

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

CC2020-05
Tuesday, May 26, 2020
Electronic Meeting - Open Session Commencing at 1:00 p.m.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

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

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1. Call to Order

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 and Directors C. Marshall, B. Robinson, J. Rojas, C. Shanks, J. Stover, R. Sutherland and City Solicitor R. Carlson were also in attendance.

2. Adoption of Agenda

CR2020-118

Moved By Councillor Elmslie

Seconded By Councillor Veale

That the Agenda for the Open Session of the Special Council Meeting of Tuesday, May 26, 2020, be adopted as circulated.

Carried

3. Disclosure of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

4. Council Announcements

Mayor Letham:

- Paramedics Week is recognized during the week of May 24th. Mayor Letham thanked all of the paramedics and first responders who have been working to keep residents safe and recognized their dedication and bravery.

Councillor Elmslie

- National Accessibility Week will be celebrated during the week of May 31st. Accessibility Week celebrates the contributions of people with disabilities across the country and recognizes the efforts of Canadians who are actively removing barriers and ensuring persons with disabilities have an equal chance to participate in all aspects of society. With regret the City's Accessibility Advisory Committee has cancelled the Accessibility Awareness Recognitions Awards for the first time in 14 years and has deferred the nominations that were received to the 2021 year.

Councillor Ashmore

- Councillor Ashmore will be send a newsletter to the residents of Ward 6. Councillor Ashmore will also be hosting an open house on June 17th through an electronic participation Zoom meeting.

Councillor O'Reilly

- The 2020 International Plowing Match, which was to be held in Kawartha Lakes, has been cancelled and will now be held in 2021.
- The Lindsay Exhibition will be making an announcement regarding the status of the 2020 Lindsay Fair.
- The 2020 Kinmount Fair has been cancelled.

Councillor Richardson

- Councillor Richardson expressed gratitude to Fire Services for their efforts while combatting recent fire events that occurred in the Pontypool area.

5. Presentations

5.1 CC2020-05.5.1

Pandemic Response and Recovery Update

Ron Taylor, Chief Administrative Officer

Ron Taylor, Chief Administrative Officer, provided an update on the City's response to the COVID-19 Pandemic and outlined the efforts that are being made to prepare for the recovery efforts that will be required.

CR2020-118

Moved By Councillor Richardson

Seconded By Councillor Dunn

That the presentation by Ron Taylor, Chief Administrative Officer, **regarding a Pandemic Response and Recovery Update**, be received.

Carried

6. Reports

6.1 CAO2020-004

Outstanding Council Resolutions Q1 and Q2 of 2020

Ron Taylor, Chief Administrative Officer

CR2020-120

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That Report CAO2020-004, **Outstanding Council Resolutions Q1 and Q2 2020** be received.

Carried

6.2 CLK2020-005

Electronic Participation - Amendments to the Procedural By-law (Post State of Emergency)

Cathie Ritchie, City Clerk

CR2020-121

Moved By Councillor Ashmore

Seconded By Deputy Mayor O'Reilly

That Report CLK2020-005, **Electronic Participation - Amendments to the Procedural By-law**, be received;

That Council approves electronic participation in accordance with section 238 (3.1) of the Municipal Act for Council, Local Boards and Committees;

That Council approves electronic participation as prescribed for all Other Advisory Committees and Task Forces amending all Terms of Reference effective June 1, 2020; and

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

Carried

6.3 HS2020-003

Community Recovery Task Force Terms of Reference

Rod Sutherland

CR2020-122

Moved By Councillor Richardson

Seconded By Councillor Yeo

That Report HS2020-003, **Community Pandemic Recovery Task Force**, be received for information purposes;

That the Community Pandemic Recovery Task Force Terms of Reference, appended as Attachment A to Report HS2020-003, be approved;

That Councillors Ashmore, Elmslie and Richardson, Fire Chief Mark Pankhurst, and Director Rod Sutherland be appointed to the Community Pandemic Recovery Task Force; and

That the appointed Task Force members be delegated the authority to appoint the community representatives to the Task Force from the sectors as identified in the Terms of Reference.

