	THE CORPORATION OF THE TOWN OF COBOURG
	Regular Council AGENDA
	Tuesday May 22, 2018 at 4:00 PM Council Chambers, Victoria Hall, Cobourg

A Regular Council meeting of the Cobourg Municipal Council will be held on Tuesday May 22, 2018 at 4:00 PM in the Council Chambers, Victoria Hall, Cobourg.

I CALL TO ORDER

II CLOSED SESSION

1. Closed Session

Action Recommended:

THAT Council meet in Closed Session at 3:00 P.M. in accordance with Section 239 of the *Municipal Act S.O. 2001* regarding:

- litigation or potential litigation, including matters before administrative
- e) tribunals, affecting the municipality or local board.

1. Official Plan Appeal Ontario Municipal Board

III MOMENT OF REFLECTION

IV ADDITIONS TO THE AGENDA

V DISCLOSURE OF PECUNIARY (FINANCIAL) INTEREST

VI ADOPTION OF MINUTES OF THE PREVIOUS MEETING

1. Adoption of the Regular Council Minutes.

7 - 18

Action Recommended: THAT Council adopt the minutes of the Regular Council meeting held on April 30, 2018.

VII PRESENTATIONS

1. Presentation by Mayor Brocanier and Councillor Darling to the Cobourg Belden Senior BB Ladies Hockey Team for outstanding achievement in winning the Ontario Women's Hockey Association (OWHA) provincial tournament Gold Medal.

2. Presentation by Mayor Brocanier, Councillor Debra McCarthy and Chair of the Accessibility Advisory Committee, to Linmac Developments Inc. recognizing their efforts towards accessibility with the Victoria Place Development at 955 Elgin Street West, Cobourg. 19 - 39
3. Presentation Dereck Paul, President & CEO Lakefront Utilities Services Inc. regarding the Venture 13, Innovation Centre Solar Panels.

VIII DELEGATIONS

1. Joan Chalovich, presenting the Cobourg Museum Foundation 2018 Summer Events Highlights.
2. Rick Miller, President and Chair of the Marie Dressler Foundation, regarding the Municipal Banner Policy to request Council grant a variance to Marie Dressler Foundation, on an exception basis for 2018 only, to install banners from July - November period exceeding the time frame as noted in the Policy.

IX DELEGATION ACTIONS

X REPORTS

Economic Development Services

General Government Services

1. Committee of the Whole meeting notes. 40 - 50

Action Recommended: THAT Council receive the notes of the Committee of the Whole meeting held on May 14, 2018 for information purposes.

Parks and Recreation Services

Public Works Services

Protection Services

Planning and Development Services

Community Services

1. Memorandum of Understanding between the Town of Cobourg and the Art Gallery of Northumberland (AGN). 51 - 56

Action Recommended: THAT Council receive the Memorandum of Understanding between the Town of Cobourg and the Art Gallery of Northumberland for information purposes.

2. Memo from the Community Events Coordinator regarding the 2018 Waterfront Festival Midway Relocation at the south end Victoria Park, Cobourg. 57 - 61

2. Motion from the Committee of the Whole to grant a Heritage Permit for the restoration and reconstruction of a front porch for property located at 202 Church Street, Cobourg. 80

Community Services

1. Motion from the Committee of the Whole regarding the declaration of the Northumberland Rib-fest Event at Victoria Park as an event of Municipal Significance within the Town of Cobourg. 81
2. Motion from the Regular Council to approve the Memorandum of Understanding between the Town of Cobourg and the Art Gallery of Northumberland. 82
3. Motion from the Regular Council Meeting regarding the approval of the 2018 Waterfront Festival Midway Relocation to Victoria Park, Cobourg. 83

XII BY-LAWS

Public Works Services

1. By-Law No.020-2018, being a by-law to dedicate the lands of Part 1 on Reference Plan 39R-13687, known as 'Station Street' as a public highway in the Town of Cobourg. 84 - 85

Action Recommended: THAT Council adopt By-law No.020-2018 a by-law to dedicate the lands of Part 1 on Reference Plan 39R-13687, known as 'Station Street' as a public highway in the Town of Cobourg.

Protection Services

Planning and Development Services

1. By-Law No.021-2018, being a by-law to authorize execution of a Development Agreement with 2020910 Ontario Ltd., Lakefront Utility Services Inc. and the Town of Cobourg. (Block 89 Plan 39M-853, Densmore Road, Cobourg). 86

Action Recommended: THAT Council adopt By-law No.021-2018 a by-Law to authorize execution of a Development Agreement with 2020910 Ontario Ltd., Lakefront Utility Services Inc. and the Town of Cobourg. (Block 89 Plan 39M-853, Densmore Road, Cobourg).

2. By-Law No.022-2018, being a by-law to Amend Zoning By-law No.085-2003 (Select Lands within East Village Phases 3 & 4) 87 - 91

Action Recommended: THAT Council adopt By-law No.022-2018 Being a By-law to Amend Zoning By-law No.085-2003 (Select Lands within East Village Phases 3 & 4)

3. By-law No.023-2018 being a By-Law to Authorize the Municipal Solicitor for The Town of Cobourg to sign the Minutes of Settlement of Local Planning Appeal Tribunal (formerly known as the Ontario Municipal Appeal Board (OMB)) Appeal No. PL120047 of the proposed Municipal Official Plan Amendment No. 69, Town Of Cobourg.

Action Recommended: THAT Council adopt By-law No.023-2018 Being a By-law to Authorize the Municipal Solicitor for The Town of Cobourg to sign the Minutes of Settlement of Local Planning Appeal Tribunal (formerly known as the Ontario Municipal Appeal Board (OMB)) Appeal No. PL120047 of the proposed Municipal Official Plan Amendment No. 69, Town Of Cobourg.

General Government Services

1. THAT the following By-laws be passed:

Action Recommended:

1. By-law No.020-2018 a By-law to dedicate the lands of Part 1 on Reference Plan 39R-13687, known as 'Station Street' as a public highway in the Town of Cobourg;
2. By-law No.021-2018 a By-law to authorize execution of a Development Agreement with 2020910 Ontario Ltd., Lakefront Utility Services Inc. and the Town of Cobourg. (Block 89 Plan 39M-853, Densmore Road, Cobourg);
3. By-law No.022-2018 a By-law to Amend Zoning By-law No.085-2003 (Select Lands within East Village Phases 3 & 4)

THAT leave be granted to introduce By-law # 020-2018 to By-law #022-2018 and to dispense with the reading of the by-laws by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

2. THAT the following By-laws be passed:

92 -
100

Action Recommended:

1. By-law No.023-2018 a By-Law to Authorize the Municipal Solicitor for The Town of Cobourg to sign the Minutes of Settlement of Local Planning Appeal Tribunal (formerly known as the Ontario Municipal Appeal Board (OMB)) Appeal No. PL120047 of the proposed Municipal Official Plan Amendment No. 69, Town Of Cobourg.

THAT leave be granted to introduce By-law No. 023-2018 and to dispense with the reading of the by-law by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

XIII PETITIONS

XIV CORRESPONDENCE

XV COUNCIL/COORDINATOR ANNOUNCEMENTS

1. Members of Council presented verbal reports on matters within their respective areas of responsibility:

- Mayor Brocanier, Economic Development Services Coordinator
- Deputy Mayor Henderson, General Government Services Coordinator
- Councillor Darling, Parks and Recreation Services Coordinator
- Councillor Rowden, Public Works Services Coordinator
- Councillor McCarthy, Protection Services Coordinator
- Councillor Burchat, Planning Services Coordinator
- Councillor Séguin, Community Services Coordinator


XVI UNFINISHED BUSINESS

The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of Council - Council Procedural By-law No. 079-2017.

1. 08-21-17 Traffic Study Lower Division Street/Esplanade Area (Public Works)
08-21-17 MOU between YMCA Northumberland and the Town of Cobourg
(Parks and Recreation)
10-10-17 Traffic/Parking Concerns Condo. Corp.#58- 148 Third Street
(Public Works)
01-08-18 Barrier Free Parking Spaces Report (Public Works)

XVII CLOSED SESSION ACTION ITEM

XVIII ADJOURNMENT

	<p align="center">THE CORPORATION OF THE TOWN OF COBOURG</p>
	<p align="center">REGULAR COUNCIL MEETING MINUTES</p>
	<p align="center">Monday April 30, 2018 Council Chambers, Victoria Hall, Cobourg</p>

A Regular meeting of the Cobourg Municipal Council was held this evening at 4:00 p.m. in the Council Chambers, Victoria Hall, Cobourg with the following persons in attendance:

Members present:

- Mayor - Gil Brocanier
- Deputy Mayor - John Henderson
- Councillor - Brian Darling
- Councillor - Forrest Rowden
- Councillor - Debra McCarthy
- Councillor - Aaron Burchat
- Councillor - Suzanne Seguin

Staff present:

- Stephen Peacock, Chief Administrative Officer
- Ian Davey, Treasurer/Director of Corporate Services
- Glenn McGlashon, Director of Planning and Development
- Laurie Wills, Deputy Director of Public Works
- Dean Hustwick, Director of Recreation and Culture
- Brent Larmer, Municipal Clerk

CALL TO ORDER

The meeting was called to order by Mayor Brocanier.

MOMENT OF REFLECTION

The meeting was opened by Mayor Brocanier with a Moment of Reflection.

ADDITIONS TO THE AGENDA

DISCLOSURE OF PECUNIARY (FINANCIAL) INTEREST

No Declarations of Pecuniary Interest were declared by Members of Council.

ADOPTION OF MINUTES OF THE PREVIOUS MEETING

Adoption of the Regular Council Minutes.

Moved by Deputy Mayor John Henderson, Seconded by Councillor Forrest Rowden:

THAT Council adopt the minutes of the Regular Council meeting held on April 9, 2018.
105-18 **Carried**

PRESENTATIONS

DELEGATIONS

Lydia Smith, Cobourg Taxpayers Association, regarding the Town of Cobourg Public Engagement Policy.

After a question and answer period, L. Smith was excused from the meeting
(4:12 p.m.).

Paul Pagnuelo, Director Cobourg Tax Payers Association in regards to the Notice of Motion by Councillor Burchat to direct Planning staff to review the Town of Cobourg's public notification, meeting and engagement procedures pertaining to applications submitted under the Planning Act.

After a question and answer period, P. Pagnuelo was excused from the meeting
(4:21 p.m.).

Emily Chorley, Cobourg Resident, regarding the planning process for the proposed Zoning By-law Amendment.

After a question and answer period, E. Chorley was excused from the meeting
(4:33 p.m.).

DELEGATION ACTIONS

Delegation Action, L. Smith, Cobourg Taxpayers Association, regarding the Town of Cobourg Public Engagement Policy.

Moved by Deputy Mayor John Henderson, Seconded by Councillor Aaron Burchat:

THAT Council receive L. Smith's Delegation for information purposes.
106-18 **Carried**

Delegation Action, P. Pagnuelo, Director Cobourg Tax Payers Association in regards to the Notice of Motion by Councillor Burchat.

Moved by Councillor Aaron Burchat, Seconded by Councillor Brian Darling:

THAT Council receive the delegation for information purposes.

107-18

Carried

Delegation Action, E. Chorley, regarding the planning process for the proposed Zoning By-law Amendment.

Moved by Councillor Aaron Burchat, Seconded by Councillor Debra McCarthy:

THAT Council receive the delegation for information purposes.

108-18

Carried

REPORTS

General Government Services

Committee of the Whole meeting notes.

Moved by Deputy Mayor John Henderson, Seconded by Councillor Suzanne Séguin:

THAT Council receive the notes of the Committee of the Whole meeting held on April 23, 2018 for information purposes.

109-18

Carried

Memo from the Council Remuneration Ad Hoc Committee regarding a recommendation on the proposed remuneration for members of Municipal Council and members of the Cobourg Police Service Board.

Terry Stopps, Chair of the Remuneration Ad Hoc Committee and other Ad Hoc Committee members were in attendance to provide a brief overview of the Ad Hoc Committee's recommendations.

After a question and answer period, T. Stopps and the members of the Remuneration Ad Hoc Committee were excused from the meeting (5:15 p.m.).

Moved by Deputy Mayor John Henderson, Seconded by Councillor Debra McCarthy:

THAT Council receive the report for information purposes.

110-18

Carried

Public Works Services

Letters of resignation received by the Municipal Clerk from Active Transportation Advisory Committee Members Paul Mills and Ella MacCulloch.

Moved by Councillor Forrest Rowden, Seconded by Councillor Aaron Burchat:

THAT Council accept the letters of resignation with regret and authorize that a letter of appreciation be sent to each Committee Member.

111-18

Carried

MOTIONS

General Government Services

Motion from the Committee of the Whole, approval of the financial statements for the Waterworks of the Town of Cobourg for the year ended December 31, 2017.

Moved by Deputy Mayor John Henderson, Seconded by Councillor Forrest Rowden:

WHEREAS the Committee of the Whole considered a Memo from the Treasurer/Director of Corporate Services regarding the Waterworks - 2017 Financial Statement.

NOW THEREFORE BE IT RESOLVED THAT Council approve the draft financial statements for the Waterworks of the Town of Cobourg for the year ended December 31, 2017.

112-18

Carried

Motion from the Committee of the Whole, regarding approval of the Use of Corporate Resources for Election Purposes Policy LEG-ADM23.

Moved by Deputy Mayor John Henderson, Seconded by Councillor Forrest Rowden:

WHEREAS the Committee of the Whole considered a Memo from the Municipal Clerk/Manager of Legislative Services regarding the Use of Corporate Resources for Election Purposes Policy.

NOW THEREFORE BE IT RESOLVED THAT Council receive the Staff report, entitled "Use of Corporate Resources for Election Purposes Policy" LEG-ADM23; and

FURTHER THAT Council enact the Use of Corporate Resources for Election Purposes Policy LEG-ADM23 as presented and attached to the Staff Report to meet the Town's responsibilities under the Municipal Elections Act, 1996, as amended, by establishing rules and procedures with respect to the use of municipal resources during the election campaign period.

113-18

Carried

Motion from the Committee of the Whole, approval of an offer to purchase municipally owned land in Lucas Point Business and Industrial Park, Cobourg.

Moved by Deputy Mayor John Henderson, Seconded by Councillor Forrest Rowden:

WHEREAS the Committee of the Whole considered a Memo from the Economic Development Officer to approve acceptance of an offer to purchase municipally owned land in Lucas Point Business and Industrial Park.

NOW THEREFORE BE IT RESOLVED THAT Council approve acceptance of an offer received for the purchase of 2 (two) acres of land by Cardinal Industrial Solutions Inc. dependent upon site plan approval in the Lucas Point Business and Industrial Park, Cobourg.

114-18

Carried

Parks and Recreation Services

Motion from the Committee of the Whole, to approve the purchase of a Diesel Tractor. (CO-18-08).

Moved by Councillor Brian Darling, Seconded by Councillor Forrest Rowden:

WHEREAS the Committee of the Whole considered a Memo from the Manager of Parks, regarding the approval of the Diesel Tractor Tender (CO-18-08).

NOW THEREFORE BE IT RESOLVED THAT Council approve the purchase of a diesel tractor including cab, loader, bucket, sub-frame harness and snow plows from Evergreen Farm and Garden Ltd for the amount of \$47,476.00 plus HST, to be funded from the approved 2018 Parks Equipment Reserve Budget.

115-18

Carried

Motion from the Committee of the Whole, approve the purchase of a One Ton Truck. (CO-18-07).

Moved by Councillor Brian Darling, Seconded by Councillor Forrest Rowden:

WHEREAS the Committee of the Whole considered a Memo from the Manager of Parks, regarding the approval of the purchase of a One Ton Truck Tender. (CO-18-07).

NOW THEREFORE BE IT RESOLVED THAT Council approve the purchase a one ton truck from Fraser Ford Cobourg for the amount of \$41,334.00 plus HST and that it be funded from the approved 2018 Parks Equipment Reserve Budget.

116-18

Carried

Public Works Services

Motion from the Committee of the Whole, regarding the Capital Sidewalk Extension Program Priority Guidelines.

Moved by Councillor Forrest Rowden, Seconded by Councillor Aaron Burchat:

WHEREAS the Committee of the Whole considered a Memo from the Director of Public Works, regarding the Capital Sidewalk Extension Program Priority Guidelines.

NOW THEREFORE BE IT RESOLVED THAT Council approve the proposed Sidewalk Priority Guidelines for the Town of Cobourg to clearly identify the criteria by which new sidewalk locations will be evaluated and prioritized.

117-18

Carried

Motion from the Committee of the Whole, approval of a Replacement Heat Exchanger at the Water Pollution Control Plant #2.

Moved by Councillor Forrest Rowden, Seconded by Councillor Aaron Burchat:

WHEREAS the Committee of the Whole considered a Memo from the Manager of Environmental Services, regarding the approval of a Replacement Heat Exchanger at the Water Pollution Control Plant #2.

NOW THEREFORE BE IT RESOLVED THAT Council approve the immediate purchase of a Heat Exchanger for the Digester at Water Pollution Control Plant #2 from JDV for \$41,219 plus an additional \$5,000 for installation plus HST; and

FURTHER THAT Council authorize the reallocation of funds to be drawn from a lower priority Capital Project from the 2018 Capital Budget.

118-18

Carried

Motion from the Committee of the Whole, approve the purchase of a Single Axle Cab and Chassis.

Moved by Councillor Forrest Rowden, Seconded by Councillor Aaron Burchat:

WHEREAS the Committee of the Whole considered a Memo from the Manager of Roads and Sewers regarding the approval of the Single Axle Cab and Chassis Tender.

NOW THEREFORE BE IT RESOLVED THAT Council approve the awarding of the proposal for the purchase a new 2019 Single Axle Cab and Chassis and dump box and ploughing equipment as submitted by Winslow Gerolamy Motors Limited in the amount of \$111,128.00 plus HST.

119-18

Carried

Motion from the Committee of the Whole, approve the purchase of Dump Box And Plow Equipment.

Moved by Councillor Forrest Rowden, Seconded by Councillor Aaron Burchat:

WHEREAS the Committee of the Whole considered a Memo from the Manager of Road and Sewers regarding the approval of the Dump Box and Plow Equipment Tender.

NOW THEREFORE BE IT RESOLVED THAT Council approve the awarding of the proposal for the purchase a dump box and plow equipment as submitted by Tenco Inc. in the amount of \$77,111.50 plus HST; and

FURTHER THAT as this project involves two tenders being;

- 1) Cab and Chassi; and
- 2) Dump-box and ploughing equipment,

THAT Council authorize an additional \$12,500.00 from Vehicle Equipment Reserve to complete the acquisition of the entire unit.

120-18

Carried

Planning and Development Services

Motion from the Committee of the Whole, regarding implementation of the Downtown Vitalization Community Improvement Plan (CIP) 2018 Intake.

Moved by Councillor Aaron Burchat, Seconded by Councillor Brian Darling:

WHEREAS the Committee of the Whole considered a Memo from Planner I — Heritage regarding the implementation of the Downtown Vitalization Community Improvement Plan (CIP) 2018 Intake.

NOW THEREFORE BE IT RESOLVED THAT Council receive the staff report for information purposes; and

FURTHER THAT Council endorse the implementation of the Downtown Cobourg Vitalization Community Improvement Plan (CIP) for the 2018 intake as outlined in the Staff Report.

121-18

Carried

Memo from the Committee of the Whole, regarding representation on the Cobourg Cultural Master Plan Steering Committee.

Moved by Councillor Aaron Burchat, Seconded by Councillor Brian Darling:

WHEREAS the Committee of the Whole considered a Motion from the Secretary, Cobourg Heritage Advisory Committee regarding representation on the Cobourg Cultural Master Plan Steering Committee.

NOW THEREFORE BE IT RESOLVED THAT Council endorse the recommendation of the Cobourg Heritage Advisory Committee and grant the Cobourg Heritage Advisory Committee and the heritage sector representation on the Cobourg Cultural Master Plan Steering Committee.

122-18

Carried

Notice of Motion from the Committee of the Whole, regarding the Town of Cobourg's public notification, meeting and engagement procedures pertaining to applications submitted under the Planning Act, R.S.O. 1990,c.P. 13, as amended.

Moved by Councillor Aaron Burchat, Seconded by Councillor Brian Darling:

WHEREAS the Committee of the Whole considered a Notice of Motion, submitted by Councillor Burchat, Coordinator of Planning and Development, regarding the Town of Cobourg's public notification, meeting and engagement procedures pertaining to applications submitted under the Planning Act, R.S.O. 1990,c.P. 13, as amended.

NOW THEREFORE BE IT RESOLVED THAT Council direct planning staff to review the Town of Cobourg's public notification, meeting and engagement procedures pertaining to applications submitted under the Planning Act, R.S.O. 1990, c.P. 13, as amended, and submit a report to Council for consideration.

123-18

Carried

BY-LAWS

General Government Services

By-law No.015-2018, being a by-law to authorize the levying of tax rates and collection of taxes for the year 2018.

Moved by Deputy Mayor John Henderson, Seconded by Councillor Suzanne Séguin:

THAT Council adopt By-law No.015-2018 a by-law to authorize the levying of tax rates and collection of taxes for the year 2018.

124-18

Carried

By-law No.016-2018, being a by-law to amend By-law No.008-2016 Terms of Reference for Advisory Committees, Local Boards and Internal Working Groups established by and/or Involving the Corporation of the Town of Cobourg.

Moved by Deputy Mayor John Henderson, Seconded by Councillor Aaron Burchat:

THAT Council adopt By-law No.016-2018, a by-law to amend By-law No.008-2016 Terms Of Reference for Advisory Committees, Local Boards and Internal Working Groups established by and/or Involving the Corporation of the Town of Cobourg.

125-18

Carried

Public Works Services

By-law No.017-2018, being a by-law to authorize an execution of an agreement with Canadian National Railway Company for the purchase of 30' strip of land known as Station Street, Cobourg.

Moved by Councillor Forrest Rowden, Seconded by Councillor Debra McCarthy:

THAT Council adopt By-law No.017-2018 a By-law to authorize an execution of an agreement with Canadian National Railway Company for the purchase of 30' strip of land known as Station Street, Cobourg.

126-18

Carried

Planning and Development Services

By-Law No.018-2018, being a by-law to amend Zoning By-law No.085-2003 (Fred Adams Street & New Amherst Boulevard).

Moved by Councillor Aaron Burchat, Seconded by Councillor Brian Darling:

THAT Council adopt By-law No.018-2018 a by-law to amend Zoning By-law No.085-2003 (Fred Adams Street & New Amherst Boulevard).

127-18

Carried

Community Services

By-law No.019-2018 being a by-law to authorize the Execution of a Lease Agreement with the Cobourg's Farmers Market for use of the Rotary Waterfront Park.

Moved by Councillor Suzanne Séguin, Seconded by Councillor Forrest Rowden:

THAT Council adopt By-law No.019-2018 a by-law to authorize the Execution of a Lease Agreement with the Cobourg's Farmers Market for use of the Rotary Waterfront Park.

128-18

Carried

General Government Services

THAT the following By-laws be passed:

Moved by Deputy Mayor John Henderson, Seconded by Councillor Suzanne Séguin:

1. By-law No.015-2018 a By-law to authorize the levying of tax rates and collection of taxes for the year 2018.
2. By-law No.016-2018 a By-law to amend By-law No.008-2016 Terms Of Reference for Advisory Committees, Local Boards and Internal Working Groups established by and/or Involving the Corporation of the Town of Cobourg.
3. By-law No.017-2018 a By-law to authorize an execution of an agreement with Canadian National Railway Company for the purchase of 30' strip of land known as Station Street, Cobourg.
4. By-law No.019-2018 a By-law to authorize the Execution of a Lease Agreement with the Cobourg's Farmers Market for use of the Rotary Waterfront Park.

THAT leave be granted to introduce By-law No. 015-2018 to By-law No. 017-2018 and By-law No. 019-2018 and to dispense with the reading of the by-laws by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

129-18

Carried

THAT the following By-law be passed:

Moved by Deputy Mayor John Henderson, Seconded by Councillor Forrest Rowden:

1. By-law No.018-2018 a By-law to amend Zoning By-law No.085-2003 (Fred Adams Street & New Amherst Boulevard).

THAT leave be granted to introduce By-law No. 018-2018 and to dispense with the reading of the by-law by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

130-18

Carried

PETITIONS

CORRESPONDENCE

COUNCIL/COORDINATOR ANNOUNCEMENTS

Members of Council presented verbal reports on matters within their respective areas of responsibility:

- Mayor Brocanier, Economic Development Services Coordinator
- Deputy Mayor Henderson, General Government Services Coordinator
- Councillor Darling, Parks and Recreation Services Coordinator
- Councillor Rowden, Public Works Services Coordinator
- Councillor McCarthy, Protection Services Coordinator
- Councillor Burchat, Planning Services Coordinator
- Councillor Séguin, Community Services Coordinator

UNFINISHED BUSINESS

The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of Council - Council Procedural By-law No. 079-2017.

- 08-21-17 Traffic Study Lower Division Street/Esplanade Area (Public Works)
- 08-21-17 MOU between YMCA Northumberland and the Town of Cobourg
(Parks and Recreation)
- 10-10-17 Traffic/Parking Concerns Condo. Corp.#58- 148 Third Street (Public Works)
- 01-08-18 Barrier Free Parking Spaces Report (Public Works)

CLOSED SESSION

Closed Session

Moved by Deputy Mayor John Henderson, Seconded by Councillor Aaron Burchat:

THAT Council meet in Closed Session in accordance with Section 239 of the *Municipal Act S.O. 2001* regarding:

- 239 c) a proposed or pending acquisition or disposition of land by the municipality or local board.
 1. Offer/Proposal to Purchase Municipal Property.
 2. Offer to Purchase Municipal Property.

131-18

Carried

CLOSED SESSION ACTION ITEM

ADJOURNMENT

Moved by Councillor Brian Darling: THAT the meeting adjourn (6:37p.m.).
132-18

Carried

Mayor

Municipal Clerk



Town of Cobourg

2018

Accessibility
Recognition

Award



National AccessAbility Week

May 27 to June 2, 2018



This is a time for Canadians to:

- *promote inclusion and accessibility in our communities and workplaces*
- *celebrate the contributions of Canadians with disabilities*
- *recognize the efforts of individuals, communities and workplaces who are actively removing barriers to give Canadians of all abilities a better chance to succeed*



Awarded to:
Linmac Inc. for the
Victoria Place
Shopping Centre

..... *going beyond the municipal
accessibility guidelines*

*In 2016, the Town of Cobourg
Accessibility Advisory Committee
received the Site Plan proposal for the
northeast development of
Victoria Place Shopping Centre as a
complement to the existing businesses
located on the south side of the site*



*Numerous suggestions from the
Accessibility Advisory Committee
were incorporated into the final design
demonstrating best practices
– and beyond –
for an accessible development*



Victoria Place Shopping Centre

- Southwest corner of Elgin and William Streets (**red**)
- Northeast development of Victoria Place adjacent to Town of Cobourg Jubilee Park (**green**)



Welcome to Victoria Place



Northeast section of Victoria Place

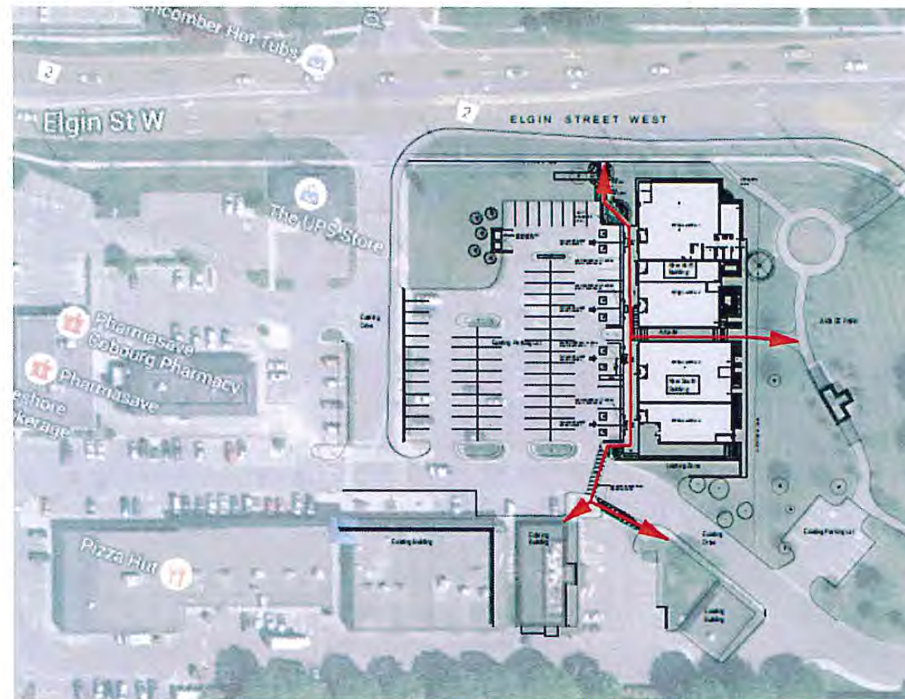


Southeast portion of Victoria Place



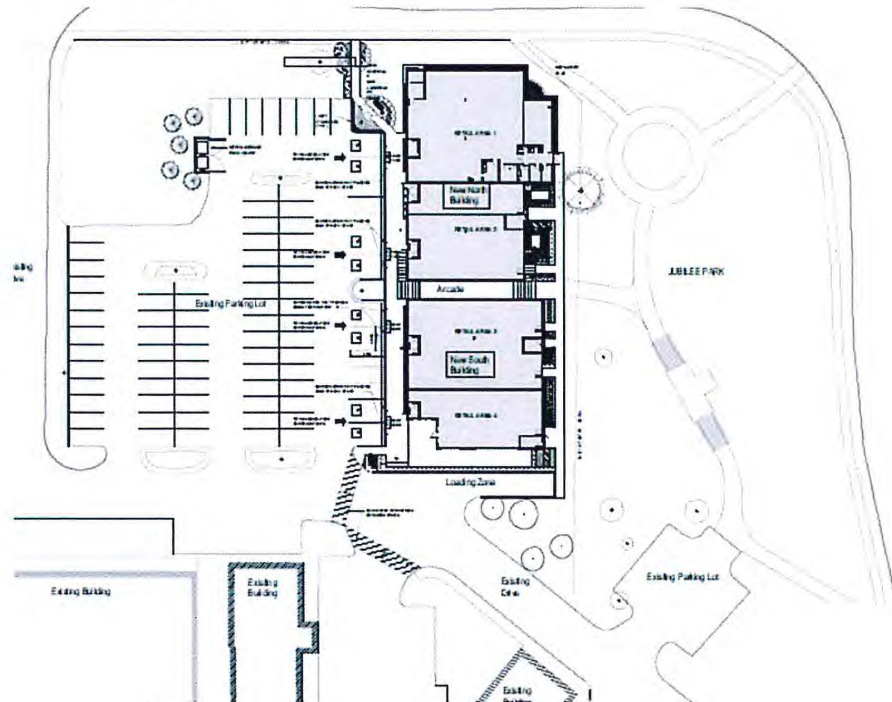
Victoria Place Site Plan Overview

- Accessible pedestrian linkages from:
 - Elgin Street,
 - Jubilee Park east of the plaza
 - to the parking lot and
 - to the south side of the laneway to other Victoria Place businesses



