

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

**CC2022-02**

**Tuesday, February 22, 2022**

**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 Tracy Richardson**

**Councillor Ron Ashmore**

**Councillor Pat Dunn**

**Councillor Doug Elmslie**

**Councillor Patrick O'Reilly**

**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 T. Richardson and Councillors R. Ashmore, P. Dunn, D. Elmslie, and P. O'Reilly, were in attendance in Council Chambers.

Councillor E. Yeo was in attendance electronically.

Councillors K. Seymour-Fagan and A. Veale were absent.

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

Directors R. Holy, B. Robinson, J. Rojas, C. Shanks, J. Stover, Paramedic Chief R. Mellow, Acting Fire Chief T. Jones, City Solicitor R. Carlson, Insurance Risk Management Officer J. Ramsay, Manager of Planning L. Barrie and Manager of Realty Services S. Dyer 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**

**CR2022-025**

**Moved By** Deputy Mayor Richardson

**Seconded By** Councillor O'Reilly

**That** the Agenda for the Open Session of the Regular Council Meeting of Tuesday, February 22, 2022, be adopted as circulated.

**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

Deputy Mayor Richardson:

- Deputy Mayor Richardson recognized that 2022 is The Year of the Garden. Deputy Mayor Richardson recognized and thanked all of the volunteers and horticultural groups throughout the municipality for their contributions to the community.

Councillor Elmslie:

- Councillor Elmslie acknowledged that February 22, 2022 is unique in that it is a palindrome, being "22-02-2022".
- Councillor Elmslie expressed condolences on the loss of Daisy Kinzinger; Ms. Kinzinger was a long time resident of Fenelon Falls and was extremely involved in the community.

Councillor Ashmore:

- A Radar Run was held at Pleasant Point on Sunday, February 20th; the event was hosted by the Dunsford and District Lion's Club. Councillor Ashmore thanked the organizers, as well as the sponsors, for their contribution to the event.
- Councillor Ashmore offered best wishes to Jon Thurston as he represents Canada at the 2022 Paralympic Games as a member of Canada's Wheelchair Curling Team.

Councillor O'Reilly:

- Construction continues in Downtown Lindsay; the current phase involves improvements to William Street.
- Residents are encouraged to participate in an on-going rally for donations to the Little Britain Food Bank.
- The Spotlight on Agriculture Event will be held at the Lindsay Exhibition ("LEX") on Friday, March 25th.
- The FXR Kawartha Cup Snowcross Event was held at the Lindsay Exhibition ("LEX") on Saturday, February 5th and on Sunday, February 6th.

4.2 Staff

CAO Taylor provided an update on recent changes to the provincial mandates pertaining to the COVID-19 Pandemic. CAO Taylor noted that provincial guidelines will be updated on March 1st, being the next milestone date, and the City will be reviewing all of the policies and procedures that are in place to ensure that all protocols remain up-to-date and accurate.

5. **Council Minutes**

**Regular Council Meeting, January 25, 2022**

**CR2022-026**

**Moved By** Councillor Elmslie

**Seconded By** Councillor Dunn

**That** the Minutes of the January 25, 2022 Regular Council Meeting, be received and adopted.

**Carried**

6. **Deputations**

7. **Correspondence**

7.1 CC2022-02.7.1

**Resolution Regarding the Ontario Land Tribunal**

Tom Mrakas, Mayor, Town of Aurora

**CR2022-027**

**Moved By** Councillor O'Reilly

**Seconded By** Deputy Mayor Richardson

**That** the correspondence from Tom Mrakas, Mayor, Town of Aurora, **regarding a Resolution Relating to the Ontario Land Tribunal**, be received.

**Carried**

**Moved By** Councillor Ashmore

**Seconded By** Councillor Dunn

Whereas Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet current Provincial Planning Policy; and

Whereas an Official Plan is developed through months of public consultation to ensure, “that future planning and development will meet the specific needs of (our) community”; and

Whereas our Official Plan includes provisions that encourage development of the “missing middle” or “gentle density” to meet the need for attainable housing in our community; and

Whereas our Official Plan is ultimately approved by the province; and

Whereas it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of the City of Kawartha Lakes Official Plan; and

Whereas it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the City of Kawartha Lakes Official Plan; and

Whereas municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of the City of Kawartha Lakes; and

Whereas the OLT has the authority to make a final decision on planning matters based on a “best planning outcome” and not whether the proposed development is in compliance with municipal Official Plans; and

Whereas all decisions—save planning decisions—made by Municipal Council are only subject to appeal by judicial review and such appeals are limited to questions of law and or process; and

Whereas Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans; and

Whereas towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately futile OLT hearings; and

Whereas lengthy, costly OLT hearings add years to the development approval process and act as a barrier to the development of attainable housing;

1. Now Therefore Be It Hereby Resolved That the City of Kawartha Lakes requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario; and
2. Be It Further Resolved That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors' Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario; and
3. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

**Motion Failed**

**CR2022-028**

**Moved By** Councillor Elmslie

**Seconded By** Councillor Dunn

**That** Staff prepare correspondence requesting changes to the Ontario Land Tribunal ("OLT") for review at the March 22, 2022 Regular Council Meeting;

**That** the correspondence include an overview of the following elements (as outlined in email correspondence from CAO Taylor dated February 21, 2022):

- the need to streamline and expedite decisions, in a manner that balances the interests of all stakeholders;
- the ability to review and dismiss "frivolous" appeals and require more "accountability" in appeal submissions;
- the ability to minimize 'not in my backyard' ("NIMBY") and local neighbourhood dispute issues that are costly to defend and often not aligned with greater public objectives;
- the ability for local council decisions to be respected and prioritized provided they meet prescribed OP and other provincial legislative planning requirements and objectives; and

**That** the correspondence, once approved, be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the

Province of Ontario, the Large Urban Mayors' Caucus of Ontario, the Small Urban GTHA Mayors, Regional Chairs of Ontario, the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

A recorded vote was requested by Councillor Elmslie.

	<b>For</b>	<b>Against</b>	<b>Absent</b>
Mayor Letham	X		
Deputy Mayor Richardson	X		
Councillor Ashmore	X		
Councillor Dunn	X		
Councillor Elmslie	X		
Councillor O'Reilly	X		
Councillor K. Seymour-Fagan			X
Councillor A. Veale			X
Councillor Yeo	X		
<b>Results</b>	<b>7</b>	<b>0</b>	<b>2</b>

**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, February 8, 2022**

**CR2022-029**

**Moved By** Councillor Yeo

**Seconded By** Councillor Elmslie

**That** the Minutes of the February 8, 2022 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 CW2022-023

**That** the deputation of David Webb, **regarding Future Waste Disposal Options**, be received.

**Carried**

9.3.2 CW2022-024

**That** the correspondence from David Webb, **regarding the Customer Service Dashboard**, be received.

**Carried**

9.3.3 CW2022-025

**That** the correspondence from Courtney-Ann Craft, **regarding the Carden Field Naturalists Sub-Committee for Equality, Diversity and Inclusion in Nature**, be received; and

**That** the correspondence be forwarded to the Chief Administrative Officer for information and consideration through the City's future Equity, Diversity and Inclusion (EDI) Program implementation.

**Carried**

9.3.4 CW2022-026

**That** the presentation by Deputy Mayor Richardson, **regarding the 2021 Bee Hero Awards**, be received.

**Carried**

9.3.5 CW2022-027

**That** the presentation by Adam Found, Manager of Corporate Assets, and Betsy Varghese, Project Manager, Dillon Consulting, **regarding Future Waste Management Options Study**, be received.

**Carried**



9.3.6 CW2022-028

**That** Report CA2022-001, **Future Waste Management Options Study**, be received;

**That** a public consultation for future options regarding the City's waste management service be conducted; and

**That** Staff report on the results of the public consultation by the end of Q3, 2022.

**Carried**

9.3.7 CW2022-029

**That** the presentation by Jonathan Derworiz, Planner II, Katherine Jim, of CIMA+ and Neluka Leanage, of CIMA+, **regarding the Active Transportation Master Plan Task Force**, be received.

**Carried**

9.3.8 CW2022-030

**That** Report PLAN2022-006, **Active Transportation Master Plan (ATMP) Task Force**, be received; and

**That** the ATMP Task Force Terms of Reference, substantially in the form attached as Appendix A to Report PLAN2022-006, be approved and adopted by Council.

**Carried**

9.3.9 CW2022-031

**That** the presentation by Emily Turner, Economic Development Officer - Heritage Planning, **regarding the Heritage Inventory Framework**, be received.

**Carried**

9.3.10 CW2022-032

**That** Report ED2022-006, **Heritage Inventory Framework**, be received; and

**That** the Heritage Inventory Framework as outlined in Appendix A be adopted.

**Carried**

9.3.11 CW2022-033

**That** Report ED2022-007, **Removal of Property from the Heritage Register – 1824 County Road 46, Eldon Township**, be received; and

**That** the subject property be removed from the Heritage Register.

**Carried**

9.3.12 CW2022-034

**That** Report CLK2022-001, **2022 Municipal Election Update and Related By-Laws** be received;

**That** the By-Law to Delegate Authority for Decisions to the Chief Administrative Officer for Restricted Acts after Nomination Day in the City of Kawartha Lakes, attached to Report CLK2022-001 as Appendix A, be brought forward to Council for adoption;

**That** the By-Law to Approve the 2022 Election Accessibility Plan for the City of Kawartha Lakes, attached to Report CLK2022-001 as Appendix B, be brought forward to Council for adoption; and

**That** the Procedural By-law Amendment to set the date of the Inaugural Meeting for each term of Council attached to Report CLK2022-001 as Appendix C be brought forward to Council for adoption.

**Carried**

9.3.13 CW2022-035

**That** Report CORP2022-002, **Assuring Business Continuity for Network Operations**, be received.

**Carried**

9.3.14 CW2022-036

**That** Report ED2022-003, **Public Art Acquisition by Donation: Fenelon Falls Marquee**, be received; and

**That** Council approve the acquisition by donation of the Fenelon Marquee sign from the Fenelon Theatre Marquee Committee and authorize the Mayor and Clerk to sign the Acquisition agreement to be in a form satisfactory to the City Solicitor.

**Carried**

9.3.15 CW2022-037

**That** Report ED2022-005, **2021 Kawartha Lakes Business Count**, be received.

**Carried**

9.3.16 CW2022-038

**That** Report WM2022-004, **2021 Lindsay Ops Landfill Gas Generator Summary**, be received.

**Carried**

9.3.17 CW2022-039

**That** the Memorandum from Councillor Ashmore, **regarding Drainage on Kawartha Lakes Road 36 Segment**, be received; and

**That** Staff be directed to meet with the local Councillor on site to review the segment of Kawartha Lakes Road 36, from south of municipal address 1364 to the east side of Pleasant Point Road, to determine if any drainage work is required.

**Carried**

9.3.18 CW2022-040

**That** the Memorandum from Councillor Ashmore, **regarding Cedar Glen Culvert and Ditching**, be received.

**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, February 9, 2022**

**CR2022-030**

**Moved By** Councillor O'Reilly

**Seconded By** Councillor Dunn

**That** the Minutes of the February 9, 2022 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 PAC2022-006

**That** Report PLAN2022-005, **Official Plan Amendment and Zoning By-law Amendment for 614 Shamrock Road, Emily**, be received for information;

**That** By-laws to implement an Official Plan and Zoning By-law Amendments regarding application D06-2021-029, 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 these applications.

**Carried**

10.3.2 PAC2022-007

**That** Report PLAN2022-007, **Part of Lot 24, Concession 5, geographic Township of Ops, former Town of Lindsay, Regis Homes Limited – Applications D05-2017-001 and D06-2017-019**, be received; and

**That** PLAN2022-007 respecting Applications D05-2017-001 and D06-2017-019 be referred back to staff to address any issues raised through the public consultation process and for further review and processing until such time that all comments have been received from all circulated agencies and City Departments, and that any comments and concerns have been addressed.

**Carried**

10.3.3 PAC2022-008

**That** Report PLAN2022-008, **Part of Lot A and Lot B, Plan 115, geographic Township of Fenelon, City of Kawartha Lakes, identified as 10 Goodman Road, Hunt Homes Inc. – D06-2021-032**, 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 and addressed from all circulated agencies, City Departments, and the public, and for further review and processing.

**Carried**

10.3.4 PAC2022-009

**That** Report ENG2022-002, **Municipal Infrastructure Design Guidelines – Annual Update**, be received;

**That** Staff be directed to continue to update and to add to the information available on the City's website, including templates and details, to facilitate engineering design submissions for development; and

**That** Staff be directed to continue to monitor for any communication improvements and for any current legislative or regulatory enhancements requiring updates to the existing guidelines on the City's website.

**Carried**

#### 10.3.5 PAC2022-010

**That** Report ENG2022-003, **Registered Subdivision Agreement Status Update**, be received; and

**That** Staff be directed to continue to provide annual updates for continued communication, process improvement, and to support the development community.

**Carried**

#### 10.3.6 PAC2022-011

**That** Report ENG2022-004, **Assumption of Trails of the Kawarthas Subdivision – Stormwater Management Pond**, be received;

**That** the Assumption of Trails of the Kawarthas Subdivision – Stormwater Management Pond, 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 ENG2022-004 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**

10.4 Items Extracted from Planning Advisory Committee Minutes

**11. Consent Matters**

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

Councillor Ashmore Item 11.1.1 and 11.1.11

**Moved By** Councillor Dunn

**Seconded By** Councillor Elmslie

**That** all of the proposed resolutions shown in Section 11.1 of the Agenda, save and except for Items 11.1.1 and 11.1.11, be approved and adopted by Council in the order that they appear on the agenda and sequentially numbered.

**Carried**

11.1 Reports

11.1.2 RS2022-013

**Proposed Addendum to a Lease Agreement between Camber Construction Inc. and the City of Kawartha Lakes for Hangar Lot 23 at the Municipal Airport**

Christine Oliver, Law Clerk - Realty Services

**CR2022-031**

**That** Report RS2022-013, **Proposed Addendum to a Lease Agreement between the City of Kawartha Lakes and Camber Construction Inc. for Hangar Lot 23 at the Municipal Airport**, be received;

**That** a By-Law (attached as Appendix G) be approved, authorizing the Mayor and Clerk to execute the proposed addendum (attached as Appendix F) (the "Addendum") to the previously executed 25-year lease agreement dated 12<sup>th</sup> day of October 2019 (attached as Appendix E) (the "Lease Agreement") between the City of Kawartha Lakes and Camber Construction Inc. for a privately constructed and owned hangar on Lot 23 located at the Municipal Airport, 3187 Highway 35 N, Lindsay; and

**That** the Mayor and Clerk be authorized to execute the Addendum to the Lease Agreement, as set out in Appendix F.

**Carried**

11.1.3 RS2022-014

**Proposed Addendum to a Lease Agreement between the City of Kawartha Lakes and Camber Construction Inc. for Hangar Lot 24 at the Municipal Airport**

Christine Oliver, Law Clerk - Realty Services

**CR2022-032**

**That** Report RS2022-014 **Proposed Addendum to a Lease Agreement between the City of Kawartha Lakes and Camber Construction Inc. for Hangar Lot 24 at the Municipal Airport**, be received;

**That** a By-Law (attached as Appendix G) be approved, authorizing the Mayor and Clerk to execute the proposed addendum (attached as Appendix F) (the “Addendum”) to the previously executed 25-year lease agreement dated 12<sup>th</sup> day of October 2019 (attached as Appendix E) (the “Lease Agreement”) between the City of Kawartha Lakes and Camber Construction Inc. for a privately constructed and owned hangar on Lot 24 located at the Municipal Airport, 3187 Highway 35 N, Lindsay; and

**That** the Mayor and Clerk be authorized to execute the Addendum to the Lease Agreement, as set out in Appendix F.

**Carried**

11.1.4 RS2022-016

**Proposed Addendum to a Lease Agreement between the City of Kawartha Lakes and 2745502 Ontario Inc. for Hangar Lot 21 at the Municipal Airport**

Christine Oliver, Law Clerk - Realty Services

**CR2022-033**

**That** Report RS2022-016, **Proposed Addendum to a Lease Agreement between the City of Kawartha Lakes and 2745502 Ontario Inc. for Hangar Lot 21 at the Municipal Airport**, be received;

**That** a By-Law (attached as Appendix G) be approved, authorizing the Mayor and Clerk to execute the proposed addendum (attached as Appendix F) (the “Addendum”) to the previously executed 25 year lease agreement dated 12<sup>th</sup> day of October 2019 (attached as Appendix E) (the “Lease Agreement”) between the City of Kawartha Lakes and 2745502 Ontario Inc. for a privately constructed and owned hangar on Lot 21 located at the Municipal Airport, 3187 Highway 35 N., Lindsay; and

**That** the Mayor and Clerk be authorized to execute the Addendum to the Lease Agreement, as set out in Appendix F.

**Carried**

11.1.5 RS2022-017

**Proposed Addendum to a Lease Agreement between the City of Kawartha Lakes and Martyn Mini Hoe for Hangar Lot 22 at the Municipal Airport**  
Christine Oliver, Law Clerk - Realty Services

**CR2022-034**

**That** Report RS2022-017, **Proposed Addendum to a Lease Agreement between the City of Kawartha Lakes and Martyn Mini Hoe for Hangar Lot 22 at the Municipal Airport**, be received;

**That** a By-Law (attached as Appendix G) be approved, authorizing the Mayor and Clerk to execute the proposed addendum (attached as Appendix F) (the "Addendum") to the previously executed 25 year lease agreement dated 12<sup>th</sup> day of October 2019 (attached as Appendix E) (the "Lease Agreement") between the City of Kawartha Lakes and Martyn Mini Hoe for a privately constructed and owned hangar on Lot 22 located at the Municipal Airport, 3187 Highway 35 N., Lindsay; and

**That** the Mayor and Clerk be authorized to execute the Addendum to the Lease Agreement, as set out in Appendix F.

**Carried**

11.1.6 PUR2022-003

**2021-87-CQ Renovations to the Kawartha Lakes Police Service Property Room**

Ashley Wykes, Buyer

**CR2022-035**

**That** Report PUR2022-003, **2021-87-CQ Renovations to the Kawartha Lakes Police Service Property Room**, be received;

**That** Nirvana Interiors Inc., being the lowest compliant submission, be awarded 2021-87-CQ Renovations to the Kawartha Lakes Police Service Property Room for the quotation amount of \$304,767.00 not including HST;



**That** the additional expenditure in the amount of \$184,304.00 is to be funded from the uncommitted portion of the Capital Contingency Reserve (account 1.32248);

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

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

**Carried**

11.1.7 PUR2022-004

**2021-95-CQ Interior Building Renovations to 1699 Kirkfield Road (Kirkfield Medical Centre), Kirkfield**

Ashley Wykes, Buyer

**CR2022-036**

**That** Report PUR2022-004, **2021-95-CQ Interior Building Renovations to 1699 Kirkfield Road (Kirkfield Medical Centre), Kirkfield**, be received;

**That** Ecowall Systems Ltd., being the lowest compliant submission, be awarded 2021-95-CQ Interior Building Renovations to 1699 Kirkfield Road (Kirkfield Medical Centre), Kirkfield for the quotation amount of \$64,000.00 not including HST;

**That** the additional expenditure in the amount of \$21,229.00 be funded from the uncommitted portion of the Capital Contingency Reserve;

**That** subject to receipt of the required documents, the Director of Community Services be authorized to execute the agreement to award the contract; and

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

**Carried**

11.1.8 PUR2022-005

**2022-12-SS Single Source Purchase of Fleet GPS Hardware and Software**

Ashley Wykes, Buyer

**CR2022-037**

**That** Report PUR2022-005, **2022-12-SS Single Source Purchase of Fleet GPS Hardware and Software**, be received;

**That** Geotab Inc. be awarded the single source purchase of Fleet GPS Hardware and Software in an amount of \$116,524.00 not including HST;

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

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

**Carried**

11.1.9 PUR2022-006

**Single Source Change in Scope for the Addition of Facilities to the Capital Needs Assessment**

Linda Lee, Buyer

**CR2022-038**

**That** Report **PUR2022-006, Single Source Change in Scope for the addition of facilities to the Capital Needs Assessment**, be received;

**That** Ontario Clean Water Agency (OCWA) be awarded a Change in Scope for the above noted Single Source in the amount of \$29,348.00 not including HST;

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

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

**Carried**

11.1.10 PUR2022-007

**2021 Q3 and Q4 Quarterly Report**

Launa Macey, Supervisor, Financial Services

**CR2022-039**

**That** Report PUR2022-007, **2021 Q3 and Q4 Quarterly Report**, be received;

**That** 999210301 emergency repairs to Woods of Manilla (Q3 and Q4) be funded from the Water Infrastructure Reserves (1.32050) in the amount of \$134,344.00;

**That** 994210223 emergency repairs to G21 Road Grader be funded from Capital Contingency Reserve (1.32248) in the amount of \$62,313.00;

**That** 999210401 emergency repairs to RBC Train #2 King's Bay be funded from the Sewer Infrastructure Reserves (1.32030) in the amount of \$157,389.00;

**That** 983210102 for the Design of CKL Road 36 North of Hwy 7 be funded from Capital Contingency Reserve (1.32248) in the amount of \$30,453.00; and

**That** 983101102 Construction of CKL Road 36 North of Hwy 7 be funded from Capital Contingency Reserve (1.32248) in the amount of \$198,098.00.

**Carried**

11.1.12 PR2022-003

**Community Partnership and Development Fund**

Shelley Cooper, Community Partnership and Programs Supervisor

**CR2022-040**

**That** Report PR2022-003, **Community Partnership and Development Fund**, be received for information only.

**Carried**

11.1.13 ENG2022-006

**Curtin Municipal Drain Petition**

Michael Farquhar, Manager of Technical Services

**CR2022-041**

**That** Report ENG2022-006, **Recommendations from the December 9, 2021 Drainage Board Meeting (Curtin Petition)**, be received;

**That** Council proceed with the petition submitted by Michael Curtin for drainage works for Concession 3, Part Lot 8 Geographic Township of Fenelon to be known as the Curtin Municipal Drain and instruct the City Clerk to proceed with the notices required under Section 5 of the Drainage Act;

**That** Staff concurrently continue to pursue with the petitioners options for a mutual drain agreement as per the City Policy; and

**That** pursuant to Section 8(1) of the Drainage Act, R.S.O. 1990, Chapter D. 17, Staff recommend to Council, Ken Smith and Mark Hoar of D.M. Wills and Associates Limited be appointed as the Engineer's of Record for the examination of the area requiring drainage and proceed with the requirements of the Drainage Act for the proposed Curtin Municipal Drain.

**Carried**

11.1.14      ENG2022-007

**Recommendations from the December 9, 2021 Drainage Board Meeting  
(Ops #4 Municipal Drain)**

Michael Farquhar, Manager of Technical Services

**CR2022-042**

**That** Report ENG2022-007, **Recommendations from the December 9, 2021 Drainage Board Meeting (Ops # 4 Municipal Drain)**, be received;

**That** Council adopt the Ops 4 Municipal Drain Section 78 Improvement Report (as prepared by M. Gerrits P. Eng.) and proceed with first, second and third reading of a by-law to provide for improvements to existing drainage works in the City of Kawartha Lakes known as the Ops 4 Municipal Drain; and

**That** as the City of Kawartha Lakes is the sole assessed property owner for the Section 78 Improvement of the Ops 4 Municipal Drain, Council deems no further Court of Revision proceedings are required.

**Carried**

11.1.15      ENG2022-008

**Hugh Davidson Municipal Drain Improvement**

Michael Farquhar, Manager of Technical Services

**CR2022-043**

**That** Report ENG2022-008, **Hugh Davidson Municipal Drain Improvement Consideration Report**, be received;

**That** Council adopt the Hugh Davidson Municipal Drain Section 78 Improvement Report (as prepared by M. Gerrits P. Eng.) and proceed with first and second reading of a by-law to provide for improvements to existing drainage works in the City of Kawartha Lakes known as the Hugh Davidson Municipal Drain; and

**That** Council instructs staff to make the necessary arrangements for a Court of Revision to be held on the Hugh Davidson Municipal Drain Section 78 Improvement.

**Carried**

11.1.16 PLAN2022-009

**Repeal and Replacement to a Previously Passed Amendment to a Zoning By-law - Removal of Holding (H) Provision – Vacant Lands, Block 39, PLAN 57M-798 (Logie Street), former Town of Lindsay**  
Kent Stainton, Planner II

**CR2022-044**

**That** Report PLAN2022-009, **Block 39, Plan 57M-798, former Town of Lindsay, City of Kawartha Lakes, identified as vacant land on Logie Street, Lindsay, Bromont Homes Inc. - D06-2021-008**, be received;

**That** the proposed zoning by-law amendment, substantially in the form attached as Appendix A to Report PLAN2022-009, be adopted by Council; and

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

**Carried**

11.1.17 PLAN2022-010

**Condominium Description Exemption Application by 2594441 Ontario Inc.**  
Richard Holy, Director of Development Services

**CR2022-045**

**That** Report PLAN2022-010, **Condominium Description Exemption Request by 2594441 Ontario Inc.**, File No. D04-2022-001, be received;

**That** the Application for Condominium Description Exemption filed by LLF Lawyers on behalf of 2594441 Ontario Inc. for two common area blocks, being Blocks 22 and 23 within Plan of Subdivision 57M-808, located within Part Lots 21 and 22, Concession 13, Geographic Township of Emily, be approved by Council; and

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

**Carried**

11.1.18 PLAN2022-011

**Repeal of Deeming By-Law 2006-310 on Birch Crescent, Bobcaygeon -  
2449061 Ontario Inc.**

Mark LaHay, Planner II

**CR2022-046**

**That** Report PLAN2022-011, **By-law to Repeal Deeming By-law 2006-310 for  
Lots 13 to 15, Plan 626 on Birch Crescent, Bobcaygeon, 2449061 Ontario  
Inc. – Application D30-2022-001**, be received;

**That** a By-law respecting Lots 13 to 15, Plan 626, substantially in the form  
attached as Appendix C to Report PLAN2022-011, 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**

11.2 Items Extracted from Consent

11.1.1 LGL2022-001

**2022 General Insurance and Risk Management Program**

Jolene Ramsay, Insurance Risk Management Officer

**CR2022-047**

**Moved By** Councillor Ashmore

**Seconded By** Councillor O'Reilly

**That** Report LGL2022-001, **2022 General Insurance and Risk Management  
Program**, be received.

**Carried**

11.1.11 PR2022-002

**50/50 Community Project Capital Fund**

Shelley Cooper, Community Partnership and Programs Supervisor

**CR2022-048**

**Moved By** Councillor Ashmore

**Seconded By** Councillor Yeo

**That** Report PR2022-002, **50/50 Community Project Capital Fund**, be received for information only.

**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.

**CR2022-049**

**Moved By** Councillor Elmslie

**Seconded By** Councillor Dunn

**That** the By-Laws shown in Section 14.1 of the Agenda, namely: Items 14.1.1 to and including 14.1.18 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 2022-013

By-Law to Delegate Authority for Decisions to the Chief Administrative Officer for Restricted Acts after Nomination Day in the City of Kawartha Lakes

14.1.2 By-Law 2022-014

By-Law to Amend By-Law 2020-001, being the Procedural By-Law of the City of Kawartha Lakes

14.1.3 By-Law 2022-015

By-Law to Approve the 2022 Election Accessibility Plan for the City of Kawartha Lakes

14.1.4 By-Law 2022-016

By-Law to Authorize the Execution of an Addendum to a Lease Agreement Between the City of Kawartha Lakes and 2745502 Ontario Inc. for Lot 21 at the Municipal Airport, 3187 Highway 35, Lindsay, in the City of Kawartha Lakes

14.1.5 By-Law 2022-017

By-Law to Authorize the Execution of an Addendum to a Lease Agreement Between the City of Kawartha Lakes and Martyn Mini Hoe for Lot 22 at the Municipal Airport, 3187 Highway 35, Lindsay, in the City of Kawartha Lakes

14.1.6 By-Law 2022-018

By-Law to Authorize the Execution of an Addendum to a Lease Agreement Between the City of Kawartha Lakes and Camber Construction Inc. for Lot 23 at the Municipal Airport, 3187 Highway 35, Lindsay, in the City of Kawartha Lakes

14.1.7 By-Law 2022-019

By-Law to Authorize the Execution of an Addendum to a Lease Agreement Between the City of Kawartha Lakes and Camber Construction Inc. for Lot 24 at the Municipal Airport, 3187 Highway 35, Lindsay, in the City of Kawartha Lakes

14.1.8 By-Law 2022-020

By-Law to Amend By-Law 2021-162, being a By-Law to Regulate Water and Wastewater Services in the City of Kawartha Lakes

14.1.9 By-Law 2022-021

By-Law to Assume the Stormwater Management Pond, Block 66, Plan 57M-768 (PIN: 63237-0977), Geographic Town of Lindsay, The Corporation of the City of Kawartha Lakes

14.1.10 By-Law 2022-022

By-Law to Repeal and Replace By-Law 2021-059, Being a By-Law Amend the Town of Lindsay Zoning By-law No. 2000-75 to Rezone Land within the City of Kawartha Lakes

14.1.11 By-Law 2022-023

By-Law to Authorize Entering into a Municipal Housing Facilities Agreement Between the Corporation of the City of Kawartha Lakes and Habitat for Humanity Peterborough and Kawartha Region

14.1.12 By-Law 2022-024

By-Law to Appoint a Deputy Chief Building Official and Prescribe the Duties and Responsibilities (McKinnon, Mathew McKinnon)



14.1.13 By-Law 2022-025

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

14.1.14 By-Law 2022-026

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

14.1.15 By-Law 2022-027

By-Law to Amend By-Law 2016-144, being a By-Law for Collection and Management of Waste and Recyclables within the City of Kawartha Lakes

14.1.16 By-Law 2022-028

By-Law to Amend The City of Kawartha Lakes Official Plan to Permit the Severance of Land within The City of Kawartha Lakes (614 Shamrock Road)

14.1.17 By-Law 2022-029

By-Law To Amend The Township of Emily Zoning By-Law No. 1996-30 To Rezone Land Within The City Of Kawartha Lakes (614 Shamrock Road)

14.1.18 By-Law 2022-030

By-Law to Repeal a Deeming By-Law Previously Passed in Accordance with the Planning Act, for Lands Described as Lots 13, 14 and 15, Plan 626, Former Village of Bobcaygeon, now City of Kawartha Lakes (Birch Crescent - 2449061 Ontario Inc.)

14.2 By-Laws Extracted from Consent

**15. Notice of Motion**

**16. Closed Session**

16.1 Adoption of Closed Session Agenda

**CR2022-050**

**Moved By** Councillor Elmslie

**Seconded By** Councillor O'Reilly

**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

**CR2022-051**

**Moved By** Councillor Elmslie

**Seconded By** Councillor Dunn

**That** Council convene into closed session at 1:50 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 of the Regular Council Meeting Agenda of Tuesday, February 22, 2022, namely Items 16.3.1 to and including 16.3.9.

**Carried**

**17. Matters from Closed Session**

**Item 16.3.1**

The confidential closed session minutes from the January 25, 2022 Regular Council Meeting were approved.

**Item 16.3.2**

Staff provided information to Council respecting City-owned property listed for sale at 581 Highway 36, Lindsay.

**Item 16.3.3**

The City Solicitor presented information to Council for its consideration pertaining to an appeal to the Ontario Land Tribunal of the decision of the City by the owners of Part of Lots 7 & 8, Concession 6, Gray Road; the Binnies. Council provided instruction to the City Solicitor.

**Item 16.3.4**

The City Solicitor presented information to Council for its consideration pertaining to charges laid under the Provincial Offences Act concerning activities at 3351 Kirkfield Road.

**Item 16.3.5**

The City Solicitor presented information to Council for its consideration pertaining to appeals to the Ontario Land Tribunal, being case number PL120217, of Official

Plan Amendment 13 and Secondary Plans to the City of Kawartha Lakes Comprehensive Official Plan 2012. The City Solicitor received instructions.

**Item 16.3.6**

The City Solicitor presented information to Council for its consideration pertaining to the agreement(s) to be entered into between the City and Flato in satisfaction of Council Resolution CR2021-473. The City Solicitor received instructions.

The City Solicitor presented information to Council for its consideration pertaining to the agreement to be entered into between the City and Bromont Homes Inc. in satisfaction of Council Resolution CR2021-527. The City Solicitor received instructions.

**Item 16.3.7**

**CR2022-062**

**Moved By** Councillor Elmslie

**Seconded By** Deputy Mayor Richardson

**That** Max Nohel be appointed to the Fenelon Landfill Public Review Committee until the end of the current term of Council (November 14, 2022).

**Carried**

**Item 16.3.8**

Council received an update on the Fire Service Modernization Review.

**Item 16.3.9**

Council received a verbal report regarding an investigation by the Ontario Ombudsman.

**18. Confirming By-Law**

18.1 CC2022-02.18.1

By-Law to Confirm the Proceedings of the Regular Council Meeting of February 22, 2022

**CR2022-063**

**Moved By** Councillor O'Reilly

**Seconded By** Councillor Ashmore

**That** a by-law to confirm the proceedings of a Regular Council Meeting held Tuesday, February 22, 2022 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

**Carried**

19. **Adjournment**

**CR2022-064**

**Moved By** Councillor Yeo

**Seconded By** Councillor O'Reilly

**That** the Council Meeting adjourn at 4:56 p.m.

**Carried**

**Read and adopted this 22 day of March, 2022.**

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk