

The Corporation of the City of Kawartha Lakes Agenda

Regular Council Meeting

CC2020-01

Tuesday, January 28, 2020

Open Session Commencing at 1:00 p.m.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Mayor Andy Letham

Deputy Mayor Patrick O'Reilly

Councillor Ron Ashmore

Councillor Pat Dunn

Councillor Doug Elmslie

Councillor Tracy Richardson

Councillor Kathleen Seymour-Fagan

Councillor Andrew Veale

Councillor Emmett Yeo

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1.	Call to Order	
2.	Opening Ceremonies	
2.1	O Canada	
2.2	Moment of Silent Reflection	
2.3	Adoption of Open Session Agenda	
3.	Disclosure of Pecuniary Interest	
4.	Notices and Information by Members of Council and Staff	
4.1	Council	
4.2	Staff	
5.	Council Minutes	19 - 47
	Regular Council Meeting Minutes - December 10, 2019	
	That the Minutes of the December 19, 2019 Regular Council Meeting, be received and adopted.	
6.	Deputations	
6.1	CC2020-01.6.1	48 - 50
	Reconsideration of the Proposed Sale of a Portion of Municipally Owned Land Adjacent to Elgin Park, Lindsay (Item 10.3.1 on the Agenda) Luke Woud	
6.2	CC2020-01.6.2	51 - 53
	Reconsideration of the Proposed Sale of a Portion of Municipally Owned Land Adjacent to Elgin Park, Lindsay (Item 10.3.1 on the Agenda) Paul Cross	
7.	Presentations	

8. **Committee of the Whole**

8.1 Correspondence Regarding Committee of the Whole Recommendations

8.2 Committee of the Whole Minutes

54 - 65

Committee of the Whole Minutes - January 14, 2020

That the Minutes of the January 14, 2020 Committee of the Whole Meeting be received and the recommendations, included in Section 8.3 of the Agenda, be adopted.

8.3 Business Arising from Committee of the Whole Minutes

8.3.1 CW2020-002

That the deputation of Zac Miller, Co-Chair, Kawartha Lakes Health Care Coalition, **pertaining to a resolution regarding health care funding**, be received.

8.3.2 CW2020-003

That the presentation by Cathie Ritchie, City Clerk, **regarding recommended updates to the Code of Conduct and Ethics - Members of Council and Local Boards**, be received.

8.3.3 CW2020-004

That Report CLK2020-001, **Code of Conduct and Ethics – Members of Council and Local Boards - Update**, be received; and

That the revised Code of Conduct and Ethics – Members of Council and Local Boards contained in Appendix A to Report CLK2020-001, be approved.

8.3.4 CW2020-005

That the presentation by Cathie Ritchie, City Clerk, **regarding recommended amendments to the Procedural By-law**, be received.

8.3.5 CW2020-006

That Report CLK2020-002, **Procedural By-law Review and Recommended Amendments**, be received;

That the updates to the Procedural By-law identified in Appendix A to Report CLK2020-002, be approved;

That the Public Meetings Policy, Endorsement of External Resolutions Policy and Town Hall Meetings Policy be repealed; and

That the necessary by-law to repeal and replace By-law 2018-212 be brought forward for adoption.

8.3.6 CW2020-007

That the presentation by Brenda Stonehouse, Strategy and Performance Specialist, **regarding the proposed Kawartha Lakes Strategic Plan for 2020-2023**, be received.

8.3.7 CW2020-008

That Report CAO2020-001, **Kawartha Lakes Strategic Plan 2020-2023**, be received;

That the Kawartha Lakes Strategic Plan 2020-2023 contained in Appendix A to Report CAO2020-001 be approved; and

That all corporate documents and reports be updated to reflect the 2020-2023 Strategic Plan and its reporting.

8.3.8 CW2020-009

That Report MAYOR 2019-001, **Deputy Mayor's 2019 Round Table Meetings on Roads**, be received;

That staff be directed to provide a report to Council that outline recommendations for the maintenance and improvement of road drainage by the end of Q2, 2020;

That staff be directed to provide a report to Council with recommendations to enhance education and awareness related to our roads network, work plans, and allotted resources by the end of Q2, 2020; and

That staff report to Council each spring regarding life cycle extension needs in relation to the approved budget.

8.3.9 CW2020-010

That Report ED2020-001, **Proposed Designation of 264 Pleasant Point Road**, be received;

That the Municipal Heritage Committee's recommendation to designate 264 Pleasant Point Road under Part IV of the Ontario Heritage Act as being of cultural heritage value or interest be endorsed;

That staff be authorized to proceed with the process to designate the subject property under Part IV of the Ontario Heritage Act, including the preparation and circulation of a Notice of Intention to Designate, and preparation of the designating by-law; and

That a designating by-law be brought forward to Council at the next Regular Council Meeting following the end of the notice period.

8.3.10 CW2020-011

That Report ED2020-002, **Kawartha Lakes Cultural Centre Task Force**, be received; and

That the Terms of Reference for the **Kawartha Lakes Cultural Centre Task Force** in the form of Appendix A to report ED2020-002 be approved and adopted by Council.

8.3.11 CW2020-012

That Report HS2020-001, **Physician Recruitment Reserve Request**, be received; and

That payment of up to \$8,500 to the Kawartha Lakes Health Care Initiative (KLHCI) be authorized from the Doctor Recruitment Reserve to support a Physician Return of Service Agreement executed by KLHCI.

That Report HH2020-001, **Kawartha Lakes-Haliburton Housing – Development Updates**, be received;

That the Lindsay Street North development originally proposed within HH2019-001 be deferred with an amended proposal brought back to Council following the successful removal of the additional soils;

That subject to the necessary by-laws and agreement being forwarded to Council for approval, and the successful completion of such planning and development processes as the City may require, the amended proposal for Hamilton Park, Lindsay by the Kawartha Lakes-Haliburton Housing Corporation (KLH Housing) be approved with the following revisions as described in Report HH2020-001:

1. The proceeds from the sale of twenty seven (27) single and semi-detached KLH Housing units transferred by the Province to KLH Housing in 2001, with their specific addresses identified within the Existing Homes section of Attachment A of Report HH2020-001, be used to fund their replacement with twenty seven (27) newly constructed housing units to be rented as Rent-Geared-to-Income (RGI) through a rent supplement agreement between the City and KLH Housing; and
2. The completion of financing for cash flow and borrowing facilities in the City's own name, with the City then lending the funds to KLH Housing; and
3. The in kind municipal incentives proposed in Report HH2020-001 to support the project on Hamilton Park in Lindsay within which the twenty seven (27) reconstructed and nineteen (19) additional units will be created;

That the City's Chief Administrative Officer be authorized to approve relief from any of the required fees and charges as in kind municipal support, needed to implement the Hamilton Park project; and

That a By-law authorizing the City to execute a Municipal Housing Facilities Agreement with KLH Housing for Minden Phase 2, substantially in the form and included as Attachment C to Report HH2020-001, be forwarded to Council for adoption.

8.3.13 CW2020-014

That the December 10, 2019 correspondence from James R. Webster, President, Five W. Farms Inc., **regarding the purchase of an ATV for the Kirkfield Fire Station**, be received.

8.3.14 CW2020-015

That the Kirkfield Fire Station be able to access the Victoria Road Hall Fund Reserve of an upset limit of \$15,000 for the purchase of an ATV for the Kirkfield Fire Station.

8.3.15 CW2020-016

That the December 18, 2019 correspondence from Jamie McGarvey, AMO President, Mayor of Parry Sound, **regarding a resolution of support for the transition of the blue box to full producer responsibility**, be received; and

That the correspondence be forwarded to staff for review and report back by the end of Q2, 2020.

8.3.16 CW2020-017

That the January 2, 2020 correspondence from Mark Majchrowski, CAO for Kawartha Conservation, **regarding the Notice of Requirement for Council Resolution Related to Proposed Amendments to the Trent Source Protection Plan and Assessment Report**, be received;

That the proposed amendments to the Trent Source Protection Plan and Assessment Report as per Section 34 of the Clean Water Act, resulting from recent upgrades to the Canadiana Shores Drinking Water System, be endorsed; and

That the commencement of the public consultation process, be authorized.

8.3.17 CW2020-018

That the Memo from Councillor Ron Ashmore, **regarding a left turning lane into Lakeview Estates**, be received; and

That Staff investigate the feasibility of creating left turning lane on Pigeon Lake Road into Lakeview Estates and report back to Council by the end of Q3, 2020.

8.3.18 CW2020-019

That the Memo from Councillor Ron Ashmore, **regarding tax relief for the Omemee Medical Centre**, be received; and

That Staff investigate any forms of incentives or relief that would assist non-profit medical trusts within the City of Kawartha Lakes and report back to Council with options by the end of Q2, 2020.

8.4 Items Extracted from Committee of the Whole Minutes

9. **Planning Advisory Committee**

9.1 Correspondence Regarding Planning Advisory Committee Recommendations

9.2 Planning Advisory Committee Minutes

66 - 72

Planning Advisory Committee Minutes - January 15, 2020

That the Minutes of the January 15, 2020 Planning Advisory Committee Meeting be received and the recommendations, included in Section 9.3 of the Agenda, be adopted.

9.3 Business Arising from Planning Advisory Committee Minutes

9.3.1 PAC2020-002

That Report PLAN2020-001, **An application to amend the Township of Emily Zoning By-law 1996-30 on land described as Part Lot 6, Concession 10, geographic Township of Emily, identified as 305 St, Luke's Road – Bob Carroll**, be received;

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 reducing the minimum lot frontage for the retained lands, deems no further public notice to be necessary;

That application D06-2019-028, respecting a proposed Amendment to the Township of Emily Zoning By-law to rezone lands in order to fulfill conditions of consent substantially in the form attached as Appendix D to Report PLAN 2020-001 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 these applications.

9.3.2 PAC2020-003

That Report PLAN2020-002, Part of Lot 16, Concession 5, geographic Township of Ops, and identified as 354 Angeline Street South, Applications D01-2019-004 and D06-2019-031 be received;

That a By-law to implement the proposed Official Plan Amendment, substantially in the form attached as Appendix D to Report PLAN2020-002, be referred to Council for approval and adoption;

That a Zoning By-law Amendment, substantially in the form attached as Appendix E to Report PLAN2020-002, be referred to Council for approval and adoption; and

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

9.3.3 PAC2020-004

That Report ENG2020-001, Assumption of Hutton Road and Brock Street, Lindsay, be received;

That the Assumption of Hutton Road and Brock Street, Lindsay, Churchdown Crossing Subdivision, Geographic Town of Lindsay, City of Kawartha Lakes, be approved;

That an Assumption By-Law, substantially in the form attached as Appendix A to Report ENG2020-001 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.

9.4 Items Extracted from Planning Advisory Committee Minutes

10. Consent Matters

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

10.1 Reports

10.1.1 CS2020-003

73 - 76

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

LeAnn Donnelly, Executive Assistant, Community Services

That Report CS2020-003, **Release of Fenelon Falls Legacy C.H.E.S.T. Funds**, be received;

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

That Snowshoe Kawartha be approved for funding in the amount of \$2,500.00 with the allocation to come from the Fenelon Falls Legacy C.H.E.S.T. Reserve (3.24350).

10.1.2 PRC2020-002 77 - 81

2020 50/50 Community Project Capital Fund Allocation

Shelley Cooper, Community Partnership and Programs Supervisor

That Report PRC2020-002, **2020 50/50 Community Project Capital Fund Allocation**, be received.

10.1.3 PRC2020-003 82 - 89

2020 Community Partnership and Development Fund Allocation

Shelley Cooper, Community Partnership and Programs Supervisor

That Report PRC2020-003, **2020 Community Partnership and Development Fund Allocation**, be received.

10.1.4 PLAN2020-004 90 - 99

A By-law to Deem Lots 17 and 18, Registered Plan 244, 76 and 78 Matheson Road, Geographic Township of Eldon (Ogilvie & Harris)
Kent Stainton, Planner I

That Report PLAN2020-004, **Ogilvie & Harris – D30-2019-004**, be received;

That a Deeming By-law respecting Lot 17 and Lot 18, Registered Plan 244, substantially in the form attached as Appendix “D” to Report PLAN2020-004, 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.

10.1.5 ENG2020-002 100 - 122

Water Servicing Agreement Green Eden Developments Limited

Juan Rojas, Director of Engineering and Corporate Assets

That Report ENG2020-002, **Water Servicing Agreement Green Eden Developments Limited**, be received;

That Council agree to the provision of a permanent long water service connection in the municipal road allowance, serviced by the Victoria Glen Water Treatment Plant, to service up to 30 residential units at 40 Mary Street West, Omemee, to be constructed within the 5 year term of the Water Servicing Agreement, failing which the water servicing allocation will be rescinded;

That Green Eden Developments Ltd. enter into the Water Servicing Agreement, substantially in the form attached as Appendix A to Report ENG2020-002, with the City of Kawartha Lakes where the City will provide a permanent dedicated water service, with full cost recovery prior to commencing work to Green Eden Developments Ltd., including ongoing maintenance and repair costs that are attributable to Green Eden Developments Ltd. being borne by Green Eden Developments;

That an exemption to Section 5.03 e) of By-Law 2018-039, being a By-Law To Regulate Water and Wastewater Services in the City of Kawartha Lakes be approved by Council;

That the long water service is not qualified for additional water service connections and is not subject to By-Law 2014-255, being a By-Law Requiring Owners of Buildings to Connect Such Buildings to Drinking Water Systems and/or Wastewater Collection Systems in the City of Kawartha Lakes; and

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

10.1.6

ENG2020-004

123 - 126

Award of Contract Administration to CIMA+ for the Downtown Reconstruction Phase 2

Corby Purdy, Supervisor Infrastructure, Design and Construction

That Report ENG2020-004, **Award of Contract Administration to CIMA Canada Inc. for the Downtown Reconstruction Phase 2**, be received;

That Council authorize the single source to CIMA Canada Inc., for the Contract Administration and Inspection Services for Kent and Lindsay Street Reconstruction for the total amount of \$418,948.00 not including HST; and

That Financial Services Division be authorized to issue a purchase order.

10.1.7	<p>PUR2020-001</p> <p>Request for Proposal 2019-94-CP Design and Build for New Fire Hall in Mariposa Krystina Cunningham, Buyer Ron Raymer, Deputy Fire Chief</p> <p>That Report PUR2020-001, Request for Proposal 2019-94-CP Design and Build of New Fire Hall in Mariposa, be received;</p> <p>That the highest scoring Proponent, MVW Construction and Engineering Inc., be selected for the award of Request for Proposal 2019-94-CP Design and Build for New Fire Hall in Mariposa;</p> <p>That subject to receipt of the required documents, that the Mayor and City Clerk be authorized to execute the agreement to award Proposal 2019-94-CP Design and Build of New Fire Hall in Mariposa; and</p> <p>That the Financial Services Division be authorized to issue a purchase order.</p>	127 - 129
10.1.8	<p>PUR2020-002</p> <p>2019-90-CP Supply and Delivery of Extrication Equipment Launa Macey, Supervisor of Financial Services Ron Raymer, Deputy Fire Chief</p> <p>That Report PUR2020-002, Request for Proposal 2019-90-CP Supply and Delivery of Extrication Equipment, be received;</p> <p>That the highest scoring proponent, Code 4 Fire & Rescue Inc. of Hagersville, ON, be selected for the award for Request for Proposal 2019-90-CP Supply and Delivery of Extrication Equipment for a five (5) year term;</p> <p>That subject to receipt of the required documents, the Mayor and Clerk be authorized to execute the contract; and</p> <p>That Purchasing issue the Purchase Order.</p>	130 - 133
10.1.9	<p>PUR2020-003</p> <p>Single Source – OCWA for the purchase of UV Disinfection System & Pumps for the Fenelon Falls Water Treatment Plant Linda Lee, Buyer Nafiur Rahman, Engineering and Assets</p>	134 - 136

That Report PUR2020-003, **Single Source – OCWA for the Purchase of Ultra Violet (UV) Disinfection System & Pumps for the Fenelon Falls Water Treatment Plant**, be received;

That Council authorize the single source purchase to Ontario Clean Water Agency (OCWA) for the UV disinfection system and pumps for the Fenelon Falls Water Treatment Plant for the total amount of \$283,094.63 not including HST; and

That Financial Services Division be authorized to issue a purchase order.

10.1.10

PUR2020-007

137 - 141

2019-69-OP Provision of Operation and Maintenance Services for WWW Treatment Facilities

Linda Lee, Buyer

Kayla Pantaleo, Contract Coordinator

That Report PUR2020-007, **2019-69-OP Provision of Operation and Maintenance Services for WWW Treatment Facilities**, be received;

That Ontario Clean Water Agency (OCWA) be selected as the highest scoring proponent, for the award of Request for Proposal 2019-69-OP Provision of Operation and Maintenance for WWW Treatment Facilities;

That Council authorize the option to renew the contract for one (1) five (5) year additional term upon mutual agreement and successful completion of the initial term; and

That subject to receipt of the required documents, the Mayor and Clerk be authorized to sign the agreement.

10.2

Correspondence

10.2.1

CC2020-01.10.2.1

142 - 142

Memo Regarding Council Appointment to the Kawartha Lakes Accessibility Advisory Committee

Mayor Letham

That the January 28th, 2020 Memorandum from Mayor Letham, **regarding the Council Appointment to the Kawartha Lakes Accessibility Advisory Committee**, be received; and

That Councillor Elmslie be appointed the Council representative for the Kawartha Lakes Accessibility Advisory Committee.

10.2.2	CC2020-01.10.2.2	143 - 143
	Memo Regarding Sanitary Sewer Back-Up Report Councillor Dunn	
	That the Memorandum from Councillor Dunn, regarding a Sanitary Sewer Back-up , be received; and	
	That staff prepare a report that identifies the cause of the sanitary sewer back up, during an extreme weather event, that impacted Northern and Eastern portions of Ward 5 on January 11 th , 2020 and report back to Council by the end of Q2, 2020.	
10.2.3	CC2020-01.10.2.3	144 - 144
	Memo Regarding Waived Landfill Tipping Fees for Residents Impacted by Sewage Back-Up Councillor Dunn	
	That the Memorandum from Councillor Dunn, regarding waived landfill tipping fees for residents impacted by sewage back-up , be received; and	
	That Council direct staff to waive tipping fees for the residents affected by the sanitary sewage backup that occurred on January 11 th , 2020.	
10.2.4	CC2020-01.10.2.4	145 - 146
	Memo Regarding a Flood Prevention Subsidy Councillor Dunn	
	That the Memorandum from Councillor Dunn, regarding the implementation of a Flood Prevention Subsidy , be received; and	
	That staff report on the feasibility of implementing such a program in the city of Kawartha Lakes and report back to Council by the end of Q2, 2020.	
10.3	Items Extracted from Consent	
10.3.1	CC2020-01.10.3.1	147 - 155
	Memo Regarding a Motion to Reconsider – Proposed Sale of A Portion of Municipally Owned Land Adjacent to Elgin Park, Lindsay Mayor Letham	

11.	Petitions	
11.1	CC2020-01.11.1	156 - 156
	Petition Regarding the Speed Limit on Yelverton Road Mike Smith	
11.2	CC2020-01.11.2	157 - 157
	Petition Regarding the Resurfacing of a Portion of Cottingham Road Nancy Paish	
12.	Other or New Business	
13.	By-Laws	
	That the By-Laws shown in Section 13.1 of the Agenda, namely: Items 13.1.1 to and including 13.1.14 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.	
13.1	By-Laws by Consent	
13.1.1	CC2020-01.13.1.1	158 - 202
	A By-law to Govern and Regulate the Proceedings of the Council of the City of Kawartha Lakes and to Repeal and Replace By-law 2018-212	
13.1.2	CC2020-01.13.1.2	203 - 204
	A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (Peoples)	
13.1.3	CC2020-01.13.1.3	205 - 206
	A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (Magee)	
13.1.4	CC2020-01.13.1.4	207 - 208
	A By-law to Amend By-law 2018-017, Being the City Lands Encroachment By-law for the City of Kawartha Lakes	

13.1.5	CC2020-01.13.1.5	209 - 212
	A By-law to Stop Up and Close Part of Lots 11 & 12, Concession 2, in the Geographic Township of Eldon, City of Kawartha Lakes, designated as Parts 3 & 4 on Reference Plan 57R-10759, being Part of PIN: 63172-0181 (LT), and 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 Lots 11 & 12, Concession 2 in the Geographic Township of Eldon, City of Kawartha Lakes, designated as Parts 3 & 4 on Reference Plan 57R-10759	
13.1.6	CC2020-01.13.1.6	213 - 216
	A By-law Imposing Special Annual Drainage Rates Upon Land in Respect of which Money is Borrowed under the Tile Drainage Act (Vanhanen)	
13.1.7	CC2020-01.13.1.7	217 - 219
	A By-Law To Deem Part of a Plan of Subdivision, Previously Registered For Lands Within Kawartha Lakes, <u>Not</u> To Be A Registered Plan Of Subdivision In Accordance With The Planning Act PIN 63171-0083 (LT) & PIN 63171-0476 (LT) Described As Lots 17 & 18, Plan 244, Geographic Township Of Eldon, Now City Of Kawartha Lakes (76 & 78 Matheson Road – Ogilvie & Harris)	
13.1.8	CC2020-01.13.1.8	220 - 225
	A By-Law to Amend the City of Kawartha Lakes Official Plan to Re-designate Land within the City of Kawartha Lakes (354 Angeline Street South - Lindsay Agricultural Society)	
13.1.9	CC2020-01.13.1.9	226 - 228
	A By-law to Amend the Township of Ops Zoning By-law No. 93-30 to Rezone Land within the City of Kawartha Lakes (354 Angeline Street South – Lindsay Agricultural Society)	
13.1.10	CC2020-01.13.10	229 - 231
	A By-Law To Amend The Township of Emily Zoning By-Law No. 1996-30 To Rezone Land Within The City Of Kawartha Lakes (305 St. Luke's Road – Bob Carroll)	

13.1.11	CC2020-01.13.11	232 - 233
	A By-law to Assume Hutton Road, Plan 57M-792 (PIN: 63232-0225) and Brock Street, Plan 57M-792 (PIN: 63232-0003, Part 1), Geographic Town of Lindsay, The Corporation of the City of Kawartha Lakes	
13.1.12	CC2020-01.13.1.12	234 - 238
	A By-law to Amend By-law 2018-039, being a By-law to Regulate Water and Wastewater Services in the City of Kawartha Lakes	
13.1.13	CC2020-01.13.1.13	239 - 257
	A By-law to Authorize Entering into a Municipal Housing Facilities Agreement with Kawartha Lakes-Haliburton Housing Corporation (Pinegrove Place, Phase 2)	
13.1.14	CC2020-01.13.1.14	258 - 258
	A By-law to Repeal By-law 2013-131 Being a By-law to Appoint a Deputy Clerk for the City of Kawartha Lakes (Ann Rooth)	
13.2	By-Laws Extracted from Consent	
14.	Notice of Motion	
15.	Closed Session	
15.1	Adoption of Closed Session Agenda	
15.2	Disclosure of Pecuniary Interest in Closed Session Items	
15.3	Move Into Closed Session	
15.3.1	CC2020-01.15.3.1	
	Closed Session Council Minutes, Regular Council Meeting of December 10, 2019	
	Municipal Act, 2001 s.239(2)(b)(c)(d)(h)(e)(f)	
15.3.2	CS2020-001	
	Public Appointees to Kawartha Lakes Parks Advisory Committee	
	Municipal Act, 2001 s.239(2)(b) Personal Matters about Identifiable Individuals	
	LeAnn Donnelly, Executive Assistant, Community Services	

- 15.3.3 CS2020-002
Public Appointees to Bobcaygeon Legacy C.H.E.S.T. Fund Grant Committee
Municipal Act, 2001 s.239(2)(b) Personal Matters about Identifiable Individuals
LeAnn Donnelly, Executive Assistant, Community Services
- 15.3.4 ED2020-003
Kawartha Lakes Municipal Heritage Committee Appointments
Municipal Act, 2001 s.239(2)(b) Personal Matters about Identifiable Individuals
Emily Turner, Economic Development Officer - Heritage Planning
- 15.3.5 PLAN2020-005
Member Appointments to the Ganaraska Forest Recreation Users Committee
Municipal Act, 2001 s.239(2)(b) Personal Matters about Identifiable Individuals
Richard Holy, Manager of Planning
16. **Matters from Closed Session**
17. **Confirming By-Law**
- 17.1 CC2020-01.17.1 259 - 259
A By-Law to Confirm the Proceedings of a Regular Meeting of Council,
Tuesday, January 28, 2020
18. **Adjournment**

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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Please contact AgendaItems@kawarthalakes.ca if you have an accessible accommodation request.

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.

Councillor 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



RECEIVED

JUN 2020

Request to Speak before Council

OFFICE OF THE CITY CLERK
KAWARTHA LAKES

Request to Make a Deputation/Presentation to
Council/Committee
City of Kawartha Lakes
City Clerk's Office
26 Francis Street, PO Box 9000
Lindsay, ON K9V 5R8
705-324-9411

Name: *

LUKE WOUD

Address: *

152 ANGELINE ST N

City/Town/Village:

LINDSAY

Province: *

ON

Postal Code:

Telephone: *

416-706-5853

Email: *

LUKEWOUD18@HOTMAIL.COM

There can be a maximum of two speakers for each deputation. Please list the name(s) of the individual(s) who will be speaking. The names that are listed here will be included on the Council Meeting Agenda.

Deputant One:

LUKE WOUD

Deputant Two:

PAUL CROSS

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

We feel that the decision imposed by Council to sell the Property currently being leased by myself (the owners of 152 Angeline St N) and Paul Cross on the open market is unreasonable given the circumstances. We have come to an agreement that should council consider selling the property directly to us (Myself & Paul), we will enter a joint partnership to own the property together so that the current property allocation does not change. We have spoken with Mayor Andy Letham and are aware that the City will have the property assessed and surveyed and that these costs will be passed on to the Buyer. We are in agreement that we are expected to pay the appraised value of the property.

Furthermore, given that both parties have leased the property from the City of Kawartha Lakes for a long enough period of time without issue and as such, should be considered for first right of refusal to purchase.

If the property is sold to another party, it hinders both of our businesses greatly. I, as a landlord, have professional tenants including Farm Credit Canada and Richard Greider Accounting. Without adequate parking, they can no longer run their businesses effectively. This ultimately impacts us as local investors, the local businesses within the building as well as the community itself.

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

Have you discussed this matter with City Staff?

☒ Yes

☐ No

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

REAL ESTATE, PLANNING

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

We are hoping to convey to council that it is in the best interest of all parties to allow both myself and Paul to purchase the land on Elgin St that we are in a long standing lease agreement with the City of Kawartha Lakes directly rather than placing the property on the open market.

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

Signature:

Luke Woud

Date:

12/13/2019

The personal information is being collected by the City of Kawartha Lakes for the principal purpose of a request to make a deputation to Committee or Council pursuant to the City's procedural by-law. This information, including all attachments submitted may be circulated to members of Council, staff, the general public and posted on the City website. Questions about the collection of this information should be directed to the City Clerk or Deputy Clerk at 705 324-9411 ext. 1295 or 1322.

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

☒ Yes

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



RECEIVED
JAN 22 2011

Request to Speak before Council

OFFICE OF THE CITY CLERK
KAWARTHA LAKES

Request to Make a Deputation/Presentation to
Council/Committee
City of Kawartha Lakes
City Clerk's Office
26 Francis Street, PO Box 9000
Lindsay, ON K9V 5R8
705-324-9411

Name: *

Paul Cross

Address: *

150 Angeline St

City/Town/Village:

Lindsay

Province: *

Ontario

Postal Code:

k9V3R4

Telephone: *

7053415249

Email: *

pcross@lindsaygm.ca

There can be a maximum of two speakers for each deputation. Please list the name(s) of the individual(s) who will be speaking. The names that are listed here will be included on the Council Meeting Agenda.

Deputant One:

Paul Cross

Deputant Two:

Luke Would

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

Would like to speak to the matter involving current lease agreement - Part Of Elgin Park, Part lots 5&6, Town Of Lindsay and the possible purchase thereof.

In its 45 years of being in business, Lindsay Buick GMC , formerly Lindsay Pontiac Buick GMC has leased said property for over 20 years! Having purchased the business in 2003, the previous owner, John Lindsay leased the property and I continued the lease in place. With the property, the business has grown, employee count has increased, a new facility built. The property is an effective component to the operations and its logistics, as it stores approx 25% of total inventory. This storage enables a greater sales capability and consequently a business model to sustain employee count etc... facility costs, taxes etc...

NOT retaining this property will have a detrimental impact and will cause for the business to scale back its operations.

The use of the property is not for development, not for personnel gain.

Myself and Luke Woud have a mutual agreement on the purchase of the property, including all associated costs.

Asking Council to look at the practical aspect of allowing 2 business to continue operations and being an integral part of the community and allowing them to direct purchase.

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

Have you discussed this matter with City Staff?

☒ Yes

☐ No

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

Planning

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

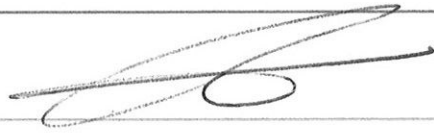
That recognizing council needs to keep in mind a partial view on decisions, that in some cases it could be argued that a more "practical approach" based upon history and circumstances should be considered in decision making. Expediting a decision on this to direct sell would be a more efficient from a time point of view and makes the most common sense. In a year, 2 businesses sit stale mate waiting to go through a process that makes NO sense! If these businesses are not able to retain this section of property, the negative impact will be instrumental.

The relationship and history with the town by way of the lease simply makes a direct sale the most logical, common sense decision which undoubtedly will hold merit in the public eye.

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

Signature:

Paul Cross
Lindsay Buick GMC Ltd



Date:

January 2020.

The personal information is being collected by the City of Kawartha Lakes for the principal purpose of a request to make a deputation to Committee or Council pursuant to the City's procedural by-law. This information, including all attachments submitted may be circulated to members of Council, staff, the general public and posted on the City website. Questions about the collection of this information should be directed to the City Clerk or Deputy Clerk at 705 324-9411 ext. 1295 or 1322.

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

☒ Yes

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

The Corporation of the City of Kawartha Lakes

Minutes

Committee of the Whole Meeting

COW2020-01
Tuesday, January 14, 2020
Open Session Commencing at 1:00 p.m.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:	Mayor Andy Letham
	Deputy Mayor Patrick O'Reilly
	Councillor Ron Ashmore
	Councillor Pat Dunn
	Councillor Doug Elmslie
	Councillor Tracy Richardson
	Councillor Kathleen Seymour-Fagan
	Councillor Andrew Veale
	Councillor Emmett Yeo

Accessible formats and communication supports are available upon request. The City of Kawartha Lakes is committed to accessibility for persons with disabilities. Please contact AgendaItems@kawarthalakes.ca if you have an accessible accommodation request.

1. Call to Order

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

CAO R. Taylor, City Clerk C. Ritchie, Administrative Assistant S. O'Connell and Directors C. Marshall, B. Robinson, J. Rojas, C. Shanks, J. Stover and H. Lee, Manager - Human Services (Housing) were also in attendance.

2. Adoption of Agenda

CW2020-001

Moved By Councillor Elmslie

Seconded By Councillor Seymour-Fagan

That the agenda be adopted as circulated with the following amendment:

Deletion:

Item 4.2 Encroachment Associated with 11 Richmond Street East, Kirkfield
Todd MacDonald

Carried

3. Disclosure of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

4. Deputations

4.1 COW2020-01.4.1

Resolution Regarding Healthcare Funding

Zac Miller, Co-Chair, Kawartha Lakes Health Coalition

Zac Miller expressed concern regarding the recent provincial reduction in healthcare funding. Mr. Miller asked council to pass a resolution requesting that the Province of Ontario end the reduction of healthcare funding.

CW2020-002

Moved By Councillor Elmslie

Seconded By Councillor Richardson

That the deputation of Zac Miller, Co-Chair, Kawartha Lakes Health Care Coalition, **pertaining to a resolution regarding health care funding**, be received.

Carried

5. Presentations

5.1 COW2020-01.5.1

Presentation of a Certificate of Appreciation to Susan Blayney

Pat Warren, Chair, City of Kawartha Lakes Environmental Advisory Committee
Councillor Richardson

Pat Warren, Chair of the City of Kawartha Lakes Environmental Advisory Committee, provided an overview of the contribution Susan Blayney has made to the community through her efforts as a member of the Environmental Advisory Committee. Ms. Warren thanked Ms. Blayney for everything that she has done during her tenure as a Committee member and wished her well on her future endeavours. Mayor Letham and Councillor Richardson presented a Certificate of Appreciation to Ms. Blayney.

6. Report CLK2020-001

6.1 COW2020-01.6.1

Presentation of the Recommended Updates to the Code of Conduct and Ethics - Members of Council and Local Boards

Cathie Ritchie, City Clerk

Cathie Ritchie, City Clerk, provided an overview of the proposed updates to the Code of Conduct for Members of Council and Local Boards.

CW2019-003

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Veale

That the presentation by Cathie Ritchie, City Clerk, **regarding recommended updates to the Code of Conduct and Ethics - Members of Council and Local Boards**, be received.

Carried

6.2 CLK2020-001

Code of Conduct and Ethics – Members of Council and Local Boards - Update

Cathie Ritchie, City Clerk

CW2020-004

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Dunn

That Report CLK2020-001, **Code of Conduct and Ethics – Members of Council and Local Boards - Update**, be received;

That the revised Code of Conduct and Ethics – Members of Council and Local Boards contained in Appendix A to Report CLK2020-001, be approved; and

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

Carried

7. Report CLK2020-002

7.1 COW2020-01.7.1

Presentation of the Procedural By-law Review and Recommended Amendments

Cathie Ritchie, City Clerk

Cathie Ritchie, City Clerk, provided an overview on the proposed amendments to the Procedural By-law.

CW2020-005

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That the presentation by Cathie Ritchie, City Clerk, **regarding recommended amendments to the Procedural By-law**, be received.

Carried

7.2 CLK2020-002

Procedural By-law Review and Recommended Amendments

Cathie Ritchie, City Clerk

CW2020-006

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Richardson

That Report CLK2020-002, **Procedural By-law Review and Recommended Amendments**, be received;

That the updates to the Procedural By-law identified in Appendix A to Report CLK2020-002, be approved;

That the Public Meetings Policy, Endorsement of External Resolutions Policy and Town Hall Meetings Policy be repealed;

That the necessary by-law to repeal and replace By-law 2018-212 be brought forward for adoption; and

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

Carried

8. Report CAO2020-001

8.1 COW2020-01.8.1

Presentation of the Kawartha Lakes Strategic Plan 2020-2023

Brenda Stonehouse, Strategy and Performance Specialist

Brenda Stonehouse, Strategy and Performance Specialist, provided an overview of the final draft of the proposed Strategic Plan for 2020 to 2023. The overview included the timeline that was followed and how input from Council, staff and members of the public was incorporated into the proposed Strategic Plan.

CW2020-007

Moved By Councillor Veale

Seconded By Councillor Richardson

That the presentation by Brenda Stonehouse, Strategy and Performance Specialist, **regarding the proposed Kawartha Lakes Strategic Plan for 2020-2023**, be received.

Carried

8.2 CAO2020-001

Kawartha Lakes Strategic Plan 2020-2023

Brenda Stonehouse, Strategy and Performance Specialist

Moved By Councillor Richardson

Seconded By Councillor Seymour-Fagan

That Environmentally Responsible be added as a fifth Guiding Principle within the draft Strategic Plan for 2020 to 2023.

Motion Failed

Moved By Councillor Elmslie

Seconded By Councillor Richardson

That a sentence be added to the paragraph under Guiding Principles within the draft Strategic Plan for 2020-2023 to include wording to suggest that the city will look through an environmental lens when considering any of the Guiding Principles.

Motion Failed

CW2020-008

Moved By Councillor Yeo

Seconded By Councillor Dunn

That Report CAO2020-001, **Kawartha Lakes Strategic Plan 2020-2023**, be received;

That the Kawartha Lakes Strategic Plan 2020-2023 contained in Appendix A to Report CAO2020-001 be approved;

That all corporate documents and reports be updated to reflect the 2020-2023 Strategic Plan and its reporting;

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

Carried

The meeting recessed at 2:38 p.m. and reconvened at 2:47 p.m.

9. Consent Matters

9.1 Reports

9.1.1 MAYOR2020-001

Deputy Mayor's 2019 Round Table Meetings on Roads

Councillor Doug Elmslie

CW2020-009

Moved By Councillor Elmslie

Seconded By Councillor Richardson

That Report MAYOR 2019-001, **Deputy Mayor's 2019 Round Table Meetings on Roads**, be received;

That staff be directed to provide a report to Council that outline recommendations for the maintenance and improvement of road drainage by the end of Q2, 2020;

That staff be directed to provide a report to Council with recommendations to enhance education and awareness related to our roads network, work plans, and allotted resources by the end of Q2, 2020;

That staff report to Council each spring regarding life cycle extension needs in relation to the approved budget; and

That the recommendations of this report be brought forward to Council for consideration at the next regular Council meeting.

Carried

9.1.2 ED2020-001

Proposed Designation of 264 Pleasant Point Road

Emily Turner – Economic Development Officer, Heritage Planning

CW2020-010

Moved By Councillor Dunn

Seconded By Councillor Ashmore

That Report ED2020-001, **Proposed Designation of 264 Pleasant Point Road**, be received;

That the Municipal Heritage Committee's recommendation to designate 264 Pleasant Point Road under Part IV of the Ontario Heritage Act as being of cultural heritage value or interest be endorsed;

That staff be authorized to proceed with the process to designate the subject property under Part IV of the Ontario Heritage Act, including the preparation and circulation of a Notice of Intention to Designate, and preparation of the designating by-law;

That a designating by-law be brought forward to Council at the next Regular Council Meeting following the end of the notice period; and

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

Carried

9.1.3 ED2020-002

Kawartha Lakes Cultural Centre Task Force

Donna Goodwin, Economic Development Officer – Arts and Culture

CW2020-011

Moved By Councillor Richardson

Seconded By Councillor Seymour-Fagan

That Report ED2020-002, **Kawartha Lakes Cultural Centre Task Force**, be received;

That the Terms of Reference for the **Kawartha Lakes Cultural Centre Task Force** in the form of Appendix A to report ED2020-002 be approved and adopted by Council; and

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

Carried

9.1.4 HS2020-001

Physician Recruitment Reserve Request

Rod Sutherland, Director of Human Services

CW2020-012

Moved By Councillor Veale

Seconded By Councillor Elmslie

That Report HS2020-001, **Physician Recruitment Reserve Request**, be received; and

That payment of up to \$8,500 to the Kawartha Lakes Health Care Initiative (KLHCI) be authorized from the Doctor Recruitment Reserve to support a Physician Return of Service Agreement executed by KLHCI.

Carried

9.1.5 HH2020-001

Kawartha Lakes-Haliburton Housing – Development Updates

Hope Lee, Manager, Human Services, Housing

CW2020-013

Moved By Councillor Dunn

Seconded By Councillor Elmslie

That Report HH2020-001, **Kawartha Lakes-Haliburton Housing – Development Updates**, be received;

That the Lindsay Street North development originally proposed within HH2019-001 be deferred with an amended proposal brought back to Council following the successful removal of the additional soils;

That subject to the necessary by-laws and agreement being forwarded to Council for approval, and the successful completion of such planning and development processes as the City may require, the amended proposal for Hamilton Park, Lindsay by the Kawartha Lakes-Haliburton Housing Corporation (KLH Housing) be approved with the following revisions as described in Report HH2020-001:

1. The proceeds from the sale of twenty seven (27) single and semi-detached KLH Housing units transferred by the Province to KLH Housing in 2001, with their specific addresses identified within the Existing Homes section of Attachment A of Report HH2020-001, be used to fund their replacement with twenty seven (27) newly constructed housing units to be rented as Rent-Geared-to-Income (RGI) through a rent supplement agreement between the City and KLH Housing; and
2. The completion of financing for cash flow and borrowing facilities in the City's own name, with the City then lending the funds to KLH Housing; and
3. The in kind municipal incentives proposed in Report HH2020-001 to support the project on Hamilton Park in Lindsay within which the twenty seven (27) reconstructed and nineteen (19) additional units will be created;

That the City's Chief Administrative Officer be authorized to approve relief from any of the required fees and charges as in kind municipal support, needed to implement the Hamilton Park project;

That a By-law authorizing the City to execute a Municipal Housing Facilities Agreement with KLH Housing for Minden Phase 2, substantially in the form and included as Attachment C to Report HH2020-001, be forwarded to Council for adoption; and

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

Carried

9.2 Correspondence

9.2.1 COW2020-01.9.2.1

Request Regarding the Purchase of an ATV for the Kirkfield Fire Station

James R. Webster, President, Five W. Farms Inc.

CW2020-014

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That the December 10, 2019 correspondence from James R. Webster, President, Five W. Farms Inc., **regarding the purchase of an ATV for the Kirkfield Fire Station**, be received.

Carried

CW2020-015

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That the Kirkfield Fire Station be able to access the Victoria Road Hall Fund Reserve of an upset limit of \$15,000 for the purchase of an ATV for the Kirkfield Fire Station.

Carried

9.2.2 COW2020-01.9.2.2

Request for a Resolution of Support Regarding the Transition of the Blue Box to Full Producer Responsibility

Jamie McGarvey, AMO President, Mayor of Parry Sound

CW2020-016

Moved By Councillor Seymour-Fagan

Seconded By Councillor Veale

That the December 18, 2019 correspondence from Jamie McGarvey, AMO President, Mayor of Parry Sound, **regarding a resolution of support for the transition of the blue box to full producer responsibility**, be received; and

That the correspondence be forwarded to staff for review and report back by the end of Q2, 2020.

Carried

9.2.3 COW2020-01.9.2.3

Request for a Resolution of Support Regarding Proposed Amendments to the Trent Source Protection Plan and Assessment Report as per Section 34 of the Clean Water Act

Mark Majchrowski, CAO, Kawartha Conservation

CW2020-017

Moved By Councillor Yeo

Seconded By Councillor Dunn

That the January 2, 2020 correspondence from Mark Majchrowski, CAO for Kawartha Conservation, **regarding the Notice of Requirement for Council Resolution Related to Proposed Amendments to the Trent Source Protection Plan and Assessment Report**, be received;

That the proposed amendments to the Trent Source Protection Plan and Assessment Report as per Section 34 of the Clean Water Act, resulting from recent upgrades to the Canadiana Shores Drinking Water System, be endorsed;

That the commencement of the public consultation process, be authorized; and

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

Carried

9.2.4 COW2020-01.9.2.4

Memo Regarding a Turning Lane into Lakeview Estates

Councillor Ashmore

CW2020-018

Moved By Councillor Ashmore

Seconded By Deputy Mayor O'Reilly

That the Memo from Councillor Ron Ashmore, **regarding a left turning lane into Lakeview Estates**, be received;

That Staff investigate the feasibility of creating left turning lane on Pigeon Lake Road into Lakeview Estates and report back to Council by the end of Q3, 2020; and

That this recommendation be brought forward to Council at the next regular council meeting.

Carried

9.2.5 COW2020-01.9.2.5

Memo Regarding Tax Relief for the Omemee Medical Centre

Councillor Ashmore

CW2020-019

Moved By Councillor Ashmore

Seconded By Councillor Yeo

That the Memo from Councillor Ron Ashmore, **regarding tax relief for the Omemee Medical Centre**, be received;

That Staff investigate any forms of incentives or relief that would assist non-profit medical trusts within the City of Kawartha Lakes and report back to Council with options by the end of Q2, 2020; and

That this recommendation be brought forward to Council at the next regular council meeting.

Carried

9.3 Items Extracted from Consent

10. Closed Session

11. Matters from Closed Session

12. Adjournment

CW2020-020

Moved By Councillor Yeo

Seconded By Councillor Dunn

That the Committee of the Whole Meeting adjourn at 3:23 p.m.

Carried

Andy Letham, Mayor

Cathie Ritchie, City Clerk

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

PC2020-01
Wednesday, January 15, 2020
1:00 P.M.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

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

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1. Call to Order and Adoption of Agenda

Deputy Clerk and Recording Secretary J. Watts called the meeting to order at 1:01 p.m. Mayor A. Letham, Deputy Mayor P. O'Reilly, Councillors K. Seymour-Fagan, and A. Veale and T. Smith, and J. Willock were in attendance.

Director of Development Services C. Marshall, Supervisor of Development Planning S. Rea, Supervisor of Development Engineering C. Sisson, and Planner II J. Wong, were also in attendance.

Absent: M. Barkwell

Mr. Watts welcomed all in attendance and opened the meeting by describing the process for the appointment of the Chair and Vice-Chair including a brief description of the roles.

1.1 Appointment of the Chair and Vice-Chair

Deputy Clerk and Recording Secretary J. Watts called for the nominations for the position of Chair.

Deputy Mayor P. O'Reilly was nominated.

Mr. Watts called a second time for nominations for the position of Chair.

Mr. Watts called for a third and final time for nominations for the position of Chair.

Mr. Watts declared nominations for the position of Chair for the Planning Advisory Committee closed.

Mr. Watts asked Deputy Mayor O'Reilly if he wished to let his name stand for Chair of the Planning Advisory Committee. He consented to the nomination.

Mr. Watts declared Deputy Mayor O'Reilly as Chair of the Planning Advisory Committee. Chair O'Reilly assumed his position as Chairperson of the committee.

The Chair called for the nominations for the position of Vice-Chair.

Councillor A. Veale was nominated.

The Chair called a second time for nominations for the position of Vice-Chair.

The Chair called for a third and final time for nominations for the position of Vice-Chair.

The Chair declared nominations for the position of Vice-Chair for the Planning Advisory Committee closed.

Chair O'Reilly asked Councillor Veale if he wished to let his name stand for Vice-Chair of the Committee. He consented to the nomination.

Chair O'Reilly declared Councillor Veale as Vice-Chair of the Planning Advisory Committee.

The Chair thanked the members of the committee for the appointment as Chairperson and he introduced the members of the committee and staff present in the meeting.

1.2 Adoption of the Agenda

PAC2020-001

Moved By J. Willock

Seconded By Councillor Veale

That the agenda for the Wednesday, January 15, 2020 Planning Advisory Committee Meeting be adopted as circulated.

Carried

2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

3. Public Meeting

The Chair stated that, as required under the Planning Act, a public meeting is being held prior to the City of Kawartha Lakes Council making decisions on the following planning matters.

3.1 PLAN2020-001

Janet Wong, Planner II

An application to amend the Township of Emily Zoning By-law 1996-30 on land described as Part Lot 6, Concession 10, identified as 305 St. Luke's Road – Carroll

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

Ms. Wong confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500 metres, and a sign was posted on the subject property. She summarized the application, explaining

that it proposes to change the zone category on the retained lands from the Agricultural (A1) Zone to Environmental Protection (EP) Zone to preclude development within significant woodlands and to an Agricultural Exception Thirty Three (A1-33) Zone to recognize a reduced lot area and reduced lot frontage over the balance of the retained A1 Zone lands. It also proposed to change the zoning on the severed lands from the A1 Zone to an EP Zone to restrict development from the significant woodlands and buffer, as well as to a Hamlet Residential Zone-Exception One (HR-1) Zone to not require yard or setbacks from the EP Zone boundary. The application is consistent with the 2017 Provincial Policy Statement, conforms to the 2019 Growth Plan and the Kawartha Lakes Official Plan. Ms. Wong summarized the comments received to date, as detailed in her report, noting that subsequent to the writing of the report additional comments were received from the City's Development Engineering Division with no objection. It was also noted that the Public Notice did not identify that the retained lands would not meet the minimum lot frontage requirement. This could be considered a minor change, thus no further notification would be required under the Planning Act. Staff are recommending that the application be forwarded to Council for approval.

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

Ken Hurford of EcoVue Consulting spoke as the applicant, and stated that they support and are satisfied with the staff report. He made himself available for questions from the Committee members.

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

No other persons spoke to the application.

The Public Meeting concluded at 1:15pm.

4. Business Arising from Public Meeting

4.1 Item 3.1

PAC2020-002

Moved By Councillor Seymour-Fagan

Seconded By Councillor Veale

That Report PLAN2020-001, An application to amend the Township of Emily Zoning By-law 1996-30 on land described as Part Lot 6, Concession 10, geographic Township of Emily, identified as 305 St, Luke's Road – Bob Carroll, be received;

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 reducing the minimum lot frontage for the retained lands, deems no further public notice to be necessary;

That application D06-2019-028, respecting a proposed Amendment to the Township of Emily Zoning By-law to rezone lands in order to fulfill conditions of consent substantially in the form attached as Appendix D to Report PLAN 2020-001 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 these applications.

Carried

5. Deputations

6. Correspondence

7. City of Kawartha Lakes Reports

7.1 PLAN2020-002

Sherry Rea, Development Planning Supervisor

Applications to amend the City of Kawartha Lakes Official Plan and the Township of Ops Zoning By-law 93-30 on the Lindsay Exhibition Grounds, geographic Township of Ops, and identified as 354 Angeline Street South - Lindsay Agricultural Society

Ms. Rea confirmed that a Public Meeting on this matter was held on November 6, 2019 in accordance with the Planning Act. She summarized the application, explaining that it proposes to permit camping, recreational vehicles sites and camping cabins on the site together with accessory structures (comfort stations, washrooms and parking) and to protect the wetlands, floodplain and watercourses on the site while allowing for trails and structures such as docks, boardwalks and footbridges. The project will be developed over 2 phases with the second phase being zoned with a Holding (H) provision. The application is consistent with the 2017 Provincial Policy Statement, conforms to the 2019 Growth Plan and the Kawartha Lakes Official Plan. Ms. Rea summarized the comments and responses received to date. She also noted a minor change to Schedule A of the proposed zoning by-law which was circulated to the committee prior to the meeting. Staff are recommending that the application be forwarded to Council for approval. She responded to questions from Committee members.

The Chair permitted Beverly Saunders from EcoVue Consulting to speak as the applicant who stated that they appreciated the recommendation in the staff report.

PAC2020-003

Moved By Mayor Letham

Seconded By J. Willock

That Report PLAN2020-002, **Part of Lot 16, Concession 5, geographic Township of Ops, and identified as 354 Angeline Street South, Applications D01-2019-004 and D06-2019-031** be received;

That a By-law to implement the proposed Official Plan Amendment, substantially in the form attached as Appendix D to Report PLAN2020-002, be referred to Council for approval and adoption;

That a Zoning By-law Amendment, substantially in the form attached as Appendix E to Report PLAN2020-002, be referred to Council for approval and adoption; and

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

Carried

7.2 **ENG2020-001**

Christina Sisson, Supervisor, Development Engineering
Assumption of Hutton Road and Brock Street, Lindsay

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

PAC2020-004

Moved By Councillor Veale

Seconded By T. Smith

That Report ENG2020-001, **Assumption of Hutton Road and Brock Street, Lindsay**, be received;

That the Assumption of Hutton Road and Brock Street, Lindsay, Churchdown Crossing Subdivision, Geographic Town of Lindsay, City of Kawartha Lakes, be approved;

That an Assumption By-Law, substantially in the form attached as Appendix A to Report ENG2020-001 be approved and adopted by Council; and

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

Carried

8. Adjournment

PAC2020-005

Moved By J. Willock

Seconded By Councillor Seymour-Fagan

That the Planning Advisory Committee Meeting adjourn at 1:24 p.m.

Carried

The Corporation of the City of Kawartha Lakes

Council Report

Report Number CS2020-003

Meeting Date: January 28, 2020

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

Ward Number: Fenelon Falls

Author and Title: LeAnn Donnelly, Executive Assistant, Community Services

Recommendation(s):

That Report CS2020-003, Release of Fenelon Falls Legacy C.H.E.S.T. Funds, be received; and

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

That Snowshoe Kawartha be approved for funding in the amount of \$2,500.00 with the allocation to come from the Fenelon Falls Legacy C.H.E.S.T. Reserve (3.24350).

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

Grant applications for the disposition of Fenelon Falls residual C.H.E.S.T. funding have been received by Community Services Administration on behalf of community interests. The local Councillor is supportive of these requests. Total funding requested is \$12,500.00. As per the last financial update received from Treasury dated January – November 2019 there is \$158,943.00 of residual funding available for distribution.

Residual fund distributions are treated in the same manner, and subject to the same criteria as the ongoing C.H.E.S.T. funding programs in Lindsay and Bobcaygeon. The distribution of these funds is also subject to requirement for a full reconciliation of costs at the end of the project.

This report is brought forward to Council to approve the release of funds from the Fenelon Falls C.H.E.S.T. Fund Reserve (3.24350). The applications and review comments are summarized below.

Rationale:

Maryboro Lodge – The Fenelon Museum

Maryboro Lodge - The Fenelon Museum was founded in 1963 as a community history museum. They offer a variety of programs for all ages including afternoon teas, senior social programs, a one room summer school house, the Allen Wood Play Space (featuring the Kawartha Lakes Heritage of Toy Manufacturing), a speaker series, and a variety of exhibits on the history of Kawartha Lakes.

The first annual KidsFest was held in 2019 with great success. This free family festival featured prominent children's musical performers, a variety of activities inspired by the Kawartha's history of toy manufacturing, and a variety of arts and crafts. In its second year the event will continue to be held on Labour Day weekend but will expand to a three day event with a focus on highlighting the accomplishments of local youth (music, dance, art, science, technology, engineering and math) with a special focus on exploring how sound and music are made. This will be accomplished by vastly expanding the hands on educational offerings such as activities that teach introductions to music, sound, construction, friction and much more.

In order to offer these events Maryboro Lodge – The Fenelon Museum is seeking \$10,000.00 to help pay for the cost of musical performers, advertising, and many small purchases for the numerous children's activities that are offered.

Snowshoe Kawartha

Snowshoe Kawartha has developed into a significant community initiative. Over the last three years the event has been selected by Snowshoe Canada to join the Ontario Cup competition. In 2018 Snowshoe Kawartha expanded its event to include a children's event which set a new world record with over 125 students racing 500 meters. In 2019 the children's challenge continued and Snowshoe Kawartha hosted the Ontario Championships drawing participants from all across Ontario. Also in 2019 Snowshoe Kawartha hosted the first snowshoe event in the history of Canada to have 75% of its competitors comprised of females.

The event this year will take place on Saturday, February 1, 2020 and Snowshoe Kawartha will continue to host the Ontario Championships, the Athletics Ontario Championships, as well as laying the groundwork to become a Regional Special Olympics Competition.

Snowshoe Kawartha is requesting \$2,500.00 from the Fenelon Falls C.H.E.S.T. Funds to cover costs of these races. Priorities include funds to obtain the Special Olympics Certification, Snowshoe Canada Certification, event insurance and will assist with the cost of event timing and hall rental.

Other Alternatives Considered:

This report is brought to Council at the request of the Ward Councillor in keeping with the established policy for disposition of residual C.H.E.S.T. funds in the absence of a community committee. No alternative has been considered.

Financial/Operation Impacts:

The Fenelon Falls Legacy C.H.E.S.T. Fund has residual funds remaining in the amount of \$158,943.00. With the recommendations outlined within this report if approved will leave a balance of \$146,443.00 for further distribution in future years.

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

The recommendations within this report directly align with all Strategic Goals, through our Value of Collaboration namely:

- Goal 1 – A Vibrant and Growing Economy
- Goal 2 – An Exceptional Quality of Life
- Goal 3 – A Healthy Environment

In addition this report aligns with all Strategic Goals as outlined in the proposed 2020-2023 Strategic Plan as presented to Council at Committee of the Whole meeting of January 14, 2020, namely:

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

- Goal 3 – A Healthy Environment
- Goal 4 – Good Government

Review of Accessibility Implications of Any Development or Policy:

N/A

Servicing Implications:

N/A

Consultations:

Councillor Elmslie

Treasury

Attachments:

N/A

Department Head E-Mail: cshanks@kawarthalakes.ca

Department Head: Craig Shanks, Director of Community Services

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PRC2020-002

Meeting Date: January 28, 2020

Title: 2020 50/50 Community Project Capital Fund Allocation

Description:

Ward Number:

Author and Title: Shelley Cooper, Community Partnership and Programs Supervisor

Recommendation(s):

That Report PRC2020-002, 2020 50/50 Community Project Capital Fund Allocation, be received.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The 50/50 Community Project Capital Funding Initiative has been operating since 2003. The Parks, Recreation and Culture Division has partnered with community groups to successfully complete over 225 community projects. Enhancements to local parks, community centres and sports fields have been completed through local volunteer efforts and funding provided through the 50/50 Community Project Capital Funding Initiative.

This report provides recommendations on the 2020 allocation of these capital resources.

Rationale:

The intent of this report is to allocate the 2020 50/50 Community Project Capital Funding in a timely manner in order to allow our community partners time to successfully complete their projects during the 2020 calendar year. While management directive provides for approval from the Director, this report will share with Council the funding requests received, and the planned allocations so Council is aware of initiatives occurring throughout the City.

As per the 2020 budget total funding available for distribution in 2020 is \$80,000.00. Management Directive MD2018-006 invites Community Organizations to make one application per year to a maximum of \$7,500.00 with a minimum of 50% of funds being contributed by the organization. The application deadline was October 31, 2019 for projects planned in 2020. All applications have been evaluated based on the established funding criteria.

A total of twelve applications were received by the deadline. Seven projects are being recommended to receive funding. As stated in the management directive, organizations that missed the deadline of October 31, 2019 may submit applications requesting funding until July 31, 2020.

Table 1 – 50/50 Community Project Capital Funding Allocation 2020

Community Group	Project	Amount Requested	Recommended Amount
Dalton Volunteer Management Committee	Outdoor Playground & Windows	\$3,525.00	\$3,525.00
Fenelon Falls Horticulture Society	Rain Garden & Wall repair	\$3,150.00	\$3,150.00
Kawartha Field Naturalists	Altberg Wildlife Sanctuary Nature Reserve Signage	\$7,500.00	\$0.00
Kawartha Lakes Soccer Club	Phase 2 Optimist Park: Turf, goal posts.	\$7,500.00	\$7,500.00
Kawartha Works Community Coop	Outdoor community performance space	\$7,500.00	\$0.00

Kinmount Committee for Planning & Economic Development	Bike Racks, Trash Containers, Recycling Units	\$7,500.00	\$7,417.00
Lindsay Agriculture Society	Parkette with Boy & Boot statue	\$7,500.00	\$0.00
Little Britain Community Association	Santa Claus Parade	\$1,000.00	\$0.00
Maryboro Lodge: The Fenelon Museum	Accessibility Upgrades, Sound System, renovations	\$4,445.00	\$4,445.00
Rotary Club of Fenelon Falls	Information Station in Garnet Graham Park & tree removal	\$2,965.00	\$2,965.00
Rotary Club of Lindsay	Accessible Docks at Old Mill	\$7,500.00	\$7,500.00
Sturgeon Point Association	Leaf Dump	\$1,250.00	\$0.00
Total Requests	12	\$61,335.00	\$36,502.00

Funding has been recommended based on the information provided in each application and the eligible capital funding project criteria.

- The application from the Kawartha Field Naturalists is not being recommended as the location is not eligible for funding.
- The application from the Kawartha Works Community Co-op is not being recommended as the location is not eligible for funding.
- The application from the Lindsay Agriculture Society is not being recommended as the location is not eligible for funding.
- The application from the Little Britain Community Association for the Santa Claus parade is not being recommended for funding as the project is not an eligible capital project.
- The application from the Sturgeon Point Association is not being recommended as the project is not an enhancement to a city facility or park.

Following Council's receipt of this report, each organization will receive a confirmation letter that will include provisions to ensure that all liabilities, insurance, permits and permission required for each individual project are met in accordance with City Policy. Funding is pending project approval by the facility supervisor or manager.

A form of reconciliation from each organization must be returned to the City for the purpose of project audits.

Other Alternatives Considered:

The allocations recommended follow the Community Partnership and Development Fund Program Management Directive MD2018-006 and attempt to support the maximum number of eligible projects within existing approval levels.

Financial/Operation Impacts:

The recommendations within this report allow for the allocation of the 2020 50/50 Community Project Capital Fund Initiative as per the management directive and within the budget of \$80,000.00.

Upon distribution of the recommended funding the 2020 50/50 Community Project Capital Fund Initiative will have a balance of \$43,498.00 in remaining funds. This funding can be distributed in a second round, for applications received after the deadline as per Management Directive MD2018-006.

2020 Funding Available	\$80,000.00
2020 Recommended Allocation	\$36,502.00
Total 2020 Funding Remaining	\$43,498.00

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

The recommendations within this Report contributes to the Council Adopted Strategic Plan. It can identify more than one of the Goals, namely:

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

Link to Strategic Plan

<https://documents.city.kawarthalakes.on.ca/sites/CorpDocs/Plans/2016%20Strategic%20Plan%20City%20of%20Kawartha%20Lakes.pdf>

Review of Accessibility Implications of Any Development or Policy:

Consultations:

Funding requests from various community groups.

Attachments:

N/A

Department Head E-Mail: csbanks@kawarthalakes.ca

Department Head: Craig Shanks

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PRC2020-003

Meeting Date: January 28, 2020

Title: 2020 Community Partnership and Development Fund Allocation

Description:

Ward Number:

Author and Title: Shelley Cooper, Community Partnership and Programs Supervisor

Recommendation(s):

That Report PRC2020-003, 2020 Community Partnership and Development Fund Allocation, be received.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The Community Partnership and Development Fund was established in 2006 to acknowledge and support the efforts of volunteer/community organizations, provide for the betterment of the City, and provide financial assistance to support specific initiatives:

- Beautification
- Culture
- Special Events
- Milestone Events
- Municipal Tax Rebate

This report provides recommendations on the 2020 allocation of these resources.

Rationale:

As per the 2020 budget total funding available for distribution is \$130,000.00 for all categories. As per Management Directive MD2018-005 Community groups are invited to make requests for funding in any of the five categories: Beautification, Culture, Special Events, Milestone Event, and Municipal Tax Rebate. Each funding category has specific requirements that community groups must meet in order for their application to be considered eligible. The application deadline was October 31, 2019 for 2020 funding. All applications are evaluated based on the established funding allocation criteria. Applications received after October 31, 2019 will be considered in a second allocation on July 31, 2020 if any funding remains after the first allocation is complete.

The **Beautification Fund** is to be distributed for operating expenses with the purpose of enhancement projects intended for downtown/business and streetscapes. Table 1 outlines funds requested by organizations and the recommendation by staff, and supported by the Director, to the extent the management directive allows

Table 1 – CPDF Beautification Funding Allocation 2020

Community Group	Project	Amount Requested	Amount Recommended
Bobcaygeon Horticultural Society	Public Gardens	\$3,000.00	\$3,000.00
Coboconk Horticultural Society	Village Hanging Baskets & Planters	\$2,500.00	\$2,104.77
Coboconk, Norland & Area Chamber of Commerce	Season initiatives and shoreline plantings at lion's park.	\$4,489.50	\$1,375.00
Environmental Action Bobcaygeon Inc.	Case Manor Wall	\$7,500.00	\$0.00

Fenelon Falls & District Chamber of Commerce	Flowers, hanging baskets, flags, decorative displays for plowing match	\$13,000.00	\$6,650.00
Fenelon Falls Horticultural Society	Village Gardens	\$6,800.00	\$3,650.00
Impact 32 - Kawartha Works Community Co-Op	Hanging baskets, Paddle art, Holiday Tree	\$7,500.00	\$7,500.00
Kings Bay Residents	Entrance Gardens	\$350.00	\$350.00
Kinmount Committee for Planning & Economic Development	Flowers & Hanging Baskets	\$10,000.00	\$10,000.00
Lindsay Downtown BIA	Downtown Beautification	\$45,000.00	\$35,000.00
Little Britain Community Association	Flowers, Banners	\$3,500.00	\$1,050.00
Norland Horticultural Society	Central Gardens and planters	\$2,500.00	\$2,500.00
Omeme & District Horticulture Society	Public Gardens	\$1,475.00	\$1,475.00
Omeme & District Lions Club	Historic Banners & Seasonal Wreaths	\$2,180.90	\$2,180.00
Sturgeon Point Association	Flowers at playground, public beach and upper wharf	\$100.00	\$100.00
Valentia Church & Community Centre	Cultural Heritage Day	\$500.00	\$0.00
Woodville & District Lions Club	Woodville Hanging Baskets	\$5,153.70	\$5,153.70
Total 1st Round Requests	17	\$115,549.10	\$82,088.47

These funds are made available for purchases such as hanging baskets, banners, flowers etc. in downtown business and key horticultural areas presently maintained by volunteers. It is not intended to be used to fund maintenance expenses and beautification of municipal park properties; this will be funded and maintained by City staff through the operating budget. Horticulture societies and downtown improvement committees are eligible for this funding. Community groups must provide proof of matching funds to be considered eligible for funding and the funds must be used for operational purposes only.

Funding has been recommended based on the established funding criteria and eligible expenses included in each individual application. Details about the projects not recommended for funding are detailed below:

- The application from the Coboconk, Norland and Area Chamber of Commerce is recommended for partial funding, shoreline plantings are not considered an eligible beautification project.
- The application from Environmental Action Bobcaygeon is not recommended for funding as the Case Manor Wall is not an eligible beautification project.
- Fenelon Falls and District Chamber of Commerce is recommended for funding for eligible expenses.

- Little Britain Community Association is recommended for funding for eligible expenses.
- Valentia Church and Community Centre is not recommended for funding as the Cultural Heritage day is not an eligible beautification project.

The objective of the **Culture Fund** is to help groups to promote their programs and services. Museums and organizations representing the arts community are examples of eligible organizations.

Table 2 outlines funds requested by organizations and the recommendation by staff, and supported by the Director. The maximum funding available per request is \$2000.00.

Table 2 – CPDF Culture Funding Allocation 2020

Community Group	Project	Amount Requested	Amount Recommended
Environmental Action Bobcaygeon Inc.	Case Manor Wall	\$7,500.00	\$0.00
Globus Theatre	2020 Brochures	\$2,000.00	\$2,000.00
Impact 32 - Kawartha Works Community Co-Op	Visit Bobcaygeon, Trail Town, Communities in Bloom, Ontario by Bike marketing	\$1,000.00	\$0.00
Kinmount Committee for Planning & Economic Development	Music in the Park	\$2,000.00	\$2,000.00
Kirkfield and District Historical Society	promote historical society activities and programs	\$2,430.00	\$2,000.00
Little Britain Community Association	Santa Claus Parade	\$1,000.00	\$0.00
Maryboro Lodge: The Fenelon Museum	Advertising programs and events	\$2,000.00	\$2,000.00
Valentia Church & Community Centre	Cultural Heritage Day	\$2,500.00	\$1,705.00
Victoria County Studio Tour	Victoria County Studio Tour	\$2,000.00	\$2,000.00
Total 1st Round Requests	9	\$22,430.00	\$11,705.00

Funding has been recommended based on the established funding criteria and eligible expenses included in each individual application. Details about the projects not recommended for funding are detailed below:

- The application from the Environmental Action Bobcaygeon Case Manor Wall does not meet the criteria.
- The application from Impact 32 does not meet the criteria.
- The application from the Little Britain Community Association does not meet the criteria.

- The Valentia Church and Community Centre is recommended to receive partial funding for eligible expenses.

The **Special Event Fund** is distributed to support local community events. The maximum funding under this program is \$500.00 per event, with one event per organization eligible to receive funding.

Table 3 outlines funds requested by organizations and the funding recommended by staff, and supported by the Director, to the extent the management directive allows.

Table 3 – CPDF Special Event Funding Allocation 2020

Community Group	Project	Amount Requested	Amount Recommended
Bobcaygeon Chamber of Commerce	Fishing Fun Fest at Canada Walleye Tournament	\$500.00	\$500.00
Carden Old Tyme Fiddle Contest	Carden Old Tyme Fiddle Contest	\$500.00	\$500.00
Coboconk, Norland & Area Chamber of Commerce	Santa Claus Parade	\$500.00	\$500.00
Fenelon Falls & District Chamber of Commerce	Easter Eggstravaganza	\$500.00	\$500.00
Green Trail Alliance	Celebration of Trails	\$500.00	\$500.00
Hickory Beach	BBQ	\$300.00	\$225.00
Impact 32 - Kawartha Works Community Co-Op	Mingle & Jingle	\$500.00	\$0.00
Impact 32 - Kawartha Works Community Co-Op	Frost Fest	\$500.00	\$500.00
Impact 32 - Kawartha Works Community Co-Op	Trail Town Kickoff	\$500.00	\$0.00
Kinmount Committee for Planning & Economic Development	Highland Games	\$2,000.00	\$500.00
Kirkfield and District Historical Society	Classic car, truck and tractor show at Kirkfield Festival	\$500.00	\$500.00
Lindsay & Area Reunion 2020	2020 Reunion Concert	\$500.00	\$0.00
Lindsay Santa Claus Parade	2020 Santa Claus Parade	\$500.00	\$500.00
Little Britain Community Association	Santa Claus Parade	\$1,000.00	\$500.00
Maryboro Lodge: The Fenelon Museum	Spring Arts & Crafts Event	\$500.00	\$500.00
Norland Summer Festival	Norland Summer Festival	\$500.00	\$500.00
Ontario Open Fiddle & Step Contest	Ontario Open Fiddle & Step Contest	\$500.00	\$500.00
Rotary Club of Fenelon Falls	Kids Fest	\$500.00	\$500.00
Sturgeon Point Association	Canada Day, Civic Regatta, Halloween	\$500.00	\$300.00
Victoria British Car Club	Brits in the Park 2020	\$500.00	\$500.00
Victoria County Plowman's Association	Victoria County Plowing Match	\$500.00	\$500.00

Woodville Community Festival	Woodville Community Festival	\$500.00	\$500.00
Woodville & District Lions Club	Woodville Show n Shine Car Show	\$480.00	\$450.00
Omeme & District Lioness Club	Craft Show	\$255.76	\$255.76
Total Requests	24	\$13,535.76	\$9,730.76

Funding has been recommended to groups based on funding criteria and eligible expenses. Organizations receiving partial or not recommended to receive funding are detailed below:

- Impact 32 is receiving funding for one eligible event.
- Hickory Beach is receiving funding for eligible expenses.
- Lindsay Area Reunion is not being recommended to receive funding as fundraising events are not eligible per the management directive.

Funding for community events celebrating Quarter Century anniversaries is available under the **Milestone Event** category. Funding allotment is determined based on applications received with a maximum of \$10,000.00 per event. Table 4 Outlines funds requested for Milestone Events.

Table 4 – CPDF Milestone Event Funding Allocation 2020

Milestone Event Allocation	Project	Amount Requested	Amount Recommended
Boys & Girls Club of Kawartha Lakes	50th Anniversary	\$8,643.00	\$3,855.00
Maryboro Lodge: The Fenelon Museum	75th Anniversary of end of WW2	\$3,365.00	\$0.00
Woodville Skating Club	50th Anniversary Carnival	\$10,000.00	\$8,110.00
Total Milestone Requests	3	\$22,008.00	\$11,965.00

Funding has been recommended for the Boys and Girls Club of Kawartha Lakes and the Woodville Skating Club based on funding criteria, eligible expenses and available funds. Maryboro Lodge: The Fenelon Museum is not being recommended to receive milestone funding for this anniversary. Maryboro Lodge received milestone funding for an event in 2019.

The **Municipal Tax Rebate** Program is limited to one funding request per property per calendar year. This fund is a historic practice available only to those community organizations that provide recreational services or facilities to the general public and have traditionally (pre-amalgamation) received a municipal tax rebate on their taxes with the exception of the education tax. This initiative assists organizations that provide recreation through privately owned community facilities; some of which would perhaps see the facilities fall to city ownership if this assistance were not provided.

Table 5 Outlines funds requested by organizations based on their 2019 final tax bill and the funding recommended by staff, and supported by the Director, to the extent the management directive allows. Final payments will be made based on the 2020 tax bill and will be slightly higher than the amounts below.

Table 5 – CPDF Municipal Tax Funding Allocation 2020

Community Group	Requested
Bethany Athletic Society	\$2,011.56
Dunsford Community Centre	\$7,418.92
Pontypool Community Centre	\$1,646.41
Southview Cameron New Horizons Seniors	\$1,769.23
Total Municipal Tax Requests	4
	\$12,846.12

In summary a total of 57 applications were received requesting a total of \$186,368.98 in funding through the Community Partnership and Development Fund.

	Number of Requests	Total Funds Requested	Total Funds Recommended
Beautification	17	\$115,549.10	\$82,088.47
Culture	9	\$22,430.00	\$11,705.00
Special Events	24	\$13,535.76	\$9,730.76
Municipal Tax	4	\$12,846.12	\$12,846.12
Milestone Special Event	3	\$22,008.00	\$11,965.00
CPDF	57	\$186,368.98	\$128,335.35

Following Council's receipt of this report, each organization will receive a confirmation letter that will include provisions to ensure that all liabilities, insurance, permits and permission required for each individual project are met in accordance with City Policy. Funding is pending project approval by the facility supervisor or manager.

A form of reconciliation from each organization must be returned to the City for the purpose of project audits.

Other Alternatives Considered:

The allocations recommended follow the Community Partnership and Development Fund Program Management Directive MD2018-005 and attempt to support the maximum number of eligible projects within existing approval levels.

Financial/Operation Impacts:

The recommendations within this report allow for the allocation of the 2020 Community Partnership and Development Fund Allocation as per the management directive and within the budget of \$130,000.00.

Upon distribution of the recommended funding the 2020 50/50 Community Partnership and Development Fund Initiative will have a balance of \$1,664.65 in remaining funds. This funding can be distributed in a second round, for applications received after the deadline as per Management Directive MD2018-005.

2020 Funding Available	\$130,000.00
2020 Recommended Allocation	\$128,335.31
Total 2019 Funding Remaining	\$ 1,664.65

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

The recommendations within this Report contribute to the Council Adopted Strategic Plan. It can identify more than one of the Goals, namely:

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

Link to Strategic Plan

<https://documents.city.kawarthalakes.on.ca/sites/CorpDocs/Plans/2016%20Strategic%20Plan%20City%20of%20Kawartha%20Lakes.pdf>

Review of Accessibility Implications of Any Development or Policy:

Consultations:

Funding requests from various community groups.

Attachments:

N/A

Department Head E-Mail: cshanks@kawarthalakes.ca

Department Head: Craig Shanks

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PLAN2020-004

Meeting Date: January 28, 2020

Title: A By-law to Deem Lots 17 and 18, Registered Plan 244, 76 and 78 Matheson Road, Geographic Township of Eldon (Ogilvie and Harris) – Planning File D30-2019-004

Ward Number: 1

Author and Title: Kent Stainton, Planner 1

Recommendation(s):

That Report PLAN2020-004, Ogilvie & Harris – D30-2019-004, be received;

That a Deeming By-law respecting Lot 17 and Lot 18, Registered Plan 244, substantially in the form attached as Appendix “D” to Report PLAN2020-004, 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.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

Proposal:	To deem Lot 17 and Lot 18, Registered Plan 244, not to be lots within a registered plan of subdivision. See Appendices A, B, and C.
Owner:	Janette Ann Ogilvie and Karen Harris
Official Plan:	Waterfront – City of Kawartha Lakes Official Plan
Zone:	76 Matheson Road – Limited Service Residential (LSR) Zone 78 Matheson Road – Limited Service Residential (LSR) Zone Township of Eldon Zoning By-law Number 94-14
Site Servicing:	76 Matheson Road – Private individual well and sewage disposal system 78 Matheson Road – Private individual well and sewage disposal system.
Existing Use:	Shoreline Residential
Adjacent Uses:	North, South: Shoreline Residential East: Talbot River West: Agricultural Land

Rationale:

The owners are proposing a lot line adjustment between two shoreline residential lots, see Appendix C. The application proposes to sever approximately 217 square metres of residential land and retain approximately 178 square metres of residential land in order to facilitate shoreline frontage on Talbot River. The severed land (Part 2) is to be consolidated with a residential property (Lot 17) containing a single detached dwelling and two accessory buildings, while the retained land (Part 1) is to be consolidated with an abutting residential property (Lot 18) containing a single detached dwelling and one accessory building.

The severed and retained parcels are shore road allowance lands that appear to have merged on title. Shoreline frontage is contemplated for legal or technical reasons, where such severance (in this case, a technical lot line adjustment) does not result in the creation of a new buildable lot. In this case, access to water is being re-established. The consent will also facilitate correction of discrepancies on the holdings and enable that both the severed and the retained lands are separately conveyable with their respective associated residential lot (Lot 17 and Lot 18).

On January 30, 2019, the Director of Development Services, as delegated by Council, granted provisional consent to application D03-2018-009. A condition of the decision required the adoption of a Deeming By-law.

On September 3, 2019, a change of condition (Condition # 6) of consent to allow for the adequate consolidation of the subject lands and to ensure the consolidated lots can have distinct registered owners, which will enable them to be separately conveyable was issued. The owners have requested that Council pass a Deeming By-law (see Appendix D) in order to fulfill the provisional consent condition. Until the consent is finalized, the legal descriptions for the two properties will remain the same: Lot 17 and Lot 18, Plan 244.

Other Alternatives Considered:

There are no other alternatives considered to be appropriate or represent good planning. The Deeming By-law is the appropriate method to legally consolidate the owners' lands.

Financial/Operation Impacts:

The cost of registering the By-law is included in the application fee. There are no financial implications for the City.

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

The City's Strategic Plan outlines Council's vision for the municipality. The vision consists of three main Strategic Goals: that of a vibrant and growing economy, an exceptional quality of life, and a healthy environment.

This application aligns with the quality of life and healthy environment priorities by facilitating a lot line adjustment to recognize how each property is used. 78 Matheson Road will receive shore lands abutting the Talbot River, which have traditionally been used for water access. The lands at 76 Matheson Road will continue to be used for water access.

Conclusion:

The consolidation of the lands will fulfill a condition of provisional consent decision. Planning staff do not anticipate any negative impacts as a result of the consolidation.

Attachments:

Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Surveyor's Sketch
Appendix D – Draft Deeming By-law



Appendix A -
Location Map.pdf



Appendix B - Aerial
Photo.pdf



Appendix C -
Surveyors Sketch.pdf

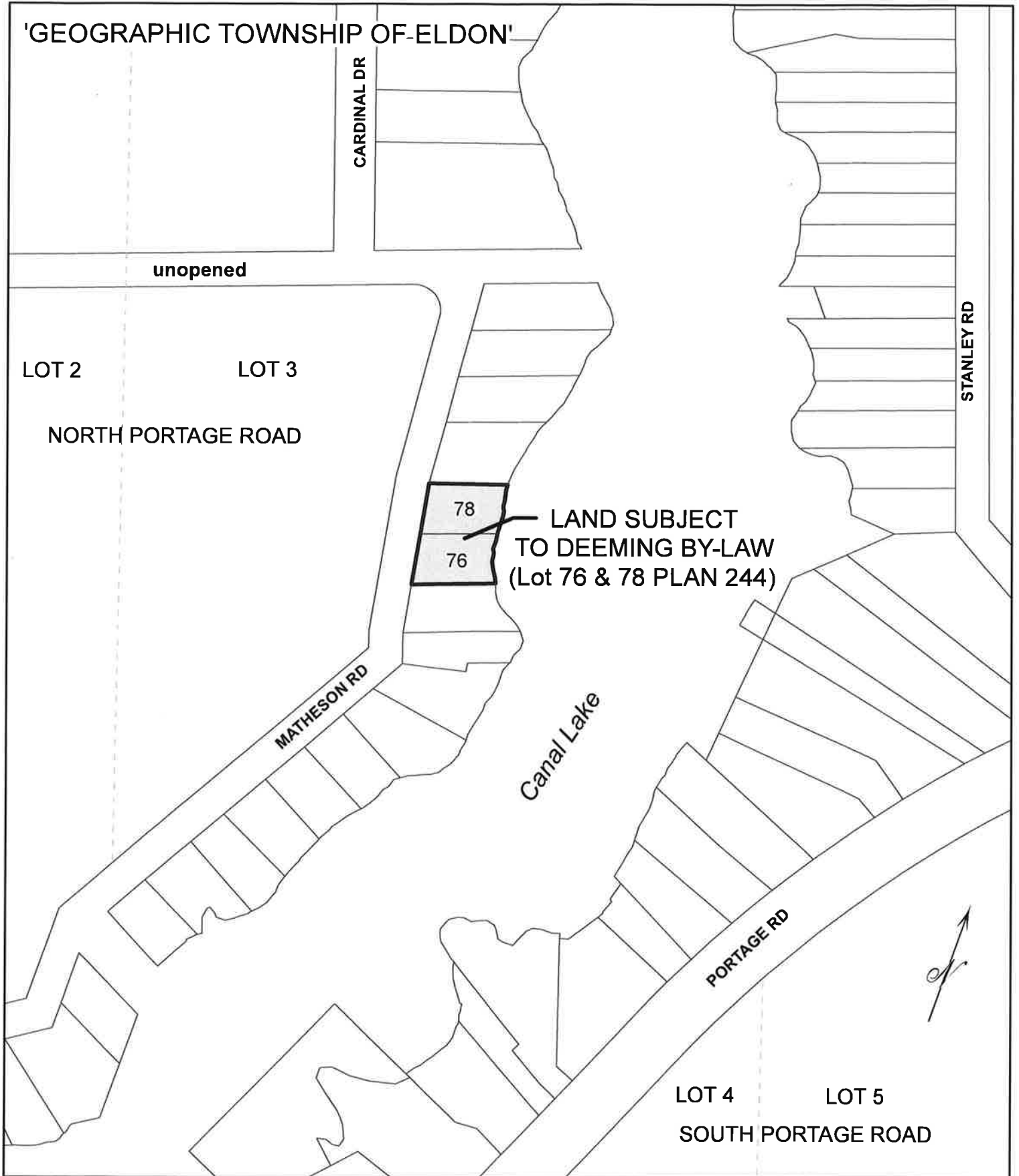


Appendix D - Draft
Deeming By-law

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Ron Taylor

Department File: D30-2019-004





Legend

- ☐ Property Roll#
- ☐ Lots and Concessions
- ☐ Road Centreline (2016 Needs
- ☐ Upper Municipalities
- ☐ Lower Tier Municipalities

Notes

Notes

This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may or may not be accurate, current, or otherwise reliable.



0.05 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes

THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES

PLAN OF SURVEY OF
PART OF LOT 25, CONCESSION 1 (GEOGRAPHIC TOWNSHIP OF ELDON)
CITY OF KAWARTHA LAKES
COUNTY OF VICTORIA
 Scale 1 : 200
 PETER N. AUBREY O.L.S., 2018

I REQUIRE THIS PLAN TO BE DEPOSITED
 UNDER THE LAND TILES ACT,
 DATE : _____, 2018
 PETER N. AUBREY, O.L.S.

PLAN 57R-

RECEIVED AND DEPOSITED :

DATE : _____, 2018

REPRESENTATIVE FOR LAND REGISTRATION FOR THE
 LAND TILES DIVISION OF VICTORIA
 OFFICE (No. 57)

SCHEDULE

PART	PART OF LOT	CONCESSION	PART OF PLAN	AREA (m ²)
1	25	1	6371-0084(L)	178
2				217

PART OF LOT 3, NORTH OF PORTAGE ROAD
 PRIVATE ROAD AS SHOWN ON REGD PLAN 244
 KNOWN AS **MATTHESON BEACH ROAD**
 (SUBJECT TO RIGHT OF WAY AS IN INST. R482347 AND V193227)
 P.M. 6371-0084(L)

REGISTERED

PART OF LOT 25, CONCESSION 1
 (BEING PART OF LOT 3 NORTH OF PORTAGE ROAD)
TALBOT RIVER
 P.M. 6371-0460(L)

FOR BEARING COMPARISONS, A ROTATION OF 157°07' COUNTER CLOCKWISE
 HAS APPLIED TO BEARINGS SHOWN ON REGISTERED PLAN 214.

DISTANCES ARE GIVEN AND CAN BE CONVERTED TO METERS BY MULTIPLYING BY
 THE CONVERSION FACTOR OF 0.3048

POINT ID	NORTHING	EASTING
1	4 828 083.88	238 417.16
2	4 828 082.80	238 428.81

NOTE

BEARINGS ARE WITH CORRECTION FROM OBSERVED REFERENCE POINTS 1 AND 2, BY
 REAL TIME NETWORK (RTN) OBSERVATIONS, WITH ZONE 18, NAD83 (2011) DATUM.

SYMBOL	DESCRIPTION	REMARKS
1	SURVEY MONUMENT SET	
2	SURVEY MONUMENT FOUND	
3	STANDARD IRON BAR	
4	IRON BAR	
5	CUT CROSS	
6	SHORT STANDARD IRON BAR	
7	ALF. QUANDT O.L.S.	
8	FLAME	
9	O.L.S. WITH O.L.S.	
10	WALL	

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT,
 THE LAND TILES ACT, THE SURVEYORS ACT, AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 3rd DAY OF MARCH, 2018.

DATE : MARCH 30th, 2018
 PETER N. AUBREY
 ONTARIO LAND SURVEYOR

METRIC

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

CAUTION

COORDINATES CANNOT BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES ON THIS PLAN.

CONTAINING PLANS WITHIN THE SURVEYING BY-LAW 151 OF 1990 (AMENDMENT 1995)

DONALD E. ROBERTS LTD., ONTARIO LAND SURVEYORS
 111 RIVERSIDE ROAD, SUITE 204, KIMBERLEY, ONTARIO, CANADA M2A 1B2, (416) 725-3328

NAME : P.N.A.
 CHECKED : P.N.A.
 DATE : MARCH 30, 2018
 SCALE : 1 : 200

18-9205

The Corporation of the City of Kawartha Lakes

By-Law 2020-XXX

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 63171-0083 (LT) & PIN 63171-0476 (LT) Described As Lots 17 & 18, Plan 244, Geographic Township Of Eldon, Now City Of Kawartha Lakes

File D30-2019-004, Report PLAN 2020-004, respecting Lots 17 & 18, Plan 244, 76 & 78 Matheson Road – Ogilvie & Harris.

Recitals:

1. Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to deem any plan of subdivision, or part of a plan of subdivision, that has been registered for eight years or more, not to be a registered plan of subdivision for the purposes of Subsection 50(3) of the Planning Act, R.S.O. 1990, c.P.13.
2. Council has been requested to pass a deeming By-law, by the owner of the land described in Section 1 of this By-law. in order to fulfill conditions of provisional consent required by the Director of Development Services through Consent Application D03-2018-009
3. A duplicate of this By-law shall be registered in the Land Registry Office in accordance with the Planning Act, R.S.O. 1990, c.P.13.
4. Notice of the passing of this By-law shall be mailed to the owner(s) of the land described in Section 1 of this By-law.
5. Council considers it appropriate to enact the requested By-law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-XX.

Section 1:00 Details

- 1.01 **Property Affected:** PIN 63171-0083 (LT) & PIN 63171-0476 (LT).The Property affected by this By- law is described as Lots 17 & 18, Plan 244, Geographic Township Of Eldon, Now City Of Kawartha Lakes
- 1.02 **Deeming Provision:** The Property is deemed not to be part of a Registered Plan of Subdivision of the purposes of Subsection 50(3) of the Planning Act, R.S.O. 1990, c.P.13.

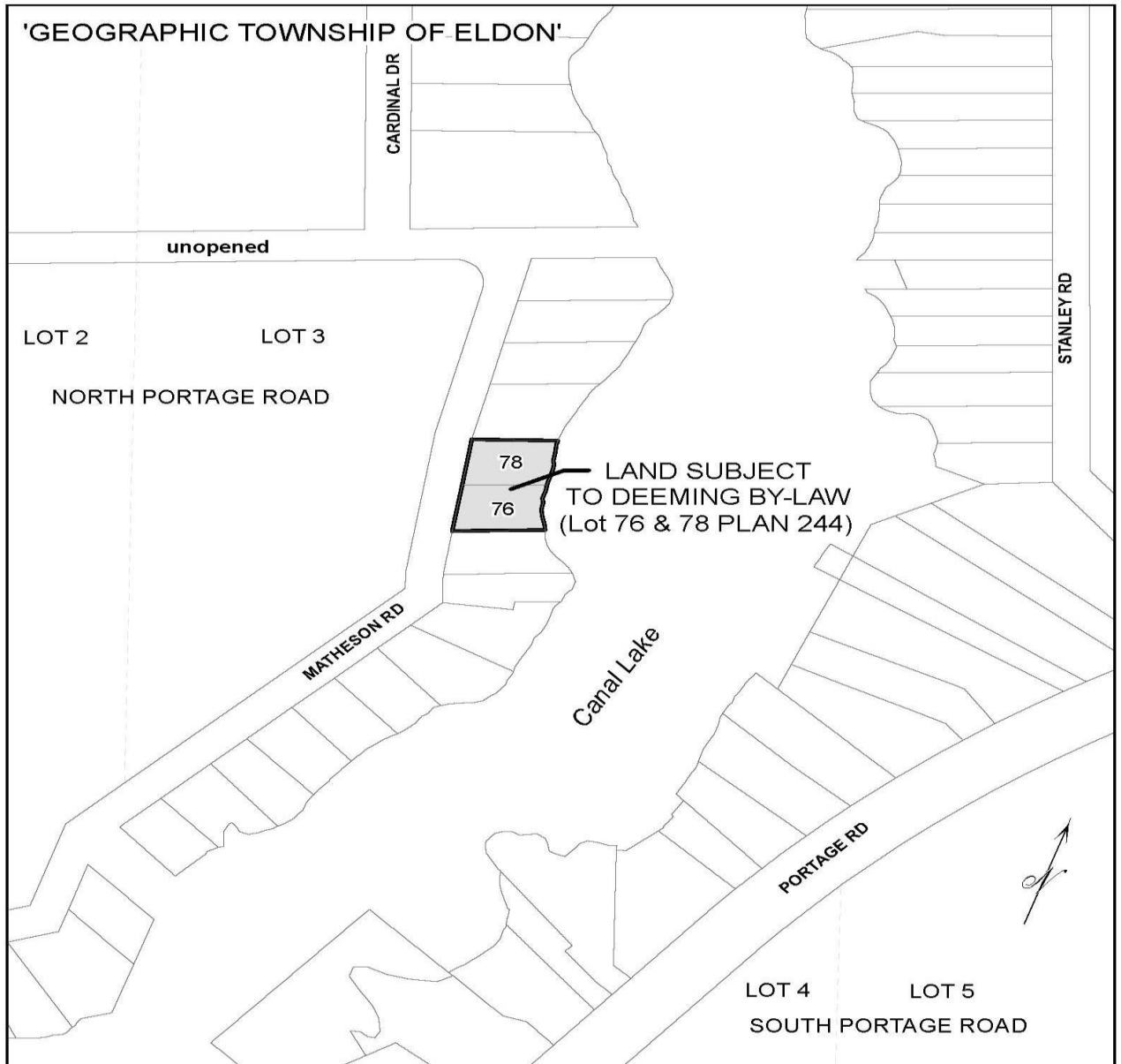
Section 2:00 General Terms

2.01 **Force and Effect:** This By-law shall come into force on the date it is finally passed, subject to the provisions of Sections 50(26), 50(28), and 50(29) of the Planning Act, R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this 28th day of January, 2020.

Andy Letham, Mayor

Cathie Ritchie, Clerk



The Corporation of the City of Kawartha Lakes

Council Report

Report Number ENG2020-002

Meeting Date: January 28, 2020

Title: Water Servicing Agreement Green Eden Developments Limited

Description: Water Servicing Agreement

Ward Number: Ward 6

Author and Title: Juan Rojas, Director of Engineering and Corporate Assets

Recommendations:

That Report ENG2020-002, **Water Servicing Agreement Green Eden Developments Limited**, be received; and

That Council agree to the provision of a permanent long water service connection in the municipal road allowance, serviced by the Victoria Glen Water Treatment Plant, to service up to 30 residential units at 40 Mary Street West, Omemee, to be constructed within the 5 year term of the Water Servicing Agreement, failing which the water servicing allocation will be rescinded; and

That Green Eden Developments Ltd. enter into the Water Servicing Agreement, substantially in the form attached as Appendix A to Report ENG2020-002, with the City of Kawartha Lakes where the City will provide a permanent dedicated water service, with full cost recovery prior to commencing work to Green Eden Developments Ltd., including ongoing maintenance and repair costs that are attributable to Green Eden Developments Ltd. being borne by Green Eden Developments; and

That an exemption to Section 5.03 e) of By-Law 2018-039, being a By-Law To Regulate Water and Wastewater Services in the City of Kawartha Lakes be approved by Council; and

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

That the long water service is not qualified for additional water service connections and is not subject to By-Law 2014-255, being a By-Law Requiring Owners of Buildings to Connect Such Buildings to Drinking Water Systems and/or Wastewater Collection Systems in the City of Kawartha Lakes; and

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

Background:

The proposed Green Eden Developments Limited residential project is located at 40 Mary Street West, Omemee. The property is currently zoned as "Holding – Residential Type Four Exception One (R4-1(F)(H)) Zone" with Floodplain provision to permit development of 30 dwelling units on the property. The property also contains Environmental Protection (EP) zoning along the waterfront portion of the property.

In 2013, the City endorsed a temporary long water service connection to support the development prior to extension of servicing pursuant to a municipal Environmental Assessment process. At the September 24, 2013, Council Meeting, Council adopted the following resolution:

CR2013-864

Moved by Councillor McGregor
Seconded by Councillor Villemaire

RESOLVED THAT Report WWW2013-010, Municipal Servicing for Green Eden Developments in Omemee, be received;

THAT an exemption to By-law 2011-260, as amended, being a By-law to Govern Water and Wastewater Services in the City of Kawartha Lakes be approved for municipal servicing for Green Eden Developments in Omemee;

THAT an exemption to By-law 2005-075, being a By-law to require owners of buildings to connect such buildings to Water Works or Wastewater Works in the City of Kawartha Lakes be approved, to alleviate the requirement for property owners within Omemee who will front onto the proposed Green Eden Developments "local service" water system from connecting to the Water Works;

THAT Green Eden Developments enter into an agreement with the City of Kawartha Lakes where the City will provide a temporary water service ("local service") with full cost recovery prior to commencing work to Green Eden Developments with such temporary water service to remain in place until connection to a municipal water main is made available, including ongoing maintenance and repair costs that are attributable to Green Eden Developments being borne by Green Eden Developments; and

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

Subsequently, at the Council Meeting of October 22, 2015, Council adopted the following resolution:

CR2015-1097

Moved by Councillor Martin

Seconded by Councillor O'Reilly

RESOLVED THAT Report WWW2015-011 Completion of the Omemee Water Supply Environmental Assessment, be received;

THAT Council endorses the findings of the draft Environmental Assessment report and preferred solution of Do Nothing;

THAT private water supply solutions be encouraged for growth in Omemee; and

THAT staff be authorized to file the EA report for the legislated 30 day comment period.

This report provides an update to Report WWW2013-010 and the current status of water servicing to the proposed Green Eden Development, Omemee.

Rationale:

The Owner has submitted an application for site plan, which was deemed complete on September 12, 2014, to permit the development of up to 30 residential units Owner at 40 Mary Street West, Omemee. The approvals for site alteration and development are being processed through this application. A historic draft plan of condominium approval was revised by staff in April 25, 2014 through discussions with relevant agencies and the Owner. This approval has lapsed as of May 16, 2017 as it was not extended by the applicant. Staff will continue to process the site plan approval application in accordance with the conditions of the draft plan of condominium approval but cannot implement the plan of condominium any more. Should the Owner wish to have a condominium approval reinstated, they could reapply for such an approval once the project is constructed.

The Owner now wishes to move forward with the installation of water servicing, to allow for residential property development which is being considered through site plan approval. Project development is proposed in two phases: Phase 1 would consist of site preparation and filling and Phase 2 would consist of final site servicing and building development.

In 2013, the installation of a dedicated long water service for the subject property was identified as a temporary measure, subject to the City completing the Municipal Class Environmental Assessment (MCEA) for the Omemee Water System. The MCEA was completed in 2015, and it was determined by Council that there would be no further expansion of the municipal water servicing system in Omemee. Therefore, the water service to Green Eden Developments will be a permanent dedicated water service for the property.

The original draft Water Servicing Agreement has been updated to reflect current municipal requirements. A copy of the updated draft Water Servicing Agreement, prepared in consultation with the Owner, is provided in Appendix A. As noted in Section 7.3 of the attached draft Water Servicing Agreement, if construction is not completed, site plan agreement registered and final connection of the dedicated water service to the municipal water system within 5 years of the in force date of the Agreement, the Agreement is terminated.

The initial water service design fee payment in the amount of \$68,000, required to move forward with the water servicing as contemplated in Report WWW2013-010, , has been received by the City. The cost estimate has been updated by WSP and is provided in Appendix B. The current cost estimate for Detailed Design, Contract Administration, Tender Specifications, Construction Inspection, and Geotechnical Investigation is estimated to be \$63,525 (plus HST).

The infrastructure will be installed as a dedicated long water service, to provide water servicing for up to 30 residential units at 40 Mary Street West only. The infrastructure is not a municipal water distribution main, as defined in By-Law 2014-255, therefore there is no opportunity for additional water service connections.

There will be one municipal water service and one municipal sanitary service installed to the property line of 40 Mary Street West, serving multiple private residential buildings within the private property. Therefore an exemption to Section 5.03 e), By-Law 2018-039 requiring separate and independent water and sanitary sewer for each building, is required.

Other Alternatives Considered:

Alternative 1; Council could elect to require construction, site plan agreement registration and final connection to the municipal water system to be completed within 3 years of this Council approval, which is more typical from a planning perspective. Section 7.3 of the draft Water Servicing Agreement language would be updated to reflect this change.

Alternative 2; Council could declare CR2013-864 frustrated by virtue of CR2015-1097, and elect not to agree to provision of a permanent private water service connection in municipal road allowance to service up to 30 lots at 40 Mary Street West, Omeme.

Financial/Operation Impacts:

The design and construction of the dedicated long water service will be completed under the administration of the City but at the sole cost of the developer.

The Engineering Cost Estimates for the Design and Construction of the permanent dedicated water service are provided in Appendix B.

The proposed residential development will be subject to development charges through the Site Plan agreement.

Relationship of Recommendations To The 2016-2019 Strategic Plan:

The recommendation is consistent with the Council Adopted Strategic Plan, namely:

- Goal 1 – A Vibrant and Growing Economy – The water servicing agreement supports economic growth through new residential development in Omeme.
- Goal 2 – An Exceptional Quality of Life – The water servicing agreement supports an increase in the housing supply in Omeme.

Servicing Implications:

With the connection of the dedicated long water service to 40 Mary Street West, there will be no further municipal water servicing capacity for new development in Omeme.

The long water service will not provide fire protection for the development and on-site water source for fire protection is required for the proposed development, as per the Ontario Building Code requirements. Therefore alternative fire protection measures as per the Ontario Building Code requirements must be implemented through the Site Plan design.

The proposed development will connect to the existing municipal sanitary sewer main fronting the property at 40 Mary Street West.

The 2013 Council Resolution essentially granted the water servicing allocation to the Owner with no ability to review the decision. A fixed approval timeframe is typical for planning approvals dealing with draft plans of subdivision or condominium and allows staff to review whether or not to extend the approvals. This is a hybrid situation where Council granted the water allocation outside of the draft plan of condominium approval, which essentially grants the allocation in perpetuity. Should the Owner choose not to proceed with the development, the allocation can then not be reassigned to another property that wishes to develop. Recognizing this unique circumstance, Staff are recommending that Council grant the water servicing allocation for a five (5) year period. If the project has not been developed within this timeframe, the water servicing allocation would then be removed from the Owner for reallocation to another property. Should the

Owner require a further extension, they can make a future request for an extension to Council.

Consultations:

Robyn Carlson, City Solicitor
Bryan Robinson, Director of Public Works
Richard Holy, Manager of Planning

Attachments:

Appendix A – Draft Water Servicing Agreement



20200115 DRAFT
Green Eden Water Se

Appendix B –Engineering Cost Estimates, prepared by WSP Canada Inc.



20200113 WSP
Design and Geotechn



20200114 WSP
Construction Cost Est

Department Head E-Mail: jrojas@kawarthalakes.ca

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

Department File:

THIS WATER SERVICING AGREEMENT

Dated as of _____ 2020

BETWEEN:

GREEN EDEN DEVELOPMENTS LIMITED

ONxxxxxx

The "Owner"

- And -

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

The "City"

WHEREAS the Owner herein proposes to develop its lands, which are described in Schedule A of this agreement and referenced as the "Owner's lands";

AND WHEREAS the Owner's lands do not abut a municipal water supply line which is necessary for the proposed development;

AND WHEREAS the Owner has agreed to pay for the extension of a municipal water supply line to service the subject lands (referenced as the "dedicated water service");

AND WHEREAS the dedicated water service will be designed and sized solely to provide water for the proposed 30 unit residential development on the Owner's lands and is not capable of or intended to serve other lands within the City;

AND WHEREAS the City grants exemption to Section 5.03 (e) vi of By-Law 2018-039 as amended to permit a single water service for multiple buildings, as per Section 5.03 (f) of By-Law 2018-039;

AND WHEREAS the municipal water system known as Victoria Glen and associated dedicated water service is not capable of providing fire protection, and the Owner must provide alternative fire protection measures, which will be determined through Site Plan Approval, as per municipal and provincial requirements;

AND WHEREAS the City will not allow or provide for the connection of other lands to the dedicated water service, as per Council Resolution CR2020-xxx;

NOW THEREFORE, the Parties agree as follows:

1. OWNER'S LANDS AND REGISTRATIONS

1.1 The land to be serviced by the dedicated water service are described as follows:

Part Lot 4, Plan 110; Part of Park Lot 4 S/S Mary Street Plan 109 as in R258612, City of Kawartha Lakes, being all of the lands described in P.I.N. 63259-0095 (LT) and also known as 40 Mary Street West, Omemee.

1.2 The Owner consents to the registration of this agreement against the title to the Owner's Lands.

1.3 The Owner acknowledges and agrees that this agreement may be included as a schedule to any agreement authorized under the *Planning Act*.

2. DESCRIPTION OF WORK

2.1 The parties agree that the City shall design and construct a dedicated water service extending from the existing municipal water system known as Victoria Glen to the property limit of the Developer's Lands in accordance with Council Resolutions CR2013-864 and CR2020-XXX, resulting from Report WWW 2013-010 "Municipal Servicing for Green Eden Development in Omemee" and Report ENG2020-002 Water Servicing Green Eden Developments Limited, respectively, which are attached hereto as Schedule "A". Specifically, the City shall:

- a) retain WSP Canada Inc., as selected by the Owner from the City's pre-qualified list of Municipal Servicing Engineers, to complete the dedicated water service detailed engineering design, tender, contract administration, external agency approvals (Ministry of Transportation, Kawartha Region Conservation Authority), construction inspection, associated legal & topographic survey, geotechnical inspection, materials testing and as-constructed documentation and certification, as further detailed below;
- b) ensure that the design and installation of any water treatment system improvements required ensure safe potable drinking water in accordance with the Safe Water Drinking Act, as amended and replaced, and all other applicable legislative requirements and in accordance with the City's specifications and approvals in effect as of the date hereof for such works and as approved by the City of Kawartha Lakes Director of Engineering and Corporate Assets and the Director of Public Works;
- c) obtain all required approvals (including but not limited to the Ministry of

Environment Conservation & Parks for the design of the dedicated water service and shall administer the design and construction to City specifications in effect as at the date hereof;

- d) undertake the preparation and issuance of the construction tender in accordance with the specifications prepared by WSP Canada Inc. and the City of Kawartha Lakes Purchasing Policies, following clearance of payment in full from the Owner of actual tender costs, estimated to be \$485,520 (plus HST) as per the Engineering Cost Estimate, dated January 14, 2020 and included in ENG2020-002 Water Servicing Green Eden Developments Limited, Appendix B.
- e) undertake the construction or installation in accordance with the specifications prepared by WSP Canada Inc., following clearance of payment in full from the Owner for any additional funds required as per the City's accepted tender value;
- f) construct and install in accordance with the City's specifications in effect as of the date hereof, and in accordance with the approval by the Director of Engineering and Corporate Assets for the City, and in a good and workmanlike manner under the supervision and inspection of the WSP Canada Inc. inspectors and under the observation of the City's inspectors.

All of the foregoing may be referred to as the "works".

- 2.2 The City agrees to take all reasonable steps to complete the works in a timely and diligent manner. The Owner acknowledges and agrees that the City is not obliged to make the dedicated water service available by any specific date and that certain actions required of the Owner under this agreement may affect the timing of the completion of the works. The City agrees that the construction of the water service will commence when the Site Plan Agreement is executed.
- 2.3 The parties acknowledge and agree that the dedicated water service has been designed and sized solely to provide domestic water servicing for the proposed 30 unit residential development on the Owner's lands and is not capable of or intended to serve other lands within the City.

3. OWNER'S OBLIGATION TO PAY FOR WORKS

- 3.1 The Owner agrees and acknowledges that it shall be responsible for all costs incurred by the City arising from the construction and installation of the works as described in section 2 above and shall pay the amounts in accordance with section 3.2.
- 3.2 Payment Schedule - The Owner agrees to pay the Municipality's costs as follows:

- a) prior to execution of this agreement by the City the Owner shall pay the estimated costs for the detailed engineering design, contract administration, tender specifications, construction inspection, legal & topographic survey, geotechnical investigation, as recorded drawings, which is estimated to be \$63,525 (plus HST), as per the Engineering Cost Estimate for the Detailed Design, Contract Administration, Tender Specifications, Construction Inspection, Legal and Topographic Survey, Geotechnical Investigation, and As Recorded Drawings, prepared by WSP Canada Inc., dated January 13, 2020, included in ENG2020-002 Water Servicing Green Eden Developments Limited, Appendix B.
 - b) upon completion of the detailed design, and preparation of the construction tender specifications and prior to issuance of a construction tender for the works as designed, the Owner shall pay the actual costs for the construction, estimated to be \$485,520 (plus HST), as per the Engineering Cost Estimate for the Construction and Installation of the Water Service, prepared by WSP Canada Inc., dated January 14, 2020 and included in ENG2020-002 Water Servicing Green Eden Developments Limited, Appendix B.
- 3.3 Upon closing of the tender, whereupon the tender that is accepted exceeds the amount set out in section 3.2 b), the City shall provide a written notice to the Owner, within 5 business days of tender acceptance, setting out the additional costs and the Owner shall be entitled to select one of the following options:
- a) that it does not require the City to proceed with the construction due to the increased costs of the project; or
 - b) that it requires the City to proceed with the construction, notwithstanding that the tender amount exceeds the estimated cost.
- 3.4 The Owner shall provide written notice to the City within 5 (five business) days of the date of the notice letter provided by the City under section 3.3 and identify which option (under section 3.3) it has chosen.
- 3.5 Selection of Option 3(a) - Where the Owner has selected the option set out in section 3.3(a), the City shall be authorized to terminate the tender process, and this agreement shall be terminated. The City shall refund the amount set out in section 3.2(b) minus any amount for costs incurred by the City as a consequence of this agreement for which the City has not already been paid.
- 3.6 Selection of Option 3(b) - Where the Owner has selected the option set out in section 3.3(b), the Owner shall provide the amount set out in the notice letter (issued under section 3.2) by way of cash, certified cheque or bank draft. Upon receipt of those funds, the City shall be authorized to accept the tender and proceed with the project.

- 3.7. Should changes to the works be required to address on-site conditions which would increase the cost of construction:
- a) by an amount less than \$5,000.00, the City shall be authorized to issue the change order and the Owner shall pay the amount to the City within 15 days; or
 - b) by an amount equal to or greater than \$5,000.00, the City shall not issue the change order until such time as an amount equal to the cost of the change order has been received from the Owner.
- 3.8 The Owner, shall, be responsible for connecting to the dedicated water service at the Owner's sole expense, after the 30 unit residential development located at 40 Mary Street West, Omemee, is constructed, as per the Site Plan Agreement and an occupancy inspection has been successfully completed for the issuance of an occupancy permit, for any unit, by the Chief Building Official or designate.
- 3.9 The Owner acknowledges that the construction of works under this Agreement shall not obligate the City to enter into a Site Plan Agreement for the 30 unit residential development located at 40 Mary Street West, Omemee unless the Owner has satisfied the City's terms and requirements

4 OWNER'S OBLIGATION FOR ONGOING MAINTENANCE COSTS

- 4.9 The Owner acknowledges that the design and construction of the dedicated water service may give rise to the need to conduct non-routine operational and maintenance activities to ensure compliance with all applicable legislation. The Owner agrees that it shall be responsible for all costs of any non-routine maintenance and operational activities for the dedicated water service, to the satisfaction of the Director of Public Works. The water service shall not be connected until the development is constructed as per the Site Plan Agreement and occupancy.
- 4.10 The Owner shall lodge with the City, security in an amount determined by the City in consultation with WSP Canada Inc. upon completion of the detailed design for the dedicated water service for such maintenance activities and within 10 business days of written notice from the City. If the Owner fails to deliver the money by the specified timeframe, the City will halt construction and the Owner will be responsible for all construction costs related to the delay.
- 4.11 During the period of time that the Owner is responsible for maintenance activities, the Owner will submit a Road Occupancy Permit to the City and obtain an issued permit before doing any work in the City roadway.

5 EXPENSE/COST RECOVERY

- 5.3 Every provision of this Agreement by which the Owner is obligated in any way shall be deemed to include the words "at the expense of the Owner" unless the context otherwise requires.
- 5.4 Frontage charges pursuant to City of Kawartha Lakes By-Law 2018-039, as amended, do not apply.
- 5.5 All expenses, for which demand for payment has been made by the Municipality, shall bear interest at the rate of 12% per annum commencing 30 days after demand is made.
- 5.6 Notwithstanding any security that may be held by the City, the Owner acknowledges that the dedicated water service is for the sole benefit of the Owner's lands and that the Municipality may utilize its authority under Part XII of the *Municipal Act, 2001* to impose fees and charges upon the owners of the Owner's lands which are to be serviced by the dedicated water service in connection with its design, construction and maintenance as contemplated in this agreement.

6 USE OF SECURITY

- 6.1 Any Letter of Credit or other security filed with the Municipality may be used as security for any expense or cost which under the terms of this Agreement is the responsibility of the Owner.

7 STATUS OF THIS AGREEMENT

- 7.1 This Agreement is entered into and executed by the Owner for the purpose of having the City act in reliance on the covenants by the Owner contained herein and the Owner hereby waives any right or claim which it now has or may hereinafter acquire which is inconsistent with the terms of this Agreement.
- 7.2 This Agreement shall be enforceable by and against the Parties hereto, their heirs, executors, administrators, successors and permitted assigns, and the Agreement and all the covenants by the Owner contained herein shall run with the Lands for the benefit of the City and the land or interests in land owned by the City upon the registration of this Agreement.
- 7.3 If construction is not completed, site plan agreement registered and dedicated water service connected to the City's water system within 5 years of the in force date of this Agreement, this Agreement is terminated. The City is entitled to use any security to remove the dedicated water service from City property and cap the service on the private side. The Owner is responsible for all costs, including those exceeding the

security posted. The City will return any monies held net of expenses incurred. The Owner will continue to be responsible to pay the City for net costs as of and following the date of termination.

8 INTERPRETATION

8.1 Whenever in this Agreement the pronoun "it" is used, it shall be read and construed as "he", "she", "they", "him", and "her" or "them", and the number of the verb agreeing therewith shall be construed accordingly.

8.2 The Schedules attached hereto shall form part of this Agreement.

8.3 Whenever used, "Director of Engineering and Corporate Assets and Director, Public Works shall include the delegate of the Director.

9 NOTICE

9.1 Any notice required to be given hereunder may be given by personal delivery or registered mail,

(a) in the case of the Owner, to:

Green Eden Developments Ltd., ONxxxxxxx

Name: Betty Lowes

Address: 31 Cornwall Street , Omemee,
Ontario

Phone: 705)768-8307

Email: Greenedenliving@gmail.com

In the case of a successor in title, to the mailing address for every registered owner, and including mortgagees.

(b) in the case of the City, to:

City Clerk, the Corporation of the City of Kawartha
Lakes 26 Francis Street, Lindsay ON K9V 5R8

9.2 Each Party may re-designate the person(s) or the address, or both, to whom or to which such notice may be given by giving written notice to the other.

9.3 Any notice given in accordance with this section shall be deemed to have been given on the second day following the day of delivery or the fourth day following the day of mailing unless within the four days following the day of mailing there is a postal delivery interruption in which event on the 4th day

following the end of the postal delivery interruption, as the case may be.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their respective Corporate Seals attested to by the hands of their authorized officers.

SIGNED, SEALED AND DELIVERED

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

Andy Letham, MAYOR

Date

Cathie Ritchie, CITY CLERK

Date

GREEN EDEN DEVELOPMENTS LIMITED ONxxxxxx

Owner's Name: Alex Ing

Title: Director/President

I have the authority to bind the Corporation

Date

THIS IS SCHEDULE A TO THE AGREEMENT BETWEEN THE CITY OF KAWARTHA LAKES AND
GREEN EDEN DEVELOPMENTS LIMITED

SCHEDULE A

Council Report ENG2020-002 Water Servicing Green Eden Developments Limited, including all
appendices:

DRAFT



January 13, 2020

Via Email only

Christine Sisson, P.Eng.
Supervisor, Development Engineering
City of Kawartha Lakes, Engineering & Corporate Assets
12 Peel Street, P.O. Box 9000
Lindsay, Ontario
K9V 5R8

**Subject: Green Eden Development – Water Service Design
Omeme, Ontario**

Dear Mrs. Sisson,

Further to your request, we are pleased to submit our fee proposal for the design of the water service from Sibley Avenue North to the Green Eden Development on Mary Street West in Omeme, ON. It is our understanding that the developer has paid a \$68,000 fee to the City of Kawartha Lakes (CKL) for this work and has requested that CKL retain WSP undertake the design, preparation of drawings, specifications and tender documentation followed by construction administration and inspection services in accordance with the requirements of CKL. Accordingly, we provide the following information and fee estimate for consideration by CKL staff.

SCOPE OF WORK

Based on discussions with CKL staff, we understand the objective is to design a 75mm water service to service the Green Eden site on Mary Street West. The water service is to begin at the 150mm watermain at Sibley/Walnut and follow a route along Walnut to Deane, then south on Deane to cross Highway 7 to the road allowance at Ski Hill Road / Mary St W and then easterly on Mary Street West to the Green Eden site.

The work will require WSP to confirm the 75mm service is sufficient for the 30-unit development as well as prepare detail design drawings and specifications suitable for tendering. This will be completed shortly after authorization to proceed is received and background data compiled. WSP will need to obtain a MTO encroachment permit to cross Highway 7, which we assume will require at least 2 additional meetings with MTO. To facilitate design, we will need to complete a topographic survey of the route to obtain and confirm utility and infrastructure as-built information along the route and undertake a geotechnical investigation. The geotechnical investigation will determine subsurface conditions along the route that may impact design and construction, as well as provide information for roadway restoration.

Following completion of the fieldwork and approval of the route by CKL, we will proceed with preliminary design. The preliminary design will be provided to CKL for review and comment. After incorporating comments from CKL, we will proceed with detail design, development of specifications and a preparation of a Construction Cost Estimate. We are assuming the work will not require a Class EA as the work will be within the existing road allowance. We have not made allowance for public meetings or a Council presentation.

WSP will prepare the tender package for CKL. It is assumed CKL will incorporate the frontend documentation, coordinate and issue the tender. WSP will review the bids received and provide a recommendation for award, as needed.



Following award of the construction contract by CKL, WSP will provide contract administration and full-time construction inspection services for the duration of the work, assumed to be eight (8) weeks duration.

All design and inspection work will be completed in accordance with CKL specifications and requirements for this type of work.

DESIGN FEE ESTIMATE

WSP estimates the professional fees, including disbursements are \$63,500 plus HST. A breakdown of the fees and disbursements are provided below.

DESCRIPTION	TOTAL (EXCLUDING HST)
Project Management, Health & Safety, Coordination	\$3,000
Fieldwork & Utility As-Built Confirmation	\$1,600
Preliminary Design	\$5,100
Detail Design	\$4,500
Specifications & Tender Package	\$1,400
MTO Coordination, Encroachment Permit and Meetings (2)	\$3,200
Engineering Design & Tender	\$18,800
Contract Administration (1 day / week)	\$9,200
Construction Inspection Services (full-time – 44 hrs / week for 8 weeks)	\$28,000
Contract Admin & Inspection	\$37,200
Geotechnical Investigation, Laboratory Testing and Report (breakdown below)	\$7,525
Total (Excluding HST)	\$63,525

GEOTECHNICAL INVESTIGATION

UTILITY LOCATES, PERMITS AND INFORMATION

Buried utility clearances will be obtained for the borehole locations and investigation area, prior to mobilization, using Ontario One Call services in conjunction with community Public Works/Infrastructure department services as needed. WSP will verify hydro, telephone, water, sewers, cable and any other services identified by Ontario One Call and conflicts with the proposed drilling locations will be address prior to drilling. Prior to commencement of the work program, a Road Occupancy Permit (ROP) will be obtained from the City of Kawartha Lakes. It is assumed there would be no charges for the permit.

OCCUPATIONAL HEALTH AND SAFETY, QA/QC

A project specific health and safety plan (HASP) will be developed and implemented for the project, as approved by the Project Lead. OHSA-trained staff will be used to supervise excavating and drilling operations. WSP maintain up-to-date WSIB clearances. Information can be provided upon request.

A WSP technician will ensure the field samples are contained, preserved, handled and transported properly, in addition to maintaining thorough records keeping. All laboratory testing will be completed by an accredited facility. Appropriate health and safety precautions measures will be taken throughout the entirety of the project.

BOREHOLE PROGRAM

As requested, WSP will complete up to eight (8) boreholes within the travelled portion of the roadway, within the proposed road reconstruction boundaries, using a truck-mounted rig equipped for SPT sampling. Boreholes will be advanced to a maximum depth of 4.0 m below existing ground level, or to refusal on presumed bedrock. A WSP geotechnical technologist will oversee the fieldwork and log borehole data including asphalt thickness, granular thickness(s) and collect granular samples for laboratory analysis. Soil samples from the boreholes will be recovered and retained in labeled sample containers for subsequent review by the project engineer. On completion of the investigation, the boreholes will be backfilled, tamped and sealed with cold patch asphalt. Traffic control would be provided in accordance with OTM Book 7 (Temporary Conditions); traffic layout TL-19 is assumed for short duration activities. It is assumed that the geotechnical work program will not require the need for a Paid Duty Officer. Should the City request that boreholes be placed less than 30 m from a signalized intersection, a unit rate will apply.

LABORATORY TESTING

Soil samples recovered from the drilling investigation will be reviewed by the Geotechnical Engineer or Project Lead prior to completion of the laboratory program.

We have made an allowance in the estimate for completion of six (6) particle size analyses and/or Atterberg Limits tests, as determined appropriate by the Geotechnical Engineer, thirty-six (36) natural moisture content analyses, four (4) samples for bulk chemical analysis.

Particle Size Analyses, Atterberg Limits and natural moisture content analyses will be completed to ASTM standards at our CCIL-certified laboratory, for classification of soils and determination of engineering properties. Bulk chemical analysis shall be completed on a selected sample or selected samples for O.Reg 153 parameters: Petroleum Hydrocarbons (PHCs) F1-F4, Volatile Organic Compound (BTEX), Metals and other Regulated Parameters (ORPs) as listed in the RFQ 2019-ENG-42.

All geotechnical tests on soil and rock samples will all be completed at the Peterborough WSP facility. All chemical tests will be completed at the Lakefield SGS laboratory. The WSP soils laboratory has been operating for over 10 years and is certified by CCIL for select Level B and C tests, as well as concrete and grout. The laboratory participates in the MTO annual proficiency program and has a high rating.

REPORTING

On completion of the borehole investigation and laboratory testing, our conclusions will be summarized in a detailed report that provides recommendations for the proposed road reconstruction and underground infrastructure



replacement. The report will include an introduction, site description, summary of borehole investigation procedures, a description of existing asphalt and granular road base conditions, and recommendations. Recommendations are to include general excavation and backfill procedures including shoring recommendations, use of native soil as backfill, pipe bedding recommendations and pavement design thickness. Two (2) copies of the report will be provided.

GEOTECHNICAL INVESTIGATION FEE ESTIMATE

Our estimated fees for the proposed field program and detailed geotechnical report are provided in the following table.

DESCRIPTION	TOTAL (EXCLUDING HST)
Borehole Layout, Utility Locates, Road Occupancy Permit	\$475
Geotechnical Field Investigation, including drilling and traffic control (OTM Book 7)	\$3,550
Laboratory Tests (4 Bulk Chemical Analysis, 6 GSA, 36 moistures)	\$2,150
Geotechnical Report	\$1,350
Total (Excluding HST)	\$7,525

The geotechnical fee estimate has been based on the scope of work described above and on our experience in successfully completing similar investigations. In the event that the Client provides direction to revise the work program, or if site conditions or unforeseen changes occur, WSP will provide an updated estimate of engineering fees for change to the scope of work outlined above.

GEOTECHNICAL SCHEDULE

WSP will provide a specialized project team dedicated to this assignment. A tentative schedule to complete each task required for the assignment is as follows. For the purpose of scheduling, the following timeline should be assumed for each milestone. The project would be initiated at the time of authorization by the City of Kawartha Lakes.

Table 4-1: Proposed Milestone Schedule

MILESTONE	TURNAROUND TIME	TARGET DATES
Borehole Layout, Clearance of underground utilities	7 - 10 business days	February 10-21, 2020
Borehole Investigation	1 business day	Week of March 2, 2020
Soils review and laboratory program	7 business days	Week of March 9, 2020
Submission of Geotechnical Report	8 business days	March 24, 2020

The total work program is expected to take approximately 6 weeks, depending on City approvals, utility clearances and equipment availability at the time of authorization.



CLOSURE

We trust that the proposed investigation and cost estimate are acceptable. Please contact our office if you have any questions.

Yours Truly

A handwritten signature in blue ink, appearing to read 'S. J. Clark'.

Stephen J. Clark, M.Sc., P.Eng.
Senior Project Engineer

Schedule 'D'
Subdivision Agreement

Green Eden - WSP Dec 2019 Revised Jan 14, 2020

	Unit	Price (\$)	Quantity	Total Cost (\$)	Works Completed (Y/N)	Works Inspected (Y/N)	Deficiency Free (Y/N)	Sign Off	Notes
1 Site Preparation, Removals and Erosion Control									
Insurance, Mobilization & Demobilization	LS	\$10,000.00	1.00	\$10,000.00					
Temporary Street and Stop Signs, inc. Unassumed Street Signs	LS			\$0.00					
Light Duty Silt Fencing (219.110)	m	\$8.00	300	\$2,400.00					
Heavy Duty Silt Fencing (219.130)	m			\$0.00					
Landscaping (other than boulevard trees)	LS			\$0.00					
Straw Bale Check Dams (219.180)	ea			\$0.00					
Earth Excavation	m³			\$0.00					
Construction of Mud Mat	ea			\$0.00					
Removals	LS			\$0.00					
Topsoil Strip & Remove	LS	\$2,000.00	1.00	\$2,000.00					
Re-Install Existing Street Signs	LS			\$0.00					
Traffic Control	LS	\$5,000.00	1.00	\$5,000.00					barricades and signage
Siltation Ponds	LS			\$0.00					
Subtotal: Site Preparation, Removals and Erosion Control				\$19,400.00					
2 Storm									
250mm ø P.V.C.	m			\$0.00					
300mm ø P.V.C.	m			\$0.00					
375mm ø P.V.C.	m			\$0.00					
450mm ø P.V.C.	m			\$0.00					
525mm ø Conc.	m			\$0.00					
600mm ø Conc.	m			\$0.00					
675mm ø Conc.	m			\$0.00					
750mm ø Conc.	m			\$0.00					
825mm ø Conc.	m			\$0.00					
1050mm ø Conc.	m			\$0.00					
450mm CSP Culvert	m			\$0.00					
Oil Grit Separator Contech CDS3025	ea			\$0.00					
Oil Grit Separator Contech CDS4040	ea			\$0.00					
1200mm ø (OPSD:701.010)	ea			\$0.00					
1500mm ø (OPSD:701.011)	ea			\$0.00					
1800mm ø (OPSD:701.012)	ea			\$0.00					
2400mm ø (OPSD:701.013)	ea			\$0.00					
600mm ø Catch Basin c/w Frame & Grate (OPSD:705.010/400.020)	ea			\$0.00					
600mm ø Ditch Inlet Catch Basin c/w Frame & Grate (OPSD:705.030/403.010)	ea			\$0.00					
Rodent Grates for Ditch Inlets	ea			\$0.00					
150mm ø Long Storm Service	ea			\$0.00					
150mm ø Short Storm Service	ea			\$0.00					
Clean, Flush and Video Inspection of Storm Sewers	m			\$0.00					
Connection to Existing Pipe	ea			\$0.00					
Operation and Maintenance of Stormwater Management Facilities for MECP ECA Compliance	LS			\$0.00					
Subtotal: Storm				\$0.00					
3 Sanitary									
200mm ø P.V.C. 404.020	m			\$0.00					
1200mm ø (701.010)	ea			\$0.00					
Manhole Drop Structure 1003.01	ea			\$0.00					
100mm ø Short Sanitary Service	ea			\$0.00					
100mm ø Long Sanitary Service	ea			\$0.00					
Clean, Flush and Video Inspection of Sewer	m			\$0.00					
Connection to Existing Pipe	ea			\$0.00					
Subtotal: Sanitary				\$0.00					
4 Watermain and Appurtenances									
75 mm P.V.C. watermain	m	\$215.00	1000	\$215,000.00					Open cut trench in roadway Under Hwy 7
75 mm P.V.C. watermain direct drill	m	\$300.00	100	\$30,000.00					
50 mm Copper	m			\$0.00					
150 mm Gate Valve	ea			\$0.00					
Yard Hydrant	ea	\$2,500.00	1	\$2,500.00					At end of GE water service
Hydrant Set, Valve and Tee	ea			\$0.00					
19 mm Short Water Service	ea			\$0.00					
19 mm ø Long Water Service	ea			\$0.00					
Water, Disinfection and Pressure Testing	ea	\$5,000.00	1	\$5,000.00					
19mm Curbstop with rod & box	ea			\$0.00					
300 mm P.V.C. watermain	m			\$0.00					
300 mm Gate Valve	ea			\$0.00					
Connection to Existing Pipe	ea	\$2,000.00	1	\$2,000.00					to 150mm w/main
Subtotal: Watermain and Appurtenances				\$254,500.00					
5 Road									

Permanent Street and Stop Signs	LS			\$0.00				
Granular 'B' 300mm Depth	t	\$22.00	2000	\$44,000.00				
Granular 'A' 150mm Depth	t	\$25.00	1200	\$30,000.00				
HL8 Asphalt Binder Course 50mm Depth	t	\$105.00	540	\$56,700.00				
HL4 Asphalt Surface Course 40mm Depth	t	\$120.00	440	\$52,800.00				
HL3 Asphalt Driveway	t			\$0.00				
Storm 150 mm Dia Subdrain Road (OPSD216.021)	m			\$0.00				
Curb and Gutter (muni-1350)	m			\$0.00				
(608.010/605.030/600.040)	m			\$0.00				
2.0m wide Concrete Sidewalk	m ²			\$0.00				
1.8m wide Concrete Sidewalk	m ²			\$0.00				
1.5m wide Concrete Sidewalk	m ²			\$0.00				
Acoustical Fencing	m			\$0.00				
Chain Link Fencing	m			\$0.00				
Ditching	m			\$0.00				
Topsoil, Seed & Mulch	m ²	\$10.00	200	\$2,000.00				
Concrete Mail Box Pad	ea			\$0.00				
Line Painting	LS			\$0.00				
Dead End Barrier and Signage	ea			\$0.00				
Electrical Light Standards	ea			\$0.00				
Streetscape Plan - Landscaping - Street Trees	LS			\$0.00				
Road Maintenance - On and Off Site Street Cleaning, inc. weekly through the summer	LS			\$0.00				
Subtotal: Road				\$185,500.00				
7 Legal Fees								
Miscellaneous Legal Fees (associated with review and registration)	LS	\$3,000.00	1	\$3,000.00				
Subtotal: Legal Fees				\$3,000.00				
8 Earthworks								
Siltation Ponds (Inc. Snow Fence)	ea			\$0.00				
300 mm CSP Culverts (inc. 300 mm granular cover material)	m			\$0.00				
R50 Rip Rap and Filter Cloth	m ²			\$0.00				
Trail Works	LS			\$0.00				
Subtotal: Earthworks				\$0.00				
Subtotal (Items 1.0 - 8.0)				\$462,400.00				
9 Engineering and Contingency								
5% Contingency				\$23,120.00				
7% Engineering **Design fee under separate letter Jan 13, 2020				\$0.00				
*Subtotal				\$485,520.00				
H.S.T - 13%				\$63,117.60				
Total Construction Costs				\$548,637.60				
*DAAP Fee: 3.7% of Subtotal - Pre H.S.T.				\$17,964.24				
10 Security								
Security inclusive of H.S.T.								
Total of Security				\$548,637.60				

The Corporation of the City of Kawartha Lakes

Council Report

Report Number ENG2020-004

Meeting Date: January 28, 2020

Title: Award of Contract Administration to CIMA Canada Inc. for the Downtown Reconstruction Phase 2

Description:

Ward Number: Lindsay

Author and Title: Corby Purdy, Supervisor Infrastructure, Design and Construction

Recommendation(s):

That Report ENG2020-004, **Award of Contract Administration to CIMA Canada Inc. for the Downtown Reconstruction Phase 2**, be received;

That Council authorize the single source to CIMA Canada Inc., for the Contract Administration and Inspection Services for Kent and Lindsay Street Reconstruction for the total amount of \$418,948.00 not including HST;

That Financial Services Division be authorized to issue a purchase order.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The 2020 Capital Budget Program RD2003 Urban/Rural Reconstruction identified three road sections to be reconstructed, five road sections to be designed and one section for expansion/upgrades.

Kent Street West and Lindsay Street South are two of the construction projects identified.

The 2020 Water/Wastewater Capital Budget Program WW2003 identified approximately 330m of watermain and 220m of sanitary sewer to be replaced on Kent Street West. It also identified approximately 275m of watermain and 220m of sanitary sewer to be replaced on Lindsay Street South.

PUR2017-049 approved Downtown Lindsay design work to be completed by CIMA Canada Inc. Road sections included in the design assignment are: Peel Street, Russell Street, Kent Street West, Cambridge Street, William Street, York Street and Lindsay Street South. During the design process CIMA Canada Inc. and staff conducted 2 public meetings with local residents and businesses.

PUR2019-009 approved Phase 1 Contract Administration and Site Inspection be awarded to CIMA Canada Inc.

Phase 2 construction has been tendered in accordance with the purchasing policy, and awarded to Hard-Co Construction. Construction is expected to commence in February 2020.

Rationale:

Since CIMA Canada Inc. has been involved throughout the design process, they are very familiar with the site and project details. Given the size and complexity of this project, it may require clarification and/or minor design adjustment during construction. CIMA Canada Inc. has specialty staff to inspect and administer all aspects of the project. It would be beneficial to have CIMA Canada Inc. to undertake Contract Administration and Inspection services for the entire project.

Staff recommends that CIMA Canada Inc. of Bowmanville, be awarded Contract Administration and Inspection Services for Kent and Lindsay Street Reconstruction for the quoted amount of \$380,862 (excluding HST), plus 10% contingency of \$38,086, for a total of \$418,948.

Other Alternatives Considered:

No other alternatives were considered due to the sensitivity of construction and CIMA Canada Inc. project history/expertise.

Financial/Operation Impacts:

Capital Project Number	Project Budget	Other Committed Funds	Capital Project balance	Purchase Amount (excl. HST)	Cont. 10%	HST Payable	Total Amount	Project Balance
983200301	\$1,563,000	\$1,148,465	\$414,535	\$95,216	\$9,522	\$1,844	\$106,582	\$307,953
983200302	\$2,925,000	\$2,203,047	\$721,953	\$95,216	\$9,522	\$1,844	\$106,582	\$615,371
998200301	\$1,530,000	\$1,270,148	\$259,852	\$95,215	\$9,521	\$1,843	\$106,579	\$153,273
998200302	\$1,920,000	\$1,621,452	\$298,548	\$95,215	\$9,521	\$1,843	\$106,579	\$191,969
Total	\$7,938,000	\$6,243,112	\$1,694,888	\$380,862	\$38,086	\$7,374	\$426,322	\$1,268,566

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.

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

This project relates to Goal 1 by maintaining the City's existing Infrastructure

- Goal 1 – A Vibrant and Growing Economy

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:

The Accessibility coordinator, the stakeholders meeting and the public meeting along with the City of Kawartha Lakes Accessibility Advisory Committee were involved throughout the Environmental Assessment process.

The design plan for Downtown will include Accessible pedestrian walkways / sidewalks, audible pedestrian traffic signals / crossing and approved color contracts pavers on the boulevards.

Servicing Implications:

The corresponding infrastructure improvements (ie. Replacement of watermain, sanitary and storm pipe) have been incorporated into the design project and respective tender.

The City received a grant through Small Community Funds – Lindsay Cast Iron Watermain Replacement that funds the replacement of cast iron watermain in Lindsay.

Consultations:

NA

Attachments:

NA

Department Head E-Mail:

Department Head:

Department File:

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PUR2020-001

Meeting Date: January 28, 2020

Title: Request for Proposal 2019-94-CP Design and Build for New Fire Hall in Mariposa

Author and Title: Krystina Cunnington, Buyer

Co-Author and Title: Ron Raymer, Deputy Fire Chief

Recommendation(s):

That Report PUR2020-001, Request for Proposal 2019-94-CP Design and Build of New Fire Hall in Mariposa, be received;

That the highest scoring Proponent, MVW Construction and Engineering Inc., be selected for the award of Request for Proposal 2019-94-CP Design and Build for New Fire Hall in Mariposa;

That subject to receipt of the required documents, that the Mayor and City Clerk be authorized to execute the agreement to award Proposal 2019-94-CP Design and Build of New Fire Hall in Mariposa; and

That the Financial Services Division be authorized to issue a purchase order.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief

Administrative

Officer:

Background:

The City of Kawartha Lakes requested a Proposal for the design and construction of a new Mariposa Fire Hall located at 522 Eldon Road Little Britain, Ontario. The Request for Proposal 2019-94-CP Design and Build of New Fire Hall in Mariposa was released and advertised in accordance with the Purchasing Policy.

The proposal closed on November 7, 2019 and was opened by Krystina Cunningham, Buyer and Andy Letham, Mayor. Proposals were received from the following:

Name of Company
MVW Construction and Engineering Inc.
Garritano Bros Ltd.
Carbon Contracting Inc.
Platinum Construction Corporation

The Evaluation Committee carefully evaluated and scored each Proposal by consensus based on the criteria described in the Request for Proposal. MVW Construction and Engineering Inc. was found to be the highest compliant proposal. References were checked and found to be favorable.

Rationale:

Staff recommend that the highest scoring proponent, MVW Construction and Engineering Inc., be selected for the award of 2019-94-CP Design and Build of New Fire Hall in Mariposa.

Other Alternatives Considered:

No other alternatives are being considered as a competitive procurement process was conducted and the highest scoring proponent is being recommended.

Financial/Operation Impacts:

Funds for 2019-94-CP Design and Build of New Fire Hall in Mariposa are available within the 2019 Capital Budget as noted below

Project Number	Project Budget	Other Committed Funds *see below	Project Balance	Purchase Amount (excl. HST)	3% Contingency	HST Payable	Total Amount	Project Balance
932190104	\$1,960,000	\$31,630	\$1,928,370	\$1,823,381	\$54,701	\$33,056	\$1,911,138	\$17,232

*Other committed funds include previous work completed and site works.

Upon completion of the work, and remaining surplus or deficit will be dealt with through a capital close report presented to Council by the Treasury Department in accordance with the Capital Close Policy.

The Fire Department will maximize the use of remaining funds and report through the semi-annual capital close process.

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

The City of Kawartha Lakes 2016-2019 Strategic Plan identified its enablers as:

- Enabler 1: Responsible Fiscal Resource Management
- Enabler 2: Effective Human Resource Management
- Enabler 3: Municipal Service Excellence
- Enabler 4: Efficient Infrastructure and Asset Management

The proposed project for the Design and Build of a New Fire Hall in Mariposa implements the City's vision as outlined in the City of Kawartha Lakes Strategic Plan by supporting the Efficient Infrastructure and Asset Management enabler which contributed to the betterment of the community's safety.

Consultations:

Junior Accountant
Building and Property
Fire Services

Attachments:

N/A

Department Head E-Mail: mpankhurst@kawarthalakes.ca

Department Head: Mark Pankhurst, Fire Chief

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PUR2020-002

Meeting Date: January 28, 2020
Title: 2019-90-CP Supply and Delivery of Extrication Equipment
Description: Supply and Delivery of Extrication Equipment
Ward Number: Various
Author and Title: Launa Macey, Supervisor of Financial Services
Co-Author and Title: Ron Raymer, Deputy Fire Chief

Recommendation(s):

That Report PUR2020-002, **Request for Proposal 2019-90-CP Supply and Delivery of Extrication Equipment**, be received;

That the highest scoring proponent, Code 4 Fire & Rescue Inc. of Hagersville, ON, be selected for the award for Request for Proposal 2019-90-CP Supply and Delivery of Extrication Equipment for a five (5) year term;

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

That Purchasing issue the Purchase Order.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The Fire Service responds to numerous calls where extrication is required and drivers and passengers are trapped. To deal with this all firefighters are trained in extrication and arrive at an accident scene armed with a vast array of hydraulic cutting, prying and pushing tools that are used to free or remove victims from an entrapment of difficulty to a place of safety. Extrication equipment varies from basic (such as ropes, pry bars, and chisels), to intermediate (light and heavy cutters, full size heavy hydraulic spreaders) to advanced extrication tools (heavy hydraulic rams and heavy hydraulic pumps). Firefighters also require air chisels and air bags for heavy lifting. The Fire Service has been building on the capital investment for extrication equipment for firefighter and public safety since amalgamation. This project is to continue with placement of eDRAULICS and extrication equipment into the fire divisions and to replace aging and outdated equipment.

Request for Proposal 2019-90-CP Supply and Delivery of Extrication Equipment was released for advertising in accordance with the purchasing policy.

The proposal closed on November 28, 2019 and was opened in public by Andy Letham, Mayor and Krystina Cunningham, Buyer. Proposals were received from the following:

Name of Company
ABC Fire & Safety Equipment Limited
Code 4 Fire & Rescue Inc.

The Evaluation Committee carefully evaluated and scored each Proposal by consensus based on the criteria described with the Request for Proposal.

References were checked and found to be favorable.

Rationale:

Staff recommend that the highest scoring proponent, Code 4 Fire & Rescue Inc. of Hagersville, ON, be selected for the award for Request for Proposal 2019-90-CP Supply and Delivery of Extrication Equipment for a five (5) year term;

Other Alternatives Considered:

None as a competitive process was conducted and the highest scoring proponent is being recommended.

Financial/Operation Impacts:

Funds for the extrication equipment were approved in the 2019 and 2020 Capital Budget as indicated in the table below. The estimated total proposal amount for the five years is \$219,540.00. The Department will be requesting funds for future Capital budgets as required.

Capital Project Number	Project Budget	Other Committed Funds	Capital Project balance	Purchase Amount (excl. HST)	HST Payable	Total Amount	Project Balance
932190302	\$50,000	\$0	\$50,000	\$44,985	\$792	\$45,777	\$4,223
932200302	\$50,000	\$0	\$50,000	\$43,985	\$774	\$44,759	\$5,241
Total	\$100,000	\$0	\$100,000	\$88,970	\$1,566	\$90,536	\$9,464

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.

The Fire Department will maximize the use of remaining funds and report through the semi-annual capital close process.

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

The City of Kawartha Lakes 2016-2019 Strategic Plan identified its enablers as:

- Enabler 1: Responsible Fiscal Resource Management
- Enabler 2: Effective Human Resource Management
- Enabler 3: Municipal Service Excellence
- Enabler 4: Efficient Infrastructure and Asset Management

The proposed project for purchase of extrication equipment implements the City's vision as outlined in the City of Kawartha Lakes Strategic Plan by supporting the Efficient Infrastructure and Asset Management enabler which contributed to the betterment of the community's safety.

Consultations:

Junior Accountant

Department Head E-Mail: mpankhurst@kawarthalakes.ca

Department Head: Mark Pankhurst, Fire Chief

Department File: 2019-90-CP

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PUR2020-003

Meeting Date: January 28, 2020

Title: Single Source

Description: Purchase of Ultra Violet Disinfection System & Pumps for Fenelon Falls Water Treatment Plant

Ward Number: Ward 3

Author and Title: Linda Lee, Buyer
Nafiur Rahman, Engineering and Assets

Recommendation(s):

That Report PUR2020-003, **Single Source – OCWA for the Purchase of Ultra Violet (UV) Disinfection System & Pumps for the Fenelon Falls Water Treatment Plant**, be received;

That Council authorize the single source purchase to Ontario Clean Water Agency (OCWA) for the UV disinfection system and pumps for the Fenelon Falls Water Treatment Plant for the total amount of \$283,094.63 not including HST;

That Financial Services Division be authorized to issue a purchase order.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The disinfectant byproduct (Trihalomethanes (THM)) that formed from the current disinfection process at the Fenelon Falls Water Treatment Plant (WTP) often exceeds the Ministry of the Environment, Conservation and Parks, (MECP) maximum allowable concentration limit. In order to reduce the THM level, the MECP has approved the utilization of UV disinfection system as part of a multi-barrier disinfection approach. The existing low-lift pumps also reached the expected service life and need replacement. The proposed disinfection process upgrade is required in order to be in compliance with MECP drinking water quality standards.

Due to the long turnaround time for delivery of UV units and pumps, these items will be ordered in advance based on the quotes received by OCWA. The tender for the installation of this system along with other associated works such as process piping, electrical works, etc. is currently underway which will be administered by OCWA. Upon completion of the tender process a separate single source to OCWA will be requested to council to award the contract of the installation works.

OCWA being the operating authority for the Fenelon Falls WTP, they maintain the overall responsibility for operations within the plant.

Rationale:

Staff recommend that Council authorize the single source purchase to OCWA for the disinfection system and pumps for the Fenelon Falls WTP at a total cost of \$283,094.63 not including HST.

Other Alternatives Considered:

No other alternatives are being considered as the City's Purchasing Policy allows for a single source when there is no alternative or substitute that meets the specifications.

Financial/Operation Impacts:

Capital Project Number	Project Budget	Other Committed Funds	Capital Project Balance	Purchase Amount (including HST payable)	Contingency 10%	Total Amount	Project Balance
998190104	\$1,443,000	\$754,572	\$688,428	\$283,095	\$28,310	\$311,405	\$377,023

*Other committed funds include internal staff time / wages and previously awarded contracts.

Upon completion of the work, any remaining surplus or deficit will be dealt with through a capital close report presented to Council by the Treasury Department in accordance with the Capital Close Policy.

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

This project relates to Goal 3 by ensuring water treatment plant operations continue to operate effectively.

- Goal 3 – A Healthy Environment

Link to Strategic Plan

<https://documents.city.kawarthalakes.on.ca/sites/CorpDocs/Plans/2016%20Strategic%20Plan%20City%20of%20Kawartha%20Lakes.pdf>

Consultations:

Junior Accountant

Department Head E-Mail: jrojas@kawarthalakes.ca

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

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PUR2020-007

Meeting Date: January 28, 2020

Title: 2019-69-OP Provision of Operation and Maintenance Services for WWW Treatment Facilities

Ward Number: All wards

Author and Title: Linda Lee, Buyer
Kayla Pantaleo, Contract Coordinator

Recommendation(s):

That Report PUR2019-044, **2019-69-OP Provision of Operation and Maintenance Services for WWW Treatment Facilities**, be received;

That Ontario Clean Water Agency (OCWA) be selected as the highest scoring proponent, for the award of Request for Proposal 2019-69-OP Provision of Operation and Maintenance for WWW Treatment Facilities;

That Council authorize the option to renew the contract for one (1) five (5) year additional term upon mutual agreement and successful completion of the initial term; and

That subject to receipt of the required documents, the Mayor and Clerk be authorized to sign the agreement.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The City owns twenty-one (21) water treatment and six (6) wastewater treatment facilities and their associated water distribution and wastewater collection systems.

Currently, the Operations and Maintenance (“O&M”) of these facilities is provided under a “hybrid” model, where twenty (20) water treatment and six (6) wastewater treatment facilities are operated under Contract. The Ontario Clean Water Agency (OCWA) has been the operating authority for the contracted systems since the contractual agreement commenced on March 1, 2014.

The original contract term was for five (5) years ending March 1, 2019, with an option to renew for an additional 2-year term.

On January 30, 2018 Council approved the staff’s recommendation to renew Tender 2013-71-OT for the Operation and Maintenance Services Agreement for Water and Wastewater Treatment Facilities for the optional two (2) year term, until February 28, 2021. Council requested that staff prepare a Request for Proposal (RFP) by end of Q2 2019 prior to the expiry of the agreement extension. Council adopted the following resolution:

CR2018-042

Moved By Councillor Elmslie

Seconded By Councillor Seymour-Fagan

That Report PUR2018-003, **2013-71-OT for the Operation and Maintenance Services Agreement for Water and Wastewater Treatment Facilities**, be received; and

That the option to renew Tender 2013-71-OT for the Operation and Maintenance Services Agreement for Water and Wastewater Treatment Facilities for an additional term of two (2) years, with an annual Consumer Price Index (CPI) increase, until February 28, 2021 with Ontario Clean Water Agency, be approved; and

That the Purchasing Division be authorized to issue a Purchase Order; and

That Staff be directed to prepare a Request for Proposal (RFP) by end of Q2 2019 prior to the expiry of the agreement extension.

CARRIED

This report addresses that request.

The Request for Proposal (RFP) 2019-69-OP Provision of Operation and Maintenance of WWW Treatment Facilities was released and advertised in accordance with the Purchasing Policy.

The RFP closed on October 24, 2019 and was opened in a public meeting with Councilor Pat Dunn and Linda Lee, Buyer. Proposals were received from the following:

Company Name
Ontario Clean Water Agency (OCWA)
Veolia Water Canada, Inc.

An evaluation committee carefully evaluated and scored each Proposal by consensus, based on the criteria described within the Request for Proposal.

OCWA was found to be the highest scoring proponent. References were checked and found to be favourable.

Rationale:

Staff recommends that OCWA be selected, as the highest scoring proponent, for the award of Request for Proposal 2019-69-OP Provision of Operation and Maintenance for WWW Treatment Facilities. The anticipated start date of the contract is March 1, 2021 and the new term will be for five (5) years with the option to renew for another five (5) year term upon successful completion of the original term and mutual agreement. The contract will be for the Operations and Maintenance of the water and wastewater treatment facilities.

The following table shows the Facilities that will be operated under the new contract as well as the Facilities that will be operated by in-house personnel, for the total number of twenty-one (21) Water Treatment Facilities and six (6) Wastewater Treatment Facilities.

List of Water Treatment Facilities operated under contract	List of Wastewater Facilities operated under contract	List of Water Treatment Facilities operated by in-house staff
Birch Point WTP	Bobcaygeon WPCP	Lindsay WTP
Bobcaygeon WTP	Coboconk WWT	Sonya WTP
Canadiana Shore WTP	Fenelon Falls WPCP	Woods of Manilla WTP
Fenelon Falls WTP	King's Bay WPCP	
Janetville WTP	Lindsay WPCP	
King's Bay WTP	Omeme Lagoons WWT	
Kinmount WTP		
Manorview WTP		
Mariposa Estates WTP		
Norland WTP		
Omeme - Victoria Glen WTP		
Pinewood WTP		
Pleasant Point WTP		
Southview Estates WTP		
Victoria Place WTP		
Western Trent WTP		
Woodfield WTP		
Woodville WTP		

Other Alternatives Considered:

No other alternative is being considered as a competitive procurement process was conducted, and the highest scoring proponent is being recommended.

Financial/Operation Impacts:

The Water and Wastewater Department will ensure that costs for the Operations and Maintenance services are incorporated in all future Water and Wastewater Operating Budgets for each year of the contract and any optional renewals. The Department will also monitor the project to ensure that it remains within budget for each contract year.

There is an anticipated 2% cost savings in the first year of the new contract (March 1, 2021 – February 28, 2022) for the annual Operations and Maintenance Service Fee compared to the service fee for 2019 - 2020.

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

The recommendation in this report contributes to council's adopted strategic plan namely:

Goal 1 - A Vibrant and Growing Economy. OCWA has established their operations locally and as a result they have added to the economic diversity and employment within the City.

Goal 3 - A Healthy Environment. OCWA continues to ensure water and wastewater are treated and meet regulatory limits ensuring public health and a clean environment. The recommendations in this report will ensure this Goal will continue to be met.

Consultations:

Supervisor, Water and Wastewater Operations

Department Head E-Mail: brobinson@kawarthalakes.ca

Department Head: Bryan Robinson, Director of Public Works

Department File: 2019-69-OP



Council Memorandum

Date: January 28th, 2020

To: Council

From: Mayor Letham

Re: Council Appointment to the Kawartha Lakes Accessibility Advisory Committee

Recommendation

That the January 28th, 2020 memorandum from Mayor Letham regarding the **Council Appointment to the Kawartha Lakes Accessibility Advisory Committee** be received; and

That Councillor Elmslie be appointed the Council representative for the Kawartha Lakes Accessibility Advisory Committee

Rationale

The report MAYOR-2018-001, **Council Appointments**, details the appointed Council representatives for each Committee of Council. Councillor Veale's appointment to the Kawartha Lakes Accessibility Advisory Committee commenced on December 11th, 2018 and was scheduled to continue for the entire term of Council, ending December 2022. Due to recent scheduling conflicts, it has been agreed that Councillor Elmslie will step in as Council representative in place of Councillor Veale.



Council Memorandum

Date: January 28th, 2020

To: Council

From: Councillor Pat Dunn

Re: Sanitary Sewer Back-up Report

Recommendation

That the memorandum from Councillor Pat Dunn regarding a **Sanitary Sewer Back-up** be received; and

That staff prepare a report that identifies the cause of the sanitary sewer back up, during an extreme weather event, that impacted Northern and Eastern portions of Ward 5 on January 11th, 2020 and report back to Council by the end of Q2, 2020.

Rationale

In light of the sewer back up that occurred in Ward 5 in January 2020, I would like staff to provide Council with a report identifying the contributors to the above noted sewer back up and outline potential mitigation moving forward.



Council Memorandum

Date: January 28th, 2020

To: Council

From: Councillor Dunn

Re: Waived landfill tipping fees for residents impacted by sewage back-up

Recommendation

That the memorandum from Councillor Pat Dunn regarding **waived landfill tipping fees for residents impacted by sewage back-up** be received; and

That Council direct staff to waive tipping fees for the residents affected by the sanitary sewage backup that occurred on January 11th, 2020.

Rationale

In April of 2019, the City of Kawartha Lakes waved landfill tipping fees for flood-damaged goods within specified areas that had been impacted by flooding or impacted by a lack of curbside pickup due to road closure. Like the Burnt River floods, the residents of Ward 5 were impacted by sanitary-sewer back-ups as a result of a severe weather event.

Based on initial reporting, the flooding and resulting damage falls under Section 5.02 of the Consolidated By-law Regarding the Collection and Management of Waste and Recyclables (2016-144). Clause iv states that:

Materials determined by the Director of Public Works and his or her designate or designated as damaged materials resulting from an extreme weather event within the City; received for disposal at designated City landfills during designated periods of time associated with said weather event.

Consequently, the residents affected by the sewage back up in January should be considered for waived landfill tipping fees.



Council Memorandum

Date: January 28th, 2020

To: Council

From: Councillor

Re: Flood Prevention Subsidy

Recommendation

That the memorandum from Councillor Pat Dunn regarding the implementation of a Flood Prevention Subsidy be received; and

That staff report on the feasibility of implementing such a program in the city of Kawartha Lakes and report back to Council by the end of Q2, 2020.

Rationale

In light of the recent sewage backup that affected Ward 5, it is important that residents connected to municipal wastewater systems have flood protection devices in place. Backwater valves (check valves), sump pumps, and the ability to sever and cap the home's storm sewer or external weeping tile connections play an important role in flood prevention. The City of Toronto offers a total subsidy of up to \$3,400.00 per property, upon proper installation of these flood- prevention devices. Similarly, the City of Peterborough offers a Flood Prevention Subsidy that offers financial assistance to property owners that find, and repair, problems causing rainwater inflow or ground water infiltration into the City's sanitary sewer system. This program includes the installation of backwater valves as well as sump pits and sump pumps.

Under our current By-law to Establish Management and Use of Sewer Works (2016-006), backwater valves are required for all new buildings with basements or below grade crawl spaces. Residents in existing dwellings that meet these criteria should be urged to follow this new standard. Given that we are facing an increasing number of extreme weather events and subsequent flooding each year, it is important that we are



proactive in encouraging our residents to participate in safe guarding both their homes and our water systems.



Council Memorandum

Date: January 28, 2020

To: Council

From: Mayor Andy Letham

Re: Motion to Reconsider – Proposed Sale of A Portion of Municipally Owned Land Adjacent to Elgin Park, Lindsay

Recommendation

Motion to Reconsider/Rescind

That, Council reconsider motion CW2019-160 adopted on February 19, 2019 regarding the sale of a portion of the City-owned property known as Elgin Park and legally described as Lots 5 – 7, Lots 9 – 13, Block O on Plan 1, Part of Lot 8, 14, Block O on Plan 1 As In TL31341 Except R278226, in the Geographic Town of Lindsay.

Motion Adopted February 19, 2019 to be Reconsidered/Rescinded

CR2019-160

Moved By Councillor Dunn

Seconded By Councillor Richardson

That a portion of the City-owned property known as Elgin Park and legally described as Lots 5 – 7, Lots 9 – 13, Block O on Plan 1, Part of Lot 8, 14, Block O on Plan 1 As In TL31341 Except R278226, in the Geographic Town of Lindsay, City of Kawartha Lakes, be declared surplus to municipal needs;

That the subject property be placed on the open market, in accordance with the provisions of By-Law 2018-020, as amended, and the Municipal Act, 2001, and subject to the parties entering into a conditional Agreement of Purchase and Sale;



That a by-law (with any amendments deemed necessary) to authorize its disposition shall be passed; and

That the Mayor and Clerk be authorized to sign all documents to facilitate the

Proposed New Main Motion

That a portion of the City-owned property known as Elgin Park and legally described as Lots 5 – 7, Lots 9 – 13, Block O on Plan 1, Part of Lot 8, 14, Block O on Plan 1 As In TL31341 Except R278226, in the Geographic Town of Lindsay, City of Kawartha Lakes, be declared surplus to municipal needs;

That a direct sale to two area landowners be supported, in principle, in accordance with the provisions of By-Law 2018-020, as amended, and the Municipal Act, 2001, and subject to the parties entering into a conditional Agreement of Purchase and Sale;

That a by-law (with any amendments deemed necessary) to authorize its disposition shall be passed; and

That the Mayor and Clerk be authorized to sign all documents to facilitate the conveyance of the lands.

Rationale

It has been brought to the City's attention that additional information is forthcoming and may warrant a proposed reconsideration, in order for the subject property to be offered for direct sale to the two area businesses. The interested purchasers will be attending the January 28, 2020 Council Meeting to provide relevant information. "Request to Speak Before Council" forms submitted by Luke Woud and Paul Cross are attached to this memo outlining their position.

To alter or amend a decision of Council, would require a Motion to Reconsider. The process in accordance with the Procedural By-law in as follows:

Motions to Reconsider: The motion to reconsider can, with certain exceptions, be applied to a vote that was either affirmative or negative, within a limited time after that vote, and it proposes no specific change in a decision but simply proposes that the original question be reopened. The purpose of reconsidering a vote is to permit correction of hasty,



ill-advised, or erroneous action, or to take into account added information or a changed situation that has developed since the taking of the vote.

A motion to reconsider can be made only by a member who voted with the prevailing side.

A motion to reconsider can be made only on the same day the vote to be reconsidered was taken.

Without previous notice of motion, the motion to rescind requires a two-thirds vote. This provision cannot be waived. Notice is considered given through the Published Agenda where the item appears and therefore does not require 2/3 vote.

Motion to Rescind: A motion to rescind a Motion previously adopted by the Assembly may be carried to cease the force and effect of a previously adopted motion.

A motion to rescind shall be used to cease the force and effect of a previously adopted motion when the Assembly has confirmed the proceedings of the meeting at which the motion that is to be rescinded was adopted.

A motion to rescind can be moved by a member on the prevailing side at any time or by any member, regardless of how the member voted on the original question following a 365-day waiting period.

Motions cannot be rescinded when the action within the motion to be rescinded has been completed making that action impossible to undo.



Deputation Request - Luke Woud.pdf



Deputation Request - Paul Cross.pdf



RECEIVED

JUN 2020

Request to Speak before Council

OFFICE OF THE CITY CLERK
KAWARTHA LAKES

Request to Make a Deputation/Presentation to
Council/Committee
City of Kawartha Lakes
City Clerk's Office
26 Francis Street, PO Box 9000
Lindsay, ON K9V 5R8
705-324-9411

Name: *

LUKE WOUD

Address: *

152 ANGELINE ST N

City/Town/Village:

LINDSAY

Province: *

ON

Postal Code:

Telephone: *

416-706-5853

Email: *

LUKEWOUD18@HOTMAIL.COM

There can be a maximum of two speakers for each deputation. Please list the name(s) of the individual(s) who will be speaking. The names that are listed here will be included on the Council Meeting Agenda.

Deputant One:

LUKE WOUD

Deputant Two:

PAUL CROSS

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

We feel that the decision imposed by Council to sell the Property currently being leased by myself (the owners of 152 Angeline St N) and Paul Cross on the open market is unreasonable given the circumstances. We have come to an agreement that should council consider selling the property directly to us (Myself & Paul), we will enter a joint partnership to own the property together so that the current property allocation does not change. We have spoken with Mayor Andy Letham and are aware that the City will have the property assessed and surveyed and that these costs will be passed on to the Buyer. We are in agreement that we are expected to pay the appraised value of the property.

Furthermore, given that both parties have leased the property from the City of Kawartha Lakes for a long enough period of time without issue and as such, should be considered for first right of refusal to purchase.

If the property is sold to another party, it hinders both of our businesses greatly. I, as a landlord, have professional tenants including Farm Credit Canada and Richard Greider Accounting. Without adequate parking, they can no longer run their businesses effectively. This ultimately impacts us as local investors, the local businesses within the building as well as the community itself.

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

Have you discussed this matter with City Staff?

☒ Yes

☐ No

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

REAL ESTATE, PLANNING

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

We are hoping to convey to council that it is in the best interest of all parties to allow both myself and Paul to purchase the land on Elgin St that we are in a long standing lease agreement with the City of Kawartha Lakes directly rather than placing the property on the open market.

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

Signature:

Luke Woud

Date:

12/13/2019

The personal information is being collected by the City of Kawartha Lakes for the principal purpose of a request to make a deputation to Committee or Council pursuant to the City's procedural by-law. This information, including all attachments submitted may be circulated to members of Council, staff, the general public and posted on the City website. Questions about the collection of this information should be directed to the City Clerk or Deputy Clerk at 705 324-9411 ext. 1295 or 1322.

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

☒ Yes

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



RECEIVED

JAN 22 2011

OFFICE OF THE CITY CLERK
KAWARTHA LAKES

Request to Speak before Council

Request to Make a Deputation/Presentation to
Council/Committee
City of Kawartha Lakes
City Clerk's Office
26 Francis Street, PO Box 9000
Lindsay, ON K9V 5R8
705-324-9411

Name: *

Paul Cross

Address: *

150 Angeline St

City/Town/Village:

Lindsay

Province: *

Ontario

Postal Code:

k9V3R4

Telephone: *

7053415249

Email: *

pcross@lindsaygm.ca

There can be a maximum of two speakers for each deputation. Please list the name(s) of the individual(s) who will be speaking. The names that are listed here will be included on the Council Meeting Agenda.

Deputant One:

Paul Cross

Deputant Two:

Luke Would

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

Would like to speak to the matter involving current lease agreement - Part Of Elgin Park, Part lots 5&6, Town Of Lindsay and the possible purchase thereof.

In its 45 years of being in business, Lindsay Buick GMC , formerly Lindsay Pontiac Buick GMC has leased said property for over 20 years! Having purchased the business in 2003, the previous owner, John Lindsay leased the property and I continued the lease in place. With the property, the business has grown, employee count has increased, a new facility built. The property is an effective component to the operations and its logistics, as it stores approx 25% of total inventory. This storage enables a greater sales capability and consequently a business model to sustain employee count etc... facility costs, taxes etc...

NOT retaining this property will have a detrimental impact and will cause for the business to scale back its operations.

The use of the property is not for development, not for personnel gain.

Myself and Luke Woud have a mutual agreement on the purchase of the property, including all associated costs.

Asking Council to look at the practical aspect of allowing 2 business to continue operations and being an integral part of the community and allowing them to direct purchase.

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

Have you discussed this matter with City Staff?

☒ Yes

☐ No

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

Planning

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

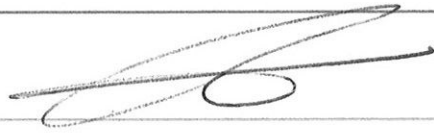
That recognizing council needs to keep in mind a partial view on decisions, that in some cases it could be argued that a more "practical approach" based upon history and circumstances should be considered in decision making. Expediting a decision on this to direct sell would be a more efficient from a time point of view and makes the most common sense. In a year, 2 businesses sit stale mate waiting to go through a process that makes NO sense! If these businesses are not able to retain this section of property, the negative impact will be instrumental.

The relationship and history with the town by way of the lease simply makes a direct sale the most logical, common sense decision which undoubtedly will hold merit in the public eye.

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

Signature:

Paul Cross
Lindsay Buick GMC Ltd



Date:

January 2020.

The personal information is being collected by the City of Kawartha Lakes for the principal purpose of a request to make a deputation to Committee or Council pursuant to the City's procedural by-law. This information, including all attachments submitted may be circulated to members of Council, staff, the general public and posted on the City website. Questions about the collection of this information should be directed to the City Clerk or Deputy Clerk at 705 324-9411 ext. 1295 or 1322.

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

☒ Yes

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

DEC. 14, 2019

Person Submitting the Petition

Name:	MIKE SMITH	RECEIVED
Address:	284 YELVERTON RD JANETVILLE	DEC 18 2019
Phone:	705-277-3605 705-328-4045	


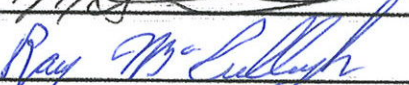
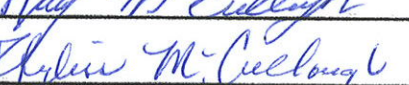
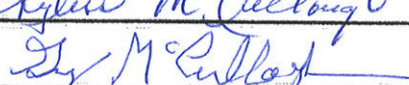
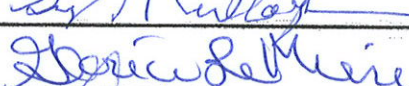


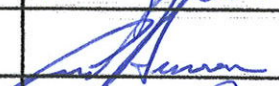


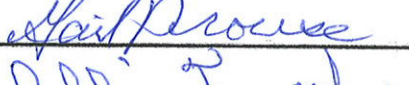

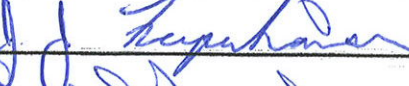

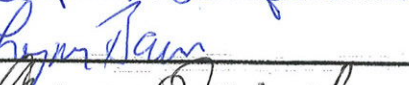
OFFICE OF THE CITY CLERK
KAWARTHA LAKES

Petition

To: the Council of the City of Kawartha Lakes, 26 Francis Street, Lindsay, ON K9V 5R8.

I/We the undersigned, petition the Council of the City of Kawartha Lakes as follows:

We the residents of the hamlet of Yelverton are petitioning the City of Kawartha Lakes to impose a speed limit on Yelverton Road.

#	Name	Contact Information	Signature
	MIKE SMITH	MIKE.SMITH.702@OUTLOOK.COM	
	RAY McCULLOUGH	316 YELVERTON RD	
	Phyllis McCullough	307 Yelverton Rd	
	GEORGE McCULLOUGH	307 YELVERTON RD.	
	Gloria LeMire	312 Yelverton Rd	
	Steve Kroetsch	286 Yelverton Rd	
	Dwight Osterhult	295 Yelverton Rd	
		173 YELVERTON RD	
	Gail Prouse	228 Yelverton Rd	
	Debbie Farquharson	292 Yelverton Rd	
	Jamie Farquharson	292 Yelverton Rd	
	Crystal Farquharson	292 Yelverton Rd	
	Lynn Bain	293 Yelverton Rd	
	Anne Smith	284 Yelverton Rd.	

Signatories to a Petition are deemed to have waived any expectation of privacy as a result of the record being created for review by the general public. Questions about the collection and disclosure of personal information contained in this petition should be directed to the Office of the City Clerk at 705-324-9411 extension 1295 or 1322. All signature pages submitted must include the petition request for the signatures to be considered valid.

Person Submitting the Petition

Name:	Nancy Paish	RECEIVED
Address:	483 Cottingham Road, Omenee, ON K0L 2W0	JAN 14 2020
Phone:	Home 705-799-6598 Work 705-324-9411 Ext 1227	

OFFICE OF THE CITY CLERK
KAWARTHA LAKES

Petition

To: the Council of the City of Kawartha Lakes, 26 Francis Street, Lindsay, ON K9V 5R8.

I/We the undersigned, petition the Council of the City of Kawartha Lakes as follows:

To have approximately 4 km of Cottingham Road East from Emily Park Road to the Rail Trail ditched, road base replaced (in specific identifiable areas) and resurfaced. This road was originally tar and chip surfaced approx. 19 years ago and has had only minimal pot hole maintenance since then (except for the selective hot patch smears that were done in late Fall 2019) and is now in a deplorable state of condition that patching cannot repair.

#	Name	Contact Information	Signature
1	Nancy Paish	483 Cottingham Rd Omenee	Nancy Paish
2	Bela Paish	483 COTTINGHAM RD	Bela Paish
3	Darlene Gallan	378 Cottingham Rd	Darlene Gallan
4	Randy Hendricks	528 Cottingham Rd	Randy Hendricks
5	Tom Hendricks	528 Cottingham Rd	Tom Hendricks
6	Gail Ernst - Rowat	560 Cottingham Rd	Gail Ernst - Rd
7	Tim Rowat	"	T. Rowat
8	JIM FINLEY	576 " "	J. Finley
9	Len CLANCEY	582 " "	Len Clancey
10	Marie Dowdell	290 Orange Corners Road	Marie Dowdell
11	LORETTA METCALFE	658 COTTINGHAM RD	Loretta Metcalf
12	LAURA HORSTRA	705.927.7865	Laura Horstra
13	JEFF WILCOX	905-260-2890	Jeff Wilcox
14	Jane Gaska	687 Cottingham Rd	Jane Gaska
15	Holly Dymond	687 Cottingham Rd	Holly Dymond
16	Karen Williston	687 Cottingham Rd	Karen Williston
17	Alex Cooper	687 Cottingham Road	Alex Cooper
18	Katrina Siford	687 Cottingham Rd	Katrina Siford

The Corporation of the City of Kawartha Lakes

By-Law 2020-XXX

Procedural By-law

A By-Law to Govern and Regulate the Proceedings of the Council of the City of Kawartha Lakes and to Repeal and Replace By-law 2018-212

Recitals:

1. The City of Kawartha Lakes Act, 2000, S.O. 2000, CHAPTER 43 was enacted and the Corporation of the City of Kawartha Lakes was created as a municipal corporation on January 1, 2001.
2. Section 238(2) of the Municipal Act, 2001, S. O. 2001, c.25, as amended, requires every municipal council and local board to adopt a procedural by-law for governing the calling, place and proceedings of meetings and governing the conduct of their Members.
3. The Council of the City of Kawartha Lakes deems it advisable to enact a by-law to govern the proceedings of Council, Committee of the Whole, Boards and Committees of Council, the conduct of its Members and the calling, place, and conduct of its meetings.
4. The Public Meetings Policy, Town Hall Meetings Policy and Endorsement of External Resolutions Policy have been consolidated into the Procedural By-law.

Accordingly, the Council of the Corporation of the City of Kawartha Lakes enacts this By-law 2020-XXX.

Procedural By-law

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Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law:

“Acting Head of Council” is the person delegated by Council through resolution to act as Head of Council in the absence of the Mayor and Deputy Mayor”.

“Advisory Committee” is any special purpose Committee created by Council with approved Terms of Reference to provide recommendations or advice to Council.

“Agenda” is a document issued in accordance with this By-law that sets out the items of business and order of proceedings for any Meeting.

“Act” means the Municipal Act, 2001, S.O. 2001, c.25, as amended.

“By-law” means the legislative intent behind the requirement: that powers of council be exercised by by-law is to ensure due deliberation by councils of all important policy matters through the more formal procedure prescribed for the enactment of a by-law.

“CAO” means the Chief Administrative Officer (CAO) or designate duly appointed by the Council of the Corporation of the City of Kawartha Lakes as prescribed in Section 229 of the Municipal Act, 2001, as amended.

“Chair” means the person presiding at a Meeting.

“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 or designate duly appointed by the Council of the Corporation of the City of Kawartha Lakes as prescribed in Section 228 of the Municipal Act. 2001, as amended.

“Closed Session” means any Meeting or portion of a Meeting not open to the public and held in accordance with Section 239 of the Act, as amended.

“Committee of the Whole” means a working committee made up of all of the Members of Council where less formal procedures are followed.

“Correspondence (Communication)” means any written or digital communication in the form of a letter, media release, bulletin, postcard or email addressed to Council that directly relates to City services or a matter of shared interest to the Kawartha Lakes Community.

“Council” means the municipal council for the City.

“Council Floor” means that area of the assembly occupied by Members and the Chair during a Meeting.

“Deputation” means a person or group making a verbal representation to Council or a Committee.

“Deputy Mayor” is the deputy head of Council duly elected by Council.

“Designated Area” means the public areas outside the Council floor within the meeting room.

“Emergency” means an immediate threat to the well being of health, property or the environment.

“Emergency Meeting” means a Meeting of the Council called without Notice to address circumstances of emergency as defined.

“Head of Council” means the Head of Council as defined by the Act and may also be referred to as “Mayor”.

“Holiday” means any holiday as defined in the Employment Standards Act, or any day proclaimed by the Head of the Council as a Civic Holiday.

“Local Board” means a municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board and a conservation authority.

“Mayor” is the head of Council duly elected at large.

“Meeting” means any regular, special or other meeting of Council, of a local board, or of a committee of Council, where,

- i. a quorum of members is present, and
- ii. members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

“Meeting: Public” means any public meeting that Council believes is in the best interest of the ratepayers of the City but is not a requirement pursuant to provincial legislation. A Public Meeting may be held at Regular, Special, Committee of the Whole or Planning Advisory Committee Meeting or other body delegated the authority by Council.

“Meeting: Statutory Public” means any public meeting that is required pursuant to provincial legislation.

“Member” means a Member of the Council and includes the Head of Council. Where the term is used in reference to Committees and Boards, it refers to only those members of the Committee or Board itself. Where the term is used in reference to a Committee or Board made up of persons who are not Members of the Council, the term also includes those persons.

“Motion” means a proposal brought forward by a member for consideration that is moved and seconded by another member.

“Motion to Receive” means a motion to acknowledge the particular item, report or recommendation under consideration and to have it placed in the records of the Council with no additional action being taken.

“Municipal Election” means a general, City-wide Municipal election or a by-election.

“Notice” means written notice, except where legislation, by-law or policy of the City provides for another form or manner of notice.

“Notice of Meeting” means a written document provided to Members and to the public that advises the recipient of the time and place of a Meeting.

“Notice of Motion” means a written motion received by the Clerk, moved by a Member, and seconded by another Member, for inclusion on an agenda of a meeting of the Council.

“Planning Advisory Committee” means the Planning Advisory Committee as established by Council under Section 8(1) of the Planning Act, R.S.O. 1990, c.P.13, with the delegated authority to hear matters under the Planning Act on behalf of Council.

“Petition” means a document requesting Council’s consideration of a matter that contains more than ten (10) original signatures and does not include an electronic web-based document.

“Point of Order” is a concern regarding conformity to the rules of order of Council, defined in this by-law.

“Point of Privilege” is a concern about the honour, dignity, character, rights or professionalism of the Head of Council and Members of Council.

“Presentation” means the occurrence when, staff, an individual or group have been invited to present information to Council or Committee.

- i. a ceremonial presentation to or from the City of Kawartha Lakes;
- ii. a presentation made by city staff and/or by consultants retained by the City or by another level of government;
- iii. a presentation to or from the City that in the opinion of the Head of Council is most beneficial for all involved if heard at a Committee of the Whole Meeting.

“Press (Media)” means news industry of the mass media that focus on delivering news to the general public through print media (newspapers, newsmagazines), broadcast news (radio and television) and the Internet (online newspapers).

“Recess” means an interruption in a meeting’s proceedings which does not close a meeting and after which business will be resumed at exactly the point where it was stopped.

“Recorded Vote” means the recording of the name and vote of every Member present on any matter of question.

“Recording Secretary” is the staff person assigned by the City Clerk or Director to attend at, and to take minutes of, any Meeting.

“Recreation Volunteer Management Committee” is a special purpose body created by Council to manage specific community facilities or services reporting directly to the Director of Community Services.

“Resolution” means a motion voted on by the Members present and resolved in the affirmative.

“Task Force” is an Advisory Committee with approved terms of reference that is formed for a set time period sufficient to make recommendations to the Council on a specific issue.

“Town Hall Meetings” – are meetings/events which are arranged for and chaired by a. member or members of Council for the purposes of sharing information with and/or receiving comments or concerns from constituents which are relevant to the City and its services.

“Urgent” means a time sensitive matter which if not dealt with may have serious ramifications, including but not limited to, the inability to address or influence the matter at a later date.

“Website” means the official City internet website.

1.02 Interpretation Rules:

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: General Rules

2.01 Observation:

The rules and regulations contained in this By-law shall be observed in all Meetings, for the order and dispatch of business.

2.02 Place of Meetings:

All Meetings of Council, Committee of the Whole and Planning Advisory Committee shall take place in the Council Chambers, City Hall, 26 Francis Street, Lindsay, unless another location is identified on the published Agenda. All other Committee and Board Meetings shall take place at a public location specified on the agenda.

2.03 Relocation of Meeting Place:

If for any reason it is impossible or impractical for a Meeting to occur in the place prescribed, then the assembly in question shall meet at an alternative site or room as specified on an amended Agenda for that meeting. The alternate location shall be posted at the original location and announced as broadly as determined by the Chair.

2.04 Agenda Distribution and Notice of Meeting:

It shall be the responsibility of the City Clerk to forward to Members all Agendas for Council, Committee of the Whole, Regular Planning Advisory Committee Meetings.

For Special Planning Advisory Committee, Committee of the Whole and Council Meetings, the City Clerk shall forward to Members all Agendas a minimum of one business day in advance of the Meeting.

Posting the Agenda on the website is considered giving Notice of the Meeting, unless otherwise provided for in this By-law or by direction by the Head of Council.

The notice of Meetings is considered as the electronic notification to Members of the posting of the agenda and the posting of the agenda on the city website. Lack of receipt of the Agenda for any Meeting by the Members does not affect the validity of the Meeting or any action taken at the Meeting.

2.05 Rules of Order:

Where any matter of procedure is not provided for in this By-law, Robert's Rules of Order, as revised, shall be followed.

2.06 Decision-Making:

Decisions binding the Council may be made only at Council Meetings unless authority has been specifically delegated by by-law.

2.07 Creation of Task Forces:

Council may create Task Forces with a mandate and specific terms of reference, approved by Council.

The term of any Task Force shall not extend beyond the term of Council. The newly elected Council may confirm by resolution to continue.

2.08 Direction to Staff:

No Member shall direct or interfere with the performance of any work being carried on by an employee of the City. Requests for reports by any Member shall be by resolution of Council.

2.09 Role of Council:

As defined within the Municipal Act, 2001, Section 224, it is the role of council,

- i. to represent the public and to consider the well-being and interests of the municipality;
- ii. to develop and evaluate the policies and programs of the municipality;
- iii. to determine which services the municipality provides;

- iv. to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- v. to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- vi. to maintain the financial integrity of the municipality; and
- vii. to carry out the duties of council under this or any other Act.

2.10 Role of Head of Council:

As defined within the Municipal Act, 2001, Section 225, it is the role of the Head of Council,

- i. to act as chief executive officer of the municipality;
- ii. to preside over council meetings so that its business can be carried out efficiently and effectively;
- iii. to provide leadership to the council;
- iv. without limiting clause c), to provide information and recommendations to the council with respect to the role of council described in clauses 224(d) and (d.1) Municipal Act, 2001, Section 224;
- v. to represent the municipality at official functions; and
- vi. to carry out the duties of the head of council under this or any other Act.

2.11 Municipal Administration:

As defined within the Municipal Act, 2001, Section 227, it is the role of the officers and employees of the municipality:

- i. to implement council's decisions and establish administrative practices and procedures to carry out council's decisions;
- ii. to undertake research and provide advice to council on the policies and programs of the municipality; and
- iii. to carry out other duties required under this or any Act and other duties assigned by the municipality.

2.12 City Clerk:

As defined within the Municipal Act, 2001, Section 228, a municipality shall appoint a clerk whose duty it is,

- i. to record, without note or comment, all resolutions, decisions and other proceedings of the council;
- ii. if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;

- iii. to keep the originals or copies of all by-laws and of all minutes of the proceedings of the council;
- iv. to perform the other duties required under this Act or under any other Act; and
- v. to perform such other duties as are assigned by the municipality.

2.13 Chief Administrative Officer:

As defined within the Municipal Act, 2001, Section 229 a municipality may appoint a chief administrative officer who shall be responsible for;

- i. exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality: and
- ii. performing such other duties as are assigned by the municipality.

Section 3.00: Inaugural Meetings of Council

3.01 Inaugural Meeting - Declarations of office before business

No business shall be proceeded with at the Inaugural Meeting until after the declarations of office have been made by all the members who present themselves for that purpose.

3.02 Time and Place of Inaugural Meeting:

The Inaugural Meeting for each term of Council shall be held on the first Monday of the new term following a Municipal Election and take place in the Council Chambers, Main Administration Building, 26 Francis Street, Lindsay.

3.03 Order of Proceedings:

The order of proceedings for the Inaugural Meeting shall be established by the incoming Head of Council, CAO and City Clerk.

3.04 Election of Deputy Mayor

Election of the Deputy Mayor shall be held at the Inaugural Meeting for each term of Council and at the last Council Meeting of each calendar year to be effective January 1st of the following year.

Clerk to preside - the Clerk or their designate shall preside over the election of the Deputy Mayor.

Nominations for Deputy Mayor - the Clerk or their designate shall call for nominations. Each nomination for Deputy Mayor will require a mover and a seconder.

Acclamation of Deputy Mayor – Where only one person is nominated for Deputy Mayor and nominations have been closed by resolution, the Clerk shall declare that person elected to the office in question, by acclamation.

Secret Ballot - Voting for the Deputy Mayor shall be by secret ballot.

Scrutineer - in the case of an election and prior to voting for Deputy Mayor, Council may by resolution appoint a scrutineer to verify the vote.

Equality of votes - for the purposes of electing the Deputy Mayor, each Member will have one (1) vote.

Majority of Council Required - in order to be declared Deputy Mayor, the successful candidate must be elected by a majority vote of Council, with the exception of election by acclamation.

Tie Vote – 2 Candidates - in case of tie votes for Deputy Mayor, the successful candidate shall be determined by placing the names of the candidates on equal size pieces of paper in a container and one name shall be drawn and a successful candidate shall be declared by the Clerk or their designate.

Tie Vote – 3 or More Candidates - Where there are three or more candidates, if on any given ballot no candidate receives a majority of the vote, the name of the candidate with the lowest number of votes will be removed from the next ballot and that the voting will be repeated.

Section 4.00: Regular Meetings of Council

4.01 Regular Council Meeting Dates and Time:

Council shall adopt an annual calendar for each year setting the Regular Council Meeting Dates. The Mayor and City Clerk have the authority to modify meeting dates when necessary.

4.02 Unfinished Business:

In the event that a Council Meeting adjourns with matters on the Agenda which have not yet been reached, all matters on the Agendas for both the open and closed Sessions of the Meeting shall be deferred to the Agenda for the next regularly scheduled Council Meeting, unless the Members determine otherwise prior to the adjournment or the Head of Council calls for a Special Meeting.

4.03 Extracted Items:

When an item has been extracted from a consent agenda for separate debate, if the debate extends beyond 30 minutes, a Member of Council may put forward a resolution to defer the item to the next Council Meeting.

4.04 Order of Proceedings:

The City Clerk shall prepare an Agenda using the headings established and approved by the Head of Council, CAO and City Clerk.

4.05 Closed Session:

Notwithstanding the exemptions defined under the Municipal Act, any part of a Meeting may be closed to the public if the subject matter being considered is permitted to be addressed in a Closed Session in accordance with Section 239(2) and (3) of the Municipal Act, 2001.

4.06 Resolution Required:

Before holding any Closed Session, it shall be stated by resolution that: a Closed Session is to be held, identifying the nature of the matter to be considered, and the statutory authority under which the matter is to be considered.

4.07 Voting in Closed Session:

A Vote may only be taken during Closed Session where:

- i. the vote is for a procedural matter, including the receipt of information, or
- ii. for giving direction or instruction to officers, employees or agents of the City, local board or persons retained by or under contract with the City.

4.08 Confidentiality:

No Member or staff person shall release or make public any information considered during a Closed Session or discuss the content of any Closed Session with persons other than Members or relevant staff members.

4.09 Closed Session Record:

A record of any closed session shall be kept in the form of Minutes, and shall correspond directly to the prepared closed session agenda and shall identify without note or comment all resolutions, decisions and other proceedings.

4.10 Meeting Adjournment:

The hour for adjournment for all Council Meetings including Committee of the Whole shall be no later than 6 hours from the time of commencement and/or no later than 11:00 p.m. unless advance notice or with the approval of Council.

Section 5.00: Special and Emergency Meetings of Council

5.01 Special Meeting at the Call of the Head of Council:

The Head of Council may at any time, summon a Special Meeting of Council with twenty-four (24) hours' Notice through the City Clerk's office to the Members unless there is an emergency as defined.

5.02 Emergency Meetings:

- i. Notwithstanding any other provision of this By-law, the Head of Council may at any time summon an Emergency Meeting of Council. An Emergency Meeting may be held without Notice, provided that an attempt has been made by the City Clerk to notify the Members about the Meeting as soon as possible and in the most expedient manner available. An Emergency Meeting may only be called by the Head of Council to deal with an emergency.
- ii. In accordance with Section 236 of the Municipal Act, 2001, an Emergency Meeting of Council may be called by the Head of Council or his designate under the Emergency Management and Civil Protection Act, at any time and at any location as may be convenient. For the purposes of this section, an Emergency Meeting may be called for an emergency within the meaning of the City's Emergency Response Plan or any other similar unforeseen circumstances.

5.03 Business:

The only business to be dealt with at a Special Meeting is that which is listed or communicated in the Agenda of the Meeting. There will be no additions to the published agenda unless it pertains directly to the agenda item.

5.04 Order of Proceedings:

The City Clerk shall prepare an Agenda using the headings established and approved by the Head of Council, CAO and City Clerk.

5.05 Place of Meeting:

The location of a Special or Emergency Meeting shall be at the location identified on the published Agenda or, in the case of an Emergency Meeting, where the emergency

renders that location inaccessible, the location will be specified in the City Clerk's communications to Members.

Section 6:00: Committee of the Whole:

6.01 Regular Committee of the Whole Meeting Dates and Times

Council shall hold regular Committee of the Whole meetings as stated in the approved Annual Meeting Schedule.

6.02 Special Meetings of the Committee of the Whole

Special Committee of the Whole Meetings may be called by the Mayor or in their absence the Deputy Mayor or by the majority of members with the prescribed notice requirements.

6.03 Deputations and Presentations

Deputations and Presentations will generally be directed to the Committee of the Whole where appropriate.

6.04 Minutes

The minutes will be forwarded to the next Regular Council Meeting to consider recommendations made by the Committee of the Whole.

Section 7:00: Planning Advisory Committee Meetings

7.01 Regular Planning Advisory Committee Meeting Dates and Time:

Council shall adopt an annual calendar for each year setting the Regular Planning Advisory Committee Meeting Dates.

7.02 Special Planning Advisory Committee Meeting Dates:

The Head of Council or the Chair may at any time, summon a Special Planning Advisory Committee Meeting with twenty-four (24) hours' Notice through the City Clerk's office to the Members and in keeping with notification requirements under the Planning Act.

