



**City Council Minutes
City of Peterborough
September 8, 2014**

**Minutes of a Meeting of City Council Held on September 8, 2014, in
the Council Chambers.**

The City Council meeting was called to order at 6:35 p.m. in the Council Chambers, City Hall.

Roll Call:

Councillor Beamer
Councillor Clarke
Councillor Doris
Councillor Hall
Councillor Juby
Councillor McWilliams
Councillor Pappas
Councillor Parnell
Councillor Riel
Councillor Vass
Mayor Bennett

Confirmation of Minutes – August 5, 2014

Moved by Councillor Clarke, seconded by Councillor Pappas

That the minutes of the meeting of Council held on August 5, 2014, be approved.

“CARRIED”

Disclosure of Pecuniary Interest

Councillor Vass declared an interest in Item 9, Committee of the Whole Report No. 11, Report PLPD14-052 - Purchase of the CP Railway’s “Industrial Lead” from Rink Street to SE City Limit, as he owns property in the vicinity of the subject property.

Councillor Parnell declared an interest in Item 8, Committee of the Whole Report No. 11, Report CPFS14-025 – Use of Municipal Infrastructure Funding, as she owns property within 120 meters of the project.

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Delegations

Registered Delegations:

Trevor Digby & Brittany Cadence, 451 Hunter Street, made a delegation to Item 1 of Planning Committee Report No. 9 (Report PLPD14-048, 1474 Glencairn Avenue).

Jim MacIntosh, 804 Cumberland Avenue, made a delegation to Item 2 of Planning Committee Report No. 9 (Report PLPD14-051, Zoning By-law Amendment Z1407, Amendment and Extension to Draft Plan of Subdivision Approval, Plan of Subdivision 15T-02502 Heritage Park, Phase II, Stage 4 Part of 314 Carnegie Avenue and 650 Cumberland Avenue).

Chris Middlebro, BA Group, Toronto, made a delegation to Item 2 of Planning Committee Report No. 9 (Report PLPD14-051, Zoning By-law Amendment Z1407, Amendment and Extension to Draft Plan of Subdivision Approval, Plan of Subdivision 15T-02502 Heritage Park, Phase II, Stage 4 Part of 314 Carnegie Avenue and 650 Cumberland Avenue).

Paul Schaubert, President of Peterborough Dog Park Association, made a delegation to Item 10 of Committee of the Whole Report No. 11 (Off-Leash Dog Park).

Marie Bongard, 461 Albert Street, made a delegation to Item 7 of Committee of the Whole Report No. 11 (Report CAO14-018, COPHI Security and Capital Structure Change).

Matt Keefer, 505 Settler's Ridge, made a delegation to Item 2 of Planning Committee Report No. 9 (Report PLPD14-051, Zoning By-law Amendment Z1407, Amendment and Extension to Draft Plan of Subdivision Approval, Plan of Subdivision 15T-02502 Heritage Park, Phase II, Stage 4 Part of 314 Carnegie Avenue and 650 Cumberland Avenue).

Councillor Juby left the meeting at 7:59 p.m. and returned at 8:02 p.m.

Delegations Not Registered:

Planning Committee Report

There were no delegations.

Committee of the Whole Report

There were no delegations.

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Other Items on the Agenda

There were no delegations.

Planning Committee Report Number 9

Moved by Councillor Hall, seconded by Councillor Beamer

That Report Number 9 of the Planning Committee Meeting of August 25, 2014 be approved.

Councillor Pappas requested that Item 2 be separated.

Item 2

Moved by Councillor Doris, seconded by Councillor Vass

That the recommendation for Item No. 2 of Planning Committee Report No. 9, Meeting of August 25, 2014, be amended by deleting the recommendations in their entirety and replacing as follows:

- a) **That Exception No. 162 of Section 3.9 Exceptions of Zoning By-law 1997-123 be amended in accordance with Exhibit D of Report PLPD14-051;**
- b) **That Draft Plan of Subdivision 15T-02502 be modified to reflect the registration of Plan 45M-237 and renumber the remaining lots and blocks accordingly, to reconfigure the Open Space and Future Development Areas in the northeast corner of the plan, and to provide for the development of Sawmill Road to Settlers Ridge as shown on the Plan prepared by D.M. Wills Associates Limited dated July 16, 2014 attached as Sheet 2 of Exhibit C to Report PLPD14-051, subject to Sheet 2 of Exhibit C being updated to remove the lands north of Settlers Ridge, west of Sawmill Road, from the Draft Plan in order to reflect the limit of Draft Approved Plan of Subdivision 15T-02502;**
- c) **That the Conditions of Draft Plan of Subdivision Approval dated June 6, 2011 be deleted in their entirety and replaced with an updated set of conditions attached as Schedule 1 to Report PLPD14-051 subject to Schedule 1 attached thereto being amended by deleting Condition No. 8 in its entirety and replacing it as follows:**

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- “8. The owner acknowledges that until a through road connection is provided from Carnegie Avenue to Hilliard Street, north of Cumberland Avenue:**
- i. no further development approvals will be considered beyond the limit of subject draft plan; and,**
 - ii. no development approvals will be considered for Future Development Blocks 106 and 107, and Block 103, Plan 45M-195.”; and,**
- d) That the subject properties be rezoned from D.2-96 – Development District to R.1, 1r,2r,8z-162-“H” – Residential District, OS.1 and OS.2 – Open Space Districts and from OS.1 – Open Space District to D.2-96 – Development District and OS.2 – Open Space District in accordance with Exhibit D of Report PLPD14- 051 subject to Sheet 3 of Exhibit D attached thereto being updated to remove the lands north of Settlers Ridge, west of Sawmill Road, and to delete reference to the “A1(Smith)” zoning district.”**

“CARRIED”

Upon item 2, as amended, the motion carried.

Item 1

Moved by Councillor Parnell, seconded by Councillor Pappas

That the motion be deleted and replaced as follows:

That Council approve the recommendations outlined in Report PLPD14-048 dated August 25, 2014, of the Manager, Planning Division, as follows:

- a) That Section 3.9 – Exceptions, of the Comprehensive Zoning By-law #1997-123 be amended to add Exception 294 to permit the basement unit to have a minimum ceiling height of 0.6m above grade, in accordance with the draft amendment attached as Exhibit ‘C’ to Report PLPD14-048.
- b) That the zoning of the subject property, be amended from the R.1 - Residential District to the R.2,19f-294 – Residential District, in accordance with the draft amendment attached as Exhibit ‘C’ to Report PLPD14-048.

Councillor Doris, on a point of order, stated that the motion was contrary to the main motion.

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Councillor Hall, on a point of order, advised that a motion could be deleted and a new one introduced according to Robert's Rules of Order.

The Mayor ruled the motion was in order.

Moved by Councillor Juby, seconded by Councillor Clarke

That the Question Be Put.

"CARRIED"

Upon the motion of Councillors Parnell and Pappas, the motion lost.

Upon the motion to deny the application, the motion carried.

Moved by Councillor Pappas, seconded by Councillor Vass

That the Rules of Order (Article 16.15.2) be suspended to continue the meeting past the hour of 10:00 pm to complete the agenda.

"CARRIED"

Committee of the Whole Report Number 11

Moved by Councillor Hall, seconded by Councillor Doris

That Report Number 11 of the Committee of the Whole Meeting of September 2, 2014 be approved.

Items 7, 8, 9 and 10 were separated for discussion.

Items 8 and 9 were separated due to Councillor Vass' and Parnell's declared interests.

Item 9

Due to Councillor Vass' previously declared interest he did not discuss or vote on the matter.

Upon Item 9, the motion carried.

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Item 8

Due to Councillor Parnell's declared interest she did not discuss or vote on the matter.

Upon item 8 the motion carried.

Upon the main motion, less items 8 and 9, the motion carried.

Notice of Motion

There were no Notices of Motion.

By-laws

Due to Councillor Vass' previously declared interest in Report PLPD14-052, Purchase of the CP Railway's "Industrial Lead" from Rink Street to SE City Limit, By-law 14-114 was separated for vote.

Moved by Councillor Parnell, seconded by Councillor Beamer

That the following by-laws be read a first, second and third time:

- 14-106 [Being a By-law to establish certain lands in the City of Peterborough as part of the Public Highway named Towerhill Road](#)
- 14-107 [Being a By-law to remove the 'H' – Holding Symbol from the Zoning of the Property at 834 Water Street](#)
- 14-108 [A By-law to Authorize the Borrowing upon Serial Debentures in the Principal amount of \\$10,440,400.00 towards the cost of certain Capital Works of the Corporation of The City of Peterborough](#)
- 14-109 [Being a By-law to Designate 201 McDonnel Street in the City of Peterborough Under the Ontario Heritage Act, R.S.O. 1990, c. O.18](#)
- 14-110 [Being a By-law to Appoint Parking Enforcement Officers at 201-211 Hunter Street East and 380 Armour Road](#)

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- 14-111 Being a By-law to Amend the Zoning By-law for Part of the Properties at 314 Carnegie Avenue and 650 Cumberland Avenue, Heritage Park Subdivision Phase II, Stage 4
- 14-112 Being a By-law to amend By-law Number 13-154 being a by-law to appoint Fence Viewers for the City of Peterborough
- 14-113 Being a By-law to authorize the execution of a Natural Gas Appointment and Retainer agreement between the Corporation of the City of Peterborough and Local Authority Services Ltd. (LAS)

and the said by-laws, having been now read a third time and passed, the Mayor and Clerk be authorized to sign and seal the same.

“CARRIED”

By-law 14-114

Councillor Vass did not discuss or vote on By-law 14-114 due to his previously declared interest.

That the following by-law be read a first, second and third time:

- 14-114 Being a By-law to authorize the acquisition of the lands known as the “Industrial Lead” extending from Rink Street to the City limit south of Technology Drive from Canadian Pacific Railway.

and the said by-law, having been now read a third time and passed, the Mayor and Clerk be authorized to sign and seal the same.

“CARRIED”

Other Business

There were no items of Other Business

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Confirmatory By-law

Moved by Councillor Parnell, seconded by Councillor Doris

That the following by-law be read a first, second and third time:

14-115 Being a By-law to confirm the proceedings of the Council at its meeting held on September 8, 2014.

and the said by-law, having been now read a third time and passed, the Mayor and Clerk be authorized to sign and seal the same.

“CARRIED”

Adjournment

Moved by Councillor Beamer, seconded by Councillor Juby

That this meeting of City Council adjourn at 10:11 p.m.

“CARRIED”

John Kennedy
City Clerk

Daryl Bennett
Mayor

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**Planning Committee Report No. 9
Meeting of August 25, 2014**

To The Council of the City of Peterborough, for consideration at its meeting held September 8, 2014

The Planning Committee, as a result of its meeting held on August 25, 2014 recommends as follows:

- 1. Public Meeting Under The Planning Act
Manager, Planning Division
Report PLPD14-048
1474 Glencairn Avenue**

That the application for 1474 Glencairn Avenue be denied on the basis that the application does not comply with Zoning By-law provisions in section 6.25 which require the ceiling height for a dwelling unit in a basement be a minimum of 1 metre above grade for 50 per cent of the floor space and the Zoning requirement of two parking spaces per dwelling unit has not been met. Further, there are no zoned duplex dwellings currently in the area.

- 2. Public Meeting Under The Planning Act
Manager, Planning Division
Report PLPD14-051
Zoning By-law Amendment Z1407,
Amendment and Extension to Draft Plan of Subdivision
Approval, Plan of Subdivision 15T-02502
Heritage Park, Phase II, Stage 4
Part of 314 Carnegie Avenue and 650 Cumberland Avenue**

That Council approve the recommendations outlined in Report PLPD14-051 dated August 25, 2014, of the Manager, Planning Division, as follows:

- ~~a) That Exception No. 162 of Section 3.9 Exceptions of Zoning By-law 1997-123 be amended in accordance with Exhibit D of Report PLPD14-051.~~
- ~~b) That Draft Plan of Subdivision 15T-02502 be modified to reflect the registration of Plan 45M-237 and renumber the remaining lots and blocks accordingly, to reconfigure the Open Space and Future Development Areas in the northeast corner of the plan, and to provide for the development of Sawmill Road to Settlers Ridge as shown on the Plan~~

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~~prepared by D.M. Wills Associates Limited dated July 16, 2014 attached as Sheet 2 of Exhibit C to Report PLPD14-051;~~

- ~~c) That the Conditions of Draft Plan of Subdivision Approval dated June 6, 2011 be deleted in their entirety and replaced with an updated set of conditions attached as Schedule 1 to Report PLPD14-051; and,~~
- ~~d) That the subject properties be rezoned from A1(Smith) — Rural Zone and D.2-96 — Development District to R.1, 1r, 2r, 8z-162 “H” — Residential District, OS.1 and OS.2 — Open Space Districts and from OS.1 — Open Space District to D.2-96 — Development District and OS.2 — Open Space District in accordance with Exhibit D of Report PLPD14-051.~~

Council at its meeting of September 8, 2014, made the following motion:

That the recommendation for Item No. 2 of Planning Committee Report No. 9, Meeting of August 25, 2014, be amended by deleting the recommendations in their entirety and replacing as follows:

- a) That Exception No. 162 of Section 3.9 Exceptions of Zoning By-law 1997-123 be amended in accordance with Exhibit D of Report PLPD14-051;**
- b) That Draft Plan of Subdivision 15T-02502 be modified to reflect the registration of Plan 45M-237 and renumber the remaining lots and blocks accordingly, to reconfigure the Open Space and Future Development Areas in the northeast corner of the plan, and to provide for the development of Sawmill Road to Settlers Ridge as shown on the Plan prepared by D.M. Wills Associates Limited dated July 16, 2014 attached as Sheet 2 of Exhibit C to Report PLPD14-051, subject to Sheet 2 of Exhibit C being updated to remove the lands north of Settlers Ridge, west of Sawmill Road, from the Draft Plan in order to reflect the limit of Draft Approved Plan of Subdivision 15T-02502;**
- c) That the Conditions of Draft Plan of Subdivision Approval dated June 6, 2011 be deleted in their entirety and replaced with an updated set of conditions attached as Schedule 1 to Report PLPD14-051 subject to Schedule 1 attached thereto being amended by deleting Condition No. 8 in its entirety and replacing it as follows:**
 - “8. The owner acknowledges that until a through road connection is provided from Carnegie Avenue to Hilliard Street, north of Cumberland Avenue:**

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- iii. no further development approvals will be considered beyond the limit of subject draft plan; and,
- iv. no development approvals will be considered for Future Development Blocks 106 and 107, and Block 103, Plan 45M-195.”; and,
- d) That the subject properties be rezoned from D.2-96 – Development District to R.1, 1r,2r,8z-162-“H” – Residential District, OS.1 and OS.2 – Open Space Districts and from OS.1 – Open Space District to D.2-96 – Development District and OS.2 – Open Space District in accordance with Exhibit D of Report PLPD14- 51 subject to Sheet 3 of Exhibit D attached thereto being updated to remove the lands north of Settlers Ridge, west of Sawmill Road, and to delete reference to the “A1(Smith)” zoning district.”

Submitted by,

Councillor Hall, Chair
August 25, 2014

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**Committee of the Whole Report No. 11
Meeting of September 2, 2014**

**To the Council of The City of Peterborough for consideration at its
Meeting held September 8, 2014**

**The Committee of the Whole as a result of its meeting held on
September 2, 2014, recommends as follows:**

**1. Director of Corporate Services
Report CPFS14-023
Quarterly Financial Report (Unaudited) as of June 30, 2014**

**That Council approve the recommendations outlined in Report CPFS14-023
dated September 2, 2014, of the Director of Corporate Services, as follows:**

- a) That the June 30, 2014 Quarterly Financial Report (unaudited)
attached as Appendix A to Report CPFS14-023, dated September 2,
2014, be received.**
- b) That the 2014 Art Gallery User Fees Form 6 that was part of the 2014
Budget be amended to reflect the increase in Membership Fees as
shown in Appendix C to report CPFS14-023.**
- c) That a Fire Stations Capital Reserve be created from the residual
funds remaining in the Fire Station 3 Capital project for future Fire
Station capital projects or unexpected major repairs.**
- d) That for 2014 and future years, a Housing Choice Rent Supplement
Reserve be created to be funded by transferring any surplus from the
Housing Choice Rent Supplement Program, if any, subject to the
overall year end position and that if Housing Choice Rent
Supplement Program costs exceed the Budget, funds may be drawn
from the reserve.**

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**2. Director of Corporate Services
Report CPPS14-019
Natural Gas Procurement Program**

That Council approve the recommendations outlined in Report CPPS14-019, dated September 2, 2014 of the Director of Corporate Services as follows:

- a) That the Natural Gas Procurement Program in partnership with Local Authority Services Limited, a wholly owned subsidiary company of the Association of Municipalities of Ontario, be approved;
- b) That the execution of an Agency Appointment Agreement between the City of Peterborough and Local Authority Services Limited, for a minimum term of two years, be approved, recognizing that as an agent, Local Authority Services Limited negotiates all required natural gas purchases on behalf of procurement program members and communicates the details of the contracts to the program members;
- c) That Local Authority Services Limited be authorized to have access to natural gas consumption data from the local utility on an as needed basis, in order to compile load profile information for the procurement program;
- d) That the Property and Energy Manager be authorized to execute and sign documents on behalf of the Corporation and manage the Natural Gas Procurement program-related decisions in accordance with this Policy and the Municipal Act, 2001.

**3. Director of Planning and Development Services
Report PLPD14-008
Implications of Expiry of Agreements and Federal Funding for
Social Housing**

That Council approve the recommendation in Report PLHD14-008 dated September 2, 2014, of the Director of Planning and Development Services, as follows:

That report PLHD14-008 be received for information.

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**4. City Clerk
Report CPCLK14-011
Citizen Appointments**

That Council approve the recommendation outlined in Report CPCLK14-011, dated September 2, 2014, of the City Clerk, as follows:

That the term of citizen appointments made by Council to various Boards and Committees due to expire in 2014, excluding the existing and new Police Services Board, be extended to February 28, 2015.

**5. City Clerk
Report CPCLK14-012
Establishment of a Compliance Audit Committee**

That Council approve the recommendation outlined in Report CPCLK14-012, dated September 2, 2014, of the City Clerk as follows:

That a Compliance Audit Committee be established for the period from December 1, 2014 to November 30, 2018 and be composed of the following individuals:

Steven Brickell
Terry McLaren
Joanna Parks

**6. City Clerk
Report CPCLK14-013
Council 2014 Meeting Schedule and Limitations and Restricted Acts during Election Year**

That Council approve the recommendation outlined in report CPCLK14-013, dated September 2, 2014, of the City Clerk, as follows:

That the October 2014 cycle of Council (October 6, 14, 20) be cancelled.

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**7. Chief Administrative officer
Report CAO14-018
COPHI Security and Capital Structure Change**

That Council approve the recommendation outlined in Report CAO14-018, dated September 2, 2014, of the Chief Administrative Officer, as follows:

That the request from COPHI requesting amendments to security and debt structure, as set out in Appendix A to Report CAO14-018, be referred to City staff for further analysis and a report back with recommendations.

**8. Director of Corporate Services
Report CPFS14-025
Use of Municipal Infrastructure Funding**

That Council approve the recommendations outlined in Report CPFS14-025 dated September 2, 2014, of the Director of Corporate Services, as follows:

- a) That an Expression of Interest be submitted to the Ontario Community Infrastructure Fund for the Riverside Drive Sanitary Inflow and Infiltration Reconstruction Project.
- b) That an Expression of Interest be submitted to the Small Communities Fund for the Bethune Street – Dalhousie Street to Dublin Street, road, sanitary sewer and Jackson Creek diversion work.

**9. Director of Planning and Development Services
Report PLPD14-052
Purchase of the CP Railway's "Industrial Lead" from Rink Street to SE City Limit**

That Council approve the recommendation outlined in Report PLPD14-052 dated September 2, 2014, of the Director, Planning and Development Services, as follows:

That a by-law be passed to authorize the purchase of the "Industrial Lead" extending from Rink Street to the City limit south of Technology Drive from Canadian Pacific Railway, for \$512,000 plus land transfer tax of \$6,715.

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10. Off-Leash Dog Park

Whereas the City has established an Off-leash dog Park on the south side of Willow Creek Trail within Farmcrest Park, and

Whereas the Off-leash Dog Park provides a healthy environment enabling dogs to obtain adequate physical and mental exercise and social interaction, and

Whereas the Off-leash Dog Park can act as a classroom to educate the public regarding responsible pet ownership; licensing and stoop and scoop bylaws; and animal care issues such as promoting spay and neutering in order to reduce pet overpopulation, and

Whereas the Peterborough Humane Society and the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) believe that partnerships are important to promote animal welfare and fulfill part of their mission to advocate for improving animal lives within the greater Peterborough Community, and

Whereas the Peterborough Humane Society and OSPCA endeavour to partner with the City of Peterborough, each contributing the sum of \$5,000 toward the development of the next phase of the existing Off-leash Dog Park,

Be it resolved the City of Peterborough enter into a partnership with the Peterborough Humane Society and OSPCA, where each contributes \$5,000 towards the completion of the next phase of the Off-leash Dog Park and,

That the City's financial contribution of \$5,000 be drawn from the General Contingency fund.

Submitted by,

Councillor Hall
Chair
September 2, 2014