

# **The Corporation of the City of Kawartha Lakes**

## **Minutes**

### **Regular Council Meeting**

**CC2021-18**

**Tuesday, November 16, 2021**

**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 was an electronic participation meeting and public access to Council Chambers was not 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](mailto:AgendaItems@kawarthalakes.ca) if you have an accessible accommodation request.**

**1. Call to Order**

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

Councillor K. Seymour-Fagan was in attendance electronically.

CAO R. Taylor, City Clerk C. Ritchie, Deputy Clerk S. O'Connell and Administrative Assistant K. Lewis were also in attendance in Council Chambers.

Directors B. Robinson, J. Rojas, C. Shanks, J. Stover, R. Sutherland, City Solicitor R. Carlson, Fire Chief R. Mellow, Manager of Realty Services S. Dyer, Manager of Municipal Law Enforcement and Licensing A. Sloan, Manager of Human Resources L. Patterson, Labour Relations Officer L. Gibson 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**

**CR2021-523**

**Moved By** Councillor Veale

**Seconded By** Councillor Richardson

**That** the Agenda for the Open Session of the Regular Council Meeting of Tuesday, November 16, 2021, be adopted as circulated and with the following amendments:

Additions:

Item 6.4 Deputation Regarding a Request to Amend By-Law 2014-255, Mandatory Connection to Water and Wastewater Systems By-Law (being Item 7.2 on the Agenda)

Item 11.1.16 being Report PLAN2021-063, Removal of Holding Provision, Muskoka D & M. Corp.

Item 14.1.14 By-Law to Appoint a Municipal Law Enforcement Officer for Limited By-Law Enforcement Purposes

Item 14.1.15 By-Law to Amend the Township of Fenelon Zoning By-Law 12-95 to Remove the Holding Symbol (H) from a Zone Category on Property within the City of Kawartha Lakes (19 and 67 West St. N., Fenelon)

Deletions:

By-Law to Authorize the Borrowing of Serial Debentures of \$1,692,941.81 (originally Item 14.1.1)

By-Law to Authorize the Borrowing of Serial Debentures of \$6,521,940.61 (originally Item 14.1.2)

By-Law to Authorize the Borrowing of Serial Debentures of \$3,723,832.64 (originally Item 14.1.3)

**Carried**

**3. Disclosure of Pecuniary Interest**

There were no declarations of pecuniary interest disclosed.

**4. Notices and Information by Members of Council and Staff**

**4.1 Council**

Councillor Richardson:

- Pontypool Community Centre will be holding their annual Santa Breakfast in three seating's on Sunday, December 5th.
- Local firefighters will be doing their annual Christmas collection for toys and food items in Bethany on Saturday, December 4th and in Pontypool and Janetville on Sunday, December 14th.

Councillor Ashmore:

- A Remembrance Day Ceremony was held at the Omemee Cenotaph on November 11th; the organizers were thanked for all of the effort that went into the event.
- A Christmas Tree Lighting will be held at the Coronation Hall in Omemee on Friday, December 3rd from 5:30p.m. to 6:00 p.m.

- Councillor Ashmore thanked all of his supporters in Ward 6 and indicated his intention to run as a candidate in the 2022 municipal election.

Deputy Mayor O'Reilly:

- The Humane Society of Kawartha Lakes will be holding a Christmas Bazaar and Bake Sale at Lakeland Funeral Home on Saturday, November 20th from 9:00 a.m. to 2:00 p.m
- The Annual Jolly Jog will be held in Lindsay on Saturday, November 27th in support of Kawartha Lakes Food Source and A Place Called Home.
- The Dream Ball Dinner will be held on Saturday, November 20th at local restaurants, with an on-line auction, in support of the Boys and Girls Club of Kawartha Lakes.
- The Lindsay and District Chamber of Commerce have awarded the 2021 Citizen of the Year Award to Jon Perrin, founder of the Twisted Trauma Foundation, they and have also awarded the 2021 Business Leader of the Year to Diane Steven, Manager of the Kawartha Small Business and Entrepreneurship Centre.
- Condolences were extended to the friends and family of Michael Broderick, a Kawartha Lakes Police Services Officer, who passed away on November 5th. The Funeral Service was held on Monday November 15th with Mayor Letham and Police Services Board and Police Officers from across the region in attendance.

4.2 Staff

5. **Council Minutes**

**Regular Council Meeting Minutes, October 19, 2021**

**Special Council Meeting Minutes, October 26, 2021**

**CR2021-524**

**Moved By** Councillor Veale

**Seconded By** Councillor Dunn

**That** the Minutes of the October 19, 2021 Regular Council Meeting and the October 26, 2021 Special Council Meeting, be received and adopted.

**Carried**

6. **Deputations**

6.1 CC2021-18.6.1

**Request for Relief from Development Charges  
(Item 11.1.2 on the Agenda)**

Barb Mildon, CEO, Community Care City of Kawartha Lakes  
Michael Anderson, Chairperson, Board of Directors for Community Care of  
Kawartha Lakes

Barb Mildon, CEO of Community Care for the City of Kawartha Lakes, provided an overview of their request for relief from the development charges that will apply the construction of their new facility on Angeline Street North in Lindsay.

**CR2021-525**

**Moved By** Deputy Mayor O'Reilly

**Seconded By** Councillor Veale

**That** the deputation of Barb Mildon, CEO of Community Care, City of Kawartha Lakes, **regarding a request for relief from development charges**, be received.

**Carried**

6.2 CC2021-18.6.2

**Request for Site Plan Exemption - Derry's Restaurant  
(Item 11.1.13 on the Agenda)**

Kevin Duguay

Kevin Duguay provided an overview of the request for Site Plan Exemption.

**CR2021-526**

**Moved By** Councillor Veale

**Seconded By** Councillor Richardson

**That** the deputation of Kevin Duguay, **regarding a request for Site Plan Exemption for Derry's Restaurant**, be received.

**Carried**

6.3 CC2021-18.6.3

**Request for Support for the Minister's Zoning Order (MZO) Request for  
Bromont Homes and Melody Gardens Inc.  
(Item 9.3.17 on the Agenda)**

Nicholas Macos, Black Sutherland LLP  
Michael Bissett, Bousfields Inc.

Nicholas Macos and Michael Bissett were present to answer any questions that Council may have regarding the request for support for the Minister's Zoning Order (MZO) Request from Bromont Homes and Melody Gardens Inc.

**CR2021-527**

**Moved By** Councillor Richardson

**Seconded By** Councillor Ashmore

**That** the deputation of Nicholas Macos, of Black Sutherland LLP, and Michael Bissett, of Bousfields Inc., **regarding a request for support for the Minister's Zoning Order (MZO) Request from Bromont Homes and Melody Gardens Inc.**, be received.

**Carried**

6.4 CC2021-18.6.4

**Request to Amend By-Law 2014-255, Mandatory Connection to Water and Wastewater Systems By-Law  
(Item 7.2 on the Agenda)**

Marc P. Kemerer, Devry Smith Frank LLP

Marc P. Kemerer provided an overview of a request to amend the City's Mandatory Connection to Water and Wastewater Systems By-Law; with specific interest in the requirement for property owners to pay for water services that they are not connected to.

**CR2021-528**

**Moved By** Councillor Dunn

**Seconded By** Councillor Yeo

**That** the deputation of Marc P. Kemerer, of Devry Smith Frank LLP, **regarding a request to amend By-Law 2014-255 being the Mandatory Connection to Water and Wastewater Systems By-Law**, be received.

**Carried**

**7. Correspondence**

7.1 CC2021-18.7.1

**Correspondence Regarding Docking in Cedar Glen  
(Item 11.3.1 on the Agenda)**

Fred Davis

Laurie Davis

**CR2021-529**

**Moved By** Councillor Ashmore

**Seconded By** Councillor Yeo

**That** the correspondence from Fred Davis and Laurie Davis, **regarding docking in Cedar Glen**, be received.

**Carried**

7.2 CC2021-18.7.2

**Correspondence Regarding a Request to Amend By-Law 2014-255,  
Mandatory Connection to Water and Wastewater Systems By-Law**

Marc P. Kemerer, Devry Smith Frank LLP

**That** the correspondence from Marc P. Kemerer, of Devry Smith Frank LLP, **regarding a request to amend By-Law 2014-255, being the Mandatory Connection to Water and Wastewater Systems By-Law**, be received and referred to Staff for review and report back in Q1 of 2022.

**Carried**

7.3 CC2021-18.7.3

**Correspondence Regarding Cedar Glen Docking and the Dock  
Encroachment Policy**

**(Item 11.3.1 on the Agenda)**

Gareth Jones

**CR2021-531**

**Moved By** Councillor Yeo

**Seconded By** Councillor Ashmore

**That** the correspondence from Gareth Jones, **regarding Cedar Glen Docking and the Dock Encroachment Policy**, be received.

**Carried**

**8. Presentations**

**9. Committee of the Whole**

9.1 Correspondence Regarding Committee of the Whole Recommendations

9.2 Committee of the Whole Minutes

**Committee of the Whole Meeting Minutes, November 2, 2021**

**CR2021-532**

**Moved By** Deputy Mayor O'Reilly

**Seconded By** Councillor Dunn

**That** the Minutes of the November 2, 2021 Committee of the Whole Meeting be received and the recommendations, included in Section 9.3 of the Agenda, be adopted.

**Carried**

9.3 Business Arising from Committee of the Whole Minutes

9.3.1 CW2021-264

**That** the deputation of Chris Appleton, **regarding the Fenelon Falls Second Crossing**, be received.

**Carried**

9.3.2 CW2021-265

**That** the deputation of Christopher Handley, **regarding the Fenelon Falls Second Crossing**, be received.

**Carried**

9.3.3 CW2021-266

**That** the correspondence from Ian Forster, Chair of the Coboconk, Norland and Area Chamber of Commerce, **regarding the Fenelon Falls Second Crossing Update**, be received.

**Carried**

9.3.4 CW2021-267

**That** the presentation by Juan Rojas, Director of Engineering and Assets, Rory Baksh, of Dillon Consulting, and Ian Borsuk, of Dillon Consulting, **regarding the Fenelon Falls Second Crossing**, be received.

**Carried**

9.3.5 CW2021-268



**That** Report ENG2021-029, **Fenelon Falls Second Crossing Update**, be received.

**Carried**

9.3.6 CW2021-269

**That** Staff review and report back on the following elements associated with the Fenelon Falls Second Crossing:

- moving forward with getting more information on the By-Pass option at the Somerville 3rd Concession (Burnt River);
- the installation of better signage at County Road 121 and Highway 35;
- review restricting left turns on Lindsay Street and Colborne Street, Fenelon Falls, from 2:00 p.m. to 7:00 p.m. from Victoria Day to Thanksgiving
- review the implementation of no parking on Colborne Street, Fenelon Falls, from 2:00 p.m. to 7:00 p.m. from Victoria Day to Thanksgiving
- the installation of an advanced left turn signal in and out of the Sobeys' entrance
- that no traffic signals be installed at Elliot Street and Lindsay Street, Fenelon Falls
- complete existing bridge rehabilitation and improve pedestrian connections
- work with Tim Horton's on their drive-thru issues and potential options for improvements
- improve signage for Mitchell's Bridge
- continue to monitor growth in Fenelon Falls that would support the need for a second in-town bridge.

**Carried**

9.3.7 CW2021-270

**That** the presentation by Ron Taylor, Chief Administrative Officer, LeAnn Donnell, Acting Manager of Customer Services, Brenda Stonehouse, Strategy and Innovation Specialist, **regarding the Customer Service Program - Case Management Enhancement**, be received.

**Carried**

9.3.8 CW2021-271

**That** the presentation by Carlie Arbour, Economic Development Officer - Community, **regarding the Million Dollar Makeover Program Update**, be received.

**Carried**

9.3.9 CW2021-272

**That** Report ED2021-032, **Million Dollar Makeover Program Update**, be received.

**Carried**

9.3.10 CW2021-273

**That** Report ED2021-027, **Amendment of Designating By-Law - 1201 Salem Road, Geographic Township of Mariposa**, be received;

**That** the Municipal Heritage Committee's recommendation to amend By-Law 2018-177 be endorsed;

**That** Staff be authorized to proceed with the process to amend the designating By-Law as prescribed by the Ontario Heritage Act and the issuance of a Notice of Intention to Amend; and

**That** an amending By-Law be brought forward to Council at the next Regular Council Meeting following the end of the notice period.

**Carried**

9.3.11 CW2021-274

**That** the presentation by Susanne Murchison, Chief Building Official, regarding the Review and Replacement of By-Law 2012-019, **being a By-Law to Provide for the Administration and Enforcement of the Building Code Act, 1992, within the City of Kawartha Lakes**, be received.

**Carried**

9.3.12 CW2021-275

**That** Report BLDG2021-002, **Review and Replacement of By-Law 2012-019**, be received; and

**That** a By-Law substantially in the form attached as Appendix A to this Report be forwarded to Council for adoption.

**Carried**

9.3.13 CW2021-276

**That** the deputation of Cyrus Ghassabeh and Sarah Duncan of FB Connect, **regarding the Telecommunications Facility Concurrence Application - Xplornet Communications (Item 10.3 on the Agenda)**, be received.

**Carried**

9.3.14 CW2021-277

**That** the presentation by Councillor Richardson, Angelina Giordano and Anahi Gomez, of the Federation of Canadian Municipalities Partners for Climate Protection Program, **regarding the People for Climate Protection Milestone for the City of Kawartha Lakes**, be received.

**Carried**

9.3.15 CW2021-278

**That** the presentation by Councillor Richardson and Richard Holy, Acting Director of Development Services, **regarding the Kawartha Lakes Healthy Environment Plan Update**, be received.

**Carried**

9.3.16 CW2021-279

**That** the presentation, and associated correspondence, by Nicholas Macos, of Black Sutherland LLP, Michael Bissett, of Bousfields Inc., Peter Zourntos, of Valdor Engineering and Saverio Montemareno, of Bromont Homes, **regarding a Request for Support of a Minister's Zoning Order (MZO) from Bromont Homes and Melody Gardens Inc.**, be received.

**Carried**

9.3.17 CW2021-280

**That** City Council supports the request from Bromont Homes Inc, and Melody Gardens Inc, for a Minister's Zoning Order on approximately 130 hectares of land as provided in the presentation and correspondence dated October 12<sup>th</sup>, 2021 inclusive of attachments A – D; and

**That** Staff be directed to work with Bromont Homes Inc. and Melody Gardens Inc. to prepare a draft development agreement acceptable to both parties, and

that the draft agreement be forwarded to Council no later than end of January, 2022 for review and approval.

**Carried**

9.3.18 CW2021-281

**That** Report PLAN2021-059, **Part of Lot 18, Concession 2, Geographic Township of Manvers, William and Anita Durant – Application D44-2021-005**, be received;

**That** the 45.0 metre self-supported telecommunication facility proposed by FB Connect on behalf of Xplornet Communications, to be sited on property at 1060 Sandy Hook Road and generally outlined in Appendices A to F to Report PLAN2021-059, be supported by Council, conditionally upon the applicant entering into a Telecommunication Facility Development Agreement with the City;

**That** the Director of Development Services be authorized to advise Innovation, Science and Economic Development (ISED) Canada, the applicant, and all interested parties of Council's decision; and

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

**Carried**

9.3.19 CW2021-282

**That** Report RS2021-036, **Proposed Surplus Declaration, Closure, and Sale of Road Allowances adjacent to 122 Miller Road, Brechin**, be received;

**That** the subject property, being a portion of road allowance adjacent to 122 Miller Road, Brechin, and legally described as Part of the Road Allowance between Lot 5 and Lot 6, Concession 2, in the Geographic Township of Carden, City of Kawartha Lakes (Part of PIN: 63109-0101 (LT)) and Part of the Road Allowance between Concession 2 and Concession 3 abutting Lots 1 to 9, in the Geographic Township of Carden, City of Kawartha Lakes (Part of PIN: 63109-0098 (LT)) be declared surplus to municipal needs;

**That** the sale of a portion of the road allowance to the adjoining landowner (122 Miller Road, Brechin) be supported, in principle, in accordance with the provisions of By-Law 2018-020, as amended, and the Municipal Act, 2001, and subject to the parties entering into a conditional Agreement of Purchase and Sale;

**That** Council require a geotechnical report, at the cost of the purchaser, to determine the amount of aggregate located within the portion of road allowance to be sold to the owner of 122 Miller Road and the value of the land be set at the higher of \$2.00 per tonne of aggregate or the minimum set price of \$15.00 per linear foot of road allowance;

**That** the donation of a portion of the road allowance to the adjoining landowner (471 Rohallion Road, Brechin) be supported, in principle, in accordance with the provisions of By-Law 2018-020, as amended, and the Municipal Act, 2001, and subject to the parties entering into a conditional Agreement of Purchase and Sale;

**That**, notwithstanding Section 4.04 of By-Law 2018-020, the portion of road allowance adjacent to 471 Rohallion Road be conveyed for nominal consideration, as the property owner is a nature conservancy and therefore does not acquire a financial advantage as a result of the conveyance;

**That** Staff be directed to commence the process to stop up and close the said portion of road allowance;

**That** a By-Law (with any amendments deemed necessary) to close the road and authorize its disposition shall be passed if appropriate; and

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

**Carried**

9.3.20 CW2021-283

**That** Report WM2021-014, **Feasibility of Requiring Downtown Owners to Provide Private Waste Collection Services**, be received.

**Carried**

9.3.21 CW2021-284

**That** Report WM2021-015, **Waste Management By-Law 2016-144 Amendment**, be received; and

**That** the proposed amendments to By-Law 2016-144, attached as Appendix A to Report WM2021-015, be approved.

**Carried**

9.3.22 CW2021-285

**That** Report RD2021-005, **Update - Street Sweeping Level of Service Policy**, be received;

**That** Council approve the proposed amendments to Policy CP2021-005 attached as Appendix A;

**That** Staff be directed to increase the Level of Service for city wide street sweeping by increasing the amount of contracted resources by four (4) additional street sweepers for a total of eight (8) units, and four (4) additional water trucks; and

**That** Council approve an additional \$81,000.00 in the 2022 Budget resulting from the increased level of service.

**Carried**

9.3.23 CW2021-286

**That** Report RD2021-006, **Winter Level of Service Review and Update**, be received;

**That** the amended draft By-Law for Lindsay Business Improvement Area Sidewalk Clearing attached as Appendix B be approved and forwarded to Council for adoption;

**That** the amended Council Level of Service Policy C 124 EPW 010 Roadway Level of Service Policy Winter Maintenance attached as Appendix C be renumbered and approved; and

**That** the amended Council Level of Service Policy C 125 EPW 011 Sidewalk Level of Service Policy Winter Maintenance attached as Appendix D be renumbered and approved.

**Carried**

9.3.24 CW2021-287

**That** Report RD2021-007, **Policy Review - Assumption of Private and Unassumed Roads**, be received; and

**That** the proposed amendments to Council Policy CP2017-001 attached to this report as Appendix A be approved.

**Carried**

9.3.25 CW2021-288

**That** the Memorandum from Councillor Richardson, **regarding the restriction of Commercial Truck Traffic**, be received;

**That** Staff review the By-Law that restricts commercial truck traffic on rural roads and consider Yelverton Road, Ballyduff Road, Waite Road, and Drum Road for inclusion in a report back by the end of Q1, 2022; and

**That** the report back include options for enforcement.

**Carried**

9.4 Items Extracted from Committee of the Whole Minutes

**10. Planning Advisory Committee**

10.1 Correspondence Regarding Planning Advisory Committee Recommendations

10.2 Planning Advisory Committee Minutes

Planning Advisory Committee Meeting Minutes, November 3, 2021

**CR2021-533**

**Moved By** Councillor Veale

**Seconded By** Deputy Mayor O'Reilly

**That** the Minutes of the November 3, 2021 Planning Advisory Committee Meeting be received and the recommendations, included in Section 10.3 of the Agenda, be adopted.

**Carried**

10.3 Business Arising from Planning Advisory Committee Minutes

10.3.1 PAC2021-078

**That** Report PLAN2021-060, **Amend the Mariposa Zoning By-law No. 94-07 at Part of Lot 5, Concession 14 (763 City of Kawartha Lakes Road 46) – Holcrest Farms Ltd.**, be received;

**That** a Zoning By-law, respecting application D06-2021-025, substantially in the form attached as Appendix D to Report PLAN2021-060 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**

10.4 Items Extracted from Planning Advisory Committee Minutes

**11. Consent Matters**

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

Item 11.1.2 Mayor Letham

Items 11.1.5 and 11.1.9 Councillor Ashmore

Item 11.1.7 Councillor Elmslie

Item 11.1.14 Councillor Veale

**Moved By** Councillor Elmslie

**Seconded By** Councillor Dunn

**That** all of the proposed resolutions shown in Section 11.1 and 11.2 of the Agenda, save and except for Items 11.1.2, 11.1.5, 11.1.7, 11.1.9, 11.1.14, be approved and adopted by Council in the order that they appear on the agenda and sequentially numbered.

11.1 Reports

11.1.1 CLK2021-008

**2022 Council, Committee of the Whole and Planning Advisory Committee Meeting Schedule**

Cathie Ritchie, City Clerk

Sarah O'Connell, Deputy Clerk

**CR2021-534**

**That** Report CLK2021-008, **2022 Council, Committee of the Whole and Planning Advisory Committee Meeting Schedule**, be received; and

**That** the schedule for Council, Committee of the Whole and Planning Advisory Committee Meetings for 2022, as outlined in Appendix A to Report CLK2021-008, be approved.

**Carried**

11.1.3 RS2021-041

**Acquisition for Road Purposes – Eldon Station Road**

Christine Oliver, Law Clerk - Realty Services

**CR2021-535**



**That** Report RS2021-041, **Acquisition for Road Purposes - Eldon Station Road**, be received;

**That** the acquisition of Part of the West Half of Lot 20, Concession 4, in the Geographic Township of Eldon, further described as Part 1 on 57R-10926 and municipally known as part of 472 Eldon Station Road, in the Geographic Township of Eldon for road purposes be approved;

**That** Staff be directed to commence the process of obtaining ownership of the required land, for nominal consideration, with all related costs payable by the applicants;

**That** the City be authorized to use the same solicitor as the applicant's for the closing of the transaction;

**That** the Mayor and Clerk be authorized to execute any documents and agreements required to release the municipality's interest in the subject property; and

**That** the necessary By-Law be forwarded to Council for adoption.

**Carried**

11.1.4 RS2021-043

**Disposition of Shoreline Road Allowance adjacent to 76 Fulsom Crescent, Sebright**

Laura Carnochan, Law Clerk - Realty Services

**CR2021-536**

**That** Report RS2021-043, **Disposition of Shoreline Road Allowance adjacent to 76 Fulsom Crescent, Sebright**, be received; and

**That** the deeming by-law attached as Appendix E to Report RS2021-043 be forwarded to Council for adoption.

**Carried**

11.1.6 MLE2021-012

**Refreshment Vehicle By-Law Review**

Aaron Sloan, Manager, Municipal Law Enforcement and Licensing

**CR2021-537**

**That** Report MLE2021-012, **Refreshment Vehicle By-law Review**, be received;  
and

**That** a by-law substantially in the form attached as Appendix B to this report be forwarded to Council for adoption.

**Carried**

11.1.8 MLE2021-017

**Noise By-Law Update**

Aaron Sloan, Manager, Municipal Law Enforcement and Licensing

**CR2021-538**

**That** Report MLE2021-017 **Noise By-Law Update to Council** be received;

**That** By-Law 2019-124 being a By-Law to Regulate Noise in the City Of Kawartha Lakes, Schedule B be amended, as generally outlined in Appendix B to Report MLE2021-017; and

**That** the necessary By-Law be forwarded to December 14, 2021 regular Council meeting for adoption.

**Carried**

11.1.10 PUR2021-022

**2021-66-OQ Fleet Vehicle Repairs and Service**

Ashley Wykes, Buyer

**CR2021-539**

**That** Report PUR2021-022, **2021-66-OQ Fleet Vehicle Repairs and Service**, be received;

**That** Duncan's Auto Service Inc., Easton's Tire and Auto Service Centre Ltd., Gary's Service Centre Ltd., John's Quality Auto Service and Lindsay Dodge Chrysler 1990 Ltd. be selected for award of Fleet Vehicle Repairs and Service for a term ending August 31, 2022;

**That** four (4) additional, one (1) year optional terms be awarded based on satisfactory performance, mutual agreement and successful completion of the original term;

**That** subject to receipt of the required documents, the Mayor and Clerk be authorized to execute the agreements to award the quotation; and

**That** the Procurement Division be authorized to issue purchase orders.

**Carried**

11.1.11 PUR2021-023

**Request for Quotation 2021-82-OQ Transportation and Recycling of Construction and Demolition Waste**

Marielle van Engelen, Buyer

**CR2021-540**

**That** Report PUR2021-023, **Request for Quotation 2021-82-OQ Transportation and Recycling of Construction and Demolition Waste**, be received;

**That** Durham Waste and Recycling Inc., being the highest scoring respondent be awarded the High Score Request for Quotation 2021-82-OQ Transportation and Recycling of Construction and Demolition Waste;

**That** the option to renew the contract, after the initial three (3) year term January 1, 2022 to December 31, 2024, for an additional two (2) - one (1) year terms, based upon annual budget approval, mutual agreement and successful completion of the initial term and each term thereafter, be authorized;

**That** subject to receipt of the required documents the Mayor and Clerk be authorized to execute the Agreement; and

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

**Carried**

11.1.12 PUR2021-026

**2021-85-OQ Winter Maintenance of Driveways and Parking Lots**

Kristy Wilson, Junior Buyer

**CR2021-541**

**That** Report PUR2021-026, **2021-85-OQ Winter Maintenance of Driveways and Parking Lots**, be received;

**That** Marquis Snow and Ice Ltd. be selected for the award of 2021-85-OQ for the per event quoted price of \$1,875.00 for the Bobcaygeon/Dunsford locations and \$1,265.00 for the Fenelon Falls locations;

**That** three (3) additional, one (1) year optional renewals, be awarded upon mutual consent and successful completion of the original term and any subsequent renewal terms; and

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

**Carried**

11.1.13      PLAN2021-062

**Request for Site Plan Exemption - Derry's Restaurant**

Sherry L. Rea, Development Planning Supervisor

**CR2021-542**

**That** Report PLAN2021-062, **Derry's Restaurant – Request for Site Plan Control Exemption**, be received;

**That** the location and size of the existing water service and curb stop be field verified and identified on the Site Plan drawing attached as Appendix B to Report PLAN2021-062;

**That** landscaping along Kawartha Lakes Road 36 be identified on the Site Plan drawing attached as Appendix B to Report PLAN2021-062; and

**That** the replacement building proposed for 348 Kawartha Lakes Road 36 as generally shown on Appendix B attached to Report PLAN2021-062 be exempted from Site Plan.

**Carried**

11.1.15      WWW2021-002

**Repeal and Replace By-law 2018-039 By-law to Regulate Water and Wastewater Services**

Amber Hayter, Manager, Water and Wastewater

**CR2021-543**

**That** Report WWW2021-002, **Repeal and Replace By-law 2018-039, By-law to Regulate Water and Wastewater Services**, be received; and

**That** the By-law, A By-Law to Repeal and Replace By-law 2018-039, Being a By-law to Regulate Water and Wastewater Services in the City of Kawartha Lakes, substantially in the form attached as Appendix A to Report WWW2021-002, be approved and adopted by Council.

**Carried**

11.1.16 PLAN2021-063

**Removal of Holding Provision, Muskoka D & M Corp.**

Richard Holy, Acting Director of Development Services

**CR2021-544**

**That** Report PLAN2021-063, **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, City of Kawartha Lakes, identified as 19 and 67 West Street North, Muskoka D&M Corp - D06-2021-027**, be received;

**That** the proposed zoning by-law amendment, substantially in the form attached as Appendix 'C' to Report PLAN2021-063, be adopted by Council; and

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

**Carried**

11.2 Memorandums

11.2.1 CC2021-18.11.2.1

**Memorandum Regarding Hospital Board Representation**

Mayor Letham

**CR2021-545**

**That** the Memorandum, from Mayor Letham, **regarding Hospital Board Representation** be received; and

**That** Deputy Mayor O'Reilly assume the responsibilities, as the Council representative, on the Hospital Board for the remainder of this Council term.

**Carried**

11.3 Items Extracted from Consent

11.1.2 CA2021-006

**Request by Community Care for Relief from Development Charges**

Adam Found, Manager of Corporate Assets

**Moved By** Councillor Elmslie

**Seconded By** Councillor Ashmore

**That** Report CA2021-006, **Request by Community Care for Relief from Development Charges**, be received;

**That** the City pay \$84,000.00 in development charges to the Development Charges Reserve Fund on behalf of Community Care in connection with the redevelopment of 21 Angeline Street South, Lindsay.

**That** the payment be distributed across the various accounts of the Development Charges Reserve Fund according to their appropriate share of the payment; and

**That** the payment be funded by the development charges exemptions expense line in the 2021 tax-supported operating budget.

**Motion Failed**

**CR2021-546**

**Moved By** Deputy Mayor O'Reilly

**Seconded By** Councillor Yeo

**That** Report CA2021-006, **Request by Community Care for Relief from Development Charges**, be received;

**That** the City pay \$167,919.00 in development charges to the Development Charges Reserve Fund on behalf of Community Care in connection with the redevelopment of 21 Angeline Street South, Lindsay.

**That** the payment be distributed across the various accounts of the Development Charges Reserve Fund according to their appropriate share of the payment; and

**That** the payment be funded by the development charges exemptions expense line in the 2021 tax-supported operating budget.

**Carried**

11.1.5 RS2021-046

**Proposed Disposition of Lane Leading to Jessie Avenue - Adjacent to 69 Rose Street, Pleasant Point**

Christine Oliver, Law Clerk - Realty Services

**CR2021-547**

**Moved By** Councillor Ashmore

**Seconded By** Councillor Richardson

**That** Report RS2021-046, **Proposed Disposition of Road Allowance Adjacent to 69 Rose Street, Pleasant Point**, be received.

**Carried**

**CR2021-548**

**Moved By** Councillor Elmslie

**Seconded By** Councillor Ashmore

**That** the Proposed Disposition of the Lane Leading to Jessie Avenue - Adjacent to 69 Rose Street, Pleasant Point be deferred to the December 14, 2021 Regular Council Meeting.

**Carried**

11.1.7 MLE2021-015

**Discharge of Firearms By-Law Review and Update**

Aaron Sloan, Manager of Municipal Law Enforcement and Licensing

**Moved By** Councillor Dunn

**Seconded By** Councillor Ashmore

**That** Report MLE2021-015, **Discharge of Firearms By-Law Review and Update**, be received;

**That** the proposed By-Law, being a By-Law to Regulate the Discharge of Firearms in the City of Kawartha Lakes be amended to remove section 4.01(f); and

**That** the necessary By-Law attached as Appendix A be forwarded to Council for consideration in Q1, 2022.

**Motion Failed**

**CR2021-549**

**Moved By** Councillor Dunn

**Seconded By** Councillor Richardson

**That** the Discharge of Firearms By-Law Review and Update be deferred to the December 14, 2021 Regular Council Meeting

**Carried**

11.1.9 CORP2021-017

**2022 Proposed Amendments to By-Law 2018-234 – Consolidated Fees By-Law**

Linda Liotti, Manager, Revenue and Taxation

**Moved By** Councillor Elmslie

**Seconded By** Councillor Ashmore

**That** the proposed boathouse fee of \$400.00 noted in Section A(4) of the Consolidated Fees By-Law be reduced to \$200.00.

**Motion Failed**

**CR2021-550**

**Moved By** Councillor Yeo

**Seconded By** Councillor Elmslie

**That** Report CORP2021-017, **2022 Proposed Amendments to By-law 2018-234 – Consolidated Fees By-law**, be received; and

**That** the recommended fees and charges amendments be brought forward through the necessary amending by-law for adoption at the December 14, 2021 Council Meeting.

A Recorded Vote was requested by Councillor Ashmore.



	<b>For</b>	<b>Against</b>	<b>Absent</b>
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	
<b>Results</b>	<b>7</b>	<b>2</b>	<b>0</b>

**Carried**

11.1.14      ENG2021-030

**Automated Speed Enforcement Implementation**

Joseph Kelly, Senior Engineering Technician

**CR2021-551**

**Moved By** Councillor Veale

**Seconded By** Councillor Yeo

**That** Report ENG2021-030, **Automated Speed Enforcement Implementation**, be received.

**Carried**

**CR2021-552**

**Moved By** Councillor Veale

**Seconded By** Councillor Richardson

That Staff, in consultation with the OPP for Kawartha Lakes, bring forward a report back in Q3 of 2022 on options for enhanced speed control in rural communities.

**Carried**

The Meeting recessed at 2:47 p.m. and reconvened at 3:47 p.m.

11.3.1 RS2021-044

**Proposed Amendments to Dock Encroachment Policy CP2018-001**

Sharri Dyer, Manager, Realty Services

**CR2021-553**

**Moved By** Councillor Yeo

**Seconded By** Councillor Veale

**That** Report RS2021-044, **Proposed Amendments to the Dock Encroachment Policy CP2018-001 - Update**, be received.

**Carried**

**CR2021-554**

**Moved By** Councillor Yeo

**Seconded By** Deputy Mayor O'Reilly

**That** Staff be authorized to license up to 176 out of the 177 existing licensed private individual docks on Hazel Street, when those dock licenses are due for renewal.

**Carried**

**CR2021-555**

**Moved By** Deputy Mayor O'Reilly

**Seconded By** Councillor Veale

**That** all existing docks in Cedar are permitted to remain in their current location, as long as the property associated with each existing dock remains in current ownership, only one dock permitted per household, and that the total number of docks licensed in this community not exceed the total amount existing on November 16, 2021.

**Carried**

**CR2021-556**

**Moved By** Councillor Yeo

**Seconded By** Councillor Ashmore

**That** Staff be directed to commence proactive enforcement of the Encroachment By-Law 2018-017 with respect to docks on Cedar Glen Road, and be authorized to License all existing docks that are owned by current residents of the Cedar Glen community.

**Carried**

**CR2021-557**

**Moved By** Councillor Yeo

**Seconded By** Councillor Veale

**That** By-Law 2018-017, City Lands Encroachment By-Law, as amended to date, be further amended to increase the annual fee associated with boathouse encroachments to \$400.00;

**Carried**

**CR2021-558**

**Moved By** Councillor Yeo

**Seconded By** Councillor Dunn

**That** proposed amendments to Council Policy CP2018-011, Dock Encroachments, consolidated with the existing policy in track change format at Appendix B and in clean format at Appendix C, be approved, with the additional amendments that are necessary to reflect the direction provided in resolutions CR2021-554, CR2021-555, CR2021-556 and CR2021-557.

**Carried**

**12. Petitions**

**13. Other or New Business**

**14. By-Laws**

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

**CR2021-559**

**Moved By** Deputy Mayor O'Reilly

**Seconded By** Councillor Ashmore

**That** the By-Laws shown in Section 14.1 of the Agenda, namely: Items 14.1.1 to and including 14.1.15 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

**Carried**

**14.1 By-Laws by Consent**

**14.1.1 By-Law 2021-158**

By-Law to Repeal and Replace By-Law 2016-245, being a By-Law to Licence, Regulate and Govern Refreshment Vehicle Businesses in Kawartha Lakes-

14.1.2 By-Law 2021-159

By-Law to Authorize the Acquisition of Land to Complete Eldon Station Road, Woodville, in the City of Kawartha Lakes

14.1.3 By-Law 2021-160

By-law to Deem Part of a Plan of Subdivision, Previously Registered for Lands Within the City of Kawartha Lakes, Not to be a Registered Plan of Subdivision in Accordance with the Planning Act, Described as Lots 13 and 14, Plan 360, in the Geographic Township of Carden, City of Kawartha Lakes, being PIN: 63108-0123 (LT) (76 Fulsom Crescent, Sebright)

14.1.4 By-Law 2021-161

By-Law to Provide for the Administration and Enforcement of the Building Code Act, 1992 within The City of Kawartha Lakes

14.1.5 By-Law 2021-162

By-Law to Repeal and Replace By-Law 2018-039, Being a By-law to Regulate Water and Wastewater Services in the City of Kawartha Lakes

