



**CITY COUNCIL MINUTES
CITY OF PETERBOROUGH
MARCH 1, 2010
DRAFT MINUTES NOT APPROVED**

**MINUTES OF A MEETING OF CITY COUNCIL HELD ON MARCH 1, 2010 IN
THE COUNCIL CHAMBERS, CITY HALL**

Meeting called to order at 6:30 p.m. in the Council Chambers.

Roll Call:

Councillor Clarke
Councillor Doris
Councillor Eggleton
Councillor Farquharson
Councillor Hall
Councillor Martin
Councillor Pappas
Councillor Peacock
Councillor Peeters
Councillor Vass, 6:42 p.m.
Mayor Ayotte

Ceremonial Presentations

A ceremony was held honouring World War I Veterans.

Dave Smith and Gord Herd of Community Living made a presentation to Council of honorary memberships to Community Living.

Ontario Heritage Trust Awards were presented to Andre Vallillee, Chris Gooderham, Geoff Eve, Cathy Dueck, Barb Boysen and Peter Beales.

Confirmation of Minutes

Moved by Councillor Peacock, seconded by Councillor Pappas

That the minutes of the meeting of Council held on February 8, 2009 be approved.

"CARRIED"

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Disclosure of Pecuniary Interest

There were no disclosures of interest.

Delegations

Planning Committee Report

There were no delegations.

Committee of the Whole Report

Rennie Marshall, 1264 Bridal Drive, made a delegation in respect to item 12, Committee of the Whole Report No. 5.

Other Items on this Agenda

There were no delegations.

Report Number 3 of Planning Committee

Moved by Councillor Farquharson, seconded by Councillor Eggleton

That Report Number 3 of the Planning Committee Meeting of February 16, 2010 be approved.

“CARRIED”

Report Number 4 of the Committee of the Whole

Moved by Councillor Hall, seconded by Councillor Vass

That Report Number 4 of the Committee of the Whole Meeting of February 16, 2010 be approved.

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Moved by Councillor Pappas, seconded by Councillor Vass

That Item 2 be amended by including e) as follows:

That a report that provides a review of response times be prepared for March 2011.

“CARRIED”

Moved by Councillor Hall, seconded by Councillor Vass

That Item 2a be deleted and that it be replaced with a guideline for the Peterborough Fire Service that indicates that four fire fighters should initially respond on scene.

Moved by Councillor Doris, seconded by Councillor Farquharson

That the Question be Put.

“LOST”

Upon the amending motion of Councillors Hall and Vass, this motion lost.

Moved by Councillor Peacock, seconded by Councillor Clarke

That the words “be adopted and” be removed from Item 2a.

“LOST”

Moved by Councillor Farquharson, seconded by Councillor Pappas

That Item 2 be separated for further discussion.

“CARRIED”

Moved by Councillor Farquharson, seconded by Councillor Vass

That Item 2 a) be separated for vote.

“CARRIED”

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Moved by Councillor Peeters, seconded by Councillor Pappas

That Item 2 be referred to the next Committee of the Whole meeting.

“LOST”

Moved by Councillor Vass, seconded by Councillor Pappas

That Item 2 a) be deleted.

Moved by Councillor Farquharson, seconded by Councillor Peacock

That the Question be Put.

“LOST”

Upon the amending motion of Item 2a, this motion lost.

Upon Item 2 a), this motion lost.

Upon the remainder of Item 2, this motion carried.

Upon the original motion of Councillors Hall and Vass less Item 2, this motion carried

Report Number 5 of the Committee of the Whole

Moved by Councillor Hall, seconded by Councillor Vass

That Report Number 5 of the Committee of the Whole Meeting of February 22, 2010 be approved.

Moved by Councillor Peeters, seconded by Councillor Vass

That Item 10c) be deleted.

“LOST”

Councillor Peeters left the Council Chambers at 9:43 p.m. and returned at 9:50 p.m.

Councillor Farquharson left the Council Chambers at 9:43 p.m. and returned at 9:55 p.m.

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Moved by Councillor Peacock, seconded by Councillor Vass

That the rules of order be suspended (Article 16.15.2) to extend the hour of adjournment past 10:00 p.m. to complete the agenda.

“CARRIED”

Upon the original motion of Councillors Hall and Vass, this motion carried

Notice of Motion

There was no notice of motion.