7.03 Composition:

The Planning Advisory Committee shall consist of seven (7) members, being the Mayor, three (3) Members of Council, and three (3) members of the public. Two (2) alternate Council Members for the Planning Advisory Committee, are to be identified

and to be called upon to attend to ensure that a quorum is met when it becomes apparent that a member is not able to attend.

7.04 Order of Proceedings:

The City Clerk shall prepare an Agenda using the headings established and approved by the Head of Council, CAO and City Clerk.

Section 8.00: Advisory Committee, and Task Force Meetings

8.01 Establish:

An Advisory Committee, or Task Force may be formed by Council from time to time in accordance with established criteria and process.

8.02 Meetings:

Meetings shall be held at the call of the appointed chair of the Committee or Task Force. Agendas, setting out the time and place of the meeting, for the business to be conducted at the Meeting, shall be distributed by the Chair or Recording Secretary of the Committee or Task Force, to all Members five (5) days prior to the meeting. The format of the Agenda and the order of proceedings, shall be within the control and at the discretion of the Committee or Task Force and in accordance with the Council adopted Terms of Reference. All other provisions of this By-law apply, with the appropriate amendments.

8.03 Ex Officio:

The Head of Council may attend and participate in any meetings of Council Advisory Committees or Task Forces as an Ex Officio Member and has all of the rights and privileges of a Member, with the exception of voting privileges. Appointment of Council Member to Committee or Task Force:

At the beginning of each term of Council, the Head of Council shall present a Report recommending the appointment of Members to the Planning Advisory Committee, Advisory Committees, Task Forces, Management Committees and other required appointments.

Section 9.00: Other Meetings

9.01 Drainage Matters:

Council delegates its authority to the City of Kawartha Lakes Drainage Board in accordance with the Drainage Act R.S.O 1990, c. D.17 and the City of Kawartha

Lakes Act. The City of Kawartha Lakes Drainage Board shall operate within the adopted Terms of Reference.**9.02 Council as an Administrative Tribunal:**

From time to time, it shall be necessary for Council, or an appropriately appointed, to preside over hearings as a quasi-judicial decision-maker under various provincial statutes. In those circumstances, the requirements of the Statutory Powers Procedures Act, R.S.O. 1990, c.S.22, as amended, must be complied with, and shall take precedence over this By-law.

9.03 Public Meetings:

From time to time, it shall be necessary for Council or the municipality hold a public meeting to gather information prior to making a decision on a matter.

The goal of public meetings includes: improving decisions, building consensus or reducing conflict, building long-term support, improving public relations and enhancing the democratic process.

9.04 Statutory Public Meeting Planning

Wherever there is direction in legislation to hold a planning public meeting, the public meeting shall be listed on the Agenda of the Planning Advisory Committee which shall report the results of the Public Meeting to Council through the Minutes of the Planning Committee.

Where a Statutory Public Meeting is held at a Planning Committee, the persons attending shall not be considered a deputation and therefore do not affect the number permitted to speak at that meeting. Presentations made at a Statutory Public Meeting shall be limited to 10 minutes.

9.05 Statutory Public Meeting – Other

Wherever there is direction in legislation for Council to hold a statutory public meeting, the public meeting shall be listed on the Agenda of the Council meeting or Committee of the Whole meeting. If the statutory public meeting is held during the Committee of the Whole meeting, the results shall be reported to Council through the Minutes of the Committee of the Whole.

When there is direction in legislation for the municipality to hold a statutory public meeting, the meeting may be held independent of Council.

From time to time, it may be necessary for public meetings to be held at a time other than at the Planning Advisory Committee or Committee of the Whole. The Mayor, in consultation with the CAO and Director responsible for the matter, may direct that the public meeting be held during a Regular Council Meeting, a Special Council Meeting or a Special Committee of the Whole Meeting.

Special Council Meetings which purpose is for the holding of a Public Meeting, may be held in a location and time deemed, by the Mayor and the CAO in consultation with the relevant Director of the applicable department, to be the most suitable.

Special Planning Committee Meetings which purpose is for the holding of a Public Meeting, may be held in a location and time deemed by the Chair and CAO in consultation with the relevant Director of the applicable department, to be the most suitable.

9.06 Public Information Sessions

Public information sessions/workshops may be held at a location(s) and time(s) deemed, by the CAO in consultation with the relevant Director of the applicable department, to be the most suitable unless location is stipulated by Council direction.

Staff from the applicable department shall attend the public information session/workshop and report to Council by way of a staff report.

9.07 Other Public Meetings

Additional meetings that are not Statutory may be conducted in the same manner as a Statutory Public Meeting.

9.08 Notice

Notice of Public Meetings shall be in accordance with legislation and the City's Notice By-law, as amended from time to time.

Notice of Public Information Sessions/Workshops and meetings that are not Statutory shall be advertised by posting in Municipal Service Centres and by posting on the City's Web Site.

9.09 Town Hall Meetings

Town Hall Meetings may be held by Members of Council for the purpose of informing the public and receive input regarding City services and potential issues

Members of Council may book a maximum of four meetings per term.
During the years when a municipal election is being held, Town Hall Meetings shall not be permitted.

Council may by resolution, determine dates when there shall be no Town Hall Meetings (i.e. A Referendum vote, other government election, etc.).

Content of Meetings/Fund-Raising Activities/Promotions

The content of each Town Hall meeting will be determined by the member of Council hosting the meeting, but will meet the definition of a Town Hall Meeting.

Staff may be invited/requested to attend such meetings to present on a particular subject and/or to respond directly to issues and concerns. In the event such meetings are not during regular office hours, such attendance will be subject to availability and delegation to another staff member shall be at the discretion of the relevant Director. Members of Council will be considerate of staff's overtime/workload issues, and will make every effort to accommodate staff's presentations at the beginning of their meetings so that staff may leave following the particular subject matter they were asked to address.

The soliciting of funds for entrance into a Town Hall Meeting is not allowed. Fund-raising activities will only be allowed insofar as they are a minor part of the Town Hall Meeting. Such fund-raising activities will also need to follow the City's policies relative to Sale of Merchandise/Tickets and also any licensing legislation, if applicable. The responsibility rests with the member of Council to ensure a current understanding of any restrictions by reviewing any such plans in advance, if relevant, with the Licensing Officer and/or the CAO.

Co-sponsorship of a Town Hall Meeting with any other organization, individual or business shall not be allowed understanding that this does not comply with the intention of what Town Hall Meetings are for, namely, communications about the City and its services.

Communications

The Communications Division will distribute a press release to promote the Town Hall meeting highlighting the date, time, location of the meeting and the topics to be discussed. The press release will also appear on the City's website.

Advertising for the Town Hall meeting will be placed in the Municipal Bulletin at the request of the Councillor with the approval of the Mayor and the cost for the advertisement will be charged to the Council Public Relations Budget.

Section 10.00: Public Attendance and Communications

10.01 Presumption of Open Meetings:

All Meetings shall be open to the public other than for the exceptions identified within the Municipal Act, 2001, as amended.

10.02 Public Input to Regular Meeting Agenda Item - Deputations:

- i. Any person wishing to address the assembly as a deputation on an issue identified as an item on an agenda yet to be issued, may do so by submitting a written request to the City Clerk's Office on or before 12:00 o'clock noon on the second business day preceding the date on which the Agenda for that Meeting will be issued (i.e. 12:00 o'clock noon Monday for Wednesday Agenda distribution).
- ii. After the time prescribed, any person or deputation wishing to address the assembly on an item of business listed on an issued Agenda for a Regular Council Meeting, must submit to the City Clerk, a written brief, stating the agenda item that they wish to speak to, no later than 12:00 o'clock noon three business days prior to the Meeting at which they wish to appear. If the day preceding the day of the meeting, is a holiday, the written request to speak must be received no later than two hours prior to the meeting time on the day of the meeting.
- iii. After the time prescribed, any person or deputation wishing to address the assembly on an item of business listed on an issued Agenda for a Regular Planning Meeting (other than the public meeting portion), must submit to the City Clerk, a written brief, stating the agenda item that they wish to speak to, no later than 12:00 o'clock noon on the second day preceding the start time of the Meeting at which they wish to appear. If the second day preceding the day of the meeting, is a holiday, the written request to speak must be received no later than two hours prior to the meeting time on the day of the meeting.

10.03 Public Input to New Agenda Item - Deputations:

Any person wishing to address the assembly as a deputation on an issue not identified on an issued agenda, must submit to the City Clerk, a signed, written brief, stating the agenda item that they wish to address to the assembly. The City Clerk shall place any item of this nature on a Committee of the Whole Agenda. The written request must be submitted to the City Clerk on or before 12:00 o'clock noon on the second business day preceding the date on which the Agenda for that Meeting will be issued (i.e. 12:00 o'clock noon Monday for Wednesday Agenda distribution).

10.04 Deputations in Urgent Matters:

In the event that a proposed subject to be spoken to is of an urgent nature, the deputation request may be adopted as part of the Agenda, with leave of Council or Planning Advisory Committee, as applicable with the exception of a Member of Parliament and a Member of the Ontario Legislature who shall be automatically placed on the amended agenda.

10.05 Maximum Deputation Numbers:

A maximum of five (5) deputations shall be allowed to address Council per Regular Council meeting. This number does not include anyone present who wishes to address Council at a statutory public meeting.

A maximum of eight (8) deputations shall be allowed to address Planning Advisory Committee per Regular Planning Advisory Committee meeting. This number does not include anyone present who wishes to address Planning Advisory Committee at a statutory public meeting.

The maximum number of deputations at Committee of the Whole Meetings shall be determined in consultation with the Head of Council and CAO.

10.06 Denial of Request to Speak or to Distribute Material:

Council, Committee of the Whole, or the Planning Advisory Committee may refuse to hear Deputations or presentations, or to receive communications when, in the opinion of the Chair, the subject of the presentation is beyond the jurisdiction of the Municipality, is providing un-solicited promotion of products and services or where it contains obscene or defamatory content.

10.07 Rules of Conduct for Presentations:

Persons addressing an assembly of Members shall observe the rules of conduct set out in this Section:

- i. Any person wishing to address the assembly with a presentation on a new issue, shall do so at a Committee of the Whole Meeting unless approved to present directly to Council or Planning Advisory Committee by the Head of Council and CAO.
- ii. Presentations shall be limited to a maximum of twenty minutes unless approved by the Head of Council and CAO.

10.08 Rules of Conduct for Deputations:

Persons addressing an assembly of Members shall observe the Rules of Conduct set out in this Section.

- i. No printed material may be distributed on the Council Floor by a Deputation. Any material which a Deputation wishes to distribute must be provided to the City Clerk, no later than one (1) hour in advance of the relevant Meeting where the Deputation will be addressing the assembly.
- ii. Where a Deputation does appear with material to distribute, they shall provide all copies directly to the City Clerk and shall not distribute anything directly to Members. The Mayor or Chair shall determine whether the material is to be

- distributed by the City Clerk at that Meeting, or whether it shall be retained to be considered and distributed afterwards.
- iii. Deputations who present slide shows or computerized display presentations must provide the City Clerk with a copy at a minimum one hour prior to the meeting for the record.
 - iv. All printed material submitted to the City Clerk must be legible, and must be signed and dated legibly. All printed material shall include an address and telephone number, or email address where return correspondence or contact is to be directed.
 - v. The City Clerk will only circulate materials that comply with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56, as amended.
 - vi. Deputations must confine their remarks to the business stated in the communication to the City Clerk seeking Deputation status.
 - vii. Deputations are limited to a time period of not more than five (5) minutes in total unless approval is granted by the majority of assembly members. Deputations consisting of three or more persons shall be limited to two (2) speakers.
 - viii. Deputations speaking to a matter, item or topic that the person has previously addressed at a Meeting shall be limited to a total time period of not more than two and one-half (2.5) minutes.
 - ix. Deputations speaking to a matter, item or topic that has been discussed two times at a meeting and they have previously addressed at a Meeting shall not be allowed to address the issue a third time. If new information arises, it shall be provided in written form with the request clearly identified to the Clerk and forwarded to Council for future consideration.
 - x. Deputations speaking to a matter relating to an appeal of a Council or staff decision shall be afforded one opportunity to address Council. If new information becomes available, it shall be provided in written form with the request clearly identified to the Clerk and forwarded to Council for future consideration.
 - xi. Deputations are cautioned that their remarks are not subject to Parliamentary Privilege. Accordingly, derogatory remarks about any persons or organizations may be actionable at law.

10.09 Rules of Conduct for Public Audience:

Persons attending a Meeting, whether or not they are Deputations, shall observe the Rules of Conduct set out in this Section.

- i. At all times, including recesses or breaks, all persons attending a Meeting shall be restricted to the Designated Area and shall not approach the Council Floor unless invited by the Mayor or Chair.
- ii. No shouting, cheering, booing, deliberate foot-stomping or any other unprofessional or un-businesslike conduct shall be tolerated by the Chair, at the discretion of the Chair.
- iii. Persons who are not Deputations may not address the assembly and shall not do so by shouting out, interrupting, or prompting a Deputation.

- iv. Signs, banners, emblems or flags, carried or otherwise, are not permitted in the Council Chambers or other location designated as the Council or Planning Advisory Committee Meeting place, without prior authorization of the Chair.
- v. Profanity is strictly prohibited, whether it is audible or expressed through gesture.

10.10 Time Extensions:

If the Deputation has been requested by the City, or if the time limits established are deemed too restrictive by the Chair of the Meeting or by two-thirds of the Members present at the Meeting, the time limit may be increased in increments of five (5) minutes, at the discretion of the Chair or two-thirds of the Members in attendance.

10.11 Petitions, Communications or Correspondence:

Every petition, communication or correspondence to be placed on an Agenda of a Regular Council Meeting, Committee of the Whole or Planning Advisory Committee Meeting shall be delivered to the City Clerk by 12:00 o'clock noon on the second day preceding the day upon which the Agenda for that Meeting is issued (i.e. 12:00 o'clock noon Monday for Wednesday Agenda distribution). All communications or petitions received after the above delivery date and not pertaining to the matters listed on the Agenda for the Meeting shall be held over for consideration at the next Regular Meeting of Council or Planning Advisory Committee unless otherwise approved by the Head of Council and Chief Administrative Officer.

Motions to receive a Petition, refer the matter to City staff for consideration, or direct City Staff to report back to Council, are proper during this part of the Agenda without prior notice. Any other motion related to a Petition shall not be in order.

The City Clerk shall refuse to place documents on the agenda where the subject matter:

- i. Involves current or pending litigation;
- ii. Involves insurance claims;
- iii. Involves administrative complaints that have not been reported and investigated through the administrative process;
- iv. Is beyond the jurisdiction of Council; or
- v. Is contrary to the provisions of the Municipal Freedom of Information and Protection of Privacy Act.

Signatories to a Petition are deemed to have waived any expectation of privacy as a result of the record being created for review by the general public.

Petitions shall contain the printed name, signature, and some contact information of the individuals signing it. Signatures without contact information shall be redacted by the

individual or group submitting the Petition or it will not be accepted by the City Clerk nor presented to Council.

No petition shall be considered valid and accepted by the City Clerk without the Name and Contact Information of the Person(s) Responsible for the Contents and Submission of the Petition to the municipality.

10.12 Requests for Proclamations:

Requests for Proclamations shall be forwarded to the Clerk for review. Only proclamations relevant to services or proclamations at the request of a member of Council and approved by the Mayor will be included on Council Meeting Agendas.

Requests for Proclamations from individuals shall not be placed on a Council Agenda. The requestor shall be notified that the Council of the City of Kawartha Lakes does not partake in the Declaration of Proclamations.

10.13 Endorsement of External Resolutions

When the City receives a resolution for endorsement from any other municipality, association and/or organization, the Mayor and Council Executive Assistant shall copy the request electronically to Mayor, Members of Council, CAO and Directors for their review.

The Mayor, Member of Council or CAO may, at any time, request that a resolution be brought forward for review and consideration at the next appropriate Committee of the Whole Meeting, or if time sensitive a Council Meeting.

The item will be placed on the agenda under Consent Correspondence, with the requestor's name and recommended action.

If a resolution is supported, the action requested in the resolution shall be followed, including notification to the originating municipality. In addition, Council may direct other actions as they deem appropriate.

Resolutions that are not recommended for endorsement by either Council members or staff within 10 days of circulation shall be filed by the Clerk's Office in accordance with the City Retention By-law.

Section 11.00: Conduct of Meetings (Presentation of Motions; Rules for Debate, Etc.)

11.01 Quorum:

Five (5) Members shall constitute a quorum for Regular, Special, Information and Emergency Meetings of Council and Committee of the Whole. For the Planning Advisory Committee and all other types of Meetings, a quorum is made up of a majority of Members.

11.02 Special Case Quorum:

When a majority of the Members have disclosed pecuniary interests to a matter in accordance with this By-law and/or the Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50, as amended, the remaining number of Members shall be deemed to constitute a quorum, provided that such number is not less than two.

11.03 Meeting Commencement/Absence of Chair:

As soon after the hour fixed for the Meeting as there is a quorum present, the Chair shall call the Members to order. In the event the Chair does not attend at a Meeting within fifteen minutes after the appointed commencement time or, in the event of prior notice of his or her absence, the Acting Head of Council (Deputy Mayor) or Vice Chair shall assume the Chair of the Meeting and call the Members to order. If a quorum is present, the Acting Head of Council (Deputy Mayor) or Vice Chair shall preside as Chair during the Meeting or until the arrival of the Chair. In the absence of both the Head of Council or Chair and the Acting Head of Council or Vice Chair, the City Clerk shall call the Members to order, if a quorum is present. A Chair shall then be chosen by the Members present who shall preside during the Meeting or until the arrival of the Head of Council or Acting Head of Council (Deputy Mayor) or Chair or Vice Chair. While presiding at the Meeting, the Acting Chair shall have same authority as the Chair and shall be entitled to vote with the other Members.

11.04 Failure to Achieve Quorum:

If there is not a quorum within thirty minutes after the appointed commencement time for any Meeting, the City Clerk (in the case of a Council or Committee of the Whole Meeting) or the Recording Secretary (in the case of a Task Force, Advisory Committee, or Board of Management) shall call the roll and record the names of the Members present and absent. The Meeting shall then stand adjourned until the next Meeting as the case may be.

11.05 General Duties of the Chair of a Meeting:

The Chair of a Meeting shall preserve order and decorum, decide questions of order (subject to an appeal to the Council, Committee of the Whole or Committee by any Member) and, without unnecessary comment, cite the rule of authority applicable to the case, if called upon to do so. In addition, it shall be the duty of the Chair to:

- i. Open the Meeting as soon after the hour fixed for the meeting as there is quorum present, by taking the Chair and calling the Members to order;
- ii. Announce the business before the Council, Committee of the Whole or Committee, as the case may be, in the order in which it is to be acted upon;
- iii. Receive and submit, in the proper manner, all Motions presented by the Members;
- iv. Put to vote all Motions or questions which are regularly moved and seconded, or necessarily arise in the course of proceedings, and announce the results;
- v. Decline to put to vote Motions that infringe on the rules of procedure;
- vi. Restrain Members, within the rules of order, when engaged in debate;
- vii. Enforce, on all occasions, the observance of order and decorum among the Members and the attending members of the public;
- viii. Exclude any persons deemed appropriate from the room in which the Meeting is being held during the whole or any portion of a Closed Session.
- ix. Receive all messages and other communications and announce them to the Meeting assembly;
- x. Represent and support the Council, Committee of the Whole or other Committee, declaring its decisions in all things;
- xi. Ensure that the decisions and recommendations made at Meetings are in conformity with the Procedural By-law, Terms of Reference if applicable, laws and by-laws governing activities of same;
- xii. Adjourn the Meeting when the business is concluded;
- xiii. At any Council or Committee of the Whole Meeting, to call by name, any Member persisting in breach of the rules of procedure, and order any such Member to vacate the Council Chamber;
- xiv. Notwithstanding Section 11.01, the Chair presiding at a Council or Committee of the Whole Meeting may expel or exclude from the Meeting, any person who, in the opinion of the Chair, has behaved improperly;
- xv. Where the Chair is the Head of Council or the Acting Head of Council, he or she shall authenticate, by his or her signature when necessary, all by-laws, resolutions and minutes of the Council; and
- xvi. In the case of grave disorder arising in the designated Meeting Room, the Chair has the duty to adjourn the Meeting without questions having been put.

11.06 Duties of the Chair in Directing Debate:

During the course of debate, the Chair shall:

- i. Designate the Member who has the floor when two or more Members raise their hands to speak;
- ii. Preserve order and decide questions of order; and
- iii. Ensure all Motions presented are clear to the Members before permitting debate on the question, except when otherwise provided in this By-law.

11.07 Acting Head of Council:

In the absence of the Head of Council (Mayor), the Deputy Mayor shall act as the Head of Council with all of the powers, duties, rights and obligations of the Head of Council. In the absence of the Mayor and Deputy Mayor, Council shall appoint an Acting Head of Council.

11.08 Participation by Chair:

The Chair, except where disqualified from voting by reason of interest or otherwise, may vote with the Members on all questions. If the Chair desires to introduce a Motion or by-law, they shall leave the Chair for that purpose and shall call upon another Member to fill their place while the matter is being considered. Upon completion of the matter so introduced, the Chair shall resume the Chair and preside over the Meeting.

11.09 Rules of Conduct for Members:

Members of Council or Committees shall, at all Meetings, observe the Rules of Conduct set out in this Section.

- i. No Member shall disturb another Member, or the Meeting, by any disorderly deportment disconcerting to any Member speaking or any Member of the public or Deputations in attendance.
- ii. No Member shall resist the rules set out in this By-law, or disobey the decision of the Chair on questions of order or practice, or upon the interpretations of the rules of order.
- iii. No Member shall be permitted to retake his or her seat at any Meeting after being ordered by the Chair to vacate after committing a breach of any rule of order, without making apology and without the consent of the Members present at the Meeting, expressed, without debate, by a majority vote.
- iv. No Member shall speak until he or she has addressed himself or herself to the Chair.
- v. No Member shall walk across the Council Floor, or out of the Council Chamber, or make any noise or disturbance when the Chair is putting a question or leave his or her seat while a vote is being taken and until the result thereof is declared.
- vi. No Member shall ignore a dress standard for Meetings agreed to by the majority of Members of Council.
- vii. No Member shall leave a Meeting when he or she does not intend to return without first advising the Chair.

- viii. No Member shall, in addressing the assembly, speak disrespectfully of Her Majesty the Queen or any of the Royal Family, or of the Governor-General, Lieutenant-Governor or any Member of the Senate, the House of Commons of Canada, or the Legislative Assembly of Ontario.
- ix. No Member shall, in addressing the assembly, use indecent, offensive or insulting language in or against the Council, a Committee of Council or any Member, or a member of staff. Any concerns with respect to members of staff are to be raised with the Chief Administrative Officer.
- x. No Member shall, in addressing the assembly, criticize any decision of Council or Committee, except for the purpose of moving that the question be reconsidered.
- xi. No Member shall, in addressing the assembly, disobey the rules of Council or a decision of the Chair on questions of order or practice, or upon the interpretation of the rules of the Council.

11.10 Members Shall Vote:

Every Member physically present at a Meeting where a question is put shall vote on that question, excepting any direct or indirect pecuniary interests in the question. Pecuniary interests shall be declared, wherever possible, at the time reserved for such declarations in the Agenda. However, if an interest is overlooked or becomes evident to any Member later in the meeting, as a result of discussion or otherwise, a Member shall disclose his or her interest at the first opportunity, and afterwards, he or she shall refrain from taking part in the discussion, shall vacate his or her seat and refrain from voting on the particular question. If any Member at a Meeting declines to vote when a question is put and a recorded vote taken, he or she shall be deemed as voting in the negative, except where he or she is prohibited from voting by statute.

11.11 Rules of Conduct for Members During Debate:

Members of Council or Committees shall, at all Meetings, observe the Rules of Conduct set out in this Section.

- i. Every Member, when speaking to any question or Motion, shall respectfully address the Chair.
- ii. When a Member is speaking, no other Member shall pass between that Member and the Chair, or interrupt the Member except to raise a Point of Order or Point of Privilege.
- iii. Any Member may require the question or Motion under discussion to be read at any time during the debate, but not so as to interrupt a Member while speaking.
- iv. No Member shall speak to the same question for longer than five (5) minutes, without the leave of Council or Committee of Council. A supplementary question with a further two (2) minutes may be granted.
- v. A Member may ask a question only for the purpose of obtaining facts relevant to the matter under discussion and necessary for a clear understanding of that matter.

- vi. All questions shall be stated succinctly, and questions shall not be used as a means of making statements or assertions.
- vii. Questions may be asked only:
 - i. of a Deputation after he or she has spoken, in accordance with this By-law;
 - ii. the previous speaker;
 - iii. of the Chair; or
 - iv. of an Official of the City, through the Chair, on the matter under debate.

11.12 Expulsion:

The Chair of any Meeting may exclude any persons from the Council Chamber or Meeting Room during the whole or any portion of a Meeting for improper conduct, including disregard for the rules of conduct set out in this Section.

11.13 Exemption:

This By-law does not prevent the positioning of recording equipment, and the persons required to operate that equipment, on the Council Floor during Meetings. Equipment and operators shall be positioned in an area sanctioned by the Chair.

11.14 Closed Session Disclosures of Interest:

Disclosures of pecuniary interest during a Closed Session shall include the declaration of the interest and its general nature. At the same or next Meeting open to the public after the Closed Session, every declaration of interest made during the Closed Session, but not its general nature, shall be provided in writing and recorded in the minutes of the open Meeting.

11.15 Motions without Notice:

The types of Motions listed in this Section may be introduced orally without written Notice and without leave:

- i. A Point of Order;
- ii. Presentation of petitions;
- iii. Motions to suspend a rule of procedure or in compliance with a rule of procedure;
- iv. Motions to adjourn (which are not debatable);
- v. Motions that the vote now be taken;
- vi. Motions that Council resolve itself into Committee of the Whole (which are not debatable);
- vii. any matter where the assembly, without debate, dispenses with Notice on the affirmative vote of at least two-thirds of the Members present and voting.

11.16 Putting a Question:

A Motion for the previous question shall not be put until all speakers listed by the Chair have spoken and the mover has replied.

11.17 Dividing a Question:

When the Motion under consideration concerns two or more matters, upon the request of any Member stating clearly where the Motion is divided, the vote upon each matter shall be taken separately and this shall be non-debatable.

11.18 Withdrawal of Motion:

After a Motion has been received and or read by the Chair, it shall be deemed to be in the possession of the assembly, but it may be withdrawn at the joint request of the mover and seconder prior to any amendment or vote on the Motion.

11.19 Subsequent Motions:

When a Motion is under debate, no other Motion shall be in order except a Motion:

- i. to adjourn;
- ii. to extend the hour (pursuant to Section 4.02);
- iii. to table;
- iv. to put the question (close the debate);
- v. to postpone or defer;
- vi. to refer; or
- vii. to amend.

11.20 Motions to Adjourn:

A Motion to adjourn shall:

- i. not be amended;
- ii. not be debated;
- iii. not include qualifications or additional statements; and
- iv. always be in order, except when a Member is speaking or the Members are voting., When a Motion to adjourn has been decided in the negative, no further Motion to adjourn shall be made until a subsequent proceeding has taken place.

11.21 Motions to Extend the Hour:

A Motion to extend the hour shall:

- i. not be amended;

- ii. not be debated; and
- iii. always be in order, except when a Member is speaking or the Members are voting
- iv. shall be made in open session

11.22 Motions to Table:

A Motion to table shall:

- i. not be amended;
- ii. not be debated;
- iii. apply to the main Motion and any amendments to it under debate at the time when the Motion to table was made; and
- iv. not include qualifications or additional statements.

If a Motion to table is decided in the affirmative by a majority vote of the Members present, then the main Motion and any amendments to it shall be removed from the consideration of the assembly, and laid on the table. If the matter is not removed from the table by subsequent Motion, it shall remain there until the close of the Meeting.

11.23 Motions to Postpone or Defer:

A Motion to postpone or defer a matter pending receipt of further information or the happening of an event shall:

- i. not be amended;
- ii. be debated only as to the time period of deferral or postponement;
- iii. apply to the main Motion and any amendments to it under debate at the time when the Motion to postpone or defer was made; and
- iv. not include qualifications or additional statements.

If a Motion to postpone or defer is decided in the affirmative by a majority vote of the Members present, then the main Motion and any amendments to it shall be removed from the consideration of the assembly until such time as provided for in the Motion.

11.24 Motions to Put the Question:

A Motion to put the question (close the debate) is in order only at a Meeting of Council, and shall:

- i. not be amended;
- ii. not be debated;
- iii. apply to the Motion or amendment under debate at the time when the Motion to put the question is made; and

If a Motion to put the question is decided in the affirmative by a majority vote of the Members present, then the preceding Motion or amendment shall be voted on immediately without further debate or comment.

11.25 Motions to Refer:

A Motion to refer a matter under consideration to a Committee or the Administration or elsewhere shall:

- i. be open to debate;
- ii. be amendable; and
- iii. preclude amendment or debate of the preceding Motion, unless the Motion to refer is resolved in the negative, in which case the preceding Motion shall be open to debate and amendment.

11.26 Motions to Amend:

A Motion to amend a Motion in possession of the assembly shall:

- i. receive disposition of Council or Committee of Council before a previous amendment or the question;
- ii. be open to debate;
- iii. not be further amended more than once provided that the further amendment may be made to the main question;
- iv. be relevant to the question to be received; and
- v. not be received proposing a direct negative to the question.

11.27 Motions to Reconsider/Rescind:

Motion to Rescind: A motion to rescind a Motion previously adopted by the Assembly may be carried to cease the force and effect of a previously adopted motion. A motion to rescind shall be used to cease the force and effect of a previously adopted motion when the Assembly has confirmed the proceedings of the meeting at which the motion that is to be rescinded was adopted. A motion to rescind can be moved by a member on the prevailing side at any time or by any member, regardless of how the member voted on the original question following a 365-day waiting period.

Motions cannot be rescinded when the action within the motion to be rescinded has been completed making that action impossible to undo.

Without previous notice of motion, the motion to rescind requires a two-thirds vote. This provision cannot be waived.

Motions to Reconsider: The motion to reconsider can, with certain exceptions, be applied to a vote that was either affirmative or negative, within a limited time after that vote, and it proposes no specific change in a decision but simply proposes that the

original question be reopened. The purpose of reconsidering a vote is to permit correction of hasty, ill-advised, or erroneous action, or to take into account added information or a changed situation that has developed since the taking of the vote.

A motion to reconsider can be made only by a member who voted with the prevailing side.

A motion to reconsider can be made only on the same day the vote to be reconsidered was taken.

A motion to reconsider that has previously been considered cannot be renewed except by unanimous consent.

11.28 Motion Beyond Jurisdiction:

A Motion in respect of a matter that is beyond the jurisdiction of Council or Committee is not in order and shall not be placed on the Agenda

11.29 Receipt of Motions:

Every Motion, when duly moved and seconded and in accordance with this By-law, shall be received by the Chair.

11.30 Order of Debate of Motions:

The rules for order of discussion shall be as set out in this Section.

- i. In general, the order of discussion shall proceed as follows:
 - i. Mover;
 - ii. Secunder;
 - iii. Any other Member who may wish to speak; and
 - iv. The mover in summary of their position prior to the Chair calling for the vote.
- ii. The mover, with leave of the Chair, may speak again in order to clarify a material part of his or her Motion which may have been misunderstood.
- iii. No Member who has already had the floor in debate on the immediately pending question is entitled to it again on the same question so long as any Member who has not spoken on that question seeks the floor.
- iv. Each Member shall confine his or her remarks to a limit of five (5) minutes in total for both speeches should there be a second speech.

11.31 Voting on Questions:

When the Chair calls for the vote on a question, each Member shall occupy their seat and shall remain there until the Chair has declared the result of the vote. During such

time, no Member shall walk across the Council Floor or speak to any other Member or person in attendance, including staff members, or make any noise or disturbance.

11.32 Reading of Motions:

Immediately preceding the taking of the vote, the Chair may state the amendment in the form introduced and shall do so if required by a Member. The Chair shall ensure the question in the form in which it will be recorded in the minutes is read aloud if requested.

11.33 Motions to Amend:

The vote on amending Motions shall be conducted in the following order:

- i. a Motion to amend a Motion to amend the main Motion;
- ii. A Motion (as amended or not) to amend the main Motion; and
- iii. the main Motion (as amended or not)

11.34 Cessation of Debate:

After the Chair puts a question, no Member shall speak to the question nor shall any other Motion be made until after the vote is taken and the result has been declared.

11.35 Method of Voting:

Subject to this Section, the manner of determining the decision of the assembly on a Motion shall be at the discretion of the Chair, and shall be by a show of hands, unless a recorded vote is requested. The manner of determining the decision at any Meeting shall not be by secret ballot or by any other method of secret voting.

11.36 Binding Resolutions:

Any resolution shall require affirmative votes in order to be valid and binding on Council. Any questions on which there is an equality of votes shall be deemed to be negative. Where only a quorum is present, a resolution, in order to carry or be passed, must be affirmed by the majority present at the Meeting, or as set out under provincial legislation.

11.37 Results:

The Chair shall announce the result of every vote. Upon the taking of any vote, if all of the Members present when the vote is taken vote unanimously, the Chair may direct the City Clerk to record the vote accordingly.

11.38 Tie Votes:

Any questions on which there is an equality of votes is deemed to be negative.

11.39 Recorded Votes:

Subject to this By-law, a recorded vote may be requested at Council Meetings by any Member for any Motion, at any time. (If a Member who has voted on a question disagrees with the declaration of the Chair that the question is carried or lost, they may, but only immediately after the declaration by the Chair, object to the Chair's declaration and require a recorded vote to be taken.)

11.40 Procedure for Recorded Votes:

When a Member present requests a recorded vote immediately prior or immediately after the taking of the vote, all Members present at the meeting must vote in random order as called by the City Clerk, except the Chair who shall vote last, unless otherwise prohibited by statute or any other Provincial or Federal law. The names of those who voted for and those who voted against shall be noted in the minutes. The City Clerk shall call the names of the Members and the Chair shall announce the results. Members who do not vote (excepting in circumstances where they are prohibited from voting by law) are deemed to have voted in the negative.

11.41 Procedural Rules for Committee of the Whole, Committees, Boards and Task Forces:

The rules governing the procedure of Council Meetings, and the conduct of Members in Council Meetings, shall be observed in Committee and Committee of the Whole with necessary modifications, except that:

- i. The number of times of speaking on any question shall not be limited;
- ii. No recorded vote shall be permitted;

11.42 Notice of Motion:

When a Member wishes to present a Notice of Motion, generally for the purpose to change an established policy of the organization, the rules governing the procedure shall be observed as follows:

- i. A member wishing to introduce a Motion at a meeting regarding a matter that would not otherwise be considered by the Council at such meeting, shall deliver a written copy of the motion, signed by the mover, to the City Clerk not later than Monday noon the week preceding the regular meeting of council at which notice of the Motion is to be given.
- ii. The City Clerk, upon receipt of a Notice of Motion, shall print the motion in full in the agenda for the next regular meeting of the Council.

- iii. A Notice of Motion shall not be considered or otherwise disposed of by Council at the regular meeting at which it is first introduced but may be considered or otherwise disposed of at any subsequent meeting of the Council provided the mover of the motion is in attendance at the meeting.
- iv. Any Member of the Council may agree to second the Notice of Motion if the seconder is absent from the meeting;
- v. A Notice of Motion that is called for by the Head of Council at two (2) meetings of the Council and has not been proceeded with shall be removed from the agenda unless otherwise directed to Committee by Council.

11.43 By-law versus Resolution

A “**by-law**” shall be used, but is not limited to implementing policy, memorandums of understanding, agreements and permanent rules. Whether an authorizing by-law is required depends on the subject matter of the item of business transacted by a municipal corporation and whether it is being transacted under the Municipal Act, 2001, as amended.

A “**resolution**” is a less permanent rule and shall express the decision of a council in respect of a temporary or distinct matter. A resolution shall not prescribe a permanent rule of local government. A resolution expresses the will of the governing body on a special occasion which is not likely to recur. A resolution shall not replace a by-law required by law.

11.44 New or Other Business:

When a Member desires to introduce a new business item at a meeting, the member shall provide to the City Clerk, a written Memorandum on the established form within the established time lines for agenda preparation. The Memorandum shall contain background information and the Member’s Recommendation for action on the issue.

11.45 Point of Order:

A Point of Order is a tool used by a Member when they wish to exercise their right to address the Chair on a procedural matter. The rules governing the procedure shall be observed as follows:

- i. A Member may raise a Point of Order directing attention to a matter that affects the rights of the Member or Members.
- ii. A Point of Order shall take precedence over any other matter except during the verification of a vote.
- iii. A member shall state the Point of Order to the Chair at the time of occurrence.

- iv. A member shall not be permitted to enter into any argument or introduce any motion not related to the Point of Order.
- v. The Chair shall decide upon the Point of Order and advise the Members of the decision.
- vi. Unless a member immediately appeals the Chair's decision, the decision of the Chair shall be final;
- vii. If the decision of the Chair is appealed, the Members shall be asked if the ruling of the Chair is upheld?". The vote shall be called without debate, and its results shall be final. A Recorded Vote shall not be permitted.
- viii. When the matter has been determined to be a Point of Order, the Member shall be afforded an opportunity to propose a motion in relation to that Point of Order.

11.46 Point of Privilege:

A Point of Privilege is a tool used by a Member when they wish to exercise their right to address the Chair on a personal matter dealing with the integrity of the Member. The rules governing the procedure shall be observed as follows:

- i. A Member may raise a Point of Privilege directing attention to a matter that affects the rights of the Member.
- ii. A Point of Privilege shall take precedence over any other matter except during the verification of a vote.
- iii. A member shall state the Point of Privilege to the Chair at the time of occurrence.
- iv. A member shall not be permitted to enter into any argument or introduce any motion not related to the Point of Privilege.
- v. The Chair shall decide upon the Point of Privilege and advise the Members of the decision.
- vi. Unless a member immediately appeals the Chair's decision, the decision of the Chair shall be final;
- vii. If the decision of the Chair is appealed, the Members shall be asked if the ruling of the Chair is upheld?". The vote shall be called without debate, and its results shall be final. A Recorded Vote shall not be permitted.
- viii. When the matter has been determined to be a Point of Privilege, the Member shall be afforded an opportunity to propose a motion in relation to that Point of Privilege.

11.47 Order of Precedence:

Where a motion is under consideration, no motion shall be received except a motion having precedence, in the following order:

- i. to request information
- ii. to request that the vote be taken (call the question)

- iii. to limit or extend the debate
- iv. to defer (to another meeting, date, indefinitely)
- v. to refer (to another committee, administration)
- vi. to amend

11.48 Non-Debatable Motions

- i. to adjourn
- ii. to close, limit or extend debate
- iii. to lay on the table (to table)
- iv. questions of privilege
- v. to suspend the rules.

Section 12.00: Meeting Minutes

12.01 Requirement for Minutes for Council and Committee of the Whole:

The City Clerk or designate shall be present at all Meetings of Council and Committee of the Whole and shall duly record the Minutes of the Meeting required by this Section.

12.02 Requirement for Minutes for Planning Advisory Committees:

The Recording Secretary or designate shall be present at all Meetings of Planning Advisory Committee and shall duly record the Minutes of the Meeting required by this Section.

12.03 Requirements for Minutes for Advisory Committees:

The Recording Secretary or designate shall record all Minutes of Advisory Committees in the same manner as set out in the Municipal Act for Council Meetings.

12.04 Minute Contents (Open Session)

All minutes shall record the following

- i. The place, date and time of Meeting;
- ii. The names of the Chair or Chairs and record of attendance of the Members;
- iii. The reading, if requested, correction and adoption of the minutes of the prior Meeting; and
- iv. All other proceedings of the Meeting without note or comment.

12.05 Minute Contents (Closed Session):

All minutes of a Closed Session shall be recorded in separate minutes, closed to the public in the same manner as set out in the Municipal Act for Council Meetings.

12.06 Adoption of Minutes:

The minutes of a Council, , Planning Advisory Committee or Committee of the Whole Meeting open to the public shall be presented for adoption at the next Regular Meeting of Council in open session (unless, in circumstances it does not meet the time line for Council agenda preparation, it shall go to the next Council Meeting). Minutes of a Closed Session of Council, ~~Planning Advisory Committee~~ shall be presented for adoption at the next Closed Session portion of a Regular Meeting of Council (unless, in circumstances it does not meet the time line for Council agenda preparation, it shall go to the next Council Meeting). The adoption of the minutes is a procedural matter and does not affect the validity or effect of the resolutions recorded in the minutes.

12.07 Reading Minutes:

In presenting the minutes of any Meeting for adoption, it shall not be necessary for the City Clerk to read the minutes prior to their adoption, except as much thereof as may be required in order that corrections may be made.

12.08 Requirement for Minutes:

Committee of Adjustment, Drainage Board, Advisory Committee, Task Force or Volunteer Management Committee

Minutes of Meetings are the responsibility of the Recording Secretary of the body, and must be submitted to the Clerk and made available on the City's website.

Section 13:00: By-Laws

13.01 Form:

Every by-law introduced for passage by Council shall be in typewritten form and shall contain no blanks except as may be required to conform to accepted procedures or to comply with the provisions of any Act. Recitals will include references to resolution numbers that are applicable to the by-law. By-laws so introduced shall be complete with the exception of the by-law number, date of readings and passage and signatures of the Head of Council and City Clerk.

13.02 Readings:

Every by-law shall have three readings prior to passage. By-laws may be presented as a consent agenda. All by-laws will be passed in one motion with Council having the ability to extract single items to be dealt with on an individual basis which includes introducing amendments. The City Clerk shall exclude any by-law from the consent section that does not require all three readings.

By-laws introduced through consent

A member of Council will introduce all three readings of a by-law within the same Motion, duly moved and seconded. This Motion must specify the title of the by-law.

By-laws introduced on an individual basis

A member of Council will introduce a by-law with its first and second reading which must specify the title of the by-law. Where this procedure occurs the by-law may be amended before third reading shall be put to vote immediately following the amendment. The third reading of a by-law shall be decided without amendment or debate.

13.03 Formal Records:

Every by-law enacted by Council shall be numbered and dated, signed by the Head of Council and City Clerk or their designates appointed by by-law or statute and sealed with the seal of the City. The City Clerk shall ensure that all by-laws are properly stored for safekeeping.

13.04 Confirmation By-laws:

At the end of each Council Meeting, a by-law will be enacted to confirm all motions, resolutions and other actions and decisions passed and taken by Council at the open portion of the Meeting, as if each and every one of those actions had been the subject matter of a separate by-law duly enacted, except where the prior approval of the Local Planning Appeals Tribunal or any other body or agency is required. A Motion to pass a by-law to confirm the proceedings of a Meeting of Council shall be voted on without debate.

Section 14.00: Amendments to, and Suspensions of, this By-law

14.01 Suspension:

Any procedure required by this By-law may be suspended with the consent of a majority of the Members present unless otherwise stated in this By-law.

14.02 Notice:

No amendment or repeal of this By-law or any part of it shall be considered at any Meeting of Council unless and until Notice of any proposed amendment or repeal has been given at a previous Regular Meeting of Council. The waiving of this Notice by Council is prohibited.

14.03 Voting Requirement:

Amendment to this by-law shall require an affirmative vote of two-thirds of Council present.

Section 15.00: Administration and Effective Date

15.01 Administration:

The City Clerk is responsible for the administration of this by-law.

15.02 Force and Effect:

This By-law shall come into force on the date it is finally passed.

Section 16.00: Repeals

16.01 Repeal: By-law 2018-212, a By-law to adopt the Procedural By-law is repealed.

By-law read a first, second and third time, and finally passed, this 28 day of January, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2020-____

A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes

Recitals

1. Private property owners find it convenient to have certain municipal by-laws enforced by members of their own staff. The City receives requests, from time to time, for the appointment of citizens as municipal law enforcement officers for limited purposes.
2. The City has received such a request from the owner of the Bobcaygeon Foodland.
3. Section 15 of the Police Services Act, R.S.O. 1990, c.P.15 authorizes municipal councils to appoint municipal law enforcement officers, who are peace officers for the purpose of enforcing their by-laws.
4. The Manager of Municipal Law Enforcement and Licensing recommends that the person put forward be appointed for limited enforcement purposes.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-____.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“Council” or “City Council” means the municipal council for the City;

“Manager of Municipal Law Enforcement and Licensing” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 Interpretation Rules:

(a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Appointments

- 2.01 **Appointment:** Brian Peoples is appointed as a Municipal Law Enforcement Officer for the limited purpose of enforcement of the applicable Kawartha Lakes parking by-laws and regulations at the property known as “Bobcaygeon Foodland”, located at 62 Bolton Street in Bobcaygeon.
- 2.02 **Provincial Offences Officer:** Brian Peoples is appointed as a Provincial Offences Officer for the limited purpose of enforcement of the applicable Kawartha Lakes parking by-laws and regulations at the property known as “Bobcaygeon Foodland”, located at 62 Bolton Street in Bobcaygeon, in accordance with the provisions of the Provincial Offences Act, R.S.O. 1990, c.P. 33.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Manager of Municipal Law Enforcement and Licensing is responsible for the administration of this by-law.
- 302 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 28th day of January 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2020-____

A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes

Recitals

1. Private property owners find it convenient to have certain municipal by-laws enforced by members of their own staff. The City receives requests, from time to time, for the appointment of citizens as municipal law enforcement officers for limited purposes.
2. The City has received such a request from Sir Sandford Fleming College in Lindsay for parking enforcement at the Lindsay Recreation Complex parking lot located at 133 Adelaide Street South.
3. Section 15 of the Police Services Act, R.S.O. 1990, c.P.15 authorizes municipal councils to appoint municipal law enforcement officers, who are peace officers for the purpose of enforcing their by-laws.
4. The Manager of Municipal Law Enforcement and Licensing recommends that the person put forward be appointed for limited enforcement purposes.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-__.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“Council” or “City Council” means the municipal council for the City;

“Manager of Municipal Law Enforcement and Licensing” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 Interpretation Rules:

(a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Appointments

- 2.01 **Appointment:** Patrick Magee is appointed as a Municipal Law Enforcement Officer for the limited purpose of enforcement of the applicable Kawartha Lakes parking by-laws and regulations at the property known as “Lindsay Recreation Complex”, located at 133 Adelaide Street South in Lindsay.
- 2.02 **Provincial Offences Officer:** Patrick Magee is appointed as a Provincial Offences Officer for the limited purpose of enforcement of the applicable Kawartha Lakes parking by-laws and regulations at the property known as “Lindsay Recreation Complex”, located at 133 Adelaide Street South in Lindsay, in accordance with the provisions of the Provincial Offences Act, R.S.O. 1990, c.P. 33.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Manager of Municipal Law Enforcement and Licensing is responsible for the administration of this by-law.
- 302 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 28th day of January 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2020-

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

Recitals:

Whereas the City of Kawartha Lakes passed By-law 2018-017 on February 13, 2018, providing that persons who wish to encroach upon City property with permission are required to pay a fee.

Whereas a series of fees have been approved as per By-law 2010-118, and as amended upwards for future periods by the City per updates to the Consolidated Fees and Charges By-law 2016-206, at Schedule A-4.

Whereas the annual fee for encroachment agreements set out in section 3.01 b) in By-law 2010-118 are as follows:

- i) \$125.00, for minor encroachments (stairs, small portion of a building, sign, etc.);
- ii) \$150.00 for a dock or boathouse;
- iii) \$200.00 for major encroachments (shed, garage, etc.)
- iv) \$6,000.00 for co-location of equipment on City-owned tower / building; and
- v) \$13,000.00 for tower.

Whereas it is the intent of Council that these be minimum annual fees.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020- .

Section 1.00: Interpretation

1.01 Interpretation Rules:

- (a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.02 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.

1.03 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.

This by-law shall not exempt any person from the requirement to comply with any other City by-law. In the event of conflict between the provisions of this by-law, of any encroachment agreement approved after the passing of this by-law, and of any other City by-law, the more restrictive provisions shall apply.

Section 2.00: Amendment to Section 3.1 b) of By-law 2018-017

2.01 section 3.01 b) in By-law 2010-017 is amended by adding “, at a minimum” after the words “shall be”, so the section as amended reads:

Section 3:01 b): The annual fee for encroachment agreements granted per the Land Management Committee shall be, at a minimum:

- i) \$125.00, for minor encroachments (stairs, small portion of a building, sign, etc.);
- ii) \$150.00 for a dock or boathouse;
- iii) \$200.00 for major encroachments (shed, garage, etc.)
- iv) \$6,000.00 for co-location of equipment on City-owned tower / building; and
- v) \$13,000.00 for tower.

Section 3.00: Effective Date

3.02 Effective Date: This By-law shall come into force on the date it is finally passed.

By-law read at first, second and third time, and finally passed, this ___ day of January, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2020-

A By-law to Stop Up and Close Part of Lots 11 & 12, Concession 2, in the Geographic Township of Eldon, City of Kawartha Lakes, designated as Parts 3 & 4 on Reference Plan 57R-10759, being Part of PIN: 63172-0181 (LT), and 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 Lots 11 & 12, Concession 2 in the Geographic Township of Eldon, City of Kawartha Lakes, designated as Parts 3 & 4 on Reference Plan 57R-10759

Recitals

1. Pursuant to the Municipal Act, 2001, Council is empowered to stop up, close and to sell any part of a highway under its jurisdiction;
2. The land described in Schedule "A" attached forms part of the road allowance between Lots 11 & 12, Concession 2, in the Geographic Township of Eldon, City of Kawartha Lakes, and has been declared to be surplus to municipal needs.
3. It is desirable to stop up and close that part of the road allowance described in Schedule "A" attached to this by-law and to authorize the sale of the land to the abutting owner.
4. Notice of intention of City Council to pass this by-law was given by ad notice duly published in the Kawartha Lakes This Week newspaper in the City of Kawartha Lakes on the 27th day of December, 2018 and the 3rd and 10th days of January, 2019, in accordance with the provisions of the Municipal Act, 2001 and By-law 2018-020, as amended.
5. The proposed by-law came before Council for consideration at its regular meeting on the 28th day of January, 2020 at 1:00 p.m. and at that time no person objected to the proposed by-law nor claimed that his land would be prejudicially affected.
6. The sale of this land was approved by City Council on the 5th day of February, 2019 by the adoption of Report RS2019-001 by CR2019-097.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020- .

Section 1.00: Definitions and Interpretation

- 1.01 **Definitions:** In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Council” or “City Council” means the municipal council for the City;

1.02 Interpretation Rules:

(a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

(b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, which are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Road Closure and Sale

2.01 Closure and Sale: That part of the road allowance described in Schedule “A” attached to this by-law has been declared to be surplus to municipal needs and is hereby stopped up, closed and authorized to be sold to the abutting owner for \$15.00 per linear foot of interior road allowance, being the sum of Five Thousand Two Hundred and Nineteen Dollars and Forty Cents (\$5,219.40) plus HST, if applicable, plus the cost of the reference plan, advertising, registrations, City staff time expense, legal fees and disbursements, and any other costs incurred by the City in connection to this transaction.

2.02 Easements: Prior to the transfer of that part of the 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 Lots 11 & 12, Concession 2, Township of Eldon, City of Kawartha Lakes, designated as Part 3 on Reference Plan 57R-10759.

Section 3.00: Effective Date

3.01 Effective Date: This By-law shall come into force on the date it is finally passed by Council and has been deposited on title in the Registry Office for the Registry Division of Victoria (No. 57).

By-law read a first, second and third time, and finally passed, this 28th day of January, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule A

Description of Land to be Stopped Up, Closed and Conveyed to the Abutting Owner

Part of Lots 11 & 12, Concession 2, Geographic Township of Eldon, City of
Kawartha Lakes, designated as Parts 3 & 4 on Reference Plan 57R-10759

RATING BY-LAW

Tile Drainage Act, R.S.O. 1990, c. T.8, s.8

THE CORPORATION OF THE
City of Kawartha Lakes
BY-LAW NUMBER 2020-

A by-law imposing special annual drainage rates upon land in
respect of which money is borrowed under the *Tile Drainage Act*.

WHEREAS owners of land in the municipality have applied to the council under the *Tile Drainage Act* for loans for the purpose of constructing subsurface drainage works on such land;

AND WHEREAS the council has, upon their application, lent the owners the total sum of \$23,000.00 to be repaid with interest by means of rates hereinafter imposed;

The council, pursuant to the *Tile Drainage Act*, enacts as follows:

1. That annual rates as set out in the Schedule 'A' attached hereto are hereby imposed upon such land as described for a period of ten years, such rates shall have priority lien status, and shall be levied and collected in the same manner as taxes.

First Reading 2020-Jan-28
yyyy/mm/dd

Second Reading 2020-Jan-28
yyyy/mm/dd

Provisionally adopted this 28 day of January, 2020

Andy Letham
Name of Head of Council

Signature

Cathie Ritchie
Name of Clerk

Signature

Third Reading 2020-Jan-28

Enacted this 28 day of January, 2020

Andy Letham
Name of Head of Council

Signature

Corporate Seal

Cathie Ritchie
Name of Clerk

Signature

I, Cathie Ritchie, clerk of the Corporation of the City of Kawartha Lakes certify that the above by-law was duly passed by the council of the Corporation and is a true copy thereof.

Cathie Ritchie
Name of Clerk

Signature

Corporate Seal

The Corporation of the _____ City _____ of _____ Kawartha Lakes
Schedule 'A' to By-law Number _____ 2020-

Property Owner Information*			Description of Land Parcel to Which the Repayment Charge Will be Levied					Proposed date of loan (YYYY-MM-DD)	Sum to be loaned \$	Annual rate to be imposed \$
Thomas Vanhanen	Lori Jones	0	Lot: W 1/2 Lot 25	Con: 6				2020-Feb-01	\$ 23,000.00	\$ 3,124.96
-	-									
696 Highway 36	Lindsay	ONT	Roll #: 1651	006	006	06500				
0	0	0	Lot:	Con:						
-	-									
			Roll #:							
0	0	0	Lot:	Con:						
-	-									
			Roll #:							
0	0	0	Lot:	Con:						
-	-									
			Roll #:							
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			Roll #:							
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			Roll #:							

* If property is owned in partnership, all partners must be listed. If property is owned by a corporation, list the corporation's name and the name and corporate position of the authorized officer in the last blank space provided. Only the owner(s) of the property may apply for a loan.

TOTAL *

\$ 23,000.00

\$ 3,124.96

TILE DRAINAGE DEBENTURE

Tile Drainage Act, R.S.O. 1990, c. T.8, subs. 2(1)

\$23,000.00

No. 2020-02

The Corporation of the _____ City _____ of _____ Kawartha Lakes _____ hereby promises to pay to the Minister of Finance, the principal sum of _____ \$23,000.00 _____ of lawful money of Canada, together with interest thereon at the rate of _____ 6 _____ per cent per annum in ten equal instalments of _____ \$3,124.96 _____ on the 1st day of _____ February _____, in the years _____ 2021 _____ to _____ 2030 _____, both inclusive.

The right is reserved to The Corporation of the _____ City _____ of _____ Kawartha Lakes _____ to prepay this debenture in whole or in part at any time or times on payment, at the place where and in the money in which this debenture is expressed to be payable, of the whole or any amount of principal and interest owing at the time of such prepayment.

This debenture, or any interest therein, is not, after a Certificate of Ownership has been endorsed thereon by the Treasurer of this Corporation, or by such other person authorized by by-law of this Corporation to endorse such Certificate of Ownership, transferable.

Dated at the _____ City _____ of _____ Kawartha Lakes _____ in the Province of Ontario, this 1st day of _____ February, 2020 _____, under the authority of By-law No. _____ 2006-184 _____ of the Corporation entitled "A by-law to raise money to aid in the construction of drainage works under the *Tile Drainage Act*."

Corporate Seal

Andy Letham

Name of Head of Council

Signature

Carolyn Daynes

Name of Treasurer

Signature

OFFER TO SELL

Tile Drainage Act, R.S.O. 1990, c. T.8, subs. 5(8)

TO THE MINISTER OF FINANCE

The Corporation of City of Kawartha Lakes
hereby offers to sell Debenture No. 2020-02 in the principal amount of \$23,000.00
to the Minister of Finance as authorized by Borrowing By-law No. 2006-184 of the Corporation.

The principal amount of this debenture is the aggregate of individual loans applied for and each loan is not more than 75 per cent of the cost of the drainage work constructed.

An inspector of drainage, employed by the Corporation, has inspected each drainage work for which the Corporation will lend the proceeds of this debenture and each has been completed in accordance with the terms of the loan approval given by council.

A copy of the Inspection and Completion Certificate for each drainage work, for which the Corporation lend the proceeds of this debenture, is attached hereto.

February 01, 2020

Date

Carolyn Daynes

Name of Treasurer

Corporate Seal

Signature of Treasurer

The Corporation of the City of Kawartha Lakes

By-Law 2020-XXX

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 63171-0083 (LT) & PIN 63171-0476 (LT) Described As Lots 17 & 18, Plan 244, Geographic Township Of Eldon, Now City Of Kawartha Lakes

File D30-2019-004, Report PLAN 2020-004, respecting Lots 17 & 18, Plan 244, 76 & 78 Matheson Road – Ogilvie & Harris.

Recitals:

1. Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to deem any plan of subdivision, or part of a plan of subdivision, that has been registered for eight years or more, not to be a registered plan of subdivision for the purposes of Subsection 50(3) of the Planning Act, R.S.O. 1990, c.P.13.
2. Council has been requested to pass a deeming By-law, by the owner of the land described in Section 1 of this By-law. in order to fulfill conditions of provisional consent required by the Director of Development Services through Consent Application D03-2018-009
3. A duplicate of this By-law shall be registered in the Land Registry Office in accordance with the Planning Act, R.S.O. 1990, c.P.13.
4. Notice of the passing of this By-law shall be mailed to the owner(s) of the land described in Section 1 of this By-law.
5. Council considers it appropriate to enact the requested By-law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-XX.

Section 1:00 Details

- 1.01 **Property Affected:** PIN 63171-0083 (LT) & PIN 63171-0476 (LT).The Property affected by this By- law is described as Lots 17 & 18, Plan 244, Geographic Township Of Eldon, Now City Of Kawartha Lakes
- 1.02 **Deeming Provision:** The Property is deemed not to be part of a Registered Plan of Subdivision of the purposes of Subsection 50(3) of the Planning Act, R.S.O. 1990, c.P.13.

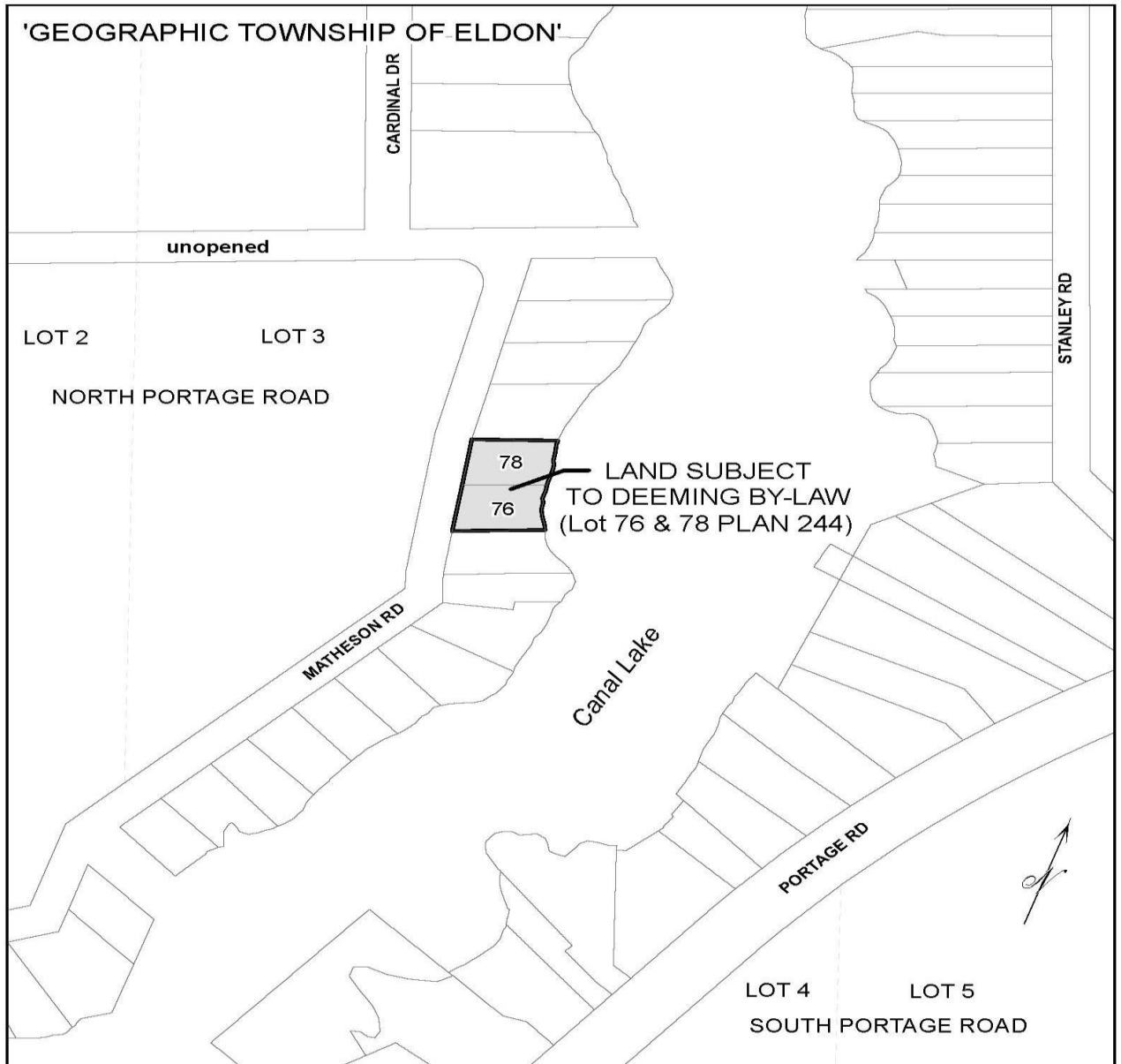
Section 2:00 General Terms

2.01 **Force and Effect:** This By-law shall come into force on the date it is finally passed, subject to the provisions of Sections 50(26), 50(28), and 50(29) of the Planning Act, R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this 28th day of January, 2020.

Andy Letham, Mayor

Cathie Ritchie, Clerk



The Corporation of the City of Kawartha Lakes

By-Law 2020-

A By-Law to Amend the City of Kawartha Lakes Official Plan to Re-designate Land within the City of Kawartha Lakes

[File D01-2019-004, Reports PLAN2019-063 and PLAN 2020-002, respecting Part of Lot 16, Concession 5, geographic Township of Ops, being 354 Angeline Street South -
– Lindsay Agricultural Society]

Recitals:

1. Sections 17 and 22 of the Planning Act, R.S.O. 1990, c. P.13, authorize Council to consider the adoption of an amendment to an Official Plan.
2. Council has received an application to amend the City of Kawartha Lakes Official Plan to amend Schedule 'A-3' to re-designate the land from Rural and Environmental Protection designations to a Rural Special Provision designation to permit camping, recreational vehicle sites and camping cabins as stand alone uses on the site together with amenity areas, accessory structures for comfort stations and parking and an Environmental Protection Special Provision designation to protect wetlands, floodplain and watercourses on the site while allowing for passive recreational uses to include trails and structures such as docks, boardwalks and footbridges.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 34.

Accordingly, the Council of the Corporation of the City of Kawartha Lakes enacts this By-law 2020-***.

Section 1:00 Official Plan Amendment Details

- 1.01 **Property Affected:** The property affected by this By-law is described as Part of Lot 16, Concession 5, geographic Township of Ops, being 354 Angeline Street South, now in the City of Kawartha Lakes.
- 1.02 **Amendment:** Amendment No. 34 to the City of Kawartha Lakes Official Plan, attached hereto as Schedule 'A' and forming a part of this By-law is hereby adopted.

Section 2:00 Effective Date

- 2.01 **Force and Effect:** This By-law shall come into force and take effect on the date it is finally passed, subject to the approval of the City of Kawartha Lakes in accordance with the provisions of Section 17 and 22 of the Planning Act, R. S. O. 1990, c. P.13.

By-law read a first, second and third time, and finally passed, this ** day of _____, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule 'A' to By-law No. 2020-***

The Corporation of the City of Kawartha Lakes

Amendment No. 34 To The Official Plan – The City of Kawartha Lakes

Part A – The Preamble

A. Purpose

The purpose of the official plan amendment is to re-designate the Rural and Environmental Protection designations to a Rural Special Provision designation and an Environmental Protection Special Provision designation on Schedule A-3 of the City of Kawartha Lakes Official Plan. The land is also subject to an application for zoning by-law amendment.

The effect of the change would permit camping, recreational vehicle sites and camping cabins as stand alone uses on the site together with amenity areas, accessory structures for comfort stations and parking and to protect wetlands, floodplain and watercourses on the site while allowing passive recreational uses for trails and structures such as docks, boardwalks and footbridges.

B. Location

The subject land has a lot area of approximately 44.5 hectares and is located on the east side of Angeline Street South, in the geographic Township of Ops. The subject property is located in a mixed use area with agricultural land and rural residential dwellings on the west side of Angeline Street South, office use and agricultural land to the north, undeveloped land to the south and bordered by the Scugog River to the east. The site is the Lindsay Exhibition Grounds (LEX) and is developed with an Exhibition Building, Grandstand, Outdoor Sports Field, Various Livestock Barns and Indoor/Outdoor Rings and a Poultry Building and includes asphalt and gravel parking areas.

The property is legally described as Part of Lot 16, Concession 5, geographic Township of Ops and identified as 354 Angeline Street South.

C. Basis

Council has enacted this official plan amendment in response to an application submitted by EcoVue Consulting Services on behalf of the Lindsay Agricultural Society to permit permit camping, recreational vehicle sites and camping cabins as stand alone uses on the site together with amenity areas, accessory structures for comfort stations and parking and to protect wetlands, floodplain and watercourses on the site while allowing passive recreational uses for trails and structures such as docks, boardwalks and footbridges.

The land is designated "Rural" and "Environmental Protection" as shown on Schedule "A-3" of the City of Kawartha Lakes Official Plan. The land is also subject to an application for zoning by-law amendment to permit camping as a

stand alone use and to permit 'tourist camps' which by definition in the Township of Ops Zoning By-law means any land used to provide temporary accommodation for the public or members of an organization in tents, tourist trailers or tourist vehicles whether or not a fee is charged or paid for such accommodation. This definition shall not include a mobile home park. The zoning by-law also states that tourist trailers are only permitted in zones that permit 'tourist camps'. The application for zoning by-law amendment also requests that the wetlands, watercourse and floodplain areas on the property be rezoned to a Hazard Land Exception Zone to protect these lands yet allow for passive recreational uses and to include structures (a dock, footbridge, trails, and boardwalks).

The development will be subject to site plan approval to further define the details of development such as tent, camping cabin and RV/trailer sites, parking, amenity spaces, comfort stations, washrooms, registration building and store, pathways, roadways, landscaping, garbage collection and lighting and any docks, footbridges, trails, boardwalks and buffer areas to protect the natural heritage features.

The proposed uses and amendment to the City of Kawartha Lakes Official Plan is justified and represents good planning for the following reasons:

1. The proposed development conforms to relevant provincial policy documents being the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.
2. The proposed development conforms to the goals and objectives of both the "Rural" and "Environmental Protection" designations as set out in the City of Kawartha Lakes Official Plan.
3. The proposed use is compatible with the existing uses permitted on the site and will integrate well with the surrounding area. The proposed camping, recreational vehicle and camping cabin sites along with amenity features, parking, trails and buffers to protect the natural heritage features will be further reviewed and defined through the site plan approval process.
4. The applicant has submitted the selected background reports as set out in the Official Plan to demonstrate the appropriateness of the proposed development with respect to servicing, traffic and the protection of the environment.

Part B - The Amendment

D. Introductory Statement

All of this part of the document entitled Part B – The Amendment, consisting of the following text and the attached Map 'A' constitutes Amendment No. 34 to the City of Kawartha Lakes Official Plan.

E. Details of the Amendment

1. The Official Plan for the City of Kawartha Lakes is amended to add the following subsections.

16.4 SPECIAL PROVISIONS

16.4.1 On land designated Rural on 354 Angeline Street South and described as Part of Lot 16, Concession 5, geographic Township of Ops, now City of Kawartha Lakes, a Business/Professional Office and a Fairground with ancillary facilities including exhibition, entertainment, stand alone camping areas and a tourist camp shall be permitted uses.

17.8 SPECIAL PROVISIONS

17.8.1 On land designated Environmental Protection on 354 Angeline Street South and described as part of Lot 16, Concession 5, geographic Township of Ops, now City of Kawartha Lakes, passive recreational uses including limited structures such as footbridges, docks and boardwalks shall be permitted uses.

2. The Official Plan for the City of Kawartha Lakes is amended to delete subsection 32.1.51.
3. Schedule 'A-3' of the City of Kawartha Lakes Official Plan is hereby amended by changing the land use designation from the Rural and Environmental Protection designation to the Rural Special Provision and Environmental Protection Special Provision, as shown on Map 'A' as 'LAND TO BE RE-DESIGNATED RURAL AND ENVIRONMENTAL PROTECTION'.

F. Implementation and Interpretation

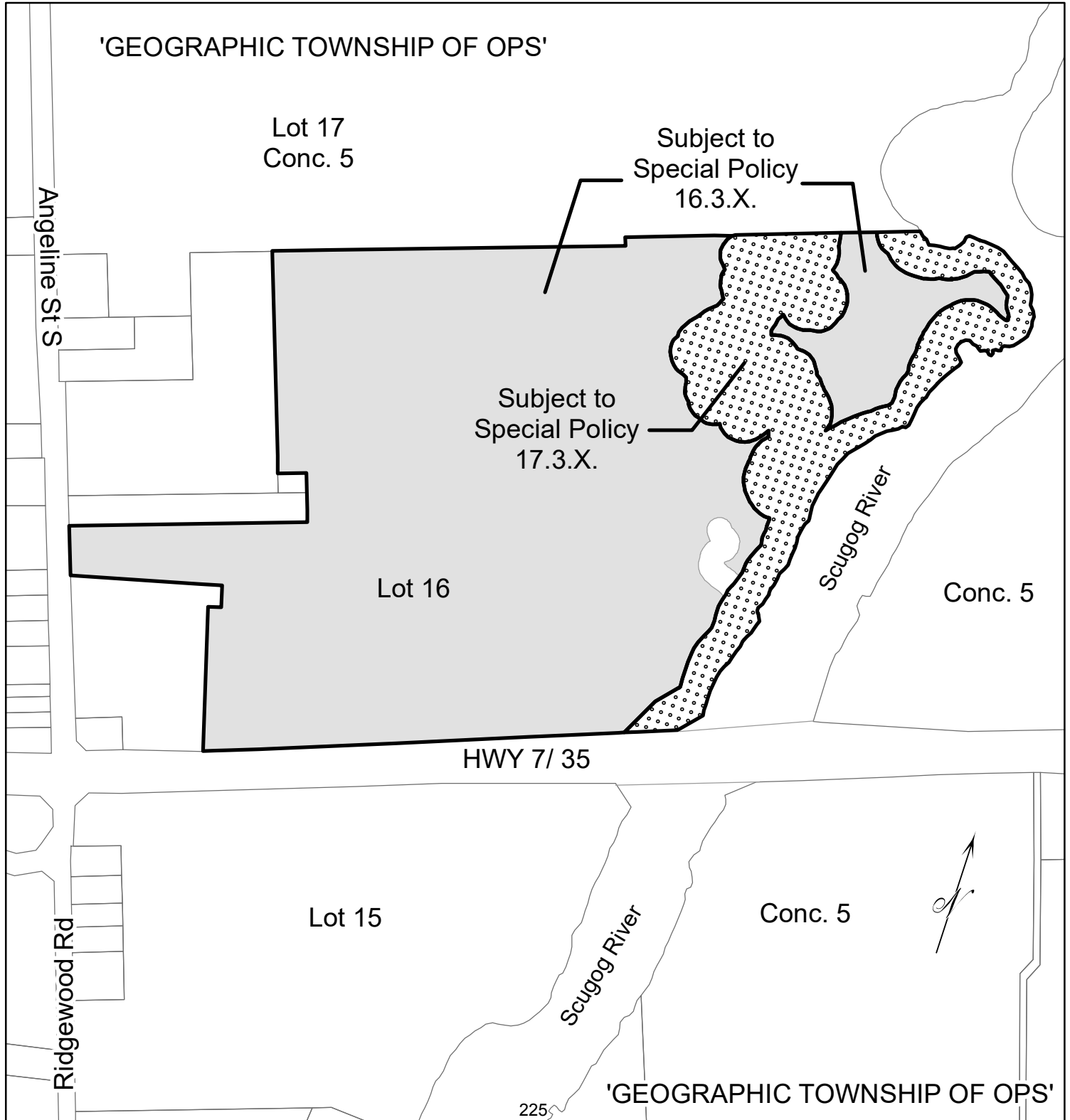
The implementation and interpretation of this amendment shall be in accordance with the relevant policies of the Official Plan.

THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

Map 'A' to Amendment No. 34

To the City of Kawartha Lakes Official Plan



The Corporation of the City of Kawartha Lakes

By-Law 2020 -

A By-law to Amend the Township of Ops Zoning By-law No. 93-30 to Rezone Land within the City of Kawartha Lakes

[File D06-2019-031, Reports PLAN2019-063 and PLAN2020-002, respecting Part of Lot 16, Concession 5, geographic Township of Ops, being 354 Angeline Street South – Lindsay Agricultural Society]

Recitals:

1. Sections 34 and 36 of the Planning Act, R.S.O. 1990, c.P.13 authorize Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit camping, recreational vehicle sites and camping cabins as stand alone uses on the site together with amenity areas, accessory structures for comfort stations and parking and to protect wetlands, floodplain and watercourses on the site while allowing passive recreational uses for trails and structures such as docks, boardwalks and footbridges.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-__.

Section 1:00 Zoning Details

1.01 **Property Affected:** The Property affected by this by-law is described as a Part of Lot 16, Concession 5, geographic Township of Ops, City of Kawartha Lakes.

1.02 **Textual Amendment:** By-law No. 93-30 of the Township of Ops is further amended as follows:

Section 17.3.8 is further amended to delete the non-residential use of camping accessory to any on-going permitted use and add the non-residential permitted use of camping, camping cabins and a tourist camp.

On land zoned AS-8(H), the removal of the (H) Holding Symbol shall be considered by Council once the owner has entered into a site plan agreement which demonstrates access to the satisfaction of the City of Kawartha Lakes and the KRCA.

1.03 **Textual Amendment:** By-law No. 93-30 of the Township of Ops is further amended to add the following section to Section 18.3:

18.3.2 Hazard Land Exception Two (HL-2) Zone

Notwithstanding subsections 18.1 and 18.2, on land zoned HL-2, passive recreational uses are permitted to include trails and limited structures such as docks, boardwalks and footbridges.

On land zoned HL-2(H), the removal of the (H) Holding Symbol shall be considered by Council once the owner has entered into a site plan agreement which demonstrates access to the satisfaction of the City of Kawartha Lakes and the KRCA.

- 1.07 **Schedule Amendment:** Schedule 'A' to By-law No. 93-30 of the Township of Ops is further amended to change the zone category from the 'Agricultural Support Exception Eight (AS-8) Zone' to the 'Hazard Land Exception Two (HL-2) Zone' for the land referred to as 'HL-2', as shown on Schedule 'A' attached to this By-law.

Section 2:00 Effective Date

- 2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Sections 34 and 36 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of ***, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2020.

MAYOR _____ CLERK _____

'GEOGRAPHIC TOWNSHIP OF OPS'

Lot 17
Conc. 5

'HL-2 (H)'

Angeline St S

'AS-8'

'AS-8
(H)'

'AS-8
(H)'

Lot 16

Scugog River

Conc. 5

HL-1

HWY 7/ 35

Lot 15

Conc. 5

Scugog River

Ridgewood Rd

'GEOGRAPHIC TOWNSHIP OF OPS'

The Corporation of the City of Kawartha Lakes

By-Law 2020 -

A By-Law To Amend The Township of Emily Zoning By-Law No. 1996-30 To Rezone Land Within The City Of Kawartha Lakes

[File D06-2019-028, Report PLAN2020-001, respecting Part 6, Concession 10, geographic Township of Emily, identified as 305 St. Luke's Road – Bob Carroll]

Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit an explosives storage facility on the subject land.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-__.

Section 1:00 Zoning Details

1.01 **Property Affected:** The Property affected by this by-law is described as Part Lot 6, Concession 10, geographic Township of Emily, City of Kawartha Lakes.

1.02 **Textual Amendment:** By-law No. 1996-30 of the Township of Emily is further amended to add the following section to Section 7.3:

“7.3.33 Agricultural Exception Thirty-Three (A1-33) Zone

7.3.33.1 Notwithstanding Sections 7.2.1.1 and 3.13.2, the lands zoned A1-33 shall have a minimum lot area of 14 hectares and a minimum lot frontage of 60 metres, which may also include the lands zoned EP.”

1.03 **Textual Amendment:** By-law No. 1996-30 of the Township of Emily is further amended to add the following section to Section 9.3:

“9.3.1 Hamlet Residential Exception One (HR-1) Zone

9.3.1.1 Notwithstanding Sections 9.2.1.3(d) and 3.18.1.1 (a), the lands zoned HR-1 shall be subject to the following provisions:

- | | |
|-------------------------------------|-------|
| (a) Minimum rear yard | 0 m. |
| (b) Minimum setback from an EP Zone | 0 m.” |

- 1.04 **Schedule Amendment**: Schedule 'B' to By-law No. 1996-30 of the Township of Emily is further amended to change the zone category from the Agricultural (A1) Zone to the Environmental Protection (EP) Zone, Agricultural Exception Thirty Three (A1-33) Zone, and Hamlet Residential Exception One (HR-1) Zone as shown on Schedule 'A' attached to this By-law.

Section 2:00 Effective Date

- 2.01 **Effective Date**: This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of ***, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2020.

MAYOR _____

CITY CLERK _____

Geographic Township of Emily

Concession 10

Lot 6

Sturgeon Rd

St. Luke's Rd.

Concession 9

'Downeyville'

LEGEND



HR - 1



A1 -33



EP



The Corporation of the City of Kawartha Lakes

By-law 2020-XXX

A By-law to Assume Hutton Road, Plan 57M-792 (PIN: 63232-0225) and Brock Street, Plan 57M-792 (PIN: 63232-0003, Part 1), Geographic Town of Lindsay, The Corporation of the City of Kawartha Lakes

Recitals

1. Subsection 31(4) of the Municipal Act, 2001 authorizes Council to assume unopened road allowances or road allowances shown on registered plans of subdivision for public use, by by-law.
2. Council now deems it desirable to assume Hutton Road and Brock Street, Plan 57M-792, Geographic Town of Lindsay, the Corporation of the City of Kawartha Lakes as public highways in the City of Kawartha Lakes.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-XXX.

Section 1.00: Definitions and Interpretation

- 1.01 **Definitions:** In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes.

“City Clerk” means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Council” or “City Council” means the municipal council for the City.

- 1.02 **Interpretation Rules:**

- (a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, which are applicable within the Province of Ontario.

- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Assumption of Services

2.01 **Assumption**: The following highways are assumed by the City:

- a) The road known as Hutton Road, Plan 57M-792, Geographic Town of Lindsay, City of Kawartha Lakes.
- b) The road known as Brock Street, Plan 57M-792, Geographic Town of Lindsay, City of Kawartha Lakes.

Section 3.00: Effective Date

3.01 **Effective Date**: This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this XX day of January, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2020-

A By-law to Amend By-law 2018-039, being a By-law to Regulate Water and Wastewater Services in the City of Kawartha Lakes

Recitals

1. On December 3, 2019, Council approved the 2020 Operating Budget, which approved the 2020 Water/Wastewater rates. Schedule A to this By-law has been updated accordingly.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020- .

Section 1.00: Definitions and Interpretation

1.01 Definitions:

All defined terms in the amending By-law take their meaning from By-law 2018-039 of the City of Kawartha Lakes.

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: Amendment Details

2.01 Amendments:

Schedule A has been amended to reflect 2020 Water/Wastewater rates.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Director of Public Works and the Treasurer is responsible for the administration of this by-law.

3.02 **Effective Date:** This By-law shall come into force on **March 1, 2020.**

By-law read a first, second and third time, and finally passed, this 28th day of January, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk



**Schedule A - 2020
Water and Wastewat**

Schedule “A” - Water and Sewer Rates

2020 Water Rates

Calculated Annual Flat Rate \$857.70/annum invoiced quarterly (based on an average consumptive usage of 178 m³ and including Water Fixed Rate)

All Metered Water System Users Fixed Rate plus Consumption listed below:

Fixed Rate

Meter Size	Monthly Charge
5/8 – 3/4”	\$31.17
1”	\$40.56
1 1/2”	\$52.15
2”	\$84.01
3”	\$318.66
4”	\$405.56
6”	\$608.31
8”	\$840.05

Consumption Rate

Per Cubic Meter \$2.71720

Per Cubic Foot \$0.07694

Bulk Water Fees

Phased in bulk water rates, with annual approved consumption rate plus annual percentage

	2018	2019	2020	2021
Per Cubic Meter	\$3.26064 (20% increase over Consumption Rate)	Consumption Rate + 30%	Consumption Rate + 40%	Calculated Annual Flat Rate / Estimated Average Consumption (m ³)

2020 Sewer Rates

Calculated Annual Flat Rate

\$618.31/annum invoiced quarterly (based on an average consumptive usage of 178 m³ including Sewer Fixed Rate)

All Metered Sewer System Users

Fixed Rate plus Consumption listed below:

Fixed Rate

Meter Size	Monthly Charge
5/8 – 3/4"	\$29.86
1"	\$39.61
1 1/2"	\$52.43
2"	\$84.45
3"	\$320.33
4"	\$407.70
6"	\$612.04
8"	\$844.45

Consumption Rate

Per Cubic Meter \$1.4606
Per Cubic Foot \$0.0414

The Corporation of the City of Kawartha Lakes

By-Law 2020-

A By-law to authorize entering into a municipal housing facilities agreement with Kawartha Lakes-Haliburton Housing Corporation

In its role as Service Manager for both Kawartha Lakes and the County of Haliburton and in respect of the municipal incentives relating to Pinegrove Place Phase 2, 57 Parkside Street, Minden a twenty one unit rental housing development

Recitals

1. The City of Kawartha Lakes is the Service Manager and is authorized to operate and manage housing as well as establish, fund and administer programs for the provision of residential accommodation in its service area under the Housing Services Act, 2011, as amended.
2. The Municipal Act, S.O. 2001, c.25, subsection 107, as amended, allows municipalities to give grants or aid, on such terms as to security and otherwise that council considers to be in the interest of the municipality.
3. The Municipal Act, subsection 110(1), as amended, allows municipalities to enter into agreements for the provision of municipal facilities by an person.
4. Ontario Regulation 151/16, as amended, made under the Municipal Act allows the council of a municipality to enter into an agreement under subsection 110(1) of the Municipal Act for the provision of a variety of enumerated classes of municipal capital facilities.
5. One of those enumerated classes is municipal housing project facilities.
6. Ontario Regulation 151/16, as amended, requires that before a By-law authorizing an agreement respecting municipal housing project facilities is enacted, the municipality must enter into a municipal housing facilities By-law, which must comply with requirements set out in that Regulation;
7. By-law Number 2018-057 of the Corporation of the City of Kawartha Lakes providing for municipal housing project facilities was enacted on the 10th day of April, 2018;
8. Section 2 of By-law 2018-057 permit the Corporation to enter into municipal housing project facilities agreements with housing service providers;
9. Council is desirous of entering into an agreement for the provision of municipal housing facilities with Kawartha Lakes Haliburton Housing Corporation in respect of the property located in Minden, Ontario, namely, a municipal housing project facility named Pinegrove Place Phase 2 at 57 Parkside Street.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020- .

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 Human 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: Agreement

2.01 Agreement: The Corporation of the City of Kawartha Lakes is authorized to enter into agreements under subsection 110(1) of the *Municipal Act* with Kawartha Lakes-Haliburton Housing Corporation for the provision of a municipal housing project facility in Minden, Ontario consisting of Twenty-one (21) affordable dwelling units.

Section 3.00: Approvals

3.01 Approvals: The Municipal Housing Facilities Agreement is the form appended to this By-law as Schedule “A” is approved.

3.02 Authorization: The Mayor and Clerk are authorized and directed to sign the Municipal Housing Facilities Agreement substantially in the form appended to this By-law as Schedule “A”, and to affix the City’s corporate seal to them.

Section 4.00: Administration and Effective Date

- 4.01 **Administration of the By-law:** The Director of Human Services is responsible for the administration of this by-law.
- 4.02 **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 day of , 201 .

Andy Letham, Mayor

Cathie Ritchie, City Clerk



20191218 Pinegrove
Phase 2 MHFA.pdf

**This Municipal Housing Project Facilities Agreement made
this ____ day of _____, 2020**

**The Corporation Of The City Of Kawartha Lakes
(the “City”)**

-and-

**Kawartha Lakes-Haliburton Housing Corporation
(the “Housing Provider”)**

Whereas on December 12, 2017, the Corporation of the City of Kawartha Lakes received Report HH2017-004 titled “City of Kawartha Lakes and County of Haliburton Affordable Housing Framework”;

And Whereas pursuant to By-law 2018-057, as amended, (hereinafter referred to as “By-law 2018-057” and the “Housing Facilities By-law”) and consistent with the Affordable Housing Framework, Council was provided authority to pass by-laws permitting the City to enter into municipal housing project facilities agreements with housing providers pursuant to subsection 110 (1) of the *Municipal Act*, S.O. 2001, c.25 and its regulations (and specifically Ontario Regulation 603/06, as amended) for the provision of municipal housing project facilities;

And Whereas the Housing Provider has agreed to provide a municipal housing facility on Parkside Street in Minden (the “Property”) pursuant to section 110 of the *Municipal Act*, S.O. 2001, c.25, as amended and its regulations (the “*Municipal Act*”) and By-law 2006-262;

And Whereas Council has passed a by-law concurrently with this Agreement, permitting the City to enter into this Agreement, being a municipal housing project facilities agreement and to provide financial contributions to the Housing Provider;

Now Therefore in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

Term

1. The term of this Agreement shall commence upon execution of this Agreement and terminate forty (40) years from the date of occupancy of the last of the units of the housing units to be provided as part of the Municipal Housing Project Facility.

Definitions

2.(1) Words and phrases used in this Agreement shall have the same meaning as set out in Schedule “A” of By-law 2018-057, unless otherwise defined in this Agreement.

(2) The following words and phrases used in this Agreement shall have the following meanings:

“Affordable Housing Unit” means in respect of the units in the Project,

(a) Ownership housing with a purchase price resulting in annual accommodation costs not exceeding 30% of the gross annual household income of the lowest 60% of households within the service area or is at least 10% below the average resale price of a housing unit within the service area, whichever is the lesser,

(b) Rental housing with a rental rate not exceeding 30% of the gross annual household income of the lowest 60% of renter households within the service area, or is at or below the average rental rate within the service area, whichever is the lesser.

“Affordable Housing Framework” or “AHF” means the City of Kawartha Lakes and County of Haliburton Affordable Housing Framework which includes, among other things, an ownership housing component and rental housing component.

“Agreement” means this Municipal Housing Project Facilities Agreement.

“auditor” means a public accountant as defined in the *Public Accountancy Act*, R.S.O. 1990, c.P.37, as amended, who performs an audit function pursuant to this Agreement.

“CMHC” means Canada Mortgage and Housing Corporation.

“eligibility criteria” means the criteria set out in the definition of low to moderate income household.

“fiscal year” means the fiscal year of the Housing Provider that is a period of twelve (12) consecutive months commencing on the first day of January and ending on the last day of December.

“income” means all income, benefits and gains, of every kind and from every source including an imputed income for all assets or investments which do not produce interest income but are intended to appreciate in value or are given away, all of which must be declared by a household in its application for purchase or rental of an Affordable Housing Unit.

“low to moderate income household” means those households with incomes falling at or below the 60th income percentile as published by the City in its role as service manager for the service area.

“Municipal Housing Project Facility” has the meaning contemplated in By-law 2018-057 and for the purposes of this Agreement means the Project.

“Project” means the project described in Schedules “A” and “B”.

“Term” has the meaning set out in Section 1.

“Waiting List” means the City of Kawartha Lakes Centralized Waiting List or City’s Homeless By Name List, or successor waiting list, or any other waiting list as agreed to be Council in the municipal housing project facilities agreement.

Schedules

2.3 The following Schedules are an integral part of this Agreement:

Schedule “A” – Project

Schedule “B” – Financial Resources/Benefits

- 3.(1) Subject to any sections of this Agreement which set higher minimum standards, it is a condition of this Agreement that the Housing Provider operate the Project in accordance with all applicable legislation, by-laws, policies, directives and guidelines of all levels of government.
- (2) Without limiting the generality of subsection (1), if there is a conflict between the Municipal Facilities By-laws and a section of this Agreement, the Municipal Facilities By-laws shall prevail, unless the section of this Agreement sets a higher standard, in which case the Housing Provider shall operate the Project pursuant to that section.

Construction of the Project

- 4.(1) The Housing Provider shall construct the Project as Affordable Housing Units in the manner described in this Agreement, its attached Schedules and all applicable by-laws, legislation and government policies.
- (2) (a) The Housing Provider shall lease, operate and maintain any and all rental housing units in the Project as Affordable Housing Units to persons from the Waiting List who meet the eligibility criteria in the manner described in this Agreement, its attached Schedules and all applicable by-laws, legislation and government policies at its own expense.
- (b) The Housing Provider shall sell any and all ownership housing units in the Project as Affordable Housing Units to persons who meeting the eligibility criteria in the manner described in this Agreement, its attached Schedules and all applicable by-laws, legislation and government policies at its own expense.

- (3) At any time, upon providing the Housing Provider with reasonable prior written notice, and from time-to-time before completion of construction of the Project:
 - (a) the City or any individual authorised by the City may inspect the Project; and
 - (b) the Housing Provider shall co-operate with any individual mentioned in clause (a) by providing access and anything else that may be reasonably required to assist in any such inspection.
5. Subject to the Housing Provider's compliance with the requirements of the Affordable Housing Framework, this Agreement and the requirements of the City, and after having received evidence satisfactory to it that the Affordable Housing Units have been leased and/or sold to persons who meet the eligibility criteria in accordance with this Agreement, the City shall provide the financial resources and relief, pursuant to By-law 2020-XXX, set out in the attached Schedule "B".
6. In the performance of any work and construction on the Project, the Housing Provider shall obtain all necessary permits, consents and approvals at its own expense.
7. In the event that the Housing Provider has not commenced construction of the Project on or before the date which is one hundred and twenty (120) following the signing of this Agreement, the City may, upon written notice to the Housing Provider, terminate this Agreement. The City shall be entitled, at its sole discretion, to modify or extend this date.
8. If at any time prior to completion of construction of the Project or any part thereof, the construction ceases and has not been resumed within ninety (90) days of ceasing, or if the Housing Provider abandons the construction of the Project, the City may, immediately upon written notice to the Housing Provider, terminate this Agreement and all funds, financial resources and relief which have been received by or granted to the Housing Provider up to the date of termination shall immediately be repaid.
9. If substantial performance, within the meaning of the *Construction Lien Act*, R.S.O. 1990, c.30, as amended, of construction of the Project has not occurred on or before the date which is earlier of (a) two (2) years following the date of the commencement of construction or (b) the anticipated date of substantial performance of the Project identified in Schedule "A" attached hereto, the City may, immediately upon written notice to the Housing Provider terminate this Agreement.
10. If it has not already done so, the Housing Provider shall deliver to the City, if requested by the City from time to time, copies of all available construction, technical, engineering and design drawings, which concern the Project.

Discretion

11. Unless otherwise provided in this Agreement, the Parties shall act reasonably in exercising any discretion under this Agreement, or in providing or refusing any approval or consent concerning this Agreement.

Laws of Province

12. Any obligation in this Agreement is subject to the laws of the Province of Ontario and applicable by-laws of the City, and those laws and by-laws apply to the interpretation of this Agreement, and any reference to a statute or by-law in this Agreement includes any subsequent amendments or replacement and substitution of that statute or by-law.

Schedules

13. The Schedules to this Agreement are an integral part of this Agreement.

Notice

14. Any notice required under this Agreement must be in writing and delivered by personal service or ordinary mail to:

- (a) the City at the following address:

**26 Francis Street
P.O. Box 9000
Lindsay, Ontario
K9V 5R8**

Attention: Director of Human Services

- (b) the Housing Provider at the following address:

**68 Lindsay Street North
P.O. Box 2600
Lindsay, Ontario
K9V 4R7**

Attention: Chief Executive Officer

The Housing Provider and City shall give notice to each other in writing of any change in this information. Any notice under this Agreement shall be deemed to be delivered on the date when personally served or, if mailed, on the third business day after the notice was mailed.

Contact Persons

15. The Housing Provider shall identify in writing one or more contact persons, who are authorized by the Housing Provider to respond on their behalf and who can

respond to requests from the City and receive and transmit information from the City and shall give notice to the City of any change in any contact person.

Assignment

16. The Housing Provider shall not assign or transfer this Agreement or any of its responsibilities, rights or obligations under this Agreement without the prior written consent of the City, which may be withheld. A change of control of the Housing Provider shall for the purposes of this Agreement be deemed an assignment which shall require the prior written consent of the City.

Municipal Capital Facilities and Project Units

17. The Parties acknowledge that the Project is a municipal housing project facility and, therefore, use of the Project shall be pursuant to section 110 of the *Municipal Act*, S.O. 2001, c.25, as amended and its regulations.
- 18.(1) The Housing Provider shall ensure that during the term of this Agreement:
 - (a) all rental housing Project units (being those units more particularly described in Schedule "A") shall be Affordable Housing Units occupied by low and moderate income households;
 - (b) all rental housing Project units shall be provided only to applicants on the Waiting List, subject to their ability to pay the affordable rent for the available housing unit;
 - (c) under no circumstances shall a housing unit in the Project be made available when initially rented to an applicant for housing accommodation at a rental rate that is inconsistent with the definition of Affordable Housing Unit;
 - (d) under no circumstances shall a housing unit in the Project be made available to applicants who own a residential property, as determined by the Housing Provider after making all reasonable inquiries; and
- (2) The Housing Provider shall ensure that all Project units are owned or occupied only in accordance with this Agreement and By-law _____ and, where applicable, the ***Residential Tenancies Act, 2006, S.O. 2006, c. 17***, as amended.
- 19.(1) All Project units shall be administered by the Housing Provider in accordance with this Agreement and the Affordable Housing Framework and all guidelines, directives, rules, orders and policies as may be issued from time to time by either the City. The Housing Provider shall verify household income of the initial applicant prior to renting or selling a Project unit to the applicant by completing and providing to the City, with respect to each initial applicant, a report in a form acceptable to the City verifying household income of the initial applicant. The Housing Provider shall further complete and provide to the City, on an annual basis on or before December 31st of each year, reports in form and content

acceptable to the City verifying any and all of the housing provider's annual occupancy data in respect of the Project. The form and content of the Housing Provider's report(s) may be modified by the City at any time and from time to time.

- (2) The Housing Provider shall charge and increase rent only in accordance with the terms of this Agreement and as otherwise required by the guidelines, directives, rules, orders and policies as may be issued from time to time by the City.

20. This Agreement is binding on the Housing Provider's heirs, successors and assigns.

21.(1) The Housing Provider shall not:

- (a) save and except in respect of those units in the Project that are ownership units that were intended to be sold to purchasers who meet the eligibility criteria for the purposes of purchasing a unit, offer, list, advertise, or hold out for sale or lease or otherwise offer for disposal the Project or any part of the Project without the prior written consent of the City or otherwise in accordance with this Agreement;
- (b) save and except in respect of those units in the Project that are ownership units that were intended to be sold to purchasers who meet the eligibility criteria for the purposes of purchasing a unit, sell, lease or otherwise dispose of the Project or any part of the Project except with the prior written consent of the City or otherwise in accordance with this Agreement. In determining whether to grant its consent, the City may, in its discretion, consider any one of or a combination of the following factors, which include but are not limited to:
 - (i) as a condition precedent to a sale to a subsequent purchaser or lessor, the Housing Provider requires the subsequent purchaser or lessor to enter into an agreement with the City upon terms acceptable to the City, and that agreement shall impose, among other things, the terms of this Agreement on that subsequent purchaser;
 - (ii) the character, capabilities and affordability of the rents of the Project will not be diminished;
 - (iii) the City has approved in writing the agreement of purchase and sale or agreement to lease, as the case might be;
 - (iv) the sale will not decrease the number of units in the Project;
 - (v) the proceeds on the sale or disposition, if any, shall be distributed first against anything owed to the City and including any outstanding payments owed to the City pursuant to this Agreement;

(vi) any default by the Housing Provider under the terms of this Agreement.

- (3) Notwithstanding subsection (1) the Housing Provider may offer, list, advertise or hold out for lease individual units to tenants for a term of not greater than one (1) year; and

22.(1) If the Housing Provider does not carry out its obligations under this Agreement, the Housing Provider shall repay the entire amount of the benefits conveyed under the Agreement, as set out in Schedule “B” together with any applicable costs and interest (such interest charged at the rate charged under the Housing Provider’s approved mortgage).

- (2) The Housing Provider will not sell, transfer, assign or convey the Project except with the prior written consent of the City. Notwithstanding the foregoing or anything else contained herein or elsewhere, if at any time during the Term of this Agreement, the Housing Provider intends to sell, transfer, dispose of or otherwise part with or allow possession of or alienate in any way the whole or any part of the Project and/or otherwise convey its interest in the Project (each being a “**Potential Sale**”), then the Housing Provider shall first give the City prior written notice of the terms and conditions of the Potential Sale and the purchaser shall, prior to the completion of the sale, enter into an agreement directly with the City on the City’s form of agreement wherein it agrees to assume the obligations of the Housing Provider under this Agreement and observe and comply with the terms herein contained.

Housing Provider Status

23.(1) The Housing Provider shall:

- (a) maintain itself in good standing as an active corporation and in accordance with all applicable laws;
- (b) not amalgamate, alter, supersede or cancel its articles of incorporation or letters patent or any by-law without the prior written consent of the City; and
- (c) comply with the City requirements for the Project including, but not limited to, any obligations under any lease associated with the Project and any guidelines, directives, rules, ordinances, orders and policies as may be issued from time to time by the City.

- (2) A breach by the Housing Provider of the terms and conditions of any applicable funding agreement, by-law or lease shall be deemed to be a default under this Agreement.

Registration On Title

24. All relevant documents, including this Agreement, or notice thereof, shall be publicly registered in such fashion as may be requested or required by the City

and in this regard, this Agreement or notice thereof shall be registered against title to the Property.

Security

- 25.(1) The parties acknowledge that the purpose of this Agreement is to facilitate the construction of the Affordable Housing Units and operation and availability throughout the Term, by the Housing Provider, of Affordable Housing Units for eligible low to moderate income households.
- (2) As a means to secure the purpose set out in subsection (1) and as security for the financial incentives set out in Schedule "B", the City requires satisfactory assurances and safeguards to ensure the construction and continued use of the Affordable Housing Units and, to that end, the Housing Provider agrees to execute and the City shall be entitled to register one or more mortgages against title to the Project in second position behind the first mortgage of the primary lender for the Housing Provider for a cumulative principal amount equal to the total amount of financial resources and relief, as set out in Schedule "B" ("principal amount"). The City may set the date upon which the mortgage(s) and related or accompanying security documents are to be signed by the Housing Provider and registered against title to the Property, which is contemplated to be the date upon which this Agreement is executed by the Housing Provider, but which may at the discretion of the City occur following execution of this Agreement by the Housing Provider.
- (3) No payments will be required under the mortgage(s) set out in subsection (2) so long as the Affordable Housing Units constructed by the Housing Provider are occupied by low to moderate income households throughout the Term.
- (4) Should all or any of the said housing units not remain as Affordable Housing Units occupied by low and moderate income households throughout the Term, the principal amount of the mortgage(s) shall immediately become due and payable.
- (5) At the expiry of the Term and provided the housing units have remained as Affordable Housing Units occupied by low and moderate income households, the principal amount of the mortgage(s) will be forgiven and the City shall execute a discharge of this mortgage upon presentation of same to the City by the Housing Provider.
- (6) The Housing Provider acknowledges that in addition to the mortgage(s) referred to in Section 27(2) above, the City shall be entitled, in its discretion, to require the Housing Provider to provide additional security upon the City's standard forms in the form of, but not limited to, a general assignment of rents against the Project and a general security agreement against such collateral determined by the City, including the current and after acquired personal property of the Housing Provider and the chattels of the Project.

- (7) The Housing Provider acknowledges and agrees that the security contemplated in this Section 27, may be combined in whole or part with the security contemplated by the Contribution Agreement and the Housing Provider covenants and agrees to execute and deliver such security in the form presented to it by the City.

Amendment of Agreement

26. This Agreement may only be amended on the mutual written agreement of the parties provided that such amendment shall be evidenced by a further written document.

Invalidity of Provision of Agreement

27. If any provision of this Agreement should be found by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provision shall not apply and this Agreement shall remain in full force and effect without the provision.

Submission of Documents

28. The Housing Provider shall submit to the City any relevant documents, calculations, statements or information that the City may request from time to time, within the time period specified by the City.

Statistics

29. The Housing Provider shall, for statistical purposes, supply information as required by the City from time-to-time, provided such information is reasonably available to the Housing Provider, as determined by the City.

Records

30. The Housing Provider shall:
- (a) maintain financial records including, but not limited to, records related to rent collection and tenant income and eligibility verification, in a form satisfactory to the City;
 - (b) permit the City to inspect such records at all reasonable times; and
 - (c) retain all such records that relate to the Project for not less than seven (7) years from the end of the respective fiscal year.

Taxes, Rates and Levies

31. The Housing Provider shall pay, at its own expense all taxes, fees, levies or rates assessed and imposed by any municipal, provincial or federal government with respect to the Project and the activity carried out on the Project.

Indemnification

32. The Housing Provider shall indemnify and hold harmless the City, its officers, council members, partners, agents and employees from and against all actions, claims, demands, losses, costs, damages, suits or proceedings whatsoever which may be brought against or made upon the City and against all loss, liability, judgements, claims, suits, demands or expenses which the City may sustain or suffer resulting from or arising out of or in connection with this Agreement and/or the Housing Provider's participation in the Program and/or the failure to exercise reasonable care, skill or diligence or omissions in the performance or rendering of any work or service required hereunder to be performed or rendered by the Housing Provider, its agents, officials and employees.

Access

33. The Housing Provider shall permit the City to have access to the Project at all reasonable times.

Payment of Mortgage

34. The Housing Provider shall make all mortgage payments on the due dates and comply with all terms of its mortgages.

Mortgage

35. Notwithstanding subsection (1) the City hereby consents to the registration of a first (1st) Charge/Mortgage against the Property in the principal amount of \$2,418,539.

Access to Information

36. The Housing Provider shall provide the City with access to all information obtained by the Housing Provider under this Agreement, and shall immediately provide verification of such information if requested by the City.
37. The Parties acknowledge that, where applicable, this Agreement and its subject matter are subject to the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M.56, as amended.

Audit

- 38.(1) The City may cause its employees or agents to conduct an audit, investigation or inquiry in relation to the Housing Provider and the Project, and the Housing Provider shall co-operate with the employees or agents of the City and provide full and free access to staff, projects, documents and records as determined by employees or agents of the City.

Dispute Resolution

- 39.(1) The Housing Provider and the City agree that alternate dispute resolution processes such as mediation, appointment of a neutral third party evaluator or arbitration may be preferable to litigation as a way to resolve disputes that may arise under this Agreement and they agree to give good faith consideration to

having resort to an alternate dispute resolution process before initiating legal or other proceedings to deal with any such disputes.

- (2) The City and the Housing Provider agree that nothing contained in the subsection (1) shall affect or modify the rights and obligations of the City and the Housing Provider under the event of default and early termination provisions in of this Agreement.

Breaches

40. In addition to other instances of non-compliance set out in this Agreement, the following actions by the Housing Provider shall be a breach of this Agreement:
- (a) the Housing Provider becomes bankrupt or insolvent or becomes subject to the provisions of the *Bankruptcy and Insolvency Act* R.S.C. 1985, c.B-3 or any other Act for the benefit of creditors, or goes into liquidation either voluntarily or under an order of a court of competent jurisdiction or make a general assignment for the benefit of its creditors or enters into an arrangement or compromise or otherwise acknowledges its insolvency;
 - (b) the Housing Provider has failed to comply with any of its obligations or is in default under this Agreement, including the Schedules attached hereto;
 - (c) the Housing Provider fails to cause all of the rental housing units of Project to remain occupied by eligible low to moderate income households throughout the Term; or
 - (d) the Housing Provider has failed to manage the Project adequately, as a prudent landlord and/or owner would, as determined by the City acting reasonably.

Remedies

- 41.(1) In addition to other remedies set out in this Agreement, or otherwise available to the City at law or in equity and subject to subsection (3), if the Housing Provider is in breach of this Agreement the City may exercise any of the following remedies in any combination that the City chooses in its sole discretion, and the remedy may be exercised for such time as the City deems appropriate:
- (a) require the Housing Provider to provide additional information or documents to the City;
 - (b) reduce, suspend or discontinue any payment payable under this Agreement at the City's discretion;
 - (c) require the Housing Provider to pay to the City the entire amount of the benefits conveyed under the Agreement, as set out in Schedule "B", together with any applicable costs;

- (d) terminate this Agreement.

Delay

- (2) Waiver or delay in exercising a remedy shall not prevent the City from exercising the remedy at a later time for any breach of this Agreement.

Limitations on Remedies

- (3) Subject to subsection (4), the City shall give the Housing Provider written notice of any breach, specifying particulars, and if the Housing Provider does not remedy or commence remedying the breach to the City's satisfaction, in its sole discretion, within thirty (30) days from the date the notice is delivered and thereafter proceed diligently until such breach has been remedied, the City may exercise the remedies set out in subsection (1).

Emergencies

- (4) The City shall not be required to comply with subsection (3) if by doing so, in the City's sole judgement, would materially worsen the situation, would negatively affect the City's rights under this Agreement, or would cause irreversible damage to the City's interests.

42. Time shall be of the essence in this Agreement.

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In Witness WhereOf the parties have caused this Agreement to be executed by their respective officers duly authorized in that behalf on the date below indicated.

Signed, Sealed And Delivered

**The Corporation Of The City Of
Kawartha Lakes**

Date:_____

_____ per: Andy Letham, Mayor

Date:_____

_____ per: Cathie Ritchie, Clerk

We have the authority to bind the corporation

**The Corporation Of The City Of
Kawartha Lakes**

Date:_____

_____ per: Hope Lee, CEO

I have the authority to bind the corporation

Schedule "A"
Description of the Project

Total # of Units	21	
Site Area (acres)		
Surface Parking	25	
Enclosed Parking	0	
Gross Floor Area (sq.ft.)	19,113	
Net Residential Floor Area		
All in capital cost/Square foot	\$200/sf	
Types of Units to be Provided	Total number	Avg. Unit Size (sq.ft.)
1 bedroom	9	573
1 bedroom - accessible	3	599
2 bedroom - accessible	3	829
3 bedroom	6	1,056
Bedroom Size	Rent Estimate	Number of Units
1 bedroom - 80% AMR	\$ 692.00	7
1 bedroom - 75% Median	\$ 682.50	0
1 bedroom - 100% AMR	\$ 865.00	0
1 bedroom - 120% AMR	\$ 1,038.00	5
2 bedroom - 80% AMR	\$ 843.20	2
2 bedroom - 75% Median	\$ 787.50	0
2 bedroom - 100% AMR	\$ 1,054.00	0
2 bedroom - 120% AMR	\$ 1,264.80	1
3 bedroom - 80% AMR	\$ 941.60	2
3 bedroom - 75% Median	\$ 829.50	0
3 bedroom - 100% AMR	\$ 1,177.00	0
3 bedroom - 120% AMR	\$ 1,412.40	4

Schedule “B”
Financial Benefits Extended pursuant to the Agreement and the Municipal
Housing Project Facilities By-law

Financial Plan - December 2019	
Total Capital Cost of Project	\$ 4,616,359
Less: Seed Grant	\$ 12,375
Less: KLHHC equity from reserve	\$ 814,685
Less: land donation from Minden	\$ 174,000
Less: multi re-site Municipal Waiver	\$ 2,500
Less: Site Plan Municipal Waiver	\$ 5,750
Less: Building Permit Municipal Waiver	\$ 16,240
Less: Haliburton county contribution	\$ 252,000
Less: 19/20 OHPI & COCHI	\$ 803,971
Less: 19/20 IAHE	\$ 116,299
Total Equity Provided	\$ 2,197,820
Proposed debenture/loan	\$ 2,418,539
Percentage of Debt	52%

The Corporation of the City of Kawartha Lakes

By-Law 2020-____

A By-law to Repeal By-law 2013-131 Being a By-law to Appoint a Deputy Clerk for the City of Kawartha Lakes (Ann Rooth)

Recitals

1. Deputy Clerks may be appointed by a municipality as authorized under Section 228(2) of the Municipal Act, 2001.
2. The Deputy Clerk has all of the powers and duties of the Clerk under the Municipal Act, 2001 and other provincial legislation.
3. Due to staff changes, the appointment by-law needs to be repealed.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2020-____

Section 1.00: Definitions and Interpretation

- 1.01 **Definitions:** In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“Council” or “City Council” means the municipal council for the City;

- 1.02 **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.

Section 2.00: Repeal

- 2.01 **Repeals:** By-law Number 2016-130 is repealed.

Section 3.00: Effective Date

- 3.01 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 28 day of January, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-law 2019-189

A By-Law to Confirm the Proceedings of a Regular Meeting of Council, Tuesday, January 28, 2020

Recitals

1. The Municipal Act, 2001, S.O. 2001 c. 25 as amended, provides that the powers of a municipal corporation are exercised by its Council.
2. The Municipal Act, also provides that the Council's powers must be exercised by by-law.
3. For these reasons, the proceedings of the Council of The Corporation of the City of Kawartha Lakes at this meeting should be confirmed and adopted by by-law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2019-189.

Section 1.00: Confirmation

- 1.01 The actions of the Council at the following meeting:

Tuesday, January 28, 2020, Open Session, Regular Council Meeting

and each motion, resolution and other action passed or taken by the Council at that meeting is, except where prior approval of the Ontario Municipal Board is required, adopted, ratified and confirmed as if all such proceedings had been expressly embodied in this By-law.

- 1.02 The Mayor and the proper officials of the City are authorized and directed to do all things necessary to give effect to the actions of the Council referred to in Section 1.01 of this By-law. In addition, the Clerk is authorized and directed to affix the corporate seal to any documents which require it.

Section 2.00: General

- 2.01 This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 28th day of January 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk