



**City Council Minutes
City Of Peterborough
April 2, 2012**

Draft Minutes Not Approved

**Minutes of a Meeting of City Council Held on April 2, 2012, in the
Council Chambers, City Hall**

Meeting called to order at 7:04 p.m. in the Council Chambers.

Roll Call:

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

Regrets:

Councillor Doris

Confirmation of Minutes – March 12, 2012

Moved by Councillor Clarke, seconded by Councillor Pappas

That the minutes of the meeting of Council held on March 12, 2012, be approved.

“CARRIED”

Disclosure of Pecuniary Interest

Councillor Parnell declared an interest in Committee of the Whole Report 5, items 7 and 8; Item 7, Report CSRS12-004, Little Lake Music Festival Fireworks Barge Acquisition as her spouse is involved with operation of the fireworks and the service club that provides them, and Item 8, Report COU12-003, Gaming Opportunity as she is an employee of a neighbouring township that hosts a gaming facility. Councillor Parnell requested that these two items be separated out for discussion.

City Council Minutes
Meeting of April 2, 2012
Page 2

Delegations

Registered:

Tony Biglieri, Biglieri Group - Made a delegation to Item 3 of Planning Report No. 3 (Report PLPD12-009 - 1421 Lansdowne Street West Proposed Telecommunication Structure).

Paul Brown, Peterborough and District Labour Council - Made a delegation to Item 16 of Committee of the Whole Report 5 (Report OCS12-003 - The Comprehensive Economic and Trade Agreement between Canada and the European Union (CETA)).

Antje Gareau, 75 Village Crescent - Made a delegation to Item 3 of Planning Report No. 3 (Report PLPD12-009 - 1421 Lansdowne Street West Proposed Telecommunication Structure).

Rene Gareau, 75 Village Crescent - Made a delegation to Item 3 of Planning Report No. 3 (Report PLPD12-009 - 1421 Lansdowne Street West Proposed Telecommunication Structure).

Teresa Daw, 69 Village Crescent - Made a delegation to Item 3 of Planning Report No. 3 (Report PLPD12-009 - 1421 Lansdowne Street West Proposed Telecommunication Structure).

Blane Harvey, Fleming College - Made a delegation to Item 12 of Committee of the Whole Report No. 5 (Report CSD12-005 – Sustainable Peterborough).

Ceremonial Presentation

Jeff Leal, MPP arrived to provide greetings to City Council at 8:21 pm.

Moved by Councillor Pappas, Seconded by Councillor Clarke

That the rules of order (Article 16.8.2) be suspended to hear all delegations past 9:00 p.m.

“CARRIED”

City Council Minutes
Meeting of April 2, 2012
Page 3

Delegations

Registered:

Ivan Bateman, 244 Rogers Street - Made a delegation to Item 12 of Committee of the Whole Report No. 5 (Report CSD12-005 – Sustainable Peterborough).

Councillor Clarke left the meeting at 9:22 p.m. and returned at 9:26 p.m.

Ed Hachey, SBA Canada - Made a delegation to Item 3 of Planning Report No. 3 (Report PLPD12-009 - 1421 Lansdowne Street West Proposed Telecommunication Structure).

Roy Brady, 304-136 Ware Street - Made a delegation to Item 16 of Committee of the Whole Report 5 (Report OCS12-003 - The Comprehensive Economic and Trade Agreement between Canada and the European Union (CETA)).

Planning Committee Report

Antje Gareau, 75 Village Crescent - Made a delegation to Item 3 of Planning Report No. 3 (Report PLPD12-009 - 1421 Lansdowne Street West Proposed Telecommunication Structure).

Malini Menon, 891 Wedgewood Court - Made a delegation to Item 3 of Planning Report No. 3 (Report PLPD12-009 - 1421 Lansdowne Street West Proposed Telecommunication Structure).

Moved by Councillor Pappas, seconded by Councillor Riel

That the rules of procedure (Article 15.2) be suspended to extend the meeting past 10:00 p.m. to permit the completion of the agenda.