By-Laws

Moved by Councillor Doris, seconded by Councillor Eggleton

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

- | | |
|---------------|--|
| 10-025 | Being A By-Law To Authorize The Centotaph Advisory Committee To Maintain The Cenotaph Precinct And Regulate Public Gatherings Within The Cenotaph Precinct |
| 10-026 | Being A By-Law To Authorize The Execution Of An Agreement Between The Corporation Of The City Of Peterborough And Drain Bros. Excavating Limited For The Multi Use Trail Construction From Bethune Street To Bonaccord Street (T-01-10) |
| 10-027 | Being A By-Law To Authorize The Execution Of An Agreement Between The Corporation Of The City Of Peterborough And Accurex Inc. For The Reconstruction Of Romaine Street From Monaghan Road To Park Street (T-06-10) |
| 10-028 | Being A By-Law To Authorize The Delegation Of Certain Authority To The City Engineer, In Relation To The Temporary Closing Of Highways |
| 10-029 | Being A By-Law To Authorize The Execution Of An Agreement Between The Corporation Of The City Of Peterborough And Securitas Canada Limited For Parking Control Services For The City Of Peterborough (P-50-09) |

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- 10-030 Being A By-Law To Authorize The Execution Of A Book Entry Only - Services Agreement And A Rider, Both With CDS Clearing And Depository Services Inc. ("CDS") And Both In Respect Of The Deposit In The CDS System Of Debentures As Book Entry Only Securities**
- 10-031 Being A By-Law To Authorize The Borrowing Of The Principal Amount Of \$29,628,000 Through Installment Debentures For Capital Works Of The Corporation Of The City Of Peterborough**
- 10-032 Being A By-Law To Amend The Zoning By-Law For 264 Stewart Street**
- 10-033 Being A By-Law To Amend The Zoning By-Law For 890 And 896 Chemong Road**
- 10-034 Being A By-Law To Appoint Parking Enforcement Officers At 34 Hunter Street West (Pepsi QTG), 91 George Street North (Market Plaza), 809-875 Chemong Road (Chemong Plaza/Brookdale Plaza) And 1154 Chemong Road (Portage Mall)**
- 10-035 Being A By-Law To Authorize The Acquisition Of The Lands Municipally Known As 827 And 839 Clonsilla Avenue, In The City Of Peterborough, In The County Of Peterborough**

"CARRIED"

Confirmatory By-law

Moved by Councillor Eggleton, seconded by Councillor Doris

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

- 10-036 Being A By-Law To Confirm The Proceedings Of The Council At Its Meeting Held On March 1, 2010**

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"

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Adjournment

Moved by Councillor Peacock, seconded by Councillor.Pappas

That this meeting of City Council adjourn at 10:00 p.m.

“CARRIED”

Nancy Wright-Laking
City Clerk

D. Paul Ayotte
Mayor

**PLANNING COMMITTEE REPORT NO. 3
MEETING OF FEBRUARY 16, 2010**

**TO THE COUNCIL OF THE CITY OF PETERBOROUGH, FOR
CONSIDERATION AT ITS MEETING HELD MARCH 1, 2010**

**THE PLANNING COMMITTEE, AS A RESULT OF ITS MEETING HELD ON
FEBRUARY 16, 2010 RECOMMENDS AS FOLLOWS:**

- 1. Manager, Planning Division
Report PLPD10-012
Application for Condominium Approval
19 Units at 301 Carnegie Avenue**

That Council approve the recommendations outlined in report PLPD10-012 dated February 16, 2010 of the Manager of Planning as follows:

- a) That the application for condominium approval submitted by Triple T Holdings Limited to exempt 19 units from the Section 50 requirements of the *Planning Act* (as amended) in accordance with Subsection 50(3) of the *Condominium Act* (as amended) at 301 Carnegie Avenue be approved.
- b) That the condominium plans be submitted to the satisfaction of the Director of Planning and Development Services Department.
- c) That the Director of Planning and Development Services be given authorization to stamp, date, and sign the condominium plans indicating approval, by the Council of the Corporation of the City of Peterborough, under Section 50 of the *Condominium Act*, (as amended).
- d) That the registration of the condominium plans be withheld until such time as the majority of site work is complete, and the Building Division indicates that all the units are ready for occupancy.

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**2. Manager, Planning Division
Report PLPD10-010
264 Stewart Street**

That Council approve the recommendations outlined in Report PLPD10-010 dated February 16, 2010, of the Manager, Planning Division, as follows:

- a) That the zoning of the subject property, be amended from the R.1, R.2, R.3 - Residential District to the SP.241,11h -'H' – Special District Commercial in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD10-010.
- b) That the 'H' Holding Symbol be removed once the following has been addressed:
 - i) Site Plan Approval is granted for the subject property, including:
 - aa) an agreement with the City of Peterborough to provide cash-in-lieu of parking under Section 40 of the Planning Act, R.S.O., c.P.13 ; and
 - bb) provisions for the encroachment of the existing porch within the road allowance for Stewart Street.
 - ii) That the applicant obtain verification from the Building Division, that the Change of Use of the building and any related construction undertaken, complies with the requirements of the Building Code Act, R.S.O. 1990 and the Ontario Building Code.
- c) That clinic use be deleted as a permitted use for the property.

**3. Manager, Planning Division
Report PLPD10-011
890 and 896 Chemong Road**

That Council approve the recommendations outlined in Report PLPD10-011 dated February 16, 2010, of the Manager, Planning Division, as follows:

- a) That the SP.341 – Special Commercial District be amended in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD10-011, to add regulations to address the following:

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- i) limit the size of an individual clinic to a maximum building floor area of 300 m² per clinic
 - ii) include a provision for a minimum building setback of 9m from a rear lot line
- b) That Section 3.9 Exceptions of By-law 97-123 be amended by adding the following in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD10-011:

“.250 Notwithstanding the minimum building setback from a rear lot line as identified in Section 371.3 c), the northeast corner of the main building is permitted to be setback a minimum of 6.6m from the rear lot line.”
- c) That the zoning of the subject properties, be amended from the R.1 Residential District, to the SP. 341–250-‘H’ – Special Commercial District, as amended, to permit clinic use, in accordance with the draft amendment attached as Exhibit 'C' to Report PLPD10-011.
- d) That the 'H' Holding Symbol be removed at such time as Site Plan Approval is granted for the subject properties, including:
 - i) a provision requiring that the properties known as 890 and 896 Chemong Road be merged in title; and
 - ii) road widening along Chemong Road;
 - iii) provision of an easement in favour of the City of Peterborough along the southerly lot line, to facilitate future connection to the lands to the south, if required; and
 - iv) provision for a 'right in' only, from Chemong Road.

All of which is respectfully submitted,

Councillor Farquharson
Chair
February 16, 2010

**COMMITTEE OF THE WHOLE REPORT NO. 4
MEETING OF FEBRUARY 16, 2010**

**TO THE COUNCIL OF THE CITY OF PETERBOROUGH FOR
CONSIDERATION AT ITS MEETING HELD MARCH 1, 2010**

**THE COMMITTEE OF THE WHOLE, AS A RESULT OF ITS MEETING HELD
ON FEBRUARY 16, 2010 RECOMMENDS AS FOLLOWS:**

- 1. Director of Community Services
Report CSF10-004
Fire Station Location Review – Public Meeting Results**

That Council approve the recommendation outlined in Report CSF10-004 dated February 16, 2010 of the Director of Community Services as follows:

That the Report be received for information.

- 2. Director of Community Services
Report CSF10-001(B)
Station Location Review & Implementation**

That Council approve the recommendations outlined in Report CSF10-001(B) dated February 16, 2010 of the Director of Community Services as follows:

- ~~a) That a response time of four minutes with four firefighters on scene with the first arriving pumper, 90% of the time be adopted and serve as a guideline for the locations of proposed Fire Stations;~~
- b) That a response time of ten minutes with ten firefighters on scene 90% of the time to a single family dwelling also be adopted;
- c) That the Station Location Review presentation be received for information and be used as a planning guide for the rebuilding and/or relocation of Fire stations.

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- d) That staff prepare a supplementary report on fire safety guidelines.**

At the Council Meeting on March 1, 2010, item A was lost and that the recommendation was amended by adding item E.

- e) That a report that provides a review of response times be prepared for March, 2011.**

All of which is respectfully submitted,

Councillor B. Hall
Chairman
February 16, 2010

**COMMITTEE OF THE WHOLE REPORT NO. 5
MEETING OF FEBRUARY 22, 2010**

**TO THE COUNCIL OF THE CITY OF PETERBOROUGH FOR
CONSIDERATION AT ITS MEETING HELD MARCH 1, 2010**

**THE COMMITTEE OF THE WHOLE, AS A RESULT OF ITS MEETING HELD
ON FEBRUARY 22, 2010 RECOMMENDS AS FOLLOWS:**

- 1. Report of Closed Session
Director of Planning and Development Services
Report PLPD10-009A
Purchase of Property at 827-839 Clonsilla Avenue**

That Council approve the recommendation outlined in Report PLPD10-009A dated February 22, 2010, of the Director of Planning and Development Services as follows:

That a by-law be passed to authorize the purchase of property, buildings and chattels at 827-839 Clonsilla Avenue, from ILO Investments INC. for a purchase price of \$1,375,000.00, plus land transfer tax of \$23,975.00, with funds drawn from the Station Location Project (Budget Reference 6-07.04) of the approved 2010 Capital Budget.

- 2. Director of Community Services
Report CSSS10-002
Social Services 2009 Year-End Program Statistics Report**

That Council approve the recommendation outlined in Report CSSS10-002 dated February 22, 2010, of the Director of Community Services, as follows:

That the Social Services Program Statistics Report be received for information.

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**3. Director of Utility Services
Report USEC10-003
Award of Utility Services Major Construction Works Tender T-01-10
for Multi-Use Trail Construction
Bethune Street to Bonaccord Street**

That Council approve the recommendations outlined in Report USEC10-003 dated February 22, 2010, of the Director of Utility Services, as follows:

- a) That the Capital budget for the construction of the Multi-use trail from Bethune Street to Bonaccord Street be increased from \$402,606.00 to \$435,000.00 with the additional \$32,394.00 being transferred from the Utility Services Reserve; and
- b) That Utility Services Major Construction Works Tender T-01-10, for construction of the Bethune Street to Bonaccord Street multi-use trail be awarded to Drain Bros. Excavating Limited, RR#2 Lakefield, Ontario, K0L 2H0 at a cost of \$408,545.00 (PST included) plus \$20,427.25 GST for a total cost of \$428,972.25.
- c) That a by-law be enacted authorizing the Mayor and the Clerk to sign the Agreement.

**4. Director of Utility Services
Report USTR10-001
Award of P-50-09 for Parking Control Services**

That Council approve the recommendations outlined in Report USTR10-001 dated February 22, 2010, of the Director of Utility Services, as follows:

- a) That P-50-09 for Parking Control Services be awarded to Securitas Canada Limited, 349 George Street North, Suite 206, Peterborough, Ontario, K9H 3P9, at a cost of \$621,663.12 plus \$31,083.16 GST, PST not applicable, for a total cost of \$652,746.28 per year increased by the Average Annual Provincial Consumer Price Index for years 2 thru 5, for a period of five years starting April 1, 2010 until March 31, 2015; and
- b) That a by-law be enacted authorizing the Mayor and the Clerk to sign the Agreement.

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5. Director of Utility Services
Report USDIR10-003
Temporary Closing of Highways

That Council approve the recommendations outlined in Report USDIR10-003 dated February 22, 2010, of the Director of Utility Services, as follows:

- a) That the City Engineer be delegated the authority to close a highway, for a temporary period for the purpose of the construction, repair or improvement of such highway, or portion thereof, or for any works incidental to, under, along, over, across or upon such highway, or portion thereof, as deemed to be requisite by the said City Engineer;
- b) That all temporary road closures in excess of 30 days be posted on the City of Peterborough webpage and each member of City Council be notified individually of the said closure; and
- c) That a by-law be enacted to delegate authority to the City Engineer to temporarily close a highway.

6. Director of Utility Services
Report USEC10-005
Budget adjustments and award of Tender T-06-10 Romaine Street Reconstruction (Monaghan Road to Park Street)

That Council approve the recommendations outlined in Report USEC10-005 dated February 22, 2010, of the Director of Utility Services, as follows:

- a) That the 2009 Capital budget for the Romaine Street reconstruction (Item 5-6.02) be increased from \$1,500,000 to \$1,898,000;
- b) That Tender T-06-10 for the reconstruction of Romaine Street be awarded to Accurex Inc., 150 O'Carroll Avenue, Unit 1, Peterborough, ON, K9H 4V3 at a total cost of \$1,680,706.04 (PST included) plus GST of \$84,035.30 for a total of \$1,764,741.34; and
- c) That a by-law be enacted authorizing the Mayor and Clerk to sign the contract agreement.

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7. Senior Director of Corporate Services
Report CPFPRS10-007
Peterborough Airport Status Report – February 2010

That Council approve the recommendation outlined in Report CPFPRS10-007, dated February 22, 2010, of the Senior Director of Corporate Services as follows:

That Report CPFPRS10-007 providing a status update on the Peterborough Airport Project be received as information.

8. CORRESP10-006
City of Kingston
Haiti Debt Relief

That the correspondence from the City of Kingston seeking support to a resolution petitioning the Federal Government to provide complete debt forgiveness to Haiti be received for information.

9. Director of Community Services
Report CSACH10-003
Art Gallery of Peterborough Strategic Plan

That Council approve the recommendation outlined in Report CSACH10-003 dated February 22, 2010, of the Director of Community Services, as follows:

That the presentation and report outlining the Art Gallery of Peterborough's Strategic Plan be received for information.

10. Director of Community Services
Report CSACH10-002
Revised Cenotaph By-law

That Council approve the recommendations outlined in Report CSACH10-002 dated February 22, 2010, of the Director of Community Services, as follows:

- a) That Council enact the attached By-law for the purpose of maintaining, conserving and regulating the use of the area of Confederation Square that encompasses the Cenotaph and the Veterans Wall of Honour.
- b) That Section 4.b.iii of the Revised Cenotaph By-law be amended from "The Royal Canadian Air Force Association" to "The 428 (Peterborough) Wing Air Force Association of Canada".

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- c) That Section 4.a. of the Revised Cenotaph By-law, be amended by adding, "or if time does not permit, to delegate the authority to the Community Services Department."

**11. Director of Community Services
Report CSF10-005
Station Location Review – Clarification of Guidelines**

That Council approve the recommendation outlined in Report CSF10-005 dated February 22, 2010 of the Director of Community Services as follows:

That the Report be received for information.

**12. City Solicitor, Director of Legal Services
Senior Director of Corporate Services
Report OCS10-002
Lease Amendment and Extension Agreement – 200 Jameson Drive**

That Council approve the recommendations outlined in Report OCS10-002 dated February 22, 2010 of the City Solicitor, Director of Legal Services and Senior Director of Corporate Services:

- a) That the City enter into a Lease Amendment and Extension Agreement between the Corporation of the City of Peterborough and AmeriCredit; and
- b) That a by-law be enacted authorizing the Mayor and City Clerk to execute and seal the necessary agreements.

**13. Senior Director of Corporate Services
Report CPFPRS10-006
Annual Accessibility Report**

That Council approve the recommendation outlined in Report CPFPRS10-006 dated February 22, 2010, of the Senior Director of Corporate Services, as follows:

That the Annual Accessibility Report, as set out in Appendix A to Report CPFPRS10-006, be approved, and be submitted to the Ministry of Community and Social Services.

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14. Senior Director of Corporate Services
Report CPFPRS10-004
Property Tax Exemption for Sisters of St. Joseph of the Diocese of Peterborough, in Ontario

That Council approve the recommendations outlined in Report CPFPRS10-004 dated February 22, 2010, of the Senior Director of Corporate Services as follows:

- a) That Council support the request from The Sisters of St. Joseph of the Diocese of Peterborough, in Ontario to the Province of Ontario, for private legislation which would authorize the City of Peterborough to exempt the property located at 1555 Monaghan Road from taxation for municipal and school purposes, excluding garbage taxes, as long as:
 - i) The specified property is owned, occupied and used solely for the purposes of the Sisters of St. Joseph of the Diocese of Peterborough, in Ontario; and
 - ii) The Sisters of St. Joseph of the Diocese of Peterborough, in Ontario remain a registered charity within the meaning of the Income Tax Act (Canada), and
- b) That upon notification of Provincial approval, a by-law be passed exempting the property located at 1555 Monaghan Road from property taxes, excluding garbage taxes.

All of which is respectfully submitted,

Councillor B. Hall
Chairman
February 22, 2010