

City Council Minutes

Council Chambers, City Hall

June 10, 2024

Present: Councillor Baldwin
Councillor Beamer
Councillor Bierk
Councillor Crowley
Councillor Duguay
Councillor Haacke
Councillor Lachica
Mayor Leal
Councillor Parnell
Councillor Riel
Councillor Vassiliadis

Staff: Brad Appleby, Director, Planning Development and Urban Design
Mark Buffone, Accessibility Compliance Specialist
Stacy Dedlow, Committee Support Specialist
Richard Freymond, Commissioner of Finance & Corporate Support Services
Natalie Garnett, Deputy City Clerk
Aylin Hearnese, Asset Management Specialist
Sheldon Laidman, Commissioner of Community Services
Sarah McDougall Perrin, Advisor, Government Relations
Jennifer McFarlane, Commissioner, Municipal Operations (Acting)
Blair Nelson, Commissioner for Infrastructure, Planning & Growth Management
Michael Papadacos, Director, Asset Management and Capital Planning
David Potts, Commissioner, Legislative Services, City Solicitor
Jasbir Raina, Chief Administrative Officer
Kendra Sedgwick, Committee Support Specialist
Brendan Wedley, Director, Strategic Communications & Service Peterborough

Call to Order

The Mayor called the meeting to order at 6:02 p.m.

Approval of Minutes

Moved by Councillor Haacke
Seconded by Councillor Baldwin

That the Council minutes of May 21, 2024, be approved.

For (11): Councillor Baldwin, Councillor Beamer, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

Disclosure of Pecuniary Interest

Councillor Haacke declared a conflict with Report LSCLK24-009, Peterborough Community Health Centre Presentation, as they are a client of his firm.

Councillor Haacke declared a conflict with the Notice of Motion, as they are a client of his firm.

Councillor Duguay declared a conflict with the Notice of Motion, as he has worked with the applicant.

Registered Delegations

2024 to 2028 Accessibility Plan, Report FCSFPM24-010

Margie Sumadh, 283 Dublin St

Consent Items

Moved by Councillor Baldwin

Seconded by Councillor Duguay

That items Report LSRS24-006 - Consideration of a Property Matter - 625 Watts Avenue, Report LSRS24-007 - Consideration of a Property Matter - 280 Jameson Drive, Report LSRS24-010 - Consideration of a Property Matter - 195 Hunter Street East, Report IPGPL24-011 - Zoning By-law Amendment - Section 6.1 - Public Use Exemption, Report LSCLK24-008 - Fairhaven Presentation, Report FCSFPM24-010 - 2024 to 2028 Accessibility Plan, Report FCSFS24-008 - Notice of Public Meeting - Development Charges Background Study, Peterborough Utilities Commission, Report FCSFS24-009 - Development Charge Reserve Funds 2023 Annual Report - City and Peterborough Utilities Commission, Report FCSFS24-013 - Canadian Canoe Museum Funding Agreement and Designation as a Capital Facility, Report MOPW24-017 - Enrolment and Implementation of the Ministry of Transportation (MTO) Drive ON Program, Report FCSFPM24-017 - Budget Amendment and Award of ITT-43-24 for City Hall Service Peterborough Renovations, and Report IPGACP24-017 - 2024 Asset Management Plan.

For (11): Councillor Baldwin, Councillor Beamer, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

Consideration of a Property Matter - 625 Watts Avenue, Report LSRS24-006

That Council approve the recommendation outlined in Report LSRS24-006, dated June 3, 2024, of the Commissioner, Legislative Services as follows:

That, respecting the property known municipally as 625 Watts Avenue, staff be authorized to proceed as outlined in Closed Session Report LSRS24-006 dated June 3, 2024, of the Commissioner, Legislative Services.

Consideration of a Property Matter - 280 Jameson Drive, Report LSRS24-007

That Council approve the recommendation in Report LSRS24-007, dated June 3, 2024, of the Commissioner, Legislative Services as follows:

That, respecting the property known municipally as 280 Jameson Drive, Peterborough, staff be directed to proceed as outlined in Closed Session Report LSRS24-007 dated June 3, 2024, of the Commissioner, Legislative Services.

Consideration of a Property Matter - 195 Hunter Street East, Report LSRS24-010

That Council approve the recommendation outlined in Report LSRS24-010, dated June 3, 2024, of the Commissioner, Legislative Services as follows:

That, respecting the property known municipally as 195 Hunter Street East, staff be authorized to proceed as outlined in Closed Session Report LSRS24-010 dated June 3, 2024, of the Commissioner, Legislative Services.

Zoning By-law Amendment - Section 6.1 - Public Use Exemption, Report IPGPL24-011

That Council approve the recommendation outlined in Report IPGPL24-011, dated June 3, 2024, of the Commissioner of Infrastructure, Planning and Growth Management (Acting) as follows:

That Section 6.1 of the Zoning By-law be amended in accordance with the draft Zoning By-law Amendment attached as Exhibit A to Report IPGPL24-011.

Fairhaven Presentation, Report LSCLK24-008

Amended Recommendation:

- a) That the presentation from the Fairhaven Board Chair and Executive Director regarding the Fairhaven expansion plan project be received;**
- b) That the submission of an application to the Province for the approval of 128 additional beds for Fairhaven be supported, with the understanding that the application for beds is non-binding upon the City; and**
- c) That the CAO and the Treasurer be directed to work with Fairhaven on the financial aspects of the project (capital and operating) and bring a report back to Council if the application for beds is approved by the Province.**

2024 to 2028 Accessibility Plan, Report FCSFPM24-010

That Council approve the recommendations outlined in Report FCSFPM24-010, dated June 3, 2024 of the Commissioner of Finance and Corporate Support Services as follows:

a) That a presentation by the Accessibility Compliance Specialist regarding the draft 2024 to 2028 Accessibility Plan be received for information; and

b) That the draft 2024 to 2028 Accessibility Plan be approved.

Notice of Public Meeting - Development Charges Background Study, Peterborough Utilities Commission, Report FCSFS24-008

That Council approve the recommendations outlined in Report FCSFS24-008, dated June 3, 2024 of the Commissioner of Finance and Corporate Support Services as follows:

a) That Report FCSFS24-008 advising Council that a public meeting will be held on June 10, 2024 at 5:00 pm in the Council Chambers to present a Development Charges Background Study undertaken by the Peterborough Utilities Commission and to hear public delegations, be received; and

b) That a further report be presented to the June 17, 2024 General Committee meeting that will recommend rate changes to Peterborough Utilities Commission Development Charge rate.

Development Charge Reserve Funds 2023 Annual Report - City and Peterborough Utilities Commission, Report FCSFS24-009

That Council approve the recommendations outlined in Report FCSFS24-009, dated June 3, 2024 of the Commissioner of Finance and Corporate Support Services as follows:

a) That the Development Charge Reserve Funds – 2023 Annual Report for the City of Peterborough, as presented in Report FCSFS24-009, be received for information; and

b) That the Peterborough Utilities Commission Report entitled Water Development Charges for the year ended December 31, 2023, appended to Report FCSFS24-009 as Appendix B, be received for information.

Canadian Canoe Museum Funding Agreement and Designation as a Capital Facility, Report FCSFS24-013

That Council approve the recommendations outlined in Report FCSFS24-013, dated June 3, 2024 of the Commissioner, Finance and Corporate Support Services as follows:

a) That the Mayor and Clerk be authorized to execute a funding agreement with The Canadian Canoe Museum in the form comprising Appendix A to report FCSFS24-013; and

b) That a by-law be passed in the form comprising Appendix B to report FCSFS24-013 to authorize an agreement with The Canadian Canoe Museum for the provision by it of a municipal capital facility, namely a canoe museum, to exempt the lands owned by The Canadian Canoe Museum, located at 2077 Ashburnham Drive and part of 2011 Ashburnham Drive, in the City of Peterborough and designated as Parts 1, 2 and 3 on 45R-17193 from taxation for municipal and school purposes.

Enrolment and Implementation of the Ministry of Transportation (MTO) Drive ON Program, Report MOPW24-017

That Council approve the recommendation outlined in Report MOPW24-017, dated June 3, 2024, of the Commissioner of Municipal Operations (Acting) as follows:

That the Manager of Fleet Services be authorized to execute agreements with the Ministry of Transportation to enter the City into the MTO Drive ON, Vehicle Inspection (VIC) Program, on terms acceptable to the Commissioner, Municipal Operations (Acting), and in forms that are acceptable to the City Solicitor.

Budget Amendment and Award of ITT-43-24 for City Hall Service Peterborough Renovations, Report FCSFPM24-017

Amended Recommendation:

That Council defer the Service Peterborough renovation project report for staff to return with options for Council's consideration at the June 17 General Committee meeting, unless Staff can revise the project scope to proceed within approved budget, in which case a report back would not be required.

2024 Asset Management Plan, Report IPGACP24-017

That Council approve the recommendation outlined in Report IPGACP24-017, dated June 3, 2024, of the Commissioner of Infrastructure, Planning and Growth Management (Acting) as follows:

That the 2024 City of Peterborough Asset Management Plan be approved.

Peterborough Community Health Centre Presentation, Report LSCLK24-009

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

Moved by Councillor Baldwin
Seconded by Councillor Vassiliadis

That Council approve the recommendation outlined in Report LSCLK24-009, dated June 3, 2024, of the City Clerk as follows:

That the presentation by the Peterborough Community Health Centre be received for information.

For (10): Councillor Baldwin, Councillor Beamer, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Conflict (1): Councillor Haacke

Carried (10 to 0)

Notice of Motion

Due to their previously declared conflicts, Councillors Duguay and Haacke did not discuss or vote on this motion.

Moved by Councillor Lachica

Seconded by Councillor Riel

That the application be deferred, until further information is available for Council consideration.

For (3): Councillor Bierk, Councillor Lachica, and Councillor Riel

Against (6): Councillor Baldwin, Councillor Beamer, Councillor Crowley, Mayor Leal, Councillor Parnell, and Councillor Vassiliadis

Conflict (2): Councillor Duguay, and Councillor Haacke

Lost (3 to 6)

Moved by Mayor Leal

Seconded by Councillor Parnell

Whereas 2160288 Ontario Inc. filed applications in 2019 to amend the City's Zoning By-law and the then in-effect Official Plan to support the development of a 7-storey, 76-unit residential building at 1176 and 1182 Armour Road ("the lands");

And whereas City of Peterborough staff recommended approval of 2160288 Ontario Inc.'s applications in a report dated July 6, 2020 based on a conceptual site plan design that situates the proposed apartment building on the east half of the properties with parking provided alongside Armour Road;

And whereas the Ontario Land Tribunal granted approval of 20160288 Ontario Inc.'s applications to amend the Zoning By-law and the then in-effect Official Plan consistent with staff's recommendation;

And whereas By-law 1985-211 requires the granting of Site Plan Approval under Section 41 of the Planning Act prior to construction of the proposed residential building;

And whereas on April 11, 2023, the Minister of Municipal Affairs and Housing approved a new Official Plan for the City of Peterborough that applies to all City decisions affecting planning matters, including Site Plan Approval, from that date forward;

And whereas 2160288 Ontario Inc. has expressed their current intent to pursue Site Plan Approval and construction of the proposed 76-unit residential building consistent with the plan previously considered by staff and the Tribunal;

And whereas Staff has determined that Section 4.4.3 of the City's new Official Plan conflicts with the conceptual site plan that formed the basis of Staff's previous recommendation and the Ontario Land Tribunal's decision;

And whereas Council has determined that it is desirable to support the proposed development, as shown on the conceptual site plan, which informed the land use changes supported by the Tribunal's 2022 decision to facilitate the proposed residential building and to help achieve the City's Housing Pledge to create 4700 new housing units by 2031;

Now therefore be it resolved that staff be directed to initiate a site-specific Official Plan Amendment in accordance with Section 17 of the Planning Act to remedy any conflict between the current Official Plan and the conceptual site plan considered before the Ontario Land Tribunal as part of their 2022 decision to ensure that any application for Site Plan Approval on the lands is consistent with the conceptual site plan presented to the Ontario Land Tribunal;

And further that due to its technical nature to implement a site-specific Ontario Land Tribunal decision, that the staff-initiated Official Plan Amendment be exempt from the review of the City's Planning Advisory Committee as otherwise required by By-law 17-169.

For (6): Councillor Baldwin, Councillor Beamer, Councillor Crowley, Mayor Leal, Councillor Parnell, and Councillor Vassiliadis

Against (3): Councillor Bierk, Councillor Lachica, and Councillor Riel

Conflict (2): Councillor Duguay, and Councillor Haacke

Carried (6 to 3)

Approval of By-laws

Moved by Councillor Haacke
Seconded by Councillor Parnell

That By-laws 24-037, 24-038, 24-039, 24-040 and 24-041 be approved.

24-037 Being a By-law to Designate Certain Properties in the City of Peterborough Under the Ontario Heritage Act, R.S.O. 1990, c.O.18 (140 King Street)

24-038 Being a By-law Respecting the Appointment of a Deputy Clerk

24-039 Being a By-law to authorize an agreement with The Canadian Canoe Museum for the provision by it of a municipal capital facility, namely a canoe museum, and to exempt the lands owned by The Canadian Canoe Museum, located at 2077 Ashburnham Drive and part of 2011 Ashburnham Drive, in the City of Peterborough and designated as Parts 1, 2 and 3 on 45R-17193 from taxation for municipal and school purposes

24-040 Being a By-law to amend Section 6.1 of the Zoning By-law

24-041 Being a By-law to authorize the Mayor and Clerk to enter into a Franchise Agreement with Enbridge Gas Distribution Inc.

For (11): Councillor Baldwin, Councillor Beamer, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

Other Business

AMO Motion

Moved by Councillor Lachica
Seconded by Councillor Haacke

WHEREAS the Association of Municipalities of Ontario (AMO) represents the interests of member municipalities on policy and program matters that fall within the jurisdiction of the provincial government;

WHEREAS AMO's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities across Ontario to form a broad base of support and provide AMO with the united voice required to carry the municipal message to the provincial government;

WHEREAS the election of AMO's Board of Directors is held during AMO's Annual Conference and Trade Show;

BE IT RESOLVED that the Council for the City of Peterborough nominates Councillor Joy Lachica for a Director position on the Regional and Single Tier Caucus on the AMO Board of Directors for the 2024-2026 term;

BE IT FURTHER RESOLVED that Council assumes all costs associated with Councillor Joy Lachica attending AMO Board of Directors meetings.

For (11): Councillor Baldwin, Councillor Beamer, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

Confirmation By-law

Moved by Councillor Haacke
Seconded by Councillor Crowley

That By-law 24-042 Being a By-law to confirm the proceedings of the Council at its meeting held on June 10, 2024, be approved.

For (11): Councillor Baldwin, Councillor Beamer, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

Adjournment

Moved by Councillor Crowley
Seconded by Councillor Vassiliadis

That this meeting be adjourned.

For (11): Councillor Baldwin, Councillor Beamer, Councillor Bierk, Councillor Crowley, Councillor Duguay, Councillor Haacke, Councillor Lachica, Mayor Leal, Councillor Parnell, Councillor Riel, and Councillor Vassiliadis

Carried (11 to 0)

Natalie Garnett
Deputy City Clerk

Jeff Leal
Mayor