“CARRIED”

Mike Lonergan, 71 Village Crescent - Made a delegation to Item 3 of Planning Report No. 3 (Report PLPD12-009 - 1421 Lansdowne Street West Proposed Telecommunication Structure).

City Council Minutes
Meeting of April 2, 2012
Page 4

Herb Wiseman, 69 Village Crescent - Made a delegation to Item 3 of Planning Report No. 3 (Report PLPD12-009 - 1421 Lansdowne Street West Proposed Telecommunication Structure).

Committee of the Whole Report

There were no delegations.

Other Items on this Agenda

There were no delegations.

Report Number 3 of the Planning Committee

Moved by Councillor Hall, seconded by Councillor Riel

That Report Number 3 of the Planning Committee Meeting of March 19, 2012 be approved.

Councillor Pappas requested that item 3 be separated out for discussion.

Moved by Councillor Juby, Seconded by Councillor Hall

That the Question be Put.

“CARRIED”

Councillor McWilliams requested a recorded vote and the Deputy Clerk conducted a roll call.

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

City Council Minutes
Meeting of April 2, 2012
Page 5

Upon item 3, the motion carried.

Upon the main motion of Councillors Hall and Riel, less item 3, the motion carried.

Report Number 5 of the Committee of Whole

Moved by Councillor Hall, seconded by Councillor Riel

That Report Number 5 of the Committee of Whole Meeting of March 26, 2012 be approved.

Items 7 and 8 were separated out for discussion and vote. Due to her previously declared conflict, Councillor Parnell left the Council Chambers.

Upon item 7, the motion carried.

Upon item 8, the motion carried.

Councillor Parnell returned to the meeting.

Councillor Vass requested that items 12 and 16 be separated out for discussion.

Upon item 12, the motion carried.

City Council Minutes
Meeting of April 2, 2012
Page 6

Item 16

Moved by Councillor Riel, seconded by Councillor Vass

- a) **That Council pass a resolution, attached as Appendix A, endorsing the Federation of Canadian Municipalities' (FCM) principles for negotiations relating to CETA in order to address municipal concerns in relation to trade deals; and**
- b) **That Council request the Province of Ontario to provide further information to municipalities with regards to procurement thresholds, local procurement needs and dispute resolution mechanisms.**
- c) **That the City of Peterborough advise the Federation of Canadian Municipalities and the Association of Municipalities of Ontario that it remains concerned about any agreement that could reduce or eliminate the right to specify local priorities as permitted when public money is invested in goods or services; and that the Federation of Canadian Municipalities and the Association of Municipalities of Ontario make every effort to protect or require local and Canadian content as a key component of any agreement.**

Upon item 16 the motion carried.

A thank you was extended to Nancy Wright-Laking for her contributions over the years as City of Peterborough Clerk.

Upon the original motion of Councillors Hall and Riel, less items 7, 8, 12, and 16, the motion carried.

Notice of Motion

There were no Notices of Motion.

City Council Minutes
Meeting of April 2, 2012
Page 7

By-Laws

Moved by Councillor Parnell, seconded by Councillor Pappas

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

- 12-043 Being A By-law To Authorize The Acquisition Of The Land Described As Lot 6, Plan 176, Known Municipally As 295 Aberdeen Avenue, In The City Of Peterborough, In The County Of Peterborough**

- 12-044 Being A By-law To Provide For Half-load Restrictions On Certain Highway In The City Of Peterborough And To Repeal By-law 93-30 And By-law 98-29**

- 12-045 Being A By-law To Stop Up And Close A Portion Of Cameron Place, Cameron Street, The Parkway And The Queensway In The City Of Peterborough**

- 12-046 Being A By-law To Authorize The Transfer Of Parts 1, 2, 3, 4, 5, 6 On Reference Plan 45R15370, In The City Of Peterborough, In The County Of Peterborough**

- The Deputy Clerk advised that an error had appeared in a newspaper ad regarding by-law 12-046 and noted that the correct sales price is \$374,400.00

- 12-047 Being A By-law To Amend By-law 09-111 “Being A By-law To Appoint Community Emergency Management Coordinators”**

- 12-048 Being A By-law To Amend Chapter 93 Of The City Of Peterborough Municipal Code Respecting The Appointment Of An Acting Clerk**

- 12-049 Being A By-law To Adopt The Sustainable Peterborough Plan**

- 12-050 Being A By-law To Amend The Zoning For 127 Sophia Street**

- 12-051 Being A By-law To Amend The Zoning For 1185 Hilliard Street And Part Of 70 Towerhill Road**

City Council Minutes
Meeting of April 2, 2012
Page 8

12-052 Being A By-law To Appoint Parking Enforcement Officers At 30 Alexander Avenue, 486 Donegal Street, 117 Herbert Street, 999 Hilliard Street, 290 Parkhill Road East, 900 Dutton Road, 101-121 And 130 Anson Street, 835 Cameron Street, 850 Fairbairn Street, 169 Lake Street, 665 Crawford Drive, 611 Rogers Street, 700 Clonsilla Avenue And 138 Simcoe Street

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

"CARRIED"

Other Business

An item of Other Business was raised and will be brought forward at the Committee of the Whole meeting.

Confirmatory By-law

Moved by Councillor Parnell, seconded by Councillor Pappas

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

12-053 12-053 Being A By-Law To Confirm The Proceedings Of The Council At Its Meeting Held On April 2, 2012

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"

**City Council Minutes
Meeting of April 2, 2012
Page 9**

Adjournment

Moved by Councillor Clarke, seconded by Councillor Pappas

That this meeting of City Council adjourn at 10:40 p.m.

“CARRIED”

Natalie Garnett
Deputy City Clerk

Daryl Bennett
Mayor

**City Council Minutes
Meeting of April 2, 2012
Page 10**

**Planning Committee Report No. 3
Meeting of March 19, 2012**

To The Council of the City of Peterborough, for Consideration at its Meeting April 2, 2012

The Planning Committee, as a Result of its Meeting Held on March 19, 2012 Recommends as Follows:

- 1. Manager, Planning Division
Report PLPD12-012
1185 Hilliard Street & Part of 70 Towerhill Road**

That Council approve the recommendation outlined in Report PLPD12-012 dated March 19, 2012, of the Manager, Planning Division, as follows:

That the zoning of the subject property, be amended from the C.1 – Commercial District and from the R.1,2o-‘H’ and R.1-‘H’ - Residential Districts to the SP.293, 7c Residential District in accordance with the draft amendment attached as Exhibit ‘D’ to Report PLPD12-012.

- 2. Manager, Planning Division
Report PLPD12-013
127 Sophia Street**

That Council approve the recommendations outlined in Report PLPD12-013 dated March 19, 2012, of the Manager, Planning Division, as follows:

That the zoning of the subject property, be amended from the R.1 - Residential District to the R.2 - Residential District in accordance with the draft amendment attached as Exhibit ‘C’ to Report PLPD12-013.

- 3. Manager, Planning Division
Report PLPD12-009
1421 Lansdowne Street West Proposed Telecommunication Structure**

**City Council Minutes
Meeting of April 2, 2012
Page 11**

That Council approve the recommendations outlined in Report PLPD12-009 dated March 19, 2012, of the Manager, Planning Division, as follows:

- a) That Industry Canada be advised that the proposal for a telecommunication structure by SBA Canada, ULC, at 1421 Lansdowne Street West , has been processed in accordance with the City of Peterborough's Telecommunications Structures Policy and Procedure.**
- b) That Industry Canada be further advised that the proposal for a telecommunications structure at 1421 Lansdowne Street West has generated concern from the public as documented by The Biglieri Group and summarized in Exhibits C, D and E of Report PLPD12-009.**

The resolution was amended as follows:

- c) That Industry Canada be advised that this application does not concur with the City of Peterborough policy for telecommunication structures, in regard to setbacks.**

4. City Property Adjacent to 127 Sophia Street

That a report on the City property adjacent to 127 Sophia Street be brought forward for Council consideration.

5. Surplus City Properties

That Planning staff prepare a list of potentially surplus properties owned by the City of Peterborough.

Submitted by,

Councillor Hall
Chair
March 19, 2012

**City Council Minutes
Meeting of April 2, 2012
Page 12**

**Committee of the Whole Report No. 5
Meeting of March 26, 2012**

To the Council of the City of Peterborough for Consideration at its Meeting Held April 2, 2012

The Committee of the Whole as a Result of its Meeting Held on March 26, 2012, Recommends as Follows:

**1. Report of Closed Session
Director of Planning and Development Services
Report PLPD12-011
Sale of City Property at 779 Monaghan Road**

That Council approve the recommendations in report PLPD12-011 dated March 26, 2012, of the Director of Planning and Development Services, as follows:

- a) That Council declare its intent to declare surplus and sell 1038.7 square metres (.257 acres) of property, municipally known as 779 Monaghan Road, being Part 1 on plan 45R-14503 jointly to Gordon William Wesley Powell, and John Gerard Vandorsser, for \$25,700.00, subject to a utility easement in favour of the City of Peterborough.
- b) That a by-law to authorize the sale of the subject property to Gordon William Wesley Powell, and John Gerard Vandorsser, be considered by Council at its meeting on April 23, 2012, to permit public notice of the proposed sale to be given.

**2. Report of Closed Session
Director of Planning and Development Services
Report PLPD12-015
Purchase of Property at 295 Aberdeen Avenue**

That Council approve the recommendations outlined in Report PLPD12-015 dated March 26, 2012, of the Director of Planning and Development Services as follows:

- a) That a by-law be passed to authorize the purchase of property at 295 Aberdeen Avenue, described as Plan 176, Lot 6, City of Peterborough, for \$160,000.00 plus land transfer tax of \$1,325.00.

**City Council Minutes
Meeting of April 2, 2012
Page 13**

- b) That the portion of the property not required for the road-widening be declared surplus to the needs of the Municipality and be offered for sale, and that the proceeds of the sale be credited to the “Chemong Road- Parkway Road West to Parkway R.O.W.” (2012 Capital Budget Reference Number 5-2.03).

**3. Report of Closed Session
Director of Planning and Development Services
Report PLPD12-016
Peterborough Housing Corporation Purchase of 30 Simeon Crescent, Apsley, ON**

That Council approve the recommendation outlined in Report PLPD12-016 dated March 26, 2012, of the Director of Planning & Development Services, as follows:

That, pursuant to Article 5.3 of the Peterborough Housing Corporation (PHC) Directive and Declaration, dated January 1, 2012, the City of Peterborough, as the sole shareholder of PHC, consents to the acquisition of 30 Simeon Crescent, Apsley, ON, at a nominal cost to PHC, being an 8-unit residential building owned by the Apsley and District Homes for Seniors.

**4. Report of Closed Session
City Solicitor and Director of Legal Services
Report OCS12-001
Peterborough Housing Corporation (PHC) Board Appointments**

That Council approve the recommendation(s) outlined in Report OCS12-001 dated March 26, 2012, of the City Solicitor and Director of Legal Services, as follows:

That the following appointments be made to the Peterborough Housing Corporation, Board of Directors:

**City Council Minutes
Meeting of April 2, 2012
Page 14**

**One (1) Year Term from January 1, 2012
to December 31, 2012**

Janet Clarkson

**One (1) Year Term from April 1, 2012
To March 31, 2013**

Andrew Beamer

**Two (2) Year Term from April 1, 2012
to March 31, 2014 -reappointment**

Ken Andrews

**Three (3) Year Term from April 1, 2012
to March 31, 2015 – reappointment**

Ken Smith

**5. Director of Corporate Services
Report CP12-001
Acting City Clerk Appointment**

That Council approve the recommendations outlined in Report CP12-001 dated March 26, 2012, of the Director of Corporate Services, as follows:

- a) That John Kennedy be appointed the Acting City Clerk for the Corporation of the City of Peterborough, effective April 14, 2012.**
- b) That By-law 02-073 be repealed effective April 14, 2012 and that a new by-law be passed to confirm the appointment of the Acting City Clerk.**
- c) That By-law 09-111 be amended as of April 14, 2012 to remove Nancy Wright-Laking as an Alternate Community Emergency Management Coordinator.**

**6. Director of Corporate Services
Report CPFS12-018
2011 Investment Report**

That Council approve the recommendation outlined in Report CPFS12-018 dated March 26, 2012, of the Director of Corporate Services, as follows:

That the 2011 Investment Report be received for information.

**City Council Minutes
Meeting of April 2, 2012
Page 15**

- 7. Director of Community Services
Report CSRS12-004
Little Lake Music Festival Fireworks Barge Acquisition –
Additional Information**

That Council approve the recommendation outlined in Report CSRS12-004 dated March 26, 2012, of the Director of Community Services, as follows:

That report CSRS12-004 be received for information.

- 8. Mayor Bennett
Report COU12-003
Gaming Opportunity**

That Council approve the recommendation outlined in Report COU12-003 dated March 26, 2012, of the Mayor, as follows:

That the Government of Ontario be advised that the City of Peterborough agrees in principle to its identification as a willing host for the introduction of a new gaming facility in the City, subject to Council review of the administrative, operational and financial arrangements for any such facility.

- 9. Chief Administrative Officer
Report CAO12-006
GPAEDC Presentation**

That Council approve the recommendation outlined in Report CAO12-006, dated March 26, 2012, of the Chief Administrative Officer as follows:

That the presentation by Dan Taylor, President and Chief Executive Officer of Greater Peterborough Area Economic Development Corporation be received for information.

**City Council Minutes
Meeting of April 2, 2012
Page 16**

**10. Chief Administrative Officer
Report CAO12-003
Appointment to the Shining Waters Railway Board**

That Council approve the recommendations outlined in Report CAO12-003 dated March 26, 2012, of the Chief Administrative Officer, as follows:

- a) That the Presentation of Tony Smith, President and Alan Wilson, Secretary, Shining Waters concerning the progress report of the Shining Waters Railway be received.
- b) That Mayor Daryl Bennett be appointed to the Shining Waters Railway Board.

**11. Director of Corporate Services
Report CPFS12-017
Award of Request for Proposals P-04-12 Five Year Refrigeration Compressor Preventive Maintenance Program**

That Council approve the recommendation outlined in Report CPFS12-017, dated March 26, 2012 of the Director of Corporate Services as follows:

That Request for Proposals P-04-12 for the Five Year Refrigeration Compressor Preventive Maintenance Program be awarded to Cimco Refrigeration, 61 Villarboit Crescent, Unit 1, Concord, ON L4K 4R1 for a five year term July 1, 2012 to December 31, 2016 at a total cost of \$473,300.38 plus HST of \$61,529.05 for a total of \$534,829.43.

**12. Director of Community Services
Report CSD12-005
Sustainable Peterborough**

That Council approve the recommendations outlined in Report CSD12-005 dated March 26, 2012, of the Director of Community Services as follows:

- a) That the Sustainable Peterborough Plan prepared by the Land Use Research Associates (LURA) consulting team be adopted; and that a By-law be enacted accordingly;

City Council Minutes
Meeting of April 2, 2012
Page 17

- b) That a Sustainable Peterborough Coordinating Committee to be formed as a sub-committee of the Greater Peterborough Area Economic Development Corporation to coordinate the continued progress of sustainability throughout the Greater Peterborough Area be endorsed;
- c) That the proposed operating budget of \$60,000 for the on-going coordination and staffing of Sustainable Peterborough from April 1, 2012 to March 31, 2012 be cost shared on a 50/50 basis between the County of Peterborough and the City of Peterborough, with the proposed City contribution of \$30,000 to be taken from the 2012 Sustainability Project Capital Budget;
- d) That the City of Peterborough agree to participate in the overall implementation of the Sustainable Peterborough Plan by becoming a Champion Level Community Partner of Sustainable Peterborough; and
- e) That the Mayor and Clerk be authorized to execute a Champion Level Partnership Agreement between the Corporation of the City of Peterborough and Sustainable Peterborough Coordinating Committee.

13. Director of Utility Services
Report USPW12-003
Half Load Restriction Amendments

That Council approve the recommendation outlined in Report USPW12-003 dated March 26, 2012, of the Director of Utility Services, as follows:

That By-Law 93-30 as amended, be amended to reflect current highway/roadway name changes and highways/roadways that have been reconstructed to a standard that no longer requires spring season weight restrictions as detailed in Appendix A of Report USPW12-003.

**City Council Minutes
Meeting of April 2, 2012
Page 18**

**14. Director of Utility Services
Report USDIR12-003
Budget Adjustment for the Parkhill Road Sanitary Sewage
Pumping Station Upgrade**

That Council approve the recommendations outlined in Report USDIR12-003 dated March 26, 2012, of the Director of Utility Services, as follows:

- a) That the 2011 Capital Budget (Reference No. 5-6.03) 2011 funds for Upgrades to the Parkhill Sewage Pumping Station be increased by \$2,470,000 from \$2,000,000 to \$4,470,000;
- b) That the 2011 Capital Budget (Reference No. 5-6.03) 2021-2025 funds in the amount of \$1,420,000 for Upgrades to the Parkhill Sewage Pumping Station be eliminated;
- c) That the 2012 Capital Budget (Reference No. 5-6.09) 2014 funds in the amount of \$3,100,000 for construction of a pumping station in the Lily Lake Planning Area be eliminated;
- d) That the additional funds in the amount of \$2,470,000 for Recommendation a) of this report be financed by an increase of \$2,470,000 in the debenture requirement for the project and a by-law be passed at a subsequent meeting to amend By-law 11-032 being the debenture by-law for the project;
- e) That the Development Charges by-law be amended to incorporate Recommendations a, b and c of Report USDIR12-003; and
- f) That owners of development land within the Jackson and Lily Lake Planning Areas be informed that they are required to pay the updated development charge rates, for all development applications, regardless of the status of the development.

City Council Minutes
Meeting of April 2, 2012
Page 19

15. City Solicitor and Director Legal Services
Report OCS12-002
Ministry of Transportation – Authorized Requester Agreements

That Council approve the recommendation outlined in Report OCS12-002 dated March 26, 2012, of the City Solicitor and Director of Legal Services, as follows:

That the City Clerk be authorized to execute the City's Ministry of Transportation (MTO) Authorized Requester Agreements, on behalf of the municipal corporation.

16. City Solicitor and Director Legal Services
Report OCS12-003
The Comprehensive Economic and Trade Agreement between
Canada and the European Union (CETA)

That Council approve the recommendations outlined in Report OCS12-003 dated March 26, 2012, of the City Solicitor and Director of Legal Services, as follows:

- a) That Council pass a resolution, attached as Appendix A, endorsing the Federation of Canadian Municipalities' (FCM) principles for negotiations relating to CETA in order to address municipal concerns in relation to trade deals; and
- b) That Council request the Province of Ontario to provide further information to municipalities with regards to procurement thresholds, local procurement needs and dispute resolution mechanisms.

The resolution was amended at the Council Meeting of April 2, 2012 by the addition of the word "immediately" prior to "accelerate direct dialogue" in the sixth paragraph of the resolution cited in a) Appendix "A", and the addition of item c).

**City Council Minutes
Meeting of April 2, 2012
Page 20**

- c) That the City of Peterborough advise the Federation of Canadian Municipalities and the Association of Municipalities of Ontario that it remains concerned about any agreement that could reduce or eliminate the right to specify local priorities as permitted when public money is invested in goods or services; and that the Federation of Canadian Municipalities and the Association of Municipalities of Ontario make every effort to protect or require local and Canadian content as a key component of any agreement.

17. Transient Trader Licences

That staff provide a brief update, including statistics on the number and type of transient trader licences purchased and how enforcement is conducted under the Business Licensing By-law.

Submitted by,

Councillor Hall
Chair
March 26, 2012