14.1.6 By-Law 2021-163

By-Law to Appointment a Municipal Law Enforcement Officer for Limited Enforcement Purposes (Van Osch, Edward Charles)

14.1.7 By-Law 2021-164

By-Law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (Lemieux, William Steven Georges)

14.1.8 By-Law 2021-165

By-Law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (Elgear, George Roy)

14.1.9 By-Law 2021-166

By-Law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (Thajer, Ken)

14.1.10 By-Law 2021-167

By-Law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (Moir, Peter Donald)

14.1.11 By-Law 2021-168

By-Law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes (Moir, Julie Anne Pauline)

14.1.12 By-Law 2021-169

By-Law to Amend the Township of Mariposa Zoning By-law To Rezone Land Within the City of Kawartha Lakes (763 County Road 46)

14.1.13 By-Law 2021-170

By-Law to Repeal and Replace Town of Lindsay By-law 95-04, Being a By-law to Regulate Winter Sidewalk Maintenance in the Lindsay Downtown Area in the City of Kawartha Lakes

14.1.14 By-Law 2021-171

By-Law to Appoint a Municipal Law Enforcement Officer for Limited By-Law Enforcement Purposes (Wilkinson, David)

14.1.15 By-Law 2021-172

By-Law to Amend the Township of Fenelon Zoning By-Law 12-95 to Remove the Holding Symbol (H) from a Zone Category on Property within the City of Kawartha Lakes (19 and 67 West St. N., Fenelon)

14.2 By-Laws Extracted from Consent

**15. Notice of Motion**

**16. Closed Session**

16.1 Adoption of Closed Session Agenda

**CR2021-560**

**Moved By** Councillor Elmslie

**Seconded By** Councillor Richardson

**That** the Closed Session agenda be adopted as circulated.

**Carried**

16.2 Disclosure of Pecuniary Interest in Closed Session Items

There were no declarations of pecuniary interest disclosed.

16.3 Move Into Closed Session

**CR2021-561**

**Moved By** Councillor Richardson

**Seconded By** Councillor Veale

**That** Council convene into closed session at 3:40 p.m. pursuant to Section 239(2) of the Municipal Act, S.O. 2001 s.25, in order to consider matters identified in Section 16.3 of the Regular Council Meeting Agenda of Tuesday, November 16, 2021, namely Items 16.3.1 to and including 16.3.6.

**Carried**

**17. Matters from Closed Session**

**Item 16.3.1 – Confidential Closed Session Minutes**

The confidential closed session minutes from the October 19, 2021 Regular Council Meeting were approved.

**Item 16.3.2 – Report RS2021-039 Regarding 1449 Highway 7A, Bethany**

An appraisal for 1449 Highway 7A, Bethany (Manvers) was provided to Council.

**Item 16.3.3 Report RS2021-042 Regarding the Disposition of Lot 27 on Plan 38 (Old Post Road, Fenelon)**

An appraisal for Lot 27 on Plan 38 (Old Post Road) was provided to Council.

**Item 16.3.4 Report RS2021-045 Regarding the Acquisition of Parcels of Land Along Colborne Street West and Angeline Street North for Road Widening**

**CR2021-568**

**Moved By** Councillor Dunn

**Seconded By** Deputy Mayor O'Reilly

**That** Staff be authorized to proceed with acquiring lands along Colborne Street West and Angeline Street north, Lindsay for the purpose of reconstructing the intersection; and

**That** the Mayor and Clerk be authorized to execute any documents and agreements required for the approval of this decision.

**Carried**

**Item 16.3.5 Report CORP2021-018 Regarding OPSEU (Paramedic)  
Ratification**

Council provided direction on OPSEU (Paramedic) Ratification

**Item 16.3.6 Staffing Update**

Council received a staffing update from CAO Taylor and Director Sutherland.

**18. By-Laws**

**CR2021-569**

**Moved By** Deputy Mayor O'Reilly

**Seconded By** Councillor Ashmore

**That** the By-Laws shown in Section 18.1 of the Agenda, namely: Items 18.1.1 to and including 18.1.2 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

**Carried**

**18.1 By-Laws by Consent**

**18.1.1 By-Law 2021-173**

By-Law to Authorize the Sale of Municipally Owned Property Known as 1449 Highway 7A, in the Geographic Township of Manvers, in the City of Kawartha Lakes, being all of PIN: 63265-0338 (LT)

**18.1.2 By-Law 2021-174**

By-Law to Authorize the Sale of Municipally Owned Property Knowns as Lot 27 on Plan 638, in the Geographic Township of Verulam, in the City of Kawartha Lakes, being all of PIN 63125-0313 (LT)

**19. Confirming By-Law**

**19.1 CC2021-18.19.1**

By-Law to Confirm the Proceedings of the Regular Council Meeting of November 16, 2021

**CR2021-570**

**Moved By** Councillor Yeo

**Seconded By** Councillor Elmslie

**That** a by-law to confirm the proceedings of a Regular Council Meeting held Tuesday, November 16, 2021 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

**Carried**

**20. Adjournment**

**CR2021-571**

**Moved By** Councillor Yeo

**Seconded By** Deputy Mayor O'Reilly

**That** the Council Meeting adjourn at 4:20 p.m.

**Carried**

**Read and adopted this 14 day of December, 2021.**

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk