



**City Council Minutes
City Of Peterborough
October 24, 2011
Draft Minutes Not Approved**

Minutes of a Meeting of City Council Held on October 24, 2011 in the Council Chambers, City Hall

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

Roll Call:

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

A Remembrance Day Observance Service was led by Councillor Clarke.

Confirmation of Minutes – October 3, 2011

Moved by Councillor Clarke, seconded by Councillor Pappas

That the minutes of the meeting of Council held on October 3, 2011 be approved.

“CARRIED”

Disclosure of Pecuniary Interest

Councillor Hall declared an interest in item 6 (Report COU11-007, School Board School Closure), on Committee of the Whole report number 17 as he is employed with the Kawartha Pine Ridge District School Board.

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Delegations

Antje Gareau (75 Village Crescent) made a delegation to Item 3 of the Planning Committee Report No. 11 (Report PLPD11-072, Update on City Telecommunication Structures Policy).

Jay Amer (205-261 George Street North) made a delegation to Item 6 of the Committee of the Whole Report No. 17 (Report COU11-007, School Board School Closure).

Eileen Madder (1644 Pinehill Drive) made a delegation to Item 6 of the Committee of the Whole Report No. 17 (Report COU11-007, School Board School Closure).

Allan Wood and Sheila Wood (472 Roger Street), Wendy Ryan (2652 Ridgetop Crescent) and Paul Schaubert (700-58 Parkhill Road West) made a delegation to Item 9 of the Committee of the Whole Report No. 17 (Report CSRS11-010, Request to Create an Off-Leash Dog Park).

Dr. Charlie Menendez (859 Wedgewood Court) made a delegation to Item 6 of the Committee of the Whole Report No. 17 (Report COU11-007, School Board School Closure)

Dr. Mark Seasons made a delegation to Item 6 of the Committee of the Whole Report No. 17 (Report COU11-007, School Board School Closure) and provided a PowerPoint presentation.

Alvin Schieck (459 George Street North) made a delegation to Item 6 of the Committee of the Whole Report No. 17 (Report COU11-007, School Board School Closure).

Virginia Brand (115 Morrow Street) made a delegation to Item 6 of the Committee of the Whole Report No. 17 (Report COU11-007, School Board School Closure).

Herb Wiseman (69 Village Crescent) made a delegation to Item 3 of Planning Committee Report No. 11 (Report PLPD11-072, Update on City Telecommunication Structures Policy).

Teresa Daw (69 Village Crescent) made a delegation to Item 3 of Planning Committee Report No. 11 (Report PLPD11-072, Update on City Telecommunication Structures Policy).

Jim Robinson (375 Martin Road) made a delegation to Item 6 of the Committee of the Whole Report No. 17 (Report COU11-007, School Board School Closure).

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Moved by Councillor Pappas, Seconded by Councillor Parnell

That the Rules of Order be suspended (Article 16.8.2) to allow delegations to proceed past 9:00 p.m., to completion.

“CARRIED”

Peter Spasov (514 Elgar Drive, Millbrook) made a delegation to Item 6 of the Committee of the Whole Report No. 17 (Report COU11-007, School Board School Closure).

Chris Gooderham (417 Dublin Street) made a delegation to Item 6 of the Committee of the Whole Report No. 17 (Report COU11-007, School Board School Closure)

Matthew Finlan (2627 Ridgetop Crescent) made a delegation to Item 6 of the Committee of the Whole Report No. 17 (Report COU11-007, School Board School Closure).

Barbara Townsend made a delegation to Item 6 of the Committee of the Whole Report No. 17 (Report COU11-007, School Board School Closure).

Nicole Hurley (1344 Royal Drive) made a delegation to Item 3 of Planning Committee Report No. 11 (Report PLPD11-072, Update on City Telecommunication Structures Policy).

Malini Menon (1656 Champlain Drive) made a delegation to Item 3 of Planning Committee Report No. 11 (Report PLPD11-072, Update on City Telecommunication Structures Policy).

Nicole Hurley (1344 Royal Drive) made a delegation to Item 3 of Planning Committee Report No. 11 (Report PLPD11-072, Update on City Telecommunication Structures Policy).

Craig Niziolek (469 Hopkins Avenue) made a delegation to Item 3 of Planning Committee Report No. 11 (Report PLPD11-072, Update on City Telecommunication Structures Policy).

John Fredrickson (167 Creekwood Drive) made a delegation to Item 6 of the Committee of the Whole Report No. 17 (Report COU11-007, School Board School Closure).

Herb Wiseman (69 Village Crescent) made a delegation to Item 6 of the Committee of the Whole Report No. 17 (Report COU11-007, School Board School Closure).

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Dr. Alicja Zobel-Brown (4379 9th Line) made a delegation to Item 3 of Planning Committee Report No. 11 (Report PLPD11-072, Update on City Telecommunication Structures Policy).

Randy Marshall made a delegation to Item 6 of the Committee of the Whole Report No. 17 (Report COU11-007, School Board School Closure).

Councillor Pappas, Seconded by Councillor Doris

That the Rules of Order be suspended (Article 16.15.2) to allow the meeting to proceed past 10:00 p.m., to completion.

“CARRIED”

The Mayor called a fifteen minute recess commencing at 10:00 p.m. The Council meeting reconvened at 10:15 p.m.

Moved by Councillor Pappas, seconded by Councillor Clarke

That the agenda be amended by addressing item 6 of Report 17 of the Committee of the Whole as the first item of business.

“CARRIED”

Report Number 17 of the Committee of the Whole – Item 6

Moved by Councillor Juby, and Seconded by Councillor Pappas

That item 6 of Report 17 be separated out for discussion.

“CARRIED”

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Moved by Councillor Hall, Seconded by Councillor Riel

That item 6 of Report 17 of the Committee of the Whole meeting of October 17, 2011 be approved.

Councillor Hall did not participate in the discussions or vote on the motions related to item 6, due to his previously declared conflict.

Councillor Riel asked that items a) to d) be separated from item 6 and requested a recorded vote.

Item 6 a)

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

“CARRIED”

Item 6 b)

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

“CARRIED”

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Item 6 c)

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

“CARRIED”

Item 6 d)

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

“CARRIED”

Upon item 6, this motion carried.

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Report Number 11 of the Planning Committee

Moved by Councillor Hall, seconded by Councillor Riel

That Report Number 11 of the Planning Committee Meeting of October 11, 2011, be approved.

Councillor Pappas requested that item 3, Report PLPD11-072 be separated.

Moved by Councillor Pappas, Seconded Councillor Hall

That recommendation (v) of Report PLPD11-072 be deleted.

Moved by Councillor Vass, Seconded by Councillor Doris

That the Rules of Order be suspended, to permit a question to be asked of an audience member.

“MOTION WITHDRAWN”

Moved by Councillor Vass, Seconded by Councillor Clarke

That the Question be Put.

“LOST”

Moved by Councillor Vass, Seconded by Councillor Pappas

That recommendation (v) of Report PLPD11-072, be reconsidered.

“LOST”

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Moved by Councillor Clarke, Seconded by Councillor Juby

That the Question be Put.

“CARRIED”

Upon item 3, this motion carried.

Moved by Councillor Parnell, Seconded by Councillor Clarke

That item 2 (Report PLPD11-068 Proposed Telecommunication Structure, 1535 Water Street) be deferred until the November 21, 2011 Planning Committee Meeting.

“MOTION WITHDRAWN”

Upon the main motion less items 3 and 4, this motion carried.

Upon item 4, this motion carried.

Report Number 2 of the Audit Committee

Moved by Councillor Clarke, Seconded by Councillor Riel

That Report Number 2 of the Audit Committee Meeting of September 26, 2011, be approved.

“CARRIED”

Report Number 3 of the Audit Committee

Moved by Councillor Clarke, Seconded by Councillor Riel

That Report Number 3 of the Audit Committee Meeting of October 17, 2011, be approved.

“CARRIED”

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Report Number 17 of the Committee of the Whole

Moved by Councillor Hall, Seconded by Councillor Riel

That Report Number 17 of the Committee of the Whole Meeting of October 17th, excluding item 6, be approved.

Councillor Juby requested that item 9 be separated out for discussion.

Moved by Councillor Juby, Seconded by Councillor Hall

That item 9 e) of the Committee of the Whole Report Number 17 be amended to include “and that the City Solicitor and City Insurance Broker be directed to prepare a report on potential liability to the municipality.”

“CARRIED”

Upon the main motion as amended, less item 6, this motion carried.

Report Number 12 of the Planning Committee

Moved by Councillor Hall, seconded by Councillor Riel

That Report Number 12 of the Special Planning Committee Meeting of October 24, 2011, be approved.

“CARRIED”

Notice of Motion

There were no Notices of Motion.

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By-Laws

Moved by Councillor Parnell, seconded by Councillor Clarke

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

- 11-130 Being A By-law To Appoint Parking Enforcement Officers At 599 And 659 Brealey Drive, 1 Residence Circle, 555 Bonaccord Street And 555 Wilfred Drive**
- 11-131 Being a By-law to extend the Heritage Property Tax Relief Program to the properties at 651 Gilmour Street and 788 Aylmer Street North, commonly known as the Campbell-Hatton House and the Copping Cottage**

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

There was no Other Business.

Confirmatory By-law

Moved by Councillor Parnell, seconded by Councillor Clarke

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

- 11-132 Being A By-Law To Confirm The Proceedings Of The Council At Its Meeting Held On October 24, 2011**

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 Clarke, seconded by Councillor Pappas

That this meeting of City Council adjourn at 12:33 a.m on October 25, 2011.

“CARRIED”

Natalie Garnett
Deputy City Clerk

Daryl Bennett
Mayor

**Planning Committee Report No. 11
Meeting of October 11, 2011**

To The Council of the City of Peterborough, for Consideration at its Meeting Held October 24, 2011

The Planning Committee, as a Result of its Meeting Held on October 11, 2011 Recommends as Follows:

**1. Manager, Planning Division
Report PLPD11-070
Source Water Protection
Information Report and Presentation**

That Council approve the recommendations outlined in Report PLPD11-070, dated October 11, 2011 of the Manager, Planning Division, as follows:

- a) That Report PLPD11-070 and presentation be received.**
- b) That staff be directed to communicate comments from the City on the draft policies back to the Source Water Protection Committee.**

Committee, at its meeting of October 11, 2011 made the following recommendation:

- c) That a special Planning Committee meeting be held on October 24, 2011 to consider the types of Source Water Protection comments to provide to the Trent Conservation Coalition and that this report be tabled on the October 24, 2011 Council agenda.**

**2. Manager, Planning Division
Report PLPD11-068
1535 Water Street
Proposed Telecommunication Structure**

That Council approve the recommendations outlined in Report PLPD11-068 dated October 11, 2011, 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 1535 Water Street, has been subject to the City of Peterborough's Draft Telecommunications Structures Policy and Procedure.**

- b) That Industry Canada be further advised that the proposal for a telecommunications structure at 1535 Water Street has generated concern from the public as documented by The Biglieri Group and summarized in Exhibits C, D and E of Report PLPD11-068.

Committee, at its meeting of October 11, 2011 made the following recommendation:

- c) That Industry Canada be further advised that the City opposes the telecommunications structure at 1535 Water Street, as this structure is within 120 m of a residential area.

3. Manager, Planning Division Report PLPD11-072 Update on City Telecommunication Structures Policy

That Council approve the recommendations outlined in Report PLPD11-072 dated October 11, 2011, of the Manager, Planning Division, as follows:

- a) That the Telecommunication Structure Procedure be amended to provide clarity and to facilitate structures on large parcels of land, providing appropriate buffering from residential lands and/or schools, in accordance with the following:
 - i) Require public consultation for structures located within 120m or three times the tower height, whichever is greater, of land zoned to permit residential use or from lands where an elementary or secondary school is located, to be measured from the base of the tower or the outside perimeter of the supporting structure, whichever is greater; and
 - ii) Strongly discourage new telecommunication structures within 120m or three times the tower height, whichever is greater, of land zoned to permit residential use or from lands where an elementary or secondary school is located, to be measured from the base of the tower or the outside perimeter of the supporting structure, whichever is greater. A detailed rationale for the necessity of this location must be provided in the Site Selection and Justification Report; and

- iii) **Exempt proposals for new telecommunication structures from public consultation process, in instances where the new structure is located a minimum of 120m or three times the tower height from lands zoned to permit residential or from lands where an elementary or secondary school is located, to be measured from the base of the tower or the outside perimeter of the supporting structure, whichever is greater; and**
- iv) **Clarify exclusions from the requirements for public consultation to facilitate co-location on an existing tower or existing structure when the site is located on lands or is within 120m of land zoned to permit a residential use.**

Committee, at its meeting of October 11, 2011 made the following recommendation:

- v) **That the notification area be reduced from 400m to 120m to be in-line with Industry Canada recommendations.**

4. Invitation to Appear Before Council

That an invitation be extended to our Member of Parliament, Health Canada and Industry Canada to appear before Council regarding the placement of cell phone towers.

Submitted by,

Councillor Hall
Chair
October 11, 2011

**Audit Committee Report No. 2
Meeting Of September 26, 2011**

**To The Council Of The City Of Peterborough For Consideration At Its
Meeting Held October 24, 2011**

**The Audit Committee, As A Result Of Its Meeting Held On September 26,
2011, Recommends As Follows:**

- 1. Director of Corporate Services
Report CPFS11-031
Report on Results of the 2010 Municipal Performance
Measurement Program**

**That Council approve the recommendation outlined in report CPFS11-031 dated
September 26, 2011 from the Director of Corporate Services as follows:**

**That Report CPFS11-031 providing the City of Peterborough's 2010 results of the
Provincially mandated Municipal Performance Measurement Program be
received as information.**

Submitted by,

Councillor Clarke
Chair
September 26, 2011

**Audit Committee Report No. 3
Meeting Of October 17, 2011**

**To The Council Of The City Of Peterborough For Consideration At Its
Meeting Held October 24, 2011**

**The Audit Committee, As A Result Of Its Meeting Held On October 17,
2011, Recommends As Follows:**

**1. Director of Corporate Services
Report CPFS11-036
2011 Audit Plan and Pre-Audit Planning Letter**

**That Council approve the recommendations outlined in report CPFS11-036 dated
October 17, 2011, of the Director of Corporate Services as follows:**

- a) That the 2011 Audit Plan for the Corporation of the City of Peterborough
attached to report CPFS11-036 as Appendix A be received, as amended.**
- b) That the Mayor and Chair of the Audit Committee be authorized to sign the
Pre-Audit Planning Letter attached to report CPFS11-036 as Appendix B.**

Submitted by,

Councillor Clarke
Chair
October 17, 2011

Committee of the Whole Report No. 17
Meeting of October 17, 2011

To the Council of the City of Peterborough for Consideration at its Meeting Held October 24, 2011

The Committee of the Whole as a Result of its Meeting Held on October 17, 2011, Recommends as Follows:

- 1. Report of Closed Session**
City Clerk
Report CPCLK11-013
Appointment to the Peterborough Downtown Business Improvement Area Board of Management

That Council approve the recommendation outlined in report CPCLK11-013, dated October 17, 2011, of the City Clerk, as follows:

That the following individual be appointed to the Peterborough Downtown Business Improvement Area Board of Management, for term to expire November 30, 2014:

Korina Schonberg

- 2. Director of Corporate Services**
Report CPFS11-035
Notice of Public Meeting - November 7, 2011
Development Charges Background Study

That Council approve the recommendations outlined in Report CPFS11-035 dated October 17, 2011, of the Director of Corporate Services, as follows:

- a) That report CPFS11-035 advising Council that a public meeting will be held on November 7, 2011 at 5:00 pm in the Council Chambers to present a Development Charges Background Study and to hear public delegations, be received.
- b) That a further report be presented to the December 5, 2011 Committee of the Whole meeting to recommend:

- i) That the only change to the City-wide Engineering Services Development Charges By-law (By-law 09-167) be to extend the December 31, 2011 expiry date until such time as Council has approved the 2011 Transportation Plan and the growth related Plan projects are properly reflected in the study, and
- ii) That a new Development Charges By-law for the Chemong Growth Area be approved.

**3. Director of Planning and Development Services
Report PLHD11-005
Housing is Fundamental 2011 – Information Report**

That Council approve the recommendation outlined in Report PLHD11-005 dated October 17, 2011, of the Director of Planning and Development Services, as follows:

That the presentation and report “*Housing is Fundamental 2011*” of the Affordable Housing Action Committee (AHAC) be received for information.

**4. Director of Corporate Services
Director of Planning and Development
Report CP11-004
Accessibility Advisory Committee Role**

That Council approve the recommendations outlined in Report CP11-004 dated October 17, 2011, of the Director of Corporate Services and the Director of Planning, as follows:

- a) That, as of January 1, 2012, a nine member Accessibility Advisory Committee be created (separate from the Council for Persons with Disabilities), to fulfill the duties of a municipal Accessibility Advisory Committee and that the committee:
 - i) Be an Advisory Committee of Council;
 - ii) Include one Member of Council, and
 - iii) Be given the authority to establish sub-committees as necessary.
- b) That the current members of the Council for Persons with Disabilities be invited to sit on the Accessibility Advisory Committee.

- c) That the motion approved by Council on September 16, 2002 as outlined in Report FACLK02-008, which appointed the Council for Persons with Disabilities as the Accessibility Advisory Committee for the City of Peterborough, be rescinded.

**5. Director of Utility Services
Report USWM11-004
City Waste Management Master Plan – Goals and Objectives**

That Council approve the recommendation outlined in Report USWM11-004 dated October 17, 2011 of the Director of Utility Services, as follows:

That Council approve in principal the Goals and Objectives for the City's Waste Management Master Plan, as presented in Appendix "A" of Report USWM11-004.

**6. Mayor Daryl Bennett
Report COU11-007
School Board School Closure**

That Council approve the recommendations outlined in Report COU11-007 dated October 17, 2011, of the Mayor, as follow:

- a) That, in order to assist in generating meaningful community dialogue on the future of secondary schools in the City, Council indicate to the Ontario Minister of Education its support for the appeal of the Peterborough Collegiate Foundation from the decision of the Kawartha Pine Ridge District School Board to close PCVS and its request for careful review of the adequacy of the process involving decision making by the Accommodation Review Committee and the Board.
- b) That Council urge the Ontario Minister of Education to review the secondary school funding formula, particularly as it applies to older and smaller downtown schools, with a view to its inconsistency with the purposes of the Places to Grow Act and its intensification and growth objectives.
- c) That staff be requested to bring forward a report reviewing the appropriateness of the zoning bylaw as it applies to the PCVS property.
- d) That staff be requested to bring forward a report setting out the pros and cons and steps required to designate the PCVS building under the Ontario Heritage Act.

**7. Director of Planning and Development Services
Report PLHD11-004
Competitive Bidding for Social Housing Insurance**

That Council approve the recommendation outlined in Report PLHD11-004 dated October 17, 2011, of the Director of Planning and Development Services, as follows:

That Report PLHD11-004 Competitive Bidding for Social Housing be received for information.

**8. Director of Planning and Development Services
Report PLHD11-006
Update on Investment in Affordable Housing (IAH)**

That Council approve the recommendation outlined in Report PLHD11-006 dated October 17, 2011, of the Director of Planning and Development Services, as follows:

That report PLHD11-006 be received for information.

**9. Director of Community Services
CSRS11-010
Request to Create an Off-Leash Dog Park**

Committee at its meeting of October 17, 2011 made the following amendments to the main motion:

- a) That the introduction of an off-leash dog park be approved in principle;**
- b) That the recommended off-leash dog park site selection criteria, attached to this report as Appendix "A" be received;**
- c) That staff be directed to work with the Peterborough Dog Owners Association to identify suitable off-leash dog park locations, and to identify and report on a funding formula to offset capital and operating expenses;**
- d) Following the completion of the report referred to in recommendation c), that the Arenas Parks and Recreation Advisory Committee recommend off-leash dog park locations;**

- e) That staff be directed to report back to Council regarding proposed locations for an off-leash dog park; and
- f) That approval be granted for the City to accept donations, issue income tax receipts to donors, and deposit all monies received in an account held by the City, in support of the ongoing operational costs of the off-leash dog park.

At the Council meeting of October 24, 2011 the following addition to the main motion was made:

That Section e) be amended to include **“and that the City Solicitor and City Insurance Broker be directed to prepare a report on potential liability to the municipality.”**

Submitted by,

Councillor Hall
Chair
October 17, 2011

**Planning Committee Report No. 12
Meeting of October 24, 2011**

**To The Council of the City of Peterborough, for Consideration at its
Meeting Held October 24, 2011**

**The Planning Committee, as a Result of its Meeting Held on October 24,
2011 Recommends as Follows:**

- 1. Manager, Planning Division
Report PLPD11-070A
Source Water Protection
Municipal Comments on Source Protection Policies**

**That Council approve the recommendation outlined in Report PLPD11-070A,
dated October 24, 2011 of the Manager, Planning Division, as follows:**

**That comments on the Draft Source Water Protection Policies that are attached
to Report PLPD11-070A as Exhibit A be provided to the Source Water Protection
Committee.**

Submitted by,

Councillor Hall
Chair
October 11, 2011