

The Corporation of the City of Kawartha Lakes

Agenda

Special Council Information Meeting

CC2018-03

Tuesday, February 27, 2018

Open Session Commencing at 1:00 p.m.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Mayor Andy Letham
Councillor Isaac Breadner
Councillor Pat Dunn
Councillor Doug Elmslie
Councillor Gord James
Councillor Gerard Jilesen
Councillor Brian S. Junkin
Councillor Rob Macklem
Councillor Mary Ann Martin
Councillor Gord Miller
Councillor Patrick O'Reilly
Councillor John Pollard
Councillor Kathleen Seymour-Fagan
Councillor Heather Stauble
Councillor Stephen Strangway
Councillor Andrew Veale
Councillor Emmett Yeo

Accessible formats and communication supports are available upon request.

1.	Statutory Public Meeting at 1:00 p.m.	
1.1	Call to Order	
1.2	Disclosure of Pecuniary Interest	
1.3	CC2018-03.1.3	4 - 4
	Statutory Public Meeting - Amendment to Building By-law 2012-019 Fees with Respect to Use of Registered Code Agency Susanne Murchison, Chief Building Official	
1.4	Adjournment	
2.	Call to Order - Special Council Information Meeting	
3.	Adoption of Agenda	
4.	Disclosure of Pecuniary Interest	
5.	Reports	
5.1	BLDG2018-001	5 - 11
	Building By-law Amendment No. 4 Susanne Murchison, Chief Building Official	
6.	Presentations and Deputations	
6.1	CC2018-03.6.1	12 - 29
	How Municipalities can Prepare for New Waste Management Legislation David Kerr, Manager of Environmental Services Dave Gordon, Association of Municipalities of Ontario (AMO)	
6.2	CC2018-03.6.2	
	Kawartha North Family Health Team Funding Submission for Seniors Community Support Program Marina Hodson, Executive Director	
6.3	CC2018-03.6.3	
	Communications, Advertising and Marketing Update Cheri Davidson, Communications, Advertising and Marketing Manager	

6.4 CC2018-03.6.4

2018 Legislation and Structure Reviews Impacting Council

Ron Taylor, CAO

Cathie Ritchie, City Clerk

Robyn Carlson, City Solicitor

7. **Closed Session**

8. **Matters from Closed Session**

9. **Confirming By-Law**

9.1 CC2018-03.9.1

30 - 30

A By-law to Confirm the Proceedings of a Special Information Meeting of Council, Tuesday, February 27, 2018

10. **Adjournment**

Notice of Public Meeting with respect to Building By-law and Related Fees

Pursuant to Division C – Part 1, Article 1.9.1.2. O. Reg. 332/12

The City of Kawartha Lakes intends to adopt amendments to By-law 2012-019 passed under section 7 of the Building Code Act, being a By-law Under the Building Code Act Respecting Permits and Related Matters. A public meeting will be held on Tuesday February 27, 2018 at 1:00 p.m. in Council Chambers at City Hall, 26 Francis St. Lindsay. Any person who attends may make representation at the public meeting.

Legislative Requirements

As per Division C, Part 1, Clause 1.9.1.2.(1)(d) the following information shall be made available to the public:

- (i) The estimate of the costs of administering and enforcing the Act by the *principal authority*, for the year 2018, is \$1,980,000 for the combined building and sewage program;
- (ii) The amount of the fee to be added to the by-law, which in this case is three new categories being added to Schedule A Table 2 relating to the use of an applicant appointed Registered Code Agency, as follows:
 - (a) Item 11, Applicant Appointed RCA Permit for which an RCA is appointed for plans review stage only, 65% of applicable fee from Schedule A Table 2;
 - (b) Item 12, Applicant Appointed RCA Permit for which an RCA is appointed for inspection stage only, 35% of applicable fee from Schedule A Table 2; and
 - (c) Item 13, Applicant Appointed RCA Permit for which an RCA is appointed for both plans review stage and inspection stage, 25% of applicable fee from Schedule A Table 2; and
- (iii) The rationale for imposing the new fee categories is to address a Council resolution to amend the Building By-law 2012-019 to allow for the use of applicant appointed Registered Code Agencies. As a result the Building Code Act section 7(3) requires a reduced fee to be payable in respect of the construction of a building for which a Registered Code Agency is appointed under section 4.2 of the Act.

For further information or to obtain a copy of the above information regarding the proposed amendments contact Susanne Murchison, Chief Building Official at 705-324-9411 ext. 1200 or toll free at 1-888-822-2225 ext. 1200, or by email at smurchison@kawarthalakes.ca.

The Corporation of the City of Kawartha Lakes

Council Report

Report Number BLDG2018-001

Date: February 27, 2018

Time: 1:00 p.m.

Place: Council Chambers

Ward Community Identifier: All

Subject: Building By-law Amendment No. 4

Author Name and Title: Susanne Murchison, Chief Building Official

Recommendation(s):

RESOLVED THAT Report BLDG2018-001, **Building By-law Amendment No. 4**, be received; and

THAT a by-law substantially in the form attached as Appendix A to this report be forwarded to Council for adoption.

Department Head:_____

Financial/Legal/HR/Other:_____

Chief Administrative Officer:_____

Background:

At the Council Meeting of October 24, 2017, Council adopted the following resolution:

CR2017-925

Moved By Councillor Breadner

Seconded By Councillor Yeo

RESOLVED THAT Report BLDG2017-004, **Use of Section 4.2 of Building Code Act (BCA)**, be received;

THAT the City of Kawartha Lakes Building By-law be amended to include section 4.2 of the Building Code Act; and

THAT the necessary by-law be brought forward for adoption.

This report addresses that direction.

Rationale:

Following the October 24, 2017 Council resolution, it is Council's desire to further amend Building By-law 2012-019 to add provisions to allow a building permit applicant the use of Section 4.2 of the Building Code Act, being provisions to allow an applicant to contract portions of the application plans review and permit inspection services, to a Registered Code Agency.

The Building By-law 2012-019 requires amendments to insert clear direction to the applicant with respect to requirements necessary to utilize Section 4.2 of the Building Code Act. Further, the fee schedule requires amendment to include a reduced fee applicable to the use of a Registered Code Agency. As a result of this fee amendment, a public meeting is required as per the legislative requirements.

Other Alternatives Considered:

No other alternatives are being considered as Council has previously discussed the topic through report BLDG2017-004.

Financial/Operation Impacts:

It is not anticipated that the process option will be chosen by sufficient number of applicants to effect staffing requirements.

Relationship of Recommendation(s) To The 2016-2019 Strategic Plan:

This report aligns with the strategic enabler of Municipal Service Excellence by giving applicants the option to choose their service path.

Consultations:

n/a

Attachments:

Appendix A – Draft Amending By-law



draft of amendment
4 Building By-law 201:

Department Head E-Mail: cmarshall@kawarthalakes.ca

Department Head: Chris Marshall

The Corporation of the City Of Kawartha Lakes

By-Law 2018-

A By-Law To Amend By-Law 2012-019 And Schedule “A” Of By-Law 2012-019, Being A By-Law Under The Building Code Act Respecting Permits And Related Matters (Amendment #4)

Recitals

1. As a result of Council resolution CR2017-925, amendments are required to By-Law 2012-019 to establish the authorization for applicants to use Section 4.2 of the Building Code Act, and further establish new fee categories for such applications made under the *Building Code Act*, 1992, as amended.
2. Council held a Public Meeting on February 27, 2018 for which notice was given and the proposed by-law amendments were made available to the public.
3. Council has the authority to amend building permit fees and, after considering the public comments received, has approved fees relating to Section 4.2 of the Building Code Act.
4. This By-law amends Section 3.00 Permit Applications and Issuance, Section 4.00 Plans and Specifications and Schedule ‘A’ Table 2 of By-law 2012-019.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018- .

Section 1.00: Definitions

- 1.01 **Definitions** All defined terms in the amending By-law take their meaning from By-law 2012-019 of the City of Kawartha Lakes.

Section 2.00: Amendment to 2012-019

- 2.01 **Section 3.17:** Insert new Section 3.17 as follows:
 - 3.17 Every application for a building permit under 8(1) which proposes to use a Registered Code Agency, as outlined in Section 4.2 of the Act shall,
 - (a) be accompanied by such information as may be prescribed by the regulation, as well as such information required elsewhere in Section 3.00 of this by-law;
 - (b) be accompanied by the notice required in Subsection 15.14(1) of the Act;
 - (c) clearly outline which functions, as listed in Section 15.15 of the Act, the

Registered Code Agency is appointed to perform with respect to the application; and

- (d) be accompanied by the appropriate fee calculated in accordance with Schedule A.

2.02 **Section 4.08**: Insert new Section 4.08 as follows:

- 4.08 Where an applicant elects to use a Registered Code Agency under Section 4.2 of the Act, the Registered Code Agency shall submit to the Chief Building Official all required documentation, reports, notices, orders, certificates, etc., as required by Section 4.2 of the Act, including but not limited to plans review certificates, change certificates, inspection reports and final certificates.

Section 3.00: Amendment to Schedule “A”

- 3.01 **Schedule “A”**: Schedule “A” Table 2 to By-law 2012-019 is deleted and replaced with Schedule “A” Table 2 attached to and forming part of this By-law.

Section 4.00: Administration and Effective Date

- 4.01 **Administration of the By-law**: The Chief Building Official is responsible for the administration of this By-law.
- 4.02 **Effective Date**: This By-law shall come into force on the 6th day of March, 2018.

By-law read a first, second and third time, and finally passed, this 6th day of March, 2018.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule A – By-law 2018-

Schedule A – By-law 2012-019

Table 2 - Fees Payable for Building Permits

Item	Class of Permit	Fee Payable
1	Building Permit	See Schedule A Table 3
2	Sewage System Permit – under 10,000 litres/day	See Schedule A Table 4
3	Demolition Permit	
	Requiring a Professional Engineer's review as required by OBC	\$300.00
	All others	\$150.00
4	Conditional Building Permit	Applicable fee from Schedule A Table 3 plus administration fee from Schedule A Table 1
5	Change of Use Permit	\$200.00
6	Partial Building Permit	Applicable fee from Schedule A Table 3 plus administration fee from Schedule A Table 1
7	Site Servicing Permit where application is filed separately from remainder of construction permit – no additional fee if included with construction permit it serves	2.5% of Construction Value
8	Occupancy Permit for Unfinished Building, where occupancy has occurred without an occupancy permit	\$150.00
9	Mandatory Maintenance Inspection Program Inspections , where the inspection does not occur during the annual scheduled time slot for the property	\$125.00
10	Permits for Restricted Access Lots	Twice the otherwise applicable fee pursuant to this By-law
11	Applicant Appointed RCA Permit for which an RCA is appointed for plans review stage only	65% of applicable fee from Schedule A Table 2
12	Applicant Appointed RCA Permit for which an RCA is appointed for inspection stage only	35% of applicable fee from Schedule A Table 2

13	Applicant Appointed RCA Permit for which an RCA is appointed for both plans review stage and inspection stage	25% of applicable fee from Schedule A Table 2
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WASTE MANAGEMENT IN ONTARIO

City of Kawartha Lakes

Dave Gordon

February 27, 2018

OBJECTIVES OF TODAY

- Show how the *Waste-Free Ontario Act, 2016* has changed the landscape for all waste programs
- Will focus first on the Blue Box Program Plan amendment (a-BBPP) process, and what it means to your community
- Brief on current status of other waste programs
- Provide an overview of tools Council can use to stay informed

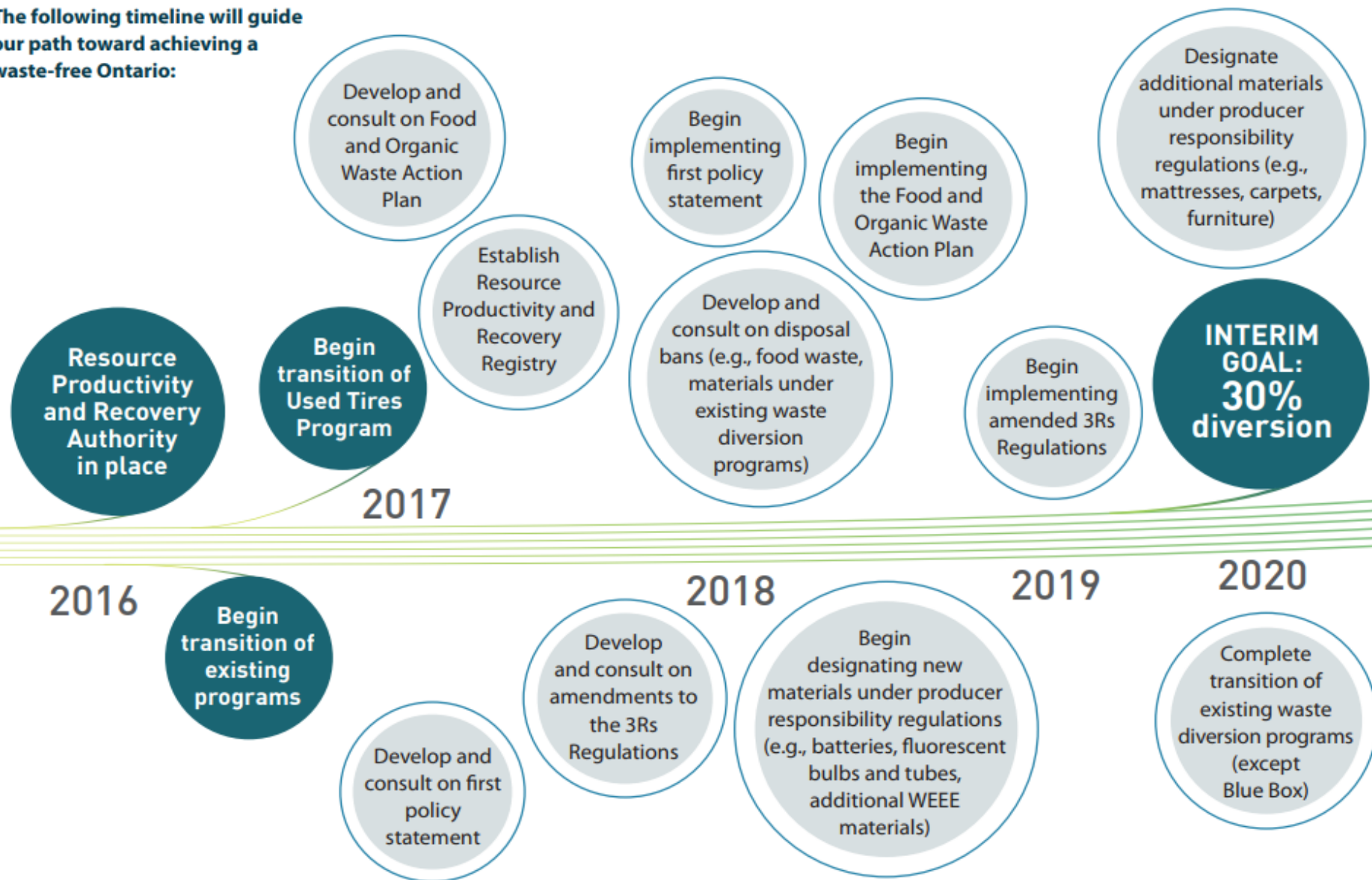
WASTE-FREE ONTARIO ACT

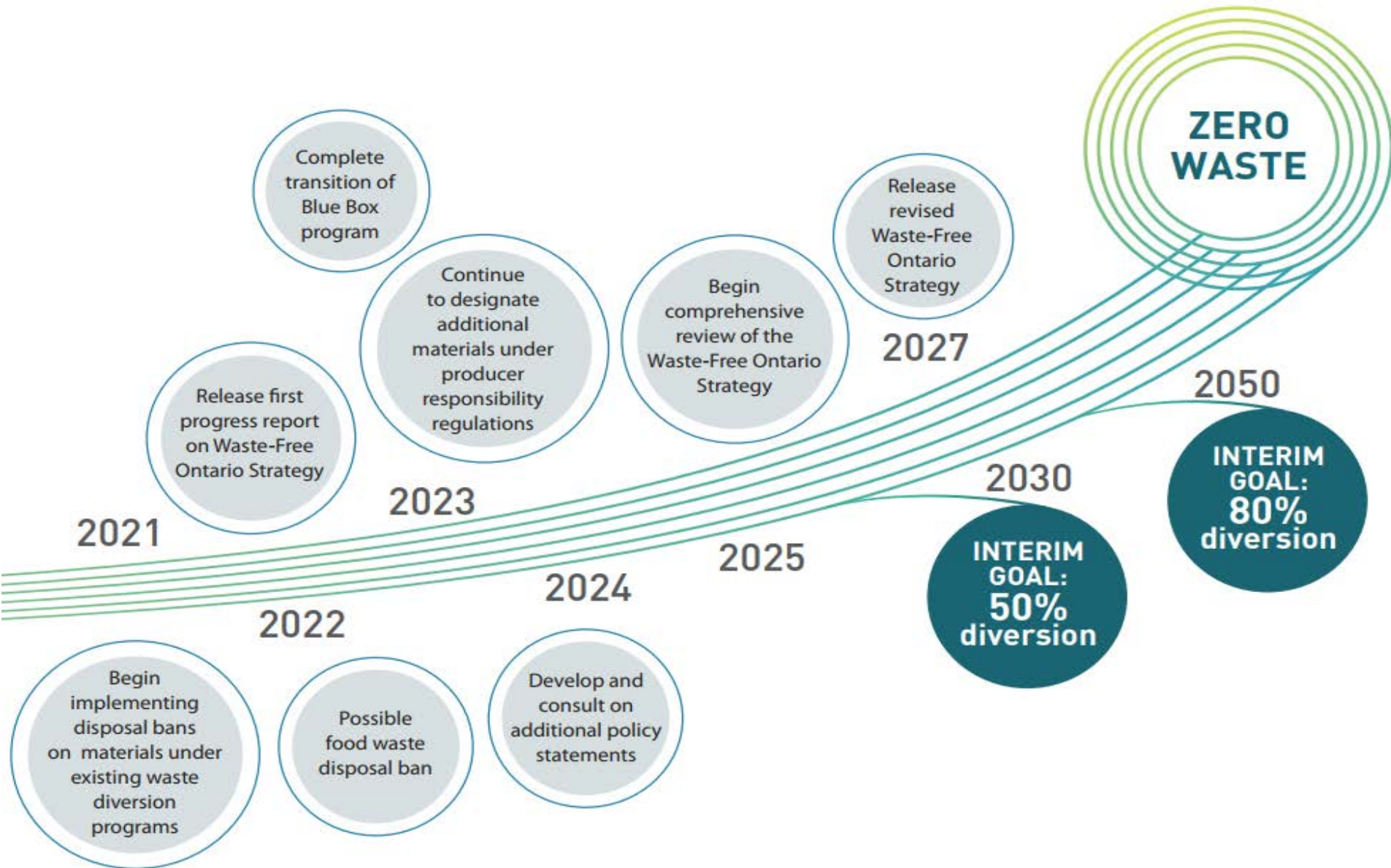
- Move to full producer responsibility with individual producers responsible for end-of-life management for designated products and packaging
- Fundamental change – Producers fully managing designated materials, not municipalities

IMPLICATIONS

- Municipal governments have long advocated for full producer responsibility
- Removes financial and operational obligation from municipalities and puts it on Producers
- Directly connects Producers who design products and packaging to the costs and complexity of managing them at end-of-life
- Electronics, Tires and Municipal Hazardous and Special Waste are under full producer responsibility
- Blue Box is shared responsibility between municipal governments and producers (50/50) and transition will be more complex

The following timeline will guide our path toward achieving a waste-free Ontario:





AMENDED BLUE BOX PROGRAM PLAN

- Parties have been working hard to amend the Blue Box Program Plan versus direct jump to the *Resource Recovery and Circular Economy Act, 2016*
 - Rationale was that transition could be accelerated faster than the 2023 date which the Strategy for a Waste-Free Ontario outlined as the date that the Blue Box would be transitioned by
- July 7, 2017: Accord between municipalities and producers
- August 14, 2017: Minister's Direction Letter
- December 19, 2017: Draft a-BBPP released by Stewardship Ontario & the Resource Productivity and Recovery Authority (formerly WDO) released the draft Program Agreement

EVALUATION OF DRAFT A-BBPP

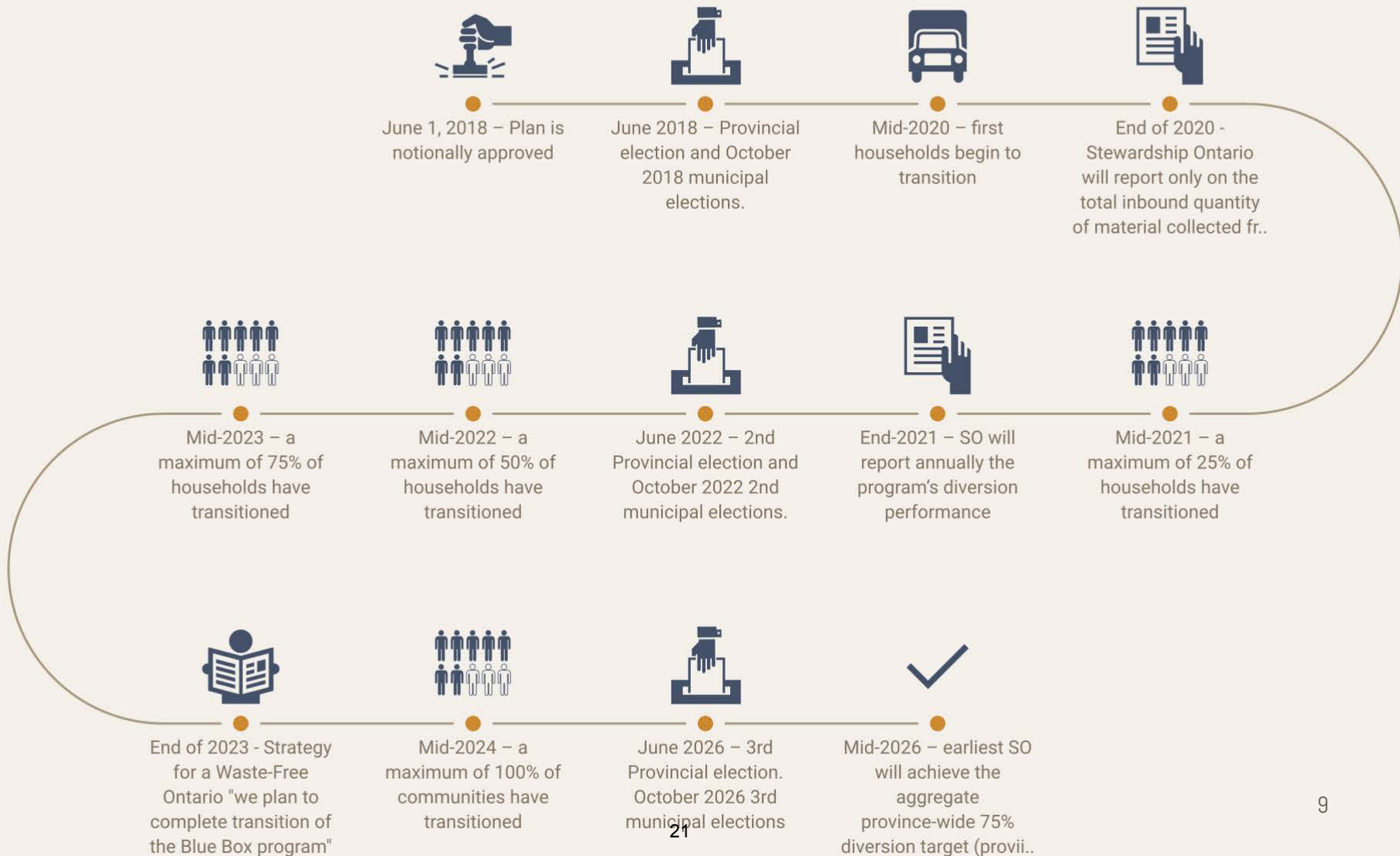
- Municipalities began this process with a great deal of enthusiasm, and have continuously operated reasonably to land a Plan that could work for all stakeholders
- Done properly and in accordance with the Minister's direction letter, transition *could* mean the following for municipalities:
 - Significant reduction in annual operating expenditures and reduced market risk exposure;
 - A smooth transition that will not negatively impact Ontarians' experience with and access to existing recycling services;
 - Improved environmental outcomes;
 - Creation of a consistent recycling experience for all Ontario residents;
 - Ensure a fair and open marketplace; and,
 - Set the framework to strive towards a circular economy.

EVALUATION OF DRAFT A-BBPP

- However, the draft a-BBPP released in December did not meet what our expectations were on a number of fronts:
 1. The move to individual producer responsibility was not guaranteed, and included a number of barriers that may hinder transition to the RRCEA
 2. Governance and decision-making were not in keeping with *Waste-Free Ontario Act* which sought better oversight and controls
 3. Little progress was made on improving environmental outcomes
 4. There was limited transparency on how targets are set, measured and penalties associated with performance deficiencies
 5. Many legacy concerns were not addressed (stranded assets, determining eligible costs for non-transitioned municipalities, & funding for management of newspapers)

DRAFT AMENDED BLUE BOX TIMELINE

December 30, 2017



WHERE DOES THIS LEAVE US?

- On January 15, 2018, the coalition submitted joint comments to the Resource Productivity and Recovery Authority (RPRA)
 - The letter asked RPRA not approve the proposed a-BBPP in its current form, and that a collaborative process be lead to make the needed amendments to the proposed plan
- On February 15, 2018, Stewardship Ontario and RPRA agreed that more time is needed to address the comments received in light of comments that were submitted. This means that no a-BBPP was submitted to the Minister
- The nature and timing of an extension to continue work on the a-BBPP process is being discussed between the parties
- Also working in parallel process to determine what a regulation for Blue Box under RRCEA could look like

WHAT'S HAPPENING WITH ORGANICS?

- AMO submitted comments on the Framework for the EBR posting on January 15, 2018
- City of Toronto, Regional Public Works Commissioners of Ontario (RPWCO), and the Municipal Waste Association (MWA) were co-signatories

ACTION PLAN: THE HIGHLIGHTS

- Support a province-wide multi-stakeholder promotion & education campaign to support food waste prevention and reduction that includes the entire supply chain
- Support amending the 3R's regulations to include the IC&I sector, provided the Province can ensure compliance & enforcement
- Disposal restrictions or bans need to take into account population differences and hard work already taken by municipalities; HOWEVER, more work required on additional costs that will be borne if the ban is implemented
- Support streamlining process and taking further actions in the Plan (e.g. exemptions, use of qualified professionals, broaden the Registry)
- Province needs to connect policy frameworks for energy, climate change and resource recovery
- Province should extend Producer responsibility to these alternative delivery models

POLICY STATEMENT: THE HIGHLIGHTS

- Include an additional level of “Feed Animals” between Feed People and Resource Recovery under the Ontario Food Recovery Hierarchy
- The diversion targets need careful consideration:
 - Need flexibility in calculating targets
 - Need to effectively measure prevention and reduction as well as diversion from disposal
 - Seven-year timeline is too short for some
- The Province has an important role to play in the promotion & education campaign
- given connection to food delivery through broader public service and institutions like hospitals and jails
- Thresholds for implementation of programs remain challenging and require a funding source – and one that isn’t allocated from Blue Box transition
- Branded organics should be obligated and municipalities should be compensated for recovery

WHAT'S HAPPENING WITH TIRES?

- AMO submitting comments on the EBR posting of the proposed Tires Regulation
- City of Toronto, Regional Public Works Commissioners of Ontario (RPWCO), and the Municipal Waste Association (MWA) were co-signatories

TIRES REGULATION: HIGHLIGHTS

- Province should not put limits on definition of “tire”, instead focusing on designating the product or packaging whatever its composition and place responsibility to ensure it is properly managed at the end-of-life
- Consider Responsible Persons who retail products without a residence or presence in Ontario to be the transportation company who delivers the product
- Accessibility in smaller rural, northern and remote communities around tire collection sites needs more exploring
- More clarity required on Section 9 (1) (iii) of the regulation (e.g. management of tires)
- Promotion & education solely via electronic means is problematic
- Minister should produce a guideline that addresses reporting requirements, and allow for flexibility based on risk and unique circumstances

RESOURCES FOR COUNCIL & STAFF



HOME ADVOCACY EVENTS TRAINING OPEN DATA YOUR ASSOCIATION DASHBOARD

TOWARDS A CIRCULAR ECONOMY - *WASTE FREE ONTARIO ACT*

READ

- ↓ Comments on Module 1 Consultation - Amended Blue Box Program Plan
- ↓ Comments on Module 2 Consultation - Amended Blue Box Program Plan
- ↓ Stranded Assets
- ↓ Eligible Sources
- ↓ Expansion of Services
- ↓ Service Compensation and Dispute Resolution
- ↓ Expand and Harmonize the List of Materials Collected
- ↓ Calculating PPP Recovery Rates
- ↓ Reduction, Reuse and Reintegration of PPP into the Economy
- ↓ Promotion and Education
- ↓ Conditions to Transition to the RRCEA

In November 2016, the *Waste Diversion Act* was repealed and replaced by the *Waste-Free Ontario Act*, which includes both the *Waste Diversion Transition Act* and the *Resource Recovery and Circular Economy Act*.

This new legislation will have a major impact on municipal waste management and, most importantly, on waste diversion programs you may operate now or have planned for the future.

In particular, the cost to run programs for collecting and recycling paper products and packaging is now split 50/50 between municipalities and the companies that produce these items. The new legislation will transfer to full producer responsibility.

Municipal blue box recycling programs will undergo some of the biggest changes, as municipalities will have new options – to act as service providers to producers who are required to pay for these programs, to work with private service providers, or opt out from providing service altogether.

It is in the best interest of municipal governments that this work gets done as quickly as possible, as the current proposal to transition the Blue Box is expected to take at least another six years and will cost municipalities an estimated \$780 million. Municipalities can save \$130 million per year by accelerating this transition.

➤ STEWARDSHIP ONTARIO CONSULTATIONS ON BLUE BOX UNDER WAY

➤ AMO/MUNICIPAL 3RS COLLABORATIVE PREPARES THE SECTOR FOR BLUE BOX TRANSITION

➤ 2017 AMO CONFERENCE - BLUE BOX TRANSITION IN ONTARIO

WASTE PORTAL

If you are a municipal elected official or staff member and require a login to the waste portal, email amo@amo.on.ca

What Ontario Municipal Elected Officials Need to Know about the Blue Box Transition in Ontario



AMO Videos



Municipal Key Messages on Transition
Comments on Module 1 Consultation with Stewardship Ontario
Infographic of Blue Box Stakeholder Consultations (to March 2018)
Slides from AMO/M3RC Municipal Update (Webcast)
Municipal Briefing Note for Stewardship Ontario Consultation (Module 1)
7 - Infographic of Blue Box Transition Timeline
7 - Slides from AMO/M3RC Seminar (Webcast)
Notice to Northern and Rural Municipalities re: Waste Diversion Programs
Consultation from Blue Box Session at the AMO Conference (RPA)
Consultation from Blue Box Session at the AMO Conference (Am McKay)
2 Conference - What Municipal Elected Officials Need to Know about Blue Box (Video)
3 Conference - What Municipal Staff Need to Know about Blue Box (Video)
Messages - Municipal Response to Transition of the Blue Box Program
Aprender - Towards a Circular Economy
Municipal Sector Advisory re: Key Role in Transition
4 Municipal Sector Advisory re: Transition of Blue Box Program
RPA Update for CIP Spring Consultations
Reganics Action Plan Review
Joint Submission to MOECC on RPA Operating Agreement
The Blue Box Enters a New Era
Bill 151 Forum Slides
Joint Submission to MOECC on Waste Free Ontario Act Transition Planning
Presentation on Waste Free Ontario Act at RPA Conference
Joint Submission to MOECC on Proposed Strategy for a Waste-Free Ontario
Joint Letter to MOECC on Competition & Transition
Waste Reduction and Resource Recovery Framework Legislation

ACTOR

City Confident in Stewardship Ontario's "Aggressive" Transition Timeline (Ottawa Metro Article)
7 - Changes coming to Blue Box program in Durham (Whisby This Week Article)
7 - Amended Blue Box program will save taxpayer dollars (Waterloo Record Article)
7 - Staff Report to Planning & Works Committee (Region of Waterloo)
7 - Staff Presentation to Planning & Works Committee (Region of Waterloo)
- Staff Report to Committee of the Whole (Durham Region)
- Staff Presentation to Committee of the Whole (Durham Region)
Staff Report to Public Works and Infrastructure Committee (City of Toronto)
Letter to Minister Glen Murray re: Request for Support Towards Beginning the Transition to a Circular Economy for Paper Products and Packaging in Ontario (AMO, RPWCO, MWA, City of Toronto)

June 29 2017 - Staff Report to Waste Management Strategic Advisory Committee (Item 4.2) (Peel Region)
June 2017 - York Council Q & A for WFOA, Transition Process and New Municipal Working Group (York Region)
June 15 2017 - Staff Report to Committee of the Whole - Environmental Services (York Region)
June 7 2017 - Staff Report to Council Committee of the Whole (Region of Durham)
May 24 2017 - Staff Report to Public Works and Infrastructure Committee (City of Toronto)
May 9 2017 - Staff Report to Environment, Infrastructure and Transportation Policies Committee (City of Kingston)
May 9 2017 - Staff Report to Environment, Infrastructure and Transportation Policies Committee (City of Kingston)
April 12 2017 - Staff Report to Planning and Public Works Committee (Halton Region)
April 12 2017 - Staff Report to Planning and Public Works Committee (Halton Region)
February 9 2017 - Regional Council Meeting (Item 5.4) (Region of Peel)

STAY INFORMED!



The Corporation of The City of Kawartha Lakes

By-Law 2018-XXX

A By-law to Confirm the Proceedings of a Special Information Meeting of Council, Tuesday, February 27, 2018

Recitals

1. The Municipal Act, 2001, S.O. 2001 c. 25 as amended, provides that the powers of a municipal corporation are exercised by its Council.
2. The Municipal Act, also provides that the Council's powers must be exercised by by-law.
3. For these reasons, the proceedings of the Council of The Corporation of the City of Kawartha Lakes at this meeting should be confirmed and adopted by by-law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2018-XXX.

Section 1.00: Confirmation

1.01 The actions of the Council at the following meeting:

Tuesday, February 27, 2018 Special Council Information Meeting and each motion, resolution and other action passed or taken by the Council at that meeting is, except where prior approval of the Ontario Municipal Board is required, adopted, ratified and confirmed as if all such proceedings had been expressly embodied in this By-law.

1.02 The Mayor and the proper officials of the City are authorized and directed to do all things necessary to give effect to the actions of the Council referred to in Section 1.01 of this By-law. In addition, the Clerk is authorized and directed to affix the corporate seal to any documents which require it.

Section 2.00: General

2.01 This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 27th day of February, 2018.

Andy Letham, Mayor

Cathie Ritchie, City Clerk