Victoria Place Site Plan Overview

- Eight accessible barrier-free parking spots:
 - fronting to the wide main sidewalk
 - with shared curb-free access to sidewalk
 - between paired barrier free parking spots



Entrance from Elgin Street

*Textured blocks for
visually impaired
persons indicate the
entrance to the
sidewalk into
Victoria Place*



Sidewalk into Victoria Place

*Sidewalk link from
Elgin Street to the
main sidewalk of
Victoria Place*



Wide main
sidewalk with
eight barrier-free
parking spots

*Concrete bumpers at
the front of the
barrier free parking
spots keep vehicles
from overlaying the
sidewalk*



Sidewalk linkage to Jubilee Park

Sidewalk between the two sections of Victoria Place provides access to Town of Cobourg's Jubilee Park



Jubilee Park Access

*Accessible
pedestrian
linkages to an
attractive park*



Paired Barrier Free Parking Spots

Two paired barrier free parking spots with curb free access to the sidewalk between the spots



Outdoor Accessible Patio

*Persons with
mobility aids have
access to an
attractive
outdoors patio
dining experience*




Universal Design Entrances

*Entrance doors
that open
automatically*





*Thank you Linmac Inc.
for going beyond compliance
of the
Accessibility for Ontarians
with Disabilities Act!*

	<p align="center">THE CORPORATION OF THE TOWN OF COBOURG</p>
	<p align="center">COMMITTEE OF THE WHOLE MEETING REPORT</p>
	<p align="center">Monday May 14, 2018 Council Chambers, Victoria Hall, Cobourg</p>

The Cobourg Municipal Council's Committee of the Whole met this afternoon at 4:00 p.m. in the Council Chambers, Victoria Hall, Cobourg with the following persons in attendance:

Members Present: Mayor - Mayor Gil Brocanier
Deputy Mayor - Deputy Mayor John Henderson
Councillor - Councillor Brian Darling
Councillor - Councillor Forrest Rowden
Councillor - Councillor Debra McCarthy
Councillor - Councillor Aaron Burchat
Councillor - Councillor Suzanne Séguin

Staff Present: Stephen Peacock, Chief Administrative Officer
Ian Davey, Treasurer/Director of Corporate Services
Glenn McGlashon, Director of Planning and Development
Laurie Wills, Deputy Director of Public Works
Dean Hustwick, Director of Recreation and Culture
Brent Larmer, Municipal Clerk

CALL TO ORDER

Mayor Gil Brocanier called the meeting to order.

AGENDA ADDITIONS

Presentation, CAO Town of Cobourg presenting the 2015-2018 Annual Strategic Plan Update, memo from the Treasurer/Director of Corporate Services, regarding the Victoria Hall Clock Tower Clock Mechanism replacement, memo from the Treasurer/Director of Corporate Services, regarding the 2018 Roof Replacement Projects at Building 7 Public Work / Parks Facility and roof replacement of the Henley Arcade. memo from the Emergency Planner, regarding a Memorandum of Understanding with the Halliburton, Kawartha, Pine Ridge District Health Unit for Use of the Cobourg Community Centre as an Emergency Mass Health Protection Clinic,

a memo from the Secretary, Cobourg Heritage Advisory Committee regarding a Heritage Permit Application, 202 Church Street, Cobourg (submitted by Keith Colterman on behalf of Anne Marie Cummings) (HP-2018-010) regarding restoration and reconstruction of a front porch and Paul Pagnuelo, Director Cobourg Taxpayers Association, regarding the Council Remuneration report.

Moved by Deputy Mayor John Henderson: THAT the matters be added to the Committee of the Whole Agenda.

Carried

DISCLOSURE OF PECUNIARY INTEREST

No Declarations of Pecuniary Interest were declared by Members of Council.

PRESENTATIONS

Stephen Peacock, Chief Administrative Officer, Town of Cobourg presenting the 2015-2017 Annual Strategic Plan Update.

S. Peacock, CAO presented and explained the 2015-2017 Annual Strategic Plan Update for the Town of Cobourg.

DELEGATIONS

Rob Washburn, presenting the outcomes and successes of the public meeting regarding the state of local news in West Northumberland held in the Concert Hall, Victoria Hall, Cobourg.

R. Washburn attended the meeting to discuss the state of local news in West Northumberland presentation attached as [Appendix "A"](#)

After a question and answer period, R. Washburn was excused from the meeting (4:39 p.m.).

Paul Pagnuelo, Director Cobourg Taxpayers Association, regarding the Council Remuneration report.

P. Pagnuelo attended the meeting to discuss the Council Remuneration report, presentation attached as [Appendix "B"](#).

After a question and answer period, P. Pagnuelo was excused from the meeting (4:56 p.m.).

DELEGATION ACTIONS

Delegation action regarding R. Washburn presentation on the outcomes and successes of the public meeting regarding the state of local news in West Northumberland held in the Concert Hall, Victoria Hall, Cobourg.

Moved by Deputy Mayor John Henderson: THAT Council receive the presentation from R. Washburn for information purposes.

Carried

Delegation Action regarding P. Pagnuelo, Director of the Cobourg Taxpayers Association delegation on the Council Remuneration Report.

Moved by Deputy Mayor John Henderson: THAT Council receive the presentation from P. Pagnuelo, Cobourg Taxpayers Association for information purposes.

Carried

ECONOMIC DEVELOPMENT SERVICES

Chair, Mayor Brocanier - Economic Development Services Coordinator

GENERAL GOVERNMENT SERVICES

Chair, Deputy Mayor Henderson - General Government Services Coordinator

Memo from the Treasurer/Director of Corporate Services, regarding the Victoria Hall Clock Tower Clock Mechanism replacement.

Deputy Mayor Henderson presented and explained the memo from the Treasurer/Director of Corporate Services attached hereto as [Appendix 'C'](#).

Moved by Deputy Mayor John Henderson: THAT Council approve the awarding of the Victoria Hall Clock Tower Clock Mechanism replacement project to 'The Verdin Company' at a cost of approximately \$30,000 based on current exchange rates as approved in the 2018 Capital Budget.

Carried

Memo from the Treasurer/Director of Corporate Services, regarding the 2018 Roof Replacement Projects at Building 7 Public Work / Parks Facility and roof replacement of the Henley Arcade.

Deputy Mayor Henderson presented and explained the memo from the Treasurer/Director of Corporate Services attached hereto as [Appendix 'D'](#).

Moved by Deputy Mayor John Henderson: THAT Council approve the awarding of the Building 7 (roof deck 2002) and the Henley Arcade roof replacement projects to Long Star Roofing Ltd at a total cost for both projects of \$233,749 as approved in the 2018 Capital Budget.

Carried

Memo from the Council Remuneration Ad Hoc Committee regarding a recommendation on the proposed remuneration for members of Municipal Council and members of the Cobourg Police Service Board.

Deputy Mayor Henderson presented and explained the memo from the Council Remuneration Ad Hoc Committee attached hereto as [Appendix 'E'](#).

Moved by Deputy Mayor John Henderson: THAT Council approve the municipal Comparator Group used for the purposes of determining Council Remuneration (contained in this report); and

FURTHER THAT Council approve the Council Remuneration Ad Hoc Committee recommendation to determine the salary for the elected offices of Mayor, Deputy Mayor and Councillor by using the median from the final twenty (20) approved Municipal Comparator Survey results; and

FURTHER THAT the salary for the position of Mayor be set at \$37,940 effective December 3, 2018; and

FURTHER THAT the salary for the position of Deputy Mayor be set at \$22,679 effective December 3, 2018; and

FURTHER THAT the salary for the position of Municipal Councillor be set at \$18,128 effective December 3, 2018; and

FURTHER THAT no changes be made to the current benefits provided to the Mayor and Members of Council; and

FURTHER THAT compensation adjustments for the Mayor, Deputy Mayor and Members of Council continue to be maintained with the annual CPI adjustments as a yearly increase to the Council Remuneration effective July 1st each year as stated in the current provision of the Council Remuneration By-law; and

FURTHER THAT the Ad Hoc Committee recommends not adjusting remuneration to reflect the impact of the removal of the 1/3 Tax Free Allowance by the Government of Canada in this review of Council Remuneration for Cobourg Municipal Council Members; and

FURTHER THAT the Ad Hoc Committee recommends the Council Remuneration By-law No.078-2015 be amended to strike out and remove the portion of Section 4.1 a) 'Reimbursement for the delegate's partner'; and

FURTHER THAT the formula for calculating Police Services Board Remuneration remain unchanged as follows:

1. Member: 28.5% of the annual compensation established for the Town of Cobourg Councillors; (\$18,128 (proposed) x 28.5% = \$5,167)
2. Board Chair: 1.25 times the established rate for Police Services Board Members; and (\$5,167 (proposed) x 1.25 = \$6,459); and

FURTHER THAT pursuant to resolution 031-13 passed on January 28, 2013, as changes to appointments to the Police Services Board membership occur, the offer of providing Town of Cobourg benefits to the new members be discontinued; and

FURTHER THAT the conducting a formal market review for Council every four (4) years and the continued engagement of a Council Remuneration Ad Hoc Committee during the last year of the Council's term of office be maintained.

Moved by Councillor Brian Darling AMENDMENT: THAT Council review Councillor salary if and when the 1/3 Tax free allowance is removed.

Carried

Moved by Councillor Debra McCarthy AMENDMENT: THAT Council in one (1) year (May 2019), consider the April 12, 2018 Ad Hoc Committee Report on Council Remuneration and the May 14, 2018 submission to Council on Council Remuneration by the Cobourg Taxpayers Association.

Carried

Moved by Deputy Mayor John Henderson, Seconded by THAT Council approve the municipal Comparator Group used for the purposes of determining Council Remuneration (contained in this report); and

FURTHER THAT Council approve the Council Remuneration Ad Hoc Committee recommendation to determine the salary for the elected offices of Mayor, Deputy Mayor and Councillor by using the median from the final twenty (20) approved Municipal Comparator Survey results; and

FURTHER THAT the salary for the position of Mayor be set at \$37,940 effective December 3, 2018; and

FURTHER THAT the salary for the position of Deputy Mayor be set at \$22,679 effective December 3, 2018; and

FURTHER THAT the salary for the position of Municipal Councillor be set at \$18,128 effective December 3, 2018; and

FURTHER THAT no changes be made to the current benefits provided to the Mayor and Members of Council; and

FURTHER THAT compensation adjustments for the Mayor, Deputy Mayor and Members of Council continue to be maintained with the annual CPI adjustments as a yearly increase to the Council Remuneration effective July 1st each year as stated in the current provision of the Council Remuneration By-law; and

FURTHER THAT Council review Councillor Salary if and when the 1/3 Tax free allowance is removed; and

FURTHER THAT the Ad Hoc Committee recommends the Council Remuneration By-law No.078-2015 be amended to strike out and remove the portion of Section 4.1 a) 'Reimbursement for the delegate's partner'; and

FURTHER THAT the formula for calculating Police Services Board Remuneration remain unchanged as follows:

1. Member: 28.5% of the annual compensation established for the Town of Cobourg Councillors; ($\$18,128$ (proposed) \times 28.5% = $\$5,167$)
2. Board Chair: 1.25 times the established rate for Police Services Board Members; and ($\$5,167$ (proposed) \times 1.25 = $\$6,459$); and

FURTHER THAT pursuant to resolution 031-13 passed on January 28, 2013, as changes to appointments to the Police Services Board membership occur, the offer of providing Town of Cobourg benefits to the new members be discontinued; and

FURTHER THAT the conducting a formal market review for Council every four (4) years and the continued engagement of a Council Remuneration Ad Hoc Committee during the last year of the Council's term of office be maintained; and

FURTHER THAT Council in one (1) year (May 2019), consider the April 12, 2018 Ad Hoc Committee Report on Council Remuneration and the May 14, 2018 submission to Council on Council Remuneration by the Cobourg Taxpayers Association.

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding the Town of Cobourg Municipal Banner Display Policy.

Deputy Mayor Henderson presented and explained the memo from the Municipal Clerk/Manager of Legislative Services attached hereto as [Appendix 'F'](#).

Moved by Deputy Mayor John Henderson: THAT Council receive the Staff report, entitled "Town of Cobourg Municipal Banner Policy" LEG-PW1; and

FURTHER THAT Council enact the Municipal Banner Policy to provide a structured and consistent approach for granting eligible organizations requesting to display banners within the Town of Cobourg and to outline the guidelines and requirements for displaying banners on Municipal property.

Carried

PARKS AND RECREATION SERVICES

Chair, Councillor Darling - Parks and Recreation Services Coordinator

PUBLIC WORKS SERVICES

Chair, Councillor Rowden - Public Works Services Coordinator

PROTECTION SERVICES

Chair, Councillor McCarthy- Protection Services Coordinator

Memo from the Cobourg Police Service Board, Memorandum of Understanding between the Town of Cobourg and the Cobourg Police Service Board regarding the Cobourg Police Service Board Business Services Unit (BSU) Non-Taxation Proceeds.

Councillor Debra McCarthy presented and explained the memo from the Cobourg Police Service Board attached hereto as [Appendix 'G'](#).

Moved by Councillor Debra McCarthy: THAT Council approve the Memorandum of Understanding with Cobourg Police Services Board regarding the Boards uses and approaches for future non-taxation proceeds that may be achieved by the Cobourg Police Service Board- Business Services Unit (BSU).

Carried

Memo from the Emergency Planner, regarding a Memorandum of Understanding with the Halliburton, Kawartha, Pine Ridge District Health Unit for Use of the Cobourg Community Centre as an Emergency Mass Health Protection Clinic.

Councillor Debra McCarthy presented and explained the memo from the Emergency Planner attached hereto as [Appendix 'H'](#).

Moved by Councillor Debra McCarthy, Seconded by THAT Council approve the Memorandum of Understanding with the Halliburton, Kawartha, Pine Ridge District Health Unit (HKPRDHU) for use of the Cobourg Community Centre (CCC) as an Emergency Mass Health Protection Clinic in the event of a public health emergency; and

FURTHER THAT this Memorandum of Understanding will aid the Town of Cobourg in the Town's Emergency Plan in compliance with the Emergency Management and Civil Protection Act (EMCPA) having a plan in place and recognizing the Health Unit is responsible under the Health and Protection Act (HPPA).

Carried

RECESS

Mayor G. Brocanier called a recess at 5:53 P.M to allow for the Statutory Public Planning Meeting pursuant to the Planning Act to commence at 6:00 P.M. the Committee of the Whole Meeting shall reconvene after the Public Meeting has concluded.

Mayor G. Brocanier reconvened the Committee of the Whole meeting at 6:23 P.M.

Memo from the Secretary of the Accessibility Advisory Committee requesting that Municipal Council proclaim May 27th to June 2, 2018 as National AccessAbility Week in the Town of Cobourg.

Councillor Debra McCarthy presented and explained the memo from the Secretary of the Accessibility Advisory Committee attached hereto as [Appendix 'I'](#).

Moved by Councillor Debra McCarthy: THAT Council proclaim the week of May 27 to June 2, 2018 as National Accessibility Week in the Town of Cobourg.

Carried

Memo from the Secretary of the Accessibility Advisory Committee regarding recognition of Linmac Developments Inc. with regard to accessibility at Victoria Place, 955 Elgin Street West.

Councillor Debra McCarthy presented and explained the memo from the Secretary of the Accessibility Advisory Committee attached hereto as [Appendix 'J'](#).

Moved by Councillor Debra McCarthy: THAT Council endorse the recommendation of the Accessibility Advisory Committee and consider recognizing Linmac Developments Inc. at a Council Meeting during AccessAbility week for their efforts towards accessibility with the Victoria Place development at 955 Elgin Street West, Cobourg.

Carried

PLANNING AND DEVELOPMENT SERVICES

Chair, Councillor Burchat - Planning and Development Services Coordinator

Memo from Planner I- Development regarding, Application for Site Plan Approval - Development Agreement: Block 89, Plan 39M-853, Densmore Road RFA Planning Consultant / 2020910 Ontario Ltd. (Leblanc Enterprises).

Councillor Aaron Burchat presented and explained the memo from Planner I - Development attached hereto as [Appendix 'K'](#).

Moved by Councillor Aaron Burchat: THAT the attached by-law be endorsed and be presented to Council for adoption at a Regular Council Meeting which

i) authorizes the Mayor and Municipal Clerk to execute a Development Agreement with 2020910 Ontario Ltd. and Lakefront Utility Services Inc. for a medium density residential development consisting of six, single storey, four-plex buildings for a total of twenty-four dwelling units at Block 89, Plan 39M-853 Densmore Road, subject to the finalization of details by municipal staff and applicable agencies.

Carried

Memo from the Secretary of the Planning and Sustainability Advisory Committee regarding Town of Cobourg Sustainability Resources.

Councillor Aaron Burchat presented and explained the memo from the Secretary of the Planning and Sustainability Committee attached hereto as [Appendix 'L'](#).

Moved by Councillor Aaron Burchat: THAT Council endorse the recommendation of the Planning and Sustainability Advisory Committee and request the Chief Administrative Officer to report back to Council on the extension of Staff resources to insure integrated action on the many sustainability issues presenting challenges for the Town; and

FURTHER THAT Council receive the report in time for consideration during the current Council mandate, including investigating grant applications and any necessary referral to the new Council.

Carried

Motion from the Secretary, Cobourg Heritage Advisory Committee regarding a Heritage Permit Application, 202 Church Street, Cobourg (submitted by Keith Colterman on behalf of Anne Marie Cummings) (HP-2018-010) regarding restoration and reconstruction of a front porch.

Councillor Aaron Burchat presented and explained the memo from the Secretary, Cobourg Heritage Advisory Committee attached hereto as [Appendix 'M'](#), ['MM'](#).

Moved by Councillor Aaron Burchat: THAT Council endorse the recommendation of the Cobourg Heritage Advisory Committee and grant a Heritage Permit (#HP-2018-010) as submitted by Keith Colterman on behalf of Anne Marie Cummings for the following scope of work located at 202 Church Street, Cobourg:

- Restoration of a previously-existing porch/verandah which was demolished in the early 1920's;
- Porch/verandah is proposed to be wood (cedar) and metal as was once there;
- To be painted in a cream colour (M40 of the Heritage Colour Palette), metal to be painted black;
- Wood work (ginger breading and decorative brackets) to be all hand carved by a heritage carpenter who studied heritage restoration;
- Roof to be cedar shake with aluminum flashings;
- All materials and features to match as best as possible through photographic evidence.

To be approved subject to the finalization of details by staff.

Carried

Response to a Public Meeting held on May 14th, 2018 regarding a proposed Zoning By-law Amendment Application for the change in lot coverage regulations for specific lands located within Phases 3 and 4 of East Village Subdivision to increase the maximum percentage lot coverage for all buildings and structures on a lot to 55%. (Matter to be considered following the Public Meeting scheduled for 6:00 P.M.)

Moved by Councillor Aaron Burchat: THAT Council endorse the comments of the Planning Department, acknowledge the motion of support from the Planning and Sustainability Advisory Committee and authorize preparation of the necessary amendments to the Zoning By-law No.085-2003 for property located for the specific lands within Phases 3 and 4 of East Village Subdivision.

Carried

COMMUNITY SERVICES

Chair, Councillor Séguin- Community Services Coordinator

Letter from the Rotary Club of Cobourg, requesting designation of the Northumberland Ribfest on August 17th, 18th, 19th in Victoria Park as an event of Municipal Significance within the Town of Cobourg.

Councillor Suzanne Séguin presented and explained the letter from the Rotary Club of Cobourg attached hereto as [Appendix 'N'](#).

Moved by Councillor Suzanne Séguin: THAT Council approve the request from the Rotary Club of Cobourg, declare Northumberland Ribfest Event, held in Victoria Park, Cobourg as an event of Municipal Significance in the Town of Cobourg.

Carried

UNFINISHED BUSINESS

The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of Council. - Council Procedural By-law No. 079-2017.

- 08-21-17 Traffic Study Lower Division Street/Esplanade Area (Public Works)
- 08-21-17 MOU between YMCA Northumberland and the Town of Cobourg
(Parks and Recreation)
- 10-10-17 Traffic/Parking Concerns Condo. Corp.#58- 148 Third Street (Public Works)
- 01-08-18 Barrier Free Parking Spaces Report (Public Works)

CLOSED SESSION

ADJOURNMENT

Moved by Councillor Brian Darling: THAT the meeting adjourn (7:05 P.M)

Carried

Municipal Clerk

THIS DRAFT MEMORANDUM OF UNDERSTANDING

BETWEEN:

THE TOWN OF COBOURG
(called the "Town")

OF THE FIRST PART

- and -

ART GALLERY OF NORTHUMBERLAND
(called the "AGN")

OF THE SECOND PART

NOW THEREFORE in consideration of the covenants contained in this Memorandum of Understanding, it is agreed between the parties as follows:

1.00 Background

- 1.01 The Cobourg Art Gallery was founded in 1960, as an adjunct of the Public Library – and one of only 10 public art galleries in Ontario at the time. From 1961 to 1970 the Gallery was staffed by volunteers, with curatorial and artistic direction provided by community residents. By 1970, the Gallery had established a permanent collection of some significance.
- 1.02 In 1973, the first government grant towards the restoration of Victoria Hall was \$100,000 from National Museums of Canada for the Cobourg Art Gallery. The Gallery incorporated in 1974, ending its relationship with the Library.
- 1.03 The Cobourg Art Gallery became the Art Gallery of Cobourg in 1974. Located in Victoria Hall, the Gallery was officially opened by the Secretary General of National Museums of Canada on January 7, 1977 – years before the restoration of Victoria Hall was complete. The Gallery was designated a ‘National Exhibition Centre,’ part of a program introduced by National Museums of Canada to generate the circulation of higher quality travelling exhibitions within Canada
- 1.04 In 1983, the Art Gallery of Cobourg was renamed the Art Gallery of Northumberland (AGN) so as better to reflect the regional nature of its collection and services.
- 1.05 The AGN closed temporarily in February 2015, following a period of financial and operational challenges, reopening September 2015.

- 1.06 Today, the Permanent Collection consists of over 1,000 works of local, regional, national and international significance, predominantly by Canadian artists. The Permanent Collection is in the top tier of collections of art in a public gallery in Ontario.
- 1.07 In 2017, the AGN engaged Laridae Communications Inc. to conduct a community engagement project with a grant from the Ontario Trillium Foundation to assess community interest in, and support for, AGN activities. A variety of stakeholder groups was engaged, including: Board, staff, members, volunteers, donors, artists, community partner organizations and funders. The outcome of this engagement work was the belief that the community clearly values the AGN and wishes to support it. However, Laridae concluded in July 2017 the organization continues to face structural and chronic sustainability issues that must be addressed if the AGN is to remain viable over the long-term.
- 1.08 On November 14, 2017, Laridae led a discussion with the Board and two representatives of the Town of Cobourg regarding strategic themes and priorities. The following specific priorities were identified:
- a) Secure investment from the Town of Cobourg to create a sustainable financial model
 - b) Explore program and/or project grants from other government bodies
 - c) Develop a fundraising strategy
 - d) Review the membership model
 - e) Review Gallery shops
 - f) Determine relationship (roles and responsibilities) with the Town
 - g) Develop a human resources plan
 - h) Review and refresh internal processes/infrastructure
 - i) Renew governance model and practices
 - j) Strengthen volunteer management
 - k) Plan for necessary capital investments
 - l) Create a communications strategy;
 - m) Publish the community engagement report
 - n) Review and refresh communications policies and procedures
 - o) Implement anti-spam provisions (all platforms)

- p) Increase programs of benefit to the community.
- q) Strengthen internal infrastructure to support exhibitions (e.g., funding for artist fees and installation [CARFAC fees]), fundraising, and sponsorships.
- r) Strengthen supports for collections management (inventory, ensuring accessibility, repairing work, database upgrading—the core business of a public gallery, ongoing work)
- s) Review policies and procedures relating to artistic programming and collections
- t) Re-instate Category A accreditation
- u) Review physical standards of space

2.00 MUTUAL FINDINGS

- 2.01 The AGN endured challenging times in recent years that have had a negative impact on the AGN's reputation, accreditation, finances and operations;
- 2.02 The AGN's Permanent Collection is a nationally significant Canadian art collection located in Cobourg;
- 2.03 The AGN has tremendous cultural and tourism potential for the Town and the greater region;
- 2.04 Long-term operational and financial viability of the AGN are contingent on the implementation of fundamental changes at the AGN;
- 2.05 The Town of Cobourg is providing the AGN with \$160,000 in operating funding in 2018 (\$65,000 more than in 2017) to help stabilize the organization financially in the short-term and to allow the organization the time to develop a new and viable Business Plan that will guide the AGN successfully into the future;
- 2.06 The development of a Business Plan may impact the capacity of the AGN to deliver regular services in 2018 and beyond;
- 2.07 The Town of Cobourg is willing to consider a new, closer and longer term operating and financial relationship with the AGN if it demonstrates commitment to develop a professional Business Plan and implementation strategy.

3.00 **AGN DELIVERABLES**

3.01 The findings and recommendations of Laridae from the November 14, 2017 discussion on strategic themes and priorities have been incorporated into the following deliverables that must be addressed by the AGN within a detailed Business Plan that must be submitted to the Town of Cobourg by November 30, 2018 that includes the following:

- a) **Mandate** - Within the Board, staff, membership and broader community, there are many conflicting opinions on the mandate and vision of the AGN. Therefore, the mandate and vision must be reviewed and revised to provide clarity for future operations.
- b) **Governance** - There are different types and categories of art galleries as well as various models of governance. The AGN needs to evaluate these options carefully against a revised organizational mandate and potential operational partnership with the Town of Cobourg. Such a review needs to include a thorough assessment of the types of accreditation the AGN should seek (including the recently reinstated Category-A) and how such accreditation would impact both the governance and operations of the renewed organization.
- c) **Organizational Structure** - Based on the recommended new mandate and governance model, core programs and services need to be identified along with a draft organizational structure and key roles and responsibilities to deliver those services. Careful consideration must be made of important resources, including staff, volunteers, members, donors and artists. During the implementation of the new Business Plan, a Human Resources Plan shall be developed to transition the organization to the new state.
- d) **Financial Sustainability** - A key component of the Business Plan will be a financial strategy mapped to the organization's new mandate, governance and organizational structure. This will include an approach towards sustainability through grants, fundraising/sponsorship, program fees and membership..
- e) **Communications** - The Business Plan shall include a Marketing Strategy that incorporates branding and community engagement.

3.02 As a condition of receiving quarterly funding payments from the Town, the AGN shall provide its Members and the Town of Cobourg detailed reports on its progress towards achieving each of the Business Plan deliverables according to the following schedule:

- (i) By June 30, 2018
- (ii) By August 31, 2018
- (iii) By November 30, 2018 (to include the draft Business Plan)

4.00 TOWN OF COBOURG DELIVERABLES

4.01 The Town of Cobourg shall provide the AGN with \$160,000 in operating funding in 2018 (\$65,000 more than in 2017) subject to the following payment schedule and upon receiving reports from the AGN that demonstrate continuous progress on the deliverables:

- a) Rent in the amount of \$45,000 (exchange of cheques);
- b) \$20,000 to repay a Promissory Note;
- c) By March 31, 2018 – 1st Payment of \$28,750 (paid March 9, 2018)
- d) By June 30, 2018 – 2nd Payment of \$22,000
- e) By September 30, 2018 – 3rd Payment of \$22,000
- f) By December 31, 2018 – 4th and Final Payment of \$22,250

THIS MEMORANDUM OF UNDERSTANDING is approved by the Council of the Town of Cobourg and the Board of Directors of the Art Gallery of Northumberland and is authorized by the signatures below effective as of the _____ day of _____, 2018 and may be subject to renewal by mutual agreement.

TOWN OF COBOURG

Per:

Name & Title: _____

Signature: _____

Name & Title: _____

Signature: _____

ART GALLERY OF NORTHUMBERLAND

Per:

Name & Title: CHAIR OF BOARD MARY DONALDSON

Signature: M Donaldson May 9, 2018

Name & Title: Dianne Algera May 9, 2018

Signature: [Handwritten Signature]

 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	STAFF REPORT	
TO:	Mayor and Council	
FROM: TITLE:	Jackie Chapman Davis Community Events Coordinator	
DATE OF MEETING:	May 22, 2018	
TITLE / SUBJECT:	2018 Waterfront Festival - Midway Relocation	
REPORT DATE:	May 15, 2018	File #:

1.0 STRATEGIC PLAN
N/A

2.0 PUBLIC ENGAGEMENT
N/A

3.0 RECOMMENDATION
That council approve the Midway to be relocated to the south end of Victoria Park during the 2018 Waterfront Festival on Saturday, June 30 until Monday, July 2, 2018.

4.0 ORIGIN
Municipal Event Application

5.0 BACKGROUND
The Cobourg Waterfront Festival began 51 years ago as a small art and craft show on beautiful Victoria Beach on Canada Day in 1967. The event included a fireworks display put on by local fire fighters to celebrate Canada's Centennial.

Fast forward to the 1990's when the Cobourg Rotary Club and the Cobourg Lions Club became involved along with a volunteer committee from the Town. Since that time, the Cobourg Waterfront Festival has become one of the largest summer festivals in Ontario, attracting tens of thousands of people to the community over the Canada Day long weekend.

6.0 ANALYSIS

In previous years the Cobourg Rotary Club have housed the midway on the East Pier. Due to the East Pier being closed to community events and vehicular traffic a new site location in the south end of Victoria Park has been requested by the group. This location has been mutually agreed upon between the Cobourg Rotary Club and Cobourg Lions Club the two (2) Festival organizing volunteer groups in consultation with Town of Cobourg staff (see attached memos from both groups).

Midway Hours of Operation

Friday – 5:00 p.m. to 11:00 p.m.

Saturday and Sunday - 11:00 a.m. to 11:00 p.m.

Monday - 11:00 a.m. to 4:00 p.m.

A site map with generator and ride location has been requested from the Cobourg Rotary Club/Robertson's Amusement Company to be approved by Town of Cobourg Staff which includes the Fire Department and Cobourg Police Services in the coming weeks.

Activities previously scheduled by the Cobourg Lion's Club to be held in the south end of Victoria Park on Saturday, June 30 will be relocated to Queen Street and the bottom part of North Victoria Park. This has been approved by the Cobourg Lion's Club, Manager of Parks and other Town Staff. Other than this day the south end of Victoria Park was not scheduled to be used during the Festival.

Current suggestions from Town Staff include lowering the level of music in the midway to accommodate for the concerts in the Bandshell throughout the event and possibly shortening the hours in the evening. During the Opening Ceremonies on Canada Day Sunday, July 1 we ask that the music be turned off completely from 1:45 p.m. until 2:45 p.m.

A communication will be hand delivered with the assistance of Cobourg Police Services in early to mid-June to the neighbouring communities with Festival information and changes happening over the course of the weekend.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

There will be no financial implications for the Town of Cobourg.

8.0 CONCLUSION

That council approve the Midway to be relocated to the south end of Victoria Park during the 2018 Waterfront Festival on Saturday, June 30 until Monday, July 2, 2018.

Approved By:

Dean Hustwick, Director of Recreation and
Culture
Stephen Peacock, Chief Administrative Officer

Department:

Parks
CAO



Club of Cobourg
P.O. Box 882
Cobourg, Ontario
K9A 4S3

Mayor Gil Brocanier and Council Members
Town of Cobourg
55 King St. W.
Cobourg, Ontario
K9A 2L9

Dear Mayor Brocanier and Council Members.

The Rotary Club of Cobourg every Canada Day weekend organizes the annual Arts and Crafts Festival hosted in Rotary Waterfront Park. This Festivals helps to draw over 50,000 people to Cobourg over the weekend along with the Lion's Club of Cobourg's festivities in Victoria Park and the Town of Cobourg's Canada Day activities.

This year the Rotary Club has been requested to move the Midway from the Pier and we have discussed this with the Lion's Club of Cobourg who has approved the Midway moving to Victoria Park by the Lion's Pavilion. We have also discussed this move with Town Staff.

I have spoken with Robertson's Amusements who have been our contracted supplier for the Midway for many years. Robertson's Amusements provide services all across Ontario and are a very reputable organization. They feel this site is more than adequate for the set up of the Midway and they will do their utmost to ensure that the set up will be agreeable to the Lion's Club and the Town. The have worked with Town staff and the Fire Department for many years to ensure a safe secure location when located on the pier.

The Midway runs from 11 a.m. to 11 p.m. Saturday and Sunday, Friday it will open around 5 p.m. and Monday it will close at 4 p.m..

I am requesting from the Town and Members of Council approval for the Midway to be located in Victoria Park. We thank Council for their consideration.

Yours truly,

Lynda Kay, Waterfront Festival Chair, Rotary Club of Cobourg



We Serve

LIONS CLUB OF COBOURG INC.

P.O.Box 56, Cobourg, Ontario K9A 4K2

Mayor Gil Brocanier and members of the Cobourg Town Council

The Lions Club of Cobourg upon discussion of the possible relocation of Robertson's Midway to the lower end of Victoria Park feel that we can allow this, as we feel this is an integral part of our Waterfront Festival. We have agreed to move our Lumberjack Demonstration to the area just north of Queen St.

We feel our main concerns about noise causing interference to our Bandshell entertainment can be addressed sufficiently by Robertson's Amusements.

As you all are aware this has caused a tremendous effort for all parties and we feel this can be a great opportunity for all involved and it would be a shame to lose the Midway.

Hopefully we can once again show The Lions and Rotary Clubs of Cobourg and Town Council can find the best solution.

Respectfully, on behalf of the Lions Club of Cobourg

Ron Wiebe

The Corporation of the Town of Cobourg

MOTION

Date: May 22, 2018

No. _____

Moved by: _____ Seconded by: _____

WHEREAS the Committee of the Whole considered a Memo from the Treasurer/Director of Corporate Services, regarding the Victoria Hall Clock Tower Clock Mechanism replacement;

NOW THEREFORE BE IT RESOLVED THAT Council approve the awarding of the Victoria Hall Clock Tower Clock Mechanism replacement project to 'The Verdin Company' at a cost of approximately \$30,000 based on current exchange rates as approved in the 2018 Capital Budget.

The Corporation of the Town of Cobourg

MOTION

Date: May 22, 2018

No. _____

Moved by: _____ Seconded by: _____

WHEREAS the Committee of the Whole considered a Memo from the Treasurer/Director of Corporate Services, regarding the 2018 Roof Replacement Projects at Building 7 Public Work / Parks Facility and roof replacement of the Henley Arcade;

NOW THEREFORE BE IT RESOLVED THAT Council approve the awarding of the Building 7 (roof deck 2002) and the Henley Arcade roof replacement projects to Long Star Roofing Ltd. at a total cost for both projects of \$233,749 as approved in the 2018 Capital Budget.

The Corporation of the Town of Cobourg

MOTION

Date: May 22, 2018

No. _____

Moved by: _____ Seconded by: _____

WHEREAS the Committee of the Whole considered a Memo from the Council Remuneration Ad Hoc Committee regarding a recommendation on the proposed remuneration for members of Municipal Council and members of the Cobourg Police Service Board;

NOW THEREFORE BE IT RESOLVED THAT Council approve the municipal Comparator Group used for the purposes of determining Council Remuneration contained in the Council Remuneration Ad Hoc Committee Report; and

FURTHER THAT Council approve the Council Remuneration Ad Hoc Committee recommendation to determine the salary for the elected offices of Mayor, Deputy Mayor and Councillor by using the median from the final twenty (20) approved Municipal Comparator Survey results; and

FURTHER THAT the salary for the position of Mayor be set at \$37,940 effective December 3, 2018; and

FURTHER THAT the salary for the position of Deputy Mayor be set at \$22,679 effective December 3, 2018; and

FURTHER THAT the salary for the position of Municipal Councillor be set at \$18,128 effective December 3, 2018; and

FURTHER THAT no changes be made to the current benefits provided to the Mayor and Members of Council; and

FURTHER THAT compensation adjustments for the Mayor, Deputy Mayor and Members of Council continue to be maintained with the annual CPI adjustments as a yearly increase to the Council Remuneration effective July 1st each year as stated in the current provision of the Council Remuneration By-law; and

FURTHER THAT Council review Councillor Salary if and when the 1/3 tax free allowance is removed; and

FURTHER THAT the Ad Hoc Committee recommends the Council Remuneration By-law No.078-2015 be amended to strike out and remove the portion of Section 4.1 a) 'Reimbursement for the delegate's partner'; and

FURTHER THAT the formula for calculating Police Services Board Remuneration remain unchanged as follows:

1. Member: 28.5% of the annual compensation established for the Town of Cobourg Councillors; ($\$18,128$ (proposed) $\times 28.5\% = \$5,167$)
2. Board Chair: 1.25 times the established rate for Police Services Board Members; and ($\$5,167$ (proposed) $\times 1.25 = \$6,459$); and

FURTHER THAT pursuant to resolution 031-13 passed on January 28, 2013, as changes to appointments to the Police Services Board membership occur, the offer of providing Town of Cobourg benefits to the new members be discontinued; and

FURTHER THAT the conducting a formal market review for Council every four (4) years and the continued engagement of a Council Remuneration Ad Hoc Committee during the last year of the Council's term of office be maintained; and

FURTHER THAT Council in one (1) year (May 2019), consider the April 12, 2018 Ad Hoc Committee Report on Council Remuneration and the May 14, 2018 submission to Council on Council Remuneration by the Cobourg Taxpayers Association.

The Corporation of the Town of Cobourg

MOTION

Date: May 22, 2018

No. _____

Moved by: _____ Seconded by: _____

WHEREAS the Committee of the Whole considered a Memo from the Municipal Clerk/Manager of Legislative Services, regarding the Town of Cobourg Municipal Banner Display Policy.

NOW THEREFORE BE IT RESOLVED THAT Council receive the Staff report, entitled "Town of Cobourg Municipal Banner Policy" LEG-PW1; and

FURTHER THAT Council enact the Municipal Banner Policy to provide a structured and consistent approach for granting eligible organizations requesting to display banners within the Town of Cobourg and to outline the guidelines and requirements for displaying banners on Municipal property as outlined in the Memorandum of understanding attached hereto as Appendix 'A'.

Appendix "A"



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services	Effective Date:
Department: Legislative Services	Approval Level: Council
Policy Title: Banner Display- Operations	Section # 3-1
	Policy # LEG-ADM23

Purpose

To provide a structured and consistent approach for granting eligible organizations requesting to display banners within the Town of Cobourg and to outline the guidelines and requirements for displaying banners on Municipal property.

Policy

1. PROVISIONS

- 1.1 Eligibility for the displaying of banners in the Town of Cobourg include:
 1. Banners promoting charitable organizations or their related functions/activities;
 2. Activities of a non-commercial nature; and
 3. Municipal sponsored functions and events.
- 1.2 All banners shall be installed and removed by the Public Works Department on the prescribed and assigned poles provided by the Town of Cobourg attached this policy as Appendix "A".
- 1.3 All banners must represent or promote local non-profit or cultural, historical, recreational civic events or activities or particular interest or benefit to the greater Town of Cobourg community.
- 1.4 Banners shall not be used for commercial advertising or to advertise or promote political candidates or issues.

2. REQUESTS AND APPLICATIONS

- 2.1 Any organization or agency wishing to place/hang a banner within the Town of Cobourg in designated areas shall complete an application and submit the application to the Town of Cobourg Legislative Services Department.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date:

Department: Legislative Services

Approval Level: Council

Policy Title: Banner Display- Operations

Section # 3-1
Policy # LEG-ADM23

-
- 2.2 Upon determination by the Legislative Services Department that:
- 1) The Banner Application is complete;
 - 2) The organization or agency applying for the proposed banner, meets the eligibility criteria listed within this policy; and
 - 3) All applicable fees have been received, the Legislative Services Department shall approve the application if deemed eligible provided the timeframe requested for the banner does not conflict with that of a banner previously approved by the Town of Cobourg.
- 2.3 Once an application has been reviewed and accepted by the Legislative Services Department, a completed listing of all applications will be generated and forwarded to General Government Services for final review and recommendation to Municipal Council.
- 2.3 Any applicant whose application is denied by the Legislative Services or General Government Services on determination of ineligibility may appeal to Municipal Council, who shall consider the matter at a Council Meeting whose decision shall be final and binding.
- 2.4 All Town of Cobourg Departments wishing to reserve banner locations and dates shall do so in the first week of October. All DBIA Banners (within the DBIA District) wishing to reserve a banner location and dates shall do so by application in the first week of October. A schedule for the upcoming year of Town of Cobourg and Downtown Business Improvement Area (DBIA) banners shall be established by the Legislative Services Division.
- 2.5 All eligible organizations and agencies banner requests shall be reserved on a first come first serve basis and sent to the Legislative Services Department no later than October 30th of each calendar year through the banner application process with the Legislative Services Department of the Town of Cobourg.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date:

Department: Legislative Services

Approval Level: Council

Policy Title: Banner Display- Operations

Section #

3-1

Policy #

LEG-ADM23

3. REQUIRMENTS

3.1 Banner Specifications:

- Grommets must be steel, all other grommets will not be accepted;
- Banner material must be outdoor scrim vinyl: 18 oz minimum, 23 oz maximum
- Thread material must be outdoor marine grade;
- Banners over 27" in width must have wind vents; and
- Banners shall have a nylon belt woven across the fold top and bottom 18 oz minimum, 23 oz maximum.
- Banners proposed for downtown and the two (2) Elgin Street intersections shall be 20" wide X 71" high.

3.2 Approved banners shall be installed by the Public Works Division for a four (4) week period immediately prior to the date of a specific event. However if there are no other requests for banner installation, a banner may be displayed for a longer period of time at the discretion of the Town of Cobourg, giving consideration to significant municipal/community events.

3.3 All approved banners shall be permitted in the Downtown and at the Elgin Street, Division Street and Elgin Street, Burnham Street intersections, on poles already fitted with banner arms.

3.4 Banners are to be delivered to the Town of Cobourg Public Works Office by 11:00am on the Friday of the week prior to the scheduled time the banner(s) is to be hung.

3.5 Maintenance and storage of banners is the responsibility of the owner of the banner. The Town of Cobourg will not maintain or store any banner(s) beyond one (1) week from removal, and notification by the Division of such removal to the owner.

5. FEES

5.1 A permit fee shall be charged to hang banners in the Town of Cobourg, which shall be paid in full prior to the hanging of any approved banner by Public Works. All fees shall be approved through the Town of Cobourg Fees and Charges Schedule.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services **Effective Date:**
Department: Legislative Services **Approval Level:** Council
Policy Title: Banner Display- Operations **Section #** 3-1
Policy # LEG-ADM23

6. INDEMNIFICATION

6.1 The Town of Cobourg will not be held liable or responsible for the condition of banners, damage to a banner, or damage caused by any banner. All those seeking permission to hang a banner (other than the Town and their respective departments) as provided herein shall sign an agreement as provided by the Town of Cobourg that holds the Corporation of the Town of Cobourg harmless and indemnifies them from any liability in the event the banner causes damage to persons or property.

Scope

This policy shall apply to groups, organizations, Municipal Departments, charitable groups making requests to the Town of Cobourg to display banners.

Administration

The Chief Administrative Officer hereby designates the Director of Public Works or designate to implement and administer the terms of this policy and shall establish related operating procedures as required.

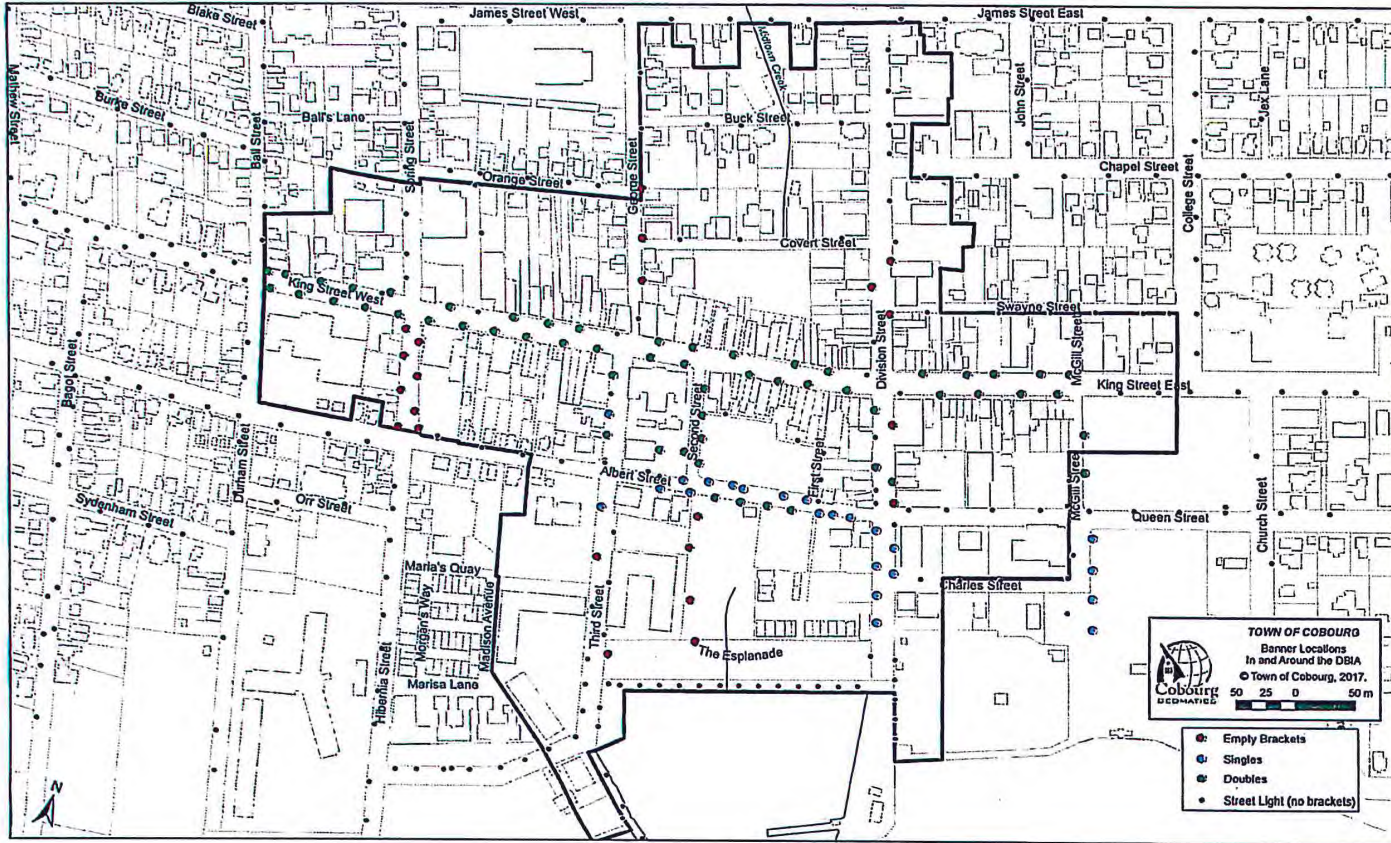
Cross Reference

Policy #

Procedure #

Resolution #	Revision Description:	Signature/Municipal Clerk: _____	Council Approval Date:
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Appendix "A"



The Corporation of the Town of Cobourg

MOTION

Date: May 22, 2018

No. _____

Moved by: _____ Seconded by: _____

WHEREAS the Committee of the Whole considered a report from the Town of Cobourg Holdings Inc. Nominating Committee regarding appointments to the Town of Cobourg Holdings Inc. Board of Directors;

NOW THEREFORE BE IT RESOLVED THAT Council endorse the recommendation of the Town of Cobourg Holdings Inc. Nominating Committee and appoint Sharron Wharram-Spry to the Town of Cobourg Holdings Inc. Board of Directors to serve a one-year term commencing May 1st, 2018 and ending April 30, 2019; and

FURTHER THAT Council endorse the recommendation of the Town of Cobourg Holdings Inc. Nominating Committee and appoint John Farrell to the Town of Cobourg Holdings Inc. Board of Directors to serve a two-year term commencing May 1st, 2018 and ending April 30, 2020.

The Corporation of the Town of Cobourg

MOTION

Date: May 22, 2018

No. _____

Moved by: _____ Seconded by: _____

WHEREAS the Committee of the Whole considered a Memo from the Cobourg Police Service Board, Memorandum of Understanding between the Town of Cobourg and the Cobourg Police Service Board regarding the Cobourg Police Service Board Business Services Unit (BSU) Non-Taxation Proceeds;

NOW THEREFORE BE IT RESOLVED THAT Council approve the Memorandum of Understanding with Cobourg Police Services Board regarding the Boards uses and approaches for future non-taxation proceeds that may be achieved by the Cobourg Police Service Board- Business Services Unit (BSU), as outlined in the Memorandum of understanding attached hereto as Appendix 'A'.

Appendix "A"

PSB approved 4-26-2018 Page | 1 of 3



TOWN OF COBOURG

Memorandum of Understanding

BETWEEN:

Cobourg Police Services Board

(hereinafter referred to as "the Board")

-and-

The Corporation of the Town of Cobourg

(hereinafter referred to as "the Town")

PURPOSE

The purpose of this document is to affirm mutual understanding between the parties concerning the Board's uses and approaches for future non-taxation proceeds that may be achieved by the Cobourg Police Services -Business Services Unit.

PREAMBLE

The parties agree that pursuant to the Safer Ontario Act (2018), the Board's primary responsibility remains in contributing to community safety and well-being by delivering superior policing services in the most efficient and cost effective manner possible.

Further, the Board expects to remain an active, collaborative partner in safety planning as led by the Town and will align its strategic plans with the Town's broader community safety and well-being plan. Overall, the Board expects to continue to work proactively with multiple

community partners to implement preventative programs, interventions and strategies to address identified risks before police response and enforcements are necessary.

The parties recognize that property taxation is the principle source of operating funds intended to cover expenditures, staffing and service levels while concurrently contributing to replacement of capital assets as may be required in delivering core policing services.

Both parties respect the importance of minimizing annual fluctuations in property tax rates arising from the operation of policing programs and services. Prudent financial management of annual budgets and reserves coupled with multi-year forecasting, both operational and capital, is conducive to stabilizing impacts on property taxation.

The parties recognize the Board, through its independent effort, has developed a parallel business unit (Business Services) that applies successful commercial strategies in a highly competitive marketplace to contribute cogent non-taxation proceeds to the organization. These proceeds are considered an extraordinary asset that to date, and at the Board's discretion, served to leverage core funds as provided by the Town.

Funds have, in part, been utilized to address unfunded municipal liabilities associated with policing services (e.g. decentralizing communications and associated exit expenses). Funds have also been deployed against acquisition of capital assets that could reasonably be determined as incrementally contemporizing and enhancing core policing services. In addition, non-taxation proceeds have fueled investments in the parallel Business Services Unit leading to further growth in market penetration, associated revenue and broader social impact of increased local employment.

Importantly, the parties recognize the primary source of extraordinary non-taxation Business Services proceeds to be at ongoing, acute risk associated with potential change in Federal and/or Provincial legislation as well as and, in particular, the dynamics of operating within a highly competitive marketplace that in itself is subject to significant uncertainty from emerging and potentially transformative technologies that could lead to unprecedented market disruption.

These uncertainties coupled with the mutual preference to minimize disruptive fluctuations in property tax rates associated with core policing expenditures result in the understanding that non-taxation proceeds will remain within the purview of the Board, to continue be deployed at its discretion in enhancing community well-being. For greater certainty, proceeds will not be used to displace or otherwise underwrite annual municipal funding of core policing operations.

APPROACH AND USE OF NON-TAXATION PROCEEDS

The parties are desirous to empowering the Board, and by extension the Town, for financial acuity and further investments that may lead to expansion of superior policing services and business growth while poising for enhanced effectiveness and efficiency in delivering a safe community.

These investments may, from time to time, lead to secondary economic spin-off (e.g. job growth) though their primary purpose remains focused on development of optimal, nimble and next generation policing services. In that, the funds will leverage core operational municipal investment as legislated and long-term municipal fiscal processes inclusive of capital planning and development charges reserves.

The Board's primary scope and approach toward management of non-taxation proceeds and resulting investments will include:

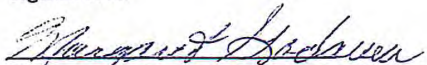
- Full absorption of all direct costs of operating the Business Services Unit inclusive of "fair share" management oversight time.
- Immediate establishment, annual monitoring and sustainment of a Business Services Reserve intended to cover all projected liabilities associated with potential business unit wind down inclusive of employment related costs, long term leases, liabilities and disposal of hard and intangible assets.
- Establishment of reserve to fuel future investments inclusive of:
 - Contemporized/next generation capital equipment intended to increase policing efficiencies.
 - Emerging technologies inclusive of hardware and software and associated analytics, incremental operating and adoption costs (e.g. training on new technologies).
 - Pilot projects and/or partnerships that may lead to targeted impacts and community benefits within defined and measured project parameters.
 - Those that may poise the unit for further business management and expansion through broadened market penetration-inclusive of strategic planning, market research, new product and resource development

In addition, the Board will work to establish an overall operating emergency reserve intended to minimize the impact of taxation fluctuations in the case of an unforeseen situation of an urgent nature, presenting an unacceptable risk to the health and safety of persons or to property requiring an immediate expenditure of funds. The parties agree the reserve will grow, over 5 years, to an amount currently estimated at \$600,000 but in no case greater than 10% of the annual operating budget. Once established, and subject to potential withdrawals in the case of occurrence of its intended use, the reserve will be maintained annually. The emergency reserve is not intended to displace other reserves covering capital or development charges which themselves will remain independent for their intended purpose.

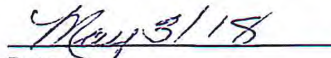
Interest on all reserves will accrue to the established reserve.

This understanding is scheduled for review in 2023 or as may be led earlier by the Board.

Signatories:


Chairman-Cobourg Police Services Board

Mayor-Corporation of the Town of Cobourg


Date

Date

The Corporation of the Town of Cobourg

MOTION

Date: May 22, 2018

No. _____

Moved by: _____ **Seconded by:** _____

WHEREAS the Committee of the Whole considered a Memo from the Emergency Planner, regarding a Memorandum of Understanding with the Halliburton, Kawartha, Pine Ridge District Health Unit for Use of the Cobourg Community Centre as an Emergency Mass Health Protection Clinic;

NOW THEREFORE BE IT RESOLVED THAT Council approve the Memorandum of Understanding with the Halliburton, Kawartha, Pine Ridge District Health Unit (HKPRDHU) for use of the Cobourg Community Centre (CCC) as an Emergency Mass Health Protection Clinic in the event of a public health emergency as outlined in the Memorandum of understanding attached hereto as Appendix 'A'; and

FURTHER THAT this Memorandum of Understanding will aid the Town of Cobourg in the Town's Emergency Plan in compliance with the Emergency Management and Civil Protection Act (EMCPA) having a plan in place and recognizing the Health Unit is responsible under the Health and Protection Act (HPPA).

The Corporation of the Town of Cobourg

MOTION

Date: May 22, 2018

No. _____

Moved by: _____ Seconded by: _____

WHEREAS the Committee of the Whole considered a Memo from the Secretary of the Accessibility Advisory Committee to proclaim 'National AccessAbility Week' in the Town of Cobourg;

NOW THEREFORE BE IT RESOLVED THAT Council proclaim the week of May 27 to June 2, 2018 as 'National AccessAbility Week' in the Town of Cobourg.

The Corporation of the Town of Cobourg

MOTION

Date: May 22, 2018

No. _____

Moved by: _____ Seconded by: _____

WHEREAS the Committee of the Whole considered a Memo from the Secretary of the Planning and Sustainability Advisory Committee regarding Town of Cobourg Sustainability Resources;

NOW THEREFORE BE IT RESOLVED THAT Council endorse the recommendation of the Planning and Sustainability Advisory Committee and request the Chief Administrative Officer to report back to Council on the extension of Staff resources to insure integrated action on the many sustainability issues presenting challenges for the Town; and

FURTHER THAT Council receive the report in time for consideration during the current Council mandate, including investigating grant applications and any necessary referral to the new Council.

The Corporation of the Town of Cobourg

MOTION

Date: May 22, 2018

No. _____

Moved by: _____ Seconded by: _____

WHEREAS the Committee of the Whole considered a Motion from the Secretary, Cobourg Heritage Advisory Committee regarding a Heritage Permit Application, 202 Church Street, Cobourg (submitted by Keith Colterman on behalf of Anne Marie Cummings) (HP-2018-010) regarding restoration and reconstruction of a front porch;

NOW THEREFORE BE IT RESOLVED THAT Council endorse the recommendation of the Cobourg Heritage Advisory Committee and grant a Heritage Permit (#HP-2018-010) as submitted by Keith Colterman on behalf of Anne Marie Cummings for the following scope of work located at 202 Church Street, Cobourg:

- Restoration of a previously-existing porch/verandah which was demolished in the early 1920's;
- Porch/verandah is proposed to be wood (cedar) and metal as was once there;
- To be painted in a cream colour (M40 of the Heritage Colour Palette), metal to be painted black;
- Wood work (ginger breading and decorative brackets) to be all hand carved by a heritage carpenter who studied heritage restoration;
- Roof to be cedar shake with aluminum flashings;
- All materials and features to match as best as possible through photographic evidence.

To be approved subject to the finalization of details by staff.

The Corporation of the Town of Cobourg

MOTION

Date: May 22, 2018

No. _____

Moved by: _____ Seconded by: _____

WHEREAS the Committee of the Whole considered a Letter from the Rotary Club of Cobourg, requesting designation of the Northumberland Ribfest on August 17th, 18th, 19th in Victoria Park as an event of Municipal Significance within the Town of Cobourg;

NOW THEREFORE BE IT RESOLVED THAT Council approve the request from the Rotary Club of Cobourg, declare Northumberland Ribfest Event, held in Victoria Park, Cobourg as an event of Municipal Significance in the Town of Cobourg.

The Corporation of the Town of Cobourg

MOTION

Date: May 22, 2018

No. _____

Moved by: _____ Seconded by: _____

WHEREAS the Regular Council considered a Memorandum of Understanding between the Town of Cobourg and the Art Gallery of Northumberland;

NOW THEREFORE BE IT RESOLVED THAT Council authorizes the Mayor to sign the Memorandum of Understanding with the Art Gallery of Northumberland (AGN) that outlines a Town of Cobourg payment structure for operating funding in 2018 in return for regular progress reports and the delivery of a detailed and viable Business Plan and implementation plan that will guide the organization to long-term operational and financial success and sustainability as a key cultural and tourism asset for the community.

The Corporation of the Town of Cobourg

MOTION

Date: May 22, 2018

No. _____

Moved by: _____ Seconded by: _____

WHEREAS the Regular Council considered a Memo from the Community Events Coordinator regarding the 2018 Waterfront Festival Midway Relocation at the south end Victoria Park, Cobourg.

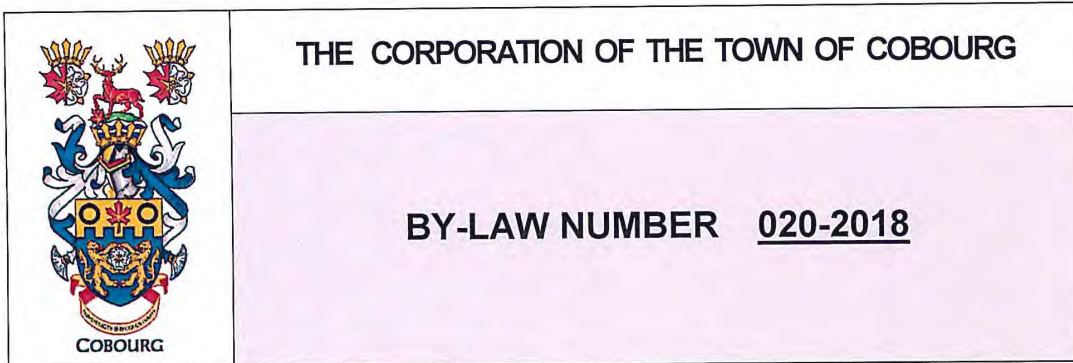
NOW THEREFORE BE IT RESOLVED THAT Council approve the relocation of the Midway to the south end of Victoria Park during the 2018 Waterfront Festival on Friday June 29, 2018 until Monday July 2, 2018 with the following hours of operation:

Midway Hours of Operation

Friday June 29 - 5:00 p.m. to 11:00 p.m.

Saturday June 30 and Sunday July 1 - 11:00 a.m. to 11:00 p.m.

Monday July 2 - 11:00 a.m. to 4:00 p.m.



A BY-LAW TO DEDICATE THE LANDS OF CADDY PLAN FORMERLY PART OF LOT 17, CONCESSION A, HAMILTON, DESIGNATED AS PART 1 ON REFERENCE PLAN 39R-13687, (FORMALLY KNOWN AS “STATION STREET”) AS A PUBLIC HIGHWAY WITHIN THE TOWN OF COBOURG.

WHEREAS pursuant to section 11(3) *Municipal Act, 2001* S.O. 25 as amended, authorizes municipalities to pass by-laws respecting jurisdiction over highways.

AND WHEREAS pursuant to section 27(1) a municipality may enact by-laws regarding highways it has jurisdiction over;

AND WHEREAS pursuant to Section 31 (2) of *the Municipal Act, R.S.O. 2001*, which provides that a municipality may pass a by-law to establish and lay out a highway;

AND WHEREAS the Municipal Council of the Corporation of the Town of Cobourg desires to accept and dedicate certain portions of land as a public highway;

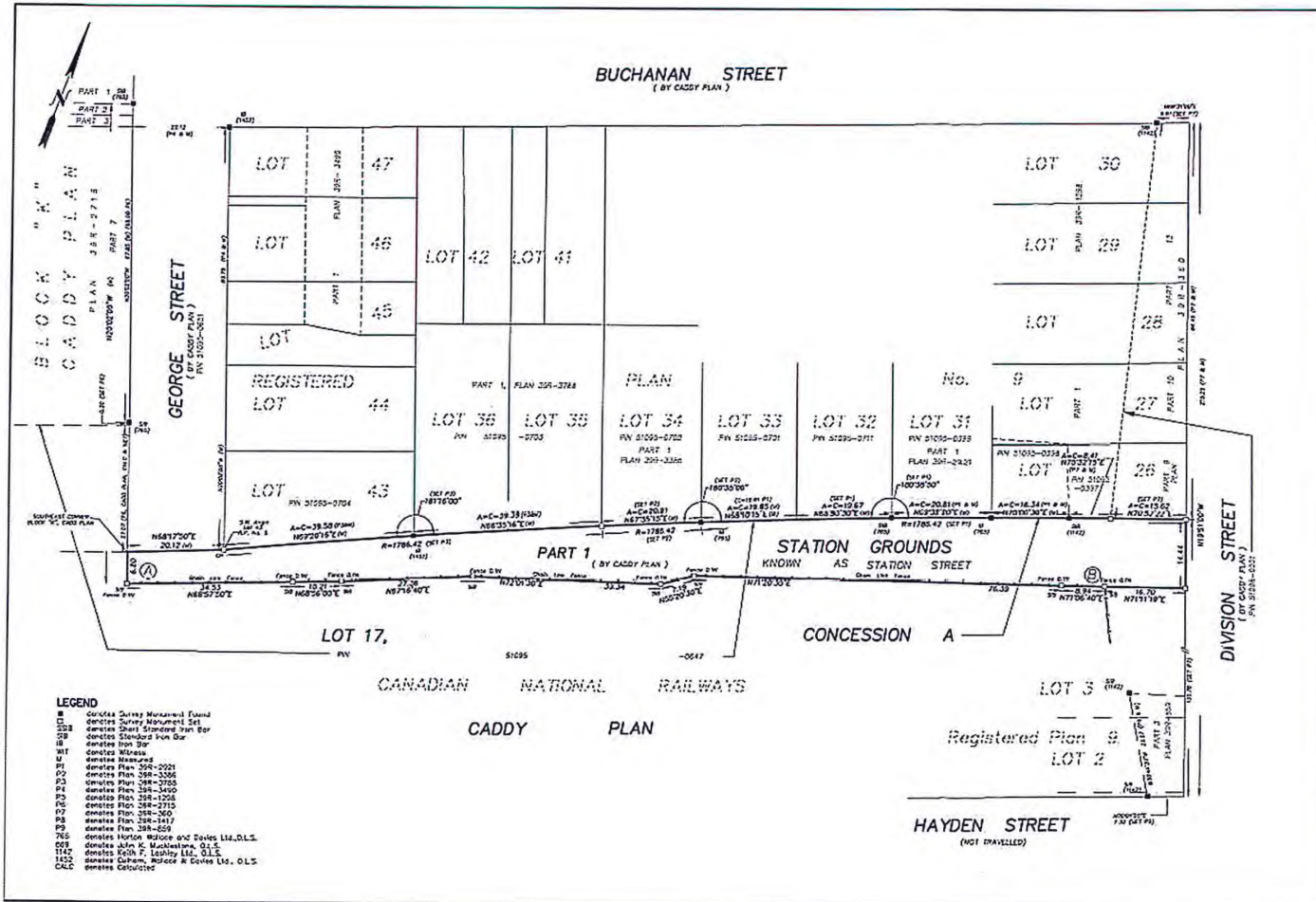
NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT the Town of Cobourg dedicate the following Part of Station Grounds, Caddy Plan (formerly part of Lot 17, Concession A, Hamilton), known as 'Station Street' designated as Part 1 on Reference Plan 39R-13687, Town of Cobourg as described in Schedule "A".
2. THAT Parts 1, Plan 39R-13687 as noted on Schedule "A", in the Town of Cobourg, County of Northumberland is hereby established as a public highway; and
3. THAT this By-law shall be registered on title in the Registry Office of the Land Registry Division of the County of Northumberland (No. 39).

By-law read and passed in Open Council this 22nd day of May 2018.

MAYOR

MUNICIPAL CLERK



I HEREBY THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE: February 5, 2018

Travis Liu
Travis Liu
ONTARIO LAND SURVEYOR

PLAN 39R 13687
RECEIVED AND DEPOSITED

DATE: February 5, 2018

Diana Hansen
Diana Hansen
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF NORTHUMBERLAND (ENL. 33)

SCHEDULE				
PART	LOT	PLAN	REV	AREA (m ²)
1	Part of Station Grounds	CADDY	PART OF 31029-3241	244.2

PLAN OF SURVEY OF PART OF STATION GROUNDS CADDY PLAN (FORMERLY PART OF LOT 17, CONCESSION A) (GEOGRAPHIC TOWNSHIP OF HAMILTON) TOWN OF COBOURG COUNTY OF NORTHUMBERLAND

SCALE: 1:250 METERS

IAN B. WALLACE O.L.S. LTD.

BEARING NOTES
Bearings on UTM Grid, derived from observed reference points A and B, by Real Time Network observations, UTM Zone 17, NAD83(CSRS)(2011).

For bearing comparisons, the following rotations were applied:
P1, P9 = 131°03' counter-clockwise

DISTANCE NOTES – METRIC
Distances and coordinates are in metres and can be converted to feet by dividing by 0.3048.

Distances are ground and can be converted to grid by multiplying by the combined scale factor of 1.00022496

SURVEYOR'S CERTIFICATE
I certify that:
1. This survey and plan are correct and in accordance with the Survey Act, the Surveyors Act, the Land Titles Act and the regulations made under them.
2. The survey was completed on October 16, 2017.

February 5, 2018
Date: *Travis Liu*
Travis Liu, O.L.S.

INTEGRATION DATA

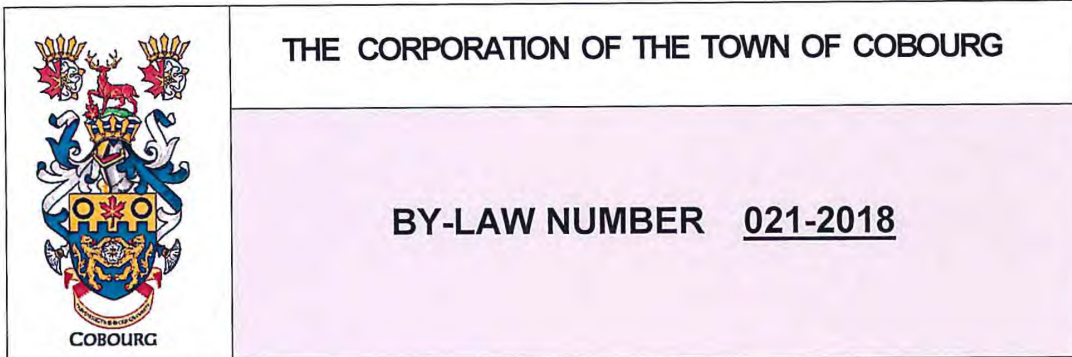
Observed reference points defined from GPS observations using a Real Time Network and are referred to WGS 84 Zone 17 (81) east longitude; NAD83(CSRS)(2011).

POINT ID	EASTING	NORTHING
A	482252.0	7341214.0
B	482253.0	7341213.0

IBW SURVEYORS

71 HERBERT COUNTY, BOWMANVILLE, ONTARIO, L7C 4H4
416-836-6363
www.ibw.com

BY-LAW NUMBER 00-2018
SCHEDULE "A"



A BY-LAW TO AUTHORIZE EXECUTION OF A DEVELOPMENT AGREEMENT WITH 2020910 Ontario LTD., LAKEFRONT UTILITY SERVICES INC. AND THE CORPORATION OF THE TOWN OF COBOURG. (BLOCK 89 PLAN 39M-853, DENSMORE ROAD, COBOURG)

WHEREAS pursuant to Section 41(7) of the *Planning Act*, R. S. O. 1990, c. P. 13, as amended, which provides in part that a municipality has the authority to enter into one or more agreements in dealing with matters subject to Site Plan Control;

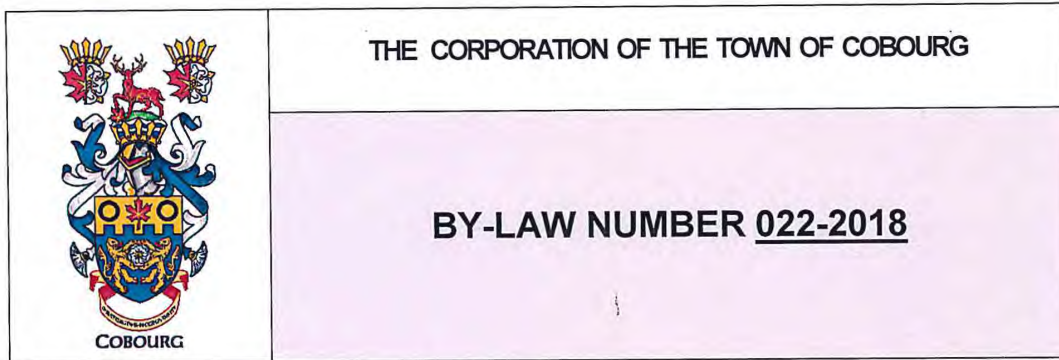
NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. That the Mayor and Municipal Clerk are hereby authorized and instructed to execute on behalf of the Corporation an agreement with 2020910 Ontario Ltd., Lakefront Utility Services Inc. and the Corporation of the Town of Cobourg for a medium density residential development consisting of six, single storey four-plex buildings, for a total of twenty-four new residential units at Block 89, Plan 39M-853, Densmore Road, Cobourg.
2. THAT this By-law come into effect as of its final passing thereof, and shall expire three (3) years from the date of passing.

By-law read and passed in Open Council this 22nd day of May 2018.

MAYOR

MUNICIPAL CLERK



A BY-LAW TO AMEND ZONING BY-LAW NUMBER 85-2003 (Select Lands within East Village Phases 3 & 4)

WHEREAS the Municipal Council of the Corporation of the Town of Cobourg convened a Public Meeting in accordance with the Planning Act, R.S.O. 1990, c.P. 13, as amended, on May 14, 2018 regarding an application for a Zoning By-law Amendment for select lands within East Village Subdivision, Phases 3 & 4;

AND WHEREAS one public submission in favour of the application was received by the Council of the Corporation of the Town of Cobourg at the Public Meeting;

AND WHEREAS the Council of the Corporation of the Town of Cobourg duly considered the public submission and all other relevant information surrounding the subject matter, and now deems it advisable to amend By-Law Number 85-2003, as amended;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. That By-law No. 85-2003, Section 10.2. is hereby amended by the addition of the following subsections:

“10.2.27 **Multiple Residential 4 Exception 29 (R4-29) Zone – Lands within East Village Subdivision, Phases 3 & 4**

10.2.27.1 **Defined Area**

R4-29 as shown on Schedule ‘A’, portion of Map 5 to this By-law

10.2.27.2 **Permitted Uses and Permitted Accessory Uses**

The uses permitted shall be in accordance with Section 10.1.1 and 10.1.2.

10.2.27.3 **Permitted Buildings and Structures**

- i) one single detached dwelling on one lot;
- ii) one unit of a semi-detached dwelling on one lot;
- iii) one semi-detached dwelling on one lot;
- iv) townhouse dwelling;
- v) accessory buildings and structures for the permitted uses;
- vi) buildings and structures for public uses in accordance with the provisions of Section 5.3.2

15.2.27.4 **Regulations for Permitted Uses in the R4-29 Zone**

The regulations of Section 10.1 shall apply to the permitted uses in the R4- 29 Zone, with the exception of the following:

Lot Area

- i) single detached dwelling: 370 sq m (3,982 sq ft) minimum with the exception that up to 2 lots may be 337 sq m (3,627 sq ft) minimum and up to 21 lots may be 363 sq m (3907 sq ft) minimum
- ii) one unit of a semi-detached dwelling: 278 sq m (2,992 sq ft) minimum
- iii) one semi-detached dwelling: 556 sq m (5,985 sq ft) minimum
- iv) townhouse dwelling: 215 sq m (2,314 sq ft) minimum, with the exception that up to 24 lots may be 192 sq m (2,066 sq ft) minimum and up to 8 lots may be 202 sq m (2,174 sq ft) minimum

Lot Coverage

- i) single detached dwelling: 45% maximum
- ii) semi-detached dwelling: 50% maximum
- iii) townhouse dwelling: 55% maximum

Front Yard

2.5 m (8.2 ft) minimum up to 5.0 m (16.4 ft) maximum, subject to the following provisions:

- i) The wall of an attached garage facing the public street shall not be located closer to the front lot line than either the front porch or the main front entrance of the dwelling unit, whichever is closer to the street.
- ii) The front wall of the dwelling above an attached private garage shall be located no further than 2.5 metres from the front wall of the attached private garage.
- iii) The wall of an attached private garage facing the public street shall be setback a minimum of 5.8 metres from the lot line that the driveway crosses to access the private attached garage. If the driveway does not cross a sidewalk, the minimum setback for the wall of the attached garage shall be 4.5 metres minimum.

Garage Width

The maximum width of an attached garage shall be 4.0 m (13 ft), with the exception that, on a lot equal to or greater than 12.0 m frontage, an attached garage may be a maximum of 5.5 m in width.

Driveway Setback

The minimum setback from a side lot line to a driveway shall be 0.6 m (2.0 ft).

Interior Side Yard

- i) single detached dwelling: 0.75 m (2.5 ft) minimum for a one storey dwelling and 0.45 m (1.5 ft) for each additional storey.
- ii) semi-detached dwelling and townhouse dwelling: no interior side yard shall be required between the common vertical wall dividing one unit from another. The side yard on the other side of the unit shall be in accordance with the provisions for a single detached dwelling.

Exterior Side Yard

3.0 m (9.8 ft) minimum

Landscaped Open Space

Minimum 30% of the lot

Building Height

- i) single detached dwelling and semi-detached dwelling: 2 storeys maximum
- ii) townhouse dwelling: 3 storeys maximum

Regulations for Accessory Buildings and Structures

In accordance with the provisions of Section 10.1.19, with the exception that the total lot coverage shall not exceed 55% of the lot area.

2. That Schedule 'A', Map 5, attached to and forming part of By-law No. 85-2003, is hereby amended by changing the zone category of the lands as illustrated on Schedule "B" attached hereto from "Multiple Residential 4 Exception Nineteen (R4-19) Zone" to "Multiple Residential 4 Exception Twenty-Nine (R4-29) Zone."

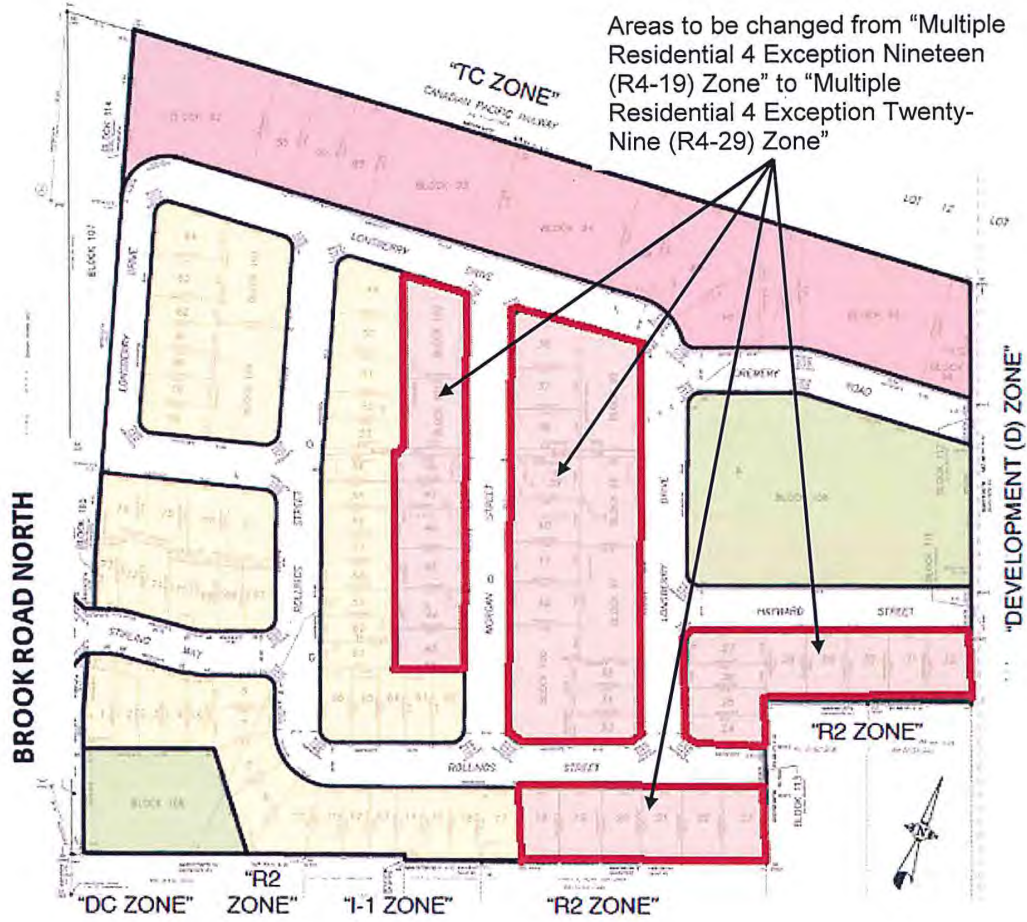
2. That Schedule "B" attached hereto is hereby made part of this by-law as fully and to all intents and purposes as though recited in full herein.
3. THIS BY-LAW shall come into force and effect upon final passing hereof, subject to the provisions of the Planning Act, R.S.O. 1990, c. P. 13.

READ and passed in Open Council this 22nd day of May, 2018.

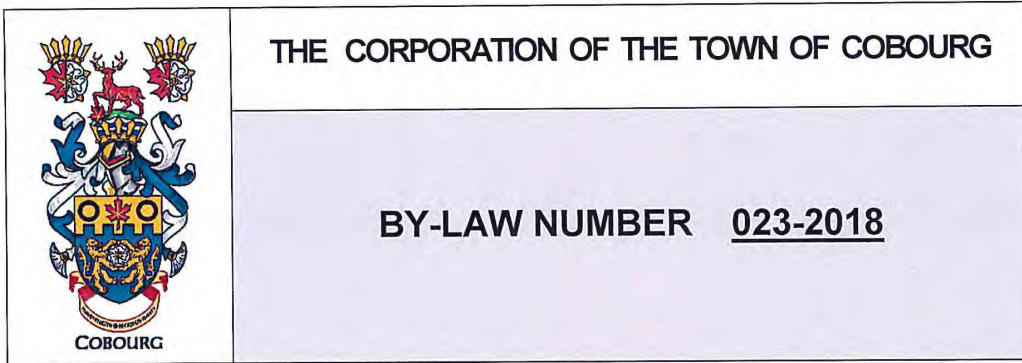
MAYOR

MUNICIPAL CLERK

Schedule "B"



Areas to be changed from "Multiple Residential 4 Exception Nineteen (R4-19) Zone" to "Multiple Residential 4 Exception Twenty-Nine (R4-29) Zone"



A BY-LAW TO AUTHORIZE THE MUNICIPAL SOLICITOR FOR THE CORPORATION OF THE TOWN OF COBOURG TO SIGN THE MINUTES OF SETTLEMENT OF THE LOCAL PLANNING APPEAL TRIBUNAL (FORMERLY KNOWN AS THE ONTARIO MUNICIPAL APPEAL BOARD (OMB)) APPEAL NO. PL120047 OF THE PROPOSED MUNICIPAL OFFICIAL PLAN AMENDMENT NO. 69, TOWN OF COBOURG.

WHEREAS the Town of Cobourg passed By-law No. 046-2010, adopting Official Plan Amendment No. 69 ("**OPA 69**") which OPA was approved by the Ministry of Municipal Affairs and Housing (the "**Minister**") on December 6, 2011 (MMAH File 14-OP-0087-069);

AND WHEREAS the DePalma Developments Limited (the "Appellant") appealed the Minister's approval of OPA 69 to the Ontario Municipal Board (now known as the Local Planning Appeal Tribunal (the "Tribunal")), concerning the Appellant's lands legally described as: PT RDAL BTN LT 22 & 23 CON 1 HAMILTON; PT LT 22 CON 1 HAMILTON AS IN NC340804 S/T HN13225; COBOURG (the "**DePalma Lands**");

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT Municipal Council for the Corporation of the Town of Cobourg hereby authorizes the Municipal Solicitor to execute the signing of the Minutes of Settlement for on behalf of the Corporation in regards to the Local Planning Appeal Tribunal (formerly known as the Ontario Municipal Board) Appeal No. PL120047 Proposed Official Plan Amendment No.69 attached to this by-law as Appendix "A".
2. THAT this by-law shall take effect upon the date of passing.
3. THAT this By-law read and passed in Open Council this 22nd day of May 2018.

MAYOR

MUNICIPAL CLERK

Appendix "A"

Case No. PL120047

LOCAL PLANNING APPEAL TRIBUNAL Tribunal d'appel de l'aménagement local

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O 1990, c. P.13, as amended

Appellant:	DePalma Developments Limited
Subject:	Proposed Official Plan Amendment No. 69
Municipality:	Town of Cobourg
Case No.:	PL120047
File No.:	PL120047
Case Names:	A & W Food Services of Canada Inc.v. Cobourg (Town)

MINUTES OF SETTLEMENT (dated May 22, 2018)

WHEREAS Cobourg passed By-law No. 046-2010, adopting Official Plan Amendment No. 69 ("OPA 69") which OPA was approved by the Ministry of Municipal Affairs and Housing (the "Minister") on December 6, 2011 (MMAH File 14-OP-0087-069);

WHEREAS the DePalma Developments Limited (the "Appellant") appealed the Minister's approval of OPA 69 to the Ontario Municipal Board (now known as the Local Planning Appeal Tribunal (the "Tribunal"), concerning the Appellant's lands legally described as: PT RDAL BTN LT 22 & 23 CON 1 HAMILTON; PT LT 22 CON 1 HAMILTON AS IN NC340804 S/T HN13225; COBOURG (the "DePalma Lands");

WHEREAS the parties hereto wish to effect a settlement of all of the issues in this appeal;

NOW THEREFORE in consideration of the covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, the parties hereto covenant and agree as follows:

1. The Appellant and the Town of Cobourg (the "**Town**") confirm and agree that the recitals above are true, both in substance and in fact.
2. The Appellant and the Town have agreed to settle this appeal as it relates to the DePalma Lands, and to request the Tribunal to modify OPA 69 as set out on **Schedule "A"** hereto (being an Order of the Tribunal modifying OPA 69), which is attached hereto and forms part of these minutes of settlement.
3. The Appellant and the Town consent to the order of the Tribunal as set out in Schedule "**A**".
4. Except to the extent that it is necessary to allow the Tribunal to issue the Order in the form attached hereto as Schedule "**A**", the parties consent to an order by the Tribunal dismissing this appeal.
5. On May 28, 2018, at the first scheduled day of the hearing in this appeal (or as soon thereafter as possible with all parties using their best efforts to obtain another date to be heard by the Tribunal as quickly as possible), the Town agrees that the planning consultant and its land economist representing the Town will appear to present oral evidence to the Tribunal, in support of an order in accordance with these minutes of settlement, and particularly, Schedule "**A**" hereto.

6. If necessary, the parties agree to cooperate in putting forward a joint submission to the Tribunal with such limited supporting expert evidence as may be required to satisfy the Tribunal as to the appropriateness of these minutes of settlement, having regard to the applicable legal and planning considerations.

7. The parties hereto agree that these minutes of settlement address all of the terms and conditions of the settlement reached between them, and that there are no other written or oral terms which may amend, modify, or otherwise affect the provisions of this settlement.

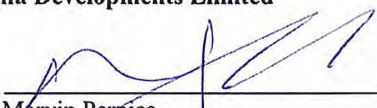
8. The parties agree to forthwith upon demand make, do, and execute or cause to be made, done, and executed, all such further assurances, acts, assignments, transfers, deeds, instruments, writings, and other documents as may be reasonably necessary to otherwise effect the terms of these minutes of settlement.

9. These Minutes may be executed by the parties in counterparts with the same effect as if they had signed the same document and all counterparts shall be construed together and shall constitute one and the same Minutes. These Minutes may be executed by the parties and transmitted by facsimile transmission, electronic mail in PDF format or other form of electronic transmission with the same effect as if the parties had delivered an executed original. The Minutes shall not be binding until all parties have evidenced their agreement by execution of same.

10. The agreement contained in these minutes of settlement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns, and any future owner of the DePalma Lands.

IN WITNESS whereof, the parties hereto have duly executed these minutes of settlement by their authorized representatives.

DePalma Developments Limited

Per: 
Name: Marvin Pernica
Title: ASO
I have authority to bind the Corporation.

**THE CORPORATION OF THE
TOWN OF COBOURG**

Per: _____
Name:
Title:
I have authority to bind the Corporation.

SCHEDULE "A" TO THE MINUTES OF SETTLEMENT

AMENDMENT NO. 69 TO THE OFFICIAL PLAN OF THE COBOURG PLANNING AREA (Five Year Review) is hereby by order of the Local Planning Appeal Tribunal modified and approved by adding the following section after Section 14.3.2.6.1:

Special Provision for DePalma Lands

14.3.2.6 Special Provisions

14.3.2.6.2 DePalma Lands

- i) *Notwithstanding any other policies of this Plan, the following uses are permitted on the DePalma Lands as shown on Schedule I – Cobourg West Business Park Secondary Plan Land Use and Transportation Plan in addition to the uses already permitted in Section 14.3.2.2, subject to the following special provisions:*
 - a. *hotel, motel, conference centre, convention and banquet facility;*
 - b. *stand-alone service commercial uses, including personal service uses, eating establishment uses and drive-thru facilities but excluding banks, subject to clause ii) a);*
 - c. *stand-alone building supply uses, subject to clause ii) b);*
 - d. *stand-alone retail commercial uses, subject to clause ii) b);*
 - e. *retail commercial and service commercial uses, including eating establishment uses, which are accessory to a principal permitted use are permitted up to 15% of the gross floor area of the principal permitted use;*
 - f. *medical and dental clinics, subject to clause iii); and*
 - g. *laboratories.*
- ii) *Notwithstanding the foregoing, the permitted uses for the lands fronting directly onto the north side of the DePalma Drive extension, and the lands south of the DePalma Drive extension, shall be subject to the following special provisions:*
 - a. *stand-alone service commercial uses, including personal service uses, eating establishment uses and drive-thru facilities but excluding banks, may be permitted to a maximum total of no more than 2,322 sq. m. (25,000 sq. ft.) of gross floor area prior to December 31, 2020, and thereafter a further 1858 m² (20,000 sq. ft.) may be allowed (i.e. a maximum total of up to 4,180 sq. m. (45,000 sq. ft.) of gross floor area); and,*
 - b. *stand-alone retail commercial uses and stand-alone building supply uses may be permitted to a maximum total of no more than 2,322 sq. m. (25,000 sq. ft.) of gross floor area prior to December 31, 2020, and thereafter a further 3251 m² (35,000 sq. ft.) may be allowed (i.e. a maximum total of up to 5,574 sq. m. (60,000 sq. ft.) gross floor area) PROVIDED THAT at no time shall stand-alone building supply uses exceed 1,858 sq. m. (20,000 sq. ft.) of gross floor area.*

- c. *With respect to a. and b. above, any additional stand-alone service commercial uses, stand-alone building supply uses and stand-alone retail commercial uses proposed beyond the respective maximum individual gross floor area and/or beyond a maximum total gross floor area of 9,755 sq. m. (105,000 sq. ft.) on or after January 1, 2021 shall be subject to:*
- *the findings of a Planning Justification Report to be submitted to the Town which demonstrates the appropriateness of the DePalma Lands for additional commercial space based on:*
 - *Locational and transportation factors;*
 - *The existing and planned function of the DePalma Lands employment area, other nearby employment and commercial areas, and employment and commercial areas within the community as a whole; and,*
 - *The timing of development relative to other employment and commercial areas in the general vicinity of the DePalma lands and within the community as a whole; and*
 - *An updated Retail Market Impact Analysis to be submitted to the Town.*
 - *An updated Employment Land Needs Study to be submitted to the Town for additional commercial uses on the DePalma Lands, but such a study shall only be required for applications submitted after January 1, 2026. Applications submitted prior to January 1, 2026 shall be subject to a letter report/brief which shall evaluate and/or address any significant changes in the local and regional employment market.*

The aforementioned provisions shall be evaluated as part of a Zoning By-law Amendment in accordance with all relevant policies of the Official Plan, including but not limited to, Section 3.8.3.2 and Section 14 (Cobourg West Business Park Secondary Plan), to the satisfaction of the Town.

- iii) *Notwithstanding the foregoing, for lands subject to this amendment, medical and dental clinics may be permitted on or after January 1, 2021 but not before.*
- iv) *For additional clarity, the time horizons referenced in clauses ii) a), b) and c) and iii) above shall restrict the occupancy of floor space and shall not preclude the advancement of planning applications or approvals for permitted gross floor area in advance of the time horizons specified.*
- v) *Individual stand-alone building supply uses and stand-alone retail commercial uses shall have a minimum gross floor area of 465 sq. m. (5,000 sq. ft.) with the exception that 2 units less than 465 sq. m. (5,000 sq. ft.) shall be permitted.*
- vi) *Major stand-alone retail commercial uses with 4,645 sq. m. (50,000 sq. ft.) or more of retail gross floor area, including supermarkets, department stores, home and auto supply, and warehouse membership clubs shall be prohibited. In addition, supermarkets and department stores having a gross floor area less*

than 1,400 sq m (15,000 sq ft) and banks, which are considered anchor uses, shall be prohibited. Permission for such uses shall be subject to the findings of an updated Employment Land Needs Study (beyond January 1, 2026) and an updated Retail Market Impact Analysis, to be submitted to the Town which shall be evaluated as part of an Official Plan Amendment and a Zoning By-law Amendment in accordance with all relevant policies of the Official Plan, including but not limited to Section 3.8.3.2 and Section 14 (Cobourg West Business Park Secondary Plan), to the satisfaction of the Town. Notwithstanding the foregoing, any application for a supermarket and/or a department store with 1,400 sq m (15,000 sq ft) or more of gross floor area shall require the submission of a Retail Market Impact Study.

Major stand-alone retail commercial uses shall be defined as large-scale or large-format stand-alone retail stores with 4,645 sq m (50,000 sq ft) or more of retail gross floor area that have the primary purpose of retail commercial activities.

- vii) The aforementioned clauses shall be regulated in and through the implementing Zoning By-law.
- viii) In the event of any conflict between the above policies and other policies in the Town Official Plan or the Cobourg West Business Park Secondary Plan, the provisions of this section shall apply.
- ix) Section 14.3.2.4 shall not apply to the subject lands.

APPROVED by Order of the Local Planning Appeal Tribunal on the

day of _____, 2018.