Carried

6.4 ED2020-016

Economic Recovery Task Force Terms of Reference

Rebecca Mustard, Manager of Economic Development

CR2020-124

Moved By Councillor Veale

Seconded By Councillor Dunn

That Report ED2020-016, **Economic Recovery Taskforce Terms of Reference**, be received;

That the Economic Recovery Terms of Reference as outlined in Appendix A to report ED2020-016, be approved;

That Mayor Letham, Deputy Mayor Councillor O'Reilly, Councillor Seymour-Fagan, and Councillor Veale, and the Directors of Development Services and Engineering and Corporate Assets be appointed to the Economic Recovery Taskforce; and

That the appointed Task Force members be delegated the authority to appoint the community representatives to the Task Force from the sectors as identified in the Terms of Reference.

Carried

CR2020-124

Moved By Councillor Elmslie

Seconded By Councillor Richardson

That Councillor Dunn be appointed to the Community Pandemic Recovery Task Force.

Carried

6.5 CS2020-007

Powerlinks Extension Agreement with Shaman Power

Craig Shanks, Director of Community Services

CR2020-125

Moved By Councillor Elmslie

Seconded By Deputy Mayor O'Reilly

That Report CS2020-007, **Powerlinks Extension Agreement with Shaman Power**, be received, and;

That Council authorize the Mayor and Clerk to sign and execute the Agreement.

Carried

6.6 ENG2020-007

Life Cycle Extension, Local Asphalt Road Section Candidates

Mike Farquhar, Supervisor Technical Services

CR2020-126

Moved By Councillor Yeo

Seconded By Councillor Veale

That Report ENG2020-007, **Life Cycle Extension, Local Asphalt Road Section Candidates**, be received.

Carried

CR2020-127

Moved By Councillor Elmslie

Seconded By Councillor Veale

That staff report back to Council at the June 9, 2020 Committee of the Whole Meeting regarding any further candidates under the Life Cycle Extension Program with budget implications.

Carried

6.7 CORP2020-006

Tax Policy Decisions

Linda Liotti, Manager, Revenue & Taxation

Jennifer Stover, Director of Corporate Services

CR2020-128

Moved By Councillor Seymour-Fagan

Seconded By Councillor Dunn

That Report CORP2020-006, **2020 Tax Policy Decisions**, be received.

That optional property classes for the 2020 tax year are not adopted;

That the tax rate reduction for vacant and excess land in the commercial and industrial class be set as 30% and 35% respectively for 2020;

That the tax rate reduction for First Class Undeveloped Farm Land be set at 45% for 2020;

That the capping and threshold parameters be established as follows:

| | | |
|--|-----|-----|
| Annualized Tax Limit | 10% | 10% |
| Prior Year's CVA Tax Limit | 10% | 10% |
| CVA Tax Threshold for Protected Properties (Increases) (\$0 to \$500) | 500 | 500 |
| CVA Tax Threshold for Clawed Back Properties (Decreases) (\$0 to \$500) | 500 | 500 |

| | | |
|---|-----|-----|
| Properties that were at CVA Tax in 2019 or that would cross over CVA Tax in 2020 are to be excluded from capping. | Yes | Yes |
|---|-----|-----|

That the decrease claw back parameters for 2020 be set at 0% for multi-residential, commercial and industrial;

That Council approve the 2020 tax ratios as outlined in Appendix A to report CORP2020-006; and

That the necessary by-laws be forwarded to Council for adoption.

Carried

7. Planning Reports

7.1 PLAN2020-012

Official Plan and Zoning By-law Amendments to Facilitate a Residential Severance of an Existing Dwelling (Parkbridge Lifestyle Communities)

Anna Kalnina, Planner II

CR2020-129

Moved By Councillor Ashmore

Seconded By Councillor Seymour-Fagan

That Report PLAN2020-012, **respecting Part Lot 5, Concession 4, geographic Township of Verulam, Parkbridge Lifestyle Communities Inc. – Applications D01-2020-001 and D06-2020-003**, be received;

That a By-law to implement the proposed Official Plan Amendment, substantially in the form attached as Appendix B to Report PLAN2020-012, be approved and adopted;

That the Zoning By-law Amendment, substantially in the form attached as Appendix C to Report PLAN2020-012, be approved and adopted; and

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

Carried

7.2 PLAN2020-013

Telecommunications Facility Endorsement Application – Xplornet Communications

Ian Walker, Planning Officer – Large Developments

CR2020-130

Moved By Councillor Veale

Seconded By Councillor Elmslie

That Report PLAN2020-013, **Part of Lot 21, Concession 2, Geographic Township of Fenelon, Donald and Sylvia Holliday – Application D44-2019-001**, be received;

That the 45.0 metre self-supported telecommunication facility proposed by Forbes Bros. Ltd. on behalf of Xplornet Communications, to be sited on property at 1641 Glenarm Road and generally outlined in Appendices A to E to Report PLAN2020-013, be endorsed by Council, conditional upon the applicant entering into a Telecommunication Facility Development Agreement with the City;

That Innovation, Science and Economic Development (ISED) Canada, the applicant, and all interested parties be advised of Council's decision; and

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

Carried

7.3 PLAN2020-015

Proposed Residential Development for 157 Townhouses on Lindsay Street North, Lindsay (2573532 Ontario Inc.)

Sherry Rea, Development Planning Supervisor

CR2020-131

Moved By Councillor Dunn

Seconded By Deputy Mayor O'Reilly

That Report PLAN2020-015, **Part of Lot 24, Concession 5, geographic Township of Ops and Part of Lot 3 and Block X, Plan 1, former Town of Lindsay, Application D06-2019-007** be received;

That the Zoning By-law Amendment, D06-2019-007, substantially in the form attached as Appendix C to Report Plan 2020-015, 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.

Carried

7.4 PLAN2020-016

Applications to Amend the City of Kawartha Lakes Official Plan and Township of Fenelon Zoning By-law 12-95 to Permit a Residential Condominium Development Consisting of 26 Townhouse Dwellings and Two Apartment Buildings Containing 60 Dwelling Units on West Street North, Geographic Township of Fenelon, now City of Kawartha Lakes (Muskoka D & M Corp.)

Mark LaHay, Planner II

CR2020-132

Moved By Councillor Elmslie

Seconded By Councillor Dunn

That Report PLAN2020-016, **respecting being Part of Lot 23, Concession 9, Parts 1 to 3, Plan 57R-8353, Parts 1 and 2, Plan 57R-2352, Lots 53-54, Part Third Street (Closed), Plan 190, geographic Township of Fenelon, identified as 19, 39 and 67 West Street North, “Muskoka D & M Corp. – Applications D01-2018-006 and D06-2018-028”**, be received;

That a By-law to implement Official Plan Amendment application D01-2018-006, substantially in the form attached as Appendix ‘C’ to Report PLAN2020-016 be approved and adopted by Council;

THAT a By-law to implement Zoning By-law Amendment application D06-2018-028, substantially in the form attached as Appendix ‘D’ to Report PLAN2020-016 be approved and adopted by Council; and

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

Carried

7.5 PLAN2020-019

Request by Aspire Sturgeon Developments Inc. to enter into an Amending Subdivision Agreement for Plan of Subdivision 638, File No. D05-35-010, Islandview Estates Subdivision

Richard Holy, Manager of Planning

CR2020-133

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Richardson

That Report PLAN2020-019, **Islandview Estates Amending Subdivision Agreement**, be received;

That the Amending Subdivision Agreement for Islandview Estates, City of Kawartha Lakes, substantially in the form attached as Appendix "C" to Report PLAN2020-019 be approved by Council;

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

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

Carried

7.6 ENG2020-008

Assumption of Cloverlea Subdivision Phase 3, Lindsay

Christina Sisson, Supervisor, Development Engineering

Juan Rojas, Director of Engineering and Corporate Assets

CR2020-134

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Yeo

That Report ENG2020-008, **Assumption of Clovelea Phase 3 Subdivision, Lindsay**, be received;

That the Assumption of Cloverlea Subdivision Phase 3 Lindsay, Geographic Town of Lindsay, City of Kawartha Lakes, be approved;

That an Assumption By-Law, substantially in the form attached as Appendix 'A', to Report ENG2020-008 be approved and adopted by Council; and

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

Carried

8. Correspondence

9. By-laws

CR2020-135

Moved By Councillor Veale

Seconded By Councillor Richardson

That the By-laws shown in Section 9 of the Agenda, namely: Items 9.1 to and including 9.11 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

9.1 By-law 2020-037

A By-law to Amend By-law 2020-035, being a By-law to Regulate Govern and Regulate the Proceedings of the Council of the City of Kawartha Lakes (Post State of Emergency)

9.2 By-law 2020-038

A By-law to Establish 2020 Tax Ratios in the City of Kawartha Lakes

9.3 By-law 2020-039

A By-law to Provide Tax Relief to Certain City of Kawartha Lakes Property Owners Who Are Low Income Elderly Persons, Low Income Persons Between the Ages of 55 and 64, Low Income Disabled Persons or Ontario

9.4 By-law 2020-040

A By-law to Provide Water Rate Relief To Certain City of Kawartha Lakes Property Owners Who Are Low Income Elderly Persons, Low Income Persons Between The Ages Of 55 And 64, Low Income Disabled Persons Or Ontario Disability Support Program Recipients

9.5 By-law 2020-041

A By-law to Authorize the Execution of a Telecommunications License Agreement between The Corporation of the City of Kawartha Lakes and Xplornet Communications Inc.

9.6 By-law 2020-042

A By-law to Amend the City of Kawartha Lakes Official Plan to Add a Special Provision to Land within the City of Kawartha Lakes (2152 City Road 36 - Parkbridge Lifestyle Communities)

9.7 By-law 2020-043

A By-law to Amend The Township of Verulam Zoning By-law No. 6-87 in The City of Kawartha Lakes (2152 City Rad 36 - Parkbridge Lifestyle Communities)

9.8 By-law 2020-044

A By-Law To Amend The Town of Lindsay Zoning By-Law No. 2000-75 To Rezone Land Within The City Of Kawartha Lakes (2573532 Ontario Inc.)

9.9 By-law 2020-045

A By-Law to Amend the City of Kawartha Lakes Official Plan to Redesignate Land within the City of Kawartha Lakes (Muskoka D & M Corp.)

9.10 By-law 2020-046

A By-Law To Amend The Township of Fenelon Zoning By-Law No. 12- 95 To Rezone Land Within The City Of Kawartha Lakes(Muskoka D & M Corp.)

9.11 By-law 2020-047

A By-law to Assume Cloverlea Phase 3 Subdivision, Plan 57M-800, specifically Blueberry Lane, PIN: 63237- 1786, Brackendale Trail, PIN: 63237-1787, Briarwood Avenue, PIN: 63237-1788, Broad Street, PIN: 63237-1789, Commerce Road, PIN: 63237-1790, and Silverbrook Avenue, PIN: 63237-1791, the 0.3 metre reserves, Blocks 87, 88, 89, and 90, PIN: 63237-1782, 63237-1783, 63237-1784, and 63237-1785, respectively, Trail Blocks 83, 84, and 85, PINs: 63237-1778, 63237-1779, and 63237-1780, respectively and the Stormwater Management Pond, Block 82, PIN: 63237-1777, Geographic Town of Lindsay, The Corporation of the City of Kawartha Lakes

10. Closed Session

At this point of the meeting, Council proceeded to go into Closed Session to consider the item under Section 10 of the Agenda. All remaining staff, with the exception of the CAO, City Clerk, and City Solicitor, were instructed to leave the electronic meeting. As per the City's Procedural By-law requirements, Mayor Letham asked all remaining participants in the meeting to confirm, by raising their hands, that that they were in a private room, where:

- A. No other persons could overhear the deliberations; and
- B. Their internet connection was secure and not publicly accessible.

CR2020-136

Moved By Councillor Elmslie

Seconded By Councillor Dunn

That Council approve the Closed Session Agenda and convene into closed session at 3:47 p.m. pursuant to Section 239(2) of the Municipal Act, S.O. 2001 S.25, in order to consider matters identified in Section 10 of the Special Council Meeting Agenda of Tuesday, May 26, 2020, namely Item 10.1.

Carried

11. Matters from Closed Session

CR2020-139

Moved By Councillor Yeo

Seconded By Councillor Veale

That Council instruct the City Solicitor to commence an application in the Divisional Court for an injunction to prevent the soil stockpiling at 3243 Kirkfield Road on an interim basis pending prosecution.

Carried

12. Confirming By-Law

12.1 CC2020-05.12.1

A By-law to Confirm the Proceedings of a Special Meeting of Council on Tuesday, May 26, 2020

CR2020-140

Moved By Councillor Dunn

Seconded By Councillor Ashmore

That a by-law to confirm the proceedings of a Special Council Meeting held Tuesday, May 26, 2020 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

13. Adjournment

CR2020-141

Moved By Councillor Yeo

Seconded By Councillor Dunn

That the Council Meeting adjourn at 4:10 p.m.

Carried

Read and adopted this 23 day of June, 2020.

Andy Letham, Mayor

Cathie Ritchie, City Clerk