



City Council Minutes

City of Peterborough

Council Chambers, City Hall

November 30, 2020

Present: Councillor Baldwin
Councillor Beamer
Councillor Clarke (electronic)
Councillor Parnell
Councillor Riel
Mayor Therrien
Councillor Vassiliadis
Councillor Wright
Councillor Zippel
Councillor Pappas
Councillor Akapo

Staff: Gillian Barnes, Project Manager, Facilities and Planning Initiatives
Cynthia Fletcher, Commissioner of Infrastructure and Planning Services
Richard Freymond, Commissioner of Corporate and Legislative Services
Natalie Garnett, Deputy City Clerk
John Kennedy, City Clerk
Sheldon Laidman, Commissioner of Community Services
David Potts, City Solicitor/Manager of Legal Services
Brendan Wedley, Manager of Communication Services

Call to Order

The meeting was called to order at 6:17 p.m. in the Council Chambers, City Hall.

Approval of Minutes

Moved by Councillor Baldwin
Seconded by Councillor Pappas

That the City Council minutes of October 26 and November 9, 2020 be approved.

Carried

Disclosure of Pecuniary Interest

Councillor Pappas declared a conflict with item 10 a) Official Plan and Zoning By-law Amendment Applications – 385 George Street North, as his family owns property in proximity.

Delegations

Bobby McBain, Take Back Peterborough, made a delegation to item 10.f, Report CSD20-005 - New Arena and Aquatics Complex 2020 project update.

Mike Heffernan, VP Peterborough Hockey Association, made a delegation to item 10.f, Report CSD20-005 - New Arena and Aquatics Complex 2020 project update.

Jef Dueck, AAA Petes, made a delegation to item 10.f, Report CSD20-005 - New Arena and Aquatics Complex 2020 project update.

Stacey Moore, PGHA, made a delegation to item 10.f, Report CSD20-005 - New Arena and Aquatics Complex 2020 project update.

Consent Agenda

Moved by Councillor Vassiliadis

Seconded by Councillor Zippel

That items 9.a, 9.b, 9.c, 9.e, 9.f, 9.g, 9.h, 9.j, 9.k, 10.b, 10.c, and 10.d be approved as part of the Consent Agenda.

Carried

Non-exclusive Small Cell Master Agreement for leased space on City utility infrastructure

Report CAOCS20-005

Moved by Councillor Vassiliadis

Seconded by Councillor Zippel

That Council approve the recommendations outlined in Report CAOCS20-005, dated November 2, 2020, of the Chief Administrative Officer, as follows:

- a) That the City enter into a non-exclusive Small Cell Master Agreement with Rogers Communications Inc., in a form acceptable to the City Solicitor, for the licensing of space on City-owned infrastructure for its private telecommunications network equipment for a 10-year term commencing on December 1, 2020 and ending on November 30, 2030; and**
- b) That City staff be given the delegated authority to (i) negotiate with Rogers Communications Inc. on the shared use of the parties' respective fibre networks and (ii) and, upon those negotiations being successful, that the CAO and Clerk be authorised to execute such agreements as the City**

Solicitor determines are required which are in a form acceptable to the City Solicitor.

Carried

Appointment of AccertaClaim Servcorp Inc for Ontario Works Dental Administration
Report CSSS20-021

Moved by Councillor Vassiliadis
Seconded by Councillor Zippel

That Council approve the recommendation outlined in Report CSSS20-021, November 2, 2020 of the Commissioner of Community Services as follows:

That AccertaClaim Servcorp Inc, 777 Bay Street Suite 2801 PO Box 310, Station "P" Toronto, Ontario M5S 2S8, be appointed for claims adjudication for the Ontario Works Dental Administration program, at a cost of \$318,500 plus \$41,405 HST for a total of \$359,905, for a period of five years from January 1, 2021 to December 31, 2025.

Carried

KPMG Budget and Service Analysis
Report CLSFS20-057

Moved by Councillor Vassiliadis
Seconded by Councillor Zippel

That Council approve the recommendation outlined in Report CLSFS20-057 dated November 2, 2020, of the Commissioner of Corporate and Legislative Services, as follows:

That the KPMG presentation and the Budget and Service Analysis attached as Appendix A to Report CLSFS20-057, be received for information.

Carried

Affordable Housing Community Improvement Plan Incentives for Habitat for Humanity -
33 Leahy's Lane

Report CSSS20-020

Moved by Councillor Vassiliadis
Seconded by Councillor Zippel

That Council approve the recommendations outlined in Report CSSS20-020 dated November 2, 2020, of the Commissioner of Community Services, as follows:

- a) That the Affordable Housing Community Improvement Plan program application be approved for the proposed 41-unit affordable homeownership project at 33 Leahy's Lane Peterborough (Phase 1), in accordance with Report CSSS20-020;
- b) That the municipal incentives refund in the amount of \$859,744 (\$707,783 in Development Charge fees and \$151,961 in Cash-in-lieu of parking fees) for the Phase 1 development be drawn from the Housing Services Partnership Reserve over two payments; and
- c) That the Mayor and Clerk be authorized to sign agreements and other documents in terms acceptable to the Commissioner of Community Services to provide municipal incentives for the Phase 1 development in accordance with Report CSSS20-020.

Carried

Asset Management Planning Update

Report IPSIM20-027

Moved by Councillor Vassiliadis

Seconded by Councillor Zippel

That Council approve the recommendation outlined in Report IPSIM20-027, dated November 2, 2020, of the Commissioner of Infrastructure and Planning Services, as follows:

That the report on the City's asset management planning progress be received for information.

Carried

Diversity and Inclusion Officer

Moved by Councillor Vassiliadis

Seconded by Councillor Zippel

Whereas: Council approved the recommendations outlined in Report CLSHR19-005 dated November 12, 2019 including recommendation c) That staff report back to Council on the funding from the province and/or federal government to hire a Diversity and Inclusion Officer, including affirmative action by the City in terms of its own hiring from minority communities, as long as the contract position is 100% funded by upper levels of government.

Whereas: It has been almost a full year since this recommendation was approved and Council has not received any information on the availability of funding to hire a Diversity and Inclusion Officer, including affirmative action by the City in terms of its own hiring from minority communities, as long as the contract position is 100% funded by upper levels of government.

Therefore, be it resolved that: City Council will send a letter to MP Monsef and MPP Smith requesting an update on our funding application and expressing the need for this position.

Carried

Driving Schools

Moved by Councillor Vassiliadis
Seconded by Councillor Zippel

That staff provide a report on the feasibility of implementing a Business License Program to regulate driving schools on city streets.

Carried

Report of Closed Session - Proposed Property Acquisition

Report IPSRE20-011

Moved by Councillor Vassiliadis
Seconded by Councillor Zippel

That Council approve the recommendation outlined in Report IPSRE20-011, dated November 2, 2020, of the Commissioner of Infrastructure and Planning Services, as follows:

That staff be authorized to proceed as outlined in Closed Session Report IPSRE20-011 dated November 2, 2020 of the Commissioner of Infrastructure and Planning Services.

Carried

Report of Closed Session - Technology Drive

Report IPSRE20-12

Moved by Councillor Vassiliadis

Seconded by Councillor Zippel

That Council approve the recommendation, outlined in Report IPSRE20-012 dated November 2, 2020 of the Commissioner of Infrastructure and Planning Services, as follows:

That, respecting the property known municipally as 2100 Technology Drive, staff be authorized to proceed as outlined in Closed Session Report IPSRE20-012 dated November 2, 2020 of the Commissioner of Infrastructure and Planning Services.

Carried

Zoning By-law Amendment No. Z2009 - 793 Crawford Drive

Report IPSPL20-027

Moved by Councillor Vassiliadis

Seconded by Councillor Zippel

That Council approve the recommendation outlined in Report IPSPL20-027 dated November 9, 2020, of the Commissioner of Infrastructure and Planning Services, as follows:

That Zoning By-law Application Z2009 be denied.

Carried

Zoning By-law Amendment No. Z2005 - 520 and 540 Brealey Drive

Report IPSPL20-026

Moved by Councillor Vassiliadis

Seconded by Councillor Zippel

That Council approve the recommendations outlined in Report IPSPL20-026 dated November 9, 2020, of the Commissioner of Infrastructure and Planning Services, as follows:

- a) **That Section 3.9 Exceptions of Zoning By-law 97-123 be amended by adding Exception Nos. 336 and 337 in accordance with Exhibit E of Report IPSPL20-026.**

- b) That the subject property be rezoned from SP.317 – Residential District to SP.317-336, from SP.118 – Public Service District to SP.317-336-H – Residential District, and from SP.118 – Public Service District to SP.118-337 in accordance with Exhibit E of Report IPSPL20-026.
- c) That the Commissioner of Infrastructure and Planning Services approve the application to remove the ‘H’ Holding Symbol from the lands to be zoned SP.317-336-H as illustrated in Exhibit E of Report IPSPL20-026 at such time as:
 - i) The property has been consolidated with the property at 540 Brealey Drive; and,
 - ii) The Owner has paid cash-in-lieu of parkland dedication to the City in accordance with the provisions of the Planning Act, R.S.O 1990 c.P.13 and the City’s Parkland Dedication By-law for 18 additional dwelling units.
- d) That the Commissioner of Infrastructure and Planning Services approve the application to remove the ‘H’ Holding Symbol from the lands to be zoned SP.118-337-H as illustrated in Exhibit E of Report IPSPL20-026 at such time as:
 - i) The lands to be zoned SP.317-336-H as illustrated in Exhibit E of Report IPSPL20-026 have been consolidated with the property at 540 Brealey Drive; and
 - ii) Approval has been granted to amend the Site Plan for 520 Brealey Drive.

Carried

Zoning By-law Amendment for 109-127 Hunter Street, 367 Rogers Street and Part of 124 Robinson Street

Report IPSPL20-025

Moved by Councillor Vassiliadis

Seconded by Councillor Zippel

That Council approve the recommendations outlined in Report IPSPL20-025 dated November 9, 2020, of the Commissioner of Infrastructure and Planning Services, as follows:

- a) That the Zoning By-law be amended to add Exception 338, to introduce site specific regulations for the lands known as 109, 115 and 127 Hunter Street East related to minimum setbacks, landscaped open space, parking, building floor area and building coverage in accordance with the draft amendment attached as Exhibit ‘D’ to Report IPSPL20-025;

- b) That the Zoning By-law be amended to repeal and replace the permitted uses and regulations of the SP.187 – Special Commercial District in accordance with the draft amendment attached as Exhibit ‘D’ to Report IPSPL20-025;**
- c) That the subject lands be rezoned from the C.6 to the C.6-338; from C.6 to OS.2; from R.1,R.2,R.3,SP.187-H to SP.187-H; from R.1,R.2,R.3,SP.187 to SP.187-H; from R.1,R.2,R.3 to SP.187 and from R.1,R.2,R.3 to OS.2 in accordance with Schedule ‘A’ of Exhibit D attached to Report IPSPL20-025;**
- d) That the Commissioner of Infrastructure and Planning Services approve the application to remove the ‘H’ Holding Symbol at such time as Site Plan Approval is granted, including the following provisions:**
 - i. Two-way access to Rogers Street via the mid-block driveway located at 367 Rogers Street, with elimination of the driveway currently servicing the property known as 373 Rogers Street; a relocation plan for the existing utilities within the proposed entrance location; sidewalk reconstruction across the driveway and property frontage along Rogers St.; and any modifications to the parking restrictions on Rogers Street required to ensure adequate visibility to the proposed entrance;**
 - ii. Two-way access to Robinson Street, from the lands known as 367 Rogers Street, in Phase 1 of the Site Plan and reconstruction of Robinson Street, including a sidewalk across the frontage of the development in the future Phase 2 of the Site Plan Approval;**
 - iii. Two-way access to Robinson Street, from the lands known as 124 Robinson Street and the parking lot construction with base asphalt on the west side of the trail in Phase 1 of the Site Plan Approval;**
 - iv. Improvements to enhance the safety of the Rotary Trail crossing of Hunter St. E. during site development and construction;**
 - v. City monitoring of the operation of the Hunter Street entrance, after Phase 1 Site Plan construction, and the incorporation of any modifications necessary to address traffic flows on Hunter Street East in the Site Plan Agreement related to Phase 2;**
 - vi. The relocation and reconstruction of the Rotary Trail to City standards;**
 - vii. The removal of the existing driveway entrance relative to 109-113 Hunter Street East as part of the Phase 2 Site Plan Approval, and that the driveways be limited to personal vehicle parking for construction personnel during construction;**

- viii. **Establishment of necessary easements for pedestrian and vehicular access and to support required motor vehicle parking over the lands known as 367 Rogers St., 125 Hunter St. E. and 124 Robinson St., for the development of Phase 1; and**
- ix. **Provisions requiring the developer to have an archaeologist on site during the excavation stage for Phase 1 and 2, and if archaeological resources are found, the developer is required to follow the requirements of the Ontario Heritage Act.**
- e) **Cash-in-lieu be paid to the City in accordance with the provisions of the Planning Act, R.S.O 1990 c.P.13 and the City's Parkland Dedication By-law.**

Carried

PKED 2020 Third Quarter Metrics

Report PKED20-007

Moved by Councillor Riel

Seconded by Councillor Wright

That Council approve the recommendation outlined in Report PKED20-007, dated November 2, 2020 of the Board Chair and the President & CEO of Peterborough & the Kawarthas Economic Development as follows:

- a) **That Report PKED20-007 providing the Peterborough & Kawarthas Economic Development 2020 Third Quarter Metrics and presentation be received for information.**

At the meeting of November 2, 2020 item b) was added as follows:

- b) **That Council support the Mayor's letter to upper levels of government for businesses challenged with rising insurance costs.**

Carried

Report of Closed Session - Non-Union Employee Group

Report CAO20-009

Moved by Councillor Riel

Seconded by Councillor Pappas

That Council approve the recommendation outlined in Report CAO20-009 dated November 2, 2020, of the Chief Administrative Officer as follows:

That the amended salary compensation as outlined in Report CAO20-009 dated November 2, 2020, of the Chief Administrative Officer respecting the Non-Union Employee Group covering the period January 1, 2020 to December 31, 2021, be approved.

Carried

Official Plan and Zoning By-law Amendment Applications O2001 and Z2006 - 385 George Street North

Report IPSPL20-024

Due to his previously declared conflict, Councillor Pappas did not discuss or vote on this item.

Moved by Councillor Akapo

Seconded by Councillor Wright

That Council approve the recommendations outlined in Report IPSPL20-024 dated November 9, 2020, of the Commissioner of Infrastructure and Planning Services, as follows:

- a) **That Section 4.2 Policies for Specific Residential Properties of the Official Plan be amended by adding Section 4.2.4.19 to permit a residential density of 555 dwelling units per hectare for the subject lands in accordance with the Draft Amendment attached as Exhibit D of Report IPSPL20-024; and**
- b) **That Section 3.9 Exceptions of Zoning By-law 97-123 be amended by adding Exception No. 339, to introduce site specific regulation for the lands known as 385 George Street North related to building floor area and building coverage in accordance with the Draft Amendment attached as Exhibit B of Report IPSPL20-024;**
- c) **That the subject property be rezoned from C.6 – Commercial District to C.6-339-H – Commercial District in accordance with Exhibit B of Report IPSPL20-024; and**
- d) **That the Commissioner of Infrastructure and Planning Services approve the application to remove the ‘H’ Holding Symbol at such time as:**
 - 1. **Site Plan Approval has been granted for the property, which will include the following requirements:**
 - i. **Samples of exterior material be provided;**
 - ii. **Floor heights on floor two through five are a consistent height;**
 - iii. **The building will step-back above the fourth storey datum line;**
 - iv. **Any additional concerns, as stated in the letters received from PACAC dated July 16, 2020 and September 24, 2020, have been addressed;**

v. The above-mentioned items are to the satisfaction of the Planner of Urban Design and Heritage Resource Coordinator to ensure compatibility of the building with the abutting designated heritage property and context of the neighbourhood.

- 2. The Owner has paid Cash-in-Lieu of Parkland Dedication to the City in accordance with the provisions of the Planning Act, R.S.O 1990 c.P.13 and the City's Parkland Dedication By-law for the proposed mixed-use development.**

Carried

Major Sport and Event Centre Study Phase 3A Report

Report CSAD20-008

Moved by Councillor Zippel

Seconded by Councillor Akapo

That the recommendations be amended to add recommendation b) as follows:

- b) That further analysis of the Morrow Park location for a new Major Sport and Event Centre be put on hold pending the outcome of the continued assessment of a downtown location

Lost

Moved by Councillor Parnell

Seconded by Councillor Riel

That Council approve the recommendations outlined in Report CSAD20-008, dated November 9, 2020, of the Commissioner of Community Services, as follows:

- a) **That the Draft Analysis of Prospective Sites Report (Appendix A) and Presentation by the consultant, Sierra Planning and Management, be received for information;**
- c) **The potential for a Major Sport and Event Centre be referred to the larger strategic planning exercise carried out in Key Strategic Development and Investment Areas contained in the Central Area as identified in the new Draft Official Plan.**

Carried

New Arena and Aquatics Complex 2020 project update

Report CSD20-005

Moved by Councillor Parnell

Seconded by Councillor Beamer

That Council approve the recommendations outlined in Report CSD20-005 dated November 9, 2020, of the Commissioner of Community Services, as follows:

Council at the meeting of November 30, 2020, amended Item a) as follows:

- a) That City staff review Morrow Park as an alternate site for the Arena and Aquatic complex and provide Council with a follow-up report to include a high-level conceptual design, financing options and budget costs associated with pursuing the Morrow Park location and;**
- b) That Council approve a single source consulting assignment for the work associated with the alternate site review to Perkins +Will Architect for an amount not to exceed \$300,000.**

Carried

Approval of By-laws

By-laws 20-090 and 20-091 were separated for vote. Due to his previously declared interest, Councillor Pappas did not discuss or vote on these By-laws.

Moved by Councillor Akapo

Seconded by Councillor Vassiliadis

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

20-090 Being a By-law to adopt Amendment No. 187 to the Official Plan of the City of Peterborough for 385 George Street North

20-091 Being a By-law to amend the Zoning By-law for the lands known as 109- 127 Hunter Street East, 367 Rogers Street and Part of 124 Robinson Street

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

Carried

Moved by Councillor Pappas

Seconded by Councillor Wright

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

- 20-083** Being a By-law to amend By-law 18-090 which replaced By-law 14-008 and By-law 15-023, and to authorized the 2014 and 2015 portion of the Parkway Corridor Extension or associated works at a combined estimated cost of \$3,689,000 and the issuing of Development Charges (DC) (City Wide Engineering Services Roads and Related) supported debentures to a maximum of \$3,093,100 to finance the work
- 20-084** Being a By-law to amend By-law 18-097, and to authorize the 2018 and 2020 portion of the Transportation Master Plan at an estimated cost of \$1,050,000 and the issuing of Development Charges (DC) (City Wide Engineering Services Roads and Related) supported debentures to a maximum of \$945,000 to finance the work
- 20-085** A by-law be passed authorizing the Mayor and Clerk to execute the Municipal Transit Enhanced Cleaning transfer payment agreement and any subsequent corresponding agreements or amendments between Her Majesty the Queen in Right of Ontario and The Corporation of the City of Peterborough in a form acceptable to the Commissioner of Corporate and Legislative Services and the City Solicitor
- 20-086** Being a By-law to authorize the borrowing upon serial debentures in the principal amount of \$3,000,000.00 towards the cost of a certain capital work described in schedule "A" to this by-law 10
- 20-087** Being a By-law to authorize the borrowing upon serial debentures in the aggregate principal amount of \$10,704,200.00 towards the cost of certain capital works described in schedule "A" to this by-law
- 20-088** Being a By-law to authorize the borrowing upon serial debentures in the aggregate principal amount of \$2,787,000.00 towards the cost of certain capital works described in schedule "A" to this by-law
- 20-089** Being a By-law to authorize the borrowing upon serial debentures in the principal amount of \$6,000,000.00 towards the cost of a certain capital work described in schedule "A" to this by-law
- 20-092** Being a By-law to amend the Zoning By-law for the lands known as 385 George Street North 12.k. 20-093 Being a By-law to amend the Zoning By-law for the lands known as 520 and 540 Brealey Drive
- 20-094** Being a By-law to amend the Zoning By-law to remove a Holding Symbol from Lots 1 to 360 and Blocks 361 to 382 inclusive, and Block 384, Plan 45M-257

and that the said by-laws having been 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

Confirmation By-law

Moved by Councillor Baldwin
Seconded by Councillor Parnell

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

**20-095 Being a by-law to confirm the proceedings of the Council at its
regular meeting held on November 30, 2020.**

**and that 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 Pappas
Seconded by Councillor Beamer

That this meeting adjourn at 8:44 p.m.

Carried

John Kennedy
City Clerk

Diane Therrien
Mayor