

The Corporation of the City of Kawartha Lakes

Minutes

Regular Council Meeting

CC2022-08

Tuesday, August 23, 2022

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 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

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<https://www.youtube.com/c/CityofKawarthaLakes> to view the proceedings.**

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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, P. O'Reilly, K. Seymour-Fagan, A. Veale and E. Yeo were in attendance.

CAO R. Taylor, City Clerk C. Ritchie, Deputy Clerk S. O'Connell, Deputy Clerk J. Watts, Directors B. Robinson, C. Shanks, J. Stover, Paramedic Chief R. Mellow and Fire Chief T. Jones were also in attendance in Council Chambers.

Directors J. Rojas, R. Sutherland and City Solicitor R. Carlson 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 acknowledged that August 23rd is the Day of the Ukrainian Flag and August 24th is Ukrainian Independence Day. As a show of support, the City of Kawartha Lakes hosted the Ukrainian Canadian Congress for a flag raising ceremony on August 23rd and the lights of City Hall will be changed to yellow and blue to honour the people of Ukraine as they continue to resist Russia's devastating and unlawful occupation of their country.

Mayor Letham asked those in attendance to observe a Moment of Silent Reflection.

2.3 Adoption of Open Session Agenda

CR2022-281

Moved By Deputy Mayor Richardson

Seconded By Councillor Veale

That the Agenda for the Open Session of the Regular Council Meeting of Tuesday, August 23, 2022, be adopted as circulated and with the following amendments:

Addition:

Item 11.1.15, Report CA2022-010 Funding Agreement for Connecting Links Program Grant

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 Elmslie:

- The Annual Kawartha Arts Festival will be held at the Fenelon Falls Fairgrounds over Labour Day Weekend. Residents are encouraged to attend as it will be an opportunity to take care of some early Christmas shopping.

Deputy Mayor Richardson:

- The Bethany Athletic Society hosted the Bethany Show and Shine at the Bethany Community Park on August 13th and August 14th.
- A Show and Shine was hosted at the Pontypool Park on August 13th and August 14th; all funds raised were in support of the Foodbank.

Councillor Ashmore:

- The Human Society of Kawartha Lakes has started a fund to assist pet owners who cannot afford surgery for their small animals; residents are encouraged to support the Humane Society.
- The Pleasant Point Union Church celebrated its 100th Anniversary on August 14th.
- The grand opening of the newly constructed patio at the Omemee Legion will be held on August 28th at 1:00 p.m. The construction of the new patio was made possible by an Ontario Trillium Grant.
- Sandra Jack, a former member of council for the Town of Lindsay passed away on July 4th; condolences were offered to the family and friends of Sandra.

Councillor O'Reilly:

- The Emergency Services Golf Tournament will be held at the Lindsay Golf and Country Club on August 24th.

- The Lindsay Exhibition will be held from September 17th to September 23rd. There will be no charge for admission from September 17th to September 21st.

Councillor Seymour-Fagan:

- Residents are encouraged to attend their local farmers' market to enjoy local produce and support our local farmer's.
- The 2nd annual fundraising event will be held at el Patio in Bobcaygeon to raise funds for service dogs for veterans.

Mayor Letham:

- The AMO 2022 Annual General Meeting and Conference was held in Ottawa on August 14th to August 17th. Delegations were held with Minister Clark in relation to housing as well as with the Ministry of Transportation in relation to the use of ATV's on provincially owned right of ways.

4.2 Staff

City Clerk C. Ritchie provided an update on the 2022 Municipal Election. City Clerk C. Ritchie confirmed that Council is now subject to restricted acts after nomination day, pursuant to section 27 of the Municipal Act. Residents are encouraged to visit the City's website for the most up-to-date information on the election process.

Chief Administrative Officer R. Taylor announces that Director of Human Services R. Sutherland is retiring as of September 1st. CAO Taylor provided an overview of the accomplishments that have been achieved within the Human Services Division under Director Sutherland's leadership. CAO Taylor thanked Director Sutherland for his hard work and dedication to the City and wished him well on his retirement.

5. Council Minutes

Regular Council Meeting, July 19, 2022

CR2022-282

Moved By Councillor Dunn

Seconded By Councillor Elmslie

That the minutes of the Regular Council Meeting held on July 19, 2022, be adopted as circulated.

Carried

6. Deputations

7. Correspondence

8. Petitions

8.1 CC2022-08.8.1

Petition Regarding Opposition to the King's Bay Development Along the Nonquon River

Relating to Item 10.3.1 on the Agenda

Rosa Bryan

CR2022-283

Moved By Councillor Veale

Seconded By Deputy Mayor Richardson

That the petition received from Rosa Bryan, **regarding Opposition to the King's Bay Development Along the Nonquon River**, be received and referred to Staff for review as part of the planning process.

Carried

9. Presentations

10. Planning Advisory Committee

10.1 Correspondence Regarding Planning Advisory Committee Recommendations

10.2 Planning Advisory Committee Minutes

Planning Advisory Committee Meeting, August 10, 2022

CR2022-284

Moved By Councillor Veale

Seconded By Councillor Seymour-Fagan

That the Minutes of the August 10, 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 PAC2022-063

That Report PLAN2022-047, **Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision – King’s Bay, 27 Stub Road, Mariposa**, be received for information; and

That Report PLAN2022-047, Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision – King’s Bay, 27 Stub Road, Mariposa, be referred back to staff for processing until review of the technical studies has been completed and comments from the public have been addressed.

Carried

10.3.2 PAC2022-064

That Report PLAN2022-030, **Amend the Verulam Zoning By-law 6-87 at Vacant Land on North Bayou Road, Verulam, Boehm – Application D06-17-024**, be received;

That the zoning by-law amendment, substantially in the form attached as Appendix D to Report PLAN2022-030, be referred to Council for approval and adoption;

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

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

Carried

10.3.3 PAC2022-065

That Report ENG2022-021, **Update to Development Application Approvals Process (DAAP) Fee for Subdivisions**, be received;

That the City’s Development Application Approvals Process (DAAP) Fee be increased to 4.5% for subdivisions;

That the City’s cost estimate schedule template for subdivisions be updated and amended for 2023, as outlined in Appendix A, to Report ENG2022-021; and

That the City review the DAAP fee every two years to ensure the fee is fair and in line with the costs of engineering review and project management by the City.

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 Items 11.1.5 and 11.1.8

Moved By Councillor Veale

Seconded By Deputy Mayor Richardson

That all of the proposed resolutions shown in Section 11.1 of the Agenda, save and except for Item 11.1.5 and 11.1.8, be approved and adopted by Council in the order that they appear on the agenda and sequentially numbered.

Carried

11.1 Reports

11.1.1 PLAN2022-048

Condominium Description Exemption Application by Port 32 Inc. (c/o Marshall Homes)

Mark LaHay, Planner II

CR2022-285

That Report PLAN2022-048, **Condominium Description Exemption Request by Port 32 Inc., Application D04-17-001**, be received;

That the Application for Condominium Description Exemption filed by Marshall Homes on behalf of Port 32 Inc. for a 48 unit townhouse development, respecting Part Lots 12 & 13, Concession 19, Part Lot 40, RCP 564, 57R-7890, Parts 2 to 5, former Village of Bobcaygeon, 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

11.1.2 PLAN2022-049

Village of Fenelon Falls Cash-in-Lieu of Parking By-Law

Richard Holy, Director of Development Services

CR2022-286

That Report PLAN2022-049, **Village of Fenelon Falls Cash-in-Lieu of Parking By-law**, be received;

That the By-law contained in Appendix B of this Report be approved by Council; and

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

Carried

11.1.3 ED2022-026

Notification of Owners Prior to the Heritage Designation of Property

Emily Turner, Economic Development Officer - Heritage Planning

CR2022-287

That Report ED2022-026, **Notification of Owners Prior to the Heritage Designation of Property**, be received for information.

Carried

11.1.4 ENG2022-026

Omemee Water Pollution Control Plant Updates EA Completion

Juan Rojas, Director of Engineering and Corporate Assets

Nafiur Rahman, Supervisor of Environmental Capital Project Management

CR2022-288

That Report ENG2022-026, **Omemee Water Pollution Control Plant Upgrades EA Completion**, be received;

That Council support the preferred solution of combined use of the spray irrigation and Large Sub-Surface Disposal System (LSSDS) discharge with minor upgrades, and

That Staff be authorized to file the ESR report for the legislated 30-day comment period.

Carried

11.1.6 ENG2022-028

Request for Right Turn Lane on Simcoe Street in Seagrave

Joseph Kelly, Senior Engineering Technician

CR2022-289

That Report ENG2022-028, **Request for Right Turn Lane on Simcoe Street in Seagrave**, be received.

Carried

11.1.7 ENG2022-029

Request for Crosswalk on Eldon Road - Little Britain

Joseph Kelly, Senior Engineering Technician

CR2022-290

That Report **ENG2022-029 Request for Crosswalk on Eldon Road – Little Britain**, be received; and

That the recently implemented traffic calming pavement markings proximate to Dr. George Hall School be maintained through future year operating work programs and budgets.

Carried

11.1.9 PUR2022-021

High Score Request for Quotation 2022-39-OQ Operation and Maintenance of the Lindsay Ops Landfill Gas Wellfield, Flare and Generator

Marielle van Engelen, Buyer

David Kerr, Manager of Environmental Services

CR2022-291

That Report PUR2022-021, **High Score Request for Quotation 2022-39-OQ Operation and Maintenance of the Lindsay Ops Landfill Gas Wellfield, Flare and Generator**, be received.

Carried

11.1.10 PUR2022-023

Request for Quotation 2022-58-OQ Household Hazardous Waste Services

Marielle van Engelen, Buyer

David Kerr, Manager of Environmental Services

CR2022-292

That Report 2022-023, Request for Quotation 2022-58-OQ Household Hazardous Waste Services be received.

Carried

11.1.11 PUR2022-029

2022-67-CQ Construction of an Accessible Entrance at the Fenelon Falls Museum

Ashley Wykes, Buyer

Angela Yurick, Facility Project Delivery Coordinator

CR2022-293

That Report PUR2022-029, 2022-67-CQ Construction of an Accessible Entrance at the Fenelon Falls Museum, be received.

Carried

11.1.12 PUR2022-030

Change in Scope for Urban and Arterial Road Resurfacing – Hot Mix for 2022

Linda Lee, Buyer

CR2022-294

That Report PUR2022-030, Change in Scope for Urban and Arterial Road Resurfacing – Hot Mix for 2022, be received.

Carried

11.1.13 PUR2022-031

Request for Quotation 2022-63-OQ Roadside Mechanical Brushing at Specified Locations

Marielle van Engelen, Buyer

Benjamin Van Der Werff, Engineering Technician

CR2022-295

That Report PUR2022-031, Request for Quotation 2022-63-OQ Roadside Mechanical Brushing at Specified Locations, be received.

Carried

11.1.14 PUR2022-032

Downtown Omemee Reconstruction

Linda Lee, Buyer

Corby Purdy, Manager, Infrastructure Design and Construction

CR2022-296

That Report PUR2022-032, 2022-86-CQ Downtown Omemee Reconstruction, be received.

Carried

11.1.15 CA2022-010

Funding Agreement for Connecting Links Program Grant

Adam Found, Manager of Corporate Assets

CR2022-297

That Report CA2022-010, Funding Agreement for Connecting Links Program Grant, be received; and

That the Mayor and City Clerk be authorized to execute the grant funding agreement contained in Appendix A of Report CA2022-010.

Carried

11.2 Items Extracted from Consent

11.1.5 ENG2022-027

Request for Left Turn Lane on Pigeon Lake Road at Lakeview Estates

Joseph Kelly, Senior Engineering Technician

CR2022-298

Moved By Councillor Ashmore

Seconded By Councillor Dunn

That Report ENG2022-027, Request for Left Turn Lane on Pigeon Lake Road at Lakeview Estates, be received.

Carried

CR2022-299

Moved By Councillor Ashmore

Seconded By Councillor Dunn

That Staff complete an additional traffic warrant study to review the need for a left turn lane on Pigeon Lake Road at Lakeview Estates once the new subdivision adjacent to the existing Lakeview Estates Community has been completed

Carried

11.1.8 ENG2022-030

Request for Streetlight at Entrance at Heron's Landing - Creekside Circle and Cedar Glen Road

Joseph Kelly, Senior Engineering Technician

Moved By Councillor Ashmore

Seconded By Councillor Yeo

That Report ENG2022-030, **Request for Streetlight at Entrance to Hurons's Landing - Creekside Circle and Cedar Glen Road**, be received; and

That Staff reach out to the owner of Heron's Landing to review the Streetlight Warrant Policy.

Motion Failed

CR2022-300

Moved By Councillor Ashmore

Seconded By Councillor Yeo

That Report ENG2022-030, **Request for Streetlight at Entrance to Hurons's Landing - Creekside Circle and Cedar Glen Road**, be received.

Carried

12. Other or New Business

13. By-Laws

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

CR2022-301

Moved By Councillor O'Reilly

Seconded By Deputy Mayor Richardson

That the By-Laws shown in Section 13.1 of the Agenda, namely: Items 13.1.1 to and including 13.1.6 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

13.1 By-Laws by Consent

13.1.1 By-Law 2022-134

By-Law to Regulate the Directional Traffic in the City of Kawartha Lakes on Fair Avenue, in Lindsay

13.1.2 By-Law 2022-135

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

13.1.3 By-Law 2022-136

By-Law to Amend the Township of Verulam Zoning By-law No. 6-87 to Rezone Land within the City of Kawartha Lakes (Vacant Land on North Bayou Road - Boehm)

13.1.4 By-Law 2022-137

By-Law to Appoint a Senior Licensing Enforcement Officer as a Municipal Law Enforcement Officer for the City of Kawartha Lakes for the Purpose of Enforcing Licensing By-Laws (Meaker, K.)

13.1.5 By-Law 2022-138

By-Law to Repeal By-Law 2022-025, being a By-Law to Appoint a Municipal Law Enforcement Officer for Limited By-Law Enforcement Purposes (Kelly, M.)

13.1.6 By-Law 2022-139

By-Law to Repeal Village of Fenelon Falls By-Law 89-31A, being a By-Law Passed to Establish the Amount of Monies Payable to the Municipality in Lieu of the Provisions of Off-Street Parking as Required in Accordance with Zoning By-Law 89-25

13.2 By-Laws Extracted from Consent

14. Notice of Motion

15. Closed Session

15.1 Adoption of Closed Session Agenda

CR2022-302

Moved By Councillor Elmslie

Seconded By Councillor Dunn

That the Closed Session agenda be adopted as circulated.

Carried

15.2 Disclosure of Pecuniary Interest in Closed Session Items

There were no declarations of pecuniary interest disclosed.

15.3 Move Into Closed Session

CR2022-303

Moved By Councillor Yeo

Seconded By Councillor Ashmore

That Council convene into closed session at 1:30 p.m. pursuant to Section 239(2) of the Municipal Act, S.O. 2001 s.25, in order to consider matters identified in Section 15.3 of the Regular Council Meeting Agenda of Tuesday, August 23, 2022, namely Items 15.3.1 to and including 15.3.5.

Carried

16. Matters from Closed Session

Item 15.3.1

The confidential closed session minutes from the July 19, 2022 Regular Council Meeting were approved.

Item 15.3.2

CR2022-310

Moved By Councillor Elmslie

Seconded By Councillor Yeo

That the following individuals be appointed to the Municipal Election Compliance Audit Committee for the 2022-2026 term:

1. Greer Thornbury
2. June Widdis
3. Patricia Wakelin

Carried

Item 15.3.3

Council received a litigation update on City of Kawartha Lakes and Ferma Aggregates Inc.

Item 15.3.4

Council received an update on Flato Lindsay Community Inc., Bromont Homes Inc. and Melody Homes Inc. in relation to Ministerial Zoning Orders.

Item 15.3.5

Council received an update on the Paramedic Service Structure.

17. By-Laws

17.1 CC2022-08.17.1

By-Law to Appoint Members to and Adopt Terms of Reference for the City of Kawartha Lakes Municipal Election Compliance Audit Committee

CR2022-311

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That a By-Law to Appoint Members to and Adopt Terms of Reference for the City of Kawartha Lakes Municipal Election Compliance Audit Committee, be read a first and second time.

Carried

CR2022-312

Moved By Councillor Veale

Seconded By Councillor Yeo

That the following names be added to Section 2.01 of the By-Law as appointees to the City of Kawartha Lakes Municipal Election Compliance Audit Committee for the Term of 2022-2026:

1. Patricia Wakelin
2. Greer Thornbury
3. June Widdis

Carried

CR2022-313

Moved By Councillor Dunn

Seconded By Councillor Elmslie

That a By-Law to Appoint Members to and Adopt Terms of Reference for the City of Kawartha Lakes Municipal Election Compliance Audit Committee, as amended, be read a third time, passed, numbered, signed and the corporate seal attached.

Carried

18. Confirming By-Law

18.1 CC2022-08.18.1

By-Law to Confirm the Proceedings of the Regular Meeting of Council of August 23, 2022

CR2022-314

Moved By Councillor Yeo

Seconded By Councillor Dunn

That a by-law to confirm the proceedings of a Regular Council Meeting held Tuesday, August 23, 2022 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

19. Adjournment

CR2022-315

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That the Council Meeting adjourn at 2:06 p.m.

Carried

Read and adopted this 27th day of September, 2022.

Andy Letham, Mayor

Cathie Ritchie, City Clerk