

The Corporation of the City of Kawartha Lakes

Minutes

Regular Council Meeting

CC2020-08

Thursday, August 20, 2020

Open Session Commencing at 1:00 p.m. – Electronic 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 David Lembke, Public Works Roads Manager, West A, were in attendance in Council Chambers.

Directors J. Rojas, C. Shanks, J. Stover, City Solicitor R. Carlson and Planning Officers I. Walker and S. Rea 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

Councillor Richardson expressed words of condolence for the Janes Family of Janetville at the loss of their son Walker. The Mayor asked those in attendance to observe a Moment of Silent Reflection.

2.3 Adoption of Open Session Agenda

CR2020-223

Moved By Councillor Richardson

Seconded By Councillor Veale

That the Agenda for the Open Session of the Regular Council Meeting of Thursday, August 20, 2020, be adopted as circulated and with the following amendments:

Additions:

Item 6.2

**Proposed Rezoning to Permit the Staging of Commercial Outdoor Role Playing Games at 36 Walker's Road, Verulam
(Item 9.1 on the Agenda)**

Beverly Saunders, EcoVue Consulting Services Inc.

Item 6.3

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

(Item 9.1 on the Agenda)

Larry Junkin

Item 6.4

Use of Off Road Vehicles on Boundary Roads

(Item 10.1.4 on the Agenda)

Heather Stauble

Item 8.1.1

**Memorandum Regarding Item 8.3.2 on the Agenda for the August 20, 2020
Regular Council Meeting**

Ian Walker, Planning Officer - Large Developments

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 O'Reilly:

- The Virtual Lindsay Exhibition opened on Monday, August 17th. The online platform will include virtual farm tours, a scavenger hunt and will also allow you to order traditional items such, as Swiss Fudge, for pickup.
- The Victoria County Historical Society will be hosting a drive thru WWI Exhibit at the Lindsay Exhibition from August 21st until September 7th; tickets are available online through the Victoria County Historical Society.
- MPP Laurie Scott and the Minister of Finance Ernie Hardeman will be making an announcement about funding for fall fairs.

Councillor Ashmore:

- The Community Pandemic Recovery Task Force is looking for input from business and local organizations on how they have been impacted by the COVID-19 Pandemic.
- The Canadian Coalition for Firearm Rights will be holding a socially distanced rally at Parliament Hill in Ottawa on September 12th to voice opposition to the Federal Government's Order in Council Mass Gun Ban.

Councillor Seymour-Fagan

- The Awesome Music Project is hosting an event in Bobcaygeon on August 20th. The event will involve two boats travelling through Bobcaygeon throughout the day and the band The Spoons will be playing music as the boats travel through the locks. The event will raise money for music therapy programs in long term care facilities. This will be the first event of this nature nation wide.

Mayor Letham

- The Fenelon Falls and District Chamber of Commerce, The Bobcaygeon Area Chamber of Commerce, The Coboconk Norland and Area Chamber of Commerce, The Lindsay and District Chamber of Commerce and the Lindsay Downtown Business Improvement Area (BIA) have joined the Ontario Chamber of Commerce and Boards of Trade and Chambers of Commerce across the country in support of Canada United. Canada United is a national initiative to rally Canadians to buy and dine local to kick start the local economy. The Chambers of Commerce ask that the City of Kawartha Lakes recognize August 28th to August 30th as Canada United Weekend in Kawartha Lakes.

4.2 Staff

CAO Ron Taylor advised that the final version of the 2020-2023 City of Kawartha Lakes Strategic Plan is available. A copy was provided to Council and CAO Taylor also confirmed that an electronic version is available on the City's website.

5. **Council Minutes**

CR2020-224

Moved By Councillor Elmslie

Seconded By Councillor Dunn

That the Minutes of the July 28, 2020 Regular Council Meeting, be received and adopted.

Carried

6. **Deputations**

6.1 CC2020-08.6.1

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

Jane Gregory-Gill and Barbara Doyle thanked staff for all of the work that went into developing the new Lease Agreement for the Olde Gaol Museum. Ms. Gregory-Gill and Ms. Doyle provided an overview of the Museum, which is operated by the Victoria County Historical Society, and outlined the challenges that they face as a volunteer organization. Ms. Gregory-Gill and Ms. Doyle identified that they have a need for additional funding from the City which will allow for the hiring of five full time staff at the Museum.

CR2020-225

Moved By Councillor Dunn

Seconded By Deputy Mayor O'Reilly

That the deputation of Jane Gregory-Gill and Barbara Doyle, on behalf of the Victoria County Historical Society, **regarding a Lease Agreement with the Victoria County Historical Society for the Olde Gaol Museum**, be received.

Carried

6.2 CC2020-08.6.2

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.

Beverly Saunders, of EcoVue Consulting Services Inc., provided an overview of the proposed rezoning application to permit the staging of commercial outdoor role playing games at 36 Walker's Road in Verulam. Ms. Saunders provided a brief history on the application and outlined that the applicants would like the temporary use of the property to continue while the Site Plan is being finalized.

CR2020-226

Moved By Councillor Elmslie

Seconded By Councillor Veale

That the deputation of Beverly Saunders, EcoVue Consulting Services Inc., **regarding a proposed rezoning to permit the staging of commercial outdoor role playing games at 36 Walker's Road, Verulam**, be received.

Carried

6.3 CC2020-08.6.3

**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

Larry Junkin outlined concern regarding the proposed rezoning of 36 Walker's Road, Verulam, to permit the staging of commercial outdoor role playing games. The identified concern included the existing entrance to the property and noise. Mr. Junkin noted that the proposed rezoning by-law has been amended and asked that the rezoning application be referred back to staff for additional public consultation.

CR2020-227

Moved By Councillor Elmslie

Seconded By Councillor Seymour-Fagan

That the deputation of Larry Junkin, **regarding a proposed rezoning to permit the staging of commercial role playing games at 36 Walker's Road, Verulam**, be received.

Carried

6.4 CC2020-08.6.4

**Use of Off Road Vehicles on Boundary Roads
(Related to Item 10.1.4 on the Agenda)**

Heather Stauble

Heather Stauble provided a history on the Ganaraska Forest. Ms. Stauble outlined that there are concerns that if all terrain vehicles ("ATV's") are permitted on Boundary Roads the increased use will also lead to an increased use within the Ganaraska Forest which could have a negative impact.

CR2020-228

Moved By Councillor Veale

Seconded By Councillor Dunn

That the deputation of Heather, **regarding the use of off road vehicles on Boundary Roads**, be received.

Carried

7. Presentations

7.1 CC2020-08.7.1

Off Road Vehicle Use on Municipal Roads Presentation

David Lembke, Public Works Roads Manager West A

Oliver Vigelius, Public Works Roads Manager West B

David Lembke, Public Works Roads Manager, West A, provided an overview of Bill 107, the Getting Ontario Moving Act. The overview outlined that under the new regulations all-terrain vehicles ("ATV's") will be permitted on roads that are under the City's jurisdiction unless has the City adopts a by-law restricting ATV use. A report will be presented to Council in October to seek Council's direction in relation to Bill 107.

CR2020-229

Moved By Councillor Yeo

Seconded By Councillor Seymour-Fagan

That the presentation by David Lembke, Public Works Roads Manager West A, **regarding Off Road Vehicle Use on Municipal Roads**, be received.

Carried

8. Planning Advisory Committee

8.1 Correspondence Regarding Planning Advisory Committee Recommendations

8.1.1 CC2020-08.8.1

Memorandum Regarding Agenda Item 8.3.2

Ian Walker, Planning Officer - Large Developments

CR2020-230

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Veale

That the Memorandum from Ian Walker, Planning Officer-Large Developments, **regarding Agenda Item 8.3.2**, be received.

Carried

8.2 Planning Advisory Committee Minutes

CR2020-231

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Veale

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, save and except for Item 8.3.2, be adopted.

Carried

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.

Carried

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.

Carried

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.

Carried

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.

Carried

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.

Carried

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.

Carried

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.

Carried

8.4 Items Extracted from Planning Advisory Committee Minutes

8.3.2 PAC2020-020

CR2020-232

Moved By Councillor Richardson

Seconded By Councillor Elmslie

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, as amended, be prepared, approved and adopted by Council;

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

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

Carried

9. Planning Reports

9.1 PLAN2020-025

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

Sherry L. Rea, Development Planning Supervisor

Moved By Councillor Elmslie

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, as amended, 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;

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

That a public meeting be held with respect to the permanent use rezoning before the holding provision is removed.

Motion Failed

CR2020-233

Moved By Councillor Seymour-Fagan

Seconded By Councillor Yeo

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, as amended, 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.

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	8	1	0
			Carried

10. Consent Matters

10.1 Reports

10.1.4 RD2020-007

Use of Off Road Vehicles on Boundary Roads

David Lembke, Public Works Roads Manager West A

CR2020-234

Moved By Councillor Richardson

Seconded By Councillor Seymour-Fagan

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 based on a one year pilot project for the 2020-2021 season; 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.

Carried

10.1.1 CS2020-008

Olde Gaol Lease Agreement with Victoria County Historical Society

Craig Shanks, Director of Community Services

CR2020-235

Moved By Councillor Ashmore

Seconded By Councillor Dunn

That Report CS2020-008, **Olde Gaol Lease Agreement with Victoria County Historical Society**, be received.

Carried

CR2020-236

Moved By Councillor Dunn

Seconded By Deputy Mayor O'Reilly

That the Agreement between the Corporation of the City of Kawartha Lakes and the Victoria County Historical Society for the continued use of the Olde Gaol 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.

Carried

10.1.2 CS2020-009

Bobcaygeon Beach Park Update

Craig Shanks, Director of Community Services

CR2020-237

Moved By Councillor Yeo

Seconded By Councillor Seymour-Fagan

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

Carried

10.1.3 WM2020-007

Waste Management Public Education and Communication Strategy

David Kerr, Manager Environmental Services

CR2020-238

Moved By Councillor Ashmore

Seconded By Councillor Yeo

That Report WM2020-007, **Waste Management Public Education and Communications Strategy**, be received;

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

That the mailing of waste recycling calendars be brought forward as a decision unit for the 2021 Budget.

Carried

10.1.5 PUR2020-021

Reconstruction of St. Mary's Bridge

Linda Lee, Buyer

Martin Sadowski, Senior Engineering Technician

CR2020-239

Moved By Councillor Richardson

Seconded By Councillor Yeo

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 a Special Debenture;

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.

Carried

10.2 Correspondence

10.3 Items Extracted from Consent

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.

CR2020-240

Moved By Councillor Seymour-Fagan

Seconded By Councillor Elmslie

That the By-Laws shown in Section 13.1 of the Agenda, namely: Items 13.1.1 to and including 13.1.7, save and except for Items 13.1.2 and 13.1.5, 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 CC2020-08.13.1.1

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

13.1.3 CC2020-08.13.1.3

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

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)

13.1.6 CC2020-08.13.1.6

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

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

13.1.2 CC2020-08.13.1.2

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)

CR2020-241

Moved By Councillor Yeo

Seconded By Deputy Mayor O'Reilly

That a By-Law to Amend the Township of Verulam Zoning By-Law No. 6-87 to Rezone Land within The City of Kawartha Lakes, as amended, be read a first, second and third time, passed, numbered, signed and corporate seal attached.

Carried

13.1.5 CC2020-08.13.1.5

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)

CR2020-242

Moved By Councillor Elmslie

Seconded By Councillor Veale

That 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 and 573 Kawartha Lakes Road 121), as amended, read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

14. Notice of Motion

15. Closed Session

15.1 Adoption of Closed Session Agenda

CR2020-243

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

There were no declarations of pecuniary interest disclosed.

15.3 Move Into Closed Session

CR2020-244

Moved By Councillor Yeo

Seconded By Councillor Veale

That Council convene into closed session at 4:05 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.

Carried

16. Matters from Closed Session

Item 15.3.1

The Closed Session Confidential Minutes from the July 28, 2020 Regular Council Meeting were approved.

Item 15.3.2

That details of an interested party's proposal for the direct sale of the subject property was provided to Council.

Item 15.3.3

The City Solicitor provided information pertaining to the recent discovery of an Aboriginal Burial Site, and obtained instruction pertaining to the same.

CAO Ron Taylor provided an update on two personnel matters.

17. Confirming By-Law

17.1 CC2020-08.17.1.

A By-law to Confirm the Proceedings of a Regular Council Meeting held on Thursday, August 20, 2020

CR2020-249

Moved By Councillor Elmslie

Seconded By Councillor Dunn

That a by-law to confirm the proceedings of a Regular Council Meeting held Thursday, August 20, 2020 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

18. Adjournment

CR2020-250

Moved By Councillor Yeo

Seconded By Councillor Seymour-Fagan

That the Council Meeting adjourn at 4:43 p.m.

Carried

Read and adopted this 15 day of September, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk