of Kawartha Lakes, be approved;

That an Assumption By-Law, including requisite road dedication, substantially in the form attached as Appendix 'A' to Report ENG2019-024 be approved and adopted by Council; and

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

Carried

13.7 Items Extracted from Planning Advisory Committee Minutes of December 4, 2019 (PC2019-13)

14. Consent Matters

14.2.2 CC2019-31.14.2.2

Correspondence - The Proposed 2019 Development Charges Background Study, the Proposed New Development Charges By-law, and the proposed Development Charges Assistance Policy, Report EA2019-018

Martyn Stollar, J. Stollar Construction Limited
(Item EA2019-018 on the Agenda)

CR2019-726

Moved By Councillor Veale

Seconded By Councillor Seymour-Fagan

That the December 9, 2019 correspondence from Martyn J. Stollar, J. Stollar Construction Limited, **regarding the Proposed 2019 Development Charges Background Study, the Proposed New Development Charges By-law, and the Proposed Development Charges Assistance Policy, Report EA2019-018,** be received.

Carried

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

Councillor Ashmore Items 14.1.4 and 14.1.8

Councillor Dunn Item 14.1.9

Moved By Deputy Mayor Elmslie

Seconded By Councillor Seymour-Fagan

That all of the proposed resolutions shown in Section 14.1 and 14.2 of the Agenda, save and except for items 14.1.4, 14.1.8 and 14.1.9, be approved and adopted by Council in the order that they appear on the agenda and sequentially numbered.

Carried

14.1 Reports

14.1.1 EA2019-018

Development Charges Background Study, By-Law and Assistance Policy

Adam Found, Manager of Corporate Assets

CR2019-727

That Report EA2019-018, **Development Charges Background Study, By-Law and Assistance Policy**, be received;

That the Development Charges Background Study and its addendum, attached as Appendix A to Report EA2019-018, be adopted;

That the Development Charges By-Law, attached as Appendix B to Report EA2019-018, be forwarded to Council for enactment and be numbered upon enactment;

That the Development Charges Assistance Policy, attached as Appendix C to Report EA2019-018, be adopted and be numbered upon adoption;

That for the purpose of subsection 12(3) of the Development Charges Act, it is determined that no further public meetings on the above-noted documents are required;

That for the purpose of paragraph 3 of subsection 5(1) of the Development Charges Act, it is the intention of Council to ensure the increase in the need for services attributable to anticipated development will be met and that the committed and future excess capacity identified in the Development Charges Background Study are funded by development charges or other similar charges;

That the growth-related capital forecast in the Development Charges Background Study be reflected by future asset management plans, long-term financial plans, budgets and similar strategic documents; and

That for the purpose of paragraph 3 of subsection 5(6) of the Development Charges Act, future operating budgets include annual transfers to the DC reserve to correct the balance of that reserve for shortfalls resulting from development charges exemptions and any other similar cause.

Carried

14.1.2 CS2019-016

Bobcaygeon Legacy C.H.E.S.T. Fund 2020 Allocation

LeAnn Donnelly, Executive Assistant, Community Services

CR2019-728

That Report CS2019-016, **Bobcaygeon Legacy C.H.E.S.T. Fund 2020 Allocation**, be received;

That \$31,212.00 representing the amount lost due to an interest calculation error and \$21,535.00 representing the loss of interest from September 1, 2019 – December 31, 2019 due to Treasury request to disburse actual interest available to date be withdrawn from the principal fund to be available for disbursement in 2020 or as required in future years;

That total funding in the amount of \$52,557.00 be provided, with the allocation to come from the Bobcaygeon Legacy C.H.E.S.T. Fund Reserve (3.24320), for the projects as approved by the Bobcaygeon Legacy C.H.E.S.T. Fund Grant Committee at its meeting of October 29, 2019 as follows:

Bobcaygeon Skating Club	\$ 2,068.00
Ontario Open Fiddle and Step	\$ 2,531.00
Bobcaygeon Music Council	\$ 9,000.00
Bobcaygeon Canada Day Committee	\$13,900.00
Bobcaygeon Chamber of Commerce	\$ 4,500.00
Globus Theater	\$ 8,958.00
Impact 32 – Beautify Our Bobcaygeon	\$11,600.00

That \$4,785.63 (10% of interest earned from January 1 to August 31, 2019) be retained in the principle of the Bobcaygeon Legacy C.H.E.S.T. Fund Reserve (3.24320) for inflationary growth of the fund; and

That the balance of \$12,773.82 of interest not distributed through the 2020 allocation be made available for funding disbursement in a future year.

Carried

14.1.3 CS2019-017

Lindsay Legacy C.H.E.S.T. Fund 2020 Allocation

LeAnn Donnelly, Executive Assistant, Community Services

CR2019-729

That Report CS2019-017, **Lindsay Legacy C.H.E.S.T. Fund 2020 Allocation**, be received;

That total funding in the amount of \$266,583.90 be provided for the projects as approved by the Lindsay Legacy C.H.E.S.T. Fund Grant Committee at its meeting of November 13, 2019, with the allocation to come from the Lindsay Legacy C.H.E.S.T. Fund Reserve (3.24310), as follows:

John Howards Society	\$10,000.00
Kawartha Lakes Food Source	\$9,560.00
United Way	\$10,000.00
Lindsay Agricultural Society	\$100,000.00
Kawartha Cycling Club	\$17,791.88
Kawartha Art Gallery	\$10,819.75
Boys and Girls Clubs of Kawartha Lakes	\$48,561.49
Victoria County Historical Society	\$59,850.78

; and

That the remaining amount of \$60,320.29 of interest earned in 2019 be retained in the principle of the Lindsay Legacy C.H.E.S.T. Fund Reserve (3.24310) for inflationary growth of the fund.

Carried

14.1.5 PUR2019-045

Delegation of Authority- 2019-104-CQ Downtown Reconstruction Phase II – Kent St. and Lindsay St.

Launa Macey, Supervisor of Financial Services

CR2019-730

That Report PUR2019-045, **Delegation of Authority**, be received;

THAT if the quotation submissions are irregular, Council's authority pursuant to the Purchasing By-Law be delegated for the award of 2019-104-CQ Downtown Reconstruction Phase II – Kent St. and Lindsay St. to the CAO;

THAT an information report be brought back to Council confirming the award of 2019-104-CQ Downtown Reconstruction Phase II – Kent St. and Lindsay St.;

THAT the Mayor and Clerk be authorized to sign the agreement; and

THAT Purchasing be authorized to issue the purchase order.

Carried

14.1.6 ENG2019-025

Webster Municipal Drain Revised Report

Michael Farquhar, Supervisor of Technical Services, Engineering and Corporate Assets

CR2019-731

That Report ENG2019-025, **Webster Municipal Drain Revised Report**, be received;

That Council approve the Revised Webster Municipal Drain report based on the Recommendations from the Court of Revision;

That Council approve the amendments to By-Law 2019-110 based on the Court of Revision Recommendations; and,

That Council proceed with the third and final reading and subsequent adoption of By-law 2019-110 inclusive of the amendments from the Court of Revision.

Carried

14.1.7 ENG2019-026

Request for Section 65(3) Sandringham Drain

Michael Farquhar, Supervisor of Technical Services, Engineering and Corporate Assets

CR2019-732

That Report ENG2019-026, **Request for a Section 65(3) Assessment - Sandringham Drain**, be received;

That the Engineering and Corporate Assets Department initiates proceedings under the provisions of Section 65(3) of the Drainage Act, R.S.O. 1990, c. D.17;

That the City Clerk be instructed to advise an engineer in writing to inspect the land and assess it for a just proportion of the drainage works, taking into account any compensation paid to the owner of the land in respect of the drainage works as per section 65(3) of the Drainage Act, R.S.O. 1990, c. D.17; and

That Council appoint R. Dobbin Engineering Inc. as the engineer for the requested Section 65(3) assessment.

Carried

14.1.10 WWW2019-012

Drinking Water Quality Management System Review and Endorsement

Julie Henry, Quality Management and Policy Coordinator

CR2019-733

That Report WWW2019-012, **Drinking Water Quality Management System Review and Endorsement**, be received;

That the City of Kawartha Lakes Water and Wastewater Quality Management System be endorsed by Council;

That the City of Kawartha Lakes Quality Management System Policy statements be adopted;

That the Ontario Clean Water Agency Quality Management System Policy statements be received and endorsed;

That the external surveillance audit report for the Water and Wastewater Division (as the accredited Operating Authority) be received;

That the external surveillance audit report for Ontario Clean Water Agency (as the Accredited Operating Authority) be received; and

That the Water and Wastewater Division Management Review summary be received.

Carried

14.2 Correspondence

14.2.1 CC2019-31.14.2.1

Memo - Appointment of a Member of Council to the City of Kawartha Lakes Committee of Adjustment and Fenelon Cemetery Board for 2020

Mayor Andy Letham

CR2019-734

That the December 10th, 2019 memorandum from Mayor Letham regarding the **Committee of Adjustment and Fenelon Cemetery Board Council Appointments** be received;

That the appointments, for the Committee of Adjustment and the Fenelon Cemetery Board, commence on December 11th, 2019 and continue for one year until December 11th, 2020;

That Emmett Yeo continues the role of Council Representative on the Committee of Adjustment; and

That Doug Elmslie continues in the role of Council Representative on the Fenelon Cemetery Board.

Carried

14.3 Items Extracted from Consent

14.1.4 CORP2019-029

Reserve Transfers

Carolyn Daynes, Treasurer

CR2019-735

Moved By Councillor Ashmore

Seconded By Councillor O'Reilly

That Report CORP2019-029, **2019 Reserve Transfers**, be received;

That a reserve called "Norland Dam Reserve" be created;

That the monies received from the license agreement in relation to the Norland Dam for 2018 (\$7,725), 2019 (\$7,956.70) and all future years be put to this newly created reserve to be used for community projects in Norland;

That the surplus money from the Eastern Ontario Regional Network's(EORN) cell project of \$81,072.27 be transferred to the Contingency Reserve committed to the EORN project;

That a reserve called "Capital Contingency Reserve" be created, and that all monies utilized for surplus and deficits of capital projects (approximately \$3.3Million) be transferred there and that the current Capital Reserve (1.32045) be used for the financial plan dollars to fund future Tax Levy Capital Budgets; and

That the 2019 surplus in the Community Service Special Projects for 322 Kent Street Relocation and the 12 Peel Street Staging Space be transferred to the Contingency Reserve and committed to these projects. The funding will be brought out in 2020 in order for these operating projects to be completed.

Carried

14.1.8 ENG2019-027

Request For Speed Reduction – Centreline Road

Joseph Kelly, Senior Engineering Tech

CR2019-736

Moved By Councillor Ashmore

Seconded By Councillor O'Reilly

That Report ENG2019-027 **Request for Speed Reduction– Centreline Road** be received;

That curve warning signs be updated at the identified location;

That no passing line painting be extended at the identified location; and

That the speed limit be reduced from 80km to 60km on Centreline Road from Shamrock Road to Tracey's Hill Road.

Carried

14.1.9 WWW2019-011

By-law Amendments for Mandatory Connection

Amber Hayter, Supervisor, Water and Wastewater Operations

CR2019-737

Moved By Councillor Dunn

Seconded By Deputy Mayor Elmslie

That Report WWW2019-011, **By-law Amendments for Mandatory Connection**, be received;

That Section 2.05 of By-law 2014-255 be amended to read: “Any appeals or requests for exemptions from section 2.01, 2.02 and 2.03 of this By-law shall be forwarded to Council for consideration.”;

That Section 2.06 of By-law 2014-255 be amended to read: “Subject to section 2.01, 2.02 or 2.03 of this by-law any Owner of a building on land that meet the requirements to connect to the municipal water and/or wastewater services shall be billed the Mandatory Connect Fee – Water and/or Mandatory Connect Fee – Sewer as per the provisions of the By-law to Regulate Water and Wastewater Services in the City of Kawartha Lakes (By-law 2018-039, as amended) and the consolidated fees By-law 2018-234, as amended commencing January 1, 2020.”;

That Section 23.05(s) of By-law 2018-039 be amended to read: “The owner or occupier of each separately assessed parcel of land that fronts a watermain and is subject to the requirements of By-Law 2014-255 “Mandatory Connection By-Law” shall pay a Mandatory Connect Fee – Water as set forth in Schedule “A” of this By-Law, commencing January 1, 2020.”;

That Section 23.05(v) of By-law 2018-039 be amended to read: “The owner or occupier of each separately assessed parcel of land that fronts a sanitary sewer main and is subject to the requirements of By-Law 2014-255 “Mandatory Connect By-Law” shall pay a Mandatory Connect Fee – Sewer as set forth in Schedule “A” of this By-Law, commencing January 1, 2020.”;

That Schedule “A” of By-Law 2018-039 “A By-Law to Regulate Water & Wastewater Services in the City of Kawartha Lakes” be replaced by “Schedule “A” 2019 Water and Wastewater Rates” substantially in the form as attached as Appendix ‘C’ to Report WWW2019-011; and

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

Carried

15. Petitions

16. Other or New Business

17. By-Laws

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

CR2019-738

Moved By Councillor O'Reilly

Seconded By Councillor Richardson

That the By-Laws shown in Section 17.1 of the Agenda, namely: Items 17.1.1 to and including 17.1.24, save and except Item 17.1.9 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

17.1 By-Laws by Consent

17.1.1 By-law 2019-164

A By-law to Authorize Borrowing from Time to Time to Meet Current Expenditures During the Fiscal Year ending December 31, 2020 in the City of Kawartha Lakes

17.1.2 By-law 2019-165

A By-law to Amend By-law 2018-234, being a By-Law to Establish and Require Payment of Fees for Information, Services, Activities and Use of City Property in The City of Kawartha Lakes (known as the Consolidated Fees By-law)

17.1.3 By-law 2019-166

A By-law to Stop Up and Close Part of the Road Allowance Legally Described as Part of the Road Allowance between Concession 3 and Concession 4, in the Geographic Township of Verulam, City of Kawartha as Parts 1-10 on Plan 57R10775 Being Part of PIN:63123-0413 (LT)

17.1.4 By-law 2019-167

A By-law to Repeal By-law 2019-086, being A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (D. Surowiec)

17.1.5 By-law 2019-168

A By-law to Repeal By-law 2017-192, being A By-law to Appoint a Municipal Law Enforcement Officer for the City of Kawartha Lakes (C. Tassone)

17.1.6 By-law 2019-169

A By-law to Repeal By-law 2017-193, being A By-law to Appoint a Weed Inspector for the City of Kawartha Lakes

17.1.7 By-law 2019-170

A By-law to Repeal By-law 2013-182, being A By-law to Appoint a Municipal Law Enforcement Officer for the Purpose of Enforcing Licensing By-laws

17.1.8 By-law 2019-171

A By-law to Appoint a Municipal Law Enforcement Officer for the City of Kawartha Lakes for the Purpose of Enforcing Licensing By-laws (T. Montgomery)

17.1.10 By-law 2019-172

A By-law to Amend By-law 2018-039, being Water and Wastewater Services By-Law

17.1.11 By-law 2019-173

A By-law to Amend the Town of Lindsay Official Plan to Re-designate Land within the City of Kawartha Lakes (vacant land on Lindsay Street North - 2573532 Ontario Inc.)

17.1.12 By-law 2019-174

A By-law to Amend the Town of Lindsay Zoning By-law No. 2000-75 to Rezone Land within the City Of Kawartha Lakes (Lindsay 2017 Developments Inc.)

17.1.13 By-law 2019-175

A By-Law to Amend the Town of Lindsay Official Plan to Re-designate Land within the City of Kawartha Lakes (Lindsay 2017 Developments Inc.)

17.1.14 By-law 2019-176

A By-Law To Amend The Township of Somerville Zoning By-Law No. 78-45 To Rezone Land Within The City Of Kawartha Lakes (466 Pinery Road - Christianopoulos)

17.1.15 By-law 2019-177

A By-Law To Amend The Village of Fenelon Falls Zoning By-Law No. 89-25 To Rezone Land Within The City Of Kawartha Lakes (106 Murray Street - Kawartha Lakes Haliburton Housing Corporation)

17.1.16 By-law 2019-178

A By-Law To Amend The Township of Ops Zoning By-Law No. 93-30 To Rezone Land Within The City Of Kawartha Lakes (396 Highway 36 – Mike Redmond Septic Service Ltd.)

17.1.17 By-law 2019-179

A By-Law to Amend the City of Kawartha Lakes Official Plan to Re-designate Land within the City of Kawartha Lakes (396 Highway 36 - Mike Redmond Septic Service Ltd.)

17.1.18 By-law 2019-180

A By-Law To Amend The Township of Verulam Zoning By-Law Number 6-87 To Rezone Land Within The City Of Kawartha Lakes (land behind 19 and 21 Kenhill Beach Road - Lamanna and Hartley)

17.1.19 By-law 2019-181

A By-Law To Amend The Township of Fenelon Zoning By-Law No. 12-95 To Rezone Land Within The City Of Kawartha Lakes (467 Northline Road – Hughes)

17.1.20 By-law 2019-182

A By-Law To Amend The Township of Eldon Zoning By-Law No. 94-14 To Rezone Land Within The City Of Kawartha Lakes (vacant land Rohallion Road – 676249 Ontario Ltd)

17.1.21 By-law 2019-183

A By-law to Assume Liam Street, Plan 383, (PIN:63205-0528) and Newton Avenue, Plan 383, (PIN: 63205-0536), previously dedicated and conveyed to the municipality upon the registration of Plan 383, and to Dedicate and Assume Maloney Street, Plan 383, (PINs: 63205-0855, 63205-0857, and 63205-0859) and associated 0.3 metre reserve (PIN: 63205-0856), and more specifically described as Parts 28, 31, 32, and 33, Plan 57R-9054, and Road Widenings as part of Liam Street, Plan 383, (PINs: 63205-0841, 63205-0843, 53205-0845, 63205-0847, 63205-0849, 63205-0851, and 63205-0853), more specifically described as Parts 1 to 12, inclusive, Plan 57R-9889, Plan 383, and Road Widenings as part of Angeline Street, (PINs: 63205-0861 and 63205-0864), more specifically described as Blocks A and B, respectively, Plan 383, and the associated 0.3 metre reserves, (PINs: 63250-0492 and 63205-0830), Plan 383, Geographic Township of Ops, The Corporation of the City of Kawartha Lakes

17.1.22 By-law 2019-184

A By-Law to Impose Development Charges in the City of Kawartha Lakes

17.1.23 By-law 2019-185

A By-law to Levy Interim Taxes for 2020 in the City of Kawartha Lakes

17.1.24 By-law 2019-186

A By-law to Amend By-law 2018-017, Being the City Lands Encroachment By-law for the City of Kawartha Lakes

17.2 By-Laws Extracted from Consent

17.2.1 By-law 2019-187

A By-law to Appoint a Member of Council to the City of Kawartha Lakes Committee of Adjustment for 2020 and to Repeal By-law 2019-002

CR2019-739

Moved By Councillor Dunn

Seconded By Councillor Seymour-Fagan

That a by-law to appoint a member of council to the City of Kawartha Lakes Committee of Adjustment for 2020 and to Repeal By-law 2019-002 be read a first,

second and third time, passed, numbered, signed and the corporate seal attached.

Carried

17.2.2 By-law 2019-110

A By-law to provide for Drainage Works in the City of Kawartha Lakes to be known as the Webster Municipal Drain

CR2019-740

Moved By Councillor Veale

Seconded By Councillor Richardson

That Provisional By-law 2019-110, being a By-law to provide for Drainage Works in the City of Kawartha Lakes to be known as the Webster Municipal Drain, be amended to reflect the amendments approved by the August 15, 2019 Court of Revision, confirmed on the September 17, 2019 Drainage Board Meeting, and as attached to the agenda of the December 10, 2019 Regular Council Meeting.

Carried

CR2019-741

Moved By Councillor Veale

Seconded By Councillor Richardson

That Provision By-law 2019-110, being a By-law to provide for Drainage Works in the City of Kawartha Lakes to be known as the Webster Municipal Drain, be read a third time, passed, signed and the corporate seal attached.

Carried

17.1.9 By-law 2019-188

A By-law to Amend By-law 2014-255, being Mandatory Connection By-Law

CR2019-742

Moved By Councillor Dunn

Seconded By Councillor O'Reilly

That a by-law to amend by-law 2014-255, being Mandatory Connection By-law, be amended; and

That the amended by-law be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

CR2019-743

Moved By Councillor O'Reilly

Seconded By Councillor Veale

That staff be directed to process a city-initiated Official Plan amendment applicable to developments in the North West Trunk sewershed area to permit development to proceed in phases greater than 100 units, with the appropriate servicing capacity justification (water and sanitary) to rationalize the amendment.

Carried

18. Notice of Motion

19. Closed Session (If Not Completed within Item 9)

20. Matters from Closed Session

21. Confirming By-Law

A By-law to Confirm the Proceedings of a Regular Meeting of Council, Tuesday, December 10, 2019

CR2019-744

Moved By Councillor Ashmore

Seconded By Councillor O'Reilly

That a by-law to confirm the proceedings of a Regular Council Meeting held Tuesday, December 10, 2019 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

22. Adjournment

CR2019-745

Moved By Councillor Dunn

Seconded By Councillor Yeo

That the Council Meeting adjourn at 1:24 p.m.

Carried

Read and adopted this 28th day of January, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk