

The Corporation of the City of Kawartha Lakes

Amended Agenda

Regular Council Meeting

CC2020-08

Thursday, August 20, 2020

Open Session Commencing at 1:00 p.m. - Electronic Public Participation

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

Note: This will be an electronic participation meeting and public access to Council Chambers will not be available. Please visit the City of Kawartha Lakes YouTube Channel at <https://www.youtube.com/c/CityofKawarthaLakes> to view the proceedings.

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	
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	11 - 36
	That the Minutes of the July 28, 2020 Regular Council Meeting, be received and adopted.	
6.	Deputations	
6.1	CC2020-08.6.1	37 - 39
	Victoria County Historical Society Lease Agreement for the Olde Gaol Museum (Related to Item 10.1.1 on the Agenda) Jane Gregory-Gill Barbara Doyle	
*6.2	CC2020-08.6.2	40 - 42
	Proposed Rezoning to Permit the Staging of Commercial Outdoor Role Playing Games at 36 Walker's Road, Verulam (Related to Item 9.1 on the Agenda) Beverly Saunders, EcoVue Consulting Services Inc.	

*6.3	CC2020-08.6.3	43 - 45
	Proposed Rezoning to Permit the Staging of Commercial Outdoor Role Playing Games at 36 Walker's Road, Verulam (Related to Item 9.1 on the Agenda) Larry Junkin	
*6.4	CC2020-08.6.4	46 - 48
	Use of Off Road Vehicles on Boundary Roads (Related to Item 10.1.4 on the Agenda) Heather Stauble	
7.	Presentations	
7.1	CC2020-08.7.1	
	Off Road Vehicle Use on Municipal Roads Presentation Davd Lembke, Public Works Roads Manager West A Oliver Vigelius, Public Works Roads Manager West B	
8.	Planning Advisory Committee	
8.1	Correspondence Regarding Planning Advisory Committee Recommendations	
8.2	Planning Advisory Committee Minutes	49 - 65
	That the Minutes of the August 12, 2020 Planning Advisory Committee Meeting be received and the recommendations, included in Section 8.3 of the Agenda, be adopted.	
8.3	Business Arising from Planning Advisory Committee Minutes	
8.3.1	PAC2020-019	
	That Report PLAN2020-026, Woodland Hills Community Inc. – D05-31-015 and D06-2018-014 , be received; and That Zoning By-law Amendments respecting applications D05-31-015 and D06-2018-014, be prepared, 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.	

8.3.2 PAC2020-020

That Report PLAN2020-027, Fenelon Part Road Allowance and Plan 100, Part Lot 78, 57R-10509, Part 4, Former Village of Fenelon Falls; Plan 100, Lot 79, W/S Lindsay St, Former Village of Fenelon Falls; and Plan 49, Lot 16 and Part Lot 15 W West St, Part Lots 15 to 20 E Dick St, Part Blocks A and G, Part Dick St, 57R-5028 Parts 1 and 2, Part of Lot 22, Concession 9, Geographic Township of Fenelon, Farley Bear Inc. – Applications D01-2020-003 and D06-2020-014, be received; and

That an Official Plan Amendment respecting application D01-2020-003, be prepared, approved and adopted by Council;

That Zoning By-law Amendments respecting application D06-2020-014, be prepared, 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.

8.3.3 PAC2020-021

That Report PLAN2020-028, Part North Half of Lot 8, Part South Half of Lot 8, Part of Lot 9, Concession 5, geographic Township of Fenelon, City of Kawartha Lakes, identified as 4027 Highway 35, 2324784 Ontario Inc. – D06-2019-030, be received;

That a Zoning By-law Amendment respecting application D06-2019-030, substantially in the form attached as Appendix D to Report PLAN 2020-028, 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.

8.3.4 PAC2020-022

That Report PLAN2020-029, Part of Lots 10-12, Front Range, geographic Township of Somerville, City of Kawartha Lakes, identified as 34 and 44 Royal Cedar Road, Canada Royal Resort Inc., Robert and Elizabeth Ellis, Robert Walker and Peter Walker – D06-2020-002, be received;

That application D06-2020-002 be referred back to staff for processing and addressing all public comments received; and

That once all public comments have been addressed on application D06-2020-002, that an additional Public Meeting be held at the Planning Advisory Committee on this matter.

8.3.5 PAC2020-023

That Report PLAN2020-030, respecting Part Lot 20, Concession 8, geographic Township of Mariposa, and identified as 1220 Highway 7 – Application D06-2020-012, be received;

That a Zoning By-law Amendment respecting application D06-2020-012, substantially in the form attached as Appendix D to Report PLAN2020-030, be approved and adopted by Council; and

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

8.3.6 PAC2020-024

That Report PLAN2020-031, respecting Part Lot 10, Concession 12, Geographic Township of Mariposa, Bedard Sand and Gravel Limited – Application D06-2020-004, be received; and

That the application respecting the proposed Zoning By-law Amendment be referred back to staff until such time as all comments have been received from all circulated agencies and City Departments, and for further review and processing.

8.3.7 PAC2020-025

That Report PLAN2020-032, respecting Part Lots 12 & 13, Concession 19, Part Lot 40, RCP 564, 57R-7890, Parts 2 to 5, former Village of Bobcaygeon, Port 32 Inc. – Applications D06-17-028 & D04-17-001, be received; and

That the applications respecting the proposed Zoning By-law Amendment and the Draft Plan of Condominium be referred back to staff until such time as all comments have been received from all circulated agencies and City Departments, and for further review and processing.

8.3.8 PAC2020-026

That the August 12, 2020 Planning Advisory Committee Memorandum from Anna Kalnina regarding the **Proposed Amendment One to A Place to Grow: Growth Plan for the Greater Golden Horseshoe and Proposed Land Needs Assessment Methodology**, be received.

8.4 Items Extracted from Planning Advisory Committee Minutes

9. **Planning Reports**

9.1 PLAN2020-025

66 - 82

Proposed Rezoning to Permit the Staging of Commercial Outdoor Role Playing Games at 36 Walker's Road, Verulam

Sherry L. Rea, Development Planning Supervisor

That Report PLAN2020-025, **Proposed Rezoning to Permit the Staging of Commercial Outdoor Role Playing Games at 36 Walker's Road**, be received;

That the Zoning By-law amendment, substantially in the form attached as Appendix D to Report Plan 2020-025, be approved and adopted;

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

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

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 CS2020-008

83 - 99

Old Jail Lease Agreement with Victoria County Historical Society

Craig Shanks, Director of Community Services

That Report CS2020-008, **Old Jail Lease Agreement with Victoria County Historical Society**, be received;

That the Agreement between the Corporation of the City of Kawartha Lakes and the Victoria County Historical Society for the continued use of the Old Jail facility as a Society Museum, attached as Appendix A to Report CS2020-008, be approved; and

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

10.1.2	CS2020-009	100 - 107
	Bobcaygeon Beach Park Update Craig Shanks, Director of Community Services That Report CS2020-009, Bobcaygeon Beach Park - Update, be received.	
10.1.3	WM2020-007	108 - 121
	Waste Management Public Education and Communication Strategy David Kerr, Manager Environmental Services That Report WM2020-007, Waste Management Public Education and Communications Strategy, be received; and That the Public Education and Communications Strategy attached as Appendix A to report WM2020-007 be endorsed by Council.	
10.1.4	RD2020-007	122 - 141
	Use of Off Road Vehicles on Boundary Roads David Lembke, Public Works Roads Manager West A That Report RD2020-007, Use of Off Road Vehicles on Boundary Roads, be received; That Council supports the request from the Township of Cavan Monaghan to allow the use of ATV's on designated sections of Dranoel Road and Glamorgan Road; and That if chosen as the final route by the Township of Cavan Monaghan, that By-law 2019-077 be amended and brought forward to Council for adoption.	
10.1.5	PUR2020-021	142 - 145
	Reconstruction of St. Mary's Bridge Linda Lee, Buyer Martin Sadowski, Senior Engineering Technician	

That Report PUR2020-021, **2020-52-CQ Reconstruction of St. Mary's Road Bridge**, be received;

That Ratcliff Excavating and Grading Inc. be selected for the award of 2020-52-CQ Reconstruction of St. Mary's Road Bridge for the total quoted amount of \$979,400.00 not including HST;

That the additional expenditure of \$463,187 be funded from the Capital Contingency Reserve, leaving the reserve with a balance of \$1,516,264;

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

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

10.2 Correspondence

10.3 Items Extracted from Consent

11. **Petitions**

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 13.1.7 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 CC2020-08.13.1.1 146 - 147

A By-Law to Amend By-Law 2018-020, Being the City Lands Disposition By-Law for the Corporation of the City of Kawartha Lakes

13.1.2 CC2020-08.13.1.2 148 - 151

A By-Law to Amend The Township of Verulam Zoning By-Law No. 6-87 to Rezone Land within The City of Kawartha Lakes (36 Walker's Road)

13.1.3 CC2020-08.13.1.3 152 - 156

A By-Law to Amend the Oak Ridges Moraine Zoning By-law 2005-133 and the Township of Manvers Zoning By-Law No. 87-06 to Rezone Land within the City of Kawartha Lakes (Woodland Hills)

13.1.4	CC2020-08.13.1.4	157 - 161
	A By-Law to Amend the Village of Fenelon Falls Official Plan to Re-designate Land within the City of Kawartha Lakes (123 Lindsay Street and 130 Lindsay Street)	
13.1.5	CC2020-08.13.1.5	162 - 166
	A By-Law to Amend the Village of Fenelon Falls Zoning By-Law No. 89-25 and Township of Fenelon Zoning By-law No. 12-95 to Rezone Land within the City Of Kawartha Lakes (126 Lindsay Street, 130 Lindsay Street and 573 Kawartha Lakes Road 121)	
13.1.6	CC2020-08.13.1.6	167 - 169
	A By-Law To Amend The Township of Fenelon Zoning By-Law No. 12-95 To Rezone Land Within The City Of Kawartha Lakes (4027 Highway 35)	
13.1.7	CC2020-08.13.1.7	170 - 172
	A By-Law To Amend The Township of Mariposa Zoning By-Law No. 94-07 To Rezone Land Within The City Of Kawartha Lakes (1220 Highway 7)	
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	
	That Council convene into closed session at ____ p.m. pursuant to Section 239(2) of the Municipal Act, S.O. 2001 s.25, in order to consider matters identified in Section 15 of the Regular Council Meeting Agenda of Thursday, August 20, 2020, namely Items 15.3.1. to and including 15.3.3.	

- 15.3.1 CC2020-08.15.3.1
- Closed Session Minutes, Regular Council Meeting July 28, 2020**
Municipal Act, 2001 s.239(2)(c) Proposed or Pending Acquisition or Disposition of Land
Municipal Act, 2001 s.239(2)(d) Labour Relations in the Municipality
Municipal Act, 2001 s.239(2)(i) Third-Party Information Supplied in Confidence to the Municipality
Municipal Act, 2001 s.239(2)(k) Instruction to be Applied to Any Negotiations to be Carried on by or on Behalf of the Municipality
- 15.3.2 RS2020-011
- Potential Direct Sale of 581 Highway 36, Lindsay**
Municipal Act, 2001 s.239(2)(c) Proposed or Pending Acquisition or Disposition of Land
 Robyn Carlson, City Solicitor
- 15.3.3 LGL2020-008
- Discovery of Aboriginal Burial Site**
Municipal Act, 2001 s.239(2)(f) Advice that is Subject to Solicitor-Client Privilege
Municipal Act, 2001 s.239(2)(k) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or about to be Carried on by or on behalf of the Municipality
 Robyn Carlson, City Solicitor
16. **Matters from Closed Session**
17. **Confirming By-Law**
- 17.1 CC2020-08.17.1. 173 - 173
- A By-law to Confirm the Proceedings of a Regular Council Meeting held on Thursday, August 20, 2020
18. **Adjournment**

The Corporation of the City of Kawartha Lakes
Minutes
Regular Council Meeting

CC2020-07
Tuesday, July 28, 2020
Open Session Commencing at 1:00 p.m. – Electronic Public Participation
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

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, Deputy Clerk S. O'Connell and Director B. Robinson were present in Council Chambers.

Directors C. Marshall, J. Stover, R. Sutherland, City Solicitor R. Carlson, Supervisor of Technical Services M. Farquhar and Large Development Planning Officer I. Walker were in attendance electronically.

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

CR2020-175

Moved By Councillor Yeo

Seconded By Councillor Seymour-Fagan

That the Agenda for the Open Session of the Regular Council Meeting of Tuesday, July 28, 2020, be adopted as circulated and with the following amendments:

Additions:

Item 6.2 Deputation by Eugene Munson Regarding Limited Service Agreement - Gillis Street

Item 6.3 Deputation by Michael Brooks Regarding Limited Service Agreement - Grove Road

Item 6.4 Deputation by Barbara Dunn-Prosser Regarding Maintenance Responsibility - Francis Street East, Fenelon

Item 6.5 Deputation by Rob Sproat and Bill Ballinger Regarding Limited Service Agreement - Killarney Bay Road

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 Dunn thanked the men and women in blue for their efforts to keep our community safe.

Councillor Richardson congratulated the Bethany Athletic Association on the improvements that have been made at the Bethany Park. The improvements were made possible through the fundraising efforts of the Bethany Athletic Association and a Trillium Grant.

Councillor Ashmore:

- A Go Fund Me Page has been set up for Mercedes Brasier, daughter of City employee Kevin Brasier, to help with costs that she will encounter during her recovery from injuries suffered in a car accident.
- The Lakeview Arts Barn has initiated a fundraising campaign with a \$200,000 goal which will help with their operating costs during the COVID-19 pandemic.
- A thank you was extended to the Bobcaygeon and Area COVID-19 Relief Fund for providing funding to local organizations during the COVID-19 pandemic.

Councillor O'Reilly:

- Kawartha Lakes Food Source will be hosting an Open House on August 5th to celebrate their new location at 164 Needham Street in Lindsay.

Councillor Seymour-Fagan:

- Extended a thank you to the community for all of the donations that have been made to the Bobcaygeon and Area COVID-19 Relief Fund.
- Extended a thank to the Tourism Division within Economic Development for their efforts promoting tourism within the City of Kawartha Lakes. On July 9, 2020 Lisa MacLeod, Minister of Heritage, Sport, Tourism and Culture, announced funding in the amount of \$1.4 million dollars for tourism recovery across Kawartha Lakes.

4.2 Staff

5. **Council Minutes**

Regular Council Meeting Minutes - June 23, 2020

CR2020-176

Moved By Councillor Elmslie

Seconded By Councillor Yeo

That the Minutes of the June 23, 2020 Regular Council Meeting, be received and adopted.

Carried

6. **Deputations**

6.1 CC2020-07.6.1.

Request to Purchase Road Allowance Adjacent to 41 Benson Boulevard, Coboconk

Jesse Dupuis

Lisa Kaffenbaum

Jesse Dupuis and Lisa Kaffenbaum provided an overview of the road allowance adjacent to their property and advised that their request to purchase the area was denied by the Land Management Committee. Mr. Dupuis and Ms. Kaffenbaum outlined how the use of the area by others is having a negative effect on their property and asked for their request to purchase the area to be reconsidered.

CR2020-177

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That the deputation of Jesse Dupuis and Lisa Kaffenbaum, **regarding a request to purchase the road allowance adjacent to 41 Benson Boulevard, Coboconk**, be received; and

That staff review the request to purchase the road allowance adjacent to 41 Benson Boulevard and report back to Council by the end of Q3, 2020.

Carried

6.2 CC2020-07.6.2.

**Limited Service Agreement - Gillis Street
(Item 10.1.9 on the Agenda)**

Eugene Munson

Mr. Munson provided an overview of Gillis Street and reviewed the level of service that is currently provided by the City of Kawartha Lakes. Mr. Munson requested that the deadline to reach an agreement with the City for continued road maintenance be extended. Mr. Munson also requested that the City consult with Russell Christie LLP in relation to Gillis Street.

CR2020-178

Moved By Councillor Elmslie

Seconded By Deputy Mayor O'Reilly

That the deputation of Eugene Munson, **regarding Limited Service Agreement - Gillis Street**, be received.

Carried

6.3 CC2020-07.6.3.

**Limited Service Agreement - Grove Road
(Item 10.1.11 on the Agenda)**

Michael Brooks

Michael Brooks, President of Cameron Lake South Shore Residents Association, requested that the Limited Service Agreement for Grove Road be renewed and that the deadline to reach an agreement for continued service be extended until Spring of 2021. Mr. Brooks confirmed that the Association would be willing meet with staff to review the scope of work that is needed to satisfy the tree removal that is required for the agreement and that the Association would be willing to undertake that agreed upon work.

CR2020-179

Moved By Councillor Veale

Seconded By Councillor Richardson

That the deputation, and supporting documents, of Michael Brooks, **regarding Limited Service Agreement - Grove Road**, be received.

Carried

6.4 CC2020-07.6.4.

**Maintenance Responsibility - Francis Street East, Fenelon Falls
(Item 10.1.8 on the Agenda)**

Barbara Dunn-Prosser

Barbara Dunn-Prosser provided an overview of Francis Street East, Fenelon Falls, and reviewed the level of maintenance that is provided by the City of Kawartha Lakes. Ms. Dunn-Prosser requested that the City continue to maintain Francis Street East.

CR2020-180

Moved By Councillor Elmslie

Seconded By Councillor Seymour-Fagan

That the deputation of Barbara Dunn-Prosser, **regarding maintenance responsibility - Francis Street East, Fenelon Falls**, be received.

Carried

6.5 CC2020-07.6.5.

**Limited Service Agreement - Killarney Bay Road
(Item 10.1.10 on the Agenda)**

Rob Sproat

Bill Ballinger

Rob Sproat provided an overview of Killarney Bay Road and also reviewed the level of service that is currently provided by the City of Kawartha Lakes. Mr. Sproat requested that the deadline to reach an agreement for continued road maintenance be extended. Mr. Sproat extended a thank you to staff for their efforts as an agreement is close to being finalized.

CR2020-181

Moved By Councillor Ashmore

Seconded By Councillor Elmslie

That the deputation of Rob Sproat and Bill Ballinger, **regarding Limited Service Agreement - Killarney Bay Road**, be received.

Carried

7. Presentations

7.1 CC2020-07.7.1.

**City Response to the COVID-19 Pandemic
(relating to Item 7.1.1. on the Agenda)**

Ron Taylor, Chief Administrative Officer

Ron Taylor, Chief Administrative Officer, provided an update on the City's response to the COVID-19 Pandemic. CAO Taylor provided an overview of the services that will be expanded in August and also outlined the service expansion that is anticipated for September and October.

CR2020-182

Moved By Councillor Elmslie

Seconded By Councillor Dunn

That the presentation by Ron Taylor, Chief Administrative Officer, **regarding the City Response to the COVID-19 Pandemic**, be received.

Carried

7.1.1 Report CAO2020-006

City Service Delivery - Pandemic Response

Ron Taylor, Chief Administrative Officer

CR2020-183

Moved By Councillor Veale

Seconded By Councillor Richardson

That Report CAO2020-006, **City Service Delivery – Pandemic Response**, be received;

That Staff be directed to prepare and, based on demand, open the Fenelon Falls, Lindsay, Little Britain, Emily/Omemee, Woodville and Manvers arenas for the 2020-21 season based on demand; and

That the Chief Administrative Officer be authorized to continue to work with all city departments to further reduce 2020 budgets through continued service suspensions and reductions where appropriate and feasible to target a year-end zero-deficit budget.

Carried

The meeting recessed at 2:21 p.m. and reconvened at 3:00 p.m.

7.2 CC2020-07.7.2.

**Sanitary Sewer Collection Systems
(relating to Items 7.2.1. and 7.2.2. on the Agenda)**

Robert MacPherson, Water and Wastewater Technician

Bryan Robinson, Director of Public Works, provided an overview of the sanitary sewer collection system. The overview included a summary of how a sanitary sewer system operates, how it is installed, maintained and the factors that can contribute to a system failure.

CR2020-184

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Veale

That the presentation by Bryan Robinson, Director of Public Works, **regarding Sanitary Sewer Collection Systems**, be received.

Carried

7.2.1 Report WWW2020-004

Sanitary Sewer Back Up Report

Amber Hayter, Supervisor, Water and Wastewater Operations

CR2020-185

Moved By Councillor Dunn

Seconded By Councillor Elmslie

That Report WWW2020-004, **Sanitary Sewer Back Up Report**, be received.

Carried

7.2.2 Report WWW2020-005

Flood Prevention Subsidy Report

Robert MacPherson, Water and Wastewater Technician

CR2020-186

Moved By Councillor Dunn

Seconded By Councillor Yeo

That Report WWW2020-005, **Flood Prevention Subsidy Report**, be received.

Carried

CR2020-187

Moved By Councillor Dunn

Seconded By Councillor Elmslie

That Staff present a program for sewer backup subsidy that meets the needs of residents, including financial constraints, to Council for consideration by the end of Q4, 2020; and

That the report back include a Flood Prevention Loan option for consideration.

Carried

8. Planning Advisory Committee

8.1 Correspondence Regarding Planning Advisory Committee Recommendations

8.2 Planning Advisory Committee Minutes

July 15, 2020 - Planning Advisory Committee Meeting Minutes

CR2020-188

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Veale

That the Minutes of the July 15, 2020 Planning Advisory Committee Meeting be received and the recommendations, included in Section 8.3 of the Agenda, be adopted.

Carried

8.3 Business Arising from Planning Advisory Committee Minutes

8.3.1 PAC2020-013

That Report PLAN2020-021, respecting **Part of Lot 6, Concession 15 being Part Block M, Plan 119, Part 1, RP 57R-6698, former Village of Woodville, Application D06-2020-005**, be received; and

That a Zoning By-law, respecting application D06-2020-005, substantially in the form attached as Appendix D to Report PLAN2020-021 be approved for adoption by Council; and

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

Carried

8.3.2 PAC2020-014

That Report PLAN2020-022, respecting **Part Lot 1, Concession 11, Parts 1-4, Plan 57R-8375, geographic Township of Laxton, Application D06-2020-006**, be received; and

That a Zoning By-law, respecting application D06-2020-006, substantially in the form attached as Appendix D to Report PLAN2020-022 be approved for adoption by Council; and

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

Carried

8.3.3 PAC2020-015

That Report PLAN2020-023, **57R-7429, Parts 1 and 2; Part of Lot 16, Concession 4, Geographic Township of Ops, 2548346 Ontario Inc. – Applications D01-2020-002 and D06-2020-007**, be received;

That an Official Plan Amendment respecting application D01-2020-002, be prepared, approved and adopted by Council;

That a Zoning By-law Amendment respecting application D06-2020-007, be prepared, 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

8.3.4 PAC2020-016

That Report PLAN2020-014, **Provincial Policy Statement 2020 Information Report**, be received.

Carried

8.4 Items Extracted from Planning Advisory Committee Minutes

9. Planning Reports

9.1 PLAN2020-018

Amend Lindsay Official Plan and 2000-75 Zoning By-law - 2645286 Ontario Inc.

Ian Walker, Planning Officer, Large Developments

CR2020-189

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Veale

That Report PLAN2020-018, **Part of Lot 21, Concession 4, 57R-7657 Part 1, Former Town of Lindsay, 2645286 Ontario Inc. – Applications D01-2019-005 and D06-2019-035**, be received;

That a By-law to implement the proposed Official Plan Amendment, substantially in the form attached as Appendix 'C' to Report PLAN2020-018, be approved and adopted;

That the zoning by-law amendment, substantially in the form attached as Appendix 'D' to Report PLAN2020-018, be approved and adopted;

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

9.2 PLAN2020-024

Request by CIC Developments Inc. to Enter into a Subdivision Agreement for Plan of Subdivision 16T-88009, File No. D05-2018-002, Ravines of Lindsay Estates Subdivision

Ian Walker, Planning Officer, Large Developments

CR200-190

Moved By Councillor Yeo

Seconded By Councillor Dunn

That Report PLAN2020-024, **Ravines of Lindsay Estates Subdivision Agreement**, be received;

That the Subdivision Agreement for Ravines of Lindsay Estates, City of Kawartha Lakes, substantially in the form attached as Appendix "C" to Report PLAN2020-024 be approved by Council;

That the reduction of securities be considered once completed works have been confirmed by Staff;

That the recommended payment of Development Charges, as outlined in the draft subdivision agreement contained in Appendix “C” to Report PLAN2020-024, 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

10. Consent Matters

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

Mayor Letham 10.2.1, 10.2.2

Councillor Ashmore Item 10.1.1

Councillor Dunn Item 10.1.7

Councillor Elmslie Items 10.1.4, 10.1.6, 10.1.8, 10.1.9, 10.1.10, 10.1.11

Moved By Councillor Seymour-Fagan

Seconded By Councillor Yeo

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, save an except for Items 10.1.1, 10.1.4, 10.1.6, 10.1.7, 10.1.8, 10.1.9, 10.1.10, 10.1.11, 10.2.1 and 10.2.2.

Carried

10.1 Reports

10.1.2 MLE2020-003

Westwood Court Prohibited Parking Area

Aaron Sloan, Manager, Municipal Law Enforcement and Licensing

CR2020-191

That Report MLE2020-003, **Westwood Court Prohibited Parking Area**, be received;

That Schedule ‘A’ of By-Law 2012-173, being a By-law to Regulate Parking, be amended by removing the prohibited parking area on the North side of Westwood Court starting 15 meters west from Northlin Park Road ending 86 meters west in front of 22 Westwood Court; and

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

Carried

10.1.3 RS2020-007

Disposition of Mariposa Community Hall – Update

Laura Carnochan, Law Clerk, Realty Services

CR2020-192

That Report RS2020-007, **Disposition of Mariposa Community Hall – Update**, be received; and

That the actions directed in Council Resolution CR2017-298 be fully completed no later than May 31, 2021 or Council Resolution CR2017-298 is at an end, the Mariposa Community Hall will be returned to the City's asset inventory.

Carried

10.1.5 WM2020-009

Construction and Demolition Recycling Pilot Program

David Kerr, Manager of Environmental Services

CR2020-193

That Report WM2020-009, **Construction and Demolition Recycling Pilot Program**, be received;

That Council approve an extension of the pilot to December 31, 2021 with consideration of an operating budget of \$155,000 in 2021; and

That Staff report back to Council on the success of the construction and demolition waste recycling pilot program by June 30, 2021 with future program recommendations and associated budget.

Carried

10.2 Correspondence

10.3 Reports Extracted from Consent

10.1.8 RD2020-002

Maintenance Responsibility - Francis Street East, Fenelon Falls

Bryan Robinson, Director of Public Works

CR2020-191

Moved By Councillor Elmslie

Seconded By Councillor Ashmore

That Report **RD2020-002, Maintenance Responsibility – Francis Street, Fenelon**, be received;

That Staff be directed to perform winter maintenance only on the shared laneway and provide notice to the benefitting owners; and

That Staff be directed to consider the shared laneway part of the municipally assumed road infrastructure, to provide associated maintenance and capital asset management.

Carried

10.1.9 RD2020-004

Limited Service Agreement Update – Gillis Street

Bryan Robinson, Director of Public Works

CR2020-192

Moved By Councillor Dunn

Seconded By Councillor Yeo

That Report RD2020-004, **Level of Service for Gillis Street**, be received;

That Staff be directed to continue to work with the road representative(s) to attempt to enter into a limited service agreement; and

That should an agreement not be reached by the end of September 30, 2021 the City cease service on the private road.

A Recorded Vote was requested by Councillor Elmslie.

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

10.1.10 RD2020-005

Limited Service Agreement Update – Killarney Bay Road

Bryan Robinson, Director of Public Works

CR2020-193

Moved By Councillor Elmslie

Seconded By Councillor Yeo

That Report RD2020-005, **Limited Service Agreement Update – Killarney Bay Road**, be received;

That Staff be directed to continue to work with the road representative(s) to attempt to enter into a limited service agreement; and

That should an agreement not be reached by the end of June, 2021, that the City cease service on the private section of Killarney Bay Road running north from Whitetail Road.

Carried

10.1.11 RD2020-006

Limited Service Agreement Update – Grove Road

Bryan Robinson, Director of Public Works

CR2020-194

Moved By Councillor Elmslie

Seconded By Councillor Yeo

That Report RD2020-006, **Limited Service Agreement Update – Grove Road**, be received;

That Staff be directed to continue to work with the road representative(s) to attempt to enter into a limited service agreement; and

That should an agreement not be reached by the end of June, 2021, that the City cease service on the unassumed road.

Carried

10.1.1 CLK2020-006

Procedural By-law Amendment - Electronic Participation

Cathie Ritchie, City Clerk

CR2020-195

Moved By Councillor Ashmore

Seconded By Deputy Mayor O'Reilly

That Report CLK2020-006, **Full Electronic Participation - Amendments to the Procedural By-law**, be received;

That Council approves full electronic participation in accordance with section 238 (3.1, 3.3, 3.4 and 3.5) of the Municipal Act as amended by Bill 197 Schedule 12, for Council, all Local Boards and Committees;

That Council approves full electronic participation as prescribed for all Other Advisory Committees and Task Forces amending all Terms of Reference effective July 28, 2020; and

That a by-law to amend the Procedural By-law be forwarded to Council for approval.

Carried

10.1.4 PUR2020-020

2020-18-CQ Bobcaygeon Beach Park Redevelopment and Construction

Ashley Wykes, Buyer

CR2020-196

Moved By Councillor Elmslie

Seconded By Councillor Seymour-Fagan

That Report PUR2020-020, **2020-18-CQ, Bobcaygeon Beach Park Redevelopment and Construction**, be received;

That Melfer Construction Inc. be selected for the award of 2020-18-CQ Bobcaygeon Beach Park Redevelopment and Construction for the total quoted amount, not to exceed \$5,163,450 not including HST;

That subject to receipt of the required documents, the Mayor and City Clerk be authorized to execute the agreement to award this quotation; and

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

Carried

CR2020-197

Moved By Councillor Elmslie

Seconded By Councillor Seymour-Fagan

That Staff provide a breakdown of the additional expenditure for the Bobcaygeon Beach Park Redevelopment and Construction in the amount of \$1,741,861 for Council's consideration; and

That the breakdown include supporting documentation to itemize the provisional items within the additional expenditure.

Carried

10.1.6 WM2020-010

Use of Large Roll-Out Carts for Curbside Collection

David Kerr, Manager of Environmental Services

CR2020-198

Moved By Councillor Elmslie

Seconded By Councillor Dunn

That Report WM2020-010, **Use of Large Roll-Out Carts for Curbside Collection**, be received; and

That the use of large roll-out carts for curbside collection remain status quo and be referred to staff for a report back by the end of Q4, 2020 outlining the financial impact and contract implications.

Carried

10.1.7 ENG2020-010

Angeline Street North Sidewalk Extension

Juan Rojas, Director of Engineering and Corporate Assets

CR2020-199

Moved By Councillor Dunn

Seconded By Councillor Yeo

That Report ENG2020-010, **Angeline Street North Sidewalk Extension**, be received.

Carried

10.4 Correspondence Extracted from Consent

10.2.1 CC2020-07.10.2.1.

Memorandum Regarding Feedback from the Economic Recovery Task Force

Mayor Letham

CR2020-200

Moved By Councillor Dunn

Seconded By Deputy Mayor O'Reilly

THAT the Memorandum from Mayor Letham, **regarding feedback from the Economic Recovery Task Force**, be received;

THAT Council turn on all of the Kawartha Lakes Strategic Community Improvement Plan (CIP) programs so that staff can promote the priority programs that align with recovery initiatives as needed; and

THAT Staff work towards re-structuring the program for a fall intake, and report back to Council on the program uptake.

Carried

10.2.2 CC2020-07.10.2.2.

Memorandum Regarding an Update from the Community Pandemic Recovery Task Force

Rod Sutherland, Director of Human Services

CR2020-201

Moved By Councillor Elmslie

Seconded By Councillor Dunn

That the Memorandum from Rod Sutherland, Director of Human Services, **Update from Community Pandemic Recovery Task Force**, be received for information purposes.

Carried

10.4.1 CC2020-07.10.4.1.

Memorandum Regarding Traffic Control at Wellington Street and Victoria Avenue, Lindsay

Councillor Dunn

CR2020-202

Moved By Councillor Dunn

Seconded By Councillor Yeo

That the Memorandum from Councillor Dunn, regarding **traffic Control at Wellington Street and Victoria Avenue, Lindsay**, be received; and

That Staff be directed to conduct a Traffic Control study at the intersection of Wellington Street and Victoria Avenue, Lindsay, and report their findings to Council by the end of Q2, 2021.

Carried

10.4.2 CC2020-07.10.4.2.

Memorandum Regarding Speed Reduction for Sections of Kings Wharf Road and Scotch Line Road

Councillor Ashmore

CR2020-203

Moved By Councillor Ashmore

Seconded By Councillor Seymour-Fagan

That the Memorandum from Councillor Ron Ashmore, regarding **speed reductions along Kings Wharf Road and Scotch Line road** be received;

That Staff prepare a report regarding King's Wharf Road, from Heights Road to Sturgeon Road, and Scotch Line Road, from Beatty's Road to Highway 36, in order to determine if they meet the requirements for a speed reduction to 60 km/hr; and

That Staff bring their findings to Council by the end of Q2, 2021.

Carried

10.4.3 CC2020-07.10.4.3.

Memorandum Regarding News Release on Cold Lake Alberta's Council Opposition of Federal Government Firearm Ban

Councillor Ashmore

CR2020-204

Moved By Councillor Ashmore

Seconded By Councillor Dunn

That the Memorandum and news release from Councillor Ron Ashmore, regarding a **News Release on Cold Lake Alberta's Council Opposition of Federal Government Firearm Ban**, be received for information purposes only.

Carried

10.4.4 CC2020-07.10.4.4.

Memorandum Regarding Road Resurfacing in Victoria Place, Bobcaygeon
Councillor Ashmore

CR2020-205

Moved By Councillor Ashmore

Seconded By Councillor Yeo

That the Memorandum from Councillor Ron Ashmore, **regarding correspondence and a petition from the residents of Victoria Place relating to Road Reconstruction**, be received; and

That staff be asked to consider Victoria Place in the 5-year roads plan.

Carried

10.4.5 CC2020-07.10.4.5.

Memorandum Regarding Thurstonia and Cedar Glen Docks Policy
Councillor Ashmore

Moved By Councillor Ashmore

Seconded By Deputy Mayor O'Reilly

That the Memorandum from Councillor Ron Ashmore, regarding **Thurstonia and Cedar Glen Docks Policy**, be received;

That Staff resume assigning leases to unclaimed or vacant lease spaces in Thurstonia; and

That Staff consider a similar system for Cedar Glen waterfront in order to provide a fair and equitable system of allocating dock space.

Motion Failed

CR2020-206

Moved By Councillor Ashmore

Seconded By Councillor Yeo

That the Memorandum from Councillor Ron Ashmore, regarding **Thurstonia and Cedar Glen Docks Policy**, be received.

Carried

10.4.6 CC2020-07.10.4.6.

Memorandum Regarding Traffic Control at Clifton Street and Kennedy Street, Fenelon Falls

Councillor Elmslie

CR2020-207

Moved By Councillor Elmslie

Seconded By Councillor Yeo

That the Memorandum from Councillor Doug Elmslie, regarding **the Implementation of a Three-Way Stop at the Intersection of Kennedy Drive and Clifton Street in Fenelon Falls**, be received; and

That staff be instructed to erect a three-way stop at the intersection of Kennedy Drive and Clifton Street.

Carried

11. Petitions

12. Other or New Business

13. By-Laws

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

CR2020-208

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Ashmore

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.

Carried

13.1 By-Laws by Consent

13.1.1 By-law 2020-056

A By-law to Amend By-law 2020-001, being a By-law to Govern and Regulate the Proceedings of the Council of the City of Kawartha Lakes

13.1.2 By-law 2020-057

A By-law to Amend By-law 2017-066, being a By-law to Establish Records Retention Periods for the Records of the City of Kawartha Lakes

13.1.3 By-law 2020-058

A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes

13.1.4 By-law 200-059

A By-law to Repeal By-law 2019-171, being a By-law to Appoint a Municipal By-law Enforcement Officer for the Purpose of Enforcing Licensing By-laws

13.1.5 By-law 2020-060

A By-law to amend By-law 2012-173, being a By-law to Regulate Parking

13.1.6 By-law 2020-061

A By-law to Authorize the Financing of Capital Projects in the City of Kawartha Lakes

13.1.7 By-law 2020-062

A By-law to Authorize the Execution of a Letter of Agreement between Her Majesty in Right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario and the City of Kawartha Lakes related to Funding Provided by the Province of Ontario to the Municipality under the Dedicated Gas Tax Funds for Public Transportation Program

13.1.8 By-law 2020-063

A By-Law To Amend The Village of Woodville Zoning By-Law No. 1993-9 To Rezone Land Within The City Of Kawartha Lakes (99 Agnes Street, Woodville)

13.1.9 By-law 2020-064

A By-Law to Amend The United Townships of Laxton, Digby and Longford Zoning By-Law No. 32-83 To Rezone Land Within The City Of Kawartha Lakes (7178 Highway 35)

13.1.10 By-law 2020-065

A By-Law to Amend the City of Kawartha Lakes Official Plan to Re-designate Land within the City of Kawartha Lakes (2133 Little Britain Road)

*Circulated with the Amended Agenda

13.1.11 By-law 2020-066

A By-law to Amend the Township of Ops Zoning By-law No. 93-30 to Rezone Land within the City Of Kawartha Lakes (2133 Little Britain Road)

*Circulated with the Amended Agenda

13.1.12 By-law 2020-067

A By-Law to Amend the Town of Lindsay Official Plan to Re-designate Land within the City of Kawartha Lakes (2645286 Ontario Inc.)

13.1.13 By-law 2020-068

A By-law to Amend the Town of Lindsay Zoning By-law No. 2000-75 to Rezone Land within the City Of Kawartha Lakes (2645286 Ontario Inc.)

13.1.14 By-law 2020-069

A By-Law To Temporarily Amend All Zoning By-Laws Within The City Of Kawartha Lakes (Temporary Patios)

13.2 By-Laws Extracted from Consent

14. Notice of Motion

15. Closed Session

15.1 Adoption of Closed Session Agenda

CR2020-209

Moved By Councillor Yeo

Seconded By Councillor Dunn

That the Closed Session agenda be adopted as circulated.

Carried

15.2 Disclosure of Pecuniary Interest in Closed Session Items

Councillor Veale reserved the right to declare a pecuniary interest for Item 15.3.3, if required.

15.3 Move Into Closed Session

CR2020-210

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That Council convene into closed session at 5:18 p.m. pursuant to Section 239(2) of the Municipal Act, S.O. 2001 s.25, in order to consider matters identified in Section 15.3. of the Regular Council Meeting Agenda of Tuesday, July 28, 2020, namely Items 15.3.1 to and including 15.3.5.

Carried

16. Matters from Closed Session

Item 15.3.1

The Closed Session Minutes of the Regular Council Meeting held on June 23, 2020 were approved.

Item 15.3.2

Council received an update on the Modernization Review.

Item 15.3.3

Council was provided with an appraisal for portions of Elgin Park, Lindsay.

Item 15.3.4

Council was provided with an appraisal for 7 Morrison Street, Norland.

Item 15.3.5

Waste Management budget considerations were received and direction was given to Staff.

16.1 CC2020-07.16.1.

A By-law to Authorize the Sale of Municipally Owned Property Known as 7 Morrison Street, Norland and Legally Described As Part of Block B, Registered Plan No. 531, in the Geographic Township of Laxton, City of Kawartha Lakes, Described as Part 1 on Plan 57R-3017, being All of PIN: 63113-0284 (LT)

CR2020-217

Moved By Councillor Yeo

Seconded By Councillor Dunn

That a by-law to authorize the sale of a municipally owned property known as 7 Morrison Street, Norland and legally described as part of block B, registered plan

no. 531. I the Geographic Township of Laxton, City of Kawartha Lakes, described as part 1 on plan 57R-3017, being all of PIN: 63113-0284 (LT) be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

17. Confirming By-Law

17.1 CC2020-07.17.1.

A By-Law to Confirm the Proceedings of a Regular Meeting of Council, Tuesday, July 28, 2020

CR2020-218

Moved By Councillor Ashmore

Seconded By Deputy Mayor O'Reilly

That a by-law to confirm the proceedings of a Regular Council Meeting held Tuesday, July 28, 2020 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

18. Adjournment

CR2020-219

Moved By Councillor Richardson

Seconded By Councillor Veale

That the Council Meeting adjourn at 5:59 p.m.

Carried

Read and adopted this 20 day of August, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk



Request to Speak before Council

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

Name: *

Victoria County Historical Society O/A Olde Gaol Museum

Address: *

50 Victoria Avenue N

City/Town/Village:

Lindsay

Province: *

Ontario

Postal Code:

K9V 4G3

Telephone: *

705-324-3404

Email: *

Info@oldegaoilmuseum.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:

Jane Gregory-Gill

Deputant Two:

Barbara Doyle

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

To speak to the matter of the Lease Agreement for the museum and COVID-19 relief funding.

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

Have you discussed this matter with City Staff?

☒ Yes

☐ No

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

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

The Lease Agreement will be adopted by Council and either approval of relief funding or to refer to city staff for approval.

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:

Jane Gregory-Gill

Date:

8/7/2020



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



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: *

Beverly Saunders

Address: *

311 George Street North, Suite 200

City/Town/Village:

Peterborough

Province: *

ON

Postal Code:

K9J 3H3

Telephone: *

705-876-8340

Email: *

bsaunders@ecovueconsulting.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:

Beverly Saunders

Deputant Two:

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

Requesting to speak regarding CKL File D06-2019-018

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?

Sherry Rea - Development Services, Planning Division

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

Remove the language in the draft by-law suggesting a 3 year timeline for Site Plan Approval and instead permit the proposed continued use to be permanent with a Site Plan requirement only in the event that uses beyond the "continued use" are proposed.

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:



Date:

August 17, 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

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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: *

Larry Junkin

Address: *

[REDACTED]

City/Town/Village:

[REDACTED]

Province: *

[REDACTED]

Postal Code:

[REDACTED]

Telephone: *

[REDACTED]

Email: *

[REDACTED]

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:

Larry Junkin

Deputant Two:

First Name, Last Name

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

Plan 2020-025, rezoning of 36 Walkers Road,

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

Have you discussed this matter with City Staff?

☒ Yes

☐ No

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

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

Clarification of change in application details

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:

Larry Junkin

Date:

8/17/2020



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:
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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: *

Heather Stauble

Address: *

37 Manvers Station Road

City/Town/Village:

Pontypool

Province: *

ON

Postal Code:

L0A 1K0

Telephone: *

705-324-9411

Email: *

heatherstauble@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:

Heather Stauble

Deputant Two:

First Name, Last Name

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

Information and background 10.1.4

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

Have you discussed this matter with City Staff?

☐ Yes

☒ No

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

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

Receive Report. No action.

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:

Heather Stauble

Date:

8/18/2020



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
Planning Advisory Committee Meeting

PC2020-04
Wednesday, August 12, 2020
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 Kathleen Seymour-Fagan
Councillor Andrew Veale
Mike Barkwell
Jason Willock

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 and Adoption of Agenda

Chairperson Deputy Mayor O'Reilly called the meeting to order at 1:00 p.m. Mayor A. Letham, Councillors K. Seymour-Fagan, and A. Veale and M. Barkwell, and J. Willock were in attendance.

Deputy Clerk and Recording Secretary J. Watts, Director of Development Services C. Marshall, Manager of Planning R. Holy, Supervisor of Development Engineering C. Sisson, Planning Officer - Large Developments I. Walker, Planners II D. Harding, A. Kalnina, and K. Stainton were also in attendance.

Note to Minutes: A letter of resignation was received by T. Smith on August 10, 2020 after the publication of the agenda. A letter of appreciation was forwarded to Ms. Smith for her contribution to the community.

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

PAC2020-018

Moved By J. Willock

Seconded By Councillor Seymour-Fagan

That the agenda for the Wednesday, August 12, 2020 Planning Advisory Committee Meeting be adopted as circulated.

Carried

2. Declarations of Pecuniary Interest

The following is a list of the declarations of pecuniary interest disclosed.

2.1 M. Barkwell - PLAN2020-027

"I represented the owners of Home Hardware in the purchase of an adjoining property that is part of this property seeking a change in zoning."

3. Public Meeting Reports

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 PLAN2020-026

Richard Holy, Manager of Planning

An application to amend the Oak Ridges Moraine Zoning By-law 2005-133 and

the Township of Manvers Zoning By-law 87-06 on land described as Part Lot 24, Concession 8, geographic Township of Manvers - Woodland Hills Community Inc.

3.1.1 Public Meeting

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

Mr. Holy confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 120 metres, and a sign was posted on the subject property. He summarized the application, explaining that it proposes to harmonize development standards to permit 5 lots and to decrease the size of 5 lots fronting on future Country Place to accommodate a municipal stormwater management block. It also proposed to replace the commercial block fronting Ski Hill Road between Rustlewood Avenue and Country Place with a stormwater management pond and 3 residential lots. The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan, Kawartha Lakes Oak Ridges Moraine Policy Area and the Kawartha Lakes Official Plan. Mr. Holy summarized the comments received to date, as detailed in his report, noting that no commenting agencies or staff had any concerns with the proposal. Staff are recommending that the application be referred back to staff to address any issues raised by the public at the meeting. He responded to questions from Committee members.

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

Donald Kerr spoke as applicant and stated that he supported the report, and thanked Richard for preparing it. He noted that their engineer Steve Clark was available if there are any questions.

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

No other persons spoke to the application.

Mayor Letham questioned that since there were no concerns raised by the public nor any outstanding agency concerns, whether the application could be moved forward for approval. Mr. Holy advised that it would be appropriate to move the proposal forward for approval.

The Public Meeting concluded at 1:20pm.

3.1.2 Business Arising from the Public Meeting

PAC2020-019

Moved By Mayor Letham

Seconded By Councillor Veale

That Report PLAN2020-026, **Woodland Hills Community Inc. – D05-31-015 and D06-2018-014**, be received; and

That Zoning By-law Amendments respecting applications D05-31-015 and D06-2018-014, be prepared, 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

3.2 PLAN2020-027

Ian Walker, Planning Officer - Large Developments

Application to amend the Village of Fenelon Falls Official Plan, Village of Fenelon Falls Zoning By-law 89-25, and the Township of Fenelon Zoning By-law 12-95 on property identified as 126 and 130 Lindsay Street, and 573 Kawartha Lakes Road 121, Fenelon Falls - Farley Bear Inc.

M. Barkwell declared a conflict on this item. ("I represented the owners of Home Hardware in the purchase of an adjoining property that is part of this property seeking a change in zoning.")

M. Barkwell left the Council Chambers at 1:21pm.

3.2.1 Public Meeting

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

Mr. Walker confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 120 metres, and a sign was posted on the subject property. He summarized the application, explaining that it proposes to change the following:

- Amend the land use designation in the Fenelon Falls Official Plan from the 'Low Density Residential' designation to the 'District Commercial' designation for 126 and 130 Lindsay Street;

- Change the zone category in the Fenelon Falls Zoning By-law from the 'Residential Type One (R1) Zone' to a 'District Commercial Exception ** (C2-**) Zone' to correspond with the change in designation noted above; and
- Amend the zone provisions and general provisions in the Township of Fenelon Zoning By-law within the existing 'Highway Commercial Exception Seven (C2-7) Zone' for 573 Kawartha Lakes Road 121;

The purpose of these amendments is to permit the conversion of, and expansion to the existing Home Hardware store into a full Home Hardware Building Centre. The application is consistent with the Provincial Policy Statement, and conforms to the Growth Plan. Through a comprehensive review and any appropriate revisions to the technical reports and plans, conformity with the policies of the Official Plan should be achieved. Mr. Walker summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report additional comments were received from Kawartha Conservation with no concerns for the applications, however they identified four matters that could be addressed in the site plan process. Staff are recommending that the applications be referred back to staff for further review and processing until such time as all comments have been received, and any concerns have been addressed. He responded to questions from Committee members.

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

Bob Clark spoke as the applicant on behalf of the owners, noting that the report is thorough and complete. He stated that the conservation and engineering comments can be addressed. He also noted that the owners Dave and Nancy Jackett, and the project manager Mark Wilson were available if there were any questions.

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

No other persons spoke to the application.

The Public Meeting concluded at 1:28pm.

3.2.2 Business Arising from the Public Meeting

PAC2020-020

Moved By Councillor Veale

Seconded By J. Willock

That Report PLAN2020-027, Fenelon Part Road Allowance and Plan 100, Part Lot 78, 57R-10509, Part 4, Former Village of Fenelon Falls; Plan 100, Lot 79, W/S Lindsay St, Former Village of Fenelon Falls; and Plan 49, Lot 16

and Part Lot 15 W West St, Part Lots 15 to 20 E Dick St, Part Blocks A and G, Part Dick St, 57R-5028 Parts 1 and 2, Part of Lot 22, Concession 9, Geographic Township of Fenelon, Farley Bear Inc. – Applications D01-2020-003 and D06-2020-014, be received; and

That an Official Plan Amendment respecting application D01-2020-003, be prepared, approved and adopted by Council;

That Zoning By-law Amendments respecting application D06-2020-014, be prepared, 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

Mike Barkwell returned to the Council Chambers at 1:29pm.

3.3 PLAN2020-028

David Harding, Planner II

An application to amend the Township of Fenelon Zoning By-law 12-95 on land described as Part North Half of Lot 8, Part South Half of Lot 8, Part of Lot 9, Concession 5, geographic Township of Fenelon, City of Kawartha Lakes, identified as 4027 Highway 35 - Teubner (2324784 Ontario Inc.)

3.3.1 Public Meeting

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

Mr. Harding confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500 metres, and a sign was posted on the subject property. He summarized the application, explaining that it proposes, as a condition of provisional consent, the agricultural land to be retained be rezoned from Agricultural (A1) Zone to Agricultural Exception Twenty-Six (A1-26) Zone in order to prohibit residential use, recognize its deficient frontage, and impose a holding provision to prohibit the construction of agricultural buildings until such time as the owner chooses to enter into an agreement with the City to upgrade a suitable length of Robin Road. To further clarify how the lot containing the dwelling is to be used and recognize the reduced lot frontage that is proposed, said lot is also being rezoned from Agricultural (A1) Zone to Rural Residential Type One Exception Twenty-One (RR1-21) Zone. The application is consistent with the Provincial Policy

Statement, conforms to the Growth Plan and the Kawartha Lakes Official Plan. Mr. Harding summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report no additional comments were received. Staff are recommending that the application be referred to Council for approval.

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

David McKay of MHBC Planning spoke as the applicant on behalf of the owner and stated that they were supportive of the recommendation and made himself available for any questions from the members of the committee.

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

No other persons spoke to the application.

The Public Meeting concluded at 1:34pm.

3.3.2 Business Arising from the Public Meeting

PAC2020-021

Moved By Councillor Seymour-Fagan

Seconded By M. Barkwell

That Report PLAN2020-028, **Part North Half of Lot 8, Part South Half of Lot 8, Part of Lot 9, Concession 5, geographic Township of Fenelon, City of Kawartha Lakes, identified as 4027 Highway 35, 2324784 Ontario Inc. – D06-2019-030**, be received;

That a Zoning By-law Amendment respecting application D06-2019-030, substantially in the form attached as Appendix D to Report PLAN 2020-028, 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

3.4 PLAN2020-029

David Harding, Planner II

An application to amend the Township of Somerville Zoning By-law 78-45 on lands described as Part of Lots 10-12 Front Range, geographic Township of Somerville identified as 34 and 44 Royal Cedar Road - Ellis, Walker, and Canada Royal Resort Inc.

3.4.1 Public Meeting

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

Mr. Harding confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 500 metres, and a sign was posted on the subject property. He summarized the application, explaining that it proposes to facilitate the enlargement of 44 Royal Cedar Road by rezoning the property and the lands to the south of it from Commercial Recreation (C3) Zone to Commercial Recreation Exception One Holding (C3-1(H)) Zone, and rezone the lands to the east and southeast of 44 Royal Cedar Road from Rural General (RG) Zone to Future Development Holding (D(H)) Zone. The holding provision is to impose site plan control. The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan and the Kawartha Lakes Official Plan. Mr. Harding clarified the boundaries of the lands proposed to be rezoned, and noted that the application is the result of provisional consent conditions.

Mr. Harding summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report a number of additional comments and correspondence were received from the following members of the public:

- Chad Armstrong
- Nicole Armstrong
- David Donais and Dean Michel - Balsam Lake Association
- Garry Henderson and Laurie Brawn
- Darryl and Valerie Cooper
- Lynn Coulson
- Katie Freeman
- Scott Freeman
- Sheila Freeman
- Stacey Gateman
- Wayne and Beverly Harrington
- Neil Henderson
- Karen Henley
- Peter Henley
- Peter Honeyborne
- Greg Houston

- Kelly Houston
- Peter Houston
- Kyla Marshall and Phillip Houston
- Rob Jardine
- Gordon Lee
- Lindsay Lourenco
- David and Donna Mountain
- Debbie and Mark Olan
- Lisa Pope
- Steve Pope
- Jeanette Tomkowski
- Cheryl Watson
- Jim Watson
- Carol and Alan Woodward

Mr. Harding summarized the comments and correspondence of the above individuals into the following general themes and questions:

- What and where are the proposed expansions
- The dormancy of the resort over the last 5 years
- Intensity of the expansion to the resort and the impacts on traffic, noise, and safety
- Adequacy of the sewage systems
- Tree clearing
- Impacts to habitat and wildlife of Balsam Lake
- Whether authorization was granted for the works on the resort and the shorelines
- Resort management, including who owns the resort, what is currently occurring, and the burning of garbage

Jane and Robert Ellis, owners of some of the lands in the application, also submitted correspondence in support of the application. Mr. Harding noted that in light of the additional comments received, staff are recommending that the application be referred to back to staff for further review so that the owner, applicant, and staff can have further discussion to address the comments received. Mr. Harding and Mr. Marshall responded to questions from the members of the committee.

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

Kai Chen spoke as the applicant and one of the owners of the properties. He addressed some of the concerns from the neighbours stating that since 2016, he has been making several room improvements, however was he not initially aware that the septic system was not on the resort lands. As such, he stated that he cannot open the resort until they acquire the lands with the septic system. He noted that they had reduced the number of the rooms from 55 to 44, so it isn't so crowded. He also stated that there had been some burning of wood on the property, however he had paid for general waste removal. Finally, he noted that this application would give up his rights to complete the development until the City approves any changes, thereby giving more control to the City, and that he is trying his best to satisfy the concerns of the neighbours and the City. He responded to questions from the members of the committee.

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

Jane Ellis, an owner of 34 Royal Cedar Road and the vacant lands to the east, thanked Mr. Harding for consolidating the concerns from the neighbours. She clarified that a 'gentleman's agreement' was made with the previous resort owner for the septic system, and that they have been working to sell the land to the new owner for four years. She had earlier requested that the application be deferred, however acknowledged that she would hear out the comments provided today.

Greg Houston, owner of lands to the south of the property, stated that he had no issues with the 8 small cottages nearby that were rented out by the Ellises, however he presented his concern for a building with 34 rooms and 2 stories. He noted that they have a quiet, and beautiful laneway and were worried about property value of adjacent properties. He stated that they would love to meet with Mr. Chen and increase communication, and were happy to see the property improving, however that they were concerned about such a large building closer to their property.

Karen Henley stated that she had been following the history of the applications on this property, and when she initially saw an application for luxury resort with water park, she filed an objection, due to the lack of details provided. She thanked Mr. Harding for his prompt responses. She questioned the existing ownership and the experience of the corporation who owns the property, and stated that she was not confident that this would be a successful development. She requested that the applicant supply detailed concepts, and that staff supply complete responses to all questions of concern. Finally she requested that this application be referred back to allow all parties to go back to the table and address the issues raised.

Rob Jardine spoke on behalf of the Balsam Lake Association who monitors development activity on the lake. He thanked Mr. Harding for a prompt and thorough response, however he noted that the application had not provided additional information, or a concept plan which should be required for effective public consultation. He stated that they are looking for a deferral on this application, until a detailed concept plan is presented.

Stacey Gateman thanked Mr. Harding for clarifying concerns she addressed. She questioned if this proposed change in zoning would set a precedent for altering the additional nearby lands in the future. She also noted that she would be happy to receive additional information in the future.

No other persons spoke to the application.

The Public Meeting concluded at 2:25pm.

3.4.2 Business Arising from the Public Meeting

PAC2020-022

Moved By Mayor Letham

Seconded By Councillor Seymour-Fagan

That Report PLAN2020-029, **Part of Lots 10-12, Front Range, geographic Township of Somerville, City of Kawartha Lakes, identified as 34 and 44 Royal Cedar Road, Canada Royal Resort Inc., Robert and Elizabeth Ellis, Robert Walker and Peter Walker – D06-2020-002**, be received;

That application D06-2020-002 be referred back to staff for processing and addressing all public comments received; and

That once all public comments have been addressed on application D06-2020-002, that an additional Public Meeting be held at the Planning Advisory Committee on this matter.

Carried

3.5 PLAN2020-030

Kent Stainton, Planner II

An application to amend the Township of Mariposa Zoning By-law 94-07 on land described as Part Lot 20, Concession 8, geographic Township of Mariposa, identified as 1220 Highway 7, Oakwood - Davidson

3.5.1 Public Meeting

Councillor Seymour-Fagan left the Council Chambers at 2:29pm.

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

Mr. Stainton 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. He summarized the application, explaining that it proposes, as a condition of the provisional consent decision, that the agricultural land being severed is rezoned to prohibit residential uses and to set out specific development standards. To acknowledge the existing residential and agricultural-support uses and to set out specific development standards, the retained lands are to be rezoned to a rural general exception zone category. The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan and the Kawartha Lakes Official Plan. Mr. Stainton summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report, no additional comments were received. Staff are recommending that the application be forwarded to Council for approval.

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

Doug Carroll spoke as the applicant and on behalf of the owner. He stated that the report was comprehensive, and covered all the necessary points. He said that the owner and the family have operating the farming operation since the 1960s, and that this application will allow the 3rd generation of the family to do the same. Mr. Carroll stated that if this application is approved, they can finalize the agreement for sale with the abutting farm. He made himself available for any questions.

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

No other persons spoke to the application.

The Public Meeting concluded at 2:32pm.

Councillor Seymour-Fagan returned to the Council Chambers at 2:32pm.

3.5.2 Business Arising from the Public Meeting

PAC2020-023

Moved By Councillor Veale

Seconded By J. Willock

That Report PLAN2020-030, respecting Part Lot 20, Concession 8, geographic Township of Mariposa, and identified as 1220 Highway 7 – Application D06-2020-012, be received;

That a Zoning By-law Amendment respecting application D06-2020-012, substantially in the form attached as Appendix D to Report PLAN2020-030, be approved and adopted by Council; and

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

Carried

3.6 PLAN2020-031

Mark LaHay, Planner II

An application to amend the Township of Mariposa Zoning By-law 94-07 on land described as Part Lot 10, Concession 12, geographic Township of Mariposa, identified as 1095 White Rock Road, Woodville - Bedard Sand and Gravel Limited

3.6.1 Public Meeting

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

Mr. Holy, who was presenting on behalf of Mr. LaHay, 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. He summarized the application, explaining that it proposes to permit a quarry operation on the subject land in addition to the existing permitted sand and gravel pit operation and to add a recyclables storage area as a permitted use. Subject to confirmation from the relevant City Departments and/or Agencies, these applications appear to be consistent with the PPS and the Kawartha Lakes Official Plan, and the application appears to conform to the Growth Plan. Mr. Holy summarized the comments received to date, as detailed in Mr. LaHay's report, noting that subsequent to the writing of the report additional comments were still awaiting to be received from various commenting agencies. Staff are recommending that the application be referred back to staff for further review and processing until such time as comments have been received from all circulated agencies and City Departments, all studies have been peer-reviewed, and that any comments and concerns have been addressed. He responded to questions from Committee members.

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

Darryl Tighe of DM Wills spoke as the applicant on behalf of the owner, Jim Bedard Sand and Gravel. He stated that the property is currently a Class A aggregate extraction operation established in 1961 with a maximum tonnage limit having been established on the site. He stated that less than 50% of the lands had been disturbed, and that they are requesting 2 additional permitted uses, including the extraction of the limestone, and the storage of recyclable material. He noted that the existing entrance, haul route, and traffic volume would remain the same. In conclusion he stated that the approval of the by-law would represent good planning, and that he concurred with the staff recommendation.

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

No other persons spoke to the application.

The Public Meeting concluded at 2:49pm.

3.6.2 Business Arising from the Public Meeting

PAC2020-024

Moved By Councillor Veale

Seconded By J. Willock

That Report PLAN2020-031, **respecting Part Lot 10, Concession 12, Geographic Township of Mariposa, Bedard Sand and Gravel Limited – Application D06-2020-004**, be received; and

That the application respecting the proposed Zoning By-law Amendment be referred back to staff until such time as all comments have been received from all circulated agencies and City Departments, and for further review and processing.

Carried

3.7 PLAN2020-032

Mark LaHay, Planner II

Applications to amend the Village of Bobcaygeon Zoning By-law 16-78, and a Draft Plan of Condominium on land described as Part Lots 12 and 13, Concession 19, Part Lot 40, former Village of Bobcaygeon, identified as Lakewood Crescent, Bobcaygeon - Port 32 Inc.

3.7.1 Public Meeting

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.

J. Willock left the Council Chambers at 2:50pm.

Mr. Holy presented on behalf of Mr. LaHay and confirmed that the required notice was given in accordance with the Planning Act and circulated to each owner of land within 120 metres, and a sign was posted on the subject property. He summarized the application, explaining that it proposes to permit a residential condominium development consisting of 48 townhouse dwelling units on a common elements condominium road accessed from Lakewood Crescent. Subject to confirmation from the relevant City Departments and agencies, these applications appear to be consistent with the PPS and conform to the Growth Plan and the Victoria County Official Plan. Mr. Holy summarized the comments received to date, as detailed in Mr. LaHay's report, noting that subsequent to the writing of the report additional comments were received from the following members of the public:

- Beverley Secor, Craig Poole & Jay Poole
- Mark and Carol Sones
- Warren Hartigan
- Mike Groat
- Russ Phillips

Mr. Holy summarized the comments received noting concerns with traffic in the area, access and visibility on Lakewood Crescent, local area osprey nesting, and questions about the development from a policy perspective. He noted that the comments would be provided to the developer. He stated that staff are recommending that the application be referred back to staff for further review and processing until such time as comments have been received from all circulated agencies and City Departments, and that any agency and public comments and concerns have been addressed. Mr. Holy responded to questions from Committee members.

J. Willock returned to the Council Chambers at 2:52pm.

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

Tom deBoer of TD Consulting spoke as the applicant on behalf of the owner. He stated that there is still some work to do for responses to all the agencies and comments from the public, as could be appreciated due to the complexity of the file. He also stated that Hydro One was planning to move the existing infrastructure on the property and relocate the osprey nests in the fall. He responded to the questions from the Committee.

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

Russ Phillips of 71 Mill Street, stated that he lives close to the nearby intersection of Mill Street and Lakewood Crescent, and he has been requesting a stop sign at this intersection from City Engineering staff. He stated that he believed that the intersection would warrant a stop sign with the development.

No other persons spoke to the application.

The Public Meeting concluded at 3:05pm.

3.7.2 Business Arising from the Public Meeting

PAC2020-025

Moved By Mayor Letham

Seconded By Councillor Seymour-Fagan

That Report PLAN2020-032, respecting Part Lots 12 & 13, Concession 19, Part Lot 40, RCP 564, 57R-7890, Parts 2 to 5, former Village of Bobcaygeon, Port 32 Inc. – Applications D06-17-028 & D04-17-001, be received; and

That the applications respecting the proposed Zoning By-law Amendment and the Draft Plan of Condominium be referred back to staff until such time as all comments have been received from all circulated agencies and City Departments, and for further review and processing.

Carried

4. Deputations

5. Correspondence

6. City of Kawartha Lakes Reports

6.1 Memorandum

Anna Kalnina, Planner II

Proposed Amendment One to A Place to Grow: A Growth Plan for the Greater Golden Horseshoe and Proposed Land Needs Methodology

Ms. Kalnina provided an overview of her memorandum noting the highlights of the Ontario Government's Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe and Proposed Land Needs Assessment Methodology. She also provided an overview of the City's comments submitted to the Province on this matter on July 28, 2020. She responded to questions from the members of the Committee.

PAC2020-026

Moved By Councillor Veale

Seconded By Councillor Seymour-Fagan

That the August 12, 2020 Planning Advisory Committee Memorandum from Anna Kalnina regarding the **Proposed Amendment One to A Place to Grow: Growth Plan for the Greater Golden Horseshoe and Proposed Land Needs Assessment Methodology**, be received.

Carried

7. Adjournment

PAC2020-027

Moved By J. Willock

Seconded By M. Barkwell

That the Planning Advisory Committee Meeting adjourn at 3:12 p.m.

Carried

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PLAN2020-025

Meeting Date: August 20, 2020

Title: Proposed Rezoning to permit the staging of commercial outdoor role playing games at 36 Walker's Road, Verulam

Description: An application to amend the Township of Verulam Zoning By-law to permit the commercial use of hosting outdoor role playing games on a portion of lands described as Part of Lot 26, Concession 6, geographic Township of Verulam, now City of Kawartha Lakes and identified as 36 Walker's Road (William Ashby and Joseph McGale)

Ward Number: 2

Author and Title: Sherry L. Rea, Development Planning Supervisor

Recommendation(s):

That Report PLAN2020-025, **Part of Lot 26, Concession 6, geographic Township of Verulam, identified as 36 Walker's Road, Ashby and McGale - Application No. D06-2019-018**, be received;

That the Zoning By-law amendment, substantially in the form attached as Appendix 'D' to Report Plan 2020-025, be approved and adopted; and

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

Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

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

Background:

The subject land is located in the geographic Township of Verulam, bounded on the west by Walker's Road and on the south by Cedar Tree Road and is approximately 40 ha. One of the owners, Mr. William Ashby operates Underworld LARP, a company that organizes and administers live action role playing (LARP) events around the world. LARP events involve participants who pay a fee for entry, playing characters in a scripted role-playing event and immersing themselves in a fictional 'universe' (i.e. medieval-style) that has been created and scripted by the game organizers. Players act according to the parameters that they have been given, but have the freedom to make choices that contribute to the outcome of the game. Players dress in clothing and apparel that is in keeping with the description of their character. Participants stay in character for the entire event.

On May 24, 2016 By-law 2016-114 was passed by Council which was a Temporary Use By-law to permit LARP activity on a portion of the property on a temporary basis for a period of three (3) years to determine if the business was economically viable. The LARP business was to function on weekends (Friday to Sunday) between May and October. Although temporary tents and huts formed part of the activity, no permanent buildings or structures were permitted.

On April 23, 2019 By-law 2019-076 was passed by Council to extend the temporary use on the property for a further one (1) year timeframe and with a text amendment to include the activity occurring on weekends (Friday to Monday, if included as part of a Statutory or Civic Holiday) between May and November. The extension was necessary to permit the permanent rezoning application to be processed.

Due to the current Covid 19 Pandemic and with no clear legislation to continue temporary uses under the Planning Act, the Temporary Use By-law, being By-law No. 2019-076 lapsed on April 23, 2020; however, the applicant had filed the current zoning by-law amendment application for the permanent use. The owners have determined that the business is viable and seek the ability to construct permanent structures in the future through phased development. The Zoning By-law application which was originally given Notice to replace the Temporary Use By-law is now being processed as a Zoning By-law amendment to Township of Verulam Zoning By-law to continue the LARP use on a permanent basis.

The statutory public meeting with respect to the permanent use Rezoning application was held by the Planning Advisory Committee on September 11, 2019 and the following resolution was passed:

PAC2019-058

Moved By Councillor Seymour-Fagan

Seconded By M. Barkwell

That Report PLAN2019-048, respecting Part of Lot 26, Concession 6, geographic Township of Verulam, and identified as 36 Walker's Road; Application No. D06-2019-018, be received; and

That a Zoning By-law Amendment respecting application D06-2019-018 be referred back to staff for further review and processing until such time as the additional requirements and concerns raised by City Departments, have been addressed.

Carried

This report addresses that direction.

Following the Public Meeting, the owners retained Ecovue Consulting Services Inc. to continue the planning process and make minor amendments to the development proposal. The amendments provided for the following:

1. Year-round use, rather than seasonal use to accommodate single day weekend events during the winter period.
2. Updating the maximum requested total building area from 300 sq.m. to 600 sq.m. in order to reflect additional proposed structures on the property such as:
 - a. three (3) "Town Buildings" on the east side of the property;
 - b. a washroom facility which will serve players during events and eliminating the need to service the 'prop' buildings; and
 - c. temporary structures (less than 10 sq.m.) which will serve as stalls and props in the events.
3. New septic systems, which will service the previous proposed administrative building and the newly proposed washroom facilities on the east side of the property.

Owner:	William Ashby and Joseph McGale
Applicant:	Ecovue Consulting Services Inc. – Beverley Saunders
Legal Description:	Part of Lot 26, Concession 6, geographic Township of Verulam
Designation:	Rural and Environmental Protection with Significant Woodlands in the City of Kawartha Lakes Official Plan
Zone:	General Rural Exception Eighteen (A1-18) and Open Space (OS) within the Township of Verulam Zoning By-law No. 6-87
Lot Area:	Total 40 ha. A1-18 Zone (less than 40 ha.), OS Zone (less than 1 ha.)

- Site Servicing: Private individual well and privies secured with a qualified firm and under maintenance contract.
- Existing Uses: Accessory Buildings - series of structures not exceeding 10 sq.m. which are ancillary to the commercial role playing venue.
- Adjacent Uses: North, South, East and West: Large rural lots including agricultural operations and rural residential uses.

Rationale:

Further to ongoing discussions between the applicant and staff, there were a number of items/issues that needed, to be addressed. These issues, are outlined below, together with an explanation as to how each issue has or will be addressed:

Confirmation that non-compliant structures would be removed

Concerns were raised that existing on-site structures were constructed without building permits. The sizes of the buildings identified on the Existing Building layout submitted with the application indicated that a couple of buildings were in excess of 10 sq.m. The owners suggested that the measurements taken for the buildings were inaccurate. Building Division requested an updated Existing Building layout, attended the site and confirmed that all existing buildings are under 10 sq.m. and do not require building permits. Please see Appendix 'C' attached.

Additional information regarding the use of existing structures on site

Concerns were raised regarding human habitation in the temporary structures. Following site visits and discussions with the applicant and owners, it was agreed to that no human habitation would be permitted in the existing structures and that on site accommodation would be limited to tent camping. Please see the draft zoning by-law attached as Appendix 'D'. One (1) recreational vehicle subject to appropriate servicing under the Ontario Building Code will be permitted.

Request for continued use without site plan approval

Staff through the initial planning report requested that a Holding (H) provision be applied until such time that the owners had entered into a site plan agreement with the City. Concerns were raised by the owners that unforeseen costs and delays in the processing of the permanent use zoning by-law have resulted in financial hardships in moving towards the site plan submission. The applicant proposed a two (2) phase zoning by-law that permits the continued LARP use on the property with limited activity and no permanent structures until such time that site plan approval has been granted. Limited camping is proposed under the continued use scenario. Please see Appendix 'B' attached.

Additional information regarding phasing of the development

The applicant has advised that proposed permanent structures on the site, being the administrative building, comfort station and three (3) mock 'town-buildings' will be considered the maximum build-out of the site. No timeline was provided for the maximum build-out. Staff is not supportive of an open-ended timeline. The applicant is suggesting 3 years for site plan approval and staff is accepting of the proposal.

Additional information on site servicing

Further to concerns raised through the public process regarding site servicing, the applicant submitted two (2) Servicing Plans, each prepared by Cambium Environmental. The initial Water and Waste Water Servicing Plan was dated November 22, 2019 and provided a sewage servicing concept and a water servicing concept based on 100 overnight attendees and 50 daytime attendees. On February 25, 2020, the Water and Waste Water Servicing Plan was updated to include an Interim Servicing Concept to support the request for the continued use scenario until such time that site plan approval has been granted. The Servicing Plans were reviewed by the City's Part 8 Sewage Systems Division and comments provided to support the continued use scenario. The Sewage Division comments are as follows:

1. Recommend the use of portable sanitary units (portable privy) for events along with portable sanitary units to be equipped to handle both greywater and sanitary waste to ensure appropriate disposal of all sanitary waste.
2. That the HKPR District Health Unit be contacted, for further comment as the property will not fall under the jurisdiction of the Building Division through the Ontario Building Code, for sanitary requirements. No building permits are required for the existing buildings.
3. The establishment of any recreational vehicle on the property will require connection to an on-site sewage disposal system approved and permit issued by the Building Division under the minimum requirements of the Ontario Building Code.
4. Outdoor showers were observed, on the property during a recent site visit. The establishment of any outdoor shower will require connection to a sewage disposal system approved and permit issued by the Building Division under the minimum requirements of the Ontario Building Code.
5. For any future construction of buildings exceeding 10 sq.m., plumbing in a building regardless of the size, plumbing not contained within a building and sewage systems will require the owner to obtain building permits prior to commencement of construction.

6. Sewage Division reserves the right to comment on the Site Plan submission. Planning confirms that the Sewage Division is a circulated department through the site plan process.

Curve Lake First Nations comments

Concerns, were raised by the First Nations regarding the absence of any archaeological assessment prior to any development on the site. The applicant and owners have agreed that the Zoning By-law will contain a Holding (H) provision that requires the owner to file an Archaeological Assessment prior to any soil disturbance and to satisfy the Ministry of Heritage, Sport, Tourism and Culture (MHSTC) and Curve Lake First Nation requirements. Please see Appendix 'D' attached.

Provincial Policies:

Provincial Policy Statement (PPS) 2020

The PPS 2020 was released, on February 28, 2020 and came into effect on May 1, 2020. In accordance with the Planning Act, subsection 3(5), a decision of the Council of a municipality shall be consistent with the policy statement that is in effect on the date of the decision. Therefore, the zoning by-law application is now subject to the policies in the PPS 2020.

The PPS 2020 was reviewed, for changes as they relate to the zoning by-law application and staff confirms that there are no applicable changes in the PPS 2020 that affect the zoning by-law application. Staff is satisfied that the zoning by-law application is consistent with the PPS 2020.

Growth Plan for the Greater Golden Horseshoe, 2019 (GP):

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (2019 Growth Plan)

The 2019 Growth Plan is part of the Provincial Government's More Homes, More Choice: Housing Supply Action Plan, which aims to address the needs of the Province's growing population, its diversity, its people and local priorities, and its local growth context. Conformity with the 2019 Growth Plan was demonstrated through Planning Report PLAN2019-048 prepared for the September 11, 2019 Public Meeting and staff remains supportive that the rezoning application conforms with the 2019 Growth Plan.

Official Plan Conformity:

The land is designated Rural and Environmental Protection in the City of Kawartha Lakes Official Plan (OP). The Environmental Protection designation delineates a small portion of the Hawkers Creek Provincially Significant Wetland

located in the south-east corner of the property which also features Significant Woodlands.

Permitted uses in the rural designation include active and passive recreational uses and facilities, golf courses, ski resorts, ecotourism and agri-tourism. An outdoor games (LARP) venue would be considered an active and/or passive recreation, which does not have the land requirement or site alteration of a golf course or ski resort. The LARP venue will operate, for the most part, outside of the Environmental Protected lands although trail use is permitted, in accordance with Section 17.3 of the OP. A Scoped EIS has been completed for the proposed new buildings and structures, which demonstrates no negative impacts. KRCA has not indicated concern with the findings and recommendations contained in the Scoped EIS.

Section 34.7 established the entire City of Kawartha Lakes as a Site Plan Control Area applying to all uses except for agricultural, aggregate extraction, forestry, open space and single detached residential uses. Staff continues to recommend site plan approval for the property to identify location of buildings, parking and to regulate the permanent outdoor games venue use.

The appropriate cash-in-lieu of parkland dedication will be required for the development: 2% for the commercial uses in accordance with Section 34.7 of the OP. The value will be determined by a qualified land appraiser, based on the timelines established by the Planning Act, as amended.

The rural designation primarily classified as class 4-7 agricultural production soils promotes the protection of these lands from fragmentation or non-agricultural uses. An Agricultural Impact Assessment and Minimum Distance Separation was prepared by Clark Consulting Services and reviewed by the City's Agricultural Development Officer. Additional information regarding placement of buildings and future development plans will be part of the subsequent site plan submission.

As a result of the above, the zoning by-law application conforms with the OP.

Zoning By-Law Compliance:

The land is zoned General Rural Special Requirement Eighteen (A1-18) and Open Space (OS) in the Township of Verulam Zoning By-law No. 6-87. The OS zone is located in the south-east corner of the property which includes the small portion of the Hawkers Creek Provincially Significant Wetland.

The application proposes to delete the temporary zone provisions in the A1-18 Zone and replace it with standards that would permit the LARP use on a permanent basis and apply development standards as part of the continued use scenario until such time that the site plan agreement has been entered into. The A1-18 Zone also includes a maximum total gross floor area of all structures of 600 sq.m. and applies minimum yard setbacks of 50 m. for all structures, a recreational vehicle and tents.

A Special Requirement Open Space (OS-17) Zone has been applied to a portion of the property which permits uses ancillary to the LARP use on the balance of

the property and permits pathways, trails and any temporary structures less than 10 sq.m. which were existing at the time of passing of the by-law. No new structures, site alteration or tents are permitted in the OS-17 Zone.

All other development standards of the A1 and OS Zones in the Township of Verulam Zoning By-law are maintained and the application complies with the By-law.

Other Alternatives Considered:

No other alternatives have been considered at this time.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision to adopt or their refusal to adopt the requested amendment is appealed to the Local Planning Appeal Tribunal (LPAT). In the event of an appeal, there would be costs, some of which may be recovered from the applicant.

Relationship of Recommendations to the 2020 – 2023 Strategic Plan:

The Council Adopted Strategic Plan identifies these Strategic Priorities:

- Priority 1 – A Vibrant and Growing Economy
- Priority 2 – An Exceptional Quality of Life
- Priority 3 – A Healthy Environment
- Priority 4 – Good Government

The zoning by-law application aligns with a Vibrant and Growing Economy priority along with an Exception Quality of Life and a Healthy Environment priorities. The proposal seeks to make permanent a new tourism venue which offers a creative recreational activity in a rural setting. Appropriate and limited activity is permitted in the Open Space which protects the natural features of the Provincially Sensitive Wetland.

Review of Accessibility Implications of Any Development or Policy:

There are no immediate accessibility implications for the City. Accessible standards will be implemented through an application for site plan approval subdivision and site plan agreements and permits issued under the Ontario Building Code (OBC).

Servicing Comments:

As noted above, two (2) Water and Waste Water Servicing Plans were prepared by Cambium Environmental which outlines services for the continued use scenario and the permanent use. These Servicing Plans were reviewed by the Part 8 Sewage Systems Division. Additional review and comment will be undertaken at the time of site plan application.

Consultations:

Public Comments:

Subsequent to the Public Meeting held September 19, 2019, Larry Junkin contacted staff requesting confirmation of the maximum proposed capacity of participants, officials, and organizers that would be on site during an event along with the maximum proposed capacity of the campground, including tents and trailers. Mr. Junkin was provided with both of the Water and Waste Water Servicing plans which speak to participants and accommodation on the site.

Development Services – Planning Division Comments:

The background information which has been submitted in support of the application has been circulated to the appropriate agencies and City Departments for review and comment. The application conforms to the 2019 Growth Plan, and is consistent with the 2020 PPS. Conformity with the City's Official Plan has also been demonstrated, and the rezoning will establish the site-specific development standards to permit the LARP use on a permanent basis. The property will be subject to site plan approval prior to any further development or redevelopment on the site.

Conclusion:

In consideration of the comments and issues contained in this report, Staff respectfully recommend the proposed Zoning By-law Amendment application be approved.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please contact Sherry L. Rea, Development Planning Supervisor, 705.324.9411 x 1331.

Appendix 'A' – Location Map



Appendix A -
Location Map.pdf

Appendix 'B' – Proposed Continued Use Sketch



Appendix B -
Continuing Use Sketch

Appendix 'C' – Existing Buildings



Appendix C - Existing
Buildings.pdf

Appendix 'D' – Draft Zoning By-law

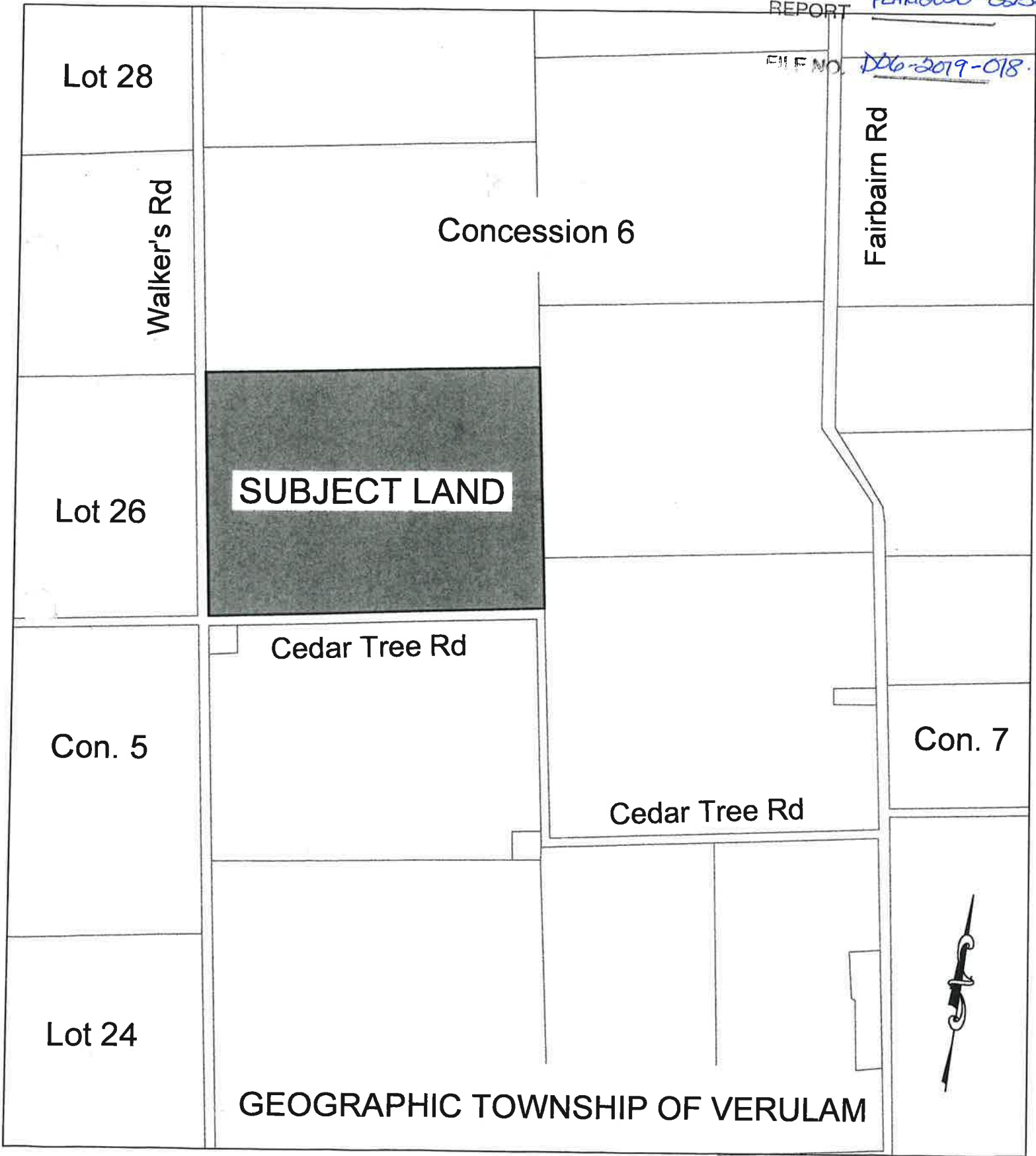


Appendix 'D' - Draft
Zoning By-law.pdf

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall

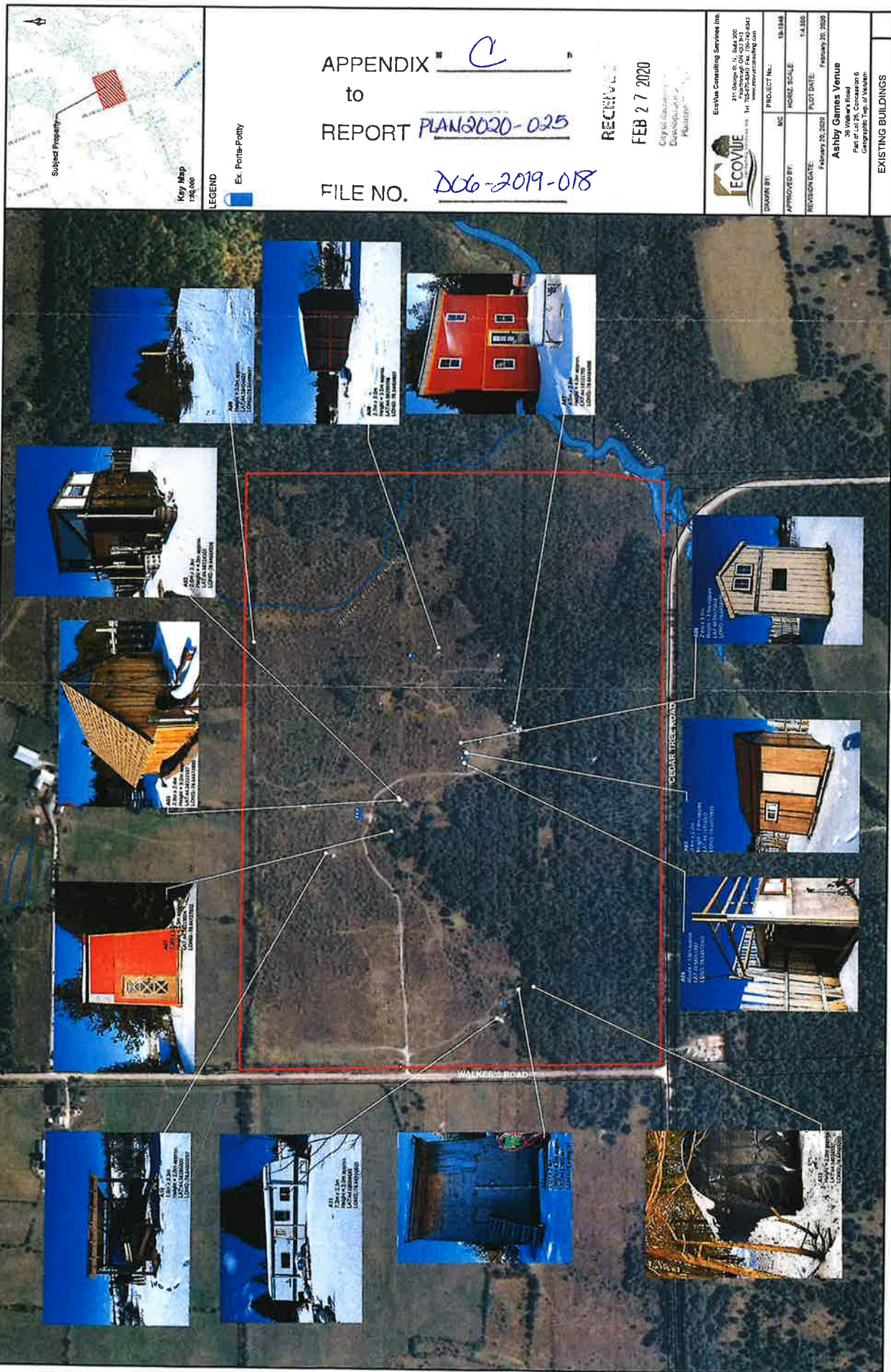
Department File: D06-2019-018





APPENDIX

B



The Corporation of the City of Kawartha Lakes**By-Law 2020 -****A By-Law To Amend The Township of Verulam Zoning By-Law No. 6-87
To Rezone Land Within The City Of Kawartha Lakes**

[File D06-2019-018, Reports PLAN2019-048 and PLAN2020-025, respecting Part of Lot 26, Concession 6, geographic Township of Verulam, identified as 36 Walker's Road - William Ashby and Joseph McGale.]

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. Section 36 of the Planning Act authorizes Council to place a Holding (H) symbol on any zoning category assigned to property. The purpose of the Holding (H) symbol is to restrict specific uses of the property until conditions imposed by Council have been met.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit a live action role playing facility-use on the subject lands and to restrict development within the existing and proposed open space areas (natural heritage features and their buffers). A Holding (H) symbol shall be applied to ensure specific portions of this use are subject to site plan control and the completion of an archaeological assessment.
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 of Lot 26, Concession 6, geographic Township of Verulam, City of Kawartha Lakes, identified as 36 Walker's Road.
- 1.02 **Textual Amendment:** By-law No. 6-87 of the Township of Verulam is further amended to delete Section 19.3.18 in its entirety and replace it with the following:
 - 19.3.18 Notwithstanding permitted uses in subsection 19.1, land zoned A1-18(H) may also be used for the following:
 - a) A Live Action Role Play Facility-Use, to be defined as a facility-use intended for organized outdoor recreation activity by persons engaged in a structured role-playing game.

- b) One (1) recreational vehicle subject to appropriate servicing under the Ontario Building Code;
- c) A maximum of 100 tents for sleeping accommodation during events only and that are located in one concentrated area and having a maximum tent size of 10 sq.m.

Notwithstanding the provisions of Section 19.2, for land zoned A1-18(H), the total gross floor area of all structures (including permanent and temporary structures) combined is not to exceed 600 sq.m.

Notwithstanding the provisions of Section 19.2, for land zoned A1-18(H), the minimum yard setback for all structures, a recreational vehicle and tents shall be 50 m. save and except the parking area with surface treatment existing at the time of passing of this by-law.

Until the Holding (H) symbol is removed, for lands zoned A1-18(H), the Live Action Role Play Facility-Use shall only permit:

- A maximum of 30 moveable structures each to be less than 10 sq.m. gross floor area with no human habitation, no plumbing or kitchen facilities and requiring no soil surface disturbance;
- One (1) recreational vehicle subject to appropriate servicing under the Ontario Building Code;
- A maximum of 60 tents for sleeping accommodation during events only and that are located in one concentrated area and having a maximum tent size of 10 sq.m.;
- Parking area with surface treatment existing at the time of passing of this by-law; and,
- A minimum yard setback of 50 metres for all structures, a recreational vehicle and tents.

On land zoned A1-18(H), the removal of the (H) symbol shall be in accordance with the following:

- i) The owners shall enter into a site plan agreement with the City to be registered on title for any development or redevelopment on the property.
- ii) The owners shall file an Archaeological Assessment prior to any soil disturbance to satisfy the Ministry of Heritage, Sport, Tourism and Culture (MHSTC) and Curve Lake First Nation requirements.

All other provisions of subsection 19.1 and 19.2 shall apply.

On land zoned A1-18(H), should the (H) symbol not be removed three (3) years from the passing of this by-law, all provisions of subsection 19.1 and 19.2 will then apply.

- 1.03 **Textual Amendment:** By-law No. 6-87 of the Township of Verulam is further amended to add the following section to Section 18.3:

18.3.17 Notwithstanding permitted uses in subsection 18.1, land zoned OS-17 may also include ancillary uses for the Live Action Role Play Facility-Use on lands zoned A1-18(H). Ancillary uses may include pathways, trails and temporary structures less than 10 sq.m. which were existing at the time of passing of this by-law. No new structures, site alteration or tents are permitted in the OS-17 Zone.

All other provisions of subsection 18 shall apply.

- 1.04 **Schedule Amendment:** Schedule 'A' to By-law No. 6-87 of the Township of Verulam is further amended to change the zone category from the 'General Rural Special Requirement Eighteen (A1-18) Zone' and 'Open Space (OS) Zone' to the 'Rural General Special Requirement Eighteen Holding (A1-18(H)) Zone and 'Open Space Special Requirement Seventeen (OS-17) Zone for the land referred to as 'A1-18(H) and 'OS-17' 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

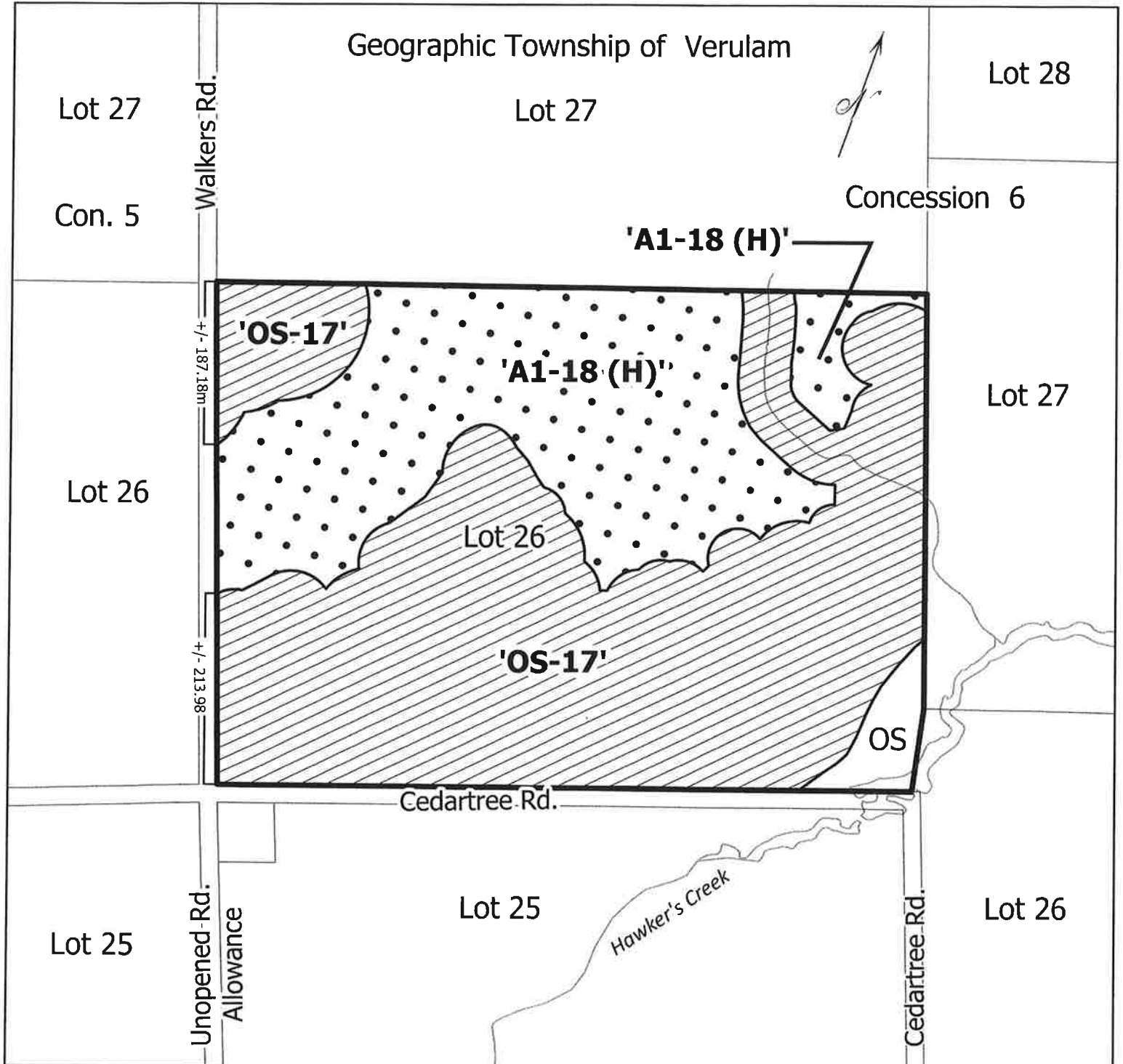
THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2020.

MAYOR _____ CLERK _____





Council Report

Report Number CS2020-008

Meeting Date: August 20, 2020

Title: CS2020-008 Old Jail Lease Agreement with Victoria County Historical Society

Description: Lease Agreement with the Victoria County Historical Society being recommended for execution to allow for continued use and services for a Museum

Author and Title: Craig Shanks, Director of Community Services

Recommendation(s):

That Report CS2020-008, **Old Jail Lease Agreement with Victoria County Historical Society**, be received;

That the agreement between the Corporation of the City of Kawartha Lakes and the Victoria County Historical Society for the continued use of the Old Jail facility as a Society Museum, attached as Appendix A to Report CS2020-008, be approved; and

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

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

The purpose of this report is to recommend the authorization of a new lease agreement (Appendix A) with the Victoria County Historical Society for their continued use of the Old Jail facility as their home administration building and as a public cultural museum space.

This report addresses this recommendation.

Rationale:

There is an existing lease agreement that is due for renewal, December 31, 2021, between the municipality and the Historical Society for the use of the Old Jail facility as their base of operations and a cultural museum. This report and draft lease agreement is brought forward to renew and refresh a new agreement for execution.

The Society and City staff work closely and well together and have formed an excellent partnership. There are some sections of the current agreement which do not work logistically and in reality for either party. This is specifically related to Capital costs of the facility. The new agreement will clearly identify these cost and expenses as being the responsibility of the City. This is fact is how it has been handled for the past number of years and the only sustainable model that will allow the Society to continue to operate.

The new agreement will also spell out more specifics that are a truer reflection of current roles and responsibilities while also more clearly delineating future use of the greenspace within the facility walls. This will allow for more efficient use of the space and the management of the project to remove the walls, health and safety concerns, as the projects move forward.

If events and/or realities change that make this agreement problematic for either party, there are clauses within that will allow discussions and/or mutual cancellation of the lease agreement. The agreement has been reviewed, and in fact generated, with great assistance by the Society and they support the execution of it as a way to allow them to proceed in a sustainable model while also provide a service to the City and its residents and visitors.

Other Alternatives Considered:

Council could choose not to enter into a lease agreement for this facility. That is not recommended by staff as the use of the facility by the Historical Society as their administration offices and a museum is its best use. Also, this agreement would allow for the Society to continue operation in a sustainable manner while operating a desired service to the City residents and visitors. This is a strong partnership which the Society and City has formed and this lease agreement will allow it to continue to foster and develop.

Alignment to Strategic Priorities

This report and the recommendations within address three of the four strategic priorities within the 2020-2023 Kawartha Lakes Strategic Plan:

1. An Exceptional Quality of Life
2. A Vibrant and Growing Economy
3. Good Government

The recommendations will support the continued use of a City historical facility as a Cultural Museum and allow for a Not-for-Profit organization to continue to provide this service to our residents and visitors. The Strategic Plan is available on SharePoint at the following link:

[Kawartha Lakes Strategic Plan 2020-2023](#)

Financial/Operation Impacts:

The lease agreement will have no new direct costs associated with it. The City will be responsible for the continued structural aspects of the facility and required capital projects as year's progress. While this is a change from the previous written agreement, the actuality was the City was responsible for various capital projects with the facility as it is a City asset and the availability of Society funds to provide for such expenses was not a reality. The Society will still, and has in the past, apply for funding opportunities for various capital and operating requirements.

Staff are also aware that the Society will be making a deputation and request to Council regarding required relief funds as a result of the Covid-19 pandemic. This is a separate request and not related to the execution of this lease agreement.

Consultations:

Corporate Services
City Solicitor
Victoria County Historical Society

Attachments:

Appendix A – Draft Lease Agreement



Olde Gaol Museum
revised draft lease -

Department Head E-Mail: cshanks@kawarthalakes.ca

Department Head: Craig Shanks

Department File:

**COPY OF LEASE BETWEEN THE
VICTORIA COUNTY HISTORICAL
SOCIETY
and the
CITY OF KAWARTHA LAKES**

Signed *August 1, 2020*

IN PURSUANCE of the Short Forms of Leases Act, R.S.O. 1990, c. S. 11, as amended, between THE CORPORATION OF THE CITY OF KAWARTHA LAKES, hereinafter called the 'City', as Landlord, and THE VICTORIA COUNTY HISTORICAL SOCIETY, hereinafter called the "Society" as Tenant.

WHEREAS the City is a municipal corporation pursuant to the provisions of the Municipal Act, R.S.O. 1990, c. M.45, as amended;

AND WHEREAS the City is the registered owner of those lands and premises more particularly described on Schedule "A" attached hereto and generally called the "Old Jail" on Victoria Avenue North, in the Town of Lindsay, and in the City of the Kawartha Lakes;

AND WHEREAS the society is a not-for-profit corporation by way of Letters Patent issued to its incorporators on the 3 day of August, 1976, under Part III of the Corporations Act, R.S.O. 1990, c.38, as amended.

AND WHEREAS the City has for many years leased these lands to the Society to utilize the site of the Old Jail and its courtyards for the exhibits and displays associated with the Museum facility owned and operated by the Society as a Heritage and Cultural Center.

AND WHEREAS the Council of the Corporation of the Town of Lindsay did by By-Law No. 200-68 duly enacted on the 11th day of September, 2000, pursuant to the Ontario Heritage Act, R.S.O., 1990 c. o.18, s.29, designate the Old Jail a property to be of historic or architectural value or interest.

IN CONSIDERATION of the sum of \$2.00 and other valuable consideration now paid by each party to the other the parties agree as follows:

1. (a) In this indenture, the "Demised Area" shall mean the whole of the building referred to as the Old Jail situated upon the lands comprising Lot 13, North of Francis Street, in the Town of Lindsay, in the City of Kawartha Lakes together with the courtyards immediately adjacent to that building and currently used in connection with the museum now operated upon such lands. It is understood that the Old Jail courtyard walls must be removed, at the City's expense, due to structural Health and Safety concerns and mutually beneficial to both the City and Society, use of the Courtyard will be agreed upon including a delineated perimeter. Please reference Schedule "B" courtyard diagram sketch.

(b) In reference to **Schedule "B"**, a reference sketch for the removal of the courtyard walls, the south courtyard space is reserved for a future new build addition to the museum, which shall be agreed upon in writing at the relevant time. Chain link fencing will be erected to secure that space. On the north side, there shall be a gate to the Colborne Street entrance, fencing to be

erected as shown (stone or brick and wrought iron on top, and a double gate where noted. The northern section shall be paved parking, with a designated bus parking space on the Colborne Street side, and the balance of the middle courtyard space shall be left as green space with the museum to create a contextual exhibit to show the courtyard's history.

(c) In reference to the adjacent property at 28 Francis Street, Lindsay, currently the Human Resource office for the City, but formally the historic Land Registry Office and Library, the City shall offer the property to be added to the museum "campus" by addendum to this lease, should they decide to vacate the building.

2. (a) The Landlord hereby demises and leases the Demised Premises to the Tenant subject to the rights in the nature of easements set out in clause 2 (2) hereof, for a term of twenty (20) years commencing August 1, 2020 or such earlier date as the parties may in writing agree upon, and expiring July 31, 2041, on the terms and conditions set out in this indenture.

(b) At any time during this agreement, a two (2) year notice of non-renewal of the lease is required from either party to allow time to find other accommodations.

(c) The Landlord and any agency (whether governmental or otherwise) owning or operating a public utility as that term is defined in the Public Utilities Act, R.S.O. 1990, c. P. 52, or the Public Utilities Corporation Act, R.S.O. 1990, c. P. 53, and their respective successors and assigns shall have the right:

(i) to install, maintain, repair, replace, reconstruct, enlarge, inspect or test any pipes, cable, meters or other plant whatsoever on, under or adjacent to the Demised Area as part of, appurtenant to or in connection with any such public utility, and

(ii) by their respective officers, employees, agents and contractors, to enter upon the Demised Area, with or without all necessary or convenient gear and equipment, for the purposes set out in clause (b) (i) hereof.

3. The Tenant shall pay the Landlord rent consisting of a fixed annual portion of \$1.00, if demanded, payable on the 1st day of January in each and every year during the currency of this indenture.

4. (a) The Tenant covenants with the Landlord:

- (i) to pay rent;
- (ii) City will pay utilities as agreed upon, namely water and hydro.
- (iii) the tenant shall not be subject to any and all such taxes or rates, if any, applicable as a result of the occupation by the Tenant of the Demised Area;
- (iv) not to make changes in surfacing, grade or landscaping, at or on the Demised Area, except in accordance with plans therefore which have been submitted to, and approved by, the City, such approval not to be unreasonably withheld, and to make any such changes expeditiously in a good and workerlike manner (including proper clean-up) to the satisfaction of the City;
- (v) to keep the Demised Area in a clean and well-ordered condition, and not to permit any rubbish, refuse, debris or other objectionable material to be stored, or to accumulate therein, all to the satisfaction of the City;
- (vi) to use the Demised Area only as a Heritage and Cultural Centre;
- (vii) not to assign or sublet or enter into an agreement with any other agency or corporation for the use of all or any portion of the Demised Area without leave of the City, which leave may be reasonably withheld;
- (viii) not to erect any signs, buildings or other non-landscaping structure on the Demised Area without the written consent of the City;
- (ix) City to provide and assume all responsibility for the paving, yard maintenance, snow and ice removal, routine building repair and upkeep including all exterior envelope features including but not limited to roof, eavestroughs and downspouts, steps/stairs, exterior doors, windows, walls, stonework, sealant against pests such as bats, bees, rodents and removal/clean-up of same, and all interior systems including but not limited to HVAC, heating systems, plumbing and potable water, fire suppression system, lighting and electrical standards to meet current codes including any updates to

relevant building safety and accessibility Codes or Acts within the duration of the Lease, at the City's cost.

- (x) to ensure that nothing is done or kept at or on the Demised Area which is or may be a nuisance, or which causes damage to or interference with normal usage of any adjoining property, provided that the use referred to in paragraph (v), and the vehicles, supplies and equipment necessarily incidental thereto shall not be deemed to be, in and of themselves, a nuisance;
- (xi) to take at its own expense all measures necessary to ensure to the City's satisfaction that the plant of or appurtenances to any municipal service or public utility now or in the future on, under or adjacent to the Demised Area, is adequately protected against damage, impairment, destruction or loss;
- (xii) not to store inflammable or explosive substances on the Demised Area;
- (xiii) to work with the City to review and complete the structural/systems items necessary to obtain the Fire Permit to open the 3rd floor for public access.
- (xiv) upon termination of the tenancy, at its own risk and expense, to remove from the Demised Area within thirty (30) days, any fixtures and chattels belonging to it, with all damage, if any, caused by such removal made good by it, and to leave the Demised Area neat, clean, level and free of all waste material, debris and rubbish, all to the City's satisfaction, and
- (xv) that upon failure by the Tenant to comply with any covenant(s) incumbent upon it under this indenture within thirty (30) days after written notice requiring such compliance is given by the Landlord to the Tenant, the Landlord may enter the Demised Area and fulfil such covenant(s) at the sole expense of the Tenant, who shall forthwith upon being invoiced therefore reimburse the Landlord who in default of such reimbursement may collect same as rent owing in arrears.
- (xvi) Use of Victoria Park (to be booked with the City Facility Booking Clerk) for the Society to hold an event free of charge for each year the lease is in effect.

- (b) The Tenant accepts the Demised Area in the condition existing at the date of the commencement of the Term, acknowledging the City's responsibility to complete repair items noted on the Fire Prevention Order dated June 5, 2019, including, but not limited to, the replacement of 4 exterior doors into the courtyard area with "crash doors".
- 5. The landlord will provide capital and operational maintenance for the facility structure, systems and property. Some of these tasks may be at the request of the Tenant, and all tasks will be at the discretion, schedule and funding availability of the Landlord. Priority will be given to any facility structure, systems or maintenance issue, repair or replacement, in relation to the impact or damage to the museum's Collection and Exhibits. Permission of the Landlord will be required by the Tenant for any proposed exterior works and likewise a communication plan will be provided by the Landlord for any facility structure, systems or property works.
- 6. It is understood and agreed between the Landlord and the Tenant that the Heritage and Cultural Centre constructed on the lands herein shall be a Community Centre, and any person, persons or organization whatsoever shall be permitted entry to that Centre, subject to those reasonable rules and regulations as might be imposed by the Tenant.
- 7. It is further understood and agreed between the Landlord and the Tenant that the Tenant will make available to the Landlord at such time or times, and upon reasonable advance notice having been given by the Landlord to the Tenant, such meeting space or spaces within the Demised Area as the Landlord may deem necessary or advisable for special events.
- 8. Except as may be otherwise agreed upon in writing, the Tenant covenants that the visitor entrance to the Demised Area shall be from Colborne Street and the exit from the Demised Area shall be to Colborne Street and the Tenant shall cause proper signs in this regard to be erected. Staff parking and entrance shall be maintained on Victoria Avenue North.
 - (a) The parties acknowledge and agree that the use of the Demised Area shall be mutually beneficial to both parties and both parties shall do all things necessary to co-operate in this regard.
 - (b) Subject to occasional times of high usage events, both parties shall endeavour not to conduct special events requiring parking for a large number of cars at the same time. City may provide off-site parking (such as Wilson Fields) upon mutual agreement, for large events.

- (c) Where both parties knowingly plan to conduct large events simultaneously, the parties shall secure alternative additional parking and to clearly and conspicuously post notice of the location of such alternative additional parking.
- 9.
 - (a) If the Tenant or any assignee or subtenant makes an assignment for the benefit of creditors, or becomes insolvent or commits an act of bankruptcy as defined by the Bankruptcy and Insolvency Act, R.S.C. 1985, c. B-3, or the leasehold interest created by this indenture is at any time seized if the Tenant or any corporate assignee or subtenant is subjected to voluntary or compulsory liquidation or winding-up, or if the Demised Area becomes abandoned, then, at the option of the Landlord, the leasehold shall cease, the Term shall be at an end, the rent for the then next ensuing year shall immediately become due and payable and the Landlord may re-enter and take possession.
 - (b) Notwithstanding any present or future Act of the Ontario Legislature, none of the Tenant's goods and chattels on the Demised Area shall at any time during the Term be exempt from levy by distress for rent in arrears, and the Tenant, having waived any such exemption, shall by this clause be stopped from setting up any such exemption in any proceedings between the parties. The Museum's Collection of Accessioned Items are exempt as an "asset" and are not subject to be included as ordinary goods and chattels.
 - (c) This indenture makes provision for re-entry by the Landlord on non-payment of rent or non-performance of covenants.
- 10.
 - (a) The Tenant shall at all times indemnify and save harmless the Landlord from and against any and all manner of claims, demands, losses, costs, charges, actions and other proceedings whatsoever, (including those under or in connection with the Workplace Safety and Insurance Act, S.O. 1997, c.16, Sch. A, or any successor legislation), made or brought against, suffered by or imposed on the Landlord or its property in respect of any loss, damage or injury (including fatal injury) to any person or property (including, without restriction, employee, agents, and property of the Landlord or of the Tenant) directly or indirectly arising out of, resulting from or sustained as a result of the Tenant's occupation or use of, or any operation in connection with, the Demised Area or any fixtures of chattels therein except to the extent attributable to the Landlord's negligence.

- (b) The Tenant shall, at all times during the currency of the Term and any renewal thereof, at its own expense maintain in force insurance coverage with respect to the Demised Area and its use and occupation thereof, and shall provide the Landlord with certificates of a policy or policies of an insurance company or companies to the Landlord for:
 - (i) insurance against loss by such insurable hazards as the Landlord may from time to time reasonably request, and
 - (ii) liability insurance for bodily injury, death or property damage up to \$10,000,000.00.

Every policy or policies of insurance maintained shall provide cross-liability coverage and waiver of subrogation, and the Landlord may require the Tenant to supply evidence thereof from time to time. Alternatively, the landlord may require that it be named as an additional insured upon every such policy or policies.

- (c) The Tenant shall at all times indemnify and save harmless the Landlord from and against any and all claims, demands, losses, costs, charges, actions and other proceedings under the Construction Lien Act, R.S.O. 1990, c. C. 30, in connection with any work done for the Tenant at or on the Demised Area, and shall at its own expense promptly see to the removal from the registered title to the Demised Area, of every claim for lien or certificate of action having to do with such work and in event within fifteen (15) days of being notified in writing by the Landlord to do so, failing which the Landlord may see to such removal and recover the expense and all attendant costs from the Tenant as rent owing in arrears.
- (d) The Landlord assumes no responsibility for damage by fire, theft or otherwise whatsoever, to the goods, chattels, fixtures and improvements of the Tenant or of any other person except to the extent caused by the negligence of the Landlord or any person(s) for whom the Landlord is at law responsible.
- (e) The provisions of this clause 10 will continue to apply, notwithstanding cessation of the tenancy created by this indenture, throughout the period(s) during which activities take place.

11. If, at the expiration of the Term, the Tenant remains in possession with the consent of the Landlord but without any further written agreement, a tenancy from year to year shall not be created by implication of law or otherwise, but the Tenant shall be deemed to be a monthly tenant only at a rental payable monthly in advance at the rate

payable at the expiration of the Term or renewal and otherwise upon and subject to the terms and conditions contained in this indenture.

12. (a) Subject to clause 2 (b) of this indenture, the Landlord covenants with the Tenant for quiet enjoyment.
- (b) The Landlord shall make reasonable efforts to complete any exercise by the Landlord of its rights under clause 2 (b) of this indenture, expeditiously, and upon such completion shall restore the Demised Area substantially to its condition immediately prior to such exercise.
13. (a) Any notice pursuant to any of the provisions of this indenture shall be deemed to have been properly given if delivered in person, or mailed by prepaid registered post addressed:
 - (i) in the case of notice to the Landlord to:
26 Francis Street, P.O. Box 9000, Lindsay, Ontario, K9V 5R9
 - (ii) in the case of notice to the Tenant to:
50 Victoria Avenue North, Lindsay, Ontario K9V 4G3

Or to such other address as either party may notify the other of, and in the case of mailing as aforesaid, such notice shall be deemed to have been received by the addressee, in the absence of a major interruption in postal service affecting the handling or delivery thereof, on the fourth business day, excluding Saturdays, next following the date of mailing.

- (b) Where under this indenture certain approval authority has been reserved to the City, such authority may be exercised by the City's Chief Administrative Officer or his or her designate. The authority of the Chief Administrative Officer shall not be deemed to be exhausted by any individual exercise thereof, and in the matters for which he or she is to be responsible under this indenture, the Chief Administrative Officer shall be the sole judge whose opinion and exercise of discretion whatsoever except as expressly otherwise indicated in this indenture.
14. (a) All sums, for rent or otherwise, payable to the Landlord under this indenture shall bear interest commencing the fifteenth day next following the falling due thereof, at the then current rate of interest charged to the Landlord by its bankers until the actual date of payment.

- (b) The Tenant shall pay to the Landlord all Landlord's legal costs, on a solicitor and client basis, of all actions or other proceedings in which the Landlord participates in connection with, or arising out of the obligations of the Tenant under this indenture or arising out of the Tenant's occupation of the Demised Area, except to the extent that the Landlord is not successful therein.
- 15.
 - (a) No condonation, excusing or overlooking by the Landlord of any default, breach or non-observance of any of the Tenant's obligations under this indenture at any time or times shall affect the Landlord's remedies or rights with respect to any subsequent (even if by way of continuation) default, breach or non-observance.
 - (b) No waiver shall be inferred from or implied by anything done or omitted by the Landlord.
 - (c) Any written waiver by the Landlord shall have effect only in accordance with its express terms.
 - (d) All rights and remedies of the Landlord under this indenture shall be cumulative and not alternative.
- 16.
 - (a) The termination of the Term by expiry or otherwise shall not affect the liability of either party to this indenture to the other with respect to any obligation under this indenture which has accrued up to the date of such termination but not been properly satisfied or discharged.
 - (b) The Tenant acknowledges that there are no covenants, representations, warranties, agreements or conditions expressed or implied, collateral or otherwise forming part of or in any way affecting or relating to this indenture other than as set out in this indenture, which constitutes the entire agreement between the parties concerning the Demised Area and which may be modified only by further written agreement under seal.
 - (c) The provisions of this indenture shall be binding upon, and enure to the benefit of, the parties and their respective successors and (where applicable) permitted assigns.

17. The Landlord and the Tenant acknowledge that the Demised Area, or certain portions of it, have been designated by By-Law No. 200-68 enacted by the Council of The Corporation of the Town of Lindsay on the 11th day of September, 2000,

as being a building of historic or architectural value or interest. It is the intention of the Landlord to support, encourage and facilitate the conservation, protection and preservation of those portions of the Demised Area so designate pursuant to section 29 of the Ontario Heritage Act, R.S.O. 1990, c. O.18, as well as other non-designated portions of the Demised Area.

The Landlord and the Tenant both desire to conserve the aesthetic and scenic character and condition of the Demised Area and the present historical, architectural, aesthetic and scenic character and condition of the exterior and interior of the Old Jail.

In witness whereof the parties have affixed their corporate seals attested to buy the hands of their officers in that behalf duly authorized.

THE CORPORATION OF THE
CITY OF KAWARTHA LAKES

Per: _____

Per: _____

THE VICTORIA COUNTY HISTORICAL
SOCIETY

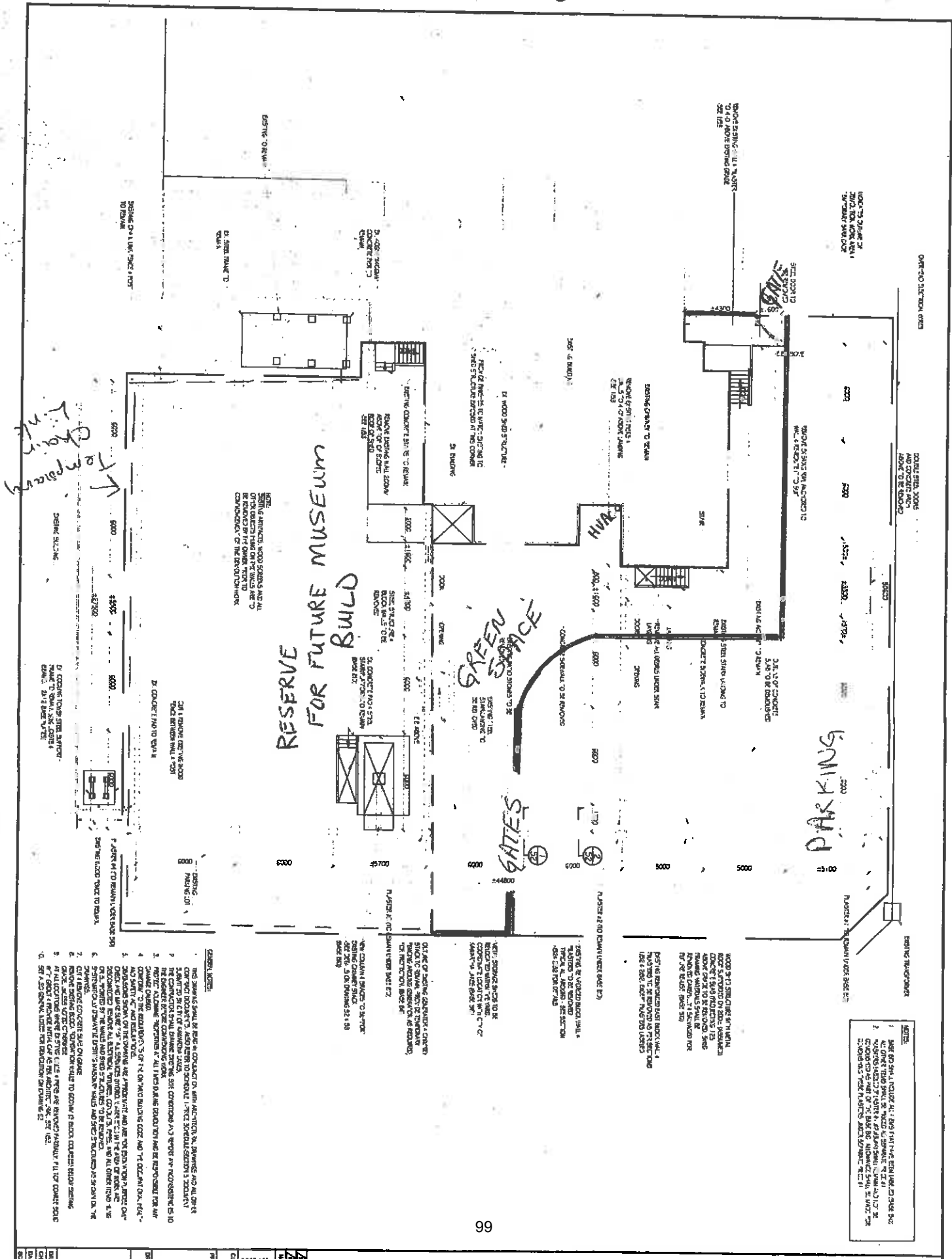
Per: _____

Per: _____

Schedule "A"

Lot 13, North of Francis Street,
Town of Lindsay,
County of Victoria

SCHEDULE "B"





Council Report

Report Number CS2020-009

Meeting Date: August 20, 2020

Title: Bobcaygeon Beach Park – Update

Description: Update on project revisions to meet Council direction and the approved allocated funding.

Author and Title: Craig Shanks, Director of Community Services

Recommendation(s):

That Report CS2020-009, **Bobcaygeon Beach Park - Update**, be received.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

At the Council meeting of July 28, 2020, the following resolution was adopted:

CR2020-196

That Report PUR2020-020, **2020-18-CQ, Bobcaygeon Beach Park Redevelopment and Construction**, be received;

That Melfer Construction Inc. be selected for the award of 2020-18-CQ Bobcaygeon Beach Park Redevelopment and Construction for the total quoted amount, not to exceed \$5,163,450 not including HST;

That subject to receipt of the required documents, the Mayor and City Clerk be authorized to execute the agreement to award this quotation; and

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

This decision allowed staff to award the park construction work with a revised scope to commence in 2020, and to scope the work initially within the estimated project budget totaling \$6 Million.

Council subsequently adopted the following resolution:

CR2020-197

That Staff provide a breakdown of the additional expenditure for the Bobcaygeon Beach Park Redevelopment and Construction in the amount of \$1,741,861 for Council's consideration; and

That the breakdown include supporting documentation to itemize the provisional items within the additional expenditure.

This report addresses that direction by providing further information about the revised project scope in the immediate term, and opportunities for future project phases to build-out the planned park entirely.

A copy of the Park Concept Plan is provided in Appendix A to this report.

Rationale:

Staff in both the Procurement and Parks, Recreation and Culture Divisions worked closely with the architect, Landscape Planning, to reduce and/or eliminate items from the tender submission to align with the allocated funding amounts for award. This represents a total of \$1,741,861 and is inclusive of

individual items (listed in Appendix B to this report), contract coordination costs, a 10% contingency and taxes. As a result of these reductions the contingency budget has been reduced from 10% (standard construction rate) to 5%.

The proposed features removed from the initial scope of construction, a number of which were tendered as provisional items, can be constructed in future years and subject to budget funding approval. As well, features could also be funded and constructed through community fundraising and/or other external grant opportunities.

Items removed from the initial construction budget entirely include a proposed amphitheatre, washroom building, playground and rental hut. Some features will be “reduced” in the initial construction phase as well, including a reduction in the total number of new docks and some plantings.

It is acknowledged that the overall park project and scope of work was developed based on community and stakeholder consultations. Staff will continue to explore future opportunities and recommend, where appropriate, build-out of the additional park features.

The complete budget for this project was approved in the 2019 budget cycle, a year prior to the tender being released and before the consultation process was completed. As a result of the consultation it was understood that the allocated budget would not be sufficient to cover the entire proposed project costs. This was the rationale for provisional items within the original tender so that items could be easily removed and the contract awarded without having to remove other items through a negotiation. The actual final tendered amount in fact came in slightly less than the proposed total project cost estimate.

As per Purchasing regulations, individual costs of specific items cannot be provided as requested by Council. Therefore, staff have provided details on the items that were removed or adjusted in order to meet the allocated budget (see Appendix B).

Other Alternatives Considered:

There are no other alternatives being considered as the initial tender has been awarded in alignment with council direction. Additional features or works within the Park could be considered by Council through future year budget considerations.

Alignment to Strategic Priorities

This report and the recommendations within address three of the four strategic priorities within the 2020-2023 Kawartha Lakes Strategic Plan:

1. An Exceptional Quality of Life
2. A Vibrant and Growing Economy
3. Good Government

The recommendation will allow for future consideration of various park amenities by the City or community groups to further enhance the park property as a destination park for residents and visitors of the City alike. The Strategic Plan is available on SharePoint at the following link:

[Kawartha Lakes Strategic Plan 2020-2023](#)

Financial/Operation Impacts:

There are no financial obligations/commitments as part of the recommendations within this report.

Consultations:

Chief Administrative Officer

Procurement Division

Attachments:

Appendix A – Bobcaygeon Beach Park Concept Plan



CS2020-009
Appendix A.pdf

Appendix B – Detailed Project Scope Changes – Removals



Appendix B -
Detailed Project Sco

Department Head E-Mail: cshanks@kawarthalakes.ca
Department Head: Craig Shanks
Department File:

This is Attachment A to
Report # CS-2020-009.



Appendix B

Detailed Project Scope Changes - Removals

Finished Grade Verification (OLS Survey) as per Fine Grade Verification Sheet
Supply and Install Electrical: Amphitheatre Lights
Supply and Install Beach Sand
Supply and Install Amphitheatre Structure Concrete Slab - Complete; in accordance with engineered drawings by Icon Shelter Systems Inc.
Contractor Coordination of Amphitheatre
Supply and Install Concrete Footings for Kite Structures; 2438mm dia concrete pedestal, F-2 exposure class, 25 MPa min., with reinforcing steel, at 1500mm deep including light sandblast finish
Contractor Coordination of Shade Sails
Supply and Install Double Swing Gate (Vehicular) - Complete including footings, concrete cylinder for metal pin, all required hardware and shop drawings
Supply and Install One (1) Secondary Washroom Building (5.5mx9m); - Complete in accordance with all Architectural, Structural, Mechanical & Electrical drawings and specifications (including shop drawings, commissioning and as-built drawings)
Contractor Coordination of Playground Equipment - Playground Area 2
Supply and Install Engineered Wood Fiber Safety Surface - Playground Area 2 including drainage layer, 100mm dia. perforated drainage pipe with all required connectors and connection to catch basins and geotextile as per manufacturers specifications; Also includes compacted granular base;.
Supply and Install Concrete Playground Area 2 Flush Curb (400mm Wide) including rebar reinforcing, light broom finish, and compacted granular base.
Supply and Install Concrete Accessible Ramp - Playground Area 2
Supply and Install 1.21m x 1.824m x 1.36m Canoe Dock Concrete Anchor - Complete; Concrete block to sit 0.15m above high-water level; Concrete block to be plumb, square and level including rebar and shop drawings - refer to details
Fine Grade Verification (OLS Survey) as per Fine Grade Verification Sheet
Reduction of 25% to Softscape Planting Material
Supply and Install One (1) Custom 30' x 40' Custom Amphitheatre by Icon Shelter Systems Inc. (Quote no. TBV40x30); Four (4) - 8"x8" square columns, Mega Rib Panel Roof Top; Tongur and Groove cedar ceiling on interior roof, electrical cutouts in columns for lighting, Concrete Slab design, stamped engineer drawings and post install inspection and engineer review letter. Includes installation and freight

Finished Grade Verification (OLS Survey) as per Fine Grade Verification Sheet	
Supply and Install (1) One Shade Sail - Kite Structure combination by ABC Recreations (Quote no. 19-5271-A-R1); One (1) 16' Kite Tension Shade Shelter (IKTE-16), One (1) 14' Kite Tension Shade Shelter (IKTE-14), One (1) 12' Kite Tension Shade Shelter (IKTE-12) including Hilti Epoxy Anchor Bolts, stamped Engineer Drawings, Engineered Footing Design and Post Installation Inspection and Shipping	
Playground Equipment by Kompan Supplied and Installed by Open Space Solutions Inc. Quote no:191210-2-R1, Drawing no.: Bobcaygeon Beach Park 102219 Including CSA certification after installation	
Supply and Install Docking Systems Complete by Poralu Marine (or approved equal) including Fixed Boardwalks, Anchoring Systems, Ramps, and Accesses, LED Lighting, Decking, Freight, Delivery and Turnkey Installations. Quote no. 20200309 Rev 0.	
Total Miscellaneous Items	\$947,955
Supply and Install One (1) Rental Building (7mx9m) - Complete in accordance with all Architectural, Structural, Mechanical & Electrical drawings and specifications (including shop drawings, commissioning and as-built drawings)	
Supply and Install Artificial Turf (Non Play Areas) nailor board fastened to concrete curb, drainage layer, 100mm dia. perforated drainage pipe with all required connectors and connection to catch basins and geotextile as per manufacturers specifications; Also includes compacted granular base;.	
Supply and Install Concrete Artificial Turf Barrier Curb, 200mm Wide (Non Play Area) including compacted granular base	
Supply and Install Artificial Turf Safety Surface including Turf Cushion Layer (Playground Area 2), nailor board fastened to concrete curb, drainage layer, 100mm dia. perforated drainage pipe with all required connectors and connection to catch basins and geotextile as per manufacturers specifications; Also includes compacted granular base;.	
Supply and Install Two (2) Shade Sail - Kite Structures by ABC Recreations (Quote no. 19-5271-A-R1); Two (2) 16' Kite Tension Shade Shelter (IKTE-16), Two (2) 14' Kite Tension Shade Shelter (IKTE-14), Two (2) 12' Kite Tension Shade Shelter (IKTE-12) including Hilti Epoxy Anchor Bolts, stamped Engineer Drawings, Engineered Footing Design and Post Installation Inspection and Shipping	
Supply and Install Concrete Footings for Kite Structures; 2438mm dia concrete pedestal, F-2 exposure class, 25 MPa min., with reinforcing steel, at 1500mm deep	

Finished Grade Verification (OLS Survey) as per Fine Grade Verification Sheet	
Supply and Install Two (2) BL229 - Rising Barrier Gate - Left, round arm 19'8" (6.0m) with standard tip support and analog sensor. Includes Double Channel Loop Detector; Heating - UL Forced Fan Heater (400W) for BL229; Detection Loop in PVC - 3'11" x 7'10" x 32'10" (1.2 x 2.4 x 10m); ParkNet Multi-Services Terminal, Includes Coin Receiver, 2D ticket reader, 4G Modem and Antenna, relays and misc. hardware; Inbuilt debit-credit card reader, model UX400, Chip, PIN and Contactless reader; 4G Modem and Cloud based management software; Miscellaneous Materials; Shipping; Installation, Program, Test and Commission (including all electrical requirements)	
Supply and Install Concrete Footings for Vehicular Gates; 914mm dia concrete pier, 35 Mpa min. with reinforcing steel at 1200mm deep	
Supply and Install Standard Concrete Paving with light Broom Finish including compacted granular base around perimeter of Rental building	
Supply and Install West CIP Concrete Entry Sign Wall; including Sandblasted Lettering Painted Black, shadow-line and rebar reinforcement.	
Supply and Install East Concrete Entry Sign Wall; including Sandblasted Lettering Painted Black, shadow-line and rebar reinforcement.	
Supply and Install Accessible Beach Water Carpet	
Total Provisional Items	\$655,436

The Corporation of the City of Kawartha Lakes

Council Report

Report Number WM2020-007

Meeting Date: August 20, 2020

Title: Waste Management Public Education and Communication Strategy

Description: Strategy to define a set of priorities and public education resources needed to deliver the Waste Strategy initiatives

Ward Number: All

Author and Title: David Kerr, Manager Environmental Services

Recommendation(s):

That Report WM2020-Waste Management Public Education and Communications Strategy be received; and

That the Public Education and Communications Strategy attached as Appendix A to report WM2020-007 be endorsed by Council.

**Department
Head:**

Financial/Legal/HR/Other: _____

**Chief Administrative
Officer:**

Background:

At the Council Meeting of November 19, 2019 Council adopted the following resolution:

CR2019-641

Moved By Councillor Yeo

Seconded By Deputy Mayor Elmslie

That Report WM2019-012, Making Waste Matter: Integrated Waste Management Strategy Update, be received;

That Council approves the integrated waste management strategy update for implementation with the following accelerated amendments;

That an immediate focus be placed on public education;

That an immediate enhanced online presence be implemented regarding recycling;

That a \$10/ton increase to the tipping fees be implemented in January 2020 and the increase in revenue be used to offset additional operating costs to enhance diversion; and

That the by-law for allowable recyclables in waste be amended to reduce the amount from 20% to 10% starting in early 2020.

Carried

This report addresses Council's direction to focus on public education for waste.

Rationale:

One of the key initiatives in the Waste Strategy Update is an increased focus on public education. The initiative for 2020 is to create a Waste Management Public Education and Communication Strategy to define a set of priorities, outline the resources that will be needed to deliver the Waste Strategy initiatives and to improve overall public education on waste and recycling in the Kawartha Lakes community. This draft Public Education and Communication Strategy is attached as Appendix A and is presented for Council's endorsement as part of this report.

The Public Education and Communication Strategy details items that need particular attention in order for the overall Waste Strategy to be successful in meeting its diversion targets. If the diversion targets are not met the landfill site life will be used up sooner. Therefore, there are significant economic benefits for

us as a municipality and community in keeping our landfills sustainable for as long as possible and to increase waste reduction and diversion.

In putting together this Public Education and Communications Strategy staff consulted with:

- The public, through surveys and day to day communications
- Our three committees of council (Waste Management Advisory Committee, Fenelon PRC, and Lindsay Ops PRC),
- Other municipalities
- The Continuous Improvement fund (CIF), a provincially subsidized organization that oversees the blue box recycling program and supports diversion initiatives

After input from all of the above sources and review of our existing operations there were a number of initiatives that were targeted to focus on over the next several years. These initiatives are further detailed in the attached strategy document but are summarized as follows:

- Posting of weekly reduction tips on social media
- Visits to schools and community events to educate people
- Continual advertising and promotion of ways to reduce waste
- Educating our own staff to better carry the message to the public
- Improve multi-residential recycling through outreach
- Maintain a communication platform and education tools on “Jump In”
- Promote textile recycling
- Promote and improve ways to divert bulky plastics
- Educating and promotion on ways to reduce single use plastics
- Promote backyard composting and source separated organics
- Improve already successful diversion programs such as mattress recycling and construction demolition diversion
- Educating the public on curbside collection to reduce contamination in the recycling stream

Putting an increased focus on education and outreach is essential to achieving the initiatives above which are included in the Waste Strategy. These initiatives are intended to support reaching the City’s goal to increase our diversion rate to 70% by 2048 to ensure longevity of our landfill sites and sustainability of waste operations. In addition, the increased focus on public education is required due to the legislative changes with producer responsibility through the Waste Free Ontario Act and associated regulations. While there are many contributing factors to increasing diversion rates, education and outreach is key to its success.

In recognizing what public education and outreach is necessary staff next looked at ways to implement a program to deliver that education and outreach. The first step was to consult with the Corporate Communications Division to determine

what activities they would be able to undertake and what activities our existing waste staff could undertake. In the Strategy, a table has been created which describes the tasks required, the role of each division in completing them and where additional resources are needed. Staff will work within annual budgeting processes to recommend the required resources to deliver the proposed Strategy.

In any event, staff from the Communications Division and the Waste Division will perform specific public education and communication tasks listed in the “Roles and Resources” section of the strategy in Appendix A. Those tasks will include the initiatives previously listed in this report but with a focus on developing content and delivery via social media.

When staff updated the Integrated Waste Management Strategy in 2019, public education was a key theme that was brought up frequently by the public and waste advisory committees as something desperately needed.

In a survey that was posted for the public in 2019 to get feedback on Strategy initiatives approximately 200 responses were received. Through the survey when asked “Would you like to see more information on waste management programs and recycling opportunities in the City?” 65% of respondents said yes. Below are a few direct quotes from residents who filled out the survey when asked to share any other comments:

“Education and public awareness seems to be lacking in the City of Kawartha Lakes. Many people I know are confused as to what goes in the recycling and what does not.”

“More education is needed for new permanent residents that arrive in the Kawartha area. The app has been good but it would be better if there were more examples of specific recycling. More information for landfill sites is also needed as it is very intimidating when you are not familiar with the way it is set up.”

“Education programming in the schools would be a great idea. Get the information to individuals at an early age so they know why recycling/reducing/reusing is important. Knowing the how and the why something works is powerful.”

We also conducted research for this public education and communications strategy to see how other municipalities are handling promotion and education on their waste management programs. Through our research we found that the majority of the municipalities who responded felt that they would greatly benefit from having increased focus on public education.

Communications will continue to work closely with the Waste Division to ensure that any new materials developed to support the Waste Division are effective and

accessible for the community. All other methods of communication developed by Corporate Communications (such as media, websites, social media, mobile apps, advertising and publications) would be utilized by Waste to support outreach.

Finally, the draft Public Education and Communication Strategy was shared with the Lindsay Ops Landfill Public Review Committee, the Fenelon Landfill Public Review Committee and the Waste Management Advisory Committee. All committees voiced strong support for the need for a robust and do-able Waste Management Public Education and Communication Strategy. Of note the Waste Management Advisory Committee also did recommend that the City look into the option of mailing out the waste management calendars to all residents each year to ensure the best possible communication. Staff will look into this option.

Other Alternatives Considered:

Council could choose to remain status quo and not have a Public Education Strategy however delivery of the goals identified in the strategy would unlikely be achieved. Ultimately effective planning promotion and education for each Waste strategy initiative is needed in order to reach the strategy diversion rate target of 70% by 2048.

Financial/Operation Impacts:

We have estimated that an additional 5% increase in diversion from landfill can be achieved through implementing the recommendations in the Waste Management Public Education and Communication Strategy. This is part of a robust public education and outreach program which supports meeting our target of 70% diversion by 2048. Based on 40,000 tonnes of waste landfilled per year, a 5% diversion translates to 2000 tonnes per year. At a conservative cost of deferred landfill space of \$150/tonne this is a long term savings to the City of \$300,000 per year. Therefore, if diversion rates are achieved, the long term benefit of deferred landfill cost savings far outweighs the cost of any additional resources required.

Relationship of Recommendation(s) To the 2020-2023 Strategic Plan:

One of the four main Guiding Principles in the Strategic Plan is Service Excellence. With additional resources, we will be able to provide an even better service to the public which will help divert waste and keep our landfills sustainable well into the future.

One of the four Strategic Priorities of the Plan is A Healthy Environment and one of the main items under this category is Increase Waste Reduction and Diversion. This will be achieved through executing the updated Integrated Waste

Management Strategy. The Communications and Public Education Plan listed as **Appendix A**, is a key initiative from the updated Waste Strategy. By providing enough resources to increase promotion and education this will also help achieve our initiatives in the Waste Management Strategy.

Consultations:

Manager, Communications, Advertising & Marketing
Communications Officer

Attachments:

Appendix A – Waste Management Public Education and Communications Strategy



Appendix A
WM2020-007.pdf

Department Head E-Mail: brobinson@kawarthalakes.ca

Department Head: Bryan Robinson

Waste Management Public Education and Communication Strategy

One of the key initiatives in the Waste Strategy Update is an Increased Focus on Public Education. The initiative for 2020 outlined in the Strategy is to create an additional Waste Management Public Education and Communication Strategy in order to define a set of priorities and outline the resources that will be needed to deliver the Waste Strategy initiatives and improve public education on waste and recycling in the Kawartha Lakes community overall.

Putting an increased focus on education is essential to achieving all of the other initiatives in the Strategy which will result in the overall goal of increasing our diversion rate to 70% by 2048. While there are many contributing factors to increasing diversion rates, educating the public is key and integral to its success. Kawartha Lakes is growing and so is the amount of waste being generated, as a result so should the resources for the waste management division to adequately keep up with the demand.

Providing waste and recycling communication using a wide variety of educational tools and activities ensures that the requirements, expectations, and philosophy ('waste less living') behind waste management initiatives reach our diverse community; they must be accessible, consistent and effectively reach all demographic groups and locations across Kawartha Lakes.

This Strategy includes some ongoing reoccurring items of focus that will need to be maintained in order to ensure members of the public are aware and understand the City's waste management programs and how to properly use them. This Public Education and Communication Strategy also includes plans for educating and communicating the roll out of all of the initiatives outlined in the Integrated Waste Management Strategy. Each year a select number of initiatives will be focused on until the next Integrated Waste Management Strategy update.

Reoccurring Items of Focus:

Weekly waste reduction tips on social media

- Post a different waste reduction tip each Wednesday to inform residents of ways to reduce their waste and increase diversion

Weekly posts on internal communications alerts

- Post a different tip each week in the internal communication alert for staff in order to help promote waste reduction and diversion at work

Visits to schools and community groups

- As requested or if needed on a rotating schedule travel to schools, cottage associations, and various community groups to conduct presentations on proper recycling practices, waste reduction tips, as well as our current waste diversion programs
- Provide promotion and education material and giveaways

Attendance at community events

- Attend various community events like farmer's markets, festivals, etc. to speak with the public about proper recycling practices, waste reduction and diversion
- Provide promotion and education material and giveaways

Tours of Lindsay Ops landfill for schools and community groups

- Provide tours as requested of the Lindsay Ops landfill for schools as well as other community groups to better educate the public on how landfills work, where their waste is going every week, and the value of landfill space and waste diversion

Promotion and education on programs and services that promote waste diversion

- Continue to advertise and promote current waste diversion programs at the curb as well as at landfill sites
- Ongoing education on proper recycling practices

Support for service centres, and other City staff for ongoing waste management programs

- Meet frequently with service centre staff to train and educate front line staff on our waste diversion programs as well as proper recycling practices
- Conduct information sessions for other staff on waste reduction, and proper recycling practices

YouTube video series

- Create an ongoing series of YouTube videos to post on the City's YouTube page including behind the scenes looks at how items are recycled/processed, waste reduction tips, proper recycling practices, waste audits, etc.

Multi-Residential Outreach and Education

- Visiting and reaching out to multi-residential locations to educate them on recycling habits as this sector is one of the largest contributors to contamination in the waste and recycling streams
- Providing promotion and education materials (posters, flyers, etc.)

Earth Day / Waste Reduction Week

- Re-establish earth day events focusing on waste diversion, education and composting
- Feature waste reduction week initiatives that are available to municipalities that feature various diversion items each day of the week (textiles, electronics, etc.)

Trash Talk Days/ Item swaps

- During winter months when community events are infrequent, provide opportunity for the public to come in and ask questions about waste and recycling programs and waste reduction initiatives
- Residents can also bring in items during these days that are reusable to swap with other public members rather than sending items to the landfill

Maintaining the new Waste Reduction platform on Jumpln

- This platform will help promote the Kawartha Lakes Voluntary Single Use Plastics Ban by creating a contest for local businesses through an interactive map where people can promote locations who are showing initiatives towards reducing waste and single use plastics
- Additional educational tools and resources can be added to the site to help promote waste reduction

Public Education and Communication on Waste Strategy Initiatives

2020

Initiatives of Focus:

Mattress Recycling (Q1-Q2)

- Meet with relevant departments to provide a service to the public to purchase mattress tags for recycling online
- Implement new system
- Promote and educate the public through social media, news release, app notifications
- Train service centre staff and staff who answer phones

- Coordinate with Miller Waste to ensure they are also promoting this option to the public
- Troubleshoot any issues with new system

Textile Recycling (Q3-Q4)

- Education campaign on textile recycling in Q3-Q4 once program options have been chosen
- Information to the public on what textiles can be recycled, how they can be recycled, why they should be recycled

Single Use Plastics Reduction (Q1-Q4)

- Attend local chambers of commerce meetings and Business Improvement Area (BIA) meetings to get feedback on how to support and educate businesses surrounding single use plastic diversion
- Host events to meet with local businesses to provide information on alternative packaging, incentives for reusable products, etc.
- Release information to the public educating them on how to reduce their plastic waste and why they should be reducing their waste
- Create information pages on the website for businesses and residents to access at any time for resources
- Implement waste reduction and plastic reduction challenges for the community to participate in
- Create a platform on JumpIn for businesses that have made strides in reducing single use plastics, to showcase their successes. Promote one business a year through the annual waste calendar
- Internal audits on waste/recycling to educate various departments on how to improve their diversion and decrease single use plastics in the office

2021

Initiatives of Focus:

Bulky Plastics Recycling (Q1-Q2)

- P&E campaign on bulky plastics focusing on which items can go in bulky plastic recycling and not blue box
- Making residents aware of recycling program for bulky plastics and how to participate in program

Backyard Composting (Q2-Q3)

- Provide at least five education/learning opportunities on backyard composting to the public
- Workshops or hands on demonstrations and instructions where residents can ask questions
- Advertise discounts for composters

Public Space Recycling (Q3-Q4)

- Waste management staff will conduct public space waste and recycling audits in 2020 to determine problem areas to focus on
- Beginning in 2021 develop an education campaign for public spaces, what items are being incorrectly placed in bins, etc.

2022

Initiatives of Focus:

Backyard Composting (Q2-Q3)

- Provide at least five education/learning opportunities on backyard composting to the public
- Workshops or hands on demonstrations and instructions where residents can ask questions
- Advertise discounts for composters

Source Separated Organics (Q1-Q4)

- Large education and promotion campaign on source separated organics program
- Similar campaign to start of clear bag, educate as many residents as possible on how to divert organics from the landfill

Public Space Recycling (Q2-Q3)

- Continue advertising campaign from 2020 during summer months, helping residents determine what is recyclable and what isn't when using public cans

2023

Initiatives of Focus:

Corporate Zero Waste Initiatives (Q1-Q4)

- Educate staff on corporate zero waste initiatives (how to properly dispose of waste and recycling, how to reduce waste at work)

- Run department based competitions and audits to review progress and to provide incentives on waste reduction at work

Source Separated Organics (Q1-Q4)

- Continue education and promotion campaign on source separated organics program in order to increase participation as much as possible

2024

Initiatives of Focus:

Corporate Zero Waste Initiatives (Q1-Q4)

- Continue and expand on corporate zero waste initiatives from 2023

Source Separated Organics (Q1-Q4)

- Continue education and promotion campaign on source separated organics program in order to increase participation as much as possible

Improving Curbside Collection (Q3-Q4)

- Once efficiencies have been determined by waste staff, conduct public surveys and receive feedback from residents on potential curbside changes
- Once changes are implemented education campaign on how to comply

Roles and Resources Required

A table has been created as part of this Strategy in order to define the roles of each department to implement each initiative. The roles of Corporate Communications as well as the Waste Division have been identified for each initiative, and the two departments will work together to achieve this Strategy. There is also a column in the table highlighting the additional resources that will be needed to execute each initiative in this Strategy. Several of the items can be achieved with the current resources and many of these have already been initiated. However additional resources will be required to implement a number of initiatives outlined. These resources could be in the form of volunteer groups, outside consultants, or additional staff members. The required resources will be requested to council with the submission of this Strategy.

<i>Initiative</i>	<i>Corporate Communications</i>	<i>Waste Division</i>	<i>Additional Required Resources</i>
Weekly waste reduction tips on social media	Review content and post on social media	Develop content for each post	

<i>Initiative</i>	<i>Corporate Communications</i>	<i>Waste Division</i>	<i>Additional Required Resources</i>
<i>Weekly posts on internal communications alerts</i>	Review content and post on social media	Develop content for each post	
<i>Ongoing visits to schools and community groups</i>	Design and print handouts for school presentations	Develop presentation and content for handouts	Organize, schedule, and conduct presentations
<i>Ongoing attendance at community events</i>	Design and print any materials (handouts) required	Develop content that will be available at events	Organize, schedule, and attend events
<i>Ongoing tours of Lindsay Ops landfill for schools and community groups</i>	Design and print any materials (handouts) required	Develop content for tours	Organize, schedule, and conduct tours
<i>Ongoing promotion and education on programs and services that promote waste diversion</i>	Advertise for programs through various outlets (social media, news articles, community guide, flyers etc.)	Develop content for advertisements	
<i>Support for service centres, and other City staff for ongoing waste management programs</i>		Develop content for training	Complete ongoing training of service centre staff as well as other divisions/departments
<i>YouTube video series</i>	Create videos and post on YouTube/ social media	Develop content for videos	Additional help and resources for creating videos
<i>Multi-Residential Outreach and Education</i>	Advertising to Multi-Residential locations, designing and printing resources	Developing content for outreach to Multi-Residential locations	Contacting and visiting Multi-Residential locations to provide information and education
<i>Earth Day / Waste Reduction Week</i>	Advertising event and posting waste reduction week initiatives on social media	Developing content to focus on for event and waste reduction week posts	Organizing, developing, planning, and attending event
<i>Trash Talk Days/ Item swaps</i>	Advertising Events through various forms of media	Creating content for events	Organizing, developing, planning, and presenting at the events

<i>Initiative</i>	<i>Corporate Communications</i>	<i>Waste Division</i>	<i>Additional Required Resources</i>
<i>Maintaining the new Waste Reduction platform on Jumpln</i>	Creating platform, training Waste Division how to utilize it, advertising platform to the public	Maintaining content on platform, developing new content, posting updates	Additional help in maintaining platform
<i>Waste Strategy Initiative Promotion</i>	Advertising new initiatives to the public through various forms of media	Developing content for promotion of each Strategy Initiative	Through the additional ongoing items of focus ex. Community events, school presentations, etc. promoting and educating the public on Strategy Initiatives

Conclusions

In conclusion this supplemental document to the Integrated Waste Management Strategy will help guide the City towards implementing each Waste Strategy Initiative, and increase awareness in Kawartha Lakes of the importance of waste reduction and diversion from our landfills.

Putting an increased focus on education is essential to reaching our overall goal of increasing our diversion rate to 70% by 2048. While there are many contributing factors to increasing diversion rates, educating the public is key and integral to its success. Kawartha Lakes is growing and so is the amount of waste being generated, as a result so should the resources for the waste management division to adequately keep up with the demand. The Waste Division will work together with Corporate Communications and other resources provided to implement this Public Education and Communications Strategy.

The Corporation of the City of Kawartha Lakes

Council Report

Report Number RD2020-007

Meeting Date: August 20, 2020
Title: Use of Off Road Vehicles on Boundary Roads
Description: Response to request from the Township of Cavan Monaghan
Ward Number: All
Author and Title: David Lembke, Public Works Roads Manager West A

Recommendation(s):

That Report RD2020-007, **Use of Off Road Vehicles on Boundary Roads**, be received;

That Council supports the request from the Township of Cavan Monaghan to allow the use of ATV's on designated sections of Dranoel Road and Glamorgan Road; and

That if chosen as the final route by the Township of Cavan Monaghan, that By-law 2019-077 be amended and brought forward to Council for adoption.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

At the Council Meeting of March 19, 2020, Council adopted the following resolution:

CR2020-075

That the January 24, 2020 correspondence from the Township of Cavan Monaghan, **regarding off-road vehicles on boundary roads**, be received and referred to staff for a report back at the next Committee of the Whole meeting.

This report addresses that direction.

Although requested to come to Committee of the Whole, due to delays associated with the pandemic, Staff are bringing the report directly to Council in an effort to provide a timely response to the Township.

The Victoria Rail Trail is an 85 km rail trail, with corridors linking Kinmount to Bethany, through Fenelon Falls and Lindsay. It is a public, multi-use trail that is opened year round. It contains hundreds of breath taking views and unique geological formations that are sought after by many. It is a tribute to our rail history, that started at construction in 1874 by the Canadian National Rail (CN).

The Ganaraska Forest is southern Ontario's largest forest, covering approximately 11,000 acres. It contains hundreds of kilometers of multi – use trails that can be accessed by foot, bicycle, horseback and ATV's. It is also home to The Ganaraska Forest Centre, that features overnight accommodations, outdoor education classrooms, and a commercial kitchen. It straddles the Counties of Northumberland, and Peterborough, as well as the Region of Durham and the Kawartha Lakes.

Rationale:

The roads referenced in the correspondence (attached as Appendix A) from Cavan Monaghan dated January 24 2020, if added to the Schedule A of the By-Law would allow the creation of road routes that provide connection between the Victoria Rail Trail Corridor (VRTC) to the Ganaraska Forest.

Staff from Municipal Law Enforcement and Licensing have seen three complaints since 2018 relating to violations of By-Law 2019-077 and preceding By-Laws, being By-Laws to Regulate the Operation of ATV's and ORV's on Municipal Highways. The complaints have been made to report concerns of noise, speeding and damage to the ditch area. Staff would advise that Schedule A of the current By-Law currently allows road access to many roads in the northern portion of our Municipality without significant issues being reported.

To date, there has been no quantitative increase in maintenance costs for the roads listed in Schedule A of the By-Law. Furthermore, as identified in Appendix #1 of the current Boundary Road Agreement between The Corporation of the City of Kawartha Lakes and the Township of Cavan Monaghan (attached as Appendix B to this report), the Township of Cavan Monaghan is listed as the municipality responsible for year round maintenance of 6.7 km of Dranoel Road from Highway 7A North to the rail trail, and from Highway 7A South to Stewart Line. The City of Kawartha Lakes is responsible for maintenance of Glamorgan Road from Solanum Way southerly.

One concern to consider is the safety aspect of off road vehicles and traditional vehicular traffic sharing road networks. With cars travelling at higher rates of speed than off road vehicle speed limits there is increased risk of incident. It should be noted that there is currently shared use in northern areas of the City.

By allowing ATV's to use the aforementioned roads, it would allow for a link to be created between two of Ontario's most unique features. It would connect the Victoria Rail Trail to the Ganaraska Forest. This would enhance tourism for both Municipalities, as well as allow the users more opportunity to explore the sites that are close to home.

Staff is recommending that a connection route as requested is supported by Council.

Other Alternatives Considered:

Council could choose to not enable use of the noted boundary roads for the requested ATV use. This would be achieved by receiving the report and taking no further action.

Financial/Operation Impacts:

The financial impacts on operations are unknown at this time. It is probable that there would be marginal increased maintenance costs to municipal highways such as shoulder maintenance, signage, culverts, and cold mix patching surface treated roads.

Staff from Municipal Law Enforcement and Licensing have reviewed the request and the recommended option. The financial and operation impact will be minor and absorbed within current budget and operations. Staff would advise that Schedule A of the By-Law allows road access to many roads in North portion of our Municipality without significant issues being reported. If this recommendation is adopted, any complaints/concerns received will be tracked and resource impacts considered in future budgets.

Relationship of Recommendation(s) To The 2020-2023 Strategic Plan:

The recommendations set out in this Report would support the following priorities in the Strategic Plan, being:

A Vibrant and Growing Economy

- By creating the trail link, it would enhance tourism and increase the visitor spend in Kawartha Lakes.
- The link will also allow Kawartha Lakes to showcase features that can only be found here.

An Exceptional Quality of Life

- An increase to the trail system will promote personal wellness of the residents of Kawartha Lakes.
- The link will promote access to additional transportation networks.
- Ensures recreation and leisure programs are available to all residents.

A Healthy Environment

- With the creation of the link, it will allow users to travel on an approved road surface. In turn, this will help to protect and preserve our natural areas and prime agricultural lands which are currently used now.
- The approved route will aid in the protection of our native flora and fauna, which otherwise may accidentally be damaged unknowingly by the user in an attempt to find an unapproved link.

Consultations:

Manager, Municipal Law Enforcement
Parks and Recreation Division

Attachments:

Appendix A – Correspondence – Cavan Monaghan



Correspondence -
Cavan Monaghan.pdf

Appendix B – Cavan Monaghan Boundary Road Agreement



Cavan Monaghan
Boundary Road Agreement.pdf

Department Head E-Mail: brobinson@kawarthalakes.ca

Department Head: Bryan Robinson, P.Eng.



Appendix #

A

to

Report #

RD2020-007

January 24, 2020

City of Kawartha Lakes
P.O Box 9000
26 Francis Street
Lindsay, Ontario
K9V 5R8

Dear Mayor Letham and Council,

Re: Off-road vehicles on boundary roads

The Council of the Township of Cavan Monaghan has been approached and requested to establish an off-road vehicle route through the Township, primarily to access the Ganaraska Forest at this time. Staff was asked to research options and report back to Council.

On September 17, 2019 the Township held a public meeting and provided a proposed option to Council and those in attendance; a map is included for your review. There were a number of comments and questions which staff compiled and provided an update report to Council on January 13, 2020, which I have also included.

One of the issues with the proposed route is with the use of Dranoel Road and Glamorgan Road as they are boundary roads and support would be required from the City of Kawartha Lakes to proceed.

As the new legislation is pending to open up all roads, the Township of Cavan Monaghan is seeking a position from the City of Kawartha Lakes on the use of boundary roads for off-road vehicle use.

The Township plans to continue to investigate off-road vehicle use and would welcome collaboration with the City of Kawartha Lakes to discuss the use of boundary roads.

988 County Road 10
Millbrook, ON L0A 1G0

www.cavanmonaghan.net

Phone: 705-932-2929
Fax: 705-932-3458
Email: services@cavanmonaghan.net

I look forward to your response and should you have any questions, please feel free to contact me.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Elana Arthurs'.

Elana Arthurs

Clerk

Township of Cavan Monaghan

cc: Cathie Richie, Clerk - City of Kawartha Lakes



Regular Council Meeting

To:	Mayor and Council
Date:	January 13, 2020
From:	Elana Arthurs, Corporate Services Department
Report Number:	Corporate Services 2020-02
Subject:	Update - Off Road Vehicle Route from the Victoria Rail Trail to the Ganaraska Forest

Recommendations:

1. That Council direct staff to send a letter to the Council of the City of Kawartha Lakes requesting a formal position on using boundary roads for the off-road vehicle route from the Victoria Rail Trail to the Ganaraska Forest.
2. That Council direct staff to send a letter to the Ministry of Transportation requesting a formal position on off-road vehicles crossing over Highway 115 as identified in the route from the Victoria Rail Trail to the Ganaraska Forest.

Overview:

At the Regular Council Meeting held on July 2, 2019 Council passed the following resolution:

That Council direct staff to schedule an evening Public Meeting no later than the end of September to gather public input and consultation on the proposed north/south off-road vehicle route connecting the Victoria Rail Trail to the Ganaraska Forest along the west side of the Township of Cavan Monaghan.

A Special Council meeting was held on September 17, 2019 where Council and the public received a presentation from Staff on a proposed off road vehicle route connecting the Victoria Rail Trail out of Bethany to the Ganaraska Forest along the west side of the Township. The meeting was open for the public to speak on the proposed route and approximately 300 people were in attendance.

Council received comments from approximately 50 speakers with about half being in favour and half opposed. Those that spoke addressed issues of concern including traffic, speed, safety and noise and those in favour spoke to the enjoyment of the trails, increased property values and economic benefits to the Township.

Since the meeting comments and questions have been received via email with the majority of the submissions being opposed to allowing off road vehicles on the proposed route. A variety of questions were submitted, many of which had similar themes, so they

have been grouped together, where appropriate, and staff have answered and summarized them in the chart below.

	Questions	Answers
1.	Has the Township taken into consideration the effect of home values of those with homes on a designated ATV route within the Township?	There has been information received from both sides those that believe a trail will increase the value and those that do not. Staff have not identified any research or numbers to confirm whether either is accurate as staff are not qualified real estate experts.
2.	Has the Township considered just completely opening up ATV use within the Township, so not just some residents take on all the ATV use?	Future information will be provided to Council as the legislative and regulatory amendments are established in Bill 107, as identified in this report. Additional information on the legislation may be provided as it becomes available.
3.	Who is taking on the liability of a collision?	All legal off road vehicles are licensed and individually insured and liability will fall to the at fault driver. Similar to auto collisions, if it is determined that the conditions contributed to the accident the municipality could held partially liable.
4.	Does the Township have any concerns for pedestrian traffic to and from the trail systems off of Carveth/4 th Line	Multi-use trails are becoming common in other areas, including pedestrian and motorized vehicle traffic. The proposed off road vehicle route does not intersect with this pedestrian trail, although staff has requested comments from our insurance broker and our municipal solicitor to ensure that all risks are brought to the attention of Council for consideration.
5.	Where are the studies to support that off road vehicles would bring in tourism?	Staff have contacted other municipalities and were told there was some economic benefit as would be when you bring people into an area that would not normally be there. Staff were not able to find any quantifiable numbers on the economic benefits of this type of traffic.
6.	Has Council considered the losses in jobs and revenues that would result from the demise of the 4 th Line Theatre.	The proposed off road vehicle route does not impact the 4 th Line Theatre.
7.	Is this a money making venture for you?	There is no expected financial benefit to the Township in allowing the proposed route for off road vehicles by Council.
8.	Is there no other course these riders could use?	Staff was directed to establish a route from the Victoria Rail Trail in Bethany to the Ganaraska Forest along the westerly limits of Cavan Monaghan. Based on the research and recommendation of staff, the proposed route was provided to Council. Council could direct staff to do some additional research on an

		alternative route at which time a report would be provided to Council on those options.
9.	Who is responsible for damages (personal or property) or injury to the rider occurring on one's private property?	The proposed off road vehicle route is solely restricted to municipal road allowances, roads and County roads. There is no recommendation to access private property.
10.	Who will enforce speed limits for off road vehicles?	The Peterborough Police are contracted to provide Police Services in the Township and would be required to enforce speed limits for all vehicles.
11.	Who will maintain road maintenance?	Township staff would be required to maintain the proposed off road vehicle route.
12.	Glamorgan Road is a boundary road between Cavan Monaghan and City of Kawartha Lakes, therefore does any extra maintenance fall on a particular Township?	Currently Glamorgan Road is maintained by the City of Kawartha Lakes in a Township Boundary Road Agreement.
13.	Who will enforce the use of ATV's and dirt bikes on our roadways?	The Peterborough Police are contracted to provide Police Services in the Township and would be required to enforce use of off road vehicles.
14.	Who will ensure that operators of these vehicles have the necessary insurance.	The Peterborough Police are contracted to provide Police Services in the Township and would be required to enforce insurance requirements of off road vehicles.
15.	How many more vehicles does Council anticipate?	Staff is not able to effectively respond to this question.
16.	Will you investigate whether this is part of a bigger plan supported by the Province or the Province and off-road vehicle associations?	This would require Council direction.
17.	How much is the Province committing to this type of recreation?	Potential funding and/or grants have not been announced at this time.
18.	How much will Council budget for adequate policing and other acts of due diligence related to Cavan Monaghan roads with increased use by off road vehicle on this route?	The Peterborough Police are contracted to provide Police Services in the Township and would be required to include off road vehicle to comply with the laws within their existing contract.

The recently passed Bill 107 – Getting Ontario Moving Act makes changes to permitting off road vehicles on municipal roads unless a by-law is adopted to restrict off road vehicles by Council. Bill 107 received Royal Assent in 2019 although additional legislative and regulatory amendments are required to implement changes to off road vehicle use in the province. Representatives from the Ministry of Transportation indicated amendments to Highway Traffic Act (HTA) Regulation 316/03 and Off-Road Vehicle Act Regulation 863 still need to be prepared and filed to allow off-road vehicle access to roads within certain municipalities (where the 80 km/h default speed limit

applies). An 18 to 24-month transition period is necessary to allow time for the regulations to be developed and, more importantly, allow municipalities that wish to restrict or prohibit off-road vehicle access on roads within their jurisdictions the time needed to study the issue and prepare by-laws accordingly. It was also noted that such by-laws cannot take effect until the regulatory amendments are proclaimed into force. This is anticipated to be on January 1, 2021.

Staff contacted the Ministry of Transportation requesting a position on the portion of the route that crosses Highway 115, although no response had been received at the time of this report.

Staff contacted the City of Kawartha Lakes requesting a position on the use of boundary roads, although no response had been received at the time of this report.

On October 25, 2019 Staff met with Robin McCleave, Senior Vice President-Risk Manager of JLT Canada Inc., the Township's Insurance Broker, and drove the proposed route for her review and comments which are provided below.

"There were two roads in particular that did raise some concern from a risk management perspective and they are:

1. The public road the off-road vehicle group would like to use to get to the entrance of the Unopened Road Allowance / Fire Route that stops at the railway tracks and into the Ganaraska Forest. For reference purposes please see my comments below – "Dranoel Road".
2. Travelling from a Township road onto a County road, including a bridge over 115 and a long curve before turning right onto a Township road. For reference purposes please see my comments below "ROAD B".

Dranoel Road

Based on there being no shoulders and limited sight lines, it would be difficult from a risk management perspective to recommend the use of this section of Dranoel Road as a route for off-road vehicle users. My suggestion would be to consider looking at potential alternate routes for off-road vehicle users to get to this section of the forest. However, if it was decided to move forward and allow the use of off road vehicles on Dranoel Road, at a minimum my recommendation would be to erect –

- warning signs advising drivers they are sharing the road with off-road vehicles;
- curve signs;
- signs advising what the speed limit should be; and
- ensure that the trail identified as needing to be cleared of brush be completed on an ongoing basis.

Road B

This section of road forms part of a snowmobile trail signed by a snowmobile club, and therefore an assumption was made that an off-road vehicle user would consider using the same section of road because it is already being used by snowmobilers.

At this section there are no shoulders and if there were two vehicles coming from different directions, and an off-road vehicle on the bridge at the same time, there would be limited room for each vehicle to safely manoeuvre while travelling on the bridge. Any

oncoming vehicles would have to slow down, it would not be safe to pass due to reduced sight lines.

To conclude, this may not be an issue for the Township because the section of the road that causes the most concern is a County Road. However, the off-road vehicle driver will be leaving your road to go onto the County Road, and if there was a loss at that intersection it is likely that the Township would be named in a suit. Therefore the Township may wish to not allow off-road vehicles on the Township road that would take the driver to the County Road. Potentially it may be possible work with the snowmobile and off-road vehicle clubs to try and find an alternate route that is safer all users.

Considerations when deciding which roads to allow the use of off-road vehicles

Anytime a municipality is considering which roads are best suited for off-road vehicle use, it is our recommendation that the following be taken into consideration:

- Does your municipality have the staff to manage their increased maintenance responsibilities? If there is a loss the courts would look to maintenance/inspection records to see what standards were being met at the time of the accident.
- How safe is the roadway that is being contemplated for this use:
 - a. Is it flat with no curves, does it have clear sight lines.
 - b. The distance that the off-road vehicles are allowed to travel.
 - c. Type of road e.g. paved or gravel.
 - d. How busy is the roadway?
 - e. Based on the type of road which minimum maintenance standards (MMS) apply.
 - f. off-road vehicles are to travel on the shoulder unless it is deemed by the driver of the off-road vehicle that the shoulder is unsafe. Depending on the speed the off-road vehicle is travelling at, and how quickly a judgement call needs to be made by the driver of the off-road vehicle, the off-road vehicle could suddenly be on a roadway with little warning to other vehicles travelling on the road. Therefore it is important that the shoulders on the road are wide enough and properly maintained to reduce any need for the driver of the off-road vehicle to move from the shoulder to the road.

For information purposes below is the link to the MMS and the section that pertains to shoulders:

<http://www.canlii.org/en/on/laws/regu/o-reg-239-02/latest/o-reg-239-02.html>

Unopened Road Allowances also designated as Fire Routes

Below is a synopsis of my observations while travelling through the various sections of the Ganaraska Forest located on Township property:

- There were Township signs advising the public "Fire Route 101, Unopened Road Allowance, Use at Own Risk".
- I did not see any signage advising/warning the public that along with the URA being a Fire Route, it was also a multi-use recreational trail used by:
 - snowmobilers,
 - off-road vehicles,
 - motorbikes,

- horseback riders
 - pedestrians
 - cyclists
- There was a section of the unopened road allowance / fire route being used by two private property owners to get to their sites. One of these sites is used for horses, their horse trailer and camping.
 - A logging company is using the unopened road allowance/fire route for their vehicles and equipment to get to sites where they are cutting down trees and parking their equipment.
 - Private passenger vehicles (PPV) have also been known to travel on the unopened road allowance/fire route – there was no signage stating PPV's were prohibited.
 - Sections of the forest are being used for hunting and any signage –
 - was not consistent;
 - at times difficult to read;
 - did it articulate where you could and could not hunt; and
 - did not articulate what times during the year the forest could be used for hunting.

From a risk management perspective my recommendation would be to set up a meeting with yourself, other pertinent municipal staff members, if feasible legal counsel and myself early in the new year to discuss:

1. Does additional signage needs to be erected? If yes, what should it say and where should the additional signage be erected.
2. Should consideration be given to erecting signage for information purposes. For example:
 - advising users to stay on the trail – to protect the environment, sensitive plants and wildlife;
 - directional signs;
 - create a trail map, naming the trails and number of kilometers;
 - warn users that cellular service is limited.
3. If the message on the current unopened road allowance/fire route signs needs verbiage added advising only designated vehicles are allowed to travel on the unopened road allowance/fire route.
4. How best to address the issue of PPV's vehicles using the unopened road allowance/fire route. In particular should consideration be given to widen the section of the unopened road allowance/fire route that is being used by the two property owners?
5. How best to address the sections of the unopened road allowance/fire route that are being used by commercial vehicles, including parking of vehicles and equipment (the logging company). For example widen those sections of the unopened road allowance/fire route and build a designated parking lot. Would it make sense/would it be possible to limit the sections of the unopened road allowance/fire route that can be used by their commercial vehicles.

6. Should action be taken to try and prevent the use of motorbikes on the unopened road allowance/fire route e.g. using signage and better enforcement by the Peterborough Police?
7. To try and prevent the use of unauthorized vehicles on the unopened road allowance/fire route should gates be installed with fire staff having access to the keys or cutters in the event of an emergency? This may not be feasible if other users of the unopened road allowance/fire route cannot get around the gates. The use of the unopened road allowance/fire route by the logging company would also need to be addressed.
8. Build parking lots at specific entrances to the forest where individuals who want to use the forest for recreational purposes can park their cars. This would also create an opportunity to erect an informational sign."

In addition to the comments from the insurance company above, comments were requested from the Ed Veldboom, Municipal Solicitor which have been provided below:

"The same general principle has been carried through from the last major changes to the legislation concerning ATV/UTV (Off Road Vehicles) use on public highways. Province has opened the door to allow more types of vehicles to be used, but has given the municipalities the final say in their jurisdiction by allowing municipalities to restrict and/or prohibit use by by-law

The key aspect is that the authority and rules/regulations under the *Highway Traffic Act* are tied to the existence of a "highway". In this case it appears that the connection being considered could involve both maintained (but lightly used) roads and unopened road allowances; both are "highways" and as such the *Highway Traffic Act* does apply; however if unopened road allowances were actually closed by by-law, then the *Highway Traffic Act* would not apply (that could also apply to any opened section of highway along the boundary).

The other key aspect that must be considered is the fact that it is a boundary road/road that is being considered. Thus any by-law passed to address the issue of Off Road Vehicle Use (that affects a boundary road allowance) must be passed by both municipalities to have any effect. In that regard, boundary road allowances are subject to joint jurisdiction (i.e. boundary municipalities are "joint owners" and do not simply own its half of the boundary road allowance).

With respect to Robin McCleave's comments I agree with her cautionary remarks and recommendations. I think that further and specific consideration of the roads/road allowances at issue is required. For example some consideration of how winter maintenance is conducted must be factored into the equation. This gives rise to the question should any by-law that is passed include prohibitions on use during the winter maintenance period?"

Staff are requesting that with the information provided in this report that further direction be provided as to next steps with the proposed route as attached.

Financial Impact:

There is no financial impact at this time.

Attachment:

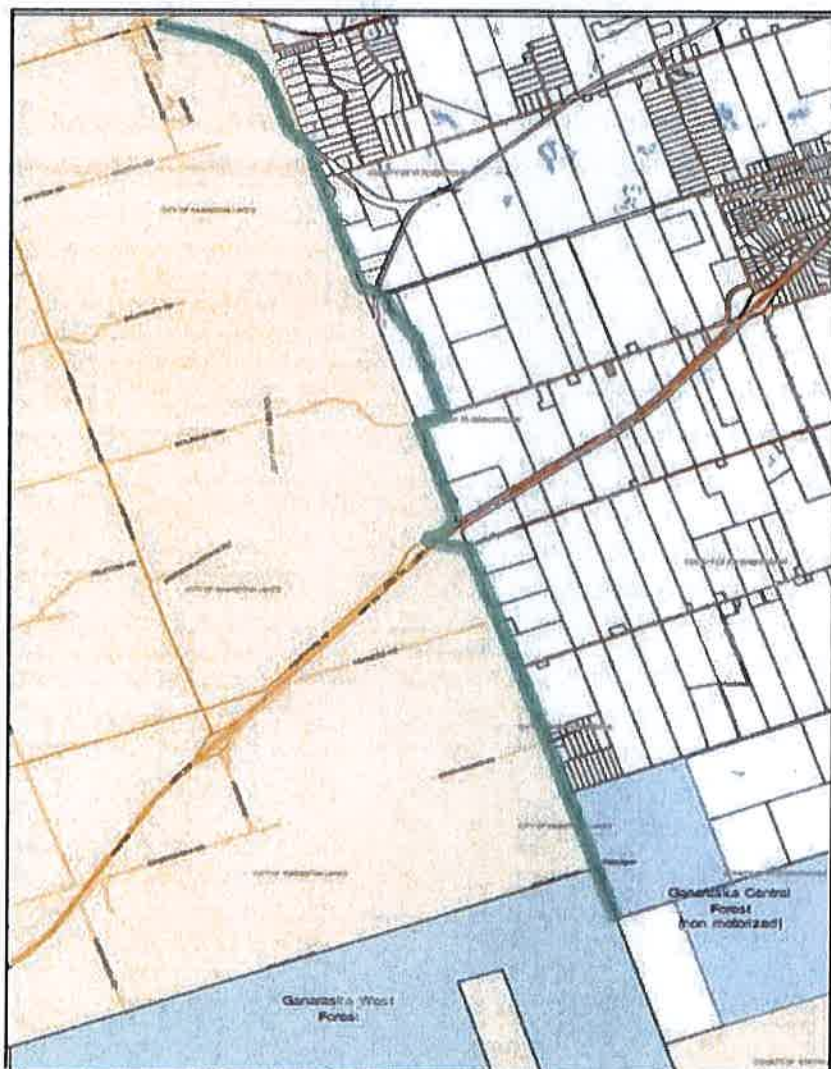
Map of off-road vehicle route connecting the Victoria Rail Trail to the Ganaraska Forest along the west side of the Township of Cavan Monaghan.

Respectfully submitted by,

Reviewed by,

Elana Arthurs
Clerk

Yvette Hurley
Chief Administrative Officer



BOUNDARY ROAD AGREEMENT

BETWEEN:

The Corporation of the City of Kawartha Lakes
("Kawartha Lakes")

- and -

The Township of
Cavan Monaghan
("Township")

Recitals:

1. Section 27 of the *Municipal Act* provides that by-laws may be passed by municipalities respecting highways.
2. Section 28 of the *Municipal Act* sets out the highways over which a municipality has jurisdiction.
3. Section 29.1 of the *Municipal Act* provides that municipalities having joint jurisdiction over a boundary line highway ("Boundary Road") may enter into an agreement to keep any part of the highway in repair for its whole width and to indemnify the other municipality from any loss or damage arising from the lack or repair for that part.
4. A number of Boundary Roads exist on the boundary between Kawartha Lakes and the Township as set out in Appendix 1 which roads have been assumed by the municipalities or been transferred to them by the Province.
5. The road systems adjacent to the Boundary Roads have been assessed to determine the most efficient way to link maintenance activities on Boundary Roads with maintenance activities on the balance of road systems for both municipalities.
6. Kawartha Lakes or the Township will by this agreement provide winter and general maintenance services on the boundary portions of all said Boundary Roads as set out in Appendix 1 commencing January 1st, 2010.
7. Kawartha Lakes or the Township's Roads Accounting process does not distinguish costs on its Boundary Roads from costs on area roads.

IN CONSIDERATION of the covenants in this agreement and for other good and valuable consideration (the receipt and sufficiency of which are hereby acknowledged), the parties hereto agree as follows:

1. Interpretation:

- (a) Gender, Plural: All words in this agreement are deemed to include any number or gender as the context requires.
- (b) Proper Law: This agreement shall be interpreted according to the laws of the Province of Ontario.
- (c) Headings: Article, clause and/or paragraph headings are for reference purposes only and shall not in any way modify or limit the statements contained in any article, clause or paragraph.
- (d) Legislation: Reference to federal or provincial statutes or municipal by-laws are deemed to refer to the relevant legislation as amended, including successor legislation.

2. **Term**: The parties agree to provide winter and general maintenance services on the portions of the Boundary Roads as set out in Appendix 1 for ten (10) years from the date of execution of this agreement.

The parties agree that this agreement shall automatically renew at the expiration of the term or any extension of the term for a further one-year period on the same terms and conditions unless either party provides 180 days notice in writing of its intention to terminate the agreement at the expiration of the current term.

3. **Level of Service:** The parties covenant and agree to maintain the portions of the Boundary Road which are its responsibility according to Appendix 1, to a standard which meets provincially enacted Minimum Municipal Maintenance Standards effective during the term of this Agreement.
4. **Call Outs:** The parties covenant and agree that the municipality having responsibility according to Appendix 1, or its agents, shall be responsible for calling in and directing the employees and/or contractors for the roads which are their responsibility.
5. **Municipal General Liability Insurance:**
 - (a) Each municipality shall maintain, in full force and effect, general liability insurance in an amount of not less than Five Million Dollars (\$5,000,000) per occurrence, at all times and throughout the term of this Agreement. Each municipality shall include in the said policy, an extension for non-owned automobile liability coverage in an amount of not less than Five Million Dollars (\$5,000,000). Each municipality shall maintain, in full force and effect, owned automobile liability coverage in an amount of not less than Five Million Dollars (\$5,000,000). The amounts of coverage shall be reviewed by the municipalities on any renewal.
 - (b) Kawartha Lakes shall name the Township as an additional insured as set out under 5(a) above but only with respect to the operations of Kawartha Lakes as defined under Appendix "1" of this Agreement at all times and throughout the term of this Agreement.
 - (c) The Township shall name Kawartha Lakes as an additional insured as set out under 5(a) above but only with respect to the operations of The Township as defined under Appendix "1" of this Agreement at all times and throughout the term of this Agreement.
 - (d) Each municipality agrees to indemnify and save the other harmless from and against any claims including legal expenses, howsoever styled, attributable to the Municipality's negligence in performing the services required under this Agreement at all times and throughout the term of this Agreement, such expense shall be part of the shared cost agreement.
6. **Proof of Insurance:** Each party agrees to provide the other party with proof of the insurance required under this Agreement. Each party shall also be provided within 30 days notice of cancellation from their respective insurers.
7. **Authority:** The parties warrant that they have taken all necessary steps, done all acts, passed all by-laws and obtained all approvals required to give it the authority to enter into this Agreement.
8. **Scope of Work:** The parties agree that this agreement covers all winter and general maintenance and that specifically excluded is capital work, which shall include major bridge/culvert repair/replacement and road reconstruction. Prior approval (upon 1 year's notice) shall be obtained regarding capital expenditures on all boundary roads where costs are to be shared 50/50 and the municipality having responsibility for the affected section of Boundary Road shall manage such projects unless alternative arrangements are made.
9. **Payment:** That Kawartha Lakes deems it advisable to maintain year-round and repair the sections of boundary roads as set out in Appendix 1 and the Township agrees to maintain year-round and repair the sections of boundary roads as set out in Appendix 1. And further, that all surface treatment applications are to be treated as Capital work on a project by project approval basis.
10. Both parties agree that prior to undertaking expenditures in excess of \$5,000.00 in any year, that the work be approved of by the other municipality and that any amount in excess of \$5,000.00 shall be shared equally between the two parties and further that each party shall furnish the other with an annual detailed statement of costs on their portion of boundary road.

Capital projects shall be invoiced monthly on the basis of 50% of each progress certificate as paid by the responsible municipality for authorized work.
11. **Signage:** Each municipality shall supply and install roadside sign(s) for the sections of road for which they are responsible as set out in Appendix 1, to notify the road user who is responsible for carrying out the winter and general maintenance of the road.

12. **Amending Formulae:** Either party may, upon 180 days' written notice to the other, withdraw from this Agreement or make proposals for change to take effect 180 days after the beginning of the notice period. Where there is mutual agreement, in writing, on a shorter notice for change, this clause shall not prohibit early implementation of such change.
13. **Entrance Permits:** Entrance permits on Boundary Roads shall be processed by the municipality in which the land requiring the permit is located on consultation with the other municipality as to road safety conditions.
14. **Severances:** Severance applications with respect to lands on Boundary Roads shall be processed by the municipality in which the lands are located on consultation with the other municipality as to road safety conditions.
15. **Emergencies:** Notwithstanding anything in this agreement, in the event of an emergency situation, the non responsible municipality shall be allowed to react to the situation which the other municipality would otherwise be responsible. The costs of such emergency action shall be apportioned as set out in Section 9.
16. **Notice:** Any notice to be given under this agreement shall be sufficiently given if delivered or if sent by prepaid first class mail and addressed to:

Director of Public Works
The Corporation of the City of Kawartha Lakes
P.O. Box 9000
26 Francis Street
Lindsay, ON K9V 5R8

And to:

Clerk's Office
The Corporation of the Township of Cavan Monaghan
988 County Road #10, R.R. #3
Millbrook, ON L0A 1G0

Receipt of notice shall be deemed on the earlier of the date of delivery or five (5) days following the date of mailing of the notice. Either party may change its address for notice by give notice of change of address pursuant to this section.

17. **Arbitration:**
 - (a) In the event of any dispute arising between the parties hereto relating to any matter which is the subject of this Agreement, such dispute shall be settled by the persons named in Section 15. In the event that the dispute cannot be settled within 30 days, then the dispute will be submitted to arbitration by notice given by either party to the other.
 - (b) Upon such notice being given, the dispute shall be determined by the award of three arbitrators or a majority of them, one to be named by each party within twenty-one (21) days of the giving of such notice and the third to be selected by these two arbitrators within seven (7) days after both have been nominated.
 - (c) If either party shall neglect or refuse to name its arbitrator within the time specified or to proceed with the arbitration, the arbitrator named by the other party shall proceed with the arbitration.
 - (d) The arbitrator(s) shall have all the powers given by the *Arbitration Act* of Ontario and may at any time proceed in such manner as they may see fit on such notice as they deem reasonable in the absence of either party if such party fails to attend.
 - (e) Each party shall pay its own costs and shall share equally in the costs of the arbitration.
 - (f) The cost of the arbitrators are not limited to those set forth under the *Arbitration Act* of Ontario and the arbitrators shall be able to charge their usual professional charges.
18. **General:**
 - (a) Notwithstanding anything in this agreement, neither party shall be in default with respect to the performance of any of the terms of this agreement if any non-performance is due to any force majeure, strike, lock-out, labour dispute, civil commotion, war or similar event, invasion, the exercise of military power, act of God, government regulations or controls, inability to obtain any material or service or any cause beyond the reasonable control of the party (unless such lack of control results

from a deficiency in financial resources). Otherwise, time shall be of the essence of this agreement and all the obligations contained herein.

- (b) The rights and liabilities of the parties shall enure to the benefit of and be binding upon the parties and their respective successors and approved assigns.
- (c) This Agreement contains the entire agreement between the parties. There is no covenant, promise, agreement, condition, precedent or subsequent, warranty or representation or understanding, whether oral or written, other than as set forth in this agreement. This Agreement fully replaces and supersedes any agreement or other contractual arrangement between the parties related to the subject matter of this agreement.
- (d) If any provision, clause, or part of this agreement, or the application of this agreement under certain circumstances, is held by a court or tribunal of competent jurisdiction to be invalid, the remainder of this agreement, or the application of that provision, clause or part under other circumstances, shall not be affected.
- (e) The parties hereto agree to execute such additional documents and to pass such additional by-laws as may be necessary in order to give effect to the meaning and intent to this Agreement.

IN WITNESS WHEREOF the parties by their duly authorized representatives have set forth their signatures on the dates herein written below:

Signed and sealed this 21st day of December, 2009

**THE CORPORATION OF THE CITY OF KAWARTHA
LAKES**

Ric McGeer
Mayor

Judy Currie
Clerk

Signed and sealed this 7th day of December, 2009.

THE TOWNSHIP OF CAVAN MONAGHAN

John Armstrong
Reeve

Anthony
Clerk

APPENDIX # 1

BOUNDARY ROAD NUMBER	FROM	TO	HWY. CLASS.	LENGTH	RESPONSIBLE MUNICIPALITY
Hogs Back Road	Ski Hill Road	Unassumed Portion	6	0.3 kms.	Year-Round – City of Kawartha Lakes
Hillview Drive	Bethany Hill's Rd.	Unassumed Portion	4	0.9 kms.	Year-Round – City of Kawartha Lakes
Skiview Dr.	Hillview Dr.	Turn-around	4	0.3 kms.	Year Round – City of Kawartha Lakes
Dranoel Rd. (S. of Hwy. #7A)	Hwy. #7A	Railway Tracks	4	3.3 kms.	Year Round – Cavan Monaghan
Dranoel Rd. (N. of Hwy. #7A)	Hwy. #7A, northerly	Stewart Line	4	3.9 kms.	Year Round – Cavan Monaghan
Hayes Line	Road #38, easterly	Jones Quarter Line	4	3.4 kms.	Year Round – City of Kawartha Lakes
Hayes Line	Jones Quarter Line, easterly	Road #10	4	3.5 kms.	Year Round – City of Kawartha Lakes
Hayes Line	Road #10, easterly	Orange Corners Road	4	3.6 kms.	Year Round – Cavan Monaghan
Hayes Line	Orange Corners Road, easterly	Hwy. #7	4	2.8 kms.	Year Round – Cavan Monaghan
Glamorgan Rd.	Solanum Way, southerly	Clarington/Manners Boundary Rd.	4	1.5 km.- Gravel 1.5 km.- Hardtop; 0.8 km.- Gravel	Year-Round – City of Kawartha Lakes

The Corporation of the City of Kawartha Lakes

Council Report

Report Number PUR2020-021

Meeting Date: August 20, 2020

Title: 2020-52-CQ Reconstruction of St. Mary's Road Bridge

Ward Number: Ward 8

Author and Title: Linda Lee, Buyer
Martin Sadowski, Senior Engineering Technician

Recommendation(s):

That Report PUR2020-021, 2020-52-CQ Reconstruction of St. Mary's Road Bridge, be received;

That Ratcliff Excavating and Grading Inc. be selected for the award of 2020-52-CQ Reconstruction of St. Mary's Road Bridge for the total quoted amount of \$979,400.00 not including HST;

That the additional expenditure of \$463,187 be funded from the Capital Contingency Reserve, leaving the reserve with a balance of \$1,516,264;

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

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

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

St. Mary's Road Bridge, also known as the Jake Hart Bridge is located in Manvers Township approximately 1.60km South of CKL 31 (Mount Horeb Road). It is a 3 span, 2 lane bridge crossing the Pigeon River.

As a result of a structural failure of one of the substructure members, the bridge was closed during the 2019/2020 winter, and reduced to a single lane during the spring/summer months of 2020.

Although the volume of traffic this bridge sees is relatively low at 180 AADT (Annual Average Daily Traffic), St. Mary's Road Bridge is vital to the type of traffic that relies on it. St. Mary's Road and St. Mary's Road Bridge is relied on heavily by the local farming community and its large vehicles and equipment. During the spring/summer/fall months, most farm equipment cannot cross this bridge because of the lane closure barricades in place.

The original plan was to rehabilitate the existing bridge, and the budget was set accordingly. As the project progressed it was determined that bridge rehabilitation would not allow for current weight restrictions to be lifted, and the life expectancy of bridge rehabilitation would be only 25 years. By completing a bridge replacement, it will allow for current weight restrictions to be lifted and will have a life expectancy of 75 years.

Request for Quotation 2020-52-CQ Reconstruction of St. Mary's Road Bridge was released and advertised accordance with the Purchasing Policy. The quotation was opened by Jane Pyle, Executive Assistant to the CAO and Launa Macey, Supervisor of Procurement with the following results.

Contractor	Total Tendered Amount read at opening
Ratcliff Excavating & Grading Inc.	\$960,590.00 corrected to \$979,400.00
MTM-2 Contracting Inc.	\$1,007,440.00 corrected to \$1,007,470.00
Carlington Construction Inc.	\$1,117,080.25
Urbanlink Civil Ltd	\$1,285,705.00
Dufferin Construction	\$1,342,312.65
GMP Contracting	\$1,362,226.69
Stirling Ridge Infrastructure Inc.	\$1,367,000.00
Dig-Con International Ltd.	\$1,389,165.25 corrected to \$1,379,415.25

Rationale:

Staff recommends the award of quotation 2020-52-CQ Reconstruction of St. Mary's Road Bridge to Ratcliff Excavating and Grading Inc. being the lowest compliant respondent for the quoted price of \$979,400.00 not including HST.

Other Alternatives Considered:

An alternative that could be considered is to cancel this process and reissue the request for quotation in 2021. This would mean that additional funds would need to be requested for the 2021 budget. The Department is not recommending this option as this would keep the bridge closed for a further year and may also result in material and labour cost increases.

Financial/Operation Impacts:

Funds for 2020-52-CQ were approved in the 2020 Capital Budget as indicated in the table below:

Project Number	Project Budget	Other Committed Funds *see below	Project Balance	Purchase Amount (excl. HST)	10% Contingency	HST Payable	Total Amount	Project Balance
983200101	\$672,000	\$38,885	\$633,115	\$979,400	\$97,940	\$18,962	\$1,096,302	(\$463,187)

*other committed funds include Contract Administration and Inspection and Material Testing.

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

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

This reconstruction of the St. Mary's Road Bridge falls in line with the strategic priorities of:

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

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

By-Law 2020-

A By-law to Amend By-Law 2018-020, Being the City Lands Disposition By-Law for the Corporation of the City of Kawartha Lakes

Recitals

1. The Corporation of the City of Kawartha Lakes passed By-Law 2018-020 on February 13, 2018, setting out the procedure to be followed by City Staff when disposing of City-owned property.
2. Several sections of the By-Law require amendments in order to clarify the intent of the direction.
3. Section 3.03 currently states that an appraisal is required “prior to the acquisition or disposition of any real property...”. As By-Law 2018-020 deals specifically with disposition of property, and Council Policy 205 CAO 044, being the “Real Property Acquisition Policy”, already requires an appraisal upon acquisition, an amendment is required to remove “acquisition or” from By-law 2018-020.
4. By-Law 2020-025 was passed on March 19, 2020, amending By-Law 2018-020 to change the set pricing for road allowances and shoreline road allowances to the minimum price that must be recovered on sale. The purpose of the amendment was to allow for negotiation of a higher price for road allowance and shoreline road allowance parcels, if deemed appropriate (i.e. in a situation where purchasing the road allowance or shoreline road allowance will result in a significant financial benefit to the purchaser), as long as the minimum price as determined by the set pricing would be recovered, and without requiring an appraisal to determine the value of the land. Amendments are required to Section 4.04 and Schedule “C” to make this intent clearer.
5. These changes require amendments to the original By-Law.

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 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: Amendments to By-Law 2018-020

2.01 Amendment to Section 3.03: Section 3.03 is amended to remove “acquisition or” from the first sentence of the paragraph.

2.02 Amendments to Section 4.04: Section 4.04 is amended by adding “Minimum” after “Certain” to the title of the section.

Section 4.04 is amended to remove “Minimum” after “certain” in the first sentence of the section.

Section 4.04 is amended to add the following sentence to the end of the paragraph:

“If these minimum prices are achieved, an appraisal is not required.”

2.04 Amendments to Schedule C: Schedule “C”, paragraph 2(a) is amended to add “a minimum of” before each of the following prices: \$15.00, \$20.00, and \$23.00.

Section 3.00: Administration and 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 20th day of August, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2020 -

A By-Law To Amend The Township of Verulam Zoning By-Law No. 6-87 To Rezone Land Within The City Of Kawartha Lakes

[File D06-2019-018, Reports PLAN2019-048 and PLAN2020-025, respecting Part of Lot 26, Concession 6, geographic Township of Verulam, identified as 36 Walker's Road - William Ashby and Joseph McGale.]

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. Section 36 of the Planning Act authorizes Council to place a Holding (H) symbol on any zoning category assigned to property. The purpose of the Holding (H) symbol is to restrict specific uses of the property until conditions imposed by Council have been met.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit a live action role playing facility-use on the subject lands and to restrict development within the existing and proposed open space areas (natural heritage features and their buffers). A Holding (H) symbol shall be applied to ensure specific portions of this use are subject to site plan control and the completion of an archaeological assessment.
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 of Lot 26, Concession 6, geographic Township of Verulam, City of Kawartha Lakes, identified as 36 Walker's Road.
- 1.02 **Textual Amendment:** By-law No. 6-87 of the Township of Verulam is further amended to delete Section 19.3.18 in its entirety and replace it with the following:
 - 19.3.18 Notwithstanding permitted uses in subsection 19.1, land zoned A1-18(H) may also be used for the following:
 - a) A Live Action Role Play Facility-Use, to be defined as a facility-use intended for organized outdoor recreation activity by persons engaged in a structured role-playing game.

- b) One (1) recreational vehicle subject to appropriate servicing under the Ontario Building Code;
- c) A maximum of 100 tents for sleeping accommodation during events only and that are located in one concentrated area and having a maximum tent size of 10 sq.m.

Notwithstanding the provisions of Section 19.2, for land zoned A1-18(H), the total gross floor area of all structures (including permanent and temporary structures) combined is not to exceed 600 sq.m.

Notwithstanding the provisions of Section 19.2, for land zoned A1-18(H), the minimum yard setback for all structures, a recreational vehicle and tents shall be 50 m. save and except the parking area with surface treatment existing at the time of passing of this by-law.

Until the Holding (H) symbol is removed, for lands zoned A1-18(H), the Live Action Role Play Facility-Use shall only permit:

- A maximum of 30 moveable structures each to be less than 10 sq.m. gross floor area with no human habitation, no plumbing or kitchen facilities and requiring no soil surface disturbance;
- One (1) recreational vehicle subject to appropriate servicing under the Ontario Building Code;
- A maximum of 60 tents for sleeping accommodation during events only and that are located in one concentrated area and having a maximum tent size of 10 sq.m.;
- Parking area with surface treatment existing at the time of passing of this by-law; and,
- A minimum yard setback of 50 metres for all structures, a recreational vehicle and tents.

On land zoned A1-18(H), the removal of the (H) symbol shall be in accordance with the following:

- i) The owners shall enter into a site plan agreement with the City to be registered on title for any development or redevelopment on the property.
- ii) The owners shall file an Archaeological Assessment prior to any soil disturbance to satisfy the Ministry of Heritage, Sport, Tourism and Culture (MHSTC) and Curve Lake First Nation requirements.

All other provisions of subsection 19.1 and 19.2 shall apply.

On land zoned A1-18(H), should the (H) symbol not be removed three (3) years from the passing of this by-law, all provisions of subsection 19.1 and 19.2 will then apply.

- 1.03 **Textual Amendment:** By-law No. 6-87 of the Township of Verulam is further amended to add the following section to Section 18.3:

18.3.17 Notwithstanding permitted uses in subsection 18.1, land zoned OS-17 may also include ancillary uses for the Live Action Role Play Facility-Use on lands zoned A1-18(H). Ancillary uses may include pathways, trails and temporary structures less than 10 sq.m. which were existing at the time of passing of this by-law. No new structures, site alteration or tents are permitted in the OS-17 Zone.

All other provisions of subsection 18 shall apply.

- 1.04 **Schedule Amendment:** Schedule 'A' to By-law No. 6-87 of the Township of Verulam is further amended to change the zone category from the 'General Rural Special Requirement Eighteen (A1-18) Zone' and 'Open Space (OS) Zone' to the 'Rural General Special Requirement Eighteen Holding (A1-18(H)) Zone and 'Open Space Special Requirement Seventeen (OS-17) Zone for the land referred to as 'A1-18(H) and 'OS-17' 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 Verulam

Lot 27

Lot 28

Lot 27

Con. 5

Concession 6

'A1-18 (H)'

'OS-17'

'A1-18 (H)'

Lot 27

Lot 26

Lot 26

'OS-17'

OS

Cedartree Rd.

Lot 25

Lot 25

Lot 26

Unopened Rd.
Allowance

Hawker's Creek

Cedartree Rd.

Walkers Rd.

+/- 187.18m

+/- 213.98

The Corporation of the City of Kawartha Lakes

By-Law 2020 -

A By-law to Amend the Oak Ridges Moraine Zoning By-law 2005-133 and the Township of Manvers Zoning By-law No. 87-06 to Rezone Land within the City of Kawartha Lakes

[File D06-2018-014, Report PLAN2020-026, respecting Part Lot 24, Concession 8, geographic Township of Manvers, Future Horizon Court and Country Place, Bethany – Woodland Hills Community Inc.]

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 harmonize zoning provisions to permit 5 residential lots to develop on future Horizon Court, to decrease the size of 5 residential lots fronting on future Country Place to accommodate a municipal stormwater conveyance channel and to replace the commercial block fronting Ski Hill Road between Rustlewood Avenue and Country Place with a stormwater management facility and 3 residential lots.
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 24, Concession 8, geographic Township of Manvers, City of Kawartha Lakes.

1.02 **Textual Amendment:** By-law No. 2005-133 of the Oak Ridges Moraine is further amended to add the following section to Section 13.4:

“13.4.8 Notwithstanding Section 13.2, on lands zoned RR1-S9, the following shall apply:

- | | |
|--------------------------|--------------------|
| a) Minimum lot area | 4000 square metres |
| b) Minimum lot frontage | 30 metres |
| c) Minimum front yard | 15 metres |
| d) Minimum rear yard | 10 metres |
| e) Minimum flankage yard | 10 metres |

- f) Minimum side yard 3 metres
- g) Minimum water setback 5 metres
- h) Maximum lot coverage 25 percent
- i) Minimum dwelling unit floor area 100 square metres
- j) Maximum height 11 metres
- k) Maximum number of dwelling units 1
- l) Accessory uses, parking, etc, in accordance with the provisions of Section 5 hereof.
- m) Notwithstanding any provision of Section 13.2, Section 13.4.8 l., or Section 5.1 b., on lands zoned RR1-S9, a detached garage may be permitted in the front yard and when located in a front yard shall be subject to the following minimum setbacks:
 - i. 10 metres from a front lot line
 - ii. 10 metres from a flankage lot line; and
 - iii. 3 metres from a side lot line.
- m) Section 5.16 shall not apply to lands zoned RR1-S9.
- n) The regulations for lands zoned RR1-S9 shall be read in conjunction with the regulations for lands zoned RR2-S18 in the Township of Manvers Zoning By-law 87-06 and they shall be applied as though the zone boundary did not exist.”

1.03 **Textual Amendments:** By-law No. 87-06 of the Township of Manvers is further amended to add the following sections to Section 4.4 and Section 9.3:

“4.4 s. Notwithstanding Section 4.2, on lands zoned RR2-S18, the following shall apply:

- a. Minimum lot area 4000 square metres
- b. Minimum lot frontage 30 metres
- c. Minimum front yard 15 metres
- d. Minimum rear yard 10 metres
- e. Minimum flankage yard 10 metres
- f. Minimum side yard 3 metres
- g. Minimum water setback 15 metres
- h. Maximum lot coverage 25 percent
- i. Minimum dwelling unit floor area 100 square metres
- j. Maximum height 11 metres
- k. Maximum number of dwelling units 1
- l. Accessory uses, parking, etc. in accordance with the provisions of Section 20 hereof.
- m. Notwithstanding any provision of Section 4.2, Section 4.4 s. l., or Section 20.1 b., on lands zoned RR2-S18, a detached garage may be permitted in the front yard and when located in a front yard shall be subject to the following minimum setbacks:
 - i. 10 metres from a front lot line
 - ii. 10 metres from a flankage lot line; and
 - iii. 3 metres from a side lot line.

- n. Section 20.16 shall not apply to lands zoned RR2-S18.
- o. The regulations for lands zoned RR2-S18 shall be read in conjunction with the regulations for lands zoned RR1-S9 in the Oak Ridges Moraine Zoning By-law 2005-133 and they shall be applied as though the zone boundary did not exist.”

“4.4 t. Notwithstanding Section 4.2 and Section 20.1 b., lands zoned RR2-S19 shall be subject to the following zone provisions:

- i. Minimum lot area 3300 sq.m
- ii. Minimum lot frontage 30 m
- iii. Minimum rear yard 10 m
- iv. Minimum flankage yard 10 m
- v. Notwithstanding any provision of Section 4.2 or Section 20.1 b., on lands zoned RR2-S19, a detached garage may be permitted in the front yard and when located in a front yard shall be subject to the following minimum setbacks:
 - i. 10 metres from a front lot line
 - ii. 10 metres from a flankage lot line; and
 - iii. 3 metres from a side lot line.”

“9.3 g. Notwithstanding Sections 9.1 and 9.2, on lands zoned 01-S7, only a stormwater management facility and stormwater conveyance channels are permitted. Accessory buildings or structures, entrances and driveways, fencing, gates may be constructed or placed on these lands.”

1.04 **Schedule Amendments:** Schedule ‘B’ to By-law No. 2005-133 of the Oak Ridges Moraine is further amended to change the zone category from the Rural Residential Type One Exception Six (RR1-S6) Zone to the Rural Residential Type One Exception Nine (RR1-S9) Zone for the land referred to as ‘RR1-S9’, as shown on Schedule ‘A’ attached to this By-law.

Schedule ‘C’ to By-law No. 87-06 of the Township of Manvers is further amended to change the zone category from the Rural Residential Type Two Exception Fourteen (RR2-S14) Zone and the General Commercial Exception Two – Holding (C1-S2(H)) Zone to the Rural Residential Type Two Exception Eighteen (RR1-S18) Zone, Rural Residential Type Two Exception Nineteen (RR1-S19) Zone and the Open Space Exception Seven (O1-S7) Zone for the land referred to as ‘RR1-S18’, ‘RR1-S19’ and ‘O1-S7’, 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

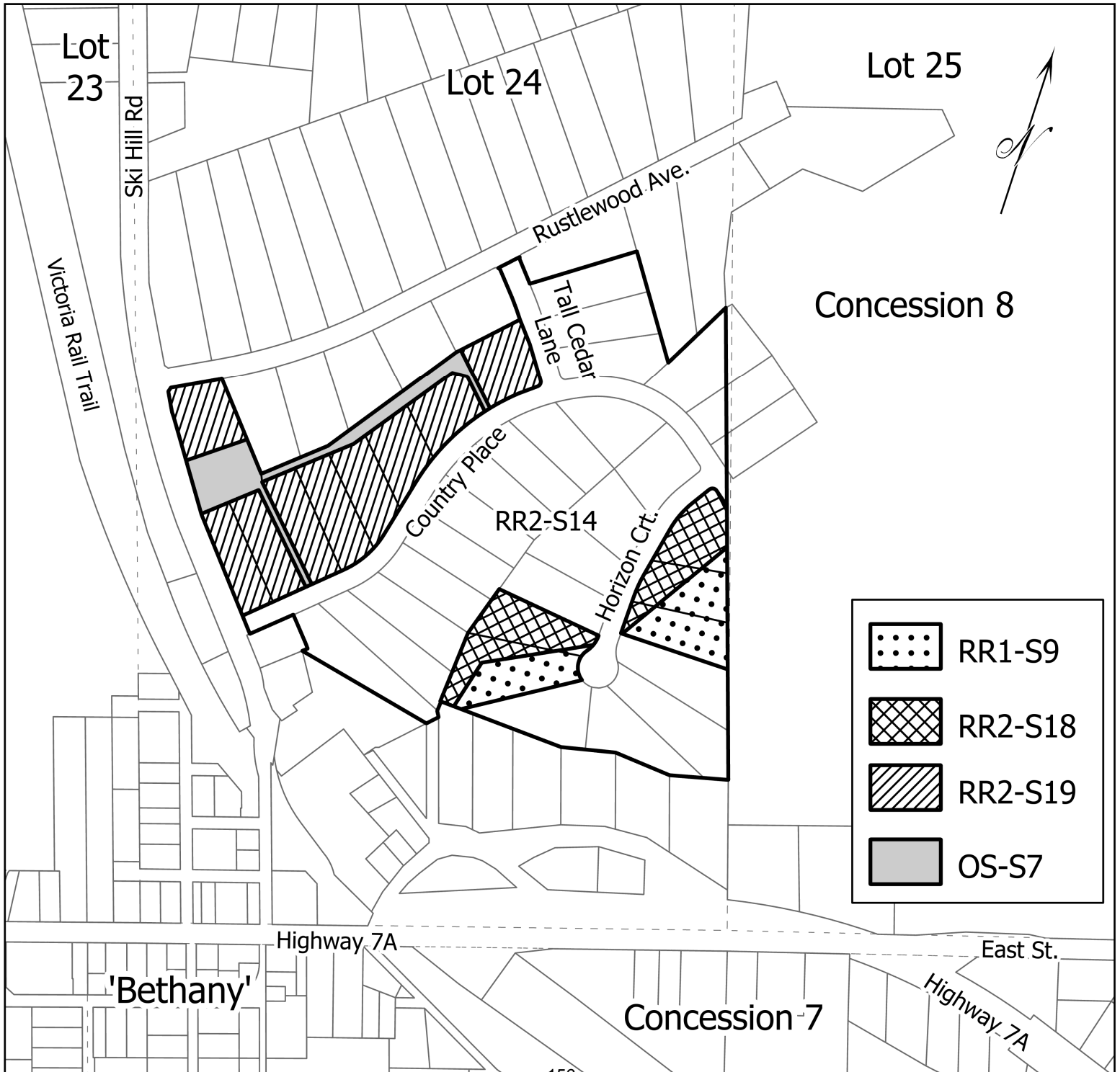
THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2020.

MAYOR _____ CLERK _____



The Corporation of the City of Kawartha Lakes

By-Law 2020-

A By-Law to Amend the Village of Fenelon Falls Official Plan to Re-designate Land within the City of Kawartha Lakes

[File D01-2020-003, Report PLAN2020-027, respecting Fenelon Part Road Allowance and Plan 100, Part Lot 78, 57R-10509, Part 4, Former Village of Fenelon Falls; and Plan 100, Lot 79, W/S Lindsay St, Former Village of Fenelon Falls, 126 Lindsay Street and 130 Lindsay Street – Farley Bear Inc.]

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 Village of Fenelon Falls Official Plan to change the land use designation from the 'Low Density Residential' designation to the 'District Commercial' designation, to facilitate the conversion of, and expansion to the existing Home Hardware store into a full Home Hardware Building Centre on the properties known municipally as 126 Lindsay Street and 130 Lindsay Street. The lots will be consolidated with the property known municipally as 573 Kawartha Lakes Road 121, and subject to site plan control.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to adopt Official Plan Amendment Number 18.

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 properties affected by this By-law are described as Fenelon Part Road Allowance and Plan 100, Part Lot 78, 57R-10509, Part 4, Former Village of Fenelon Falls; and Plan 100, Lot 79, W/S Lindsay St, Former Village of Fenelon Falls, now in the City of Kawartha Lakes, 126 Lindsay Street and 130 Lindsay Street respectively.
- 1.02 **Amendment:** Amendment No. 18 to the Village of Fenelon Falls 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. Notwithstanding the subsequent coming into force of the Fenelon

Falls Secondary Plan, adopted by Council on July 7, 2015, this by-law continues to be in force and effect.

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. 18 To The Official Plan – The Village of Fenelon Falls

Part A – The Preamble

A. Purpose

The purpose of the official plan amendment is to change the land use designation on the properties identified as 126 Lindsay Street and 130 Lindsay Street, from the “Low Density Residential” designation to the “District Commercial” designation in the Village of Fenelon Falls Official Plan. The lands are also subject to an application for zoning by-law amendment.

The effect of the change would permit the conversion of, and expansion to the existing Home Hardware store into a full Home Hardware Building Centre on the consolidated lands.

B. Location

The subject lands have a lot area of approximately 2,407 square metres and are located south of Veterans Way, opposite West Street, in the Former Village of Fenelon Falls. The properties are legally described as Fenelon Part Road Allowance and Plan 100, Part Lot 78, 57R-10509, Part 4, Former Village of Fenelon Falls; and Plan 100, Lot 79, W/S Lindsay St, Former Village of Fenelon Falls, now City of Kawartha Lakes and identified as 126 Lindsay Street and 130 Lindsay Street respectively.

C. Basis

Council has enacted this official plan amendment in response to an application submitted by Clark Consulting Services on behalf of the owner to permit the conversion of, and expansion to the existing Home Hardware store into a full Home Hardware Building Centre on the consolidated lands. It is intended that the subject lands known municipally as 126 Lindsay Street and 130 Lindsay Street will be consolidated with the abutting property at 573 Kawartha Lakes Road 121, and the land use designation will be changed to the “District Commercial” designation, to allow the proposed expansion and conversion above.

The lands are designated “Low Density Residential” as shown on Schedule “A” of the Village of Fenelon Falls Official Plan. The lands are also subject to an application for zoning by-law amendment.

The proposed use and amendment to the Village of Fenelon Falls Official Plan are justified and represent 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 the “District Commercial” designation as set out in the Village of Fenelon Falls Official Plan.
3. The proposed site concept is compatible and integrates well with the surrounding area.
4. The applicant has submitted background reports to demonstrate the appropriateness of the proposed development with respect to servicing 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 constitutes Amendment No. 18 to the Village of Fenelon Falls Official Plan.

E. Details of the Amendment

1. Schedule ‘A’ of the Village of Fenelon Falls Official Plan is hereby amended by changing the land use designation from the ‘Low Density Residential’ designation to the ‘District Commercial’ designation, as shown on Map ‘A’ as ‘Land to be Re-Designated District Commercial’.

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. 18

To the Fenelon Falls Official Plan

Geographic Township of
Fenelon

Lot 22

Concession 9

Kawartha Lakes Rd. 121

Unopen Road Allowance

West St.

'Fenelon Falls'

North St.

Veterans Way

Lindsay St.

Murray St.

LAND TO BE RE-DESIGNATED



DISTRICT COMMERCIAL

The Corporation of the City of Kawartha Lakes

By-Law 2020 -

A By-law to Amend the Village of Fenelon Falls Zoning By-law No. 89-25 and Township of Fenelon Zoning By-law No. 12-95 to Rezone Land within the City Of Kawartha Lakes

[File D06-2020-014, Report PLAN2020-027, respecting Fenelon Part Road Allowance and Plan 100, Part Lot 78, 57R-10509, Part 4, Former Village of Fenelon Falls; Plan 100, Lot 79, W/S Lindsay St, Former Village of Fenelon Falls; and Plan 49, Lot 16 and Part Lot 15 W West St, Part Lots 15 to 20 E Dick St, Part Blocks A and G, Part Dick St, 57R-5028 Parts 1 and 2, Part of Lot 22, Concession 9, Geographic Township of Fenelon, identified as 126 Lindsay Street; 130 Lindsay Street; and 573 Kawartha Lakes Road 121 respectively – Farley Bear Inc.]

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 three specific parcels of land to harmonize zoning provisions to permit the conversion of, and expansion to the existing Home Hardware store into a full Home Hardware Building Centre on the subject lands.
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 Properties affected by this by-law are described as Fenelon Part Road Allowance and Plan 100, Part Lot 78, 57R-10509, Part 4, Former Village of Fenelon Falls; Plan 100, Lot 79, W/S Lindsay St, Former Village of Fenelon Falls; and Plan 49, Lot 16 and Part Lot 15 W West St, Part Lots 15 to 20 E Dick St, Part Blocks A and G, Part Dick St, 57R-5028 Parts 1 and 2, Part of Lot 22, Concession 9, Geographic Township of Fenelon, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 89-25 of the Village of Fenelon Falls is further amended to add the following section to Section 4.10.7:

“4.10.7.7 District Commercial Exception Seven (C2-7) Zone
126 and 130 Lindsay Street (573 Kawartha Lakes Road 121)

Notwithstanding any other provision of the District Commercial (C2) Zone as set forth under this By-law to the contrary, within the District Commercial Exception Seven (C2-7) Zone, as delineated on the Zone Map attached hereto as Schedule 'A' and by this reference forming part of this By-law, no person shall use any land or erect, alter or use any building or structure except in accordance with the following provisions, namely:

a. Permitted Uses

Notwithstanding Subsection 4.10.1 land zoned C2 7 may only be used for a retail store for the following uses:

- i. a builder's supply outlet including the outside storage and display of goods and materials;
- ii. an equipment sales and rental, light;
- iii. a furniture and appliance sales establishment; and
- iv. a garden nursery sales and supply establishment.

b. Regulatory Provisions

- i. Interior side yard – not adjacent to residential 2.0 metres
- ii. Minimum rear yard 7.0 metres
- iii. Minimum loading space requirement 1 space
- iv. Planting strip adjacent to residential 1.5 metres
- v. Minimum parking requirement for all uses 79 spaces
- vi. Section 5.13 shall not apply to lands zoned C2-7.
- vii. The regulations for lands zoned C2-7 shall be read in conjunction with the regulations for lands zoned C2-7 in the Township of Fenelon Zoning By-law 12-95 and they shall be applied as though the zone boundary did not exist.

c. Other Zone provisions

In all other respects, the provisions of the District Commercial (C2) Zone shall apply and be complied with."

1.03 **Textual Amendment:** By-law No. 12-95 of the Township of Fenelon is further amended by deleting Section 17.3.7 in its entirety and replacing it with the following:

"17.3.7 Highway Commercial Exception Seven (C2 7) Zone

17.3.7.1 Notwithstanding subsection 17.1.1 land zoned "C2 7" may only be used for a retail store for one of the following uses:

- (a) major appliances
- (b) home furnishings
- (c) home improvement and farm supplies
- (d) general hardware, sporting goods and building supplies

17.3.7.2 Notwithstanding articles 17.2.1.1, 17.2.1.2, 17.2.1.3, 17.2.1.4, 17.2.1.7, 3.13, 3.14.1 and 3.14.2, land zoned "C2 7" shall be subject to the following zone provisions.

- (a) lot area (min.) 7500 sq. m
- (b) lot frontage (min.) 40.0 m
- (c) front yard (min.) 43.0 m
- (d) interior side yard – adjacent to residential (min.) 12.0 m
- (e) interior side yard – not adjacent to residential (min.) 2.0 m
- (f) rear yard (min.) 7.0 m
- (g) maximum lot coverage 35%
- (h) minimum landscaped open space 15%
- (i) minimum loading space 1 space
- (j) minimum parking for all uses 79 spaces
- (k) Section 3.13 shall not apply to lands zoned C2-7.
- (l) The regulations for lands zoned C2-7 shall be read in conjunction with the regulations for lands zoned C2-7 in the Village of Fenelon Falls Zoning By-law 89-25 and they shall be applied as though the zone boundary did not exist.

1.04 **Schedule Amendment:** Schedule 'A' to By-law No. 89-25 of the Village of Fenelon Falls is further amended to change the zone category from the 'Residential Type One (R1) Zone' to the 'District Commercial Exception Seven (C2-7) Zone' for the land referred to as 'C2-7', 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 _____ CLERK _____

Geographic Township of
Fenelon

Lot 22

Unopen Road Allowance

'Fenelon Falls'

North St.

Veterans Way

Lindsay St.

C2-7

Concession 9

C2-7

Kawartha Lakes Rd. 121

West St.

Murray St.

The Corporation of the City of Kawartha Lakes

By-Law 2020 -

A By-Law To Amend The Township of Fenelon Zoning By-Law No. 12-95 To Rezone Land Within The City Of Kawartha Lakes

File D06-2019-030, Report PLAN2020-028, respecting Part North Half of Lot 8, Part South Half of Lot 8, Part of Lot 9, Concession 5, geographic Township of Fenelon, City of Kawartha Lakes, identified as 4027 Highway 35 - 2324784 Ontario Inc.

Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to:
 - (a) rezone the land containing the dwelling to a rural residential zone category; and
 - (b) prohibit residential uses on the balance of the agricultural 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 North Half of Lot 8, Part South Half of Lot 8, Part of Lot 9, Concession 5, geographic Township of Fenelon, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 12-95 of the Township of Fenelon is further amended to add the following subsection to Section 8.3:
 - “8.3.26 Agricultural Exception Twenty-Six Holding (A1-26 (H)) Zone
 - 8.3.26.1 Notwithstanding subsections 3.21, 8.1.1.4, 8.1.1.7, 8.1.1.10, and 8.2.1.11, residential uses and accessory uses thereto are not permitted.
 - 8.3.26.2 Notwithstanding subsection 8.2.1.2, the minimum lot frontage is 185 metres.

- 8.3.26.3 Notwithstanding subsection 3.6.1, a building and/or structure may be erected on property with a lot line that abuts and obtains direct access onto a public street that is privately maintained.
- 8.3.26.4 On land zoned A1-26(H) the removal of the Holding (H) symbol shall be in accordance with the following:
- (a) The owner enters into an agreement with the City to upgrade a suitable length of Robin Road to municipal standard in order to provide private service access to the property's driveway entrance."
- 1.03 **Textual Amendment:** By-law No. 12-95 of the Township of Fenelon is further amended to add the following subsection to Section 11.3:
- "11.3.21 Rural Residential Type Once Exception Twenty-One (RR1-21) Zone
- 11.3.21.1 Notwithstanding subsections 11.2.1.1 and 11.2.1.2, land zoned RR1-21 shall be subject to the following zone provisions:
- | | |
|-------------------------|-------------|
| (a) Lot Area (min.) | 4,000 sq. m |
| (b) Lot Frontage (min.) | 21 m" |
- 1.04 **Schedule Amendment:** Schedule 'A' to By-law No. 12-95 of the Township of Fenelon is further amended to change the zone category on a portion of the property from Agricultural (A1) Zone to Rural Residential Type One Exception Twenty-One (RR1-21) Zone for the land referred to as RR1-21, as shown on Schedule 'A' attached to this By-law; and to change the zone category on the balance of the land from Agricultural (A1) Zone to Agricultural Exception Twenty-Six Holding (A1-26(H)) Zone for the land referred to as A1-26(H), as shown on Schedule 'A' attached to this By-law.

Section 2:00 Effective Date

- 2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of 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

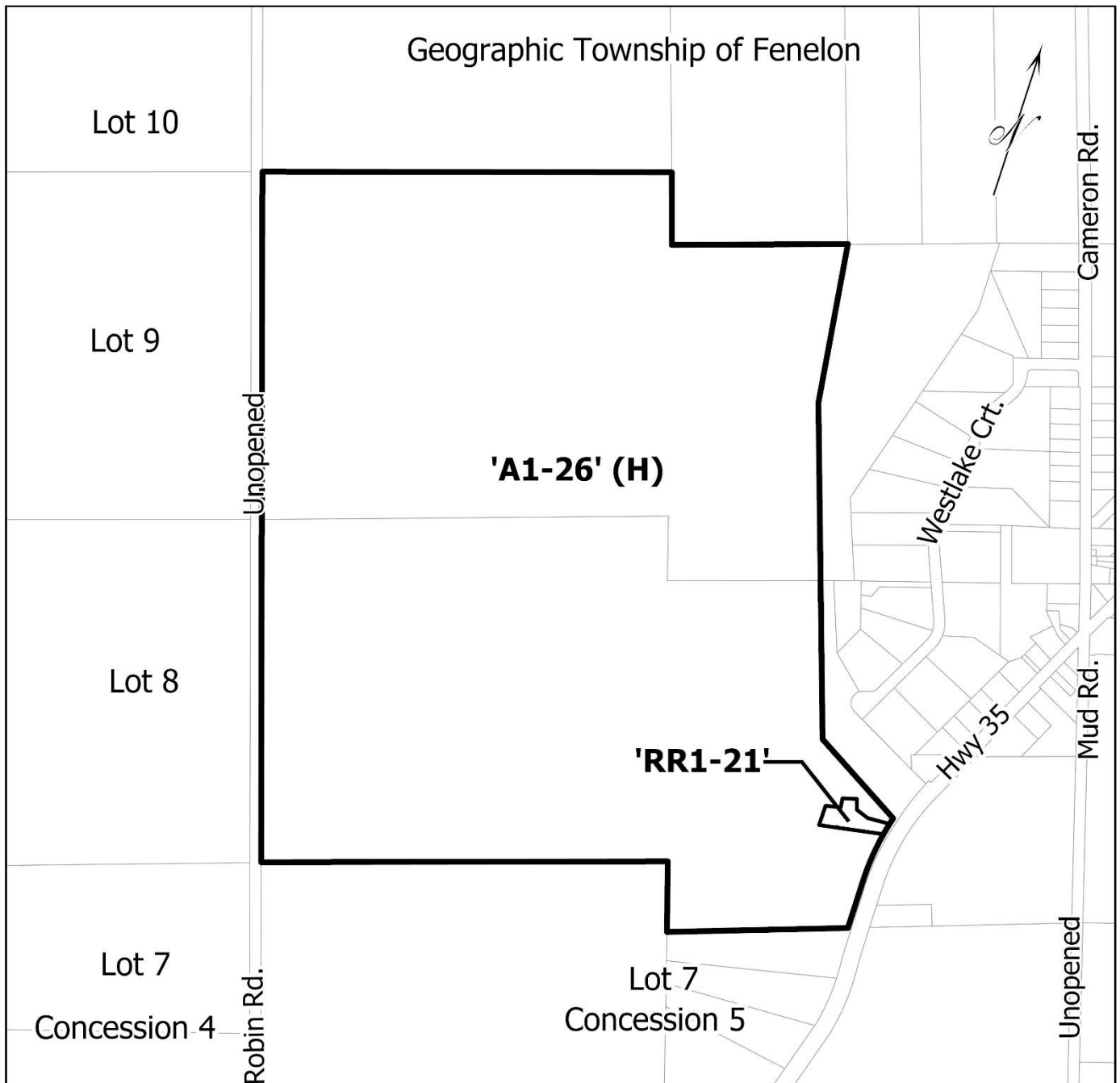
THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2020.

MAYOR _____ CLERK _____



The Corporation of the City of Kawartha Lakes

By-Law 2020 -

A By-Law To Amend The Township of Mariposa Zoning By-Law No. 94-07 To Rezone Land Within The City Of Kawartha Lakes

File D06-2020-012, Report PLAN2020-030, respecting Part Lot 20, Concession 8, geographic Township of Mariposa, identified as 1220 Highway 7

Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to:
 - (a) rezone the land containing the dwelling and agricultural support use to a rural general zone category and establish applicable development standards on the proposed retained;
 - (b) prohibit livestock to be housed within the existing agricultural buildings on the land containing the dwelling and agricultural-support uses;
 - (c) rezone the balance of the vacant agricultural lands to prohibit residential uses and establish applicable development standards,in order to fulfill a condition of provisional consent
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

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

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Part Lot 20, Concession 8, geographic Township of Mariposa, City of Kawartha Lakes.
- 1.02 **Textual Amendment:** By-law No. 94-07 of the Township of Mariposa is further amended by adding the following subsections to Section 8.3 and 9.3:
 - “8.3.35 AGRICULTURAL EXCEPTION THIRTY FIVE (A1-35) ZONE
 - 8.3.35.1 Notwithstanding subsections 3.22, 8.1.1.3, 8.1.1.5, 8.1.1.8 and 8.2.1.10, on land zoned “A1-35” a dwelling unit and accessory

uses thereto and/or a seasonal farm residential use and accessory uses thereto are prohibited.

8.3.35.2 Notwithstanding 8.2.1.1 & 8.2.1.2, land zoned "A1-35" shall have a minimum lot area of 17.33 hectares and a minimum lot frontage of 174.65 metres

9.3.5 RURAL GENERAL EXCEPTION FIVE (A2-5) ZONE

9.3.5.1 Existing buildings on land zoned "A2-5" shall not be used for the keeping of livestock or animal husbandry.

9.3.5.2 Notwithstanding 9.2.1.1, land zoned "A2-5" shall have a minimum lot area of 1.88 hectares.

1.03 **Schedule Amendment:** Schedule 'A' to By-law No. 94-07 of the Township of Mariposa is further amended to change the zone category on a portion of the property from Agricultural (A1) Zone to Agricultural Exception Thirty Five (A1-35) Zone for the land referred to as A1-35, as shown on Schedule 'A' attached to this By-law; and to change the zone category on another portion of the property from Agricultural (A1) Zone to Rural General Exception Five (A2-5) Zone for the land referred to as A2-5, 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 August, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

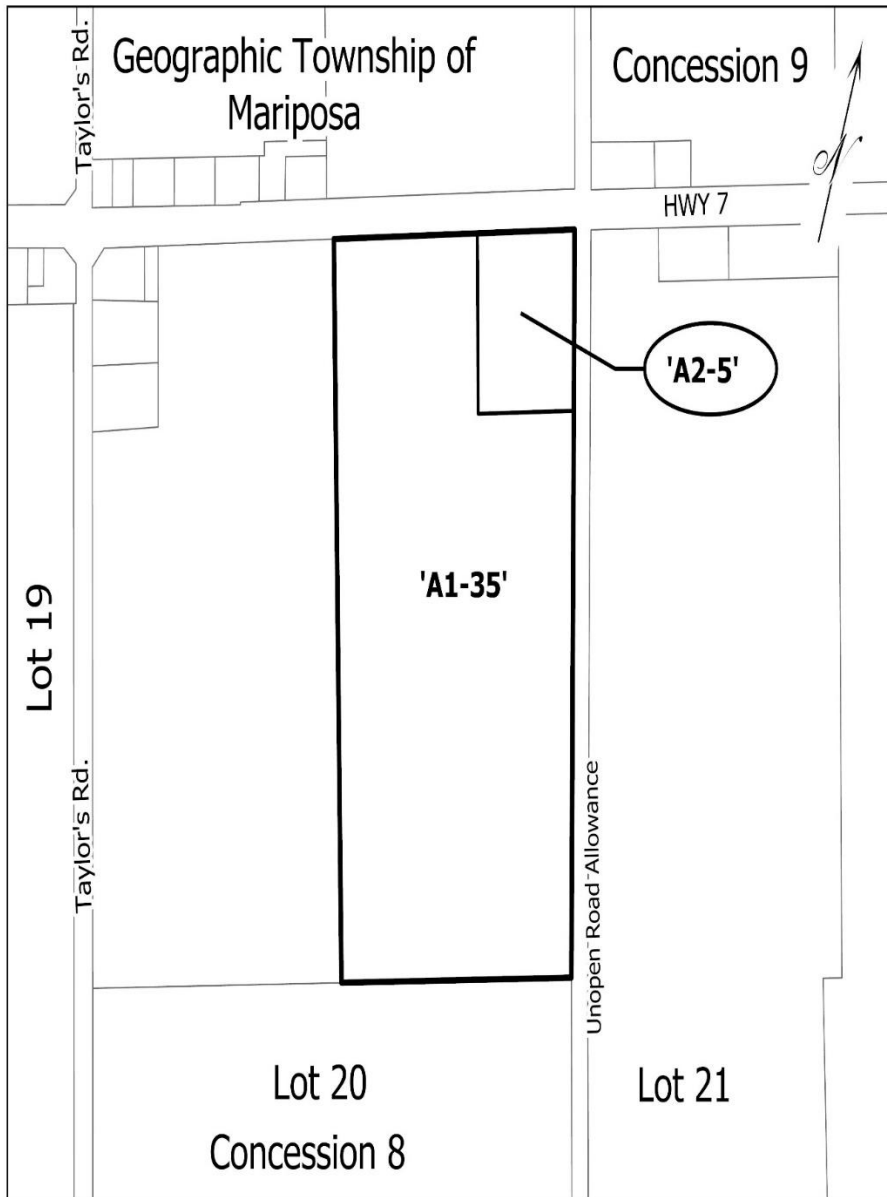
THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2020.

MAYOR _____ CLERK _____



The Corporation of the City of Kawartha Lakes

By-law 2020-XXX

A By-Law to Confirm the Proceedings of a Regular Meeting of Council, Thursday, August 20, 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 2020-XXX.

Section 1.00: Confirmation

- 1.01 The actions of the Council at the following meeting:

Thursday, August 20, 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 20th day of August 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk