



City Council Minutes

City of Peterborough

Council Chambers, City Hall

October 1, 2018

Present: Mayor Bennett
Councillor Baldwin
Councillor Beamer
Councillor Clarke
Councillor Haacke
Councillor McWilliams
Councillor Parnell
Councillor Pappas
Councillor Riel
Councillor Therrien
Councillor Vassiliadis

Staff: Alan Barber, Associate City Solicitor
Sandra Clancy, Chief Administrative Officer
Richard Freymond, Manager of Financial Services
Ken Hetherington, Manager, Planning
John Kennedy, Clerk
Patricia Lester, Commissioner, Corporate and Legislative Services
Blair Nelson, Manager, Design and Construction
Allan Seabrooke, Commissioner of Community Services
Sue Warrington, Manager, Arena Services
Brendan Wedley, Manager, Communication Services

Call to Order

Opening of Meeting

The City Council meeting was called to order at 5:30 p.m. in the Council Chambers, City Hall.

Approval of Minutes:

Moved by Councillor Clarke
Seconded by Councillor Pappas

That the City Council minutes of September 10, 2018 be approved.

Carried

Disclosure of Pecuniary Interest

Councillor Haacke declared an interest in Item 1 of General Committee Report No. 22, (Report IPSPD18-026, Sale of surplus land at 115 Hunter Street East and 124 Robinson Street to Ashburnham Realty and Graham Hawkins) and By-law 18-104 as one of the applicants is a client of his.

Delegations - Items on the Agenda

Registered Delegations (7 minutes)

Michael Gallant, Peterborough DBIA, made a delegation to Item 13 of General Committee Report No. 21 (Report CSAD18-005 – Major Sport and Event Centre Feasibility Study Phase Two Final Report).

Terry Guiel, Peterborough DBIA, made a delegation to Item 13 of General Committee Report No. 21 (Report CSAD18-005 – Major Sport and Event Centre Feasibility Study Phase Two Final Report).

Marie Bongard, 461 Albert Street, made a delegation to Item 14 of General Committee Report No. 22 (Report CLSCLK18-017 – Changes to Governance Model and 2019 Meeting Schedule).

Lois Atkins, 1368 Wildlark Drive, made a delegation to Item 13 of General Committee Report No. 22 (Report CSAD18-005 – Major Sport and Event Centre Feasibility Study Phase Two Final Report).

Unregistered Delegations (4 minutes)

There were no Unregistered Delegations.

Reports from Standing Committees

Audit Committee Report No. 2

Audit Committee meeting of September 17, 2018

Moved by Councillor Clarke

Seconded by Councillor Beamer

That Audit Committee Report No. 2 be approved.

Carried

General Committee Report No. 22

General Committee meeting of September 17, 2018

Moved by Councillor Beamer

Seconded by Councillor Pappas

That the General Committee Report No. 22 be approved.

City Council minutes of October 1, 2018

Councillor Haacke, due to his previously declared interest, did not discuss or vote on item 1.

Upon item 1, the motion carried.

Upon the remainder of the items, the motion carried.

General Committee Report No. 23

Special General Committee meeting of October 1, 2018

Moved by Councillor Beamer

Seconded by Councillor Baldwin

That Special General Committee Report No. 23 be approved.

Changes to Parking Restrictions on Rubidge Street

Report IPSTR18-025

Councillor McWilliams requested a recorded vote on Report IPSTR18-025 and the Clerk conducted a roll call.

| In Support of Motion | Opposed to Motion |
|-----------------------------|--------------------------|
| Councillor Clarke | |
| Councillor Haacke | |
| Councillor Pappas | |
| Councillor Beamer | |
| Councillor Baldwin | |
| Councillor Parnell | |
| Councillor Vassiliadis | |
| Councillor McWilliams | |
| Councillor Therrien | |
| Councillor Riel | |
| Mayor Bennett | |

Carried

Upon the motion of Councillors Beamer and Baldwin, the motion carried.

Notice of Motion

There were no Notices of Motion.

Approval of By-laws:

Moved by Councillor Baldwin

Seconded by Councillor Pappas

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

Due to Councillor Haacke's previously declared interest, By-law 18-104 was separated. Councillor Haacke did not discuss or vote on the By-law.

18-104 Being a By-law to authorize the transfer of lands being known municipally as Part of 115 Hunter Street and Part of 124 Robinson Street, in the City of Peterborough, in the County of Peterborough

Upon By-law 18-104, the motion carried.

18-087 Being a By-law to authorize the execution of the transfer price agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Municipal Affairs and Housing for the transfer of the National Disaster Mitigation Program grant to the Municipality for funding of the Curtis Creek – Euclid Avenue Culvert Replacement project

18-088 Being a By-law to authorize the execution of the transfer price agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Municipal Affairs and Housing for the transfer of the National Disaster Mitigation Program grant to the Municipality for funding of the Curtis Creek – Tivey Street Outlet Improvements project

18-089 Being a By-law to repeal By-law 14-008 and By-law 15-023, being by-laws to debenture The Parkway Corridor Extension project

18-090 Being a By-law to replace By-law 14-008 and By-law 15-023 and authorize the 2014 and 2015 portion of the Parkway Corridor Extension or associated works at a combined estimated cost of \$3,839,000 and the issuing of Development Charges (DC) (City Wide Engineering Services Roads and Related) supported debentures to a maximum of \$3,228,100 to finance the work

18-091 Being a By-law to authorize the 2016 portion of the Enterprise Software Modernization project at an estimated cost of \$1,150,000 and the issuing of tax-supported debentures to a maximum of \$938,900 to finance the work

18-092 Being a By-law to authorize the 2014 portion of the Traffic Signal Control System Enhancement project at an estimated cost of \$600,000 and the issuing of tax-supported debentures to a maximum of \$600,000 to finance the work

- 18-093** Being a By-law to authorize the 2018 portion of the Property Renovation and Maintenance project at an estimated cost of \$250,000 and the issuing of tax-supported debentures to a maximum of \$250,000 to finance the work
- 18-094** Being a By-law to authorize the 2018 portion of the Jackson Park Management Plan at an estimated cost of \$300,000 and the issuing of Development Charges (DC) (City Wide Engineering Services Roads and Related) supported debentures to a maximum of \$175,000 to finance the work
- 18-095** Being a By-law to authorize the 2018 portion of the City Wide Traffic Operations Assessment at an estimated cost of \$251,000 and the issuing of Development Charges (DC) (City Wide Engineering Services Roads and Related) supported debentures to a maximum of \$63,000 to finance the work
- 18-096** Being a By-law to authorize the 2018 portion of the Cycling Network Study at an estimated cost of \$300,000 and the issuing of Development Charges (DC) (City Wide Engineering Services Roads and Related) supported debentures to a maximum of \$175,000 to finance the work
- 18-097** Being a By-law to authorize the 2018 portion of the Transportation Master Plan at an estimated cost of \$900,000 and the issuing of Development Charges (DC) (City Wide Engineering Services Roads and Related) supported debentures to a maximum of \$810,000 to finance the work
- 18-098** Being a By-law to temporarily exempt Block 64, Registered Plan 45M-247, from Part Lot Control
- 18-099** Being a By-law to Appoint Building Officials and Inspectors for the City of Peterborough and to repeal By-law 17-005
- 18-100** Being a By-law to amend By-law number 91-56 being a By-law to Designate through Highways and Erect Yield Right-of-Way Signs
- 18-101** Being a By-law to remove the “H” – Holding Symbol from the zoning of the property at 140 Braidwood Avenue
- 18-102** Being a By-law to amend the Zoning By-law for the lands known as 3789 Water Street
- 18-103** Being a By-law to Regulate the Collection of Solid Waste in the City of Peterborough and to repeal By-law 13-113
- 18-105** Being a By-law to amend Chapter 16 of the City of Peterborough Municipal Code - Procedure
- 18-106** Being a by-law to amend By-law number 09-136 being a By-law for the Regulation of Parking

Upon the remainder of the By-laws less By-law 18-104, the motion carried.

Other Business

Council thanked Councillor McWilliams for his service on Council for two terms.

Confirmation By-law:

Moved by Councillor Baldwin

Seconded by Councillor Pappas

**18-107 Being a By-law to confirm the proceedings of Council at its meeting
held on October 1, 2018**

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

Carried

Adjournment

Moved by Councillor McWilliams

Seconded by Councillor Pappas

That this meeting of City Council adjourn at 6:46 p.m.

Carried

John Kennedy

City Clerk

Daryl Bennett

Mayor

**Audit Committee Report No. 2
Meeting of September 17, 2018**

**To The Council of The City of Peterborough for consideration at its
meeting held October 1, 2018**

**The Audit Committee, as a result of its meeting held on September 17,
2018, recommends as follows:**

**1. 2018 Audit Plan and Pre-Audit Planning Letter
Report CLSFS18-040**

That Council approve the recommendations outlined in report CLSFS18-040 dated September 17, 2018, of the Commissioner of Corporate and Legislative Services as follows:

- a) That the 2018 Audit Plan for the Corporation of the City of Peterborough, attached to Report CLSFS18-040 as Appendix A, be received.
- b) That the Mayor and Chair of the Audit Committee be authorized to sign the Pre-Audit Planning Letter, attached to Report CLSFS18-040 as Appendix B.

At the meeting of September 17, 2018, item c) was added as follows:

- c) That staff review the Audit Committee Policies and Procedures.

Submitted by,

Councillor Clarke

Chair

September 17, 2018

General Committee Report No. 22
Meeting of September 17, 2018

To the Council of The City of Peterborough for consideration at its meeting held October 1, 2018

The General Committee as a result of its special meeting held on September 17, 2018 recommends as follows:

**1. Sale of surplus land at 115 Hunter Street East and 124 Robinson Street to Ashburnham Realty and Graham Hawkins
Report IPSPD18-026**

That Council approve the recommendations outlined in Report IPSPD18-026 dated September 17, 2018, of the Commissioner of Infrastructure and Planning as follows:

- a) That a portion of the lands known municipally as 115 Hunter Street East, being approximately 492 square metres, be declared surplus to the needs of the municipality;
- b) That following proper notice of Council's intent to convey a portion of the lands known municipally as 115 Hunter Street East, being approximately 492 square metres, as shown depicted in blue on the attached Appendix A and located on the east side of the Rotary Trail, be authorized for sale to the owner of the adjacent lands known as 127 Hunter Street East and that such lands be sold after the passing of the by-law for \$46.50 per square metre or approximately \$23,000;
- c) That a portion of the lands known municipally 115 Hunter Street (west side of Rotary Trail) and 124 Robinson Street, being approximately 4,089 square metres, be declared surplus to the needs of the municipality;
- d) That following proper notice of Council's intent to convey a portion of the property at 115 Hunter Street, and the passing of the by-law, that the 124 Robinson Street be disposed of as follows:
 - i) Lands consisting of approximately 3,376 square metres as shown in blue on the attached Appendix A and located on the west side of the Rotary Trail, be authorized for sale to the owner(s) of the lands adjacent to the eastern limit of the Rotary Trail for approximately \$157,000 (\$46.50 per square metre); and
 - ii) Land consisting of approximately 691 square metres as shown in red on the attached Appendix A and located on the west side of the Rotary Trail, be authorized for sale to the owner of the adjacent lands known as 364 Mark Street, for approximately \$32,000 (\$46.50 per square metre);

- e) That the Agreements to Purchase and Sale outline a legal framework for the parties to address easements and cost-sharing arrangements for driveway access from Robinson Street and/or stormwater easements between the two parties;
- f) That should any purchaser fail to close the sale within the City specified time frame, the City has the right to retain or to sell the lands to the other party;
- g) That if, post-closing of the land sales, any purchaser fail to attain the necessary site plan or building approvals to meet the construction timelines, or to convey easements or cost-sharing arrangements to the Administration's satisfaction, respecting each other's developments and Administration's requirements, the City may repurchase the lands and either retain or sell to another party at its discretion; and
- h) That a by-law be passed and the Mayor and Clerk be authorized to execute such documents to give effect to the said transactions in forms acceptable to the Commissioner of Infrastructure and Planning in conjunction with the City solicitor.

**2. Surplus Declaration and Disposition of 237 Denne Crescent
Report CLSRE18-010**

That Council approve the recommendations outlined in Report CLSRE18-010 dated September 17, 2018 of the Commissioner of Corporate and Legislative Services, as follows:

- a) That the property described as Blocks 37, 38, 39, 40 on Plan M-58, Peterborough, known municipally as 237 Denne Crescent, Peterborough be declared surplus to the needs of the Municipality.
- b) That Staff give Notice to the public of the proposed sale in accordance with City's Property Disposal By-law 95-62.
- c) That the City retain a Real Estate Agent to publicly list and, in consultation with the City Solicitor, negotiate the transfer of the aforementioned 4 Blocks comprising 237 Denne Crescent.
- d) That, as required, a by-law or by-laws be passed, at a future Council meeting, to authorize the transfer of Blocks 37, 38, 39 and 40 to new owners.
- e) That the Mayor and Clerk be authorized to execute such documents to give effect to the transfers on terms and in forms acceptable to the City Solicitor.

**3. 1900 Technology Drive
Report CLSRE18-011**

That Council approve the recommendation, outlined in Report CLSRE18-011 dated September 17, 2018 of the Commissioner of Corporate and Legislative Services, as follows:

That staff be directed to notify Drain Bros. Excavating Limited that The Corporation of the City of Peterborough waives its right to exercise an option to reacquire the property known municipally as 1900 Technology Drive pursuant to section 5.01 of Option Agreement registered January 15, 2018 as instrument no. PE284095 but without prejudice to the parties' rights and obligations pursuant to the said Option Agreement and time remaining of the essence in respect of all such rights and obligations.

**4. Award of Proposal #2017-289 for Supply, Delivery and Service of Leased Multifunctional Digital Copiers for the City of Peterborough and Related Agencies
Report CLSFS18-039**

That Council, approve the recommendations outlined in Report CLSFS18-039, dated September 17, 2018 of the Commissioner of Corporate and Legislative Services as follows:

- a) That the OECM Cooperative RFP #2017-289 for the Supply, Delivery and Service of Leased Multifunctional Digital Copiers for the City of Peterborough and Related Agencies for the three year period December 1, 2018 to November 30, 2021, be awarded to Xerox Canada Ltd., 5650 Yonge Street, Toronto, Ontario at an estimated lease and cost per copy cost of \$628,328 plus \$81,683 HST for a total cost of \$710,011.
- b) That the Agreement be extended for up to five additional years, with new equipment at the end of the third year, pending satisfactory performance, price and successful negotiation with the supplier.

**5. National Disaster Mitigation Program Transfer Payment Agreements
Report CLSFS18-014**

That Council approve the recommendation outlined in Report CLSFS18-041 dated September 17, 2018, of the Commissioner of Corporate and Legislative Services, as follows:

That by-laws be passed authorizing the Mayor and Clerk to sign the National Disaster Mitigation Program Transfer Payment Agreement and amendments between Her Majesty the Queen in Right of Ontario as represented by the Minister of Municipal Affairs and Housing and the City of Peterborough pertaining to the

Curtis Creek Flood Reduction – Euclid Avenue Culvert Replacement project and Tivey Street Outlet Improvements project.

**6. Removal of the “H” – Holding Symbol from the zoning of the property at 140 Braidwood Avenue
Report IPSPD18-028**

That Council approve the recommendation outlined in Report IPSPD18-028 dated September 17, 2018, of the Commissioner of Infrastructure and Planning Services, as follows:

That the property at 140 Braidwood Avenue be rezoned from SP.301 – “H”- Residential District to SP.301 – Residential District in accordance with Exhibit “B” attached to Report IPSPD18-028.

**7. Safety Upgrades at Simcoe Street Parking Garage
Report IPSTR18-024**

That Council approve the recommendations outlined in Report IPSTR18-024 dated September 17, 2018, of the Commissioner of Infrastructure and Planning Services as follows:

- a) That staff be directed to implement the security equipment upgrades to the Simcoe Street Parking Garage at an estimated cost of \$70,000 as described in this report;
- b) That additional funding of \$62,000 be included in the 2019 Operating Budget to expand the scope of the current Securitas contract to provide an additional full time security guard to patrol the parking garage; and
- c) That renovations to the unused commercial space at the Transit Terminal be undertaken at an estimated cost of \$50,000, and that use of the space be dedicated to the Peterborough Police Service at no cost to allow for a greater police presence at the Transit Terminal.

**8. Amendments to Waste Collection By-Law 13-113
Report IPSWM18-006**

That Council approve the recommendation outlined in Report IPSWM18-006, dated September 17, 2018 of the Commissioner of Infrastructure and Planning as follows:

That By-law 13-113 be amended as proposed on Appendix 2 to Report IPSWM18-006.

**9. 3789 Water Street Zoning By-law Amendment
Report IPSPD18-025**

That Council approve the recommendations outlined in Report IPSPD18-025 dated September 17, 2018, of the Commissioner of Infrastructure and Planning Services, as follows:

- a) Amend Section 389 – Special District 359 (SP.359) to reduce the minimum motor vehicle parking requirements for Apartment Dwellings from 1.5 spaces per unit to 1.28 spaces per unit and to delete duplication of regulations from the regulations table, in accordance with Exhibit 'C' attached to Report IPSPD18-025;
- b) Amend Section 390 – Special District 360 (SP.360) to reduce the minimum motor vehicle parking requirements for Apartment Dwellings from 1.5 spaces per unit to 1.28 spaces per unit, in accordance with Exhibit 'C' attached to Report IPSPD18-025; and
- c) Amend the zoning of a portion of the lands known as 3789 Water Street from SP.360 to SP.359 in accordance with Exhibit 'C' attached to Report IPSPD18-025.

**10. Peterborough Housing Corporation Shareholder Report (2017)
Report CSSS18-008**

That Council approve the recommendations outlined in Report CSSS18-0008 dated September 17, 2018, of the Commissioner of Community Services, as follows:

- a) That the presentation from Peterborough Housing Corporation be received;
- b) That the audited financial statements of the Peterborough Housing Corporation (the "Corporation") and subsidiary corporations, for the fiscal year ending on December 31, 2017, together with the report of the auditors thereon, be received and approved; and
- c) That the 2017 Annual Report on the progress and accomplishments of the Corporation be received and approved.

**11. 2017 Sustainable Peterborough Report Card Update
Report CSD18-006**

That Council approve the recommendation outlined in Report CSD18-006 dated September 17, 2018, of the Commissioner of Community Services, as follows:

That the presentation on the 2017 Sustainable Peterborough Report Card, by Meredith Carter, Vice-Chair of Sustainable Peterborough, and Melanie Kawalec, Sustainability Manager, be received for information.

12. Official Plan: Nodes, Corridors & Downtown Urban Design Guidelines Report IPSPD18-027

That Council approve the recommendations outlined in Report IPSPD 18-027 dated September 17, 2018, of the Commissioner of Infrastructure and Planning as follows:

- a) That the presentation on the Official Plan Design Charrette by The Planning Partnership Ltd and Lett Architects Inc. be received;
- b) That Report IPSPD18-27 and the “Official Plan Charrette: Nodes, Corridors and Downtown Urban Design Guidelines” be received and approved in principle for consideration in drafting the Official Plan; and
- c) That the remaining public engagement schedule be supported in principle with the objective of submitting the Official Plan to the Province in 2019 for adoption.

13. Major Sport and Event Centre Feasibility Study Phase Two Final Report and Presentation Report CSAD18-005

That Council approve the recommendations outlined in Report CSAD18-005, dated September 17, 2018, of the Commissioner of Community Services, as follows:

- a) That the Major Sport and Event Centre Feasibility Study Phase Two Final Report and presentation by the consultant, Sierra Planning and Management, be received for information; and
- b) That staff review the consultant’s recommendations in the Final Report and report back to Council through the 2019 Budget process with options regarding the next phase of the project.

14. Changes to Governance Model and 2019 Meeting Schedule Report CLSCLK18-017

That Council approve the recommendations outlined in Report CLSCLK18-017 dated September 17, 2018, of the Commissioner of Corporate and Legislative Services, as follows:

- a) That the 2019 Meeting Schedule attached as Appendix A, be adopted;
- b) That the changes to the Governance Model, which include combining Audit and Budget Committees into one Committee called Finance Committee be approved;

- c) That the amended Procedure By-law attached as Appendix C, be approved;
- d) That the Terms of Reference for the Finance Committee, attached as Appendix B, to Report CLSCLK18-017, be approved; and,
- e) That the Terms of Reference for the Audit Committee be rescinded.

**15. Increase of Budget and Contract Amount Awarded to JR Certus Construction Company Ltd. and Reinders + Reider Ltd. for the Peterborough Operations Centre
Report IPSCOM18-011**

That Council approve the recommendations outlined in Report IPSCOM18-011, dated September 17, 2018 of the Commissioner of Infrastructure and Planning Services as follows:

- a) That the Capital Budget for the Peterborough Operations Centre be increased by \$1,001,859 from \$22,529,600 to \$23,531,459 and that \$237,375 of the additional funds be transferred from the Waste Management Reserve Fund and \$764,484 from the Public Works Fleet Reserve;
- b) That the contract with JR Certus Construction Co. Ltd., 81 Zenway Boulevard, Unit #3 – 2nd Floor, Vaughan, Ontario, L4H 0S5, for the construction of the Peterborough Operations Centre, be increased by \$1,198,679 from \$20,607,264 to \$21,805,943 plus HST of \$2,834,773 for a total cost of \$24,640,716;
- c) That the contract with Reinders + Rieder Ltd., 64 Ontario Street North, Milton, Ontario, L9T 2T1, for Contract Administration Services for the Peterborough Operations Centre, be increased by \$15,000 from \$179,625 to \$194,625 plus HST of \$25,301 for a total cost of \$219,926; and
- d) That Administrative Staff Committee be authorized to adjust the purchase order value to JR Certus construction C. Ltd. by an additional \$250,000 to an upset limit of \$22,055,943 plus HST as necessary to cover the costs of any change orders required to complete the project.

Submitted by,

Councillor Beamer

Chair

September 17, 2018

General Committee Report No. 23
Meeting of October 1, 2018

To the Council of The City of Peterborough for consideration at its meeting held October 1, 2018

The General Committee as a result of its special meeting held on October 1, 2018 recommends as follows:

1. Changes to Parking Restrictions on Rubidge Street
Report IPSTR18-025

That Council approve the recommendations outlined in Report IPSTR18-025 dated October 1, 2018, of the Commissioner of Infrastructure and Planning Services, as follows:

- a) That the 1 hour parking limit on the East Side of Rubidge Street, from a point 20 metres north of Sherbrooke Street to the north limit of the boulevard parking area, be changed to 15 minutes; and
- b) That the appropriate Schedules and Articles of Parking By-law 09-136 be amended to authorize implementation of Recommendation a).

Submitted by,

Councillor Beamer

Chair

October 1, 2018