

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

CC2018-20
Tuesday, November 13, 2018
Open Session Commencing at 1:15 p.m.
Victoria Room
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

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

Accessible formats and communication supports are available upon request.

1. Call to Order

Mayor Letham called the meeting to order at 1:15 p.m. Councillors I. Breadner, P. Dunn, D. Elmslie, G. James, G. Jilesen, B. Junkin, R. Macklem, M.A. Martin, P. O'Reilly, J. Pollard, K. Seymour-Fagan, H. Stauble, S. Strangway, A. Veale and E. Yeo were in attendance.

CAO R. Taylor, City Clerk C. Ritchie and Deputy Clerk A. Rooth were also in attendance.

2. Adoption of Agenda

CR2018-620

Moved By Councillor Breadner

Seconded By Councillor Yeo

That the Agenda for the Special Council Meeting of Tuesday, November 13, 2018, be adopted as circulated and with the following amendments:

Item 8.1 is moved forward on the Agenda to Item 4.3 to be dealt with in Open Session.

Addition - Deputation:

Liquidation Sales Task Force Recommendations

Report DEV2018-005, Item 6.4 on the Agenda

Jim Garbutt

Carried

3. Disclosure of Pecuniary Interest

There were no declarations of pecuniary interest noted.

4. Minutes

4.1 CC2018-20.4.1

Regular Council Meeting Minutes of September 25, 2018

CR2018-621

Moved By Councillor Strangway

Seconded By Councillor Martin

That the Minutes of the September 25, 2018 Regular Council Meeting be received and adopted.

Carried

4.2 CC2018-20.4.2

Planning Advisory Committee Meeting Minutes of November 7, 2018

CR2018-622

Moved By Councillor O'Reilly

Seconded By Councillor Veale

That the Minutes of the November 7, 2018 Planning Advisory Committee Meeting be received and the recommendations be adopted.

Carried

4.3 CC2018-20.4.3

**Closed Session Minutes, Regular Council Meeting of September 25, 2018
Municipal Act, 2001 s.239(2)(b)**

CR2018-623

Moved By Councillor Breadner

Seconded By Councillor Dunn

That the Closed Session Minutes of the September 25, 2018 Regular Council Meeting, be received.

Carried

5. Presentations and Deputations

5.1 CC2018-20.5.1

Liquidation Sales Task Force Recommendations

DEV2018-005, Agenda Item 6.4

Jim Garbutt

Jim Garbutt commended the process leading up to the Liquidation Task Force Recommendations and advised that he was in support of the recommendations made in Report DEV2018-005. Mr. Garbutt thanked those involved and encouraged Council to support the Liquidation Task Force recommendations.

CR2018-624

Moved By Councillor Dunn

Seconded By Councillor Macklem

That the deputation of Jim Garbutt, regarding **Liquidation Sales Task Force Recommendations**, Report DEV2018-005, Item 6.4 on the Agenda, be received.

Carried

6. Reports

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

Councillor Junkin - Item 6.1

Moved By Councillor Dunn

Seconded By Councillor Breadner

That all of the proposed resolutions shown in Section 6.0 of the Agenda , namely: Items 6.1 to and including 6.9 be approved and adopted by Council in the order that they appear on the agenda and sequentially numbered, save and except Item 6.1.

Carried

6.2 CS2018-015

Closure of Outstanding Bobcaygeon Legacy C.H.E.S.T. Fund Projects

Lisa Peimann, Executive Assistant, Community Services

CR2018-625

That Report CS2018-015, **Closure of Outstanding Bobcaygeon Legacy C.H.E.S.T. Fund Projects**, be received;

That projects 330120, 330122, 330123, 330124, 330125, 330127 and 330128, be closed due to completion;

That project 330119, Boyd Heritage Museum, in the amount of \$203.00, be closed with a surplus and be placed back into the Bobcaygeon Legacy C.H.E.S.T. Fund Reserve Account 3.24320 to be made available for distribution in future grant funding years; and

That project 330126, Kawartha Settlers Village, in the amount of \$350.00, be closed with a surplus and be placed back into the Bobcaygeon Legacy C.H.E.S.T. Fund Reserve Account 3.24320 to be made available for distribution in future grant funding years.

Carried

6.3 PRC2018-008

Forbert Memorial Pool Parking Lot Update

Craig Shanks, Director of Community Services

CR2018-626

That Report PRC2018-008, **Forbert Memorial Pool Parking Lot Update**, be received for information.

Carried

6.4 DEV2018-005

Liquidation Sales Task Force Recommendations

Chris Marshall, Director of Development Services

CR2018-627

That Report DEV2018-005, **Liquidation Sales Task Force Recommendations**, be received;

That staff be instructed to incorporate an appropriate definition for the regulation of Liquidation Sales into the City's Zoning By-laws to regulate the location of these uses;

That staff be instructed to limit the number and duration of liquidation sales events through an amendment to Bylaw 2016-210, a Bylaw to License, Regulate and Govern Transient Trader Businesses in Kawartha Lakes;

That the Liquidation Sales Task Force be dissolved, as the mandate to make recommendations regarding regulation of Liquidation Sales in accordance with the executed Minutes of Settlement has been fulfilled; and

That the members of the Liquidation Sales Task Force be thanked for their service.

Carried

6.5 PLAN2018-072

A By-law to Deem Lot 4, Registered Plan 5, 1473 Highway 7A, Geographic Township of Manvers (2341209 Ontario Inc.) – Planning File D30-2018-014

David Harding, Planner II

CR2018-628

That Report PLAN2018-072, respecting Lot 4, Registered Plan 5, Geographic Township of Manvers, **2341209 Ontario Inc. – Application D30-2018-014**, be received;

That a Deeming By-law respecting Lot 4, Registered Plan 5, substantially in the form attached as Appendix D to Report PLAN2018-072, 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

6.6 PLAN2018-077

A By-law to Deem Lot 11, Registered Plan 256, 71 Homewood Park Road, Geographic Township of Bexley (Brianka) – Planning file D30-2018-012

Anna Kalnina, Planner II

CR2018-629

That Report PLAN2018-077, respecting Lot 11, Registered Plan 256, Geographic Township of Bexley, **Brianka – Application D30-2018-012**, be received;

That a Deeming By-law respecting Lot 11, Registered Plan 256, substantially in the form attached as Appendix D to Report PLAN2018-077, 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

6.7 PLAN2018-078

**A By-law to Deem Lot 10, Registered Plan 256, 65 Homewood Park Road,
Geographic Township of Bexley (Murray) – Planning file D30-2018-013**

Anna Kalnina, Planner II

CR2018-630

That Report PLAN2018-078, respecting Lot 10, Registered Plan 256, Geographic Township of Bexley, **Murray – Application D30-2018-013**, be received;

That a Deeming By-law respecting Lot 10, Registered Plan 256, substantially in the form attached as Appendix D to Report PLAN2018-078, 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

6.8 PLAN2018-079

**A By-law to Deem Lots 10 and 11, Registered Plan 56, 26 Long Beach Road,
Geographic Township of Fenelon (Beers) – Planning File D30-2018-016**

Quadri Adebayo, Planner II

CR2018-631

That Report PLAN2018-079, respecting Lots 10 and 11, Registered Plan 56, Geographic Township of Fenelon, **Beers – Application D30-2018-016**, be received;

That a Deeming By-law respecting Lots 10 and 11, Registered Plan 56, substantially in the form attached as Appendix D to Report PLAN2018-079, 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

6.9 PLAN2018-080

**A By-law to Deem Lots 35 to 37, Registered Plan 185, Geographic Township
of Bexley, being 83 Ridge Drive (Willoughby)**

Mark LaHay, Planner II

CR2018-632

That Report PLAN2018-080 respecting Lots 35 to 37, Registered Plan 185, Geographic Township of Bexley, **Willoughby – Application D30-2018-015** be received;

That a Deeming By-law respecting Lots 35 to 37, Registered Plan 185, substantially in the form attached as Appendix “C” to Report PLAN2018-080 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

Items Extracted from Consent:

6.1 RS2018-029

Acquisition of Land for Trail Purposes - Mason Homes Rail Corridor Lands, Lindsay

Laura Carnochan, Law Clerk

Moved By Councillor Junkin

Seconded By Councillor Breadner

That Report RS2018-029, **Acquisition of Land for Trail Purposes – Mason Homes Rail Corridor Lands, Lindsay**, be received; and

That the matter be referred back to staff to negotiate a price for the subject property.

Motion Failed

CR2018-633

Moved By Councillor Elmslie

Seconded By Councillor Strangway

That Report RS2018-029, **Acquisition of Land for Trail Purposes – Mason Homes Rail Corridor Lands, Lindsay**, be received;

That the acquisition of the property legally described as Lots 2-4 on Plan 116; Part of Lot 1 on Plan 116; Part of Broad Street on Plan 116 (Closed by R96398); Part of the Northeast 1/4 of Lot 19, Concession 4, Ops; Part of the East Half of Lot 20, Concession 4, Ops designated as Parts 1, 2, 4, 5, 6, and 7 on Plan 57R-9256 Except 57M769, 57M783 and 57M800; Subject to an Easement in Gross

over Part of the Northeast 1/4 of Lot 19, Concession 4, Ops designated as Part 1 on Plan 57R-10492 as in KL108910; Together With an Easement over Part of the Northeast 1/4 of Lot 19, Concession 4, being Parts 3 and 8 on Plan 57R-9256 as in R368431; in the Geographic Town of Lindsay, City of Kawartha Lakes, being PIN: 63237-1792 (LT) for trail purposes be approved;

That staff be directed to commence the process of obtaining ownership of the required land, for the price of \$43,500.00, with all related costs of the transaction to be at the City's expense;

That all costs associated with the transfer (estimated at \$46,000.00 including the survey, purchase price, Land Transfer Tax and the City's and the vendor's legal fees), to a maximum of \$48,000.00 be drawn from the Property Development Reserve;

That if all costs of the transaction exceed \$48,000.00, the matter be referred back to Council in 2019 for consideration;

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

That the By-law attached as Appendix E, required to authorize the acquisition of the subject land, be adopted by Council and executed by the Mayor and Clerk.

Carried

7. Petitions

7.1 CC2018-20.7.1

Petition Re Request for Speed Reduction on Marina Drive, Bobcaygeon

Jean Hollamby

Suzanne Thompson

CR2018-634

Moved By Councillor Seymour-Fagan

Seconded By Councillor Stauble

That the petition received from Jean Hollamby and Suzanne Thompson regarding **Request for Speed Reduction on Marina Drive, Bobcaygeon**, be received and referred to staff for report to Council by end of Q2 2019.

Carried

7.2 CC2018-20.7.2

Petition Re Resurfacing of Sandy Point Road and Gray Road

Greg Mills, President, Hickory Beach Association

CR2018-635

Moved By Councillor Elmslie

Seconded By Councillor Junkin

That the petition received from Greg Mills, President of the Hickory Beach Association regarding **Resurfacing of Sandy Point Road and Gray Road**, be received and referred to staff for report to Council in Q1 of 2019 as part of the budget process.

Carried

8. Closed Session

9. Matters from Closed Session

10. By-laws by Consent

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

CR2018-636

Moved By Councillor Elmslie

Seconded By Councillor Jilesen

That the By-Laws shown in Section 10 of the Agenda, namely: Items 10.1 to and including 10.15 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

10.1 By-law 2018-216

By-law to Authorize Borrowing of Serial Debentures \$951,077.57

10.2 By-law 2018-217

By-law to Authorize Borrowing of Serial Debentures \$4,761,049.39

10.3 By-law 2018-218

A By-law to Authorize the Execution of an Agreement between CHUMS Financing Corporation and The Corporation and Local Authority Services

of the City of Kawartha Lakes to act as Agent and Eligible Investors with respect to 'The One Investment Program'

10.4 By-law 2018-219

A By-law to Appoint an Inspector and Municipal Law Enforcement Officer for the City of Kawartha Lakes (Hewlett B)

10.5 By-law 2018-220

A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (Baragar C)

10.6 By-law 2018-221

A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (Williams R)

10.7 By-law 2018-222

A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (Johnstone R)

10.8 By-law 2018-223

A By-Law To Deem Part of a Plan of Subdivision, Previously Registered For Lands Within Kawartha Lakes, *Not* To Be A Registered Plan Of Subdivision In Accordance With The Planning Act, PIN 63116-0230 (LT), Described As Lot 11, Plan 256, Geographic Township Of Bexley, Now City Of Kawartha Lakes

(File D30-2018-012, Report PLAN2018-077, respecting 71 Homewood Park Road – Brianka)

10.9 By-law 2018-224

A By-Law To Deem Part of a Plan of Subdivision, Previously Registered For Lands Within Kawartha Lakes, *Not* To Be A Registered Plan Of Subdivision In Accordance With The Planning Act PIN 63116-0231 (LT), Described As Lot 10, Plan 256, Geographic Township Of Bexley, Now City Of Kawartha Lakes

(File D30-2018-013, Report PLAN2018-078, respecting 65 Homewood Park Road – Murray)

10.10 By-law 2018-225

A By-Law To Deem Part of a Plan of Subdivision, Previously Registered For Lands Within Kawartha Lakes, Not To Be A Registered Plan Of Subdivision

In Accordance With The Planning Act PIN 63265-0346 (LT), Described as Lot 4 N/S King Street, Registered Plan 5; Part Lot 5 N/S King Street, Registered Plan 5, Geographic Township Of Manvers, Now City Of Kawartha Lakes

(File D30-2018-014, Report PLAN2018-072, – 2341209 Ontario Inc.)

10.11 By-law 2018-226

A By-Law To Deem Part of a Plan of Subdivision, Previously Registered For Lands Within Kawartha Lakes, Not To Be A Registered Plan Of Subdivision In Accordance With The Planning Act PIN 63163-0523 (LT) And PIN 63163-0409 (LT), Described As Lot 10 and Lot 11, Registered Plan 56, Geographic Township Of Fenelon, Now City Of Kawartha Lakes

(File D30-2018-016, Report PLAN2018-079, respecting 26 Long Beach Road - Beers)

10.12 By-law 2018-227

A By-Law To Deem Part of a Plan of Subdivision, Previously Registered For Lands Within Kawartha Lakes, Not To Be A Registered Plan Of Subdivision In Accordance With The Planning Act Pin # 63116-0084 (R), Described As Lots 35 to 37, Plan 185, Geographic Township Of Bexley, Now City Of Kawartha Lakes

File D30-2018-015, Report PLAN2018-080, respecting 83 Ridge Drive – Willoughby

10.13 By-law 2018-228

A By-Law To Amend The Township of Manvers Zoning By-Law No. 87-06 To Rezone Land Within The City Of Kawartha Lakes

(40 Janetville Road, Kevin Kerr - Planning File D06-2018-023)

10.14 By-law 2018-229

A By-law to Authorize the Acquisition of Lots 2-4 on Plan 116; Part of Lot 1 on Plan 116; Part of Broad Street on Plan 116 (Closed by R96398); Part of the Northeast 1/4 of Lot 19, Concession 4, Ops; Part of the East Half of Lot 20, Concession 4, Ops designated as Parts 1, 2, 4, 5, 6, and 7 on Plan 57R-9256 Except 57M769, 57M783 and 57M800; Subject to an Easement in Gross over Part of the Northeast 1/4 of Lot 19, Concession 4, Ops designated as Part 1 on Plan 57R-10492 as in KL108910; Together With an

Easement over Part of the Northeast 1/4 of Lot 19, Concession 4, being Parts 3 and 8 on Plan 57R-9256 as in R368431; in the Geographic Town of Lindsay, City of Kawartha Lakes, being PIN: 63237-1792 (LT)

(Acquisition of Land for Trail Purposes - Mason Homes Rail Corridor Lands)

10.15 By-law 2018-230

A By-law to Approve the Expropriation of Land at 51 Needham Street, Lindsay

(Facilitating the construction of a new pumping station to replace or upgrade the existing Colborne Street Pumping Station)

11. Confirming By-Law

11.1 By-law 2018-231

A By-law to Confirm the Proceedings of a Special Meeting of Council, Tuesday, November 13, 2018 (Meeting CC2018-20)

CR2018-637

Moved By Councillor O'Reilly

Seconded By Councillor Veale

That a by-law to confirm the proceedings of a Special Council Meeting held Tuesday, November 13, 2018 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

12. Adjournment

Mayor Letham thanked all of Council for their service over the term.

Several Councillors thanked their fellow Council members, staff and their constituents for the opportunity to serve throughout their term.

CR2018-638

Moved By Councillor Martin

Seconded By Councillor Pollard

That the Council Meeting adjourn at 1:41 p.m.

Carried

Read and adopted this 11th day of December, 2018.

Andy Letham, Mayor

Cathie Ritchie, City Clerk