

The Corporation of the City of Kawartha Lakes

Amended Agenda

Regular Council Meeting

CC2021-09

Tuesday, May 18, 2021

Open Session Commencing at 1:00 p.m. - Electronic Participation

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Mayor Andy Letham

Deputy Mayor Patrick O'Reilly

Councillor Ron Ashmore

Councillor Pat Dunn

Councillor Doug Elmslie

Councillor Tracy Richardson

Councillor Kathleen Seymour-Fagan

Councillor Andrew Veale

Councillor Emmett Yeo

This will be an electronic participation meeting and public access to Council Chambers will not be available. Please visit the City of Kawartha Lakes YouTube Channel at <https://www.youtube.com/c/CityofKawarthaLakes> to view the proceedings.

Accessible formats and communication supports are available upon request. The City of Kawartha Lakes is committed to accessibility for persons with disabilities. Please contact AgendaItems@kawarthalakes.ca if you have an accessible accommodation request.

1.	Call to Order	
2.	Opening Ceremonies	
2.1.	O Canada	
2.2.	Moment of Silent Reflection	
2.3.	Adoption of Open Session Agenda	
3.	Disclosure of Pecuniary Interest	
4.	Notices and Information by Members of Council and Staff	
4.1.	Council	
4.2.	Staff	
5.	Council Minutes	24 - 48
	Regular Council Meeting Minutes, April 20, 2021	
	That the Minutes of the April 20, 2021 Regular Council Meeting, be received and adopted.	
6.	Deputations	
*6.1.	CC2021-09.6.1	49 - 51
	Report PLAN2021-024, Being a Telecommunications Facility Concurrence Application (64 Highway 7A) (Item 11.1.10 on the Agenda Cyrus Ghassabeh	
7.	Correspondence	

*7.1.	CC2021-09.7.1	52 - 68
	Correspondence Regarding the Recommendations from the Off Road Vehicle Use of City Task Force (Item 9.3.13 to and including Item 9.3.20 on the Agenda) <ul style="list-style-type: none"> • John Main • Derek Anderson • Phil Hunt • * Heather Stauble • * Gail Kivela • * William Steffler • * Kerri Keates 	
*7.2.	CC2021-09.7.2	69 - 70
	Correspondence Regarding Report PLAN2021-024 (Item 11.1.10 on the Agenda) Cyrus Ghassabeh, FB Connect	
8.	Presentations	
8.1.	CC2021-09.8.1	
	Planning and Building and Septic Updates Presentation Richard Holy, Acting Director of Development Services	
9.	Committee of the Whole	
9.1.	Correspondence Regarding Committee of the Whole Recommendations	
9.2.	Committee of the Whole Minutes	71 - 90
	Committee of the Whole Meeting Minutes, May 4, 2021 Special Committee of the Whole Meeting Minutes, May 11, 2021 That the Minutes of the May 4, 2021 Committee of the Whole Meeting and the May 11, 2021 Special Committee of the Whole Meeting be received and the recommendations, included in Section 9.3 of the Agenda, be adopted.	
9.3.	Business Arising from Committee of the Whole Minutes	

9.3.1. CW2021-110

That the deputation of Richard Hill and Colin Campbell, **regarding concern about the condition of the road at Front Street West and West Drive, Bobcaygeon**, be received.

9.3.2. CW2021-111

That the concern regarding the condition of of the road at Front Street West and West Drive, Bobcaygeon, be forward to Engineering for review and report back.

9.3.3. CW2021-112

That the correspondence from Bruce Barrett, Brenda Morrison, Rowland Roberge, Betty Hooper, JoAnne and Bruce Beatty, Grace and George Pineau and Jim Susan Clifford, **regarding Recommendations from the Off Road Vehicle Use of City Roads Task Force**, be received.

9.3.4. CW2021-113

That the petition received from Jamie Morris and Peter Petrosioniak, **regarding road access for ATV's and Off Road Vehicles**, be received.

9.3.5. CW2021-114

That the presentation by Bryan Robinson, Director of Public Works, and Councillor Dunn, Off Road Vehicle Use of City Roads Task Force Chair, **regarding Off Road Vehicle Use of City Roads Task Force Recommendations**, be received.

9.3.6. CW2021-115

That the deputation of Kerrie Bartlett, **regarding the Off Road Vehicle Use of City Roads Task Force Recommendations**, be received.

9.3.7. CW2021-116

That the deputation of Peter Petrosioniak, with the supplementary information provided, **regarding the Off Road Vehicle Use of City Roads Task Force Recommendations**, be received.

9.3.8. CW2021-117

That the deputation of Heather Stauble, with the supplementary information provided, **regarding the Off Road Vehicle Use of City Roads Task Force Recommendations**, be received.

9.3.9. CW2021-118

That the deputation of William Steffler, with the supplementary information provided, **regarding the Off Road Vehicle Use of City Roads Task Force Recommendations**, be received.

9.3.10. CW2021-119

That the deputation of Lesley Barrett, **regarding the Off Road Vehicle Use of City Roads Task Force Recommendations**, be received.

9.3.11. CW2021-120

That the deputation of John Speirs, **regarding the Off Road Vehicle Use of City Roads Task Force Recommendations**, be received.

9.3.12. CW2021-121

That Report PW2021-002, **Off Road Vehicle Task Force Recommendations**, be received.

9.3.13. CW2021-122

That Council continue the discussion on a proposed amendment to By-Law 2019-077, being a By-Law to Regulate the Operation of ATV's and ORV's on Municipal Highways in the City of Kawartha Lakes, to allow more road access for ATV's only South of Road 8.

9.3.14. CW2021-123

That any Pilot Program that is initiated on the use of off road vehicles on City roads will have a two year term with a review after one year.

9.3.15. CW2021-124

That if Off Road Vehicles are permitted on City Roads that access will be permitted between 7:00 a.m. to 9:30 p.m. from May 1st to November 30th, pursuant to By-Law 2007-107, being the By-Law to Regulate and Govern Trail Uses Along the Victoria Rail Trail Corridor in the City of Kawartha Lakes.

9.3.16. CW2021-125

That the use of off road vehicles on rural roads be referred to the Off Road Vehicle Use of City Roads Task Force for review in September, 2021, with a report back to Committee of the Whole Meeting in Q4, 2021.

9.3.17. CW2021-126

That specific road linkage leading from the Bethany Trail Head to the Ganaraska Forest be referred to the Off Road Vehicle Use of City Roads Task Force for review, in coordination with Staff, in September, 2021, with a report back to Committee of the Whole in Q4, 2021.

9.3.18. CW2021-127

That the issue of a route leading into commercial district of Bobcaygeon for off road vehicles be referred to the Off Road Vehicle Use of City Roads Task Force for finalization; and

That the Off Road Vehicle Use of City Roads Task Force report back on the Bobcaygeon route at the Committee of the Whole Meeting on June 1, 2021.

9.3.19. CW2021-128

That the recommendation pertaining to the all terrain vehicle (“ATV”) route in Lindsay be deferred to the Committee of the Whole Meeting on June 1, 2021.

9.3.20. CW2021-129

That the issue of additional road linkage to provide all terrain vehicles with road access to and from any established ATV route through Lindsay be referred to the Off Road Vehicle Use of City Roads Task Force for review in September, 2021, with a report back to Committee of the Whole in Q4, 2021.

9.3.21. CW2021-130

That Report RS2021-019, Proposed Land Management Team Management Directive, be received.

9.3.22. CW2021-131

That the membership of the Land Management Committee be amended to include two (2) Council representatives; and

That the Minutes from Land Management Committee Meetings be forward to Council for consideration at Regular Council Meetings.

9.3.23. CW2021-132

That Report **CORP2021-010, 2021 Tax Policy Decisions**, be received;

That optional property classes for the 2021 tax year are not adopted;

That the tax rate reduction for vacant and excess land in the commercial and industrial class be set as 30% and 35% respectively for 2021;

That the tax rate reduction for First Class Undeveloped Farm Land be set at 45% for 2021;

That the capping and threshold parameters be established as follows:

	Commercial	Industrial
Annualized Tax Limit	10%	10%
Prior Year's CVA Tax Limit	10%	10%
CVA Tax Threshold for Protected Properties (Increases) (\$0 to \$500)	500	500
CVA Tax Threshold for Clawed Back Properties (Decreases) (\$0 to \$500)	500	500
Properties that were at CVA Tax in 2019 or that would cross over CVA Tax in 2020 are to be excluded from capping	Yes	Yes

That the decrease claw back parameters for 2021 be set at 0% for multi-residential, commercial and industrial; and

That Council approve the 2021 tax ratios as outlined in Appendix A to report CORP2021-010.

9.3.24. CW2021-133

That Report CS2021-004, **Release of Fenelon Falls Legacy C.H.E.S.T. Funds**, be received; and

That Kawartha Works Community Co-operative be approved for funding in the amount of \$5,000.00 with the allocation to come from the Fenelon Falls Legacy C.H.E.S.T. Reserve (3.24350).

9.3.25. CW2021-034

That Report WM2021-008, **Bulky Plastics Recycling Program**, be received;

That Council approves the implementation of a two-year (2022-2023) bulky plastic recycling pilot program at the Lindsay Ops landfill; and

That staff bring a Pilot Program Evaluation report back to Council by the end of Q2, 2023.

9.3.26. CW2021-135

That Report PLAN2021-021, **Growth Management Strategy (GMS) Task Force**, be received for information; and

That the GMS Task Force Terms of Reference, substantially in the form attached as Appendix A to Report PLAN2021-021, be approved and adopted by Council.

9.3.27. CW2021-136

That Report BLDG2021-001, **Protective Pool Covers**, be received.

9.3.28. CW2021-139

That the presentation from Randy Mellow, Paramedic Chief, and Todd MacDonald and John Prno, of Performance Concepts Consulting, **regarding the Paramedic Services Master Plan**, be received.

9.3.29. CW2021-140

That Report EMS2021-002, **Paramedic Service Master Plan**, be received; and

That the recommendations contained within the Paramedic Service Master Plan attached to Report EMS 2021-002 as Appendix A be considered to inform future strategic planning, Department work plan objectives, budget forecasts.

9.3.30. CW2021-141

That the presentation from Jennifer Stover, Director of Corporate Services, **regarding the Long Range Financial Plan Update**, be received.

9.3.31. CW2021-142

That Report CORP2021-013, **Long Range Financial Plan Update**, be received.

9.3.32. CW2021-143

That funding, in its entirety, for the Coboconk Wellness Centre be included in the Long Range Financial Plan for the City of Kawartha Lakes.

9.4. Items Extracted from Committee of the Whole Minutes

10. **Planning Advisory Committee**

10.1. Correspondence Regarding Planning Advisory Committee Recommendations

10.2. Planning Advisory Committee Minutes

91 - 95

Planning Advisory Committee Meeting Minutes, May 5, 2021

That the Minutes of the May 5, 2021 Planning Advisory Committee Meeting be received and the recommendations, included in Section 10.3 of the Agenda, be adopted.

10.3. Business Arising from Planning Advisory Committee Minutes

10.3.1. PAC2021-030

That the deputation of Emma Drake, regarding Report PLAN2021-020, Item 6.2 on the the Agenda, be received.

10.3.2. PAC2021-031

That Report PLAN2021-019, **Zoning By-law Amendment for Cannabis Cultivation and Processing**, be received;

That a Zoning By-law Amendment respecting application D06-2020-027, substantially in the form attached as Appendix B to Report PLAN2021-019, be approved and adopted by Council; and

That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

10.3.3. PAC2021-032

That Report PLAN2021-020, **Part of Lot 3, Concession 11, geographic Township of Emily, City of Kawartha Lakes, identified as 833 Pigeon Lake Road, Gingrich – D06-2020-029**, be received;

That a Zoning By-law, respecting application D06-2020-029, substantially in the form attached as Appendix D to Report PLAN2021-020 be approved for adoption by Council; and

That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

10.4. Items Extracted from Planning Advisory Committee Minutes

11. **Consent Matters**

That all of the proposed resolutions shown in Section 11.1 of the Agenda be approved and adopted by Council in the order that they appear on the agenda and sequentially numbered.

11.1. Reports

11.1.1. CAO2021-007 96 - 107

OPP Detachment Board Composition
Ron Taylor, Chief Administrative Officer

That Report CAO2021-007, **OPP Detachment Board Composition**, be received;

That the Ministry of the Solicitor General be advised that one OPP Detachment Board is recommended to serve all of the geographic area of the City of Kawartha Lakes; and

That the preferred composition of the future Kawartha Lakes Detachment Board consist of:

- Three (3) members of City Council;
- One (1) Provincial appointee; and
- One (1) Community representative.

11.1.2. CAO2021-008 108 - 113

Outstanding Resolutions and Timelines
Ron Taylor, Chief Administrative Officer

That Report CAO2021-008, **Outstanding Resolutions and Timelines**, be received; and

That Council approve the revised timing for reporting back on various matters as directed through council resolutions, as outlined in Appendix A to this report.

11.1.3. FIRE2021-003 114 - 129

Amendment to Bylaw 2007-236 Sale and Setting Off of Fireworks

Mark Pankhurst, Fire Chief

That Report FIRE2021-003, **Amendment to Bylaw 2007-236 Sale and Setting off of Fireworks Bylaw**, be received; and

That a By-law, substantially in the form attached as Appendix A to Report FIRE2021-003 be approved for adoption by Council.

11.1.4. PUR2021-009 130 - 133

2021-42-OQ Request for Quotation Supply and Delivery of Road Patching Material

Marielle Van Engelen, Buyer

Richard Monaghan, Senior Engineering Technician

That Report PUR2021-009, **Request for Quotation 2021-42-OQ Supply and Delivery of Road Patching Material**, be received;

That Request for Quotation 2021-42-OQ Supply and Delivery of Road Patching Material be awarded to Black Armour Asphalt Products Inc, for the supply and delivery of high performance road patching material for all Public Works Areas for an estimated annual cost of \$151,575.00 not including HST;

That Coco Paving Inc., be awarded the supply and delivery of hot mixed, cold placed road patching material for all Public Works Areas for an estimated annual cost of \$248,662.50 not including HST;

That Council authorize the option to renew the contract, including unit price adjustments subject to Consumer Price Index (CPI), for an additional four (4) – one (1) year terms based on annual budget approval, mutual agreement and successful completion of the initial term and each term thereafter; and

That subject to receipt of the required documents the Mayor and Clerk be authorized to execute the agreements.

2020 Q4 and 2021 Q1 Quarterly Report

Launa Macey, Supervisor of Procurement

That Report PUR2021-011, **2020 Q4 and 2021 Q1 Quarterly Report**, be received;

That 953170501 Emergency heat source at 68 Lindsay Street be funded from the Capital Contingency Reserve, account 1.32248, in the amount of \$35,616.02; and

That 99210101 for replacement of the Lindsay Recreation Complex Boiler be funded from the Capital Contingency Reserve, account 1.32248, in the amount of \$22,132.82.

RFQ 2021-23-CQ Supply and Delivery of Three Medium Duty Trucks and One Medium Duty Conversion Pick-up Truck

Marielle Van Engelen, Buyer

That Report PUR2021-014, **RFQ 2021-23-CQ Supply and Delivery of Three Medium Duty Trucks and One Medium Duty Conversion Pick-up Truck**, be received;

That Blue Mountain Chrysler Ltd., as the highest scoring respondent, be awarded the supply and delivery of three medium duty trucks;

That East Court Ford Lincoln Sales Ltd., as the highest scoring respondent, be awarded for the supply and delivery of one medium duty conversion truck;

That the deficit in the project, 994210212, of \$16,058 be funded by the Public Works section of the Fleet Reserve (1.32070);

That Council authorizes the option to renew the contract, with Blue Mountain Chrysler Ltd., after the initial year for the supply and delivery of medium duty trucks for four (4) additional one year terms based on the same terms and conditions of the original contract, satisfactory performance, mutual agreement and approval of the Fleet Capital budget;

That subject to the receipt of the required documents, the Mayor and Clerk be authorized to execute the agreement; and

That the Procurement Division be allowed to create the purchase orders as required.

- 11.1.7. PUR2021-015 143 - 193
- Bobcaygeon Composite Elevated Tank Re-coating and Rehabilitation**
 Linda Lee, Buyer
 Corby Purdy, Supervisor Infrastructure Design and Construction
- That** Report PUR2021-015, **Bobcaygeon Composite Elevated Tank (CET) Re-coating and Rehabilitation**, be received;
- That** Council award the Bobcaygeon CET Re-coating and Rehabilitation to Ontario Clean Water Agency (OCWA) for a total cost of \$956,862.00 not including HST;
- That** the balance of \$436,973.00 be funded from the Water Capital Reserve;
- That** the Mayor and Clerk be authorized to sign the agreement; and
- That** upon approval, the Procurement Division be authorized to issue a purchase order.
- 11.1.8. PLAN2021-022 194 - 202
- Removal of Holding (H) Provision - Vacant Lands, Block 39, Plan 57M-798 (Logie Street)**
 Kent Stainton, Planner II
- That** Report PLAN2021-022, **Block 39, Plan 57M-789, former Town of Lindsay, City of Kawartha Lakes, identified as vacant land on Logie Street, Lindsay, Bromont Homes Inc. - D06-2021-008**, be received;
- That** the proposed zoning by-law amendment, substantially in the form attached as Appendix C to Report PLAN2021-022, be adopted by Council; and
- That** the Mayor and Clerk be authorized to execute any documents required by the approval of this application.
- 11.1.9. PLAN2021-023 203 - 222
- Telecommunications Facility Concurrence Application – Xplornet Communications (268 King's Wharf Road, Emily - Sandra Thurston)**
 Ian Walker, Planning Officer - Large Developments

That Report PLAN2021-023, **Part of Lot 5, Concession 13, Geographic Township of Emily, Sandra Thurston – Application D44-2021-002**, be received;

That the 45.0 metre self-supported telecommunication facility proposed by FB Connect on behalf of Xplornet Communications, to be sited on property at 268 King's Wharf Road and generally outlined in Appendices A to D to Report PLAN2021-023, be supported by Council, conditional upon the applicant entering into a Telecommunication Facility Development Agreement with the City;

That Innovation, Science and Economic Development (ISED) Canada, the applicant, and all interested parties be advised of Council's decision; and

That the Mayor and Clerk be authorized to execute any documents and agreements required by the concurrence of this application.

11.1.10.

PLAN2021-024

223 - 246

Telecommunications Facility Concurrence Application – Xplornet Communications (64 Highway 7A, Manvers - Maltheb Farms 2000 Ltd.)
Ian Walker, Planning Officer - Large Developments

That Report PLAN2021-024, **Part of Lots 1 & 2, Concession 8, Geographic Township of Manvers, Maltheb Farms 2000 Ltd. – Application D44-2021-003**, be received;

That the 45.0 metre self-supported telecommunication facility proposed by FB Connect on behalf of Xplornet Communications, to be sited on property at 64 Highway 7A and generally outlined in Appendices A to D to Report PLAN2021-024, be supported by Council, conditional upon the applicant entering into a Telecommunication Facility Development Agreement with the City;

That upon completion of the public consultation by the proponent, the Public Consultation Summary Report is submitted to the City for review, and that Council support is contingent upon successful completion of the review of this Report;

That Innovation, Science and Economic Development (ISED) Canada, the applicant, and all interested parties be advised of Council's decision; and

That the Mayor and Clerk be authorized to execute any documents and agreements required by the concurrence of this application.

- 11.1.11. PLAN2021-025 247 - 254
- By-Law to Deem Lot 42, Plan 378 (848 Indian Point Road)**
David Harding, Planner II
- That** Report PLAN2021-025, **By-law to Deem Lot 42, Plan 378**, be received;
- That** a Deeming By-law respecting Lot 42, Plan 378, substantially in the form attached as Appendix D to Report PLAN2021-025, be approved and adopted by Council; and
- That** the Mayor and Clerk be authorized to execute any documents required by the approval of this application.
- 11.1.12. PLAN2021-026 255 - 263
- Removal of Holding Provision, 2607226 Ontario Inc.**
Sherry L. Rea, Development Planning Supervisor
- That** Report PLAN2021-026, **Block 13, Plan 57M-782, former Town of Lindsay, City of Kawartha Lakes, identified as vacant land on Chadwin Drive, Lindsay, 2607226 Ontario Inc. - D06-2021-006**, be received;
- That** the proposed zoning by-law amendment, substantially in the form attached as Appendix C to Report PLAN2021-026, be adopted by Council; and
- That** the Mayor and Clerk be authorized to execute any documents required by the approval of this application.
- 11.1.13. PLAN2021-027 264 - 272
- Removal of Holding Provision, Lindsay Seniors GP Ltd./Lindsay Seniors LP (37 Adelaide Street North, Lindsay)**
Mark LaHay, Planner II
- That** Report PLAN2021-027, **Block 15, Plan 57M-782, former Town of Lindsay, City of Kawartha Lakes, identified as vacant land at 37 Adelaide Street North, Lindsay, Lindsay Seniors GP Ltd./Lindsay Seniors LP - D06-2021-007**, be received;
- That** the proposed zoning by-law amendment, substantially in the form attached as Appendix 'C' to Report PLAN2021-027, be adopted by Council; and
- That** the Mayor and Clerk be authorized to execute any documents required by the approval of this application.

11.1.14.	PLAN2021-028	273 - 276
	<p>Council Exemption Request from 2 Year Prohibition on Minor Variance Applications</p> <p>Richard Holy, Acting Director of Development Services</p> <p>That Report PLAN2021-028, Council Exemption Request from 2 Year Prohibition on Minor Variance Applications, be received; and</p> <p>That in accordance with Section 45.(1.4) of the Planning Act, Council hereby passes this resolution exempting the provisions of Section 45.(1.3) from applying to the following by-laws previously approved by Council relating to specific parcels of land:</p> <p>By-law 2019-107; and</p> <p>By-law 2020-029.</p>	
11.1.15.	PLAN2021-029	277 - 284
	<p>A By-Law to Deem Lots 39 and 40 (100 Laidlaw Drive) Geographic Township of Bexley (McAlister)</p> <p>Jonathan Derworiz, Planner II</p> <p>That Report PLAN2021-029, A By-law to Deem Lots 39 and 40 (100 Laidlaw Drive), Geographic Township of Bexley, (McAlister), be received;</p> <p>That a Deeming By-law respecting Lots 39 and 40, Plan 475, substantially in the form attached as Appendix D to Report PLAN2021-029, be approved and adopted by Council; and,</p> <p>That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.</p>	
11.1.16.	ENG2021-010	285 - 287
	<p>2021 Airport Budget Reallocation</p> <p>Lisa Peimann, Executive Assistant, Engineering and Corporate Assets</p>	

That Report ENG2021-010, **2021 Airport Budget Reallocation**, be received;

That \$50,000 of tax levy funding be transferred from the Airport Obstacle Limitation Surface Survey special project (921210301) to the Capital Contingency Reserve (1.32248); and

That a new capital project, entitled Access Road Taxiway and Apron (987210104), be added to the 2021 Airport Siteworks capital program (9872101) with a budget of \$50,000 financed by the Capital Contingency Reserve (1.32248).

11.2. Items Extracted from Consent

12. Petitions

12.1. CC2021-09.12.1 288 - 289

Petition Regarding the Condition of the Roadway at Front Street West and West Street, Bobcaygeon

(A complete copy of the petition with 62 signatures is available at the Clerk's Office)

Richard Hill

Colin Campbell

13. Other or New Business

14. By-Laws

That the By-Laws shown in Section 14.1 of the Agenda, namely: Items 14.1.1 to and including 14.1.28 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

14.1. By-Laws by Consent

14.1.1. CC2021-09.14.1.1 290 - 292

By-Law to Establish 2021 Tax Ratios in the City of Kawartha Lakes

14.1.2. CC2021-09.14.1.2 293 - 295

By-Law to Set Tax Rate Reductions for the Prescribed Subclasses in the City of Kawartha Lakes for the Year 2021

14.1.3.	CC2021-09.14.1.3	296 - 298
	By-Law to Limit Tax Decreases on Commercial, Industrial and Multi-Residential Properties for 2021 in the City of Kawartha Lakes	
14.1.4.	CC2021-09.14.1.4	299 - 314
	By-Law to Establish 2021 Tax Rates in the City of Kawartha Lakes	
14.1.5.	CC2021-09.14.1.5	315 - 318
	By-Law to Provide Tax Relief To Certain City of Kawartha Lakes Property Owners Who Are Low Income Elderly Persons, Low Income Persons Between The Ages Of 55 And 64, Low Income Disabled Persons Or Ontario Disability Support Program Recipients	
14.1.6.	CC2021-09.14.1.6	319 - 323
	By-Law to Provide Water Rate Relief To Certain City of Kawartha Lakes Property Owners Who Are Low Income Elderly Persons, Low Income Persons Between The Ages Of 55 And 64, Low Income Disabled Persons Or Ontario Disability Support Program Recipients	
14.1.7.	CC2021-09.14.1.7	324 - 327
	By-Law to Authorize the Imposition of Special Charges relating to the Septic Rehabilitation Loan Program for 5 Boulder Street, Little Britain (Roll No. 1651 006 001 10100.0000) in the City of Kawartha Lakes	
14.1.8.	CC2021-09.14.1.8	328 - 329
	By-Law to Authorize the Financing of Capital Projects in the City of Kawartha Lakes	
14.1.9.	CC2021-09.14.1.9	330 - 366
	By-law to Authorize the Execution of a Letter of Agreement between Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario and the City of Kawartha Lakes related to Funding Provided by the Province of Ontario to the Municipality under the Safe Restart Agreement (SRA) Phase 2 Municipal Transit Funding	

14.1.10.	CC2021-09.14.1.10	367 - 444
	By-Law to Authorize the Execution of a Letter of Agreement between Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario and the City of Kawartha lakes related to Funding Provided by the Province of Ontario to the Municipality under the Investing in Canada Infrastructure Program (ICIP): Public Transit System	
14.1.11.	CC2021-09.14.1.11	445 - 470
	By-Law To Amend The Following 18 Zoning By-Laws Within The City Of Kawartha Lakes (Regulation of Cannabis Production and Regulation)	
	Township of Bexley Zoning By-Law No. 93-09	
	Village of Bobcaygeon Zoning By-Law No. 16-78	
	Township of Carden Zoning By-Law No. 79-2	
	Township of Dalton Zoning By-Law No. 10-77	
	Township of Eldon Zoning By-Law No. 94-14	
	Township of Emily Zoning By-Law No. 1996-30	
	Township of Fenelon Zoning By-Law No. 12-95	
	Village of Fenelon Falls Zoning By-Law No. 89-25	
	United Townships of Laxton, Digby, Longford Zoning By-Law No. 32-83	
	Town of Lindsay Zoning By-Law No. 2000-75	
	Township of Manvers Zoning By-Law No. 87-06	
	Township of Mariposa Zoning By-Law No. 94-07	
	Village of Omemee Zoning By-law No. 1993-15	
	Township of Ops Zoning By-Law No. 93-30	
	Township of Somerville Zoning By-Law No. 78-45	
	Village of Sturgeon Point By-Law No. 339	
	Township of Verulam Zoning By-Law No. 6-87	
	Village of Woodville Zoning By-Law No. 93-9	
14.1.12.	CC2021-09.14.1.12	471 - 473
	By-Law to Amend The Township of Emily Zoning By-Law No. 1996-30 to Rezone Land within The City of Kawartha Lakes (833 Pigeon Lake Road - Gingrich)	
14.1.13.	CC2021-09.14.1.13	474 - 476
	By-Law to Amend the Town of Lindsay Zoning By-Law No. 2000-75 to Rezone Land within City of Kawartha Lakes (Logie Street - Bromont Homes)	

14.1.14.	CC2021-09.14.1.14	477 - 479
	By-Law to Deem Part of a Plan of Subdivision, Previously Registered for Lands within Kawartha Lakes, Not to be a Registered Plan of Subdivision in Accordance with the Planning Act PIN#63117-0840 (LT) Described as Lot 42, Plan 378, Geographic Township of Bexley, now City of Kawartha Lakes (848 Indian Point Road - Rasmussen)	
14.1.15.	CC2021-09.14.1.15	480 - 482
	By-Law to Amend the Town of Lindsay Zoning By-Law No. 2000-75 to Rezone Land within the City of Kawartha Lakes (Chadwin Drive - 2607226 Ontario Inc.)	
14.1.16.	CC2021-09.14.1.16	483 - 485
	By-Law to Amend the Town of Lindsay Zoning By-Law No. 2000-75 to Rezone Land within the City of Kawartha Lakes (37 Adelaide Street North - Lindsay Seniors GP Ltd./Lindsay Seniors LP)	
14.1.17.	CC2021-09.14.1.17	486 - 487
	By-Law to Deem Part of a Plan of Subdivision, Previously Registered for Lands within Kawartha Lakes, Not to be a Registered Plan of Subdivision in Accordance with The Planning Act PIN 63116-0600, Described as Lot 39 and Lot 40, Registered Plan 475, Geographic Township of Bexley, now City of Kawartha Lakes (100 Laidlaw Drive - McAlister)	
14.1.18.	CC2021-09.14.1.18	488 - 491
	By-Law Imposing Special Annual Drainage Rates Upon Land in Respect of Which Money is Borrowed Under the Tile Drainage Act (McMorrow)	
14.1.19.	CC2021-09.14.1.19	492 - 492
	By-Law to Repeal By-Law By-Law 218-097, Being a By-Law to Appoint a Municipal By-Law Enforcement Officer for the City of Kawartha Lakes (D. Camplin)	
14.1.20.	CC2021-09.14.1.20	493 - 493
	By-Law to Repeal By-Law 2018-098, Being a By-Law to Appoint an Area Weed Inspector for the City of Kawartha Lakes (D. Camplin)	

14.1.21.	CC2021-09.14.1.21	494 - 495
	By-Law to Appoint a Municipal Law Enforcement Officer for the City of Kawartha Lakes (J. Pitre)	
14.1.22.	CC2021-09.14.1.22	496 - 497
	By-Law to Appoint an Area Weed Inspector for the City of Kawartha Lakes (J. Pitre)	
14.1.23.	CC2021-09.14.1.23	498 - 499
	By-Law to Appoint a Municipal Law Enforcement Officer for the City of Kawartha Lakes (D. Lofranco)	
14.1.24.	CC2021-09.14.1.24	500 - 501
	By-Law to Appoint an Area Weed Inspector for the City of Kawartha Lakes (D. Lofranco)	
14.1.25.	CC2021-09.14.1.25	502 - 503
	By-Law to Appoint a Municipal Law Enforcement Officer for Limited Purposes (321 Kent Street West, Lindsay)	
14.1.26.	CC2021-09.14.1.26	504 - 529
	By-Law to Repeal and Replace By-law 2017-039 as amended, Being a By-law to Regulate Animals in The City of Kawartha Lakes	
14.1.27.	CC2021-09.14.1.27	530 - 564
	By-Law to Amend By-Law 2018-234, being a By-Law to Establish and Require Payment of Fees for Services (Fees By-Law)	
14.1.28.	CC2021-09.14.1.28	565 - 567
	By-Law to Amend By-Law 2007-239, being a By-Law Respecting the Sale and the Setting Off of Fireworks Within The City of Kawartha Lakes	
14.2.	By-Laws Extracted from Consent	
15.	Notice of Motion	
16.	Closed Session	
16.1.	Adoption of Closed Session Agenda	

- 16.2. Disclosure of Pecuniary Interest in Closed Session Items
- 16.3. Move Into Closed Session
- That** Council convene into closed session at ____ p.m. pursuant to Section 239(2) of the Municipal Act, S.O. 2001 s.25, in order to consider matters identified in Section 16.3 of the Regular Council Meeting Agenda of Tuesday, May 18, 2021, namely Items 16.3.1 to and including 16.3.3.
- 16.3.1. CC2021-09.16.3.1
- Confidential Closed Session Minutes, April 2021 Regular Council Meeting**
Municipal Act, 2001 s.239(2)(b) Personal Matters about Identifiable Individual(s)
Municipal Act, 2001 s.239(2)(e) Litigation or Potential Litigation, including matters about administrative tribunals, affecting the Municipality or Local Board
Municipal Act, 2001 s.239(2)(f) Advice that is Subject to Solicitor-Client Privilege, including Communications Necessary for that Purpose
- 16.3.2. LGL2021-007
- Local Planning Appeal Tribunal – Case PL120217 et. al. – City of Kawartha Lakes Official Plan 2012 and Secondary Plans**
Municipal Act, 2001 s.239 (2)(e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
Municipal Act, 2001 s.239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
Robyn Carlson, City Solicitor
- 16.3.3. CORP2021-012
- Volunteer Firefighter Settlement Ratification**
Municipal Act, 2001 s.239(2)(d) labour relations or employee negotiations
Liana Patterson, Manager of Human Resources
17. **Matters from Closed Session**
18. **Confirming By-Law**

18.1. CC2021-09.18.1 568 - 568

By-Law to Confirm the Proceedings of the Regular Meeting of Council of
May 18, 2021

19. **Adjournment**

The Corporation of the City of Kawartha Lakes

Minutes

Regular Council Meeting

CC2021-08

Tuesday, April 20, 2021

Open Session Commencing at 1:00 p.m. – Electronic Participation

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Mayor Andy Letham

Deputy Mayor Patrick O'Reilly

Councillor Ron Ashmore

Councillor Pat Dunn

Councillor Doug Elmslie

Councillor Tracy Richardson

Councillor Kathleen Seymour-Fagan

Councillor Andrew Veale

Councillor Emmett Yeo

This was an electronic participation meeting and public access to Council Chambers was not available. Please visit the City of Kawartha Lakes YouTube channel at <https://www.youtube.com/c/CityofKawarthaLakes> to view the proceedings.

Accessible formats and communication supports are available upon request. The City of Kawartha Lakes is committed to accessibility for persons with disabilities. Please contact AgendaItems@kawarthalakes.ca if you have an accessible accommodation request.

1. Call to Order

Mayor Letham called the Meeting to order at 1:00 p.m. from Council Chambers. Deputy Mayor P. O'Reilly and Councillors R. Ashmore, P. Dunn, D. Elmslie, T. Richardson, K. Seymour-Fagan, A. Veale and E. Yeo were in attendance electronically.

City Clerk C. Ritchie, Deputy Clerk S. O'Connell and Deputy Clerk J. Watts were in attendance in Council Chambers.

CAO R. Taylor, Directors B. Robinson, J. Rojas, C. Shanks, J. Stover, R. Sutherland, Acting Director R. Holy and City Solicitor R. Carlson were in attendance electronically.

2. Opening Ceremonies

2.1 O Canada

The Meeting was opened with the singing of 'O Canada'.

2.2 Moment of Silent Reflection

The Mayor asked those in attendance to observe a Moment of Silent Reflection.

2.3 Adoption of Open Session Agenda

CR2021-193

Moved By Councillor Richardson

Seconded By Councillor Veale

That the Agenda for the Open Session of the Regular Council Meeting of Tuesday, April 20, 2021, be adopted as circulated.

Carried

3. Disclosure of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

4. Notices and Information by Members of Council and Staff

4.1 Council

Councillor Richardson:

- Residents were encouraged to recognize Earth Day on April 22, 2021;

- A Textile Recycling Program has been implemented; textiles can be dropped off at landfill sites for recycling; and
- A shout out was given to the Bee Hero Awards Program and the Environmental Hero Awards Program that are initiated by the City of Kawartha Lakes Environmental Advisory Committee.

Councillor Dunn:

- The Lindsay and District Labour Council are encouraging residents to participate in the virtual event that will be held at 1:00 p.m. on April 25, 2021 to recognize the National Day of Mourning. All flags will be lowered at City Hall on April 28, 2021 to recognize the effort of essential workers during the COVID-19 Pandemic.

Deputy Mayor O'Reilly:

- The 2021 Federal Budget has been announced and includes numerous items that will affect the municipality (i.e. affordable housing, broadband, tourism, transit, long-term care, etc.)
- A recent expansion of broadband service will provide 300 homes in the Dunsford area with access to high speed internet.

Councillor Ashmore:

- Every spring, the Canadian Cancer Society (CCS) Daffodil Campaign rallies Canadians to support and remember those affected by cancer. Residents were encouraged to support the Daffodil Campaign.
- Ross Memorial Hospital has initiated a fund raising campaign to raise funds for a new CT Scanner. Residents were encouraged to support the fund raising campaign.

Mayor Letham announced that he will not be seeking a third term as Mayor for the City of Kawartha Lakes.

4.2 Staff

CAO Taylor provided an update on the COVID-19 Pandemic and how the current restrictions apply to City services.

5. Council Minutes

Regular Council Meeting, March 23, 2021

CR2021-194

Moved By Councillor Yeo

Seconded By Councillor Veale

That the Minutes of the March 23, 2021 Regular Council Meeting, be received and adopted.

Carried

6. Deputations

7. Correspondence

8. Presentations

9. Committee of the Whole

9.1 Correspondence Regarding Committee of the Whole Recommendations

9.2 Committee of the Whole Minutes

Committee of the Whole Meeting, April 6, 2021

CR2021-195

Moved By Councillor Elmslie

Seconded By Councillor Dunn

That the Minutes of the April 6, 2021 Committee of the Whole Meeting be received and the recommendations, included in Section 9.3 of the Agenda, save and except for Items 9.3.1, 9.3.5, 9.3.6, 9.3.9, 9.3.17, 9.3.18 and 9.3.20, be adopted, as amended.

Carried

9.3 Business Arising from Committee of the Whole Minutes

9.3.2 CW2021-084

That the owner of 121-123 William Street North, Lindsay, be offered a 6 month payment plan, waiving interest and penalty, for the payment of the high water bill that was received.

Carried

9.3.3 CW2021-085

That the deputation of Colleen Cook, and the supplementary petition, **regarding a Request for the Construction of a Culvert Under Pleasant Point Road**, be received.

Carried

9.3.4 CW2021-086

That the correspondence from Peter and Laura Wells, **regarding Concern Regarding the COVID-19 Lockdown**, be received.

Carried

9.3.7 CW2021-089

That the correspondence from Steve Podolsky, Vice-Chair, Lindsay Downtown Business Improvement Association, and Melissa McFarland, Executive Director, Lindsay Downtown Business Improvement Association, **regarding a Request from the Lindsay Downtown BIA Regarding Garbage Containers for Privately Owned Buildings**, be received.

Carried

9.3.8 CW2021-090

That Staff prepare a report on the feasibility of regulations requiring property owners within Downtowns to provide a garbage bin for use by the tenants of their properties.

Carried

9.3.10 CW2021-092

That the presentation by Janine Mitchell, Manager of Social Services, **regarding a New Provincial Vision for Social Assistance**, be received.

Carried

9.3.11 CW2021-093

That the presentation by Laurie McCarthy, Economic Development Officer - Tourism, **regarding the Destination Development Plan**, be received.

Carried

9.3.12 CW2021-094

That Report ED2021-009, **Destination Development Plan** be received; and

That the Destination Development Plan as outlined in Appendix A be approved.

Carried

9.3.13 CW2021-095

That Report CAO2021-003, **Proposed Council Policy Review Program**, be received;

That the Council policies listed in Appendix B to report CAO2021-003, and substantially in their current form, be confirmed, renumbered and approved;

That the Council policies listed in Appendix C to report CAO2021-003, be rescinded; and

That the Council policies listed in Appendix D to report CAO2021-003, be referred to staff for review, with recommended changes brought back to Council for consideration and policy approval before end of Q4 2021.

Carried

9.3.14 CW2021-096

That Report CAO2021-004, **Ops Community Centre Property Utilization**, be received; and

That staff initiate a feasibility review of re-purposing the former arena facility space for other community recreational uses, including cost estimates, and report back to Council by the end of Q3, 2021.

Carried

9.3.15 CW2021-097

That Council direct staff to utilize the funds remaining in Project PR1903 - 950190301 (Ops Arena and Community Centre Design - with approximately \$130,000 remaining) to have a design prepared for the re-purposing of the Ops Community Centre as a dry-floor multi recreational space for the purpose of allowing a Capital Budget request to be prepared for inclusion in the 2022 Capital Budget if the concept is approved for implementation by Council when the report is brought back later in 2021.

Carried

9.3.16 CW2021-098

That Report CAO2021-005, **Olde Gaol Museum**, be received;

That the CAO be authorized to establish and accelerate the Cultural Master Plan and recruit for, a municipal museum curator, or equivalent, as soon as possible, and to be an established position within the Economic Development Division; and

That this position be funded through the 2021 Operating Budget.

Carried

9.3.19 CW2021-101

That Report PRC2021-002, **50/50 Community Project Capital Fund**, be received.

Carried

9.3.21 CW2021-103

That Report ED2021-005, **Listing Properties on the Heritage Register**, be received; and

That the proposed addition of non-designated properties listed in Appendix A to the City of Kawartha Lakes Heritage Register, as amended to remove 390 Tracey's Hill Road, be approved.

Carried

9.3.22 CW2021-104

That Report ED2021-016, **Arts, Culture, Heritage Recovery Fund** be received; and

That an additional \$49,081.90 be added to the current \$100,000 Arts, Culture and Heritage Recovery Fund allocation from the Pandemic Contingency Reserve to cover the total eligible fixed operating of all applicants.

Carried

9.3.23 CW2021-105

That Report HS2021-002, **Community Pandemic Recovery Fund Grants**, be received;

That the balance of \$205,668.22 in Lindsay Legacy CHEST Funds allocated to the Community Pandemic Recovery Fund but not awarded, be released to the

Lindsay Legacy CHEST Fund Grant Committee and their distribution process be reinstated; and

That the balance of \$49,162.48 in City Contingency Reserve funds allocated to the Community Pandemic Recovery Fund but not awarded, be made available to eligible organizations located outside the geographical boundaries for eligibility for the Lindsay CHEST Fund through a second application process of the Community Pandemic Recovery Fund, to a maximum of \$7,500 per application.

Carried

9.3.24 CW2021-106

That the Memorandum from Councillor Ashmore, **regarding Kenhill Beach Road Drainage**, be received;

That staff be referred to inspect the ditching and drainage in this area on Kenhill Beach Road and on Long Beach Road and determine if remediation is required; and

That staff report back to Council by end of Q2 should any remediation be required.

Carried

9.3.25 CW2021-107

That the Memorandum from Councillor Ashmore, **regarding Improvements to Pleasant Point Canal**, be received;

That the Trent Severn Waterway be requested to review options to improve water quality within the Pleasant Point Canal;

That Staff explore municipal options to improve water quality within the Canal, including the option for a culvert; and

That Staff report back to Council by Q3, 2021 with options, including costing for solutions.

Carried

9.4 Items Extracted from Committee of the Whole Minutes

9.3.1 CW2021-083

CR2021-196**Moved By** Councillor Dunn**Seconded By** Councillor Richardson

That the deputation of Marsha Watts and Travis Doble, **regarding a Request for Water Bill Relief for 121-123 William Street North, Lindsay**, be received.

Carried**CR2021-197****Moved By** Councillor Ashmore**Seconded By** Councillor Dunn

That Marsha Watts and Travis Doble be offered a 50% one time rebate for the high water bill that they received for 121-123 William Street North, Lindsay.

A Recorded Vote was requested by Councillor Ashmore.

	For	Against	Absent
Mayor Letham		X	
Deputy Mayor O'Reilly		X	
Councillor Ashmore	X		
Councillor Dunn	X		
Councillor Elmslie	X		
Councillor Richardson	X		
Councillor Seymour-Fagan		X	
Councillor Veale		X	
Councillor Yeo	X		
Results	5	4	0

Carried

9.3.5 CW2021-087

CR2021-198

Moved By Councillor Elmslie

Seconded By Councillor Richardson

That the correspondence from Heather Kirby, Chair, Kawartha Lakes Food Coalition, and Aisha Malik, Chair, Food Security Working Group, **regarding Bill C-273 being a National Strategy for Guaranteed Basic Income**, be received; and

That the correspondence under Agenda Item 9.3.6, from Marina Hodson, Executive Director, Kawartha North Family Health Team, and Marg Cox, Executive Director, Point in Time Centre for Children, Youth and Parents, **regarding Bill C-273 being a National Strategy for Guaranteed Basic Income**, be received.

Carried

CR2021-199

Moved By Councillor Elmslie

Seconded By Councillor Richardson

That the City of Kawartha Lakes forward a letter to MP Jamie Schmale and Minister of Finance Chrystia Freeland in support of Bill C-273, which would provide much needed answers about how a Guaranteed Basic Income could work in partnership with the Provinces, what effect it would have on the efficiency of Government, how it could support entrepreneurship and job creation in a new economy, how it would impact labour market participation and civic action, and how it would impact recipients and their communities at large.

Carried

9.3.6 CW2021-088

This Item was addressed within Item 9.3.5.

9.3.9 CW2021-091

CR2021-200

Moved By Councillor Elmslie

Seconded By Councillor Dunn

That the presentation from Dennis Callaghan and Karen Lynch, **regarding the Committee to Rebuild the Ops Community Centre**, be received.

Carried

9.3.17 CW2021-099

CR2021-201

Moved By Councillor Ashmore

Seconded By Councillor Yeo

That Report CLK2021-005, **Election Sign By-law Update**, be received.

Carried

CR2021-202

Moved By Councillor Ashmore

Seconded By Councillor Dunn

That draft by-law to Regulate the Placement of Elections Signs in the City of Kawartha Lakes, Repealing and Replacing By-law 2018-077 be amended by deleting Section 2.04 (c);

That the necessary by-law substantially in the form as Appendix A, as amended, be brought forward for adoption; and

That By-law 2018-077, being A By-Law to Repeal and Replace By-law 2013-113 to Regulate the Placement of Election Signs in the City of Kawartha Lakes, be repealed.

Carried

9.3.18 CW2021-100

CR2021-203

Moved By Councillor Ashmore

Seconded By Councillor Yeo

That Report RS2021-018, **Proposed Direct Sale of Portion of Denfield Road Property, Lindsay**, be received;

That the sale of a portion of the City-owned property located on Denfield Road, Lindsay and legally described as Part of the Northwest 1/4 of Lot 19, Concession 4, Part of the West 1/2 of Lot 20, Concession 4, Part of the East 1/2 of Lot 20, Concession 4, being Parts 4 and 5 on Plan 57R-8131 and Part 1 on Plan 57R-6668, Except Parts 4, 5, and 6 on Plan 57R-8228, Except Part 1 on Plan 57R-9268, Subject to R234883 and R234884, Subject to an Easement in Gross over Part 1 on Plan 57R-10493 as in KL122703, in the Geographic Township of Ops, City of Kawartha Lakes (PIN: 63237-1095 (LT)) to Wilson Staples Holdings Ltd.,

be supported, in principle, in accordance with the provisions of By-Law 2018-020, as amended, and the Municipal Act, 2001, and subject to the parties entering into a conditional Agreement of Purchase and Sale;

That the property be sold “as is” with respect to the zoning and Official Plan designation of the property, with the City making no representation or warranty pertaining to same. The purchaser is to rezone and redesignate the land at its own expense, should it wish to change the permitted uses on the property;

That the property be sold as one parcel, to merge with adjacent reserve holdings of the purchaser. The purchaser is to obtain part lot control or consent to sever, at its own expense, should it wish to subdivide the property and current reserve holdings into three separate lots;

That, notwithstanding section 5.03 of By-Law 2018-020, the property be appraised at highest and best use and at pre-servicing value and sold for no less than that amount, plus 5% to account for cash-in-lieu of parkland, plus all costs associated with the transaction;

That a by-law (with any amendments deemed necessary) to authorize disposition of the subject property shall be passed if appropriate; and

That the Mayor and Clerk be authorized to sign all documents to and conveyance of the lands.

Carried

9.3.20 CW2021-102

CR2021-204

Moved By Councillor Veale

Seconded By Councillor Seymour-Fagan

That Report PRC2021-003, **Community Partnership and Development Fund**, be received.

Carried

CR2021-205

Moved By Councillor Veale

Seconded By Councillor Richardson

That for the first intake of the 2021 Beautification Fund, the requirement for community groups to be provide proof of matching funds be waived;

That the funding being provided to Community Groups through the first intake of the 2021 Beautification Fund Allocation, save and except for the Lindsay Downtown BIA, be doubled; and

That the increase to the Beautification Fund be funded from the Pandemic Related Contingency Reserve.

Carried

10. Planning Advisory Committee

10.1 Correspondence Regarding Planning Advisory Committee Recommendations

10.2 Planning Advisory Committee Minutes

Planning Advisory Committee Meeting, April 7, 2021

CR2021-206

Moved By Councillor Veale

Seconded By Deputy Mayor O'Reilly

That the Minutes of the April 7, 2021 Planning Advisory Committee Meeting be received and the recommendations, included in Section 10.3 of the Agenda, be adopted.

Carried

10.3 Business Arising from Planning Advisory Committee Minutes

10.3.1 PAC2021-024

That Report PLAN2021-014, **Zoning By-law Amendment for 67, 73, 79 & 85 Lakeview Crescent, Township of Emily**, be received for information.

Carried

10.3.2 PAC2021-025

That Report PLAN2021-015, **Registered Plan 383, Lots 61 to 68, 80 to 91, 94 to 116, 142 to 152 and Part of Lot 93, designated as Part 208, 57R-9054; Part of Lot 25, Concession 5, Geographic Township of Ops, Burcar Investments Ltd. – Application D06-2021-003**, be received;

That the zoning by-law amendment, substantially in the form attached as Appendix 'D' to Report PLAN2021-015, be referred to Council for approval and adoption; and

That the Mayor and Clerk be authorized to execute any documents required by the approval of this application.

Carried

10.3.3 PAC2021-026

That Report PLAN2021-017, **Part Lot 10, Block K, RP 1, Parts 1 & 2, 57R-3320, former Town of Lindsay, City of Kawartha Lakes, identified as 3 Pottinger Street, Kuipers – D06-2021-005**, be received;

That a Zoning By-law Amendment respecting application D06-2021-005, be prepared, approved and adopted by Council; and

That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

Carried

10.3.4 PAC2021-027

That Report PLAN2021-018, **Woodland Hills Community Inc. Amending Subdivision Agreement**, be received;

That the Amending Subdivision Agreement for Woodland Hills, City of Kawartha Lakes, substantially in the form attached as Appendix C to Report PLAN2021-018 be approved by Council;

That the reduction of securities be considered based on the review by Staff of the completed works; and

That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this Agreement.

Carried

10.4 Items Extracted from Planning Advisory Committee Minutes

11. Consent Matters

The following items were requested to be extracted from the Consent Agenda:

Councillor Ashmore Item 11.1.5

Moved By Councillor Seymour-Fagan

Seconded By Councillor Veale

That all of the proposed resolutions shown in Section 11.1 of the Agenda, save and except for Item 11.1.5, be approved and adopted by Council in the order that they appear on the agenda and sequentially numbered.

Carried

11.1 Reports

11.1.1 RS2021-007

Authorize the Amendments for a Grant of Easement in Favour of Enbridge Gas Inc. on Municipally Owned Land Behind the Properties Municipally known as 4 to 14 May Street, in the Geographic Village of Fenelon Falls, City of Kawartha Lakes (PIN 63155-0126)

Robyn Carlson, City Solicitor

CR2021-207

That Report RS2021-007, **Authorize the Amendments for a Grant of Easement in Favour of Enbridge Gas Inc. on Municipally Owned Land Behind the Properties Municipally known as 4 to 14 May Street, in the Geographic Village of Fenelon Falls, City of Kawartha Lakes (PIN 63155-0126)**, be received; and

That Council direct the Mayor and Clerk to execute all documentation related to the completion of the grant of easement, substantially in the form as set out in Appendix E.

Carried

11.1.2 RS2021-008

Authorize the Amended Easement in Favour of Enbridge Gas Inc. on Municipal Owned Land Behind 61 to 65 Colborne Street, in the Geographic Village of Fenelon Falls, City of Kawartha Lakes (PIN: 63155-0099)

Robyn Carlson, City Solicitor

CR2021-208

That Report RS2021-008, **Authorize the Amended Easement in Favour of Enbridge Gas Inc. on Municipal Owned Land Behind 61 to 65 Colborne Street, in the Geographic Village of Fenelon Falls, in the City of Kawartha Lakes**, be received; and

That Council direct the Mayor and Clerk to execute all documentation related to complete the grant of easement, substantially in the form as set out in Appendix E.

Carried

11.1.3 RS2021-017

Acquisition of Land for Road Purposes – Lorneville Road

Christine Oliver, Law Clerk - Realty Services

CR2021-209

That Report RS2021-17, **Acquisition of Land for Road Purposed – Lorneville Road**, be received;

That the acquisition of Part of the north half of Lot 5, Concession 9, further described as Part 1 on 57R-10869 for road purposes be approved;

That staff be directed to commence the process of obtaining ownership of the required land, for nominal consideration, with all related costs payable by the applicants;

That the City be authorized to use the same solicitor as the applicant's for the closing of the transaction;

That the Mayor and Clerk be authorized to executed any documents and agreements required by the approval of this decision;

That the Mayor and Clerk be authorized to execute any documents and agreements required to release the municipality's interest in the subject property, and

That the by-law be forwarded to Council for adoption.

Carried

11.1.4 PUR2021-008

Request for Proposal 2021-12-OP Janitorial Services at Various Locations in the City of Kawartha Lakes

Ashley Wykes, Buyer

CR2021-210

That Report PUR2021-008, **Request for Proposal 2021-12-OP Janitorial Services at Various Locations in the City of Kawartha Lakes**, be received;

That C.A. Sellers Cleaning Services Ltd., being the highest scoring proponent, be selected for the award of 2021-12-OP Janitorial Services at Various Locations in the City of Kawartha Lakes for a three-year term at a first year cost for services of \$598,078.00 not including HST;

That Council approve the three (3) – one (1) year optional renewal periods, with C.A. Sellers Janitorial Ltd., based on contract terms, annual budget approval, mutual agreement and successful completion of the initial three-year term;

That subject to receipt of the required documents, the Mayor and Clerk be authorized to execute the agreement to award the contract; and

That the Procurement Division be authorized to issue a purchase order.

Carried

11.1.6 PUR2021-013

Single Source for Facility Condition and Capital Needs Assessments

Linda Lee, Buyer

Tauhid Khan, Asset Management Coordinator

CR2021-211

That Report PUR2021-013, **Single Source for Facility Condition and Capital Need Assessments**, be received;

That Council authorize the single source purchase to the Ontario Clean Water Agency (OCWA) for the facility condition and capital needs assessment for the total amount of \$149,616.00 not including HST;

That the Mayor and Clerk be authorized to sign the agreement; and

That the Procurement Division be authorized to issue a purchase order.

Carried

11.1.7 PLAN2021-016

Springdale Gardens Phases 3 and 4 –Exemption from Part-Lot Control Provisions of the Planning Act; Removal of Holding; and Repeal of portions of Deeming By-law 90-12 at Carew Boulevard, Lindsay – Burcar Investments Limited

Ian Walker, Planning Officer – Large Developments

CR2021-212

That Report PLAN2021-016, **Registered Plan 383, Lots 61 to 68, 80 to 91, 94 to 116, 142 to 152 and Part of Lot 93, designated as Part 208, 57R-9054; Part of Lot 25, Concession 5, Geographic Township of Ops, Burcar Investments Limited – Applications D05-2021-002, D06-2021-003 and D30-2021-001**, be received;

That the Development Agreement for Burcar Investments Limited, Springdale Gardens Phases 3 & 4, substantially in the form attached as Appendix 'C' to Report PLAN2021-016, be approved by Council;

That three (3) by-laws, substantially in the form attached as Appendices D, E, and F respectively to Report PLAN2021-016, be approved and adopted by Council; and

That the Mayor and Clerk be authorized to execute any agreements, by-laws and documents required by the approval of these applications.

Carried

11.1.8 ED2021-019

Golden Horseshoe Food and Farming Alliance (GHFFA) ConnectON Asset Mapping Agreement

Rebecca Mustard, Manager of Economic Development

CR2021-213

That Report ED2021-019, **Golden Horseshoe Food and Farming Alliance (GHFFA) ConnectON Asset Mapping Agreement**, be received; and

That the Mayor and Clerk be authorized to execute the Terms and Conditions of Use and Data Sharing for ConnectON Asset Mapping (Appendix A).

Carried

11.1.9 FIRE2021-002

Fire Service Grant Transfer Payment Agreement

Mark Pankhurst, Fire Chief

CR2021-214

That Report FIRE2021-002, **Fire Service Grant Transfer Payment Agreement**, be received;

That the agreement between the Corporation of the City of Kawartha Lakes and Her Majesty the Queen in right of Ontario as represented by the Office of the Fire Marshal, attached as Appendix A to report FIRE2021-002 be approved; and

That the Mayor and City Clerk be authorized to execute any documents and agreements required by the approval of this agreement.

Carried

11.1.10 HS2021-003

Physician Recruitment Reserve Request

Rod Sutherland, Director of Human Services

CR2021-215

That Report HS2021-003, **Physician Recruitment Reserve Request**, be received; and

That payment of up to \$48,500 to the Kawartha Lakes Health Care Initiative (KLHCI) be authorized from the Doctor Recruitment Reserve to support a Physician Return of Service Agreement executed by KLHCI.

Carried

11.1.11 ENG2021-008

Request for Speed Posting – Thomas Drive, Beechnut Street, Elm Street and Jarvis Street

Joseph Kelly, Senior Engineering Technician

CR2021-216

THAT Report ENG2021-008 **Request for Speed Posting – Thomas Drive, Beechnut Street, Elm Street and Jarvis Street** be received;

That the speed limit of Thomas Drive from a point 150m west of Crane Bay Road to Beechnut Street be posted at 40 km/h;

That the speed limit of Beechnut Street from Elm Street to the east end be posted at 40 km/h;

That the speed limit of Elm Street from the south end to the north end be posted at 40 km/h;

That the speed limit of Jarvis Street from the south end to Beechnut Street be posted at 40 km/h;

That the necessary by-laws for the above recommendations be forwarded to Council for adoption; and

That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this decision.

Carried

11.1.12 ENG2021-009

Request for Traffic Calming - Glengarry Road, Bethany

Joseph Kelly, Senior Engineering Technician

CR2021-217

That Report ENG2021-009 **Request for Traffic Calming – Glengarry Road, Bethany** be received;

That the current 50km/hr portion of Glengarry Road be included in the City Wide 40 Km Settlement Speed Area Zone initiative;

That the electronic speed board be temporarily deployed on Glengarry Road after speed area changes are implemented; and

That appropriate warning signs for children/park, and pedestrians be installed as recommended in the Ontario Traffic Manual.

Carried

11.2 Items Extracted from Consent

11.1.5 PUR2021-012

Request for Tender 2021-08-ITT Co-Op for Supply and Delivery of Unleaded Gasoline and Diesel Fuel

Kristy Wilson, Junior Buyer

CR2021-218

Moved By Councillor Ashmore

Seconded By Councillor Veale

That Report PUR2021-012, **Request for Tender 2021-08-ITT Co-Op for Supply and Delivery of Unleaded Gasoline and Diesel Fuel**, be received;

That W.O. Stinson & Son Limited, being the highest scoring proponent, be selected for the award of 2021-08-ITT Supply and Delivery of Unleaded Gasoline and Diesel Fuel to City locations, based on the Toronto Rack Price in effect on

March 4, 2021 plus Federal Excise Tax, Provincial Fuel Tax and Carbon Tax, with a estimated annual cost of \$1,997,363.90 (exclusive of HST).

That the City enter into one (1) - five (5) year optional , based on contract terms and conditions, annual budget approval, mutual agreement and successful completion of the initial five (5) year term;

That subject to receipt of the required documents, the Mayor and Clerk be authorized to execute the agreement to award the contract; and

That subject to the receipt of the required documents, the Procurement Division be authorized to issue a Purchase Order to W.O. Stinson & Son Limited for each operating years commencing June 1, 2021.

Carried

12. Petitions

13. Other or New Business

14. By-Laws

The mover requested the consent of Council to read the by-laws by number only.

CR2021-219

Moved By Councillor Ashmore

Seconded By Deputy Mayor O'Reilly

That the By-Laws shown in Section 14.1 of the Agenda, namely: Items 14.1.1 to and including 14.1.10, save and except for Item 14.1.1, be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

14.1 By-Laws by Consent

14.1.2 By-Law 2021-036

A By-Law to Authorize the Acquisition of Land to Complete Lorneville Road, in the City of Kawartha Lakes

14.1.3 By-Law 2021-037

A By-Law to Amend the Township of Ops Zoning By-law No. 93-30 to Rezone Land within the City Of Kawartha Lakes (Vacant Land on Carew Boulevard - Burcar Investments Ltd.)

14.1.4 By-Law 2021-038

A By-Law to Amend The Town of Lindsay Zoning By-Law No. 2000-75 To
Rezone Land Within The City Of Kawartha Lakes (3 Pottinger Street - Kuipers)

14.1.5 By-Law 2021-039

A By-Law to Temporarily Suspend The Application of Subsection 50(5) of the
Planning Act For Certain Properties Within Kawartha Lakes

PIN # 63205-0540 (LT), PIN # 63205-0541 (LT), PIN # 63205-0865 (LT), PIN #
63205-0543 (LT), PIN # 63205-0866 (LT), PIN # 63205-0545 (LT), PIN # 63205-
0546 (LT), PIN # 63205-0547 (LT), PIN # 63205-0570 (LT), PIN # 63205-0571
(LT), PIN # 63205-0572 (LT), PIN # 63205-0573 (LT), PIN # 63205-0574 (LT),
PIN # 63205-0575 (LT), PIN # 63205-0576 (LT), PIN # 63205-0577 (LT), PIN #
63205-0578 (LT), PIN # 63205-0579 (LT), PIN # 63205-0580 (LT), PIN # 63205-
0581 (LT), PIN # 63205-0582 (LT), PIN # 63205-0583 (LT), PIN # 63205-0584
(LT), PIN # 63205-0585 (LT), PIN # 63205-0586 (LT), PIN # 63205-0587 (LT),
PIN # 63205-0588 (LT), PIN # 63205-0589 (LT), PIN # 63205-0590 (LT), PIN #
63205-0591 (LT), PIN # 63205-0592 (LT), PIN # 63205-0618 (LT), PIN # 63205-
0619 (LT), PIN # 63205-0620 (LT), PIN # 63205-0621 (LT), PIN # 63205-0622
(LT), PIN # 63205-0623 (LT), PIN # 63205-0624 (LT), PIN # 63205-0625 (LT),
PIN # 63205-0626 (LT), PIN # 63205-0627 (LT), PIN # 63205-0628 (LT), PIN #
63205-0558 (LT), PIN # 63205-0559 (LT), PIN # 63205-0560 (LT), PIN # 63205-
0561 (LT), PIN # 63205-0562 (LT), PIN # 63205-0563 (LT), PIN # 63205-0564
(LT), PIN # 63205-0565 (LT), PIN # 63205-0566 (LT), PIN # 63205-0567 (LT),
PIN # 63205-0568 (LT), PIN # 63205-0569 (LT) & PIN # 63205-0829 (LT)
(Burcar Investments Ltd.)

14.1.6 By-Law 2021-040

A By-Law to Amend the Township of Ops Zoning By-Law No. 93-30 to Remove
the Holding Symbol (H) from a Category on Property within the City of Kawartha
Lakes (Vacant Land on Carew Boulevard - Burcar Investments Limited)

14.1.7 By-Law 2021-041

A By-Law to Repeal A Deeming By-Law Previously Passed by The Township of
Ops In Accordance With the Planning Act

PIN #: See multiple PIN #'s in the By-law, Lots 61 to 68, 80 to 91, 94 to 116, 142
to 152 and Part of Lot 93, Plan 383, Geographic Township of Ops, Now City Of
Kawartha Lakes

14.1.8 By-Law 2021-042

A By-Law to Prohibit Commercial Through Traffic of Any Weight Class from Using Broad Street, Wallace Drive, and Parts of Commerce Road

14.1.9 By-Law 2021-043

A By-Law to Amend By-Law 2005-328 being A By-Law to Establish Speed Limits (Thomas Drive, Beechnut Street, Elm Street and Jarvis Street)

14.1.10 By-Law 2021-044

A By-Law to Amend By-law 2005-328 being A By-Law to Establish Speed Limits (40 Area Speed Zone)

14.2 By-Laws Extracted from Consent

14.1.1 CC2021-08.14.1.1

A By-Law to Regulate the Placement of Election Signs in the City of Kawartha Lakes and Repeal By-law 2018-077

CR2021-220

Moved By Councillor Elmslie

Seconded By Councillor Veale

That a By-Law to Regulate the Placement of Elections Signs in the City of Kawartha Lakes, Repealing and Replacing By-Law 2018-077 as amended by removing Section 2.04 (c) be read a first, second and third time and passed, numbered and signed and the corporate seal attached.

Carried

15. Notice of Motion

16. Closed Session

16.1 Adoption of Closed Session Agenda

CR2021-221

Moved By Councillor Dunn

Seconded By Councillor Richardson

That the Closed Session agenda be adopted as circulated.

Carried

16.2 Disclosure of Pecuniary Interest in Closed Session Items

There were no declarations of pecuniary interest disclosed.

16.3 Move Into Closed Session

CR2021-222

Moved By Councillor Elmslie

Seconded By Councillor Yeo

That Council convene into closed session at 2:09 p.m. pursuant to Section 239(2) of the Municipal Act, S.O. 2001 s.25, in order to consider matters identified in Section 16.3 of the Regular Council Meeting Agenda of Tuesday, April 20, 2021, namely Items 16.3.1 to and including 16.3.5.

Carried

The meeting recessed at 2:10 p.m and reconvened in Closed Session at 2:17 p.m.

17. **Matters from Closed Session**

Item 16.3.1

The Confidential Closed Session Minutes from the Regular Council Meeting on March 20, 2021 were approved.

Item 16.3.2

CR2021-229

Moved By Councillor Dunn

Seconded By Deputy Mayor O'Reilly

That Wesley Found, of Linborough Property Corporation and Hobarts Restaurant, be appointed to the Lindsay Business Improvement Area Local Board for the remaining term of Council in accordance with Section 2.02 of By-Law 2008-212.

Carried

Item 16.3.3

Council was provided with an update on the status of the ongoing litigation respecting the property located at 6343 Highway 35, Coboconk, and an opportunity to request information and advice from the City Solicitor.

Item 16.3.4

The City Solicitor provided an update to Council pertaining to litigation commenced by the City against Greer Galloway Group Inc., being Court File 0084/16 and received instruction pertaining to the same.

Item 16.3.5

Council received Report CLK2021-006 and approved the 2021 Accessibility Awareness Recognition Award recipients.

18. Confirming By-Law

18.1 CC2021-08.18.1

A By-Law to Confirm the Proceedings of the April 20, 2021 Regular Council Meeting

CR2021-230

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Ashmore

That a by-law to confirm the proceedings of a Regular Council Meeting held Tuesday, April 20, 2021 be read a first, second and third time, passed, numbered, signed and the corporate seal attached.

Carried

19. Adjournment

CR2021-231

Moved By Councillor Yeo

Seconded By Councillor Dunn

That the Council Meeting adjourn at 2:41 p.m.

Carried

Read and adopted this 18 day of May, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk



Request to Speak before Council

Request to Make a Deputation/Presentation to
Council/Committee
City of Kawartha Lakes
City Clerk's Office
26 Francis Street, PO Box 9000
Lindsay, ON K9V 5R8
705-324-9411

Name: *

Cyrus Ghassabeh

Address: *

482 South Service Road, Unit 130

City/Town/Village:

Oakville

Province: *

Ontario

Postal Code:

Telephone: *

905 808 0073

Email: *

cghassabeh@forbesbrosLtd.ca

There can be a maximum of two speakers for each deputation. Please list the name(s) of the individual(s) who will be speaking. The names that are listed here will be included on the Council Meeting Agenda.

Deputant One:

Cyrus Ghassabeh

Deputant Two:

First Name, Last Name

Please provide details of the matter to which you wish to speak: *

Report PLAN2021-024 Telecommunication Application - Xplornet - 64 Hwy. 7A Manvers Twp. (Maltheb Farms) on May 18th, Council

Please attach any additional supporting documents you wish to provide and submit with this completed form.

Have you discussed this matter with City Staff?

☒ Yes

☐ No

If yes, Which department and staff member(s) have you spoken to?

What action are you hoping will result from your presentation/deputation? *

To be available to answer questions the council may have about the telecommunications tower/application

By signing this form you are acknowledging that all of the information you are providing on this form is true, and giving the City permission to collect your personal information for the principal purpose of a request to make a deputation to Committee or Council as outlined below.

Signature:

Cyrus Ghassabeh

Date:

5/14/2021



The personal information is being collected by the City of Kawartha Lakes for the principal purpose of a request to make a deputation to Committee or Council pursuant to the City's procedural by-law. This information, including all attachments submitted may be circulated to members of Council, staff, the general public and posted on the City website. Questions about the collection of this information should be directed to the City Clerk or Deputy Clerk at 705 324-9411 ext. 1295 or 1322.

Do you agree to the publication of your name and contact information on the City's website and the City Council agenda? *

☒ Yes

☐ No

Please complete this form and return to the City Clerk's Office by submitting it online or:
Fax: 705-324-8110 Email: agendaitems@kawarthalakes.ca

From: J. Main
Sent: Monday, May 10, 2021 3:13 PM
To: Andy Letham <aletham@kawarthalakes.ca>
Subject: COPY - CITY OF KAWARTHA LAKES - OFF ROAD VEHICLE TASK FORCE 2021

cc. Mayor Andy Letham

Dear Mayor Letham

RE: OFF ROAD

VEHICLE TASK FORCE 2021

I only recently became aware of the establishment of a Municipal Task Force; “to provide advice and recommendations to Council on the use of off road vehicles (ORVs)” Noting that the decision for the Task Force was made October 2020, during a time when the community is preoccupied with COVID restrictions, interruptions of social dialogue, it does not surprise me that I am not the only individual unaware of this activity. Since there appears to be potential for the results of this task force to impact on every citizen of the Municipality I believe it deserves a higher degree of consultation. This is not a matter of urgency, making it such smacks of ingenuity. I trust that you will include this in your recommendations. From my perspective I have concerns with what is being proposed here and the methodology being employed to address the issue.

General

Observations

On reading the terms and mandate of the Task Force I find:

Except for public consultation, it completely lacks terms requiring minimizing the impact on the community.

Although the word “consultation” is used, the objectives are already established i.e., to expand ORVs on as many municipal roads as possible.

There is no declaration of assurance that the Task Force members must undertake their work in an impartial and objective manner. Citizens need to be aware that the advice given to council may not be free of prejudice, indeed the interests of residents appear to be secondary to the ORV interest group(s). The following extract from the City website makes this clear “The goal is to provide Council with recommendations based on research and public consultation that will help expand and enhance ORV use activity across the municipality”. Bias is built in, the word “consultation” has limited significance.

There is no express or explicit request to consider economic or financial opportunities. The correspondence between Laurie McCarthy, Economic Development Officer –Tourism and, on invitation of, Councillor Kathleen Fagan-Seymour exceeds task force terms. Citizens of built up areas such as Bobcaygeon should read this correspondence as it uses economic arguments to justify ORVs in residential and down town areas. This changes the initial understanding of the initiative, to provide ORV trail linkages, significantly. Heads up Bobcaygeon Citizens.

It appears that primary objective of the initial terms of this Task Force, i.e., to seek linkages between ORV trails, have been revised to serve commercial interests thus creating a moving target citizens may not be aware of.

Despite the obvious, there is no consideration or assignment of a cost benefit analysis or management of change process.

Whilst the global community is finally coming to terms with the fact that environmental pollution is a real threat, it obviously has not resonated with Politicians and Council leadership and some segments of the population. Either way one cuts it, increasing ORVs over an above regular traffic is not stellar thinking. This is not a small matter, some are considering this as a significant financial market opportunity in a country that is considered one the worst polluters per capita. Surely our learned Council has greater priorities than finding more roads for ORVs over and above existing trails.

Excluding those in remote communities and farms, etc., I recognize that ORVs are primarily used for recreational activity. This is consistent with the Ontario Provincial Police (OPP) description e.g., “vehicles not designed or intended to be used on highways and vary in configuration”. I admit that this form of recreation is not a personal choice of mine as I strive to limit my recreational activities to those that have a lower environmental footprint. However, pending enlightenment or technical advances replacing IC engines I believe that it is possible to come to solutions that do not encroach on the broader community. There are lots of space outside the built up communities for ORV recreation.

One of the assets of the the Kawarthas and, Bobcaygeon in particular, is that it is an opportunity for city dwellers from Toronto and other high density populated areas to enjoy relatively pollution free air and quietness. Surely the smart move is to capitalize on this quality, not impair it. Allowing ORVs to routinely enter Bobcaygeon so that visitors and residents can enjoy more road congestion, exhaust fumes, dust and noise with their meals, barbecues and other activities is unlikely to enhance the reputation of the area. Do not confuse the foregoing with the ‘one-off’ events like Bike Fest.

Although not part of this Task Force work, citizens need to be alert to the possibility that acceptance of ORVs within the context of this recommendation could later be extrapolated to include snowmobiles within built up communities.

AND IMPACTS

ISSUES

1 - ORV Compatibility with highways, city roads, rural roads, trails.

Is there a compelling reason to allow ORVs general access to all of the above. The answer should be no.

Trails excepted, The City of Kawartha Lakes has often stated that it must maintain more roadways than any other municipality. This is very evident by the sad state of some of our roads. Clearly there are proposals that have the potential to worsen this situation.

It has already been established by various bodies that ORVs are unsuitable for use on paved roadways. Main arterial roads should be beyond consideration. OPP, City of Kawartha Lakes Detachment, offer the following in their letter to the ORV Task Force, i.e., “... To encourage ORV operators towards permitted trails and away from using the roadways for general transportation”.

I encourage the Task Force to take the foregoing very seriously.

ORVs, where permitted, can travel on the road, and on the road shoulder. Obviously there are no road shoulders in most built up communities. It should also be obvious that, if permitted, traffic congestion and pedestrian interaction will increase in built up communities.

A few of our roads have bicycle lanes. Some of these are already fragmenting at the paved / gravel shoulder boundary. ORV use on these roads will accelerate degradation of bicycle lanes. A similar situation is predictable at the paved / gravel shoulder boundary on regular paved roads.

Many rural roads are unpaved, uneven, with blind rises and turns. ORVs can and do generate dust and mud in considerable amounts depending on weather conditions. Higher prevalence of ORVs will exacerbate this situation. Clearly this will create visibility issues and respiratory issues for people on or in proximity to roads. These roads are used by other vehicles creating interaction hazards. Selection of roads designated for ORV linkages should require careful consideration to minimize impacts on non ORV users and to reduce interactions with other vehicles, at minimum alert users that ORVs can be encountered.

Some trails are used by and suitable for pedestrians, bicycles and ORVs. Unfortunately it is not unusual to encounter misuse by ORVs. If more ORVs will become users of these trails this can not be anticipated without management issues, be it maintenance or supervision. It should not go unnoticed that the joy of ORV recreation for some comes from gouging and tearing up trails.

Broadly, it should follow that proliferation of ORVs will not come without impacts, safety, health, supervision, maintenance costs commensurate with the degree of unfettered control.

Will the Task Force commit to restricting ORV traffic to limited linkages between trail routes?

2 - Access to ORV Trails

According to the minutes of the third ORV Task Force Meeting Minutes, the considerations now being under review and promoted no longer relate to selectively identifying linkage ORV routes between established trail areas but a Municipality wide allowance for ORVs everywhere with some exceptions.

“1. Open up all rural roads, for use of ORVs excepting those deemed unsafe by the City Staff and Committee.

1. That the operation of ORV's be permitted on all roads within the Village of Bobcaygeon, save and except for Bolton Street between Canal Street to King Street.”

This effectively means that the intention is to allow ORVs on all residential streets as there is no provisions made to respect the rights, health and wellbeing of citizens. This would mean taking the shortest route between A and B, be along our streets or public pathways.

I strongly object to any such proposal. Furthermore, realizing that this now a Task Force, serving a specific interest group, that its work should only be considered in that light and that no decision should be made without consulting each citizen of the municipality with recognition of majority opinion in villages / residential communities.

The same minutes contain the following statement:

“ORV's are not for general transportation but are to encourage the use of permitted trails”.

This appears in conflict with the intent of the Task Force recommendations or lacks clarification of context.

Will the Task Force commit to establishing ORV staging points on trail route linkages and eliminate ORV movements in all residential areas or other areas where deemed necessary? (Staging Point - A location provided with temporary parking where ORVs can be unloaded / Loaded or temporarily parked.)

3 - Maintaining Public Order

In an April 9 letter from the Kawartha Lakes Police Service to the following was noted:

ORV speed conflict with motor vehicle traffic.

Access to ORV from the City, (Lindsay.) A necessity to mitigate risks

Incapacity to provide oversight services

Difficulty in enforcing compliance where OVRs allowed to travel on roads between residences and trails. (Lindsay)

It is reasonable to presumed that the same issues would exist in other communities.

OPP concerns have already been noted.

The current position of policing services appears to be, at best, in limbo or, business as usual. It is highly probable that this situation will not be sustainable.

There will always be entitled people that believe that their recreation supersedes the rights of others to their enjoyment of their community. These people will have followers and before long, what was once considered ‘recreational transport’ mode could very quickly morph into general commuter transport.

Left unattended or, inadequately addressed, this could lead to undesirable outcomes, the most vulnerable being affected first e.g., the elderly, single occupants, socially challenged.

Will the task force take this into consideration and recommend an impact study, action plan, cost implications and public report for resident consideration and input prior to any decision making?

4 - Establishment of a Pilot Program

The following is noted in the third ORV Task Force Meeting Minutes:

“2. Establish a two-year Pilot Program regarding the use of ORVs, to be reviewed and amended after the first year.”

This recommendation might be acceptable if it was introduced in the form of linking trail routes. Without limitations and appropriate time and place boundaries it is premature,

In the context of the recommendation being considered here, I recognize it as a well worn strategy of furtively introducing questionable policy with an end agenda of compromising the ability to reverse such policy. Bad decisions are easy to make but difficult and costly to rectify.

Will the Task Force commit to recommending introduction of Pilot Programs only after all inputs and studies are complete?

5 - Economic Financial Interest

Whilst there is no express or explicit requirement for the Task Force Terms to consider business interests, economics, it appears to have been adopted by the Task Force as justification for opening up the entire Municipality to widespread ORV travel. This should not come at the expense of, or the the rights, safety and quality of life of residents at large.

The cautionary wisdom of economist Adam Smith should apply (gender expression comes from and earlier century):

“The interest of [businessmen] is always in some respects different from, and even opposite to, that of the public ... The proposal of any new law or regulation of commerce which comes from this order ... ought never to be adopted, till after having been long and carefully examined ... with the most suspicious attention. It comes from an order of men ... who have generally an interest to deceive and even oppress the public”

Tobacco industry, food industry health implications of sugar, salt, fossil fuel industry, asbestos industry.....often with complicity of governments in power in this country, be they of one political ideology or another. The scale might be different here, but the agendas are often the same.

Will the Task Force be recommending a cost benefit analysis that confirms positive benefit for the communities affected?

6 - Safety & Health

Whilst there is no implicit or explicit requirement for the Task Force Terms to consider safety and it is recognized that some input has been sought. My only comment here is that this form of recreation has its problems, more users probably means more problems as I doubt that zero incidents is a discipline practiced among a portion of his group. Disregard for personal safety does not come without cost, not only to the person suffering casualty, but also the community at large.

Health issues associated with IC engines in congested environments is well documented and understood.

Will the Task Force make every effort to evaluate and eliminate these concerns in built up communities?

7 - Public Consultancy

There is the possibility that the recommendations coming from the Task Force could be much broader than casually understood and impact across the entire community if accepted by Council without due regard for complete community awareness.

Will the Task Force recommend that every household be given formal opportunity to provide input before any decision is made?

As I am late in providing input and since this process appears to be nearing completion, please confirm receipt of this email correspondence.

Respectfully ,

John Main
Citizen, City of Kawartha Lakes

May 10, 2021

When a little 15 year old Swedish girl stands before world leaders at COP24 (2018) and tells them that:

“.....we have not come here to tell world leaders to care, you have ignored us in the past, and you will ignore us again, we have run out of excuses and we are running out of time, we have come here to let you know that change is coming whether you like it or not, the real power belongs to the people”.

What are we to think about your vision, your leadership, with regard to respect for future generations?

FYI: No, I am not a Green Party hack or like lobbyist. I did however learn during my formative years about the work of scientists during the 1800s that were the first to warn that atmospheric pollution could have serious effects on climate and also experienced the end of the great smogs in Europe.

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From: DEREK Anderson <

Sent: Friday, May 7, 2021 8:54 AM

To: Andy Letham <aletham@kawarthalakes.ca>; Patrick O'Reilly <poreilly@kawarthalakes.ca>; Pat Dunn <pdunn@kawarthalakes.ca>; Andrew Veale <aveale@kawarthalakes.ca>; Ron Ashmore <rashmore@kawarthalakes.ca>; Kathleen Seymour-Fagan <kseymourfagan@kawarthalakes.ca>; Tracy Richardson <trichardson@kawarthalakes.ca>; Emmett Yeo <eyeo@kawarthalakes.ca>; Doug Elmslie <delmslie@kawarthalakes.ca>

Cc: ORVTaskForce <orvtaskforce@kawarthalakes.ca>; Bill Steffler >;

Subject: Council Meeting May 4,2021

Mayor Letham & Deputy Mayor O'Reilly, I would like to thank you both for standing up for the citizens of the Town of Lindsay during the above referenced meeting. It was refreshing to see you both acknowledge that the recommendations being made by the ORV Task Force did not take into consideration the impact of the residents of Lindsay and even more so the residents on the proposed route through town.

From the onset and repeated on numerous occasions, it has been pointed out that the citizen portion ORV Task Force is made up of strictly ORV enthusiast that only represents a small segment of the population of the town of Lindsay. The other interest groups were not allowed to participate as Pat Dunn didn't want to have to deal with any opposition to the narrow minded approach he has taken to this Task Force. As a matter of fact, he accused people on numerous occasions of making false claims about the situation were in fact, he was one of the worse people in this area.

Councillor Seymour-Fagan, I saw and heard your concerns about the perception that you are not taking the task seriously, both you and Councillor Richardson were the only members of the task force who did exhibit care and concern for the people of CKL. Councillor Dunn and the rest of the task force had one thing in mind, that was to force ATV access on the rest of the population of the CKL. This was never more evident than at the conclusion of the March 19th public meeting where Councillor Dunn and the rest of the task force immediately moved to adopt the force's recommendation with out even discussing the points brought up by the public. Only you and Councillor Richardson offered an amendment based on the feedback received. Steve Lane actually showed surprise and disappointment that the roads would not be open by May 1. It was also evident in Councillor Dunn's reactions and comments during the May 4th meetings as it became obvious that the recommendations were not moving forward as he expected.

I would like to once again state that **I am definitely not in favour of allowing ATV on any more streets or roads in the City of Kawartha Lakes**. I believe the ban on roads south of Glenarm Road should continue and we should re-visit the use north of Glenarm Road and possible remove that as well.

Having said that if we must provide a route through town, then the previously recommended route from Logie to Lindsay, Lindsay to Mary Street, Mary to Angeline and Angeline to Thunder Bridge Road is the most direct route. Here are my reasons for this recommendation. I understand Kent and Angeline is a busy intersection be it is well controlled with traffic light including advance turn signals in all directions.

1. It provides opportunity to buy gas, food and other supplies along the route.
2. It is the most direct route through town.
3. Enforcement will be easy as there are limited streets for the KPD to deal with and ATVs on other streets within town would be subject to penalty through the KPD or ByLaw.

4. At each major turn there are traffic lights with the exception of Logie to Lindsay.
5. This is the least populated route through town and would have the least impact on town in general.

Once again, whatever is presented to Council on June 4, I recommend that the final decision should be made via a referendum at the next municipal election where the residence of Lindsay, the people most affected by and ATV use in town, will be able to voice their belief without the lobbying of the KATV

Derek Anderson CD

From: Jane & Phil HUNT <
Sent: Friday, May 7, 2021 1:33 PM
To: ORVTaskForce <orvtaskforce@kawarthalakes.ca>
Subject: Orv taskforce

I know there is a lot of concerns about travelling through Lindsay. My concern is allowing side x sides on the rail trails. I'm disabled & have a side x side to get around on in the outdoors. I can't use a atv very well, but my side x side is easy to get in & go. I would like to see access to the rail trail to go to ken reid park or up to the Kinmount & Haliburton area.

If I remember correctly, the trail was given to all the people in the regionq. I have lived here for over 60 years & paid taxes for over 35 years. I would like to think that if dirt bikes are allowed on it, why can't my Kabota side x side go on it. It only goes 25 mph top speed. I currently walk my dog on the trail south of Fenelon & have no problems with utvs. Snowmobiles are a different thing. They fly down the trails at very high speeds. It dangerous to walk dog in winter in some areas.

Thanks for listening.

Phil Hunt
Cameron

Deputation
RE: PW2021-002
Off Road Vehicles Task Force Recommendations
Committee of the Whole
May 4, 2021

Mr Mayor and Council,

Thank you for the opportunity to speak.

Council is considering recommendations to open all 2500 km of roads to machines designed to be OFF ROAD ONLY.

Safety is by far the most important consideration.

HKPR

In 2013, our health unit warned that ATVs were a *“significant source of injury and death for ATV users and often involve collision with another vehicle”* and recommended that Council *“not implement a bylaw that would allow road access for ATVs.”*

In 2019, Public Health Ontario reported that this health unit had the highest number of ATV accidents in its peer group.

Now, 2021, HKPR reports Kawartha Lakes ATV accident rate is 5 times the Ontario rate – and:

“there are higher rates of fatalities and serious injuries for ORV riders on roadways compared to off-roadways,

being on roadways increases the risk of collisions with other motor vehicles,

design characteristics of these vehicles, particularly ATVs, make them unsafe on roadways”.

The Health Unit states: “Restricting ORVs to trail use only would be the preferred best practice from a public health standpoint”

In 2015, CKL ATV accidents represented 30% of the total ATV accidents in this health unit. By 2019, it was 60%.

This is without allowing ATVs south of Glenarm Rd and primarily in rural areas.

Off Road Vehicles present an even greater risk on roads *today* than in 2013.

Manufacturers such as Polaris, Kawasaki, Yamaha and Honda all have warnings about gravel roads such as:

“Always avoid operating an ATV on any paved surfaces ,including sidewalks, driveways parking lots and streets,” and “[n]ever operate an ATV on any public street, road or highway, even a dirt or gravel one ” Yamaha Raptor 350
--

Rural roads are not safer.

ORVs would be on roads with school buses, traffic, gravel trucks, farm equipment, children, bikes – in the dark, with no sidewalks, no lights, and speed limits up to 80kmh.

These roads are busier by the year - the lull that we are currently experiencing will not last much longer.

Insurance and Risk Management:

Warned that the City's insurer advised: "A claim or poor claims experience related to ORV use will however have a direct effect on future premiums."

Due to the City's high self-insured retention (deductible), the costs incurred to investigate and defend any such claim(s) would largely be the responsibility of the City.

If the ORV owner was uninsured or has insufficient liability limits, joint and several liability would apply which would further expose the City to increased costs, claims expense and future premium increases." They then included an extensive list of safety review considerations from the City's insurance provider.

Public Works:

Recommend that "*the matter should be deferred* and reviewed in conjunction with the relating master plans (Trails Master Plan and the Transportation Master Plan)." They stress that public safety is paramount and warn that incidents on municipal roads would increase; experts recommend *against* the use of ATV/ORVs on roads; and manuals for ORVs and ATVs recommend against it.

No amount of insurance removes the safety risk to others of ORVs on roadways.

If Council approves these recommendations there WILL be more accidents; more hospitalizations and inevitably, more deaths.

The high, and escalating, rate of ATV related accidents in Kawartha Lakes shows us there is a problem. It needs to be addressed as the safety issue that it has become.

No pilot. No changes to the current bylaw.

Accessing the trails can be done – safely and legally - using a trailer.

Thank you.

Heather Stauble

ORV Crash Test <https://www.youtube.com/watch?v=yCKBcMr0fGU>

Global News Peterborough KATVA https://globalnews.ca/video/5459601/collisions-involving-off-road-vehicles-on-the-rise/?fbclid=IwAR0lwbcq--U03uLz6-5H-ZOTpu92Rvo25dp8O4_cspTyMTKfDVXooL4b0pA

The Epidemiology of All-Terrain Vehicle and Snowmobile-Related Injuries in Ontario, Public Health Ontario, 2019

<https://www.publications.gov.on.ca/CL29309>

Consumer Federation of America <https://consumerfed.org/pdfs/ATVs-on-roadways-03-2014.pdf>

More fatal all-terrain vehicle crashes occur on the roadway than off: increased risk-taking characterises roadway fatalities

<https://injuryprevention.bmj.com/content/19/4/250>

Specialty Vehicle Institute of America (SVIA): POSITION IN OPPOSITION TO ON-ROAD OPERATION OF ATVs

Recreational Off Highway Vehicle Association (ROHVA): POSITION IN OPPOSITION TO ON-HIGHWAY OPERATION OF ROVs

AMO, Joint and Several Liability: <https://www.amo.on.ca/advocacy/municipal-finance/municipal-liability-and-insurance-costs>

Frank Cowan Municipal Insurance: <https://www.frankcowan.com/centre-of-excellence/view/risk-management-considerations-for-off-road-vehicles-on-municipal-roads>

TD ATV Insurance <https://www.tdinsurance.com/products-services/recreational-vehicle-insurance/tips-advice/atv-eligibility-and-restrictions>

MTO email

Highway Traffic Act <https://www.ontario.ca/laws/statute/90h08>

Off Road Vehicle Act <https://www.ontario.ca/laws/statute/90o04>

From: Gail Kivela <>
Sent: Wednesday, May 12, 2021 2:19 PM
To: ORVTaskForce <orvtaskforce@kawarthalakes.ca>
Cc: Kathleen Seymour-Fagan <kseymourfagan@kawarthalakes.ca>
Subject: A Suggestion for Bobcaygeon

If one of the reasons to allows ORV's on our streets is bring people into our town to boost our economy, in my opinion a better way to do this would be to close Bolton St to all vehicle traffic on weekends. This would allow businesses to expand onto the street, providing more social distancing options and drawing people into these local, struggling businesses. This would emulate the very successful and popular annual Midnight madness.

I saw an unauthorized ORV on our streets last weekend...noisy, dirty and driven by young people out for a ride, who would not be the audience who would help to boost our economy.

Regards
Gail Kivela
A Concerned Bobcaygeon Resident.

Sent from my iPhone

From: Kerri Keates <
Sent: Thursday, May 13, 2021 1:02 PM
To: ORVTaskForce <orvtaskforce@kawarthalakes.ca>
Subject: ORV use in Lindsay

Dear members of the ORV taskforce.

I am writing to strongly oppose the purposed use of ORV's in Lindsay on any route. As a Lindsay resident living on a proposed route I have seen a tremendous increase in vehicular traffic even though we are in a lock down situation due to the pandemic. There are major new house builds that are being built right now off Angeline St North. All those new houses will have people who will have cars that will drive to wherever using Angeline St. The proposed route also includes King and Colborne streets which are very busy with traffic and cars parked on the streets. The Wellington St bridge is an absolute nightmare on a good day. Has a traffic flow analysis been completed and if so when? Since we have been in a lock down situation for the majority of the last fourteen months the traffic flow might have been underestimated due to a stay at home order. Kawartha 411 wrote an article March 18, 2021 on the most unsafe stops for children ridding the school bus. Angeline St North was one of the worst. I have witnessed cars blowing past stopped school busses with flashing lights. The last thing any of these busy streets need is ATVs weaving in and out of traffic around parked vehicles trying to avoid cyclists, school busses and pedestrians. I cant understand why safety does not hold a bigger weight with this task force. My other concern is that who will be enforcing any person who doesn't follow the rules on an ATV? The city's legal council did not think that a membership to the Kawartha ATV would be a requirement according the last virtual meeting. I really don't understand the urgency to address this matter while we remain in a pandemic and will be for the foreseeable future. Any injuries sustained from any motorized vehicle could put additional stress on our currently overwhelmed healthcare system. I do not want to have any off road vehicles on any street in Lindsay. Off Road Vehicles are just that, they are for off road uses and do not belong on city roads.

Kerri Keates

Sent from [Mail](#) for Windows 10

My comments will focus on two aspects of the task force:

1. Financial analysis.
2. Procedure and Fairness.

I have a degree in economics and a 28 year career in personal financial planning. In effect I spent 28 years providing clients with Personal Economic Impact Studies. Two common elements in any financial impact study are:

1. Revenues.
2. Costs.

Both of the above have to be quantified, sources named, and rationales given.

The only financial references given by this task force for the City of Kawartha Lakes are vague statements such as, “Restaurants will sell more food” and “Gas stations will sell more gas. No sources. No quantification.

Costs? Nothing. The Heath unit supplied data on ER visits, hospitalizations etc. Yet we have no estimate of health care costs. Enforcement was discussed. Yet we have no estimate on potential enforcement costs. There are no road maintenance cost estimates. There are no cost estimates period. Nothing in life is free.

All costs have to be identified and quantified.

Now restaurant owners won't mind not having a study – they get the revenues and the tax payer gets the bill. Same for the gas station owners and the ORV manufacturers.

Industry funded studies are infamous for their blatant pursuit of profits. The classic case is the Tobacco Industry funded studies that proved smoking is harmless. The ORV Industry repeats this tactic with its 2010 York University Study that claimed ORVing improves health. This was thoroughly discredited in a peer review – Health Promotional International – March 2013.

Quoting from the Peer Review:

1. The motorized recreation industry and user groups seek maximum access to the public domain with minimal restrictions on their activities. That industry has often tried to use economic analysis to demonstrate the social

rationality of leaving motorized recreation largely unregulated. These analyses, however, are based on **a peculiar economic alchemy that seeks to transform private interests and public costs into public benefits (Power, 2009).**

2. **“...and when healthcare costs are also factored in, claims of economic benefits appear unfounded.”**

To comment on the financial impact, you need an Economic Impact Study. So to protect the tax payer Council should require that, “Before any decision is made, we need an economic impact study”. The study must thoroughly consider all costs, as well as revenues.

PROCEDURE AND FAIRNESS

It's not right that one group gets to impose its recreational preference on the entire City. It is a preference, not a necessity. Many Urban and Rural residents do not share this preference for motorized recreation.

I'm speaking up for the interests of those citizens and groups who were excluded from the task force.

We don't really have a task force. Given the citizen selections, we have a lobby group disguised as a task force.

This council has to protect the interests of rural and urban citizens and groups like Environmental Action Bobcaygeon who want:

1. Active Transportation Plans.
2. A reduction in GHG emissions.
3. This Council has to protect Urban and Rural residents who do not want their roads to become motorized recreational trails.

YOU SHOULD NOT SANCTION SUCH A FLAWED AND ONE-SIDED PROCESS.

Why isn't this part of the upcoming Trails Master Plan? It is a blatant attempt to exclude the interests of a large portion of Rural and Urban citizens.

In closing I'll remind you of two things:

1. People entrust financial advisors to invest their money using sound, data driven decision making, and your constituents expect the same sound, data driven decision making from their elected officials. I urge you to move away from the unsupported and unsubstantiated economic promises before you now. Stop. Think. Do your due diligence by getting a complete and comprehensive economic impact report before any further discussion on this matter.
2. And while you contemplate that, take the time to reflect on the Task Force you, and you alone, have created. The bias of its composition is so blatant that it would never withstand the scrutiny of an outside agency. That needs to be addressed.

William Steffler

City of Kawartha Lakes
26 Francis Street
Lindsay, Ontario K9V 5R8
Attn: Ian Walker, B.Sc. Planning Officer, Large Developments
P: (705) 324-9411
E: iwalker@kawarthalakes.ca

May 11th, 2021

Dear Mayor and Council,

On behalf of Xplornet Communications, I would like to submit a request for a Statement of Concurrence for the proposed communication installation located at 64 HWY 7A, ON L0B 1K0.

The document will provide a summary of the municipal and public consultation process.

MUNICIPAL & PUBLIC CONSULTATION SUMMARY:

PROTOCOL

We have confirmed that the City of Kawartha Lakes has a locally enacted land use protocol for towers, and we were therefore required to comply with the procedures as described in CP2-18-014

PUBLIC CONSULTATION

Under the City of Kawartha Lakes Telecommunications and Antenna System Siting Policy, we provided formal notice allowing 30 days for comments to any property owners within three times the tower height (45m X 3 = 135m). We asked that you assist with contact/mailing addresses for the property PINs identified in the notification radius, and there were eight (8) unique addresses provided. Under CPC Section 4.2.4, synchronized notice was placed in Kawartha Lakes This Week and The Promoter on April 1st, 2021 in accordance with the criteria established therein.

PUBLIC RESPONSE

Under Section 4.2.2 of CPC 2-0-03, we are to respond to all reasonable and relevant concerns raised during the 30-day notification period of Section 4.2. What is considered reasonable or relevant (or not) is specifically defined under the CPC section entitled "Public Reply Comments". The 30-day notice period concluded May 10th, 2021.

- The Municipality has not advised us that they have received any comments or concerns which we were to address.
- Xplornet did not receive any comments or concerns.

MUNICIPAL CONSULTATION

Consultation with the municipality included the following:

- Submission of a pre-consultation application for internal review
- Follow-up consultation by email
- Submission of a full application for review

- Discussion about the proposed property and installation
- Request for assistance with properties in the Public Notification Radius
- Request for the City's choice of newspaper
- Submission of the final Public Consultation Package (for your records)
- Request to identify any other municipal requirements
- Request for Municipal Concurrence

OTHER MUNICIPAL CONSIDERATIONS:

As we are regulated under federal policy, provincial legislation such as the Ontario Building Code Act and the Planning Act including zoning by-laws and site plan control do not apply to these facilities. Our installation is not required to submit application for a building permit. We also asked you to outline formally any other local requirements, and there were none

CONCLUDING LAND USE AUTHORITY CONSULTATION

Under CPC Section 4.3, we have satisfactorily met the consultation requirements.

Xplornet feels that the proposed site is well situated to provide and improve internet and data services in the targeted area. The proposed site has been situated and designed to have minimal impact on surrounding land uses.

At this time, we respectfully request the formal Statement of Concurrence by the City of Kawartha Lakes' Council. A copy of your concurrence will be sent to ISED Canada as they require this to confirm our compliance with the ISED Canada's default protocol CPC-2-0-03 Issue 5 (July 2014) "Radiocommunication and Broadcasting Antenna Systems" prior to moving forward with the installation of the proposed communication facility.

On behalf of Xplornet, we look forward to providing better internet and data service to this area. We thank you for your attention to this request and should you have any questions or need further information, please do not hesitate to contact me at 905.808.0073 or by email at cghassabeh@forbesbrosLtd.ca

Sincerely,

Cyrus Ghassabeh

Cyrus Ghassabeh,

FB Connnect.

482 South Service Road East, Unit 130

Oakville, ON L6J 2X6

The Corporation of the City of Kawartha Lakes

Minutes

Committee of the Whole Meeting

COW2021-05
Tuesday, May 4, 2021
Open Session Commencing at 1:00 p.m. – Electronic Participation
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:
Mayor Andy Letham
Deputy Mayor Patrick O'Reilly
Councillor Ron Ashmore
Councillor Pat Dunn
Councillor Doug Elmslie
Councillor Tracy Richardson
Councillor Kathleen Seymour-Fagan
Councillor Andrew Veale
Councillor Emmett Yeo

This was an electronic participation meeting and public access to Council Chambers was not available. Please visit the City of Kawartha Lakes YouTube Channel at <https://www.youtube.com/c/CityofKawarthaLakes> to view the proceedings.

Accessible formats and communication supports are available upon request. The City of Kawartha Lakes is committed to accessibility for persons with disabilities. Please contact AgendaItems@kawarthalakes.ca if you have an accessible accommodation request.

1. Call to Order

Mayor Letham called the Meeting to order at 1:00 p.m. from Council Chambers. Deputy Mayor P. O'Reilly and Councillors R. Ashmore, P. Dunn, D. Elmslie, T. Richardson, K. Seymour-Fagan, A. Veale and E. Yeo were in attendance electronically.

City Clerk C. Ritchie, Deputy Clerk S. O'Connell and Deputy Clerk J. Watts were also in attendance in Council Chambers.

CAO R. Taylor and Directors B. Robinson, J. Rojas, C. Shanks, J. Stover, R. Sutherland, Acting Director R. Holy, City Solicitor R. Carlson and Manager of Realty Services S. Dyer were also in attendance electronically.

2. Adoption of Agenda

CW2021-109

Moved By Councillor Elmslie

Seconded By Councillor Yeo

That the Agenda for the May 4, 2021 Committee of the Whole Meeting be adopted as circulated and with the following amendments:

Additions:

Item 5.1, being Correspondence Relating to the Off Road Vehicle Use of City Roads Task Force Recommendations, additional correspondence was received from:

- Grace and George Pineau; and
- Jim and Susan Clifford

Item 7.1.1, being Deputations Relating to the Off Road Vehicle Use of City Roads Task Force Recommendations, additional deputations by:

- Peter Petrosoniak
- Heather Stauble
- William Steffler
- Lesley Barrett
- John Speirs

Carried

3. Disclosure of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

4. Deputations

4.1 CW2021-04.4.1

Concern Regarding the Condition of the Road at Front Street West and West Drive, Bobcaygeon

Richard Hill

Colin Campbell

CW2021-110

Moved By Councillor Seymour-Fagan

Seconded By Councillor Dunn

That the deputation of Richard Hill and Colin Campbell, **regarding concern about the condition of the road at Front Street West and West Drive, Bobcaygeon**, be received and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

CW2021-111

Moved By Councillor Seymour-Fagan

Seconded By Councillor Yeo

That the concern regarding the condition of of the road at Front Street West and West Drive, Bobcaygeon, be forward to Engineering for review and report back; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

5. Correspondence

5.1 Correspondence Relating to the Off Road Vehicle Use of City Roads Task Force Recommendations

- Bruce Barrett
- Brenda Morrison

- Rowland Roberge
- Betty Hooper
- JoAnne and Bruce Beatty
- * Grace and George Pineau

CW2021-112

Moved By Councillor Dunn

Seconded By Deputy Mayor O'Reilly

That the correspondence from Bruce Barrett, Brenda Morrison, Rowland Roberge, Betty Hooper, JoAnne and Bruce Beatty, Grace and George Pineau and Jim Susan Clifford, **regarding Recommendations from the Off Road Vehicle Use of City Roads Task Force**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

6. Petitions

6.1 CW2021-04.6.1

Petition Regarding Road Access for ATV's and Off Road Vehicles (A Complete Copy of the Petition (with 190 electronic signatures) is Available through the Clerk's Office)

Jamie Morris

Peter Petrosoniak

CW2021-113

Moved By Councillor Richardson

Seconded By Councillor Elmslie

That the petition received from Jamie Morris and Peter Petrosoniak, **regarding road access for ATV's and Off Road Vehicles**, be received; and

That this recommendation be brought forward for consideration at the next Regular Council Meeting.

Carried

7. Presentations

7.1 CW2021-04.7.1

Off Road Vehicle Use of City Roads Task Force Recommendations

Presentation

Bryan Robinson, Director of Public Works

Councillor Dunn, Chair, Off Road Vehicle Use of City Roads Task Force

Director Robinson and Councillor Dunn provided an overview of the Off Road Vehicle Use of City Roads Task Force.

CW2021-114

Moved By Councillor Yeo

Seconded By Councillor Richardson

That the presentation by Bryan Robinson, Director of Public Works, and Councillor Dunn, Off Road Vehicle Use of City Roads Task Force Chair, **regarding Off Road Vehicle Use of City Roads Task Force Recommendations**, be received. and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

7.1.1 Deputations Relating to the Off Road Vehicle Use of City Roads Task Force Recommendations

- Kerrie Bartlett
- George Pineau and Jamie Morris (not present)
- * Peter Petrosniak
- * Heather Stauble
- * William Steffler
- * Lesley Barrett

CW2021-115

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That the deputation of Kerrie Bartlett, **regarding the Off Road Vehicle Use of City Roads Task Force Recommendations**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

CW2021-116

Moved By Councillor Veale

Seconded By Councillor Seymour-Fagan

That the deputation of Peter Petrosoniak, with the supplementary information provided, **regarding the Off Road Vehicle Use of City Roads Task Force Recommendations**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

CW2021-117

Moved By Councillor Yeo

Seconded By Councillor Dunn

That the deputation of Heather Stauble, with the supplementary information provided, **regarding the Off Road Vehicle Use of City Roads Task Force Recommendations**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

CW2021-118

Moved By Councillor Dunn

Seconded By Councillor Veale

That the deputation of William Steffler, with the supplementary information provided, **regarding the Off Road Vehicle Use of City Roads Task Force Recommendations**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

CW2021-119

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Richardson

That the deputation of Lesley Barrett, **regarding the Off Road Vehicle Use of City Roads Task Force Recommendations**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

CW2021-120

Moved By Councillor Elmslie

Seconded By Councillor Dunn

That the deputation of John Speirs, **regarding the Off Road Vehicle Use of City Roads Task Force Recommendations**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

7.1.2 Report PW2021-002

Off Road Vehicle Task Force Recommendations

Bryan Robinson, Director of Public Works

CW2021-121

Moved By Councillor Yeo

Seconded By Councillor Dunn

That Report PW2021-002, **Off Road Vehicle Task Force Recommendations**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

Mayor Letham clarified that the current By-Law to Regulate the Operation of ATV's and ORV's allows ATV's and SxS's on some select roads North of Road 8 and that SxS's are only allowed on the Victoria Rail Trail Corridor North of Northline Road.

CW2021-122

Moved By Councillor Ashmore

Seconded By Councillor Yeo

That Council continue the discussion on a proposed amendment to By-Law 2019-077, being a By-Law to Regulate the Operation of ATV's and ORV's on

Municipal Highways in the City of Kawartha Lakes, to allow more road access for ATV's only South of Road 8; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

It was clarified that there is no requirement for the City to amend the current By-Law to Regulate the Operation of ATV's and ORV's on Municipal Highways.

CW2021-123

Moved By Councillor Dunn

Seconded By Councillor Richardson

That any Pilot Program that is initiated on the use of off road vehicles on City roads will have a two year term with a review after one year; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

CW2021-124

Moved By Councillor Elmslie

Seconded By Councillor Yeo

That if Off Road Vehicles are permitted on City Roads that access will be permitted between 7:00 a.m. to 9:30 p.m. from May 1st to November 30th, pursuant to By-Law 2007-107, being the By-Law to Regulate and Govern Trail Uses Along the Victoria Rail Trail Corridor in the City of Kawartha Lakes; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

It was clarified that the Highway Traffic Act provides licensing and insurance requirements for off road vehicles and off road vehicle operators.

It was clarified that the City cannot require off road vehicle operators to hold a valid membership with the Kawartha All Terrain Vehicle Association ("KAATVA"). Membership with "KAATVA" can be recommended through an education program.

CW2021-125

Moved By Councillor Dunn

Seconded By Councillor Veale

That the use of off road vehicles on rural roads be referred to the Off Road Vehicle Use of City Roads Task Force for review in September, 2021, with a report back to Committee of the Whole Meeting in Q4, 2021; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

CW2021-126

Moved By Councillor Richardson

Seconded By Councillor Elmslie

That specific road linkage leading from the Bethany Trail Head to the Ganaraska Forest be referred to the Off Road Vehicle Use of City Roads Task Force for review, in coordination with Staff, in September, 2021, with a report back to Committee of the Whole in Q4, 2021; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

CW2021-127

Moved By Councillor Dunn

Seconded By Councillor Seymour-Fagan

That the issue of a route leading into commercial district of Bobcaygeon for off road vehicles be referred to the Off Road Vehicle Use of City Roads Task Force for finalization;

That the Off Road Vehicle Use of City Roads Task Force report back on the Bobcaygeon route at the Committee of the Whole Meeting on June 1, 2021; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

Moved By Councillor Dunn

Seconded By Councillor Seymour-Fagan

That all terrain vehicles (“ATV’s”) be permitted to access the following routes through Lindsay:

From the Logie Street Trail Head:

- Logie Street to King Street
- King Street to Lindsay Street
- Lindsay Street to Wellington Street
- Wellington Street to Victoria Avenue
- Victoria Avenue to Colborne Street West
- Colborne Street West to Angeline Street North
- Angeline Street North to Thunder Bridge Road
- Thunder Bridge Road to the Trail Head

From the Logie Street Trail Head:

- Logie Street to Lindsay Street
- North on Lindsay Street to Wellington Street
- Wellington Street to Victoria Avenue
- Victoria Avenue to Colborne Street West
- Colborne Street West to Angeline Street North
- Angeline Street North to Thunder Bridge Road
- Thunder Bridge Road to the Trail Head; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Deferred

CW2021-128

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That the recommendation pertaining to the all terrain vehicle (“ATV”) route in Lindsay be deferred to the Committee of the Whole Meeting on June 1, 2021; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

CW2021-129

Moved By Councillor Dunn

Seconded By Councillor Seymour-Fagan

That the issue of additional road linkage to provide all terrain vehicles with road access to and from any established ATV route through Lindsay be referred to the Off Road Vehicle Use of City Roads Task Force for review in September, 2021, with a report back to Committee of the Whole in Q4, 2021; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

8. Reports

8.1 RS2021-019

Proposed Land Management Team Management Directive

Sharri Dyer, Manager, Realty Services

CW2021-130

Moved By Councillor Elmslie

Seconded By Councillor Yeo

That Report RS2021-019, **Proposed Land Management Team Management Directive**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

CW2021-131**Moved By** Councillor Elmslie**Seconded By** Councillor Yeo

That the membership of the Land Management Committee be amended to include two (2) Council representatives;

That the Minutes from Land Management Committee Meetings be forward to Council for consideration at Regular Council Meetings; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

8.2 CORP2021-010

2021 Tax Policy Decisions

Linda Liotti, Manager, Revenue and Taxation

CW2021-132**Moved By** Councillor Elmslie**Seconded By** Councillor Veale

That Report **CORP2021-010, 2021 Tax Policy Decisions**, be received;

That optional property classes for the 2021 tax year are not adopted;

That the tax rate reduction for vacant and excess land in the commercial and industrial class be set as 30% and 35% respectively for 2021;

That the tax rate reduction for First Class Undeveloped Farm Land be set at 45% for 2021;

That the capping and threshold parameters be established as follows:

	Commercial	Industrial
Annualized Tax Limit	10%	10%
Prior Year's CVA Tax Limit	10%	10%
CVA Tax Threshold for Protected Properties (Increases) (\$0 to \$500)	500	500
CVA Tax Threshold for Clawed Back Properties (Decreases) (\$0 to \$500)	500	500

Properties that were at CVA Tax in 2019 or that
would cross over CVA Tax in 2020 are to be
excluded from capping

Yes

Yes

That the decrease claw back parameters for 2021 be set at 0% for multi-
residential, commercial and industrial;

That Council approve the 2021 tax ratios as outlined in Appendix A to report
CORP2021-010; and

That this recommendation and the necessary by-laws be brought forward to
Council for consideration at the next regular Council Meeting.

Carried

8.3 CS2021-004

Release of Fenelon Falls Legacy C.H.E.S.T. Funds

LeAnn Donnelly, Executive Assistant, Community Services

CW2021-133

Moved By Councillor Elmslie

Seconded By Deputy Mayor O'Reilly

That Report CS2021-004, **Release of Fenelon Falls Legacy C.H.E.S.T. Funds**,
be received;

That Kawartha Works Community Co-operative be approved for funding in the
amount of \$5,000.00 with the allocation to come from the Fenelon Falls Legacy
C.H.E.S.T. Reserve (3.24350); and

That this recommendation be brought forward to Council for consideration at the
next Regular Council Meeting.

Carried

8.4 WM2021-008

Bulky Plastic Recycling Program

David Kerr, Manager of Environmental Services

CW2021-134

Moved By Councillor Richardson

Seconded By Councillor Veale

That Report WM2021-008, **Bulky Plastics Recycling Program**, be received;

That Council approves the implementation of a two-year (2022-2023) bulky plastic recycling pilot program at the Lindsay Ops landfill;

That staff bring a Pilot Program Evaluation report back to Council by the end of Q2, 2023; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

8.5 PLAN2021-021

Growth Management Strategy (GMS) Task Force

Leah Barrie, (Acting) Manager of Planning

CW2021-135

Moved By Councillor Veale

Seconded By Deputy Mayor O'Reilly

That Report PLAN2021-021, **Growth Management Strategy (GMS) Task Force**, be received for information;

That the GMS Task Force Terms of Reference, substantially in the form attached as Appendix A to Report PLAN2021-021, be approved and adopted by Council; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

8.6 BLDG2021-001

Protective Pool Covers

Susanne Murchison, Chief Building Official

CW2021-136

Moved By Councillor Yeo

Seconded By Councillor Veale

That Report BLDG2021-001, **Protective Pool Covers**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

9. Memorandums

10. Adjournment

CW2021-137

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That the Committee of the Whole Meeting adjourn at 4:24 p.m.

Carried

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

Minutes

Special Committee of the Whole Meeting

COW2021-06
Tuesday, May 11, 2021
Open Session Commencing at 1:00 p.m.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:
Mayor Andy Letham
Deputy Mayor Patrick O'Reilly
Councillor Ron Ashmore
Councillor Pat Dunn
Councillor Doug Elmslie
Councillor Tracy Richardson
Councillor Kathleen Seymour-Fagan
Councillor Andrew Veale
Councillor Emmett Yeo

This was an electronic participation meeting and public access to Council Chambers was not available. Please visit the City of Kawartha Lakes YouTube channel at <https://www.youtube.com/c/CityofKawarthaLakes> to view the proceedings.

Accessible formats and communication supports are available upon request. The City of Kawartha Lakes is committed to accessibility for persons with disabilities. Please contact AgendaItems@kawarthalakes.ca if you have an accessible accommodation request.

1. Call to Order

Mayor Letham called the Meeting to order at 1:00 p.m. from Council Chambers. Deputy Mayor P. O'Reilly and Councillors R. Ashmore, P. Dunn, D. Elmslie, T. Richardson, K. Seymour-Fagan, A. Veale and E. Yeo were in attendance electronically.

City Clerk C. Ritchie, Deputy Clerk S. O'Connell and Deputy Clerk J. Watts were in attendance in Council Chambers.

CAO R. Taylor, Directors B. Robinson, J. Rojas, C. Shanks, J. Stover, R. Sutherland, Acting Director R. Holy, City Solicitor R. Carlson and Paramedic Chief R. Mellow were also in attendance electronically.

2. Adoption of Agenda

CW2021-138

Moved By Councillor Elmslie

Seconded By Councillor Dunn

That the Agenda for the May 11, 2021 Special Committee of the Whole Meeting be adopted as circulated.

Carried

3. Disclosure of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

4. Deputations

5. Correspondence

6. Presentations

6.1 COW2021-06.6.1

Paramedic Services Master Plan Presentation

Randy Mellow, Paramedic Chief

Todd MacDonald, Performance Concepts Consulting

John Prno, Performance Concepts Consulting

Randy Mellow, Paramedic Chief, along with Todd MacDonald and John Prno, of Performance Concepts Consulting, provided an overview of the Paramedic Services Master Plan,

CW2021-139

Moved By Councillor Elmslie

Seconded By Deputy Mayor O'Reilly

That the presentation from Randy Mellow, Paramedic Chief, and Todd MacDonald and John Prno, of Performance Concepts Consulting, **regarding the Paramedic Services Master Plan**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

6.1.1 Report EMS2021-002

Paramedic Service Master Plan

Randy Mellow, Paramedic Chief

CW2021-140

Moved By Councillor Seymour-Fagan

Seconded By Councillor Richardson

That Report EMS 2021-002, **Paramedic Service Master Plan**, be received;

That the recommendations contained within the Paramedic Service Master Plan attached to Report EMS 2021-002 as Appendix A be considered to inform future strategic planning, Department work plan objectives, budget forecasts; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

6.2 COW2021-06.6.2

Long Range Financial Plan Update Presentation

Jennifer Stover, Director of Corporate Services

Jennifer Stover, Director of Corporate Services, provided an overview of the Long Range Financial Plan for the City of Kawartha Lakes.

CW2021-141

Moved By Councillor Veale

Seconded By Councillor Ashmore

That the presentation from Jennifer Stover, Director of Corporate Services, **regarding the Long Range Financial Plan Update**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

6.2.1 Report CORP2021-013

Long Range Financial Plan Update

Jennifer Stover, Director of Corporate Services

CW2021-142

Moved By Councillor Yeo

Seconded By Deputy Mayor O'Reilly

That Report CORP2021-013, **Long Range Financial Plan Update**, be received; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

CW2021-143

Moved By Councillor Yeo

Seconded By Councillor Dunn

That funding, in its entirety, for the Coboconk Wellness Centre be included in the Long Range Financial Plan for the City of Kawartha Lakes; and

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

Carried

7. **Reports**

8. **Memorandums**

9. Adjournment

CW2021-144

Moved By Councillor Veale

Seconded By Councillor Yeo

That the May 11, 2021 Special Committee of the Whole Meeting adjourn at 4:12 p.m.

Carried

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes
Minutes
Planning Advisory Committee Meeting

PC2021-06
Wednesday, May 5, 2021
1:00 P.M.
Council Chambers
City Hall
26 Francis Street, Lindsay, Ontario K9V 5R8

Members:
Mayor Andy Letham
Deputy Mayor Patrick O'Reilly
Councillor Kathleen Seymour-Fagan
Councillor Andrew Veale
Mike Barkwell
Wayne Brumwell
Jason Willock

Accessible formats and communication supports are available upon request. The City of Kawartha Lakes is committed to accessibility for persons with disabilities. Please contact agendaitems@kawarthalakes.ca if you have an accessible accommodation request.

1. Call to Order and Adoption of Agenda

Chairperson Councillor A. Veale called the meeting to order at 1:00 p.m. Mayor A. Letham, Deputy Mayor P. O'Reilly, Councillors K. Seymour-Fagan, and Committee Members M. Barkwell, W. Brumwell and J. Willock were in attendance.

Deputy Clerk and Recording Secretary J. Watts, Acting Director of Development Services R. Holy, Acting Manager of Planning L. Barrie, Supervisor of Development Engineering C. Sisson, and Planners II J. Derworiz & M. LaHay were also in attendance.

The Chair opened the meeting and introduced Planning Advisory Committee and the members of staff present.

PAC2021-029

Moved By Deputy Mayor O'Reilly

Seconded By J. Willock

That the circulated agenda be adopted as amended.

Carried

2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

3. Public Meeting Reports

4. Deputations

4.1 PC2021-06.4.1

Emma Drake, D.M. Wills, Land Use Planner

Relating to Item 6.2, Report PLAN2021-020, on the Agenda

Emma Drake spoke as the applicant for the application on Report PLAN2021-020 (Item 6.2 on the Agenda). She noted that they are in agreement with the assessment of Planning Staff, and thanked them for bringing the application forward to Council for approval. She made herself available for any questions from the members of the committee.

PAC2021-030

Moved By Mayor Letham

Seconded By M. Barkwell

That the deputation of Emma Drake, regarding Report PLAN2021-020, Item 6.2 on the the Agenda, be received.

Carried

5. Correspondence

6. Regular and Returned Reports

6.1 PLAN2021-019

Zoning By-law Amendment for Cannabis Cultivation and Processing

Jonathan Derworiz, Planner II

Mr. Derworiz confirmed that a Public Meeting on this matter was held on March 10, 2021 in accordance with the Planning Act. He summarized the intent of the proposed zoning by-law amendments, explaining that it proposes to implement Zoning By-law Amendments comprised of new definitions, amendments to existing definitions, and new general provisions and zone requirements regarding cannabis cultivation and processing. Staff is proposing to incorporate these amendments into eighteen (18) of the City's Zoning By-laws. The amendments are consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan. Mr. Derworiz summarized the comments received to date, as detailed in his report, noting that subsequent to the writing of the report no additional comments were received. Staff are recommending that the application be referred to Council for adoption. He responded to questions from Committee members.

PAC2021-031

Moved By Deputy Mayor O'Reilly

Seconded By Councillor Seymour-Fagan

That Report PLAN2021-019, **Zoning By-law Amendment for Cannabis Cultivation and Processing**, be received;

That a Zoning By-law Amendment respecting application D06-2020-027, substantially in the form attached as Appendix B to Report PLAN2021-019, be approved and adopted by Council; and

That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

Carried

6.2 PLAN2021-020

Amend the Township of Emily Zoning By-law 1996-30 at 833 Pigeon Lake Road - Gingrich

Mark LaHay, Planner II

Mr. LaHay confirmed that a Public Meeting on this matter was held on February 10, 2021 in accordance with the Planning Act. He summarized the application, explaining that it proposes to rezone a portion of the property from Agricultural (A1) Zone to an Agricultural Exception Seven (A1-7) Zone to permit a woodworking shop as an additional use and establish applicable development standards, including a reduction in the parking requirements along with an increase in lot coverage for the accessory building. The effect of the amendment is to rezone a portion of the property to facilitate the creation of a custom woodworking shop as a secondary use to manufacture custom kitchen cabinets and furniture with a total floor area of approximately 600 square metres, inclusive of office and storage space. The application is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the Kawartha Lakes Official Plan. Mr. LaHay summarized the comments received to date, as detailed in his report (including comments from Kawartha Conservation and the City's Agricultural Development Officer, with no concerns), noting that subsequent to the writing of the report, no additional comments were received. Staff are recommending that the application be referred to Council for approval. He responded to questions from Committee members.

PAC2021-032**Moved By** Mayor Letham**Seconded By** J. Willock

That Report PLAN2021-020, **Part of Lot 3, Concession 11, geographic Township of Emily, City of Kawartha Lakes, identified as 833 Pigeon Lake Road, Gingrich – D06-2020-029**, be received;

That a Zoning By-law, respecting application D06-2020-029, substantially in the form attached as Appendix D to Report PLAN2021-020 be approved for adoption by Council; and

That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

Carried7. **Adjournment**

PAC2021-033

Moved By Councillor Seymour-Fagan

Seconded By Deputy Mayor O'Reilly

That the Planning Advisory Committee Meeting adjourn at 1:25 p.m.

Carried

Council Report

Report Number: CAO2021-007

Meeting Date: May 18, 2021

Title: **OPP Detachment Board Composition**

Description: Preferred composition of the Kawartha Lakes OPP Detachment Board to replace the Community Policing Advisory Committee (CPAC)

Author and Title: Ron Taylor, Chief Administrative Officer

Recommendation(s):

That Report CAO2021-007, **OPP Detachment Board Composition**, be received; and

That the Ministry of the Solicitor General be advised that one OPP Detachment Board is recommended to serve all of the geographic area of the City of Kawartha Lakes; and

That the preferred composition of the future Kawartha Lakes Detachment Board consist of:

- Three (3) members of City Council;
- One (1) Provincial appointee; and
- One (1) Community representative.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

The Province passed the *Comprehensive Ontario Police Services Act*, 2019 (Bill 68) and established the *Community Safety and Policing Act*, 2019 (CSPA) which, once in force, will repeal the *Police Services Act*, 1990 (PSA).

Section 67 of the CSPA requires that there be an Ontario Provincial Police (OPP) detachment board for each detachment of the OPP that provides policing in a municipality.

The Ministry of the Solicitor General is inviting recommendations from municipalities and First Nation communities to inform the composition of future local OPP detachment boards. The Ministry has provided a framework to guide submissions, with a deadline of June 7, 2021. Submissions will inform the future Ministry regulation establishing the composition of each OPP detachment board.

It is anticipated that detachment boards will be established formally early in 2022.

The Ministry hosted virtual information sessions in April. A copy of the session presentation is attached as Appendix A to this report.

Rationale:

Currently, Kawartha Lakes receives OPP policing service without a formal agreement/contract. Kawartha Lakes is considered a "Section 5.1 municipality", and therefore maintains a Community Policing Advisory Committee (CPAC).

The CPAC discussed this issue at their April 26, 2021 meeting, and recommend that the future local detachment board for the years 2022-23 consist of 3 members of city council, one provincial appointee and one municipal appointee. Correspondence from the CPAC is included as Appendix B to the report.

The recommended term would allow for continuity and maintenance of current council appointees from CPAC to the future detachment board, the ability to recruit additional members quickly, and for the next council to appoint council members and the community representative for that subsequent 4-year term. The next council could also review and consider detachment board composition changes if necessary.

Other Alternatives Considered:

If Council chooses to take no position on this matter, then the Ministry will determine the composition of the future Kawartha Lakes detachment board independently.

Alignment to Strategic Priorities

The recommendations contained in this report align with council's strategic priorities of "an exceptional quality of life" and "good government".

Detachment Boards are intended to be representative of the community and to consider local perspectives in policing. Detachment Boards are also intended to focus on local policing performance, and service accountability.

Financial/Operation Impacts:

There are no financial implications resulting from these recommendations.

Consultations:

Community Policing Advisory Committee

Kawartha Lakes Detachment Commander, OPP

Ministry of the Solicitor General

Attachments:

Appendix A – Community Safety and Policing Act, 2019: OPP Detachment Board Framework and Proposal Submission Process – Virtual Information Session – April 20, 2021



Virtual Information
Session - April 20 20

Appendix B – OPP Detachment Board Composition, CPAC Recommendation



Appendix B - OPP
Detachment Board C

Department Head email: rtaylor@kawarthalakes.ca

Department Head: Ron Taylor

***Community Safety and Policing
Act, 2019: Ontario Provincial
Police Detachment Board
Framework and Proposal
Submission Process***

Virtual Information Session

April 20, 2021

Purpose

- Provide an overview of:
 - The legislative changes under the *Community Safety and Policing Act, 2019* (CSPA) related to OPP detachment boards;
 - Feedback from engagement;
 - The OPP detachment board framework under the CSPA including:
 - Composition requirements
 - Proposal process
 - Next Steps

Context

- On March 26, 2019, Ontario passed the *Comprehensive Ontario Police Services Act, 2019* (Bill 68) and established the *Community Safety and Policing Act, 2019* (CSPA). Once in-force, the CSPA, 2019 will replace the *Police Services Act* (1990).
- The Ministry is working to bring the CSPA into force by early 2022.
- To bring the CSPA into force, the Ministry is required to develop several matters for regulation, including regulations related to the Ontario Provincial Police (OPP) such as:
 - OPP Detachment Boards;
 - OPP Governance Advisory Council; and
 - OPP Billing.
- To do this work, the ministry has engaged several key stakeholders and partners through:
 - OPP Regional Roundtables (February 2020);
 - CSPA Engagement Tables (Community & Social Services, Policing and First Nations Policing);
 - The Ministry/Association of Municipalities of Ontario (AMO) MOU Table; and
 - Conferences (AMO, Rural Ontario Municipalities Association and Ontario Association of Police Service Boards).

PSA vs. CSPA: OPP Detachment Boards

Current State

- Municipalities must have a police service board to enter into an agreement with the OPP under section 10 of the Police Services Act 1990 (PSA).
- All other municipalities policed by the OPP (i.e., section 5.1) may establish a Community Policing Advisory Committee (CPAC) but are not required to do so.
- Currently, many municipalities and First Nation communities receiving OPP policing services are unable to provide effective civilian governance due to:
 - Variances in geography, population size, and service demands;
 - Lack of flexibility, adequate funding and communication;
 - Failure to adequately represent the needs of all communities receiving OPP services within a detachment; and
 - High rates of vacancies on boards, specifically related to provincial appointments.

New Legislative Requirements

- Section 67 of the CSPA requires there be an OPP detachment board, or more than one OPP detachment board, for each detachment of the OPP that provides policing in a municipality or in a First Nation community.
- Each municipality and First Nation community receiving OPP services will have an opportunity to participate on an OPP detachment board.
- An OPP detachment board will be required to, among other things:
 - Advise the detachment commander with respect to policing provided by the detachment and on the development of the local action plan;
 - Consult with the Commissioner on the selection and monitor the performance of the detachment commander; and
 - Provide an annual report to municipalities and band councils.
- In addition to the training required for all board members under the Act, detachment board members are required to successfully complete training on the role of boards and responsibilities as members prior to exercising their powers.
- Members must abide by a Code of Conduct that will be in regulation.

OPP Detachment Board Framework

The **OPP Detachment Board Framework** under the CSPA will provide municipalities and First Nation communities receiving OPP policing services with greater civilian governance by:

- Ensuring each municipality and First Nation community receiving policing services from the OPP has an opportunity to represent their local perspectives, needs, and priorities;
- Providing opportunities for municipalities and First Nations to collaborate on efforts to enhance community safety; and
- Enhancing the transparent, coordinated and efficient delivery of OPP services.

The **OPP Detachment Board Framework**:

- Provides each municipality and First Nation community receiving OPP services with the ability to sit on an OPP detachment board.
- Requires the municipalities and First Nations within the jurisdictional area of a detachment to submit one proposal indicating the composition of their board and, if requested, their rationale for multiple boards.
- Includes a set of composition requirements set by the ministry that completed proposals must meet.
 - The ministry will follow up with detachment areas that fail to submit a proposal or where proposals do not meet the composition requirements.
- Establishes a ministerial working group to review each proposal submitted to the ministry.

OPP Detachment Board Composition

Overview

- Municipalities and First Nations within a detachment will be required to submit a proposal that meets the composition requirements (below), indicating the proposed composition of your board.
- All municipalities and First Nations within the detachment area must agree on the proposal.
- One municipality/First Nation must be designated to submit the proposal.
- The proposal must include a rationale for more than one detachment board (if needed/ desired).

Composition	Minimum Requirements
Minimum Size	Minimum of 5 members
Maximum Size	No maximum
Community Representatives	20% community representation (minimum)
Provincial Appointments	20% provincial appointees

First Nation OPP Boards

- First Nations may request that the Solicitor General constitute a First Nation OPP board to oversee the policing provided by the OPP Commissioner **pursuant to an agreement** in a First Nation reserve or other specified area.
- First Nation(s) making the request to the Solicitor General propose their own:
 - Area in respect of which the board will operate;
 - Composition of the proposed board;
 - Method of appointing members of the proposed board;
 - Name of the proposed board; and,
 - Term of office of members of the proposed board.
- There are limitations in the CSPA on the ability to amend or revoke a regulation that constitutes a First Nation OPP board to help to ensure long-term sustainability of First Nation OPP boards.

For more information relating to:

- First Nations Policing in Ontario please contact Alana Jones at Alana.Jones@Ontario.ca
- First Nation OPP Boards please contact Elsbeth Schokking at Elsbeth.Schokking@Ontario.ca

Next Steps

- OPP detachment board proposal process
 - Launched: March 18, 2021
 - Deadline for submissions: June 7, 2021
 - Ministry review and approval of proposals (Summer 2021)
- Development and filing of OPP-related matters for regulation (Spring – Fall 2021)
- Formal establishment of OPP detachment boards – early 2022 (TBC)

TO: City of Kawartha Lakes Council
DATE: 26 April 2021
RE: OPP Detachment Board composition, CPAC recommendation

The Kawartha Lakes Community Policing Advisory Committee recommends to City of Kawartha Lakes Council that the new structure for the police board for the Ontario Provincial Police for the year 2022-2023, be 3 members of council, one provincial appointee and one municipal appointee.

A handwritten signature in dark ink, reading "D. J. Elmslie". The signature is written in a cursive style with a horizontal line underneath.

Doug ELMSLIE
Chair, Kawartha Lakes Community Policing Advisory Committee

Council Report

Report Number:	CAO2021-008
Meeting Date:	May 18, 2021
Title:	Outstanding Resolutions and Timelines
Description:	Recommended revised timing for reporting back to council on various matters.
Author and Title:	Ron Taylor, Chief Administrative Officer

Recommendation(s):

That Report CAO2021-008, **Outstanding Resolutions and Timelines**, be received; and

That Council approve the revised timing for reporting back on various matters as directed through council resolutions, as outlined in Appendix A to this report.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

Council, through resolutions, directs staff to review and report back on various matters of interest. Typically, a timeline to report back is identified. Staff regularly track council resolutions, and substantially complete directions within prescribed timelines.

In 2020, the CAO reported to council mid-year, identifying various matters that were deferred or delayed due to pandemic restrictions. Those revised timelines for reporting back to council were approved, and subsequently completed as revised.

Due to ongoing pandemic restrictions and resource reprioritization, some more recently directed reviews and matters have been delayed. The number of these outstanding resolutions is minimal, and being provided for council's information.

This report is seeking approval from council to revise the timing for a handful of resolutions requesting action and/or reporting back by Q2, 2021.

Rationale:

Attached as Appendix A to this report is a listing of outstanding council resolutions with direction to report back by Q2, 2021. Staff is respectfully requesting revised timing for reporting back on a few outstanding council resolutions.

This report is intended to inform council of outstanding work and revised targets for reporting back and/or completion.

Other Alternatives Considered:

No other alternatives were considered as 2021 work plans are consistently shifting and changing in response to pandemic directives, orders and resource limitations.

Alignment to Strategic Priorities

This reporting aligns with council's strategic priority of "good government". Setting timelines and deliverables, and reporting on progress maintains transparency and accountability to the public.

Financial/Operation Impacts:

There are no financial implications resulting from the recommendations contained in this report.

Consultations:

Directors
Deputy Clerk

Attachments:

Appendix A – List of Outstanding Resolutions Q1 and Q2



Appendix A - List of
Outstanding Resolu

Department Head email: rtaylor@kawarthalakes.ca

Department Head: Ron Taylor

Meeting Date	Department	Resolution	Description	Due Date	Comments
October 20, 2020	Engineering	CR2020-300 CW2020-152	Memorandum from Councillor Veale, regarding the Implementation of Automated Speed Enforcement Cameras - staff directed to review the logistics, cost and procedures associated with the implementation of automated speed enforcement camera's in City of Kawartha Lakes school zones and safety community zones; and report back with their findings by Q2 2021.	Q2, 2021	Review in progress. Report back Q3, 2021.
November 17, 2020	Engineering	CR2020-367 CW2020-160	Deputation regarding a request for the creation of a pedestrian pathway in Bobcaygeon - referred to Staff for review and report back to Council by the end of Q2, 2021.	Q2, 2021	Report back Q3, 2021.

Meeting Date	Department	Resolution	Description	Due Date	Comments
January 28, 2021	Development Services	CR2021-010 CW2021-014	PLAN2021-001, Tree Preservation - staff commence a formal public consultation strategy and education plan, and deliver an Options Update report to Council within 6 months.	Q2, 2021	Report back Q4,2021.
January 28, 2021	Fire Services	CR2021-010 CW2021-023	FIRE2021-021, Master Fire Plan - report back to allow for the following items to be incorporated into the Plan: · a Strategy to protect the health and well being of the City's Firefighters; · a costing and the projected timelines (based on growth projections) for the recommendations within the Plan; and · a Strategy for the City's Fire Halls.	No timeline identified.	Q3, 2021 to align with other service reviews.

Meeting Date	Department	Resolution	Description	Due Date	Comments
February 23, 2021	Public Works	CR2021-111 CW2021-041	Memorandum from Councillor Yeo, regarding Fishing Over Bridges and Causeways - staff bring back a report by the end of Q2 regarding the use of municipally owned bridges and causeways for fishing and include options for banning fishing from bridges and causeways, regulating fishing through local licensing, patrolling and cleaning areas on a daily basis, or doing nothing at all.	Q2, 2021	Report back Q3, 2021.

Council Report

Report Number: FIRE2021-003

Meeting Date: May 18, 2021

Title: Amendment to Bylaw 2007-236 Sale and Setting Off of Fireworks

Author and Title: Mark Pankhurst, Fire Chief

Recommendation(s):

That Report FIRE2021-003, **Amendment to Bylaw 2007-236 Sale and Setting off of Fireworks Bylaw**, be received;

That a By-law, substantially in the form attached as Appendix A to Report FIRE2021-003 be approved for adoption by Council.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

At the Council Meeting of September 15, 2020 Council adopted the following resolution:

CR2020-263

Moved By Councillor Elmslie

Seconded By Councillor Yeo

That staff bring forward a By-Law to restrict the times of discharge of consumer fireworks to between dusk and 11 pm:

1. Victoria Day, including the day preceding and following Victoria Day
2. Canada Day, including the day preceding and following Canada Day
3. Family Day, including the day preceding and following Family Day
4. Aboriginal Day, including the day preceding and following Aboriginal Day
5. Labour Day, including the day preceding and following Labour Day
6. New Years Eve, including the day preceding and following New Years

Eve; and

That the By-Law include a special event permitting process, a Registry for the publication of the date and location of permitted events and a provision for penalties and fines to be imposed for contravention of the By-Law.

This report addresses that direction.

Rationale:

The amended bylaw attached as Appendix A includes the restricted times for discharging consumer fireworks as per the resolution. Section 6.01 of the bylaw permits discharge of consumer fireworks, without a permit, only on the days and times listed above. Any other discharge of consumer fireworks outside of these days for special events will require a fireworks permit.

Fire Service staff are working with the GIS Division to develop a map for public use that integrates with the permit system. The map will enable the public to view dates and locations of fireworks events that permits have been issued for.

Other Alternatives Considered:

No other alternatives were considered

Alignment to Strategic Priorities

The recommendation aligns with the following strategic priorities:

A Vibrant and Growing Economy

Recommendations in this report will support effective Fire Service operations and service delivery.

An Excellent Quality of Life

Recommendations in this report will support efficient delivery of Fire Service operations and assists the general well-being and overall health and safety of residents and visitors to the City of Kawartha Lakes.

Financial/Operation Impacts:

This report and bylaw has an operational impact on Municipal Law Enforcement for enforcement of the bylaw and they were included in consultation.

Consultations:

Manager of Municipal Law Enforcement

Attachments:

Appendix A – Bylaw 2007-236 Sale and Setting of Fireworks



FIRE2021-003
Appendix A Update

Department Head email: mpankhurst@kawarthalakes.ca

Department Head: Mark Pankhurst, Fire Chief

The Corporation of the City of Kawartha Lakes

Office Consolidation of By-Law 2007-236

Consolidated on October 15, 2018

Passed by Council on October 30, 2007

Amendments:

- | | | |
|--------------------|--------------------|------------------|
| 1) By-law 2016-209 | November 22, 2016 | Sections 1 and 8 |
| 2) By-law 2018-197 | September 25, 2018 | Sections 1 and 8 |

Note: This consolidation is prepared for convenience only. For accurate reference the original by-laws should be reviewed.

The Corporation of the City of Kawartha Lakes

By-Law 2007 - 236

**A By-Law Respecting the Sale and the Setting Off of Fireworks
Within The City of Kawartha Lakes**

Recitals

1. Section 121(a) of the Municipal Act, 2001 provides that a local municipality may prohibit and regulate the sale of fireworks and the setting off of fireworks.
2. Section 121(b) of the Municipal Act, 2001 provides that a municipality may prohibit the sale of fireworks and the setting off of fireworks unless a permit is obtained from the municipality for the sale of fireworks and the setting off of fireworks and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans.
3. Council considers it advisable to regulate the sale and setting off of fireworks within the City of Kawartha Lakes.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2007-236.

Section 1.00: Definitions and Interpretation

- 1.01 **Definitions**: In this by-law,

"Act" means the Explosives Act, Revised Statutes of Canada, 1985, Chapter E-17, and the Regulations enacted, as amended or any other Act and Regulations enacted in substitution;

"burn ban" means a time frame declared by the fire chief when no open air burning is permitted within the City;

“certificate” means written authorization issued by the Ministry of Natural Resources Canada, Explosives Regulatory Division to a person qualified to be a Fireworks Supervisor;

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes;

“City Clerk” means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Consolidated Fees By-law” means City of Kawartha Lakes By-law 2016-206 or if it has been repealed any subsequent City of Kawartha Lakes By-law known as the Consolidated Fees By-law;

2016-209, effective November 22, 2016

“consumer fireworks” means an outdoor, low hazard, recreational firework that is classed as a subdivision 1 of Division 2 of Class 7 Fireworks under the Act and includes fireworks showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, and sparklers but does not include Christmas crackers and caps for toy guns containing not in excess of twenty-five one-hundredths of a grain of explosive used per cap. This type of fireworks may also be referred to as “family fireworks”;

“consumer fireworks sales permit” means a permit as issued in accordance with Section 8.00.

“Council” or “City Council” means the Council of the City of Kawartha Lakes;

“discharge” means to fire, ignite, explode or set off or cause to be fired, ignited, exploded or set off and the words “discharged” and “discharging” have a similar meaning;

“display fireworks” means an outdoor, high hazard, recreational firework that is classed as a subdivision 2 of Division 2 of Class 7 Fireworks under the Act, and includes rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, bombardos, waterfalls, fountains, batteries, illumination, set pieces and pigeons but does not include firecrackers;

“fire chief” means the person appointed by Council to carry out the duties of the fire chief of the City and his or her delegate(s) or, in the event of organizational changes, another person designated by Council;

“firecracker” means a pyrotechnic device that explodes when ignited and does not make any subsequent display or visible effect after the explosion, and includes those devices commonly known as Chinese firecrackers but does not include caps for toy guns or Christmas crackers;

“fire inspector” means the person appointed by the Fire Chief to carry out the duties of a fire inspector of the City and his or her delegate(s) or, in the event of organizational changes, another person designated by the Fire Chief or Council;

“fireworks” means display fireworks, pyrotechnic special effects fireworks and consumer fireworks;

“fireworks supervisor” means a person who is an approved purchaser of display fireworks and who is qualified under the Act to supervise the discharge of fireworks;

“FPPA” means the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4, as amended, and the Regulations enacted as amended from time to time or any Act and Regulations enacted in substitution;

"magazine" means magazine as defined in the Explosives Act, R.S.C. 1985, c. E-17;

“manual” or **“list”** means the Pyrotechnics Special Effects Manual issued by the Explosives Regulatory Division of Natural Resources Canada;

"minor" means a person who has not reached the age of 18 years;

"motor vehicle" means motor vehicle as defined in the Highway Traffic Act, R.S.O. 1990, c. H.8.

“municipal law enforcement officer” means a person appointed by Council under section 15 of the Police Services Act, R.S.O. 1990, c.P.15 to enforce the by-laws of the City and reports to the Manager of [Municipal Law Enforcement and Licensing Building and By-law Enforcement](#);

"municipal service centre" means a designated Municipal Service Centre of the City which provides local government services;

“non-profit” is an adjective used to describe an applicant who meets one or more of the following requirements:

- (a) it is registered in Ontario as a non-profit corporation by the applicable Provincial or Federal authority or Ministry;
- (b) it is certified by an Accountant (to the satisfaction of the Fire Chief) as a Person that makes no profit and intends to make no profit in its day to day business operations;
- (c) it files no income tax return as a commercial or for profit business; or
- (d) it is a minor sports association or organization
- (e) it is a Community Betterment Organization or Group that returns 100% of its net proceeds to the community for the community's benefit.

"offer for sale" includes the display of goods as an invitation to treat;

"owner" means the person having effective control over or apparent possession of property or the relevant portion thereof, and where that person cannot be determined, the registered owner of that property, and for the purposes of this by-law, a mortgagee-in-possession of property, or a receiver and manager, personal representative or trustee in bankruptcy who has taken possession of that property shall be deemed to have effective control over the property.

"permit" means permission to hold a fireworks exhibition granted by the City issued under this By-law;

“Person” means an individual, partnership, group or association, organization, company, corporation or cooperative and may also include owner.

2018-197 effective September 25, 2018

"police officer" means a chief of police or other police officer in a police service which is responsible for enforcing the by-laws;

“prohibited firework” includes but is not limited to cigarette loads or pings, exploding matches, sparkling matches, ammunition for miniature tie clip, cufflink or key chain pistols, auto alarms or jokers, cherry bombs, M-80 and silver salutes and flash crackers, throw down torpedoes and crackling balls, exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, party peppers and table bombs, table rockets and battle sky rockets, fake firecrackers and other trick devices or practical jokes as included on the most recent list of prohibited fireworks as published from time to time under the Act;

"property" means any public or private land, building, structure or other real property within the City;

"public exhibition" means every setting off or other display of consumer fireworks or display fireworks and for the sake of greater certainty but without limiting the generality of the foregoing, includes any display that is open to:

- a) the general public;
- b) persons who have purchased tickets to attend the display or a related event;
- c) members of the organization sponsoring the display or a related event; or
- d) persons who have been invited to attend the display or a related event.

"pyrotechnics" means pyrotechnics as described in the Pyrotechnics Special Effects Manual issued by the Explosives Regulatory Division of Natural Resources Canada;

“pyrotechnician” means a person who is certified under the Act as a Theatrical User, an Assistant, a Pyrotechnician or a Special Effects Pyrotechnician and is qualified to purchase and supervise the display of pyrotechnic special effect fireworks under the Act;

“pyrotechnic special effect firework” means a high hazard firework that is classed as a subdivision 5 of Division 2 of Class 7 Firework under the Act and that is used to produce a special pyrotechnic effect for indoor or outdoor performances and includes black powder bombs, bullet effect, flash powder, air bursts, smoke compositions, gerbs, lances and wheels; and

"retail sale" means a sale for the purpose of consumption or use and not for resale;

“sell” includes offer for sale, cause or permit to be sold and to possess for the purpose of sale and the words “selling” and “sold” have a similar meaning;

"set off" includes any method of detonating or igniting a firework;

"shop" means a building or part of a building, booth, stall or place where goods are exposed or offered for sale;

"special event" or "event" means any cultural, recreational or educational event of limited duration, including an exhibition, show, display, concert, festival, race, competition, public entertainment, parade and any other organized public amusement, whether free or for a fee.

"trailer" means an enclosed vehicle designed so that it may be attached to or drawn by a motor vehicle, and intended for the transport of goods, but does not include,

- a) such a vehicle if attached to a motor vehicle; or
- b) farm trailer.

"use of" includes any method of detonating, igniting or setting off a firework.

1.02 **Interpretation:**

- (a) The regulations established by this by-law apply to the entire municipality.
- (b) The sale, handling and discharge of fireworks shall conform to Subsection 5.2.2. of the Ontario Fire Code.
- (c) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (d) The words "include" and "including" are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.
- (e) Nothing in this by-law shall be interpreted so as to alleviate the need for individuals to comply fully with all applicable Provincial and Federal legislation and regulations, as amended from time to time and includes but is not limited to the Ontario Fire Code, the Explosives Act, R.S.C. 1985, c.E-17, the Police Services Act, R. S. O. 1990, c.P.15.

1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Ban Against Possession or Use of Firecrackers and Prohibited Fireworks

2.01 **Selling:** No person within the City shall possess, offer for sale, cause or permit to be sold, or sell any firecrackers or other prohibited fireworks.

- 2.02 **Discharge:** No person within the City shall discharge, fire set off or cause, or permit to be discharged, fired or set off any firecrackers or other prohibited fireworks.
- 2.03 **Exemption:** The prohibition against the possession of firecrackers under subsection 2.01 does not apply with respect to firecrackers that are within the City solely as a result of their being in transit while being transported by a railway, airline, trucking company or other public carrier or falls within the exemption outlined within Section 11.02.

Section 3.00: Sale and Possession of Consumer Fireworks, etc.

- 3.01 No person shall offer for sale, cause or permit to be sold, sell or otherwise distribute consumer fireworks unless the vendor has obtained a Consumer Fireworks Sales Permit under this By-law and,
- a) the fireworks are included on the most recent list of authorized explosives as published from time to time by the Explosives Branch of the Department of Natural Resources (Canada), or its successor;
 - b) the fireworks are displayed in individual lots that do not exceed 25 kilograms in gross weight;
 - c) the fireworks are displayed in a sealed package, must be locked in a secure cabinet away from inflammable goods and clearly marked as fireworks; and
 - d) the fireworks are displayed in a place where they are not exposed to the rays of the sun or to excess heat.
- 3.02 No person shall offer for sale, cause or permit to be sold, or sell consumer fireworks from an outdoor stand, tent, unenclosed trailer, or motor vehicle.

Section 4.00: Trailer Sales – Consumer Fireworks

- 4.01 A vendor applying for a consumer fireworks sales permit to sell consumer fireworks from a trailer shall provide to the City the written permission of the owner of the land on which the trailer is to be parked, together with that application.
- 4.02 A consumer fireworks sales permit granted for the sale of consumer fireworks from a trailer is valid only for the sale location specified in that permit.
- 4.03 A person selling consumer fireworks sold from a trailer shall comply with the guidelines set by the fire chief with respect to the sale location for which the permit has been granted.

Section 5.00: Display of Consumer Fireworks for Sale

- 5.01 No person shall exhibit fireworks in any window of any store, shop or place where they can come in contact with direct sunlight within the City.
- 5.02 No person who offers for sale any consumer fireworks shall, at any time, keep or permit the keeping of any consumer fireworks in any location in a shop or trailer unless the location is designated and posted as a "no-smoking" area.

- 5.03 No person shall offer for sale, cause or permit to be sold, or sell consumer fireworks to any person who is or who appears to be under the age of eighteen years.
- 5.04 No person storing consumer fireworks for sale shall store them except as permitted under the Explosives Act.

Section 6.00: Use of Consumer Fireworks

- 6.01 No person shall discharge Consumer Fireworks except between dusk and 11:00 PM on the day of, or within the 1 day preceding or the 1 day following the days set for observance of Victoria Day, Canada Day, Family Day, Indigenous Peoples Day, Labour Day or New Years Eve, or pursuant to a Permit for a special event.
- 6.02 No child shall discharge any fireworks, other than a sparkler where the child is under the supervision of an adult at all times.
- 6.03 No parent, guardian or person standing in the place of a parent with respect to a child shall permit that child to discharge any firework, other than a sparkler where the child is under the supervision of an adult at all times.
- 6.04 No person shall discharge consumer fireworks on any land of which he or she is not the owner, without obtaining the prior written permission of the owner to do so.
- 6.05 No person shall discharge consumer fireworks into, inside of, or on any building, accessory building, structure, or motor vehicle.
- 6.06 No person shall discharge consumer fireworks closer to any structure or property line than 30 metres or the recommendation from the manufacturer whichever is greater.
- 6.07 As outlined in the Explosives Act regulations, no person shall discharge consumer fireworks closer than 100 metres to a church, school, residential care facility or place where explosives are sold or stored.
- 6.08 No person shall discharge consumer fireworks during an imposed burn ban.
- 6.09 No person shall store, handle or discharge consumer fireworks in an unsafe manner, or in a manner that creates a nuisance, taking into account the noise, danger from fire and explosion, and risk of death, injury and damage to property inherent in the storage, handling or use of fireworks.
- 6.10 A person who stores fireworks shall use reasonable care to ensure that those fireworks are not accessible to children.
- 6.11 No person shall hold a public exhibition of consumer fireworks at any time without a permit issued under this By-law.

Section 7.00: Display Fireworks

- 7.01 No person shall sell or otherwise distribute, offer for sale, cause or permit to be sold, or possess for the purposes of sale or distribution, any display fireworks unless:
- a) those fireworks are included on the most recent list of authorized explosives as published from time to time by the Explosives Branch of the Department of Natural Resources (Canada) or its successor.
 - b) the fireworks are kept and maintained in a magazine licensed by the Explosives Branch of the Department of Natural Resources (Canada).
- 7.02 No person shall give, offer for sale, cause or permit to be sold or sell display fireworks to any person unless that person, is eighteen years of age and is a fireworks supervisor as defined.
- 7.03 No person shall discharge display fireworks, or advertise that a public exhibition of display fireworks is to be held within the City, without an appropriate permit issued under Section 8.

Section 8.00: Permits and Fees

- 8.01 The fees for permits that shall be paid to the City in respect of the sale and discharge of fireworks shall be the amount set forth herein at the end of the description of each permit:

The fees for the following permits; Trailer Retail Seller – Consumer Fireworks, Local Vendor Retail Consumer Fireworks Seller, Display Fireworks and Consumer Fireworks, shall be the amount set forth in Schedule C-3 to the Consolidated Fees By-law. An exemption of the fees shall apply to a non-profit organization, as defined within this by-law, operating a display fireworks or consumer fireworks show at a Community Event.

2016-2019, effective November 22, 2016

- 8.02 [No person shall discharge fireworks without a Discharge Permit other than listed in 8.03.](#)

- 8.03 [No Discharge Permit shall be required to discharge Consumer Fireworks on, or the 1 day preceding or the 1 day following:](#)

- [a\) Victoria Day](#)
- [b\) Canada Day](#)
- [c\) Family Day](#)
- [d\) Indigenous Peoples Day](#)
- [e\) Labour Day](#)
- [f\) New Years Eve](#)

- 8.04 Every person applying for a permit, shall deliver to the City at the time of application, payment in full, by cash or certified cheque payable to the City, the permit fee as set out in this by-law.
- 8.05 Any person eighteen years of age or over, who is duly authorized under the Explosives Act (Canada) and approved as a Fireworks Supervisor by the Chief

Inspector of Explosives, shall apply to the fire chief for a permit to discharge or hold a public exhibition of display or consumer fireworks in the City of Kawartha Lakes.

- 8.06 The fireworks supervisor who is named as the applicant in an application under this by-law shall be present in person at all times during which the fireworks are being set up, discharge and cleaned up after the conclusion of the display or other setting off of those fireworks.
- 8.07 Every application for a permit under this section shall be made at least 30 days before the date scheduled for the setting off or holding of the exhibition of display fireworks.
- 8.08 The fire chief shall not issue a permit under this section where it is of the opinion of the fire chief that the proposed site at which the fireworks are to be discharge or the display is to be held is not suitable for that purpose.
- 8.09 An applicant for a permit under this section shall provide, together with his or her application:
 - a) such information or consents as is required under this by-law;
 - b) evidence of insurance on such terms and in such amount as the City may prescribe from time to time;
 - c) proof that the applicant has been approved by the Chief Inspector of Explosives as a Fireworks Supervisor;
 - d) a description of the site to be used for the setting of the display fireworks or consumer fireworks, as the case may be, sufficient to identify each site for which application is made;
 - e) where the fireworks are to be set-off on property of which the applicant is not the owner, written permission of the owner of that property;
 - f) such further information as the Fire Chief may reasonably require.
- 8.10 A permit issued under this section may be made subject to such terms and conditions as the Fire Chief may consider to be necessary in the interests of public safety, or to minimize inconvenience to the general public, or advisable in the circumstances or to give effect to the objects of this by-law, and every permit holder shall comply with those terms and conditions.
- 8.11 No person shall discharge or hold a public exhibition of display fireworks at a date, time location or site except,
 - a) on the date and at the time and site specified in the permit; and
 - b) upon full compliance with all terms and conditions specified in the permit; and
 - c) where the fireworks are to be set-off on property of which the applicant is not the owner, the written permission of the owner of that property.

- 8.12 Every person to whom a permit is issued under this section shall:
- a) provide and maintain approved fully operational fire extinguishing equipment ready for immediate use, throughout the time while the display fireworks are being set-off or displayed, and for a reasonable period, at the location or site of the setting off or holding of an exhibition of display fireworks.
 - b) conform to the provisions of the current issue of the fireworks manual as published from time to time by the Explosives Branch of the Department of Natural Resources (Canada), or any successor publication, for the setting off or holding of an exhibition of display fireworks.
 - c) produce the permit on demand to any police officer or any person authorized to enforce this by-law; and
 - d) permit the inspection of any site where the display fireworks may be stored, discharge or displayed, and the display fireworks themselves together with all associated equipment, by anyone authorized to enforce this by-law, forthwith upon demand.
- 8.13 Every person to whom a permit is issued under this section shall, immediately after the conclusion of the setting off or holding of an exhibition, carry out a site inspection and shall
- a) remove all unused or partly used display fireworks from the site;
 - b) gather together and remove all debris remaining after use or partial use of the display fireworks; and
 - c) return the site to the condition it was in prior to the setting off or holding of the display.
- 8.14 The grounds on which display fireworks are discharged or at which an exhibition of such fireworks is held shall be kept under continual surveillance, by the permit holder.
- 8.15 As outlined in the Explosives Act regulation, no person shall discharge display fireworks,
- a) closer to any building, accessory building or structure, or motor vehicle than as outlined within 10 meters of solid, fire-resistant uninhabited structures within 100 meters of motor vehicles, including crew vehicle (except service vehicles)
 - b) within 300 meters of any premises or place where explosives, gasoline or other highly inflammable substances are manufactured, or stored in bulk;
 - c) within 300 meters of a hospital, nursing home, home for the aged, church or school unless the consent of the Fire Chief and the owner or authorized representative of that facility has been obtained; or
 - d) during an imposed burn ban unless the consent of the Fire Chief has been obtained.
- 8.16 No person shall store, handle or discharge display fireworks in an unsafe manner, or in a manner that creates a nuisance, taking into account the noise, danger from fire and explosion, and risk of death, injury and damage to property inherent in the storage, handling or use of such fireworks.

- 8.17 A person who stores display fireworks shall use reasonable care to ensure that those fireworks are not accessible to children.
- 8.16 Except where a permit has been issued for that purpose under section 8.00, no person shall discharge display fireworks, into, in or on any highway, street, lane, alley, square or other public place.
- 8.18 A display fireworks permit issued under this by-law is not transferable.
- 8.19 Where fireworks cannot be set off or discharged on the date provided in a permit, the Fire chief may direct the issue of a new permit for some other date outside the listed rain dates.
- 8.20 Where any holder of any permit issued under any section of this bylaw fails or refuses to comply with a term or condition to which the permit is subject, the Fire Chief or Municipal Law Enforcement Officer shall immediately revoke the permit and the Fire Chief shall forthwith send a written notice of that revocation to the permit holder.

2018-197 Effective September 25, 2018

- 8.21 The fire chief may require an applicant for a permit under this by-law to provide such information as the fire chief considers necessary or advisable in his or her reasonable judgment to make an informed decision as to whether or not to grant a permit under this by-law, and where that information is not provided in the form and manner required by the fire chief, the fire chief may refuse to issue a permit.
- 8.22 Administrative Fee: Where a Person or Owner has received an occurrence inspection an Administrative Fee may be charged for the inspection and the Administrative Fee as set out in the Consolidated Fees By-law, if not paid, the fee shall be added to the tax roll of the property and shall be collected in a like manner as municipal taxes.

2018-197 effective September 25, 2018

Section 9.00: Pyrotechnics

- 9.01 No person shall discharge any pyrotechnic special effect fireworks in the City of Kawartha Lakes without first having obtained a display permit issued by the Fire Chief authorizing the discharge and use of pyrotechnic special effect fireworks.
- 9.02 No person, other than a person who holds a current and appropriate level of certificate for the type, size, number and location of the pyrotechnic materials in question for the type of pyrotechnic materials being used for display fireworks, shall:
- a) have in his or her custody or control, any pyrotechnic materials, unless that person is,
 - i) a manufacturer, wholesaler or retailer of such materials who holds all requisite licenses to act in that capacity, and the materials in question are in that person's custody solely in connection with that business, or
 - ii) lawfully carrying the pyrotechnic materials in transit through the City, whether as a public carrier or as an employee of a person described in sub-clause i); or

- b) perform or carry out any pyrotechnic display, special effects, event, exhibition or operation.
- 9.03 Every pyrotechnic display, special effects, event, exhibition or operation carried out in the City shall be performed or carried out safely, in accordance with
- a) prevailing best practices in the pyrotechnic trade, and
 - b) the specifications, recommendations or requirements, as the case may be, set down in the Pyrotechnics Special Effects Manual as issued and updated from time to time by the Explosives Regulatory Division of Natural Resources Canada.
- 9.04 For the purposes of this section, "certificate" means a current certificate issued by or under the authority of Natural Resources Canada.

Section 10.00: Enforcement and Penalties

- 10.01 **Enforcement**: This by-law may be enforced by every police officer, every municipal law enforcement officer, fire chief, and fire inspector.
- 10.02 **Obstruction**: No person shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this by-law.
- 10.03 **Offence and Penalty**: It is an offence for a person to contravene any provision of this by-law, and every person who contravenes this by-law is guilty of an offence and, on conviction, is liable to a penalty not to exceed \$1,000.00 exclusive of costs in accordance with the provisions of the Provincial Offences Act and to any other applicable penalty.
- 10.04 **Multiple Offences**: The conviction of a person for the contravention of any provision of this by-law shall not operate as a bar to a prosecution against the same person for any subsequent or continued contravention of this by-law.
- 10.05 **Court Order**: If this by-law is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.

Section 11.00: General Provisions

- 11.01 **Administration of the By-law**: This by-law shall be administered by the fire chief and the city clerk.
- 11.02 **Exemption**: For the purposes of this by-law respecting the sale or setting off of pyrotechnical signaling devices for marine, military, police, railway or highway purposes shall not be deemed to be, respectively, the sale or setting off of fireworks under this by-law.
- 11.03 **Effective Date**: This by-law comes into force as of January 1, 2008.

A by-law respecting the sale and the setting off of fireworks within the City of Kawartha Lakes

By-law read a first, second and third time, and finally passed, this 30th day of October, 2007.

Mayor

Clerk

Council Report

Report Number:	PUR2021-009
Meeting Date:	May 18, 2021
Title:	2021-42-OQ Request for Quotation Supply and Delivery of Road Patching Material
Description:	
Author and Title:	Marielle van Engelen, Buyer Richard Monaghan, Senior Engineering Technician

Recommendation(s):

That Report PUR2021-009, Request for Quotation 2021-42-OQ Supply and Delivery of Road Patching Material, be received;

That Request for Quotation 2021-42-OQ Supply and Delivery of Road Patching Material be awarded to Black Armour Asphalt Products Inc, for the supply and delivery of high performance road patching material for all Public Works Areas for an estimated annual cost of \$151,575.00 not including HST; and

That Coco Paving Inc., be awarded the supply and delivery of hot mixed, cold placed road patching material for all Public Works Areas for an estimated annual cost of \$248,662.50 not including HST, and

That Council authorize the option to renew the contract, including unit price adjustments subject to Consumer Price Index (CPI), for an additional four (4) – one (1) year terms based on annual budget approval, mutual agreement and successful completion of the initial term and each term thereafter; and

That subject to receipt of the required documents the Mayor and Clerk be authorized to execute the agreements.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

Request for Quotation 2021-42-OQ Supply and Delivery of Road Patching Material was released for advertising in accordance with the City's Purchasing Policy. The quotation closed on Thursday, April 15, 2021 with the following results:

Company Name	Public Works Area	Hot mixed Cold Placed	High Performance Material
Black Armour Asphalt Products Inc.	North West		\$38,700.00
	North East		\$38,700.00
	South West		\$38,700.00
	South East		\$35,475.00
Coco Paving Inc.	North West	\$65,450.00	\$42,000.00
	North East	\$59,500.00	\$42,000.00
	South West	\$71,400.00	\$42,000.00
	South East	\$52,312.50	\$37,125.00
Drain Brothers Excavating Limited	North West	\$85,167.50	\$49,260.00
	North East	\$74,725.00	\$47,640.00
	South West	\$89,460.00	\$47,535.00
	South East	\$64,597.50	\$42,047.50
Lakeside Landscaping Inc.	North West		\$65,550.00
	North East		\$65,550.00
	South West		\$65,550.00
	South East		\$60,087.50

In accordance with the Purchasing Policy, approval by Council is required when the recommendation to award encumbers future operating budgets.

Quotations were checked for mathematical errors and compliancy to the quotation. References were checked and found to be satisfactory.

Rationale:

Public Works Areas are awarded by the lowest compliant bid provided for the supply and delivery of each type of road patching material. Respondents were able to bid on one or all areas for both hot mixed cold placed or high performance patching material.

Selected respondents will be compensated for services/material as per the unit pricing in their submission. The award is only an estimated annual cost, the actual cost will be dependent on the type of material and how often it is provided.

Staff recommends that Request for Quotation 2021-42-OQ Supply and Delivery of Road Patching Material be awarded to Black Armour Asphalt Products Inc, for the supply and delivery of high performance road patching material for all Public Works Areas for an estimated annual cost of \$151,575.00 not including HST and Coco Paving Inc., for the supply and delivery of hot mixed cold placed road patching material for all Public Works Areas for an estimated annual cost of \$248,662.50 not including HST.

The initial term of the contract is for one (1) year, date of award to December 31, 2021., with the option to renew the contract for an additional four (4) one (1) year periods based upon annual budget approval, mutual agreement and successful completion of the initial term and each term thereafter. Annual increase will be applied to the unit pricing based on the annual percentage change in the Consumer Price Index (CPI), Ontario – All-Items, up to a maximum of three percent (3%). The estimated cost for the full five (5) year term of the contract, based on an estimated annual CPI increase of three percent, is estimated to be \$2,124,915.24. Material is on an as required basis.

Other Alternatives Considered:

No other alternative is being considered, as a competitive procurement process was conducted and any deficit will be reported through the year end surplus/deficit report.

Alignment to Strategic Priorities

This purchase aligns with the Strategic Plan under the Good Government – Asset Management by ensuring municipal assets are well maintained and well managed. The materials involved in this purchase are used by the Public Works Department to repair road defects that extends the service life of the road and allows the City to maintain compliance with O. Reg. 239/02: Minimum Maintenance Standards for Municipal Highways.

Financial/Operation Impacts:

Funds for the supply and delivery of road patching material was approved in the 2021 Roads Operating budget. This work is on an as required basis and the Department will monitor the budget to ensure that adequate funds are available for this work. The Department will also ensure that the required funds are incorporated in subsequent annual Public Works Roads operating budgets.

Department Head email: brobinson@kawarthalakes.ca

Department Head: Bryan Robinson, Director of Public Works

Department File: 2021-42-OQ



Council Report

Report Number:	PUR2021-011
Meeting Date:	May 18, 2021
Title:	PUR2021-011 2020 Q4 and 2021 Q1 Quarterly Report
Description:	2020 Q4 Quarterly Report
Author and Title:	Launa Macey, Supervisor of Procurement

Recommendation(s):

That Report PUR2021-011, **2020 Q4 and 2021 Q1 Quarterly Report**, be received;

That 953170501 Emergency heat source at 68 Lindsay Street be funded from the Capital Contingency Reserve, account 1.32248, in the amount of \$35,616.02; and

That 99210101 for replacement of the Lindsay Recreation Complex Boiler be funded from the Capital Contingency Reserve, account 1.32248, in the amount of \$22,132.82.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

In accordance with Section 3.2 of the Purchasing Policy, staff shall provide a quarterly report to Council summarizing all tender awards greater than \$100,000 where the award was within budget and within scope.

In accordance with Section 4.2 of the Purchasing Policy, Emergency Reports must be reported to Council on a quarterly basis through a Council Report.

This report addresses these directions.

Rationale:

This report provides the results of procurement awards during the period of October 1, 2020 to December 31, 2020 (Q4) and January 1, 2021 to March 30, 2021 (Q1). The summary report shall provide: the project number, successful vendor, total budget, contract term and any optional renewals and amount of award.

Other Alternatives Considered:

None as the awards were in accordance with the Purchasing Policy.

Financial/Operation Impacts:

All procurement process awards had available funding or were within the \$10,000 allowable overage in accordance with the Capital Close Policy. Any surplus or shortage for the final payment of the goods and services has or is being reported in the Capital Close Report by the Treasurer.

Emergencies where funding was required is being dealt with through this report.

Consultations:

Junior Accountant
Engineering
Public Works
Community Services

Attachments:

PUR2021-011
2020-Q4 Quarterly A



PUR2021-011
2020-Q4 Quarterly R

Department Head email: jstover@kawarthalakes.ca

Department Head: Jennifer Stover, Corporate Services Director

4th Quarter 2020 - Projects over \$100,000 within budget and within scope																
Year	File #	Bid Type	Project Description	Account Number	Department	PAR Report	Awarded To	Contract Term	Optional Renewals	Project Balance at Time of Award	Awarded Amount (Excluding HST)	Contingency	Payable HST	Total Cost	Remaining Project Balance	Comments
2020	54	CQ	Somerville Landfill Cell 2A & 2B Interim and Final Cover	997200101	Engineering and Corporate Assets	PAR2020-027	Marquis Snow & Ice	N/A	N/A	\$ 590,136.00	\$ 187,745.00	\$ 18,775.00	\$ 3,635.00	\$ 210,154.00	\$ 379,981.00	
2020	56	OQ	Winter Maintenance of Side Walks in Specified Areas	Several Operating	PW-Roads	PAR2020-035	Marquis Snow and Ice Gary's Landscaping	30-Apr-21	3-1 winter season	\$ 327,495.94	\$ 322,000.00	\$ -	\$24,870	\$ 346,870.00	\$ (19,374.06)	Quantities were just an estimate. Operating works to bottom line.
2020	57	OQ	Snow Removal for Downtown Areas and Municipal Parking Lots	Several Operating	PW-Roads	PAR2020-031	Marquis Snow and Ice	1-Nov-20	2-1 winter seasons	\$ 80,534.22	\$ 111,300.00	\$ -	\$5,877.00	\$ 117,177.00	\$ (36,642.78)	Quantities were just an estimate. Operating works to bottom line.
2020	72	CQ	Culvert Replacement for CKL48 and CKL17	983200404; 983200405	Engineering and Corporate Assets	PAR2020-030	Young's Construction	upon completion	N/A	\$ 468,058.00	\$ 143,113.02	\$ 14,311.00	\$ 2,771.00	\$ 160,195.00	\$ 307,862.00	
2020	75	CQ	Eldon Landfill Final Cover and Disposal of Contaminated Soil	997210101; 997210102	Engineering and Corporate Assets	PAR2020-036	DPSL Group Ltd.	upon completion	N/A	\$ 1,497,264.00	\$ 498,350.00	\$ 49,835.00	\$ 9,648.00	\$ 557,833.00	\$ 939,434.00	
2020	77	CQ	Relining of Culverts on CKL 121	983200200	Engineering and Corporate Assets	PAR2020-039	WG Jackett & Sons Construction Ltd.	upon completion	N/A	\$ 456,000.00	\$ 104,600.58	\$ 10,460.00	\$ 2,025.00	\$ 117,086.00	\$ 338,914.00	
2020	78	CQ	Downtown Reconstruction Phase III	983210300; 998210300	Engineering and Corporate Assets	PAR2020-037	New Alliance	N/A	N/A	\$ 9,285,000.00	\$ 6,536,847.50	\$ 1,307,370.00	\$ 138,058.00	\$ 7,982,276.00	\$ 1,302,724.00	
2020	85	CQ	City Hall HVAC Replacement	953180102	Building and Property	PAR2021-002	W.S. Morgan Construction Ltd.	30-Jun-22	N/A	\$ 3,770,948.00	\$ 2,996,000.00	\$ 299,600.00	\$ 58,005.00	\$ 3,353,605.00	\$ 417,343.00	
2020	86	CP	Design and Contract Administration for Ice Pad Replacement at Various Locations in the City of Kawartha Lakes	950190307	Parks and Recreation	PAR2021-003	Kalos Engineering Inc.	31-Mar-23	3, 1-year terms ending March 31, 2026	\$ 200,000.00	\$ 155,860.00	\$ 15,586.00	\$ -	\$ 171,446.00	\$ 28,554.00	

1st Quarter 2021 - Projects over \$100,000 within budget and within scope																
Year	File #	Bid Type	Project Description	Account Number	Department	PAR Report	Awarded To	Contract Term	Optional Renewals	Project Balance at Time of Award	Awarded Amount (Excluding HST)	Contingency	Payable HST	Total Cost	Remaining Project Balance	Comments
2021	06	CQ	Downtown Fenelon Falls Reconstruction	983210300; 998210300	Engineering	PAR2021-004	Coco Paving	Until Complete	N/A	\$ 3,694,000.00	\$ 3,037,175.00	\$ 411,780.00	\$ 62,426.00	\$ 3,609,209.00	\$ 84,791.00	

2021	14	CQ	Rural Resurfacing - Prep Work	983210500	Engineering	PAR2021-011	Four Brothers Construction	Until Complete	none	\$ 3,289,000.00	\$ 249,000.00	\$ 24,900.00	\$ 4,821.00	\$ 278,721.00	\$3,010,279.00	
2021	19	CQ	Full Depth Recycling with Expanded Asphalt Mix	RD2104	Engineering	PAR2021-009	Roto-Mill	30-Jul-21	none	\$ 2,055,395.00	\$ 797,015.00	\$ 79,702.00	\$ 15,431.00	\$ 892,147.00	\$1,163,248.00	
2021	21	CQ	Supply and Installation of Fabric Material Storage Structure	991200102	PW- Roads	PAR 2021-10	MAXX North America Group Inc.	31-Jul-21	NA	\$ 250,000.00	\$ 243,375.00	\$ 11,800.00	\$ 4,491.00	\$ 259,666.00	\$ (9,666.00)	

Emergencies - Q4 2020											
Account Number	Project Description	Project Balance at Time of Award	Awarded Amount (Excluding HST)	Contingency	Change Order	Payable HST	Total Cost	Remaining Project Balance	PO#	Awarded To	Comments
983200303.17040. 90000	Bell Copula at City Hall	\$ (371,229.04)	\$ 30,000.00	\$ -	\$ -	\$ 528.03	\$ 30,528.03	\$ (401,757.07)	907516	Bell Canada	Money requested at Council on March 23, 2021 BP2021-001
19240.74305.0801 0	Structural Repairs to the Emily Depot	\$ 71,854.33	\$ 37,824.00	\$ -		\$ 665.73	\$ 38,489.73	\$ 33,364.60	907599	VanPelt Const.	
953190117.17040. 90000	HVAC Replacement at KLPS	\$ 20,192.16	\$ 11,000.00			\$ 193.61	\$ 11,193.61	\$ 8,998.55	907774	Hamilton Smith	
953170501.17040. 90000	Emergency Heat Source at 68 Lindsay Street	\$ (753,380.77)	\$ 35,000.00			\$ 616.02	\$ 35,616.02	\$ (788,996.79)	907775	Carmichael Eng.	
999200101.17040. 90000	Fenelon Falls Bridge Repair	\$ -	\$ 264,356.00	\$ 26,435.60	\$ -	\$ 5,118.40	\$ 295,910.00	\$ (295,910.00)	907804	Clearwater Structures	Money requested at Council on January 12, 2021 ENG2021-003
Emergencies - Q1 2021											
999210101.17040. 90000	Replace Boiler at LRC	\$ -	\$ 21,750.00			\$ 382.82	\$ 22,132.82	\$ (22,132.82)	908041	Hamilton Smith	
19810.74305.1201 0	LWTP Hazardous Waste Cleanup	\$ 104,725.57	\$ 5,686.11			\$ 100.01	\$ 5,786.12	\$ 98,939.45	908045	GFL	

Council Report

Report Number: PUR2021-014
Meeting Date: May 18, 2021
Title: RFQ 2021-23-CQ Supply and Delivery of Three Medium Duty Trucks and One Medium Duty Conversion Truck
Author and Title: Marielle van Engelen, Buyer

Recommendation(s):

That Report PUR2021-014, RFQ 2021-23-CQ Supply and Delivery of Three Medium Duty Trucks and One Medium Duty Conversion Pick-up Truck, be received;

That Blue Mountain Chrysler Ltd., as the highest scoring respondent, be awarded the supply and delivery of three medium duty trucks;

That East Court Ford Lincoln Sales Ltd., as the highest scoring respondent, be awarded for the supply and delivery of one medium duty conversion truck;

That the deficit in the project, 994210212, of \$16,058 be funded by the Public Works section of the Fleet Reserve (1.32070);

That Council authorizes the option to renew the contract, with Blue Mountain Chrysler Ltd., after the initial year for the supply and delivery of medium duty trucks for four (4) additional one year terms based on the same terms and conditions of the original contract, satisfactory performance, mutual agreement and approval of the Fleet Capital budget;

That subject to the receipt of the required documents, the Mayor and Clerk be authorized to execute the agreement; and

That the Procurement Division be allowed to create the purchase orders as required.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

A high score request for quotation was released for advertising in accordance with the Purchasing Policy requesting for the supply and delivery of the following:

Group 1 - three (3) medium duty, gasoline truck, full four doors, two-wheel drive with dump box, and Group 2 – one (1) medium duty, gasoline conversion truck with two wheel drive and two full doors. It was determined through the Fleet Division, in consultation with the requesting department, Water Waste Water Division, that a conversion truck best suited the needs of the department over a conventional van. A conversion truck is a pick-up truck that has been modified with a van body mounted to the frame of truck.

The high score quotation provided respondents the opportunity to provide pricing for one or more groups of vehicles.

RFQ 2021-23-CQ Supply and Delivery of Three Medium Duty and One Conversion Truck closed on April 8, 2021 and was opened by Launa Macy, Supervisor of Procurement with the following results

Submission Received From	Submitted for
Blue Mountain Chrysler Ltd.	Group 1
East Court Ford Lincoln Ltd.	Group 1 and 2
2281610 One Inc. O/A Ford Down Town Lincoln Downtown	Group 1 and 2
Lindsay Dodge Chrysler Jeep	Group 1 and 2

As per the Purchasing Policy, all awards that exceed the budget by more than \$10,000.00 and require additional funds must, be approved by Council.

During the evaluation of the submissions it was determined that 2281610 Ont. Inc. O/A Ford Downtown/Lincoln Downtowns' submission for Group 1 had a major irregularity and as per the Purchasing Policy resulted in the City rejecting the submission.

Submissions were evaluated according to the specific criteria and specifications contained in the high score quotation document.

Blue Mountain Chrysler Ltd. was found to be the highest scoring respondent for Group 1 and East Court Ford Lincoln Sales Ltd. was found to be the highest scoring respondent for Group 2.

Rationale:

The procurement of these vehicles falls in the line with the Non- Emergency Fleet Services Directive for life span replacement schedule.

Staff recommend that Blue Mountain Chrysler Ltd., as the highest scoring respondent, be awarded the supply and delivery of three medium duty pick-up trucks; and East Court Ford Lincoln Sales Ltd., as the highest scoring respondent, be awarded for the supply and delivery of one conversion pick-up truck.

Other Alternatives Considered:

No other alternative is being considered as a competitive procurement process was conducted.

Alignment to Strategic Priorities

Good Government

Recommendations in this report will ensure municipal assets are well maintained and well managed. A continuous review of operation efficiencies ensure that best municipal practices are adopted.

A Vibrant and Growing Economy

Recommendations in this report will support Public Works operations and service delivery.

Financial Impacts:

Capital Project Number	Project Budget	Other Committed Funds	Capital Project balance	Purchase Amount (excl. HST)	HST Payable	Total Amount	Project Balance
994210205	\$270,000	\$0	\$270,000	\$196,038	\$3,451	\$199,489	\$70,511
994210212	\$80,000	\$0	\$80,000	\$94,396	\$1,662	\$96,058	(\$16,058)

Any remaining surplus or deficit will be dealt with through a capital close report presented to Council by the Treasury Department in accordance with the Capital Close Policy.

Consultations:

Fleet Supervisor
Supervisor, Cost Accounting

Department Head email: brobinson@kawarthalakes.ca

Department Head: Bryan Robinson, Director of Public Works

Department File: 2021-23-CQ

Council Report

Report Number: PUR2021-015
Meeting Date: May 18, 2021
Title: Bobcaygeon Composite Elevated Tank Re-coating and Rehabilitation

Author and Title: Linda Lee, Buyer
Corby Purdy, Supervisor Infrastructure Design and Construction

Recommendation(s):

That Report PUR2021-015, **Bobcaygeon Composite Elevated Tank (CET) Re-coating and Rehabilitation**, be received;

That Council award the Bobcaygeon CET Re-coating and Rehabilitation to Ontario Clean Water Agency (OCWA) for a total cost of \$956,862.00 not including HST;

That the balance of \$436,973.00 be funded from the Water Capital Reserve;

That the Mayor and Clerk be authorized to sign the agreement; and

That upon approval, the Procurement Division be authorized to issue a purchase order.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

The Ontario Clean Water Agency (OCWA) is the operating authority for water and waste water facilities across the City and holds the contract for the overall responsibility for the repairs and maintenance. Part of that responsibility is to manage the capital projects at these facilities. The purpose of this project is to rehabilitate the Composite Elevated Tank (CET) in Bobcaygeon.

In July 2018 OCWA retained Landmark Municipal Services (Landmark) to inspect the Bobcaygeon elevated water tank to assess the current condition and provide recommendations for future rehabilitation and upgrades. Landmark identified various items for rehabilitation and safety upgrades such as removing the existing interior coating system and installing a new coating system. It also identified safety upgrades such as kick plate installation, new fall arrest system, and installing a cable system. Proposed upgrades were identified and approved in 2019 Capital budget.

OCWA has completed projects of similar scope, and were able to utilize previous specifications, as well as applying special knowledge of the Bobcaygeon system to complete a tender package that was released for competitive bidding June 18, 2020.

All submissions came in over the approved budget and the process was cancelled.

Engineering considered requesting a top up to the 2019 budget during the 2021 capital budget process, but staff recommended that the project be retendered to determine whether the pricing received under the first tender was anomalous due to Covid-19.

OCWA released a second Request for Bid (RFB) on February 24, 2021, and a mandatory pre-tender virtual meeting was held on March 5, 2021. There were nine (9) firms in attendance at the virtual meeting. The Request for Bid closed at 12:00 PM on March 29, 2021, with two (2) submissions.

The results were as follows:

Dayson Industrial Services Inc.	\$828,345.00
Jacques Daoust Coatings Management Inc.	\$930,500.00

Submissions were checked for mathematical errors and for compliancy by OCWA, and were both found to be compliant. The results were forwarded to the Engineering Department for their review and approval.

Rationale:

Staff recommend that OCWA be awarded the contract for the recoating and rehabilitation of the Bobcaygeon CET for the amount of \$956,862.00. Landmark Municipal Services report from 2018 (attached) has indicated that the tank interior lining was to be completed within 1 to 2 years and that if too much time goes by, the corrosion cells on the interior walls will become leaks, which can be catastrophic in the winter months. The City is not in a position to carry out this work in-house.

OCWA as the Operating Authority of this water system, are responsible for scheduling and maintenance of the overall water system and will be required to coordinate any/all works.

Breakdown of costs as follows:

Task/Item	Amount
Construction	\$ 828,345.00
Tender Ready Specifications, Competitive Procurement Process, Contract Admin Fees, Administration and Third Party Inspections by OCWA	\$ 128,517.00
Total	\$956,862.00

Other Alternatives Considered:

Alternative for consideration is to defer the project until 2022 and re-budget during the 2022 capital budget process. Staff is not recommending this as two previous competitive processes have indicated that the construction pricing is consistent with the current market, and the tank lining is past the recommendations from Landmark.

Alignment to Strategic Priorities

This project relates to Goal #3, by maintaining the City's existing infrastructure.

1. Healthy Environment
2. A Vibrant and Growing Economy
3. Good Government

Financial/Operation Impacts:

Funds for the re-coating and rehabilitation of the Bobcaygeon CET were approved through the 2019 Capital Budget.

Project Number	Project Budget	Other Committed Funds *see below	Project Balance	Purchase Amount (excl. HST)	0% Contingency	HST Payable	Total Amount	Project Balance
998190103	\$530,000	\$6,945	\$523,055	\$942,862		\$16,595	\$959,457	\$ (436,402)
998190106	\$14,000	\$325	\$13,675	\$14,000		\$246	\$14,246	\$ (571)
Totals	\$544,000	\$7,270	\$536,730	\$956,862	\$0	\$16,841	\$973,703	\$ (436,973)

Upon completion of the work, any remaining surplus or deficit will be dealt with through a capital close report presented to Council by the Treasury Department in accordance with the Capital Close Policy.

Consultations:

Supervisor, Cost Accounting

Attachments:



Landmark Report
16Jul2018.pdf

Department Head email: jrojas@kawarthalakes.ca

Department Head: Juan Rojas, Director of Engineering and Corporate Assets

Department File: 2021-55-SS



**Bobcaygeon Composite Elevated Tank
Remotely Operated Vehicle Inspection and Report
July 16, 2018**

August 23, 2018

Ontario Clean Water Agency

123 East Street South, PO Box 279
Bobcaygeon, ON K0M 1A0

Att: **Mr. Geoff Reddin**
greddin@ocwa.com

Tel: 705.738.9737

Re: **LMS Job #LM18041**
Remote Inspection & Report - Bobcaygeon Composite Elevated Tank

Mr. Reddin,

A comprehensive inspection was performed at the above mentioned potable water storage facility on July 16, 2018. Tank interior surfaces were inspected with a remotely operated vehicle (ROV). The ROV unit and tether cable were disinfected in accordance with AWWA-C652-11 Method #2 guidelines (200ppm solution) prior to entry into the tank interior. Landmark's ROV equipment is designated for potable water use only.

Please find a comprehensive report enclosed as follows;

- | | |
|--|--------------|
| 1) Composite Elevated Tank Inspection Report | Pages 1 – 5 |
| 2) Photographic Record of Report
- Photographs are numbered in accordance with the corresponding numbers throughout the report. | Pages 6 – 29 |
| 3) Protective Coatings & Linings Report | |
| 4) Summary of Recommendations – Quotation #Q18144 | |
| 5) ROV Video – Electronic copy on USB flash drive | |

Should you have any questions or comments regarding the content of this report, please contact us at 905 319 7700.

Yours sincerely,
Landmark Municipal Services ULC



Dave Baker
Encl.

Fall Arrest System Update

Effective December 1, 2016, the CSA Group updated its standards relating to fall arresters and rigid rail systems. The update has resulted in the previous standard, Z259.2.1-98 (2011) (the “2011 CSA Standard”), being separated into two new standards: (a) CSA-Z259.2.4-15 – Fall Arresters and Vertical Rigid Rails; and (b) CAN/CSA-Z259.2.5-12(2016) – Fall Arresters and Vertical Lifelines.

The impetus for the changes to the 2011 CSA Standard was driven by an incident in which a worker was critically injured while using a rigid rail type of fall protection system in 2014 – a copy of this notice is included at the end of this report. The Ontario Ministry of Labour’s investigation into the matter revealed a weakness in the design of some Class Frontal-Fixed Rail Ladder Fall Protection Systems, which may not adequately protect workers who fall backwards or who squat and roll backwards into a fall while connected by a body harness to the trolley which slides along the vertical rail.

Particular to our review of the subject potable water storage facility is CSA-Z259.2.4-15 – Fall Arresters and Vertical Rigid Rails (“2016 CSA Standard”). Generally, the revisions included in the 2016 Standard fall into 3 categories: (i) increased compatibility requirements between fall arresters, harnesses, and vertical rigid rail systems. These changes can primarily be found in sections 4.3.5, 4.4, and 4.5; (ii) the addition of 4 new mandatory testing requirements for rigid rail systems, which can be found in sections 5.3 through 6.4; and (iii) new marking requirements in sections 7.1, 7.2, and 7.3.

As per section 5.3.1, all new testing requirements must be met in order for the rigid rail system to be certified as compliant under the 2016 CSA Standard.

Landmark has followed up with the CSA Group in an attempt to determine the status of the exiting FRL’s system compliance. In the case of fall arresters and vertical rigid rails, it appears that the current system has not been certified by the CSA Group with respect to the new 2016 Standard.

Please refer to quotation #Q18144 for pricing to remove and replace the existing fall arrest system with Honeywell Safety Products – “Soll GlideLoc” who are compliant with the new 2016 Standard.

This report has been prepared by Landmark Municipal Services for the City of Kawartha Lakes.

This report has been prepared in order to provide the facility owner with a detailed description of the following:

The present condition of interior and exterior coatings, any pitting and/or corrosion on the interior of the water retaining vessel, the apparent condition of exposed foundations and the status of and recommendations for upgrades on safety equipment and other facility appurtenances.

Landmark Municipal Services has not performed a design review, an ultrasonic, x-ray, or destructive and/or non-destructive testing unless stated in the report. Comments and recommendations are based on visual inspection only and represent Landmark's professional judgement in reference to industry standards and best practices. This report may be based on information provided to Landmark which has not been independently verified. Its accuracy is limited to the time period and circumstances in which it was made. It was prepared for the specific purposes described in the report.

Any estimates regarding construction costs represent Landmark's judgement in light of our experience. Since Landmark has no control over market conditions, we do not make any representations or guarantees whatsoever with respect to such estimates or their potential variance from actual construction costs or schedules. Landmark accepts no responsibility for any potential losses.

In the case of subsurface, environmental or geotechnical conditions, the report may be based on limited testing and on the assumption that such conditions are uniform and not variable either geographically or over time. Landmark makes no other representations or warranties whatsoever and accepts no responsibility for any events that may have occurred since the report was prepared.

COMPOSITE ELEVATED TANK INSPECTION REPORT

Landmark Contract No.	Inspection Date	Last Inspection Date
LM18041	16-Jul-18	Unknown
Inspector	Report Date	Inspected By
P. Furtado	10-Aug-18	Unknown

OWNER / CONTACT

Owner	City of Kawartha Lakes	Contact	Mr. Geoff Reddin
Project Location	Bobcaygeon Composite Elevated Tank	Title	Operations Manager
Address	85 Dunn Street Bobcaygeon, ON	Phone	705.879.5999
		Fax:	--
		Email	greddin@ocwa.com

TANK DESCRIPTION

Constructor	Landmark Structures Co.	Tank Capacity	969,000 Imperial Gallons
Tank Type	Composite Elevated Tank	Year Built	1994
Dwg's Available	No	Tank Diameter	76'
Dwg's Reviewed	No	Pedestal Diameter	38'
Coating System	Steel Cladding	HWL	1022.41'
Lining System	Epoxy	LWL	978.76'
Exterior Roof	Steel Cladding	Grade Elev.	861.22'
Age of Paint	Original (24 years)		

REPORT SUMMARY

Repairs Made During Inspection

4pc pedestal light bulbs replaced	48	--
Aircraft warning light bulbs replaced	81	--
Watertight cap installed on rescue port	75	--

Recommended Repairs

SITEWORKS

ACCESSORIES

	--	Anti-slip tape required on smooth ladder rungs	48, 61, 68
	--	S&I roof kickplate (120')	83
	--	Surface prep and paint roof handrail	78
		Relocate antenna cables to proposed cable tray system	70
<u>SECURITY</u>			
2pc padlocks required on hatch to tank interior	94, 98		--
	--		--
	--		--
<u>VALVE CHAMBER</u>			
	--		--
	--		--
	--		--
<u>FOUNDATIONS</u>			

FALL ARREST

	--	Remove and replace fall arrest system	47, 61, 68
	--	*Please review cover letter for latest information regarding CSA Standard CSA-Z259.2.4-15 (Fall arresters and Vertical Rigid Rails)	
	--		

SUPPORT STRUCTURE

INTERIOR LANDING

CONFINED SPACE & RESCUE SYSTEM

	--	Rescue port base required beneath top landing grating	53
	--		--
	--		--
		<u>COATINGS, LININGS AND METAL CONDITION</u>	
	--	Separate report available	--
	--	Paint rail replacement	--
	--	Repaint dry side of access tube	--
	--	Remove graffiti and apply anti-graffiti coating on pedestal	--

Existing Maintenance Contract?

No

Thank you for allowing Landmark Municipal Services to assist you in the maintenance of your elevated water storage facility.
To maintain the integrity of your facility we recommend that you schedule your next:

Safety inspection and report

2019

Clean, inspect and report

2018

Remote Inspection & Report

2021

3 yrs after CIR

SITEWORKS

WALKWAYS / DRIVEWAYS	Good	1 - 2
OVERFLOW SPILLWAY	Good	16 - 17

REPAIRS OR MAINTENANCE REQUIRED**SECURITY**

FENCE & GATES	Fair	1
HATCH LOCKS	None	94, 98

REPAIRS OR MAINTENANCE REQUIRED

2pc padlocks required on hatch to tank interior

VALVE CHAMBER

CONDITION OF VALVE CHAMBER	Good	35 - 41
CONDITION OF PIPING	Good	35 - 41
CONDITION OF VALVES	Good	35 - 41
ARE THERE ANY INDICATIONS OF SETTLEMENT?	No	35 - 41
IS THE CONCRETE IN THE CHAMBER CRACKED, SPALLED OR LEAKING?	No	35 - 41
IS THERE ANY INDICATION OF PIPE MOVEMENT?	No	35 - 41

REPAIRS OR MAINTENANCE REQUIRED**FOUNDATIONS**

ARE THERE ANY INDICATIONS OF FOUNDATION SETTLEMENT?	No	14 - 20
IS CONCRETE CHIPPED OR CRACKED	No	14 - 20
IS THE SOIL AT THE BASE SATURATED OR IS THERE PONDED WATER?	No	14 - 20
IS THERE ANY INDICATION OF UNDERGROUND PIPE LEAKAGE?	No	14 - 20
IS SOIL AT BASE ERODED?	No	14 - 20
IS THE FOUNDATION UNDERMINED OR EXPOSED?	No	14 - 20

REPAIRS OR MAINTENANCE REQUIRED**SUPPORT STRUCTURE**

PEDESTAL EXTERIOR - IS CONCRETE CRACKED?	No	4 - 12
PEDESTAL INTERIOR - IS CONCRETE CRACKED?	No	30 - 33
IS PEDESTAL CEILING CRACKED?	No	62 - 67
IS PEDESTAL CEILING LEAKING?	No	62 - 67

REPAIRS OR MAINTENANCE REQUIRED

Remove graffiti at bottom of pedestal and apply anti-graffiti paint on pedestal

INTERIOR LANDING

IS LANDING DECK IN GOOD CONDITION?	Yes	56 - 60
IS LANDING KICK PLATE IN GOOD CONDITION?	Yes	56 - 60
IS LANDING HANDRAIL IN GOOD CONDITION?	Yes	57 - 60
ARE SPLICES, SUPPORTS AND SHAFT CONNECTIONS IN GOOD CONDITION?	Yes	56 - 60

REPAIRS OR MAINTENANCE REQUIRED

ACCESSORIES			
EXTERIOR DOORS & HARDWARE		Good	14
INTERIOR DOORS & HARDWARE		Good	34 - 35
ENTRANCE ALARM		Good	22, 24
CHAMBER ROOF & GUARDRAIL		Aluminum guardrail and ladder system recommended	29
LADDERS	* To Valve Chamber Roof	N/A	--
	* To Top Landing	Good (Rungs need to be serrated / anti-slip)	47 - 55
	* To Tank Floor Hatch	Good (Rungs need to be serrated / anti-slip)	61 - 62
	* To Roof (Access Tube)	Good (Rungs need to be serrated / anti-slip)	68 - 72
	* To Tank Interior (From Roof)	N/A	--
REST SEATS		Good (4pc)	49 - 52
ROOF HATCHES	* Size (Access Tube)	30" dia. aluminum hatch	73 - 74
	* Condition	Good	73 - 74
	* Size (Tank Interior)	1pc - 30" dia. aluminum hatch, 1pc - 28" x 28" aluminum hatch	93 - 102
	* Condition	Good (Padlocks required, surface prep and paint hatch collar)	93 - 102
VENT	* Type	16" Frostproof S.S. Combination vent / vacuum relief unit	76 - 77
	* Condition	Good	76 - 77
VACUUM RELIEF UNIT	* Type	16" Frostproof S.S. Combination vent / vacuum relief unit	76 - 77
	* Condition	Good	76 - 77
PAINT RAIL ACCESS	* Interior	Good	86
	* Exterior	Good	55
PAINT RAIL (Must be inspected prior to each use by. P.Eng)	* Interior	Moderate to severe corrosion	103 - 115
	* Exterior	Appears good from grade level	4 - 7
GIN WHEEL		Good	67
ACCESS TUBE (48" dia.)		Dry side - Good, Wet side - Paint damage in areas	69 - 72, 186 - 189
ROOF HANDRAIL		Kickplate required; Moderate surface corrosion throughout	83 - 86, 89
FLOOR MANHOLE		24" dia. submarine hatch	62
INSULATION	* Tank	Good	??
	* Riser(s)	Good	???
RISER AND OVERFLOW PIPING		Good - 12" inlet and outlet, 8" - 16" overflow	17, 39
AIRCRAFT WARNING LIGHTS		Bulbs replaced during inspection	81
CATHODIC PROTECTION	* Type	Impressed Current - Not operational	155, 179, 183
	* Manufacturer	Corrosion Services Ltd.	7
ANTENNAE	* Anchorage / Mounting	Fair	78 - 79, 91
	* Cable Routing	Poor - Antenna cables mounted to ladder siderails in pedestal and access tube. Cable tray system required	70
	* Surveys / Warning Signage as per Safety Code 6: Health Canada	None	--
LIGHTNING PROTECTION		None	82
TANK GROUNDING		2pc conductors down pedestal	31 - 32
CHLORINE ANALYSIS / DEAD ZONE TESTING		Recommended	--
MIXING SYSTEM		None	--
ARE ROOF PLATE RADIAL SEAMS WELDED?		Yes	104- 106

REPAIRS OR MAINTENANCE REQUIRED

Aluminum handrail system recommended on chamber roof

Anti-slip tape required on smooth ladder rungs

S&I roof kickplate (120')

Surface prep and paint roof handrail

Relocate antenna cables to proposed cable tray system

FALL ARREST

Photo No.

SAFETY RAIL

LADDER LOCATION	SYSTEM TYPE	COMMENTS	
* To Valve Chamber Roof	N/A	--	--
* To Top Landing	Alum TS Rail	Remove and replace FRL system	47
* To Tank Floor Hatch	Alum TS Rail	Remove and replace FRL system	61
* To Roof (Access Tube)	Alum TS Rail	Remove and replace FRL system	68
* To Tank Interior	N/A	--	--

REPAIRS / UPGRADES OR MAINTENANCE REQUIRED

Remove and replace fall arrest system

*Please review cover letter for latest information regarding CSA Standard CSA-Z259.2.4-15

(Fall arresters and Vertical Rigid Rails)

TRANSFER STATION 'D' RINGS

LOCATION	YES / NO	CONDITION	
* To Chamber Roof	N/A	--	
* To Top Landing	Yes	Good	55
* To Tank Floor Hatch	Yes	Good	62
* To Roof (Access Tube)	Yes	Good	72 - 73
* To Tank Interior	Yes	Good	92

REPAIRS OR MAINTENANCE REQUIRED**CONFINED SPACE & RESCUE****RESCUE PORT BASES**

LOCATION	YES / NO	CONDITION	
* At roof access hatch	Yes	Cap installed	75
* At tank access hatch	Yes	Cap installed	75
* At Top Landing	No	--	53

REPAIRS OR MAINTENANCE REQUIRED

Rescue port base required beneath top landing grating



Security fence recommended
around tank perimeter

1



2



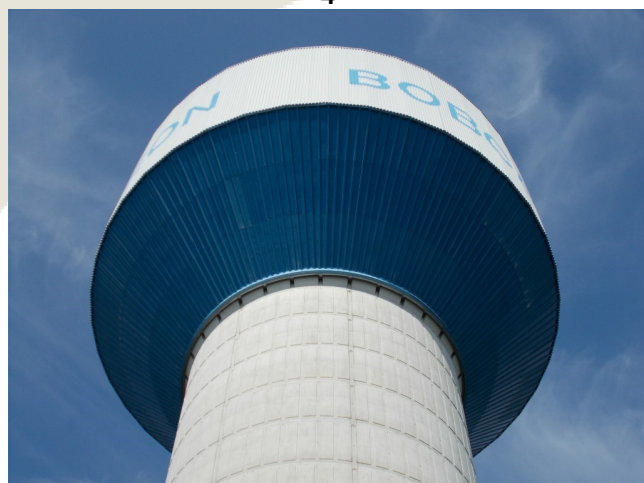
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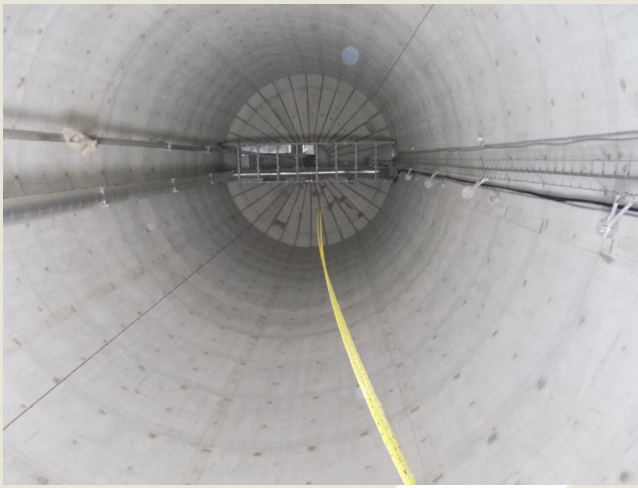
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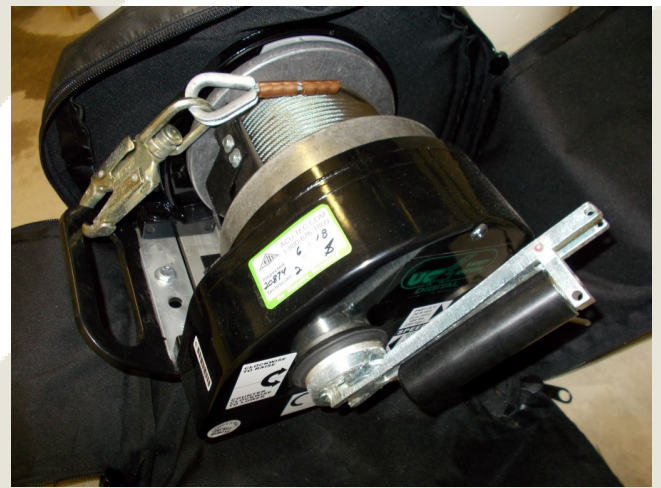
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43



Remove and dispose of non-compliant trolleys

44



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46



Refer to cover letter for latest update on FRL
Fall arrest system compliance under CSA

Remove and replace fall arrest system

47



Anti-slip tape required on smooth ladder rungs

48



49



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51



52



Rescue port base required beneath top landing

53



54



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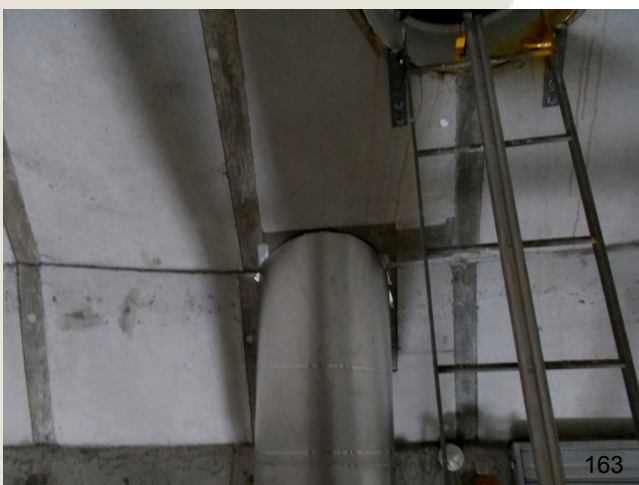


Fall arrest system replacement required
Anti-slip tape required on smooth ladder rungs

61



62



63



64



65



66



67



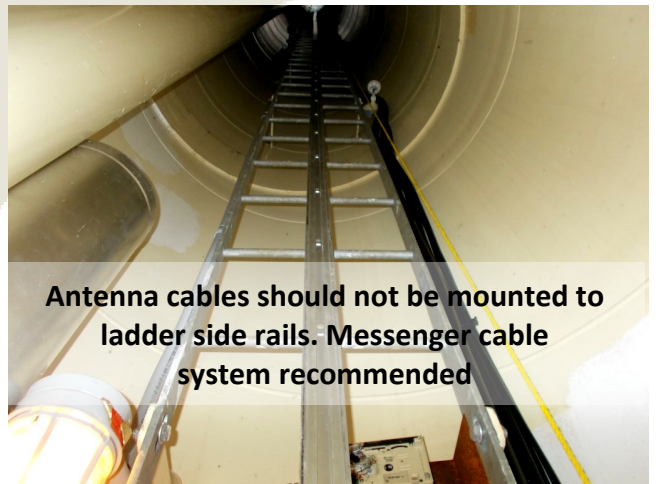
Fall arrest system replacement required

Anti-slip tape required on smooth ladder rungs

68



69



Antenna cables should not be mounted to ladder side rails. Messenger cable system recommended

70

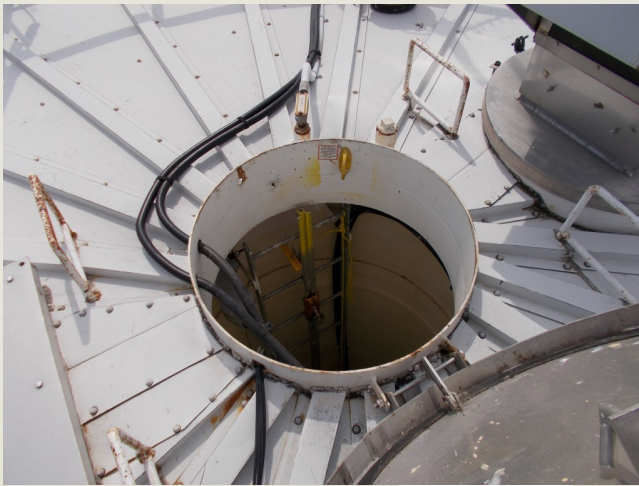


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Watertight cap installed during inspection

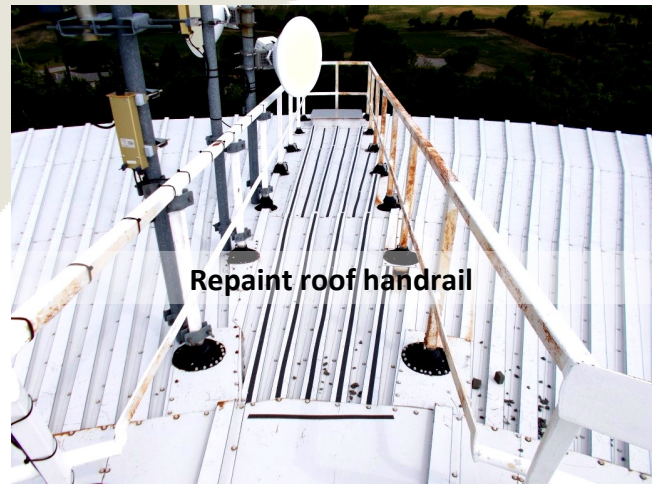
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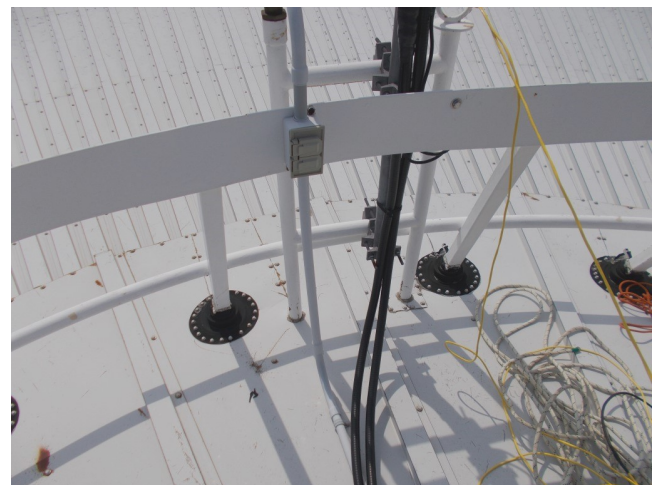


Repaint roof handrail

78



79



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165



Bulbs replaced during inspection

81



82



Kickplate required

83



Surface prep and paint roof handrail

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86



87



88



89



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93



Padlock required on hatch to tank interior

94



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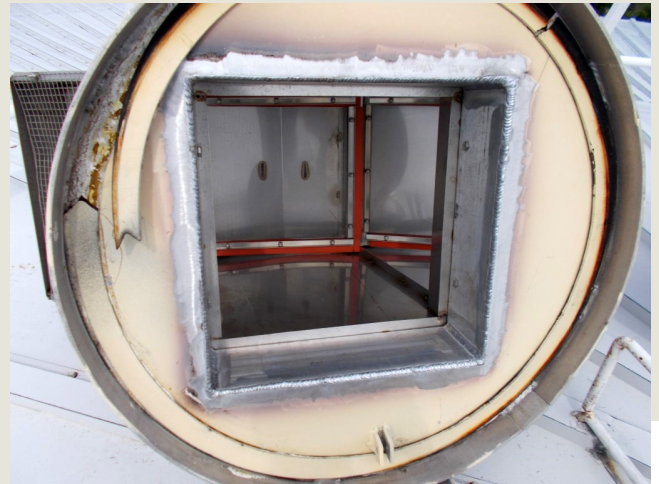


Padlock required on hatch to tank interior

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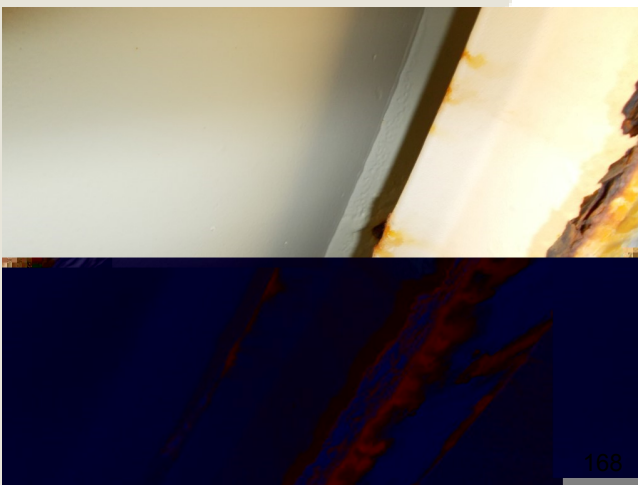
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Remove and replace corroded paint rail

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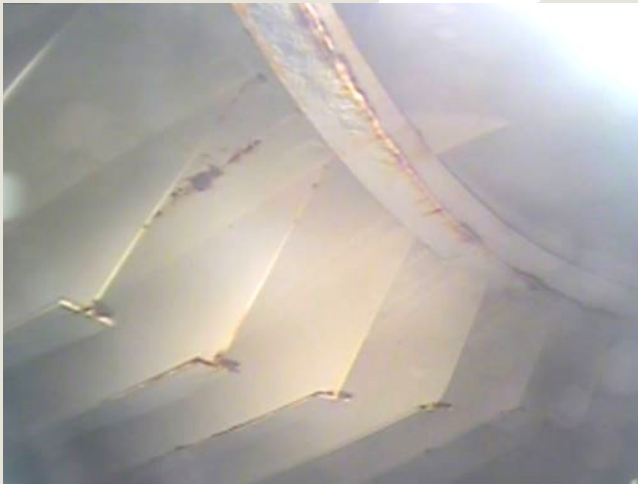
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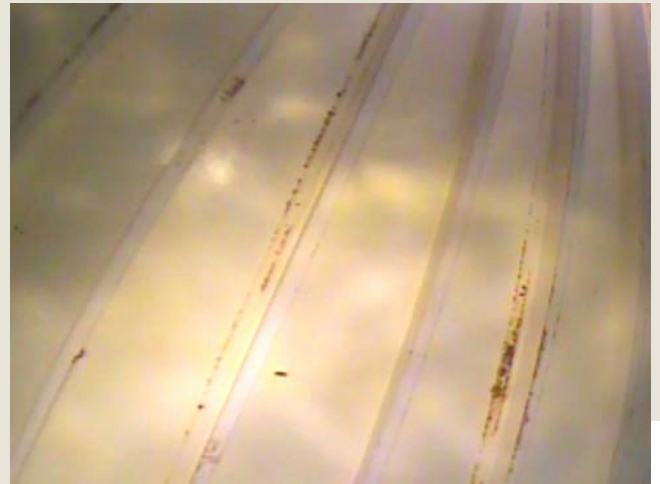
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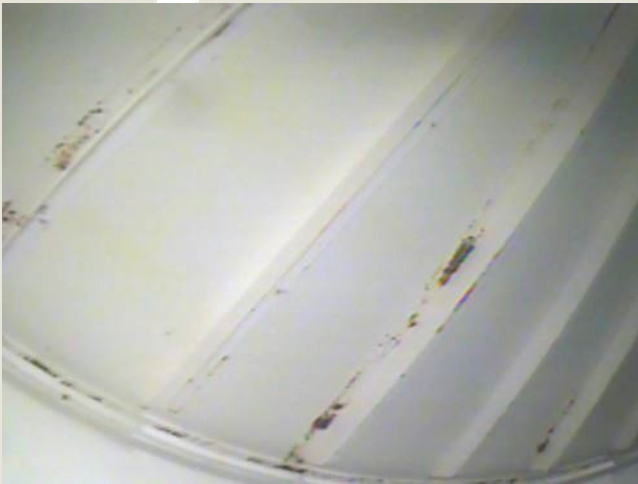
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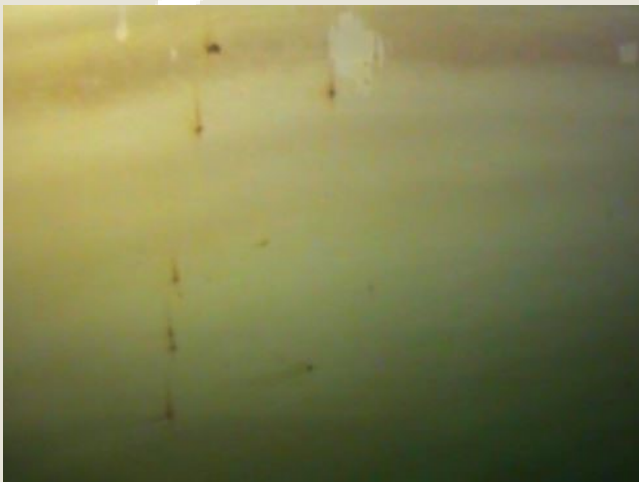
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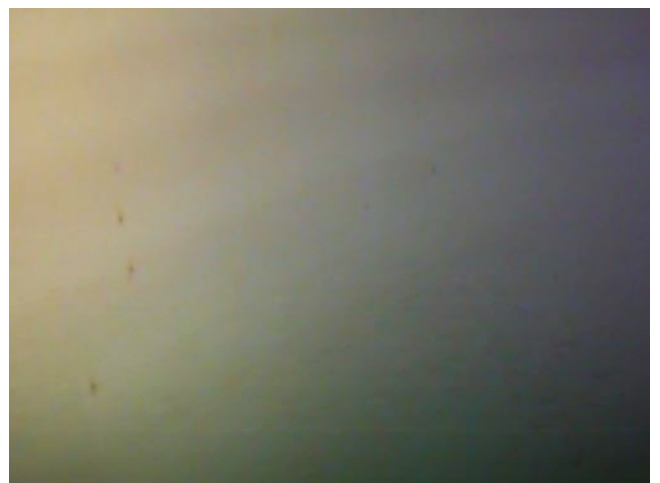


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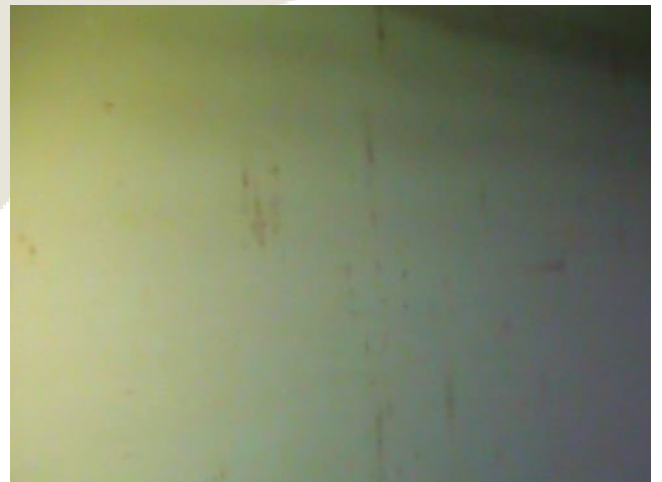
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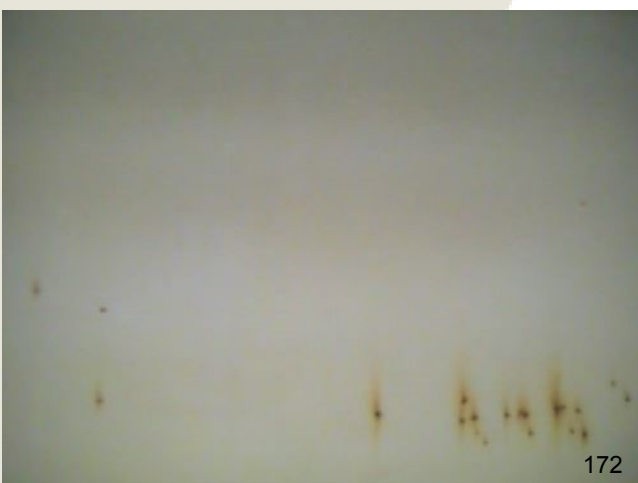
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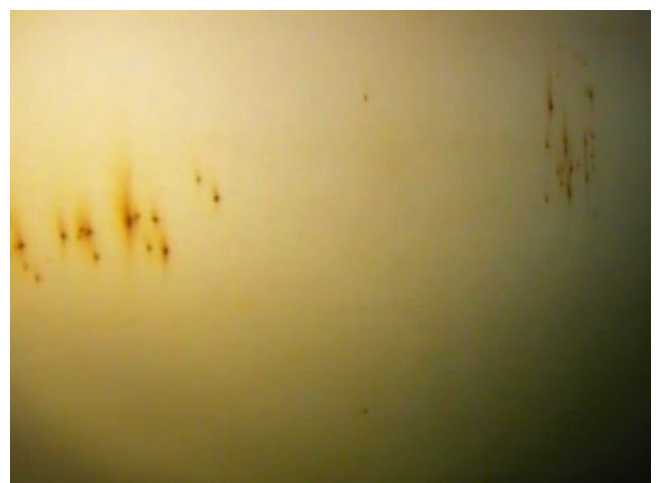


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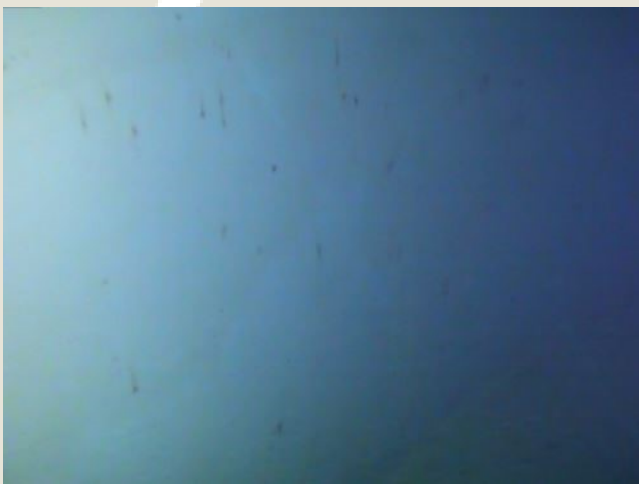
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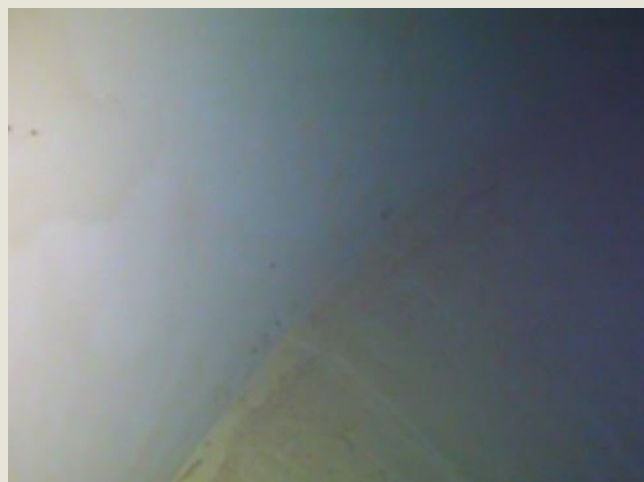
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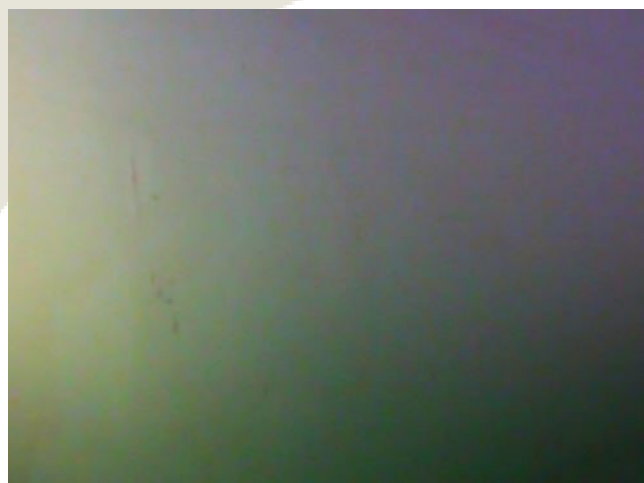
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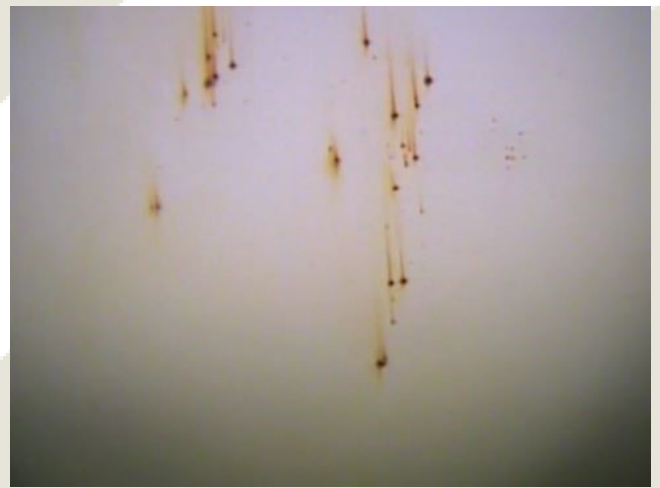


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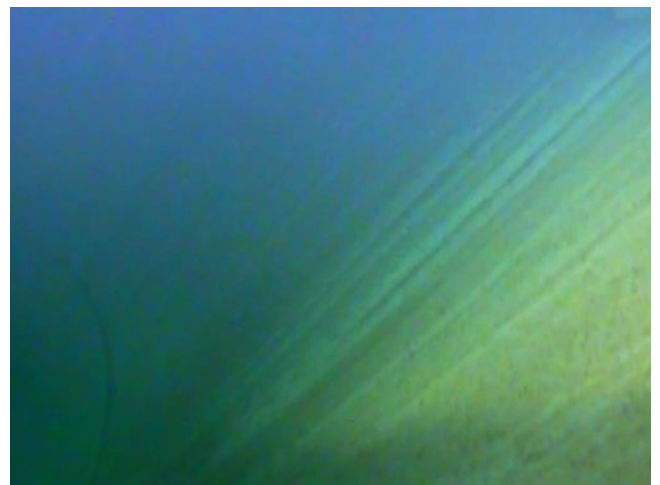
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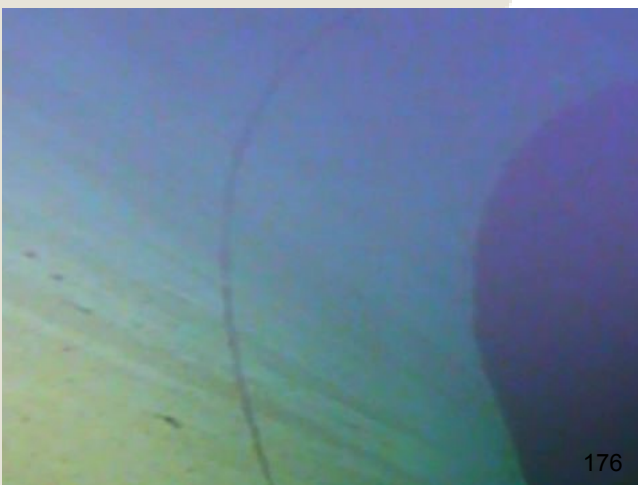
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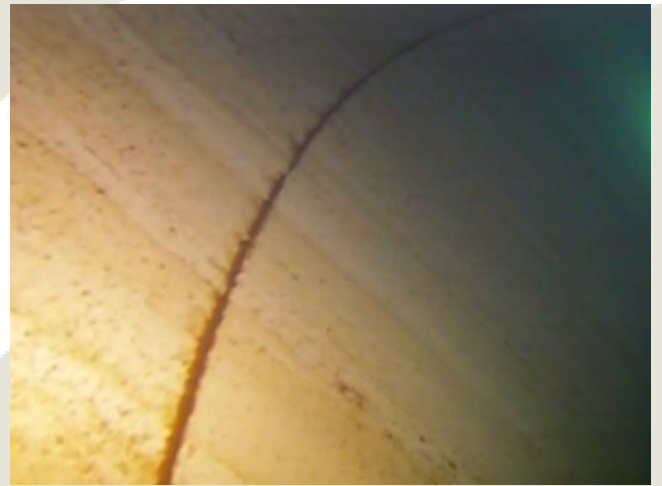
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Clean and remove tank sediment

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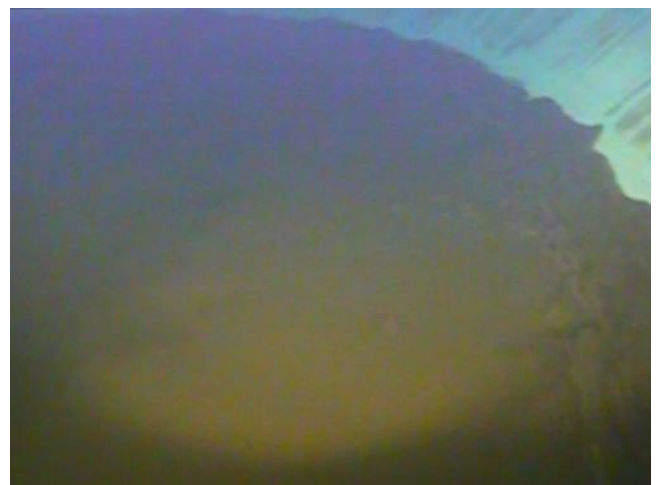


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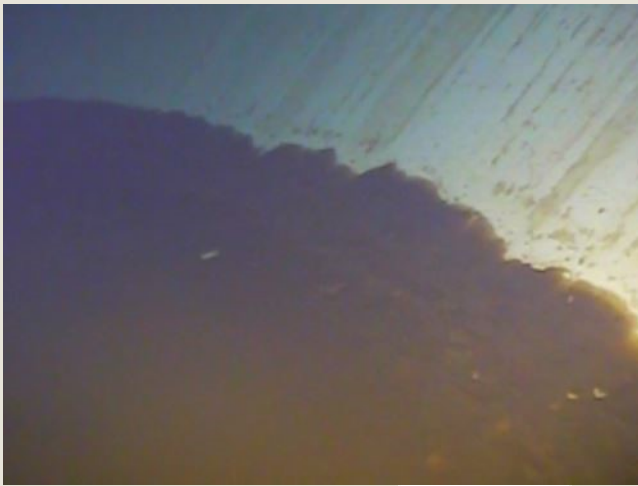


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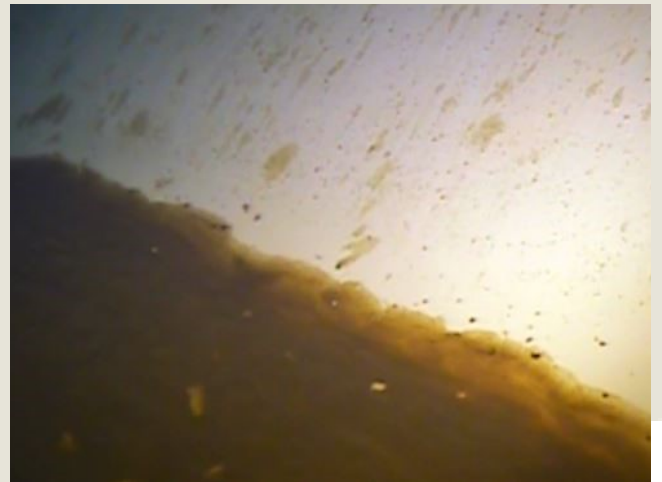
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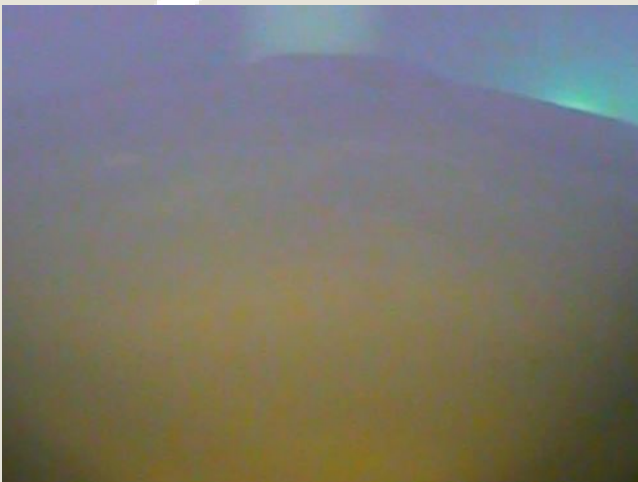
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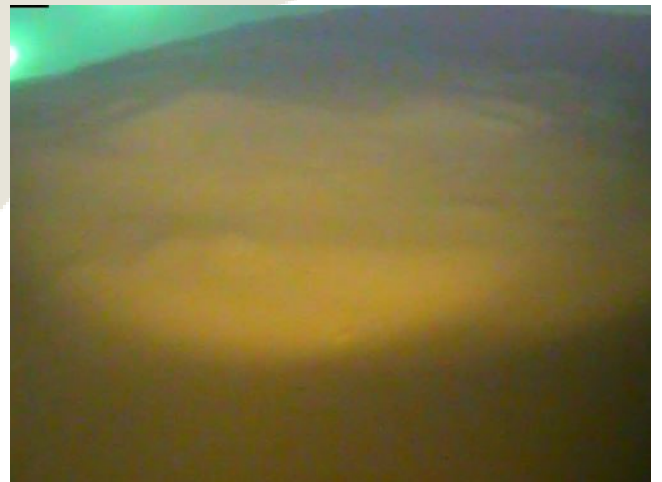
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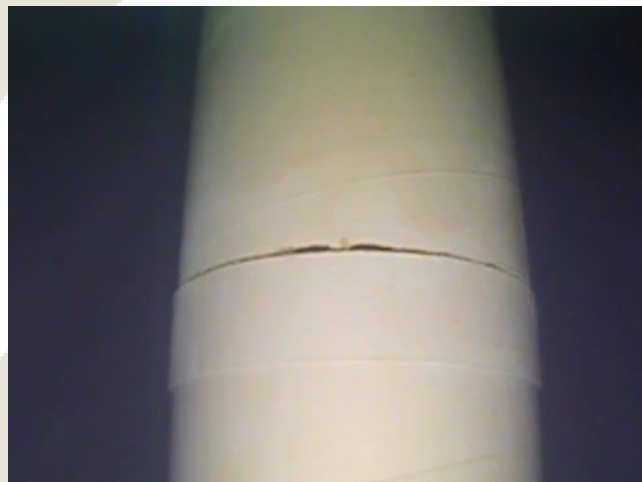
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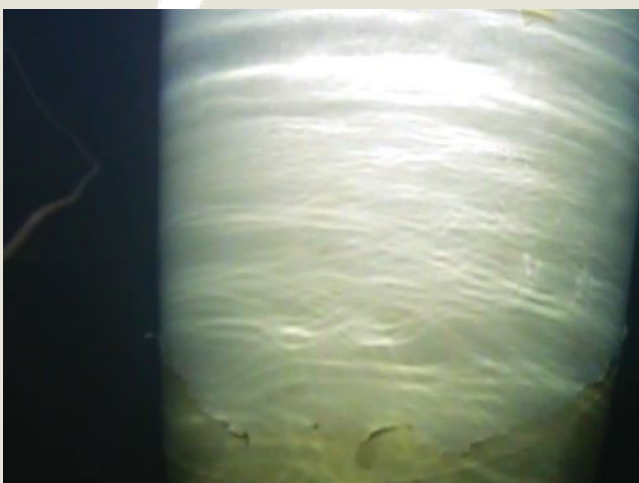
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August 23, 2018

Ontario Clean Water Agency – Kawartha hub

123 East Street South

PO Box 279

Bobcaygeon, ON K0M 1A0

Att: **Mr. Geoff Reddin**
greddin@ocwa.com

Tel: 705.738.9737

Re: **LMS Job #LM18041**
Remote Inspection & Report - Bobcaygeon Composite Elevated Tank;
Protective Coatings & Linings Report

Mr. Reddin,

An ROV underwater camera tank inspection was performed at the above mentioned potable water storage facility on July 16, 2018. The ROV unit and tether cable were disinfected in accordance with AWWA-C652-11 Method #2 guidelines (200ppm solution) prior to entry into the tank interior. Landmark's ROV equipment is designated for potable water use only.

Note: Possible issues and defects can only be visually assessed with the ROV.

This letter is a summary of my findings and recommendations for the above noted water storage tank and the exterior and interior coatings.

Exterior

This exterior of this tank is covered in a fluorocarbon coated steel cladding that is in fair condition. The sheen is fairly good on the sides and cone, but on the roof it is much duller. There are some corroded fasteners on the roof around some of the flashings and openings. The paint on part of the roof handrail and the grab bars has weathered away and the exposed steel is corroded.

Dry Film Thickness (DFT) readings were taken as follows:

Access Tube - Dry: 7 - 12 mils DFT

Interior

The interior of this tank is lined with what appears to be an epoxy, which is in poor condition. There are many corrosion cells on the shell and cone, as well as the osmotic blisters that lead to them. The ceiling is corroded at many of the stiffener edges and on weld seams, and the painter's rails are extremely corroded. The sediment level is very heavy, with buildup of up to 20 inches deep, and appears to consist of very fine sediment and flocking material.

Dry Film Thickness (DFT) readings were taken as follows:

Interior Roof: 7 - 14 mils DFT

Recommendations - Exterior

The exterior cladding of this tank is not in need of any maintenance at this time, but the roof handrail and other appurtenances should be mechanically cleaned and re-painted with an epoxy / urethane system.

We recommend removal of some cladding panels to inspect the protective coating system.

Interior

Within the next 1 to 2 years the interior lining of this tank should be completely removed via abrasive blast cleaning to SSPC-SP10 Near-White Metal Clean, then re-lined with an AWWA D102 ICS-3 or ICS-4 system. Any corrosion pits measuring more than 25% of the total thickness of the steel should be repaired by pool welding or welding in patch plates. If too much time goes by the corrosion cells on the interior walls will become leaks, which can be catastrophic in the winter months.

Yours Sincerely,

Landmark Municipal Services

A handwritten signature in black ink, appearing to read 'DBL', with a long horizontal stroke extending to the right.

David Baker,

NACE Certified Coating Inspector –Level 2, CIP #329173

August 23, 2018

Ontario Clean Water Agency123 East Street South, PO Box 279
Bobcaygeon, ON K0M 1A0Att: **Mr. Geoff Reddin**
greddin@ocwa.com

Tel: 705.738.9737

Re: **LMS Job #LM18041**
Remote Inspection & Report - Bobcaygeon Composite Elevated Tank;
Quote #18144

Landmark Municipal Services is pleased to provide budgetary pricing for the following repairs & upgrades at the above mentioned potable water storage facility: **H.S.T. not included*

Security

- | | |
|---|---------------------|
| 1) Install 'City of Kawartha Lakes' keyed padlocks on roof hatches to tank interior | \$ No Charge |
|---|---------------------|

Support Structure

- | | |
|--|------------------|
| 2) Apply anti-graffiti coating on first 8 feet of pedestal | \$ 12,500 |
|--|------------------|

Accessories

- | | |
|--|-----------------|
| 3) Install anti-slip tape on smooth ladder rungs | \$ 3,000 |
| 4) Kickplate required on roof handrail (120ft) | \$ 6,000 |
| 5) Surface prep and paint roof handrail | \$ 5,500 |
| 6) Supply and install messenger cable system and relocate cables from ladder siderails | \$ 3,800 |

Fall Arrest System

- | | |
|--|-----------------|
| 7) Fall Arrest System Replacement recommendations: | \$ 9,000 |
| <ul style="list-style-type: none">- Remove and replace Aluminum TS Rail on ladder to top landing- Remove and replace Aluminum TS Rail on ladder to tank floor manhole- Remove and replace Aluminum TS Rail on ladder to tank roof (access tube dry side) | |
| <i>Fall arrest trolleys are available for \$675 ea</i> | |

Confined Space & Rescue

- 8) Supply and install rescue port base beneath top landing grating **\$ 3,500**

Coatings and Linings – (refer to Protective Coating and Lining Report)

- 9) Tank Interior: Full removal and replacement **\$ 195,000 - \$300,000**
- 10) Remove sections of exterior cladding and inspection coating system **\$ 17,500**
- 11) Remove and replace paint rail system **\$ 40,000**

Fixed Rail Ladder (FRL) Fall Protection System

Issued: May 20, 2014

Content last reviewed: May 2014

Disclaimer: This resource has been prepared to help the workplace parties understand some of their obligations under the Occupational Health and Safety Act (OHSA) and regulations. It is not legal advice. It is not intended to replace the OHSA or the regulations. [FOR FURTHER INFORMATION PLEASE SEE FULL DISCLAIMER](#)

Hazard summary

A worker descending a vertical ladder on a water tower in 2014 was critically injured after falling five metres while properly using a Class Frontal-Fixed Rail Ladder (Class FRL) Fall Protection System. A Class FRL Fall Protection System is a type of vertical fall protection using a permanently installed metal rail anchoring system with an automatic fall arresting device called the "trolley" or "carriage".

The investigation revealed a weakness in the design of some Class FRL Fall Protection Systems, which may not adequately protect workers who fall backward or who squat and roll backwards into a fall while connected by a body harness to the trolley which slides along the vertical rail. If a worker leans back, the trolley's internal braking system can be pulled off the rail, allowing the trolley to slide down the rail. If a worker falls backwards or squats and rolls backward into a fall (as opposed to falling straight down or inwards towards the ladder) the trolley may not lock, allowing a worker to fall freely. In the 2014 incident, the worker fell from a water tower ladder as shown in Figure 1.

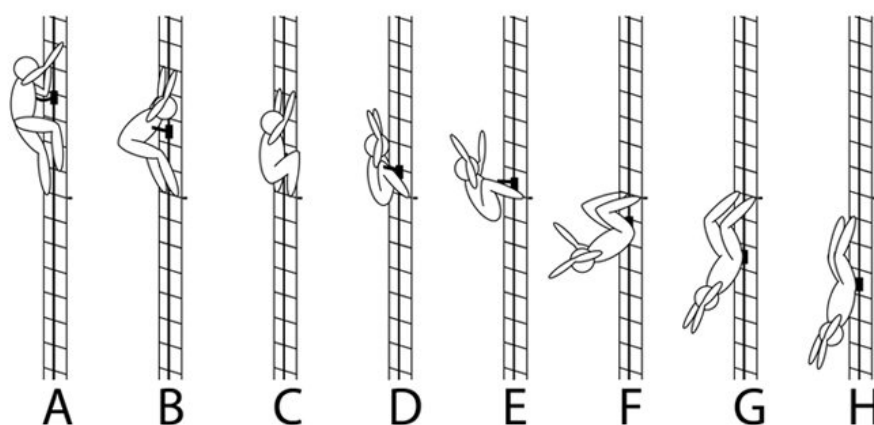


Figure 1: How the water tower worker fell

- A. The worker is descending properly using the fall protection system.
- B. The worker bends at the waist.
- C. The worker's legs fold into a squat position while the worker's hands catch the next rung. The squat position allows the trolley to travel below the height of the worker's knees.
- D. As the worker begins to roll backward their hands release from rung, and the tension in the trolley connection increases enough to remove all the slack out of the full body harness and slide the chest D-ring towards the waist.
- E. This tension in the connection to the trolley forces the worker into a tight squatting position while rotating around the rung that the worker's feet are on.
- F. The trolley connection remains in tension as the trolley travels below the rung that the worker's feet are on.
- G. The connection to the trolley, now in tension between the worker's legs prevents the engagement of the braking mechanism that would stop the workers motion.
- H. The worker, with back to the ladder, continues to fall head first while still attached to the fall protection system.

In 2010, the Ministry of Labour published a similar Alert, Class Frontal Fixed Rail Ladder (FRL) Fall Protection System, Alert #26/0510, after a worker was injured after falling back, then down 20 metres from a ladder attached to a tower while using a Class FRL Fall Protection System. In 2010, the investigation determined that the Class FRL Fall Protection System might not adequately protect workers who fall backward in a standing position.

Locations and sectors

Class FRL Fall Protection Systems are used on vertical access ladders which normally do not have a cage, such as the ladders on communication towers, chimneys and water tanks (towers).

Precautions

Even though a Class FRL Fall Protection System may be currently certified to CSA standards and/or have a CSA standards stamp on the side of the trolley unit, this should not be interpreted to guarantee worker safety and employers should not rely on such a stamp. Further investigations into the system are needed to ensure the system protects against a squatting position/rollback fall or a fall backwards.

Class FRL Fall Protection Systems whose design characteristics require the connection between the worker and the trolley to be in tension and where the trolley remains disengaged regardless of the tension force applied should not be used. Employers must take reasonable precautions to protect workers in these circumstances. This may include using alternative fall protection or access systems, as appropriate, for the adequate protection of the health and safety of workers using vertical access ladders.

Employers who own or rent structures which have a Class FRL Fall Protection System installed must ensure that the Class FRL Fall Protection System is capable of protecting a worker in the case of a squatting position/rollback fall or a fall backwards. The Ministry recommends that employers contact the manufacturer to ensure that the particular Class FRL Fall Protection System is capable of protecting a worker from any type of fall (including a backward fall and falling from a squatting position) before it is used.

Note: This Alert replaces the Class FRL Fall Protection System, Alert #26/0510 published in 2010 by the Ministry of Labour.

Resources

For more information contact:

[Infrastructure Health and Safety Association](http://www.ihsa.ca)
www.ihsa.ca

Or contact the Ministry of Labour Health & Safety Contact Centre toll-free at 1-877-202-0008.

For further reference see also:

[Ministry of Labour](http://Ontario.ca/labour)
Ontario.ca/labour

[ServiceOntario e-laws](http://www.e-laws.gov.on.ca)
www.e-laws.gov.on.ca

Remember that while complying with occupational health and safety laws, you are also required to comply with applicable environmental laws.

Please photocopy Ministry of Labour Alerts, distribute them widely and post them where people will see them.

ISSN: 1195-5228

Tweet 7

Municipal Services

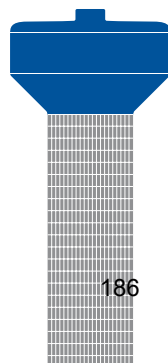
Storage Tank Maintenance

Extend Service Life

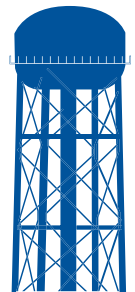
Single Source Responsibility



Expert Inspection, Maintenance And Repairs
For All Types Of Water Storage Tanks



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Expert inspection, maintenance, and repairs for all types of water storage tanks

- Safe, efficient, issue-free operation of your water storage infrastructure
- Full compliance with all applicable regulations across Canada

Landmark Municipal Services (LMS) brings more than 30 years of insight and innovation in water storage to owners and operators of tanks and systems of all types. Our complete range of services and packages provide predictability, continuity and flexibility for this essential function of municipal governments.

Inspections

Regular, scheduled inspections are critical for long-term efficiency. LMS conducts various types of inspections, all with comprehensive reports detailing repairs performed or recommended and upgrade requirements, with photo documentation and related cost estimates.

CIR: Clean, Inspect & Report: AWWA (American Water Works Association) recommends that water storage tanks be washed out and inspected on a minimum three-year cycle.

SIR: Safety Inspection & Report: A thorough interior and exterior review of structure and operations for compliance with applicable government regulations.

ROV: Remotely Operated Vehicle: ROV inspections eliminate the inconvenience and expense of taking your tank out of service. LMS provides real-time, in-water evaluations with a remotely operated vehicle.

LMS inspections provide a complete review of all critical factors:

- | | |
|---------------------|--|
| • Site works | • Metal conditions |
| • Foundations | • Exterior coatings |
| • Support structure | • Interior linings |
| • Ladders/landings | • Antenna and communications equipment |
| • Accessories | • Safety and rescue equipment |
| • Valves and piping | |



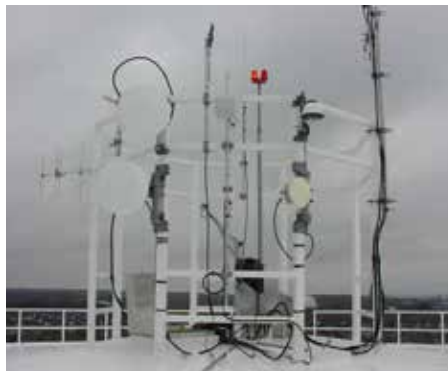
Safety Upgrades and Training

LMS can provide safe access and rescue systems that meet or exceed the requirements of the Occupational Health & Safety Act for “vessel entry and rescue” as well as “fall arrest.”



Tank Modifications

Skilled LMS professionals provide practical, proven and fully engineered modifications for all types of storage tanks, leveraging experience as one of the leading tank builders in North America. Our vertical integration adds design, fabrication and coatings expertise when needed, with single source management and responsibility.



Coatings and Linings

LMS services include all surface preparation and recoating of all interior and exterior areas. Options range from spot preparation to total blast cleaning with full containment for environmental protection. All lining materials applied to interior surfaces are ANSI and NSF 61 approved.





Inspections:

- Clean, Inspect & Report (CIR)
- Safety Inspection & Report (SIR)
- Remotely Operated Vehicle (ROV)

Safety:

- Confined space
- Fall arrest
- Training

Maintenance:

- Tank Asset Management Program (TAMP)
- Annual programs
- Coatings/linings

Lightning Protection:

- Design
- Installation
- Inspection

Antenna and Communications Systems

- Design
- Structural fabrication & installation
- Inspection

Demolition

- Partial
- Total

Modifications

- Engineering
- Tank hydrodynamic mixing systems
- Site works
- Balconies/handrills
- Manholes
- Hatches
- Venting and vacuum relief
- Welding and fabrication
- Electrical/instrumentation
- Heat trace
- Insulation and cladding
- Security systems

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Specialty Mobile Operations

Uncompromising commitment to safety. World class technical skill. Go-anywhere mobility. Landmark delivers factory applied quality to your site.



Developed and refined throughout 25 years of storage tank coatings and lining work, Landmark’s specialty crews work wherever you need them...on projects that we design, fabricate and build, or on existing infrastructure requiring repair and recoating. The Society for Protective Coatings (SSPC) has recognized our technical skills and processes with their prestigious QP-1 certification, so you can rely on thoroughly tested multi-craft services on the most demanding jobs, with the added benefits of uncompromising safety and nationwide mobility.

We work in a wide range of applications for the private sector, the military and municipal authorities:

- Industrial facilities
 - Terminals
 - Petrochemical plants
 - Water and wastewater
- Oil and gas exploration and production
 - Aircraft fueling facilities
 - Lead abatement

Safety

.....



Landmark’s uncompromising commitment to safety protects people, property and the environment. We apply equally rigorous standards for all locations, require ongoing training and testing for all crews, and utilize site evaluations, Hazard Identification and Risk Assessments (HIRA) and root cause analysis to continually drive performance improvement. Landmark employs the best available safeguards for the job, such as advanced, self-contained respiratory equipment on many applications. And we stay at the forefront of best practices and efficient reporting with our membership in ISNetworld. Core values and comprehensive safety and health programs, along with SSPC C-3 accreditation for de-leading steel structures, safeguards against environmental impact.

Skill

.....

Landmark’s technical capabilities start with specification assistance, based on in-depth knowledge of industry suppliers and their latest products, and insights from our own operations. Our crews are fully equipped to perform surface preparation and coatings work on virtually any type of steel structure, utilizing a broad array of coatings including polyurethanes, 100% solids and fiberglass reinforced systems. Our crews perform all coatings work in accordance with the Landmark Quality Assurance Manual for Surface Preparation and Coating. They are trained to implement all of the required process controls and conduct workmanship inspections to meet or exceed all applicable standards and client expectations.



Routine quality evaluations include but are not limited to:

- Measurement of environmental conditions
- Verification of surface cleanliness prior to coating or lining
- Wet and dry film thickness measurement
- Holiday testing (low or high voltage, depending on lining thickness)

Daily logs track all inspection activity, and are available upon request.

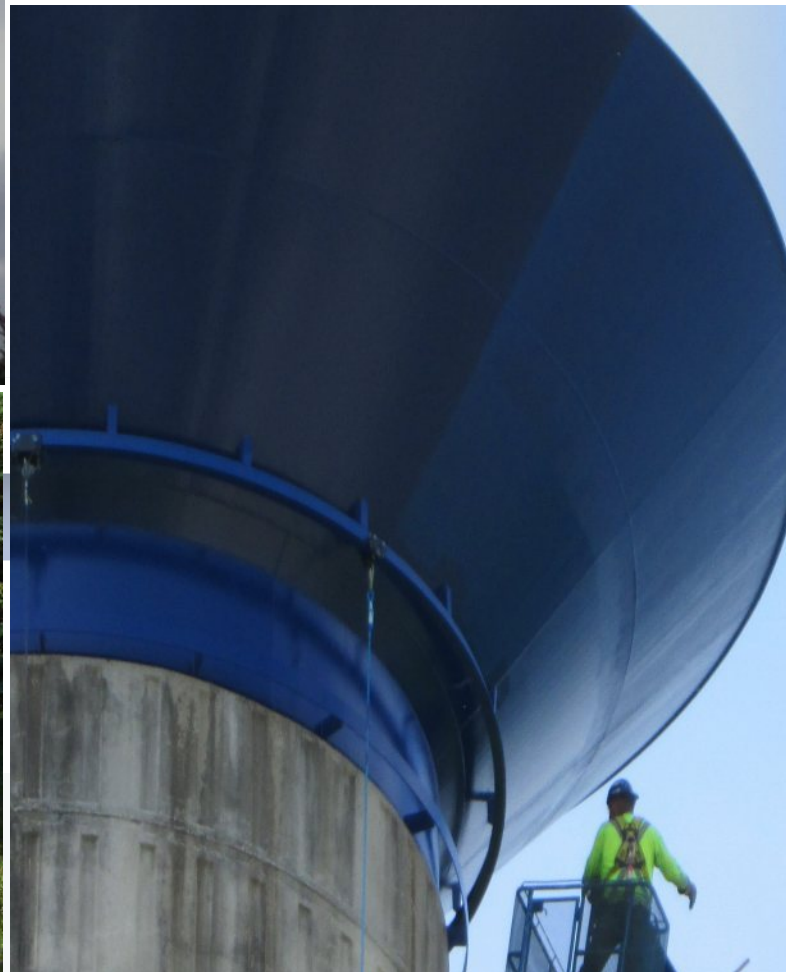
Specialized equipment enables Landmark to manage dehumidification on work in enclosed spaces such as tank lining and recoating, and to protect the environment with blast media recycling and a full or partial containment on exterior surface preparation and coating. In addition, site specific plans for environmental monitoring, hazardous material management, and disposal of wastes are developed for all tank rehabilitations where existng coatings contain toxic metals. And for high-profile projects with community impact, Landmark has perfected the art of translating even the most intricate graphics to the public stage with precise reproduction. The utilization of dust collection systems ensures complete extraction of dusts for not only a cleaner surface prior to paint application, but as well as containment of dusts generated. This provides necessary air exchanges for confined space work.

Mobility

.....

Landmark capabilities are completely mobile for deployment nationwide or beyond, without limitations. Specially outfitted trailers move containerized equipment to the project site, and then serve as mobile command centers for the crews. All required assets are at hand, coordinated with local supply lines as appropriate.





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Council Report

Report Number:	PLAN2021-022
Meeting Date:	May 18, 2021
Title:	Removal of Holding (H) Provision – Vacant Lands, Block 39, PLAN 57M-798 (Logie Street)
Description:	An application to amend the Town of Lindsay Zoning By-law 2000-75 to remove the Holding provision on the property from a Residential High-Rise One Special Eleven Holding [RH1(H2)] Zone to permit a residential apartment building of up to 199 units on vacant land on Logie Street, Lindsay
Author and Title:	Kent Stainton, Planner II

Recommendations:

That Report PLAN2021-022, **Block 39, Plan 57M-789, former Town of Lindsay, City of Kawartha Lakes, identified as vacant land on Logie Street, Lindsay, Bromont Homes Inc. - D06-2021-008**, be received;

That the proposed zoning by-law amendment, substantially in the form attached as Appendix C to Report PLAN2021-022, be adopted by Council; and

That the Mayor and Clerk be authorized to execute any documents required by the approval of this application.

(Acting) Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

Proposal:	This application proposes to remove the Holding (H) symbol from the Residential High-Rise One Holding [RH1(H2)] Zone. The effect of the amendment is to permit the construction of a residential unit apartment building of up to 199 units on vacant land on Logie Street, Lindsay
Owner:	Bromont Homes Inc.
Applicant:	Bousfields Inc. c/o Michael Bissett
Legal Description:	Block 39, Plan 57M-789, former Town of Lindsay
Official Plan:	'Residential' on Schedule 'A' of the Town of Lindsay Official Plan
Zone:	'Residential High-Rise One Holding [RH1(H2)]' on Schedule 'A' of the Town of Lindsay Zoning By-law No. 2000-75
Site Size:	1.574 hectares (3.89 acres)
Site Servicing:	Serviced by municipal water and sanitary and storm sewers
Existing Uses:	Vacant Land
Adjacent Uses:	North: Residential East: Victoria Rail Trail, agricultural land South: Residential West: Logie Street, Scugog River

Rationale:

The subject land is vacant property, which fronts on to Logie Street and is adjacent to the Victoria Rail Trail to the east and the Scugog River on the west side of Logie Street. The property was zoned Residential High-Rise One (RH1) on April 14, 2000 by By-law 2000-47 to permit a 199 residential unit apartment block. The Holding (H2) symbol was placed to ensure that the following criteria was met:

- The justification of market support for the multiple residential component (residential apartment units), to support up to 199 units of servicing allocation, be prepared by an analyst qualified to undertake such a study, be provided by the owner of the lands and accepted by the Town of Lindsay (now the City of Kawartha Lakes); and
- That sufficient servicing capacity exists at both the Town of Lindsay (now the City of Kawartha Lakes) Water and Sewage Treatment Plants to connect the proposed units.

Staff has accepted that the Market Retail Study prepared by N. Barry Lyon Consultants Limited, dated March 2021 submitted with the application adequately justifies the need for the proposal. Moreover, the Engineering and Capital Assets Department has confirmed that sufficient servicing capacity exists for the proposal to be connected to Municipal Water and Sewer. As a result, these requirements have been addressed and it is now appropriate to remove the (H2) Holding provision.

The owner has applied to have the Holding (H2) provision removed to allow the construction and servicing of an up to 199-unit apartment building in accordance with the RH1 zone provisions. The development of this property is subject to the owner entering into a site plan agreement with the City.

Staff have been reviewing a site plan proposal for an apartment building that would comply with the existing zoning provisions. Although a formal application has not been submitted, we anticipate the approval process to begin soon. On this basis, it is appropriate for Council to consider removal of the Holding (H2) provision.

Applicable Provincial Policies:

The application conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (2019 Growth Plan) and is consistent with the Provincial Policy Statement, 2020 (PPS).

Official Plan Conformity:

The land is designated 'Residential' on Schedule A of the Town of Lindsay Official Plan. The proposed development conforms to the applicable policies of the designation.

Zoning By-Law Compliance:

The property being considered by this application is zoned 'Residential High-Rise One Holding [RH1(H2)]' Zone, which permits up to an apartment building of up to 199 residential units. Any proposed use of the property would need to conform to the appropriate zoning provisions. The applicant has submitted a rezoning application for removal of the Holding (H2) provision to implement the proposed development.

Other Alternatives Considered:

No alternatives have been considered at this time.

Alignment to Strategic Priorities:

The Council Adopted 2020-2023 Strategic Plan identifies these Strategic Priorities:

- Priority 1 – A Vibrant and Growing Economy
- Priority 2 – An Exceptional Quality of Life
- Priority 3 – A Healthy Environment
- Priority 4 – Good Government

This application aligns with both 'a Vibrant and Growing Economy' as well as 'an Exceptional Quality of Life' Priorities, as it provides housing options to supply the City of Kawartha Lakes.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision to adopt or its refusal to adopt the requested amendment is appealed to the Local Planning Appeal Tribunal.

Servicing Comments:

The lot is proposed to be serviced by municipal water and sanitary and storm sewer and will be confirmed through the site plan approval process.

Consultations:

Notice of this application was given in accordance with the Planning Act and at the time of writing this report and no comments were received.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City.

Development Services – Planning Division Comments:

Staff support the application based on the information contained in this report and as such, respectfully recommends that the proposed zoning by-law application to remove the Holding (H2) symbol be approved and adopted by Council.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Kent Stainton, Planner II at 705.324.9411 x 1367.

Appendix 'A' – Location Map



Appendix A to
PLAN2021-022.pdf

Appendix 'B' – Site Plan (PLAN 57M-798)



Appendix B to
PLAN2021-022.pdf

Appendix 'C' – Draft Zoning By-law



Appendix C to
PLAN2021-022.pdf

(Acting) Department Head email: rholy@kawarthalakes.ca

(Acting) Department Head: Richard Holy, MCIP, RPP

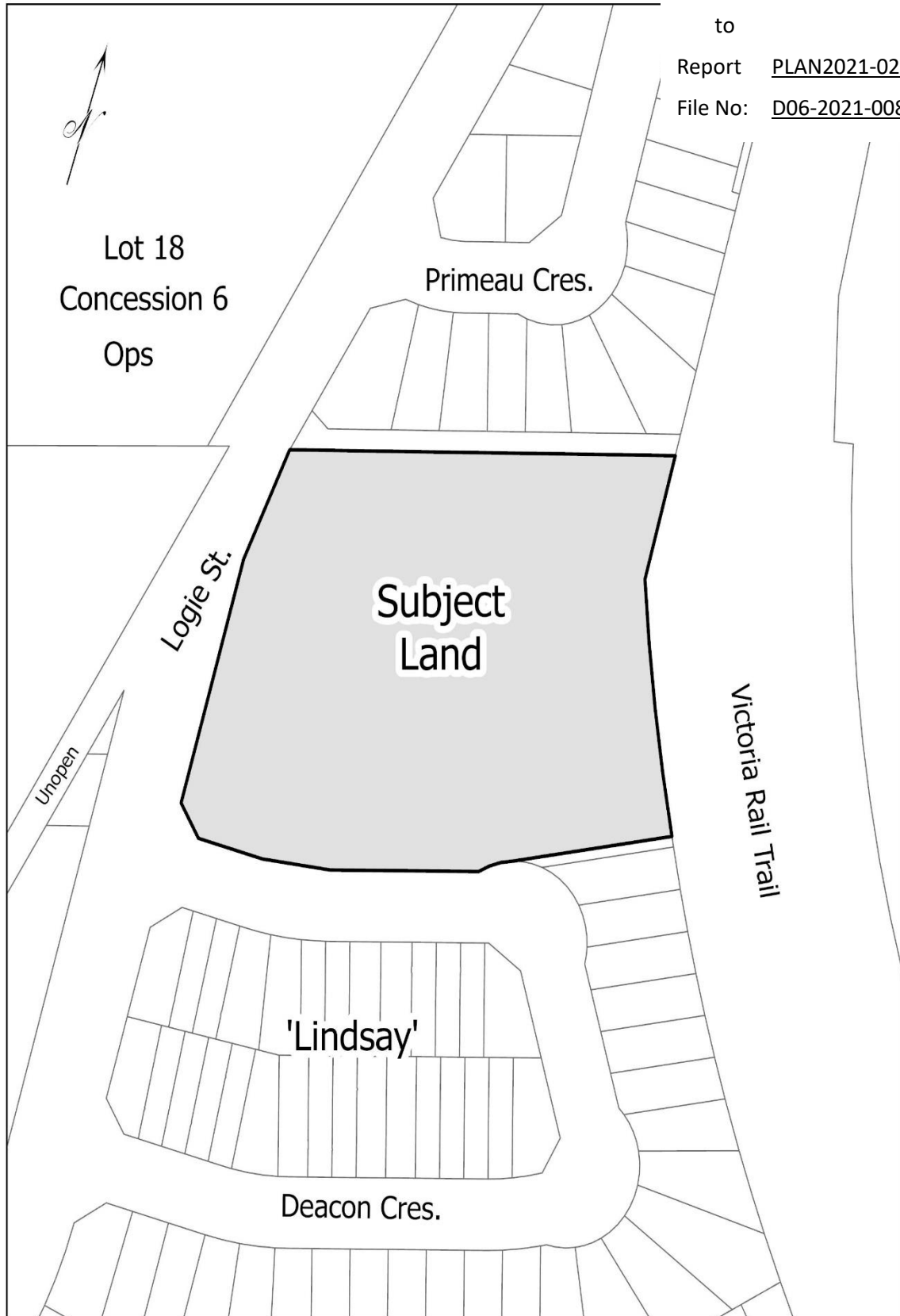
Department File: D06-2021-022

Appendix " A "

to

Report PLAN2021-022

File No: D06-2021-008



200

The Corporation of the City of Kawartha Lakes
By-Law 2021 - XX

**A By-law to Amend the Town of Lindsay Zoning By-law No. 2000-47 to
Rezone Land within the City Of Kawartha Lakes**

[File D06-2021-008, Report PLAN2021-022, respecting Block 39, Plan 57M-798, former Town of Lindsay, identified as vacant land on Logie Street – Bromont Homes Inc.]

Recitals:

1. Section 36 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to place a Holding (H) symbol on any zoning category assigned to property. The purpose of the Holding (H) symbol is to restrict the use of the property until conditions imposed by Council have been met.
2. The Council of the City of Kawartha Lakes enacted By-law No. 2000-47, which contained a Holding (H2) symbol relating to the use of the property.
3. Council has received a request to remove the Holding (H2) symbol from the Residential High-Rise One Holding [RH1(H2)] Zone.
4. The conditions imposed by Council and shown in By-law 2000-47 are no longer required.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-XX.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Block 39, Plan 57M-789, former Town of Lindsay, City of Kawartha Lakes.
- 1.02 **Schedule Amendment:** Schedule A to By-law No. 2000-47 of the Town of Lindsay is further amended to remove the Holding (H2) symbol from the Residential High-Rise One Holding [RH1(H2)] Zone for the land referred to as RH1, as shown on Schedule A attached to this By-law.

Section 2:00 General Terms

- 2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 36 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this 18th day of May, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

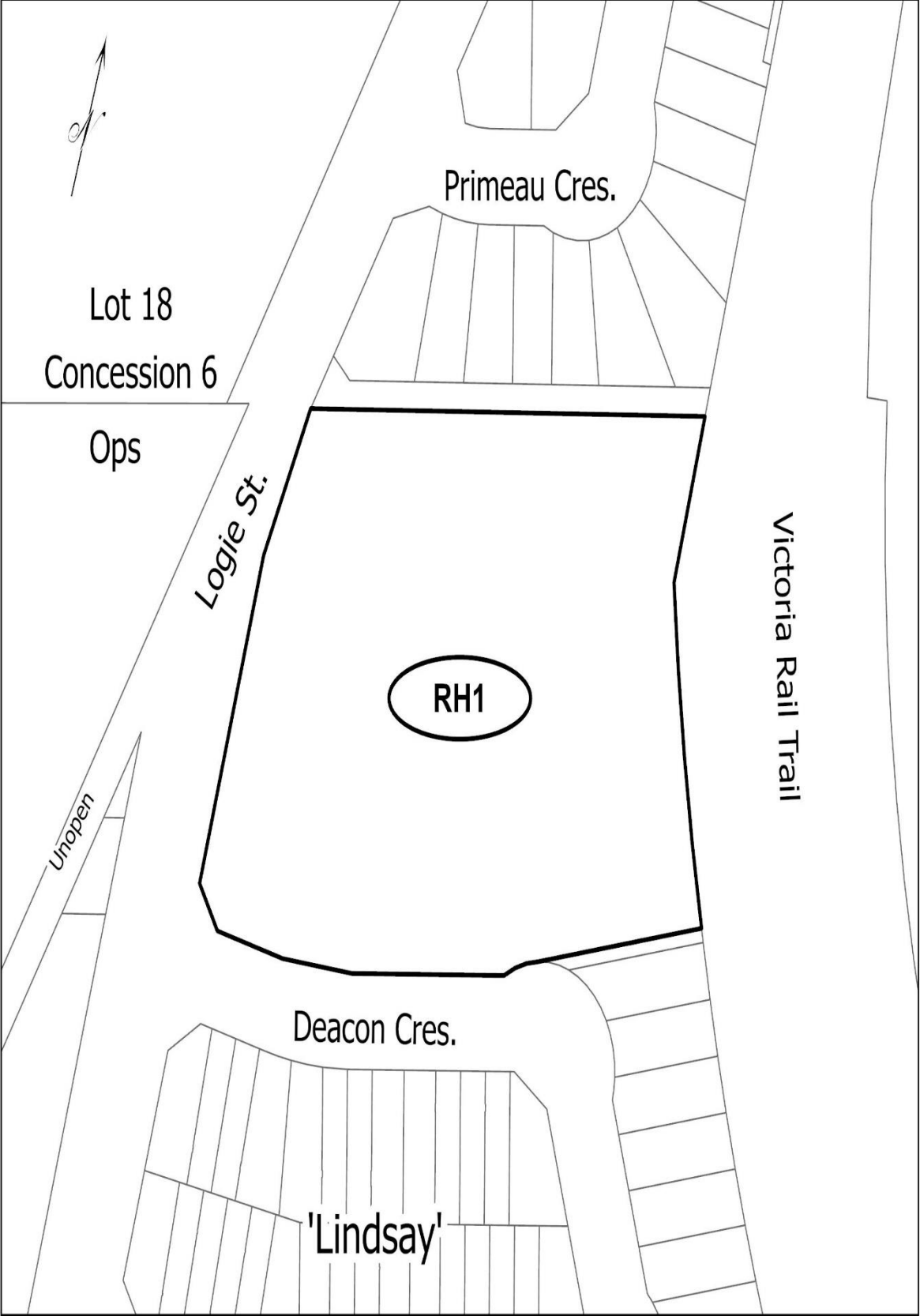
THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2021.

MAYOR _____ CLERK _____



Council Report

Report Number:	PLAN2021-023
Meeting Date:	May 18, 2021
Title:	Telecommunications Facility Concurrence Application – Xplornet Communications
Description:	An application to issue a concurrence for a proposed 45.0 metre self-supported Telecommunications Facility by FB Connect on behalf of Xplornet Communications at 268 King's Wharf Road, Emily (Sandra Thurston)
Author and Title:	Ian Walker, Planning Officer – Large Developments

Recommendations:

That Report PLAN2021-023, **Part of Lot 5, Concession 13, Geographic Township of Emily, Sandra Thurston – Application D44-2021-002**, be received;

That the 45.0 metre self-supported telecommunication facility proposed by FB Connect on behalf of Xplornet Communications, to be sited on property at 268 King's Wharf Road and generally outlined in Appendices A to D to Report PLAN2021-023, be supported by Council, conditional upon the applicant entering into a Telecommunication Facility Development Agreement with the City;

That Innovation, Science and Economic Development (ISED) Canada, the applicant, and all interested parties be advised of Council's decision; and

That the Mayor and Clerk be authorized to execute any documents and agreements required by the concurrence of this application.

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

FB Connect has submitted an application on behalf of Xplornet Communications to permit a self-supported telecommunication facility with a height of 45.0 metres (148 feet) on a rural property located at 268 King's Wharf Road, north of Fox's Corners. See Appendix 'A'. A site compound with an area of 225 square metres (15 metres by 15 metres) will house all electrical components. For access to the compound, Xplornet Communications will utilize the existing driveway and farm laneway. See Appendix 'B'.

Owner:	Sandra Thurston
Agent:	FB Connect on behalf of Xplornet Communications
Legal Description:	Part of Lot 5, Concession 13, Geographic Township of Emily
Official Plan:	'Prime Agricultural' and 'Environmental Protection' on Schedule 'A-3' of the City of Kawartha Lakes Official Plan
Zoning:	'Agricultural (A1) Zone' on Schedule 'A' of the Township of Emily Zoning By-law 1996-30
Site Size:	225.0 square metres consisting of a 15.0 metre by 15.0 metre compound, and an existing site access lane
Site Servicing:	A dedicated electrical connection is required to service the telecommunication facility
Existing Uses:	Portions of the property are used for agriculture, and a portion includes environmental (natural) features
Adjacent Uses:	North: King's Wharf Road; Agricultural East: Salem Cemetery; Agricultural with wetlands/woodlands South: Agricultural with wetlands/woodlands West: Agricultural

Rationale:

The telecommunications industry is regulated by the federal government through the Radiocommunication Act, which is primarily administered by Innovation, Science and Economic Development (ISED) Canada (formerly Industry Canada) and Health Canada. As telecommunications systems are regulated by the federal government, they are therefore not subject to the requirements of Planning Act documents such as official plans or zoning by-laws. ISED Canada considers the local 'Land Use Authorities' (LUAs) to have the best knowledge of land uses in an area. Therefore, ISED Canada encourages the development of protocols by the local municipalities (LUAs) to ensure

that a clear process is established for the consideration of new telecommunications facilities within the community. Where a municipality has adopted a telecommunications policy, the applicant must receive a concurrence from the municipality that the proposal complies with their policy, before ISED Canada will issue an approval for the facility.

In 2012, Council adopted the first Telecommunications Policy relating to the installation of new telecommunication towers within the City of Kawartha Lakes. On July 15, 2014, the current ISED Canada document 'Client Procedures Circular CPC-2-0-03, Issue 5' came into effect. This document outlines the requirements that apply to anyone (considered a 'proponent') who is planning to install or modify an antenna installation of any type (typically, a tower). In 2018, Council adopted an updated Telecommunications Policy (CP2018-014 Telecommunications and Antenna System Siting Policy) in accordance with these 2014 ISED Canada standards.

The intent of the Council policy is to establish a process and provide a clear set of criteria for the consideration of new telecommunications facilities within the community. In accordance with CP2018-014, before a proponent can seek an approval from ISED Canada, all applications must first receive a concurrence from Council, subject to any necessary conditions. One of the conditions of the concurrence is that the proponent and the landowner enter into a Telecommunication Facility Development Agreement with the City, to ensure that once the tower is no longer in use, it is properly decommissioned and removed from the property.

The applicant has submitted the following reports and information in support of the application, which have been circulated to various City Departments and commenting agencies for review:

1. Planning Justification Report, prepared by FB Connect, dated February 24, 2021. The report discusses and assesses the proposed telecommunication tower in context of the federal legislation and the City's Telecommunications Policy;
2. Site Plan Showing Proposed Xplornet Compound Location, prepared by Xplornet;
3. Site Plan, prepared by Alex Marton Limited Ontario Land Surveyors, dated February 16, 2021;
4. Site Grading and Stormwater Management Plan, prepared by Alex Marton Limited Ontario Land Surveyors, dated February 16, 2021;
5. 45.72m (150') Tower Profile, prepared by Trylon, dated July 31, 2020;
6. Public Consultation Summary letter dated May 5, 2021.

Applicable Provincial Policies:

While telecommunication systems are a federally-led initiative, the Province also recognizes the importance of telecommunications infrastructure and encourages further systems development to meet current and projected service demands in its policy documents, including the Provincial Policy Statement, 2020 (PPS) and A Place to Grow:

Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan). The proposed telecommunications facility fulfills the objectives of these policies.

Official Plan Conformity:

The property is designated 'Prime Agricultural' and 'Environmental Protection' in the City of Kawartha Lakes Official Plan. While telecommunication systems are not subject to the requirements of the Official Plan, Section 28.10 of the Official Plan supports the erection of new telecommunication towers, as long as they are located outside of natural features and their respective buffers, and provided that there is a demonstrated need. The proposed tower and all associated works are located in the 'Prime Agricultural' designation; are outside of all natural features and their respective buffers; and the applicant has demonstrated that there is a need for this facility.

On this basis, the proposal fulfills the provisions of the land use policies, in accordance with the City's Telecommunications Policy.

Zoning By-law Compliance:

The subject land is zoned 'Agricultural (A1) Zone' in the Township of Emily Zoning By-law 1996-30. While telecommunication systems are not subject to the requirements of the Zoning By-law, the 'A1' zone provides that this use is permitted, in accordance with the City's Telecommunications Policy.

On this basis, the proposal does not conflict with the Zoning By-law, in accordance with the City's Telecommunications Policy.

Other Alternatives Considered:

No other alternatives have been taken into consideration.

Alignment to Strategic Priorities

The Council Adopted Strategic Plan identifies these Strategic Priorities:

1. Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

This application aligns with the Good Government priority by increasing internet services available throughout Kawartha Lakes. It may also align with the Exceptional Quality of Life priority by enhancing accessibility to a range of services provided within the City.

Financial/Operation Impacts:

There are no financial considerations for the City.

Servicing Implications:

There are no servicing considerations for the City.

Consultations:

Public Comments

The City's Telecommunications Policy requires that the applicant conduct the public consultation and information process as prescribed by ISED Canada. The ISED Canada standards require notification through a local newspaper (when the tower is 30.0 metres or greater in height), and a mailout to all landowners within a minimum notification radius which is the greater of:

- a) 120 metres; or
- b) three times the height of the tower (135 metres).

Based on the above, the mailout radius is 135 metres from the base of the proposed tower. A notice was also placed in the local newspapers as follows: Kawartha Lakes This Week and the Kawartha Promotor on April 1, 2021, with commenting up to May 3, 2021.

The applicant provided a letter dated May 5, 2021 for the City's review, noting that 1 inquiry was made, which was followed up by email. A copy of the consultation summary is contained in Appendix 'C' to this report.

Agency Review Comments

The proposal was first assessed and circulated to all relevant agencies and City Departments through the City's Preconsultation process, to identify a full list of submission requirements and initial comments for consideration. As a result, the application was circulated to only the relevant agencies and City Departments which may have an interest in the application. The following comments have been received to date:

- | | |
|----------------|--|
| April 27, 2021 | The Building and Septic Division advised that as the equipment house is less than 10 square metres, they have no concerns. |
| April 28, 2021 | The Engineering and Corporate Assets Department advised they have no comments. In addition, they note all utility work within the City right of way requires Municipal Consent from Engineering & Corporate Assets and a Road Occupancy Permit Application from the Public Works Department. |

Development Services – Planning Division Comments:

Compliance with Telecommunication Tower Siting Criteria

Staff has reviewed the telecommunication facility application and concludes that the proposal complies with the siting criteria in following manner:

- ISED Canada has mandated that communications providers cannot have any dropped calls, given that the system is now being used for 911 or other emergency purposes in addition to personal communications. Given the topography of the area, Xplornet Communications requires a tower height of 45 metres in order to provide its services in accordance with the ISED Canada standards. The addition of this tower should provide improved service in this area.
- The applicant has investigated the possibility of co-locating other existing telecommunication towers. Since there are few towers in the area, and no other towers within a 2.0 kilometre radius, co-location is not an option and a new tower is necessary for technical reasons. The proposed tower structure has been designed to allow other carriers to co-locate in the future, should the need arise. Staff is satisfied that an additional tower is necessary to provide service for the area.
- The proposed tower fulfills all of the necessary setbacks from local roads, property lines, residential areas, and environmentally sensitive areas.
- While the tower will be visible in the skyline, the self-supported design should not make the tower obtrusive to the view of the area. Appendix 'B' contains a proposed tower and compound plan. The views of the tower are expected to be similar to those contained in the Planning Justification Report. See Appendix 'D'.

From Staff's perspective, the proposed telecommunication facility fulfills the locational requirements of the City's Telecommunications Policy.

Tower Lighting

With regard to the lighting, this tower may require painted striping or lighting. Final details of the lighting requirements are not available at this time however Xplornet Communications have indicated that they do not anticipate any painting or lighting will be required. Any painting and/or lighting requirements will be provided by Transport Canada, for navigation and/or safety purposes. Staff advise that any night lighting should not include white flashing strobe lights.

Site Development Agreement

Staff would require that this telecommunications facility be subject to a limited Telecommunications Facility Development Agreement with the City. This Agreement would secure an approved site plan, lot grading and drainage plan, securities for entrance works and landscaping (when necessary), and landscaping details as required. The agreement would also include provisions for the removal of the telecommunication

facility once it is no longer being used. Staff views this agreement as serving more of an administrative function and therefore would not recommend that this agreement be registered against title.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Ian Walker, Planning Officer – Large Developments, (705) 324-9411 extension 1368.

Appendix A – Location Map



PLAN2021-023
Appendix A.pdf

Appendix B – Proposed Site Plan and Tower Drawings



PLAN2021-023
Appendix B.pdf

Appendix C – Summary of Public Consultation



PLAN2021-023
Appendix C.pdf

Appendix D – Planning Justification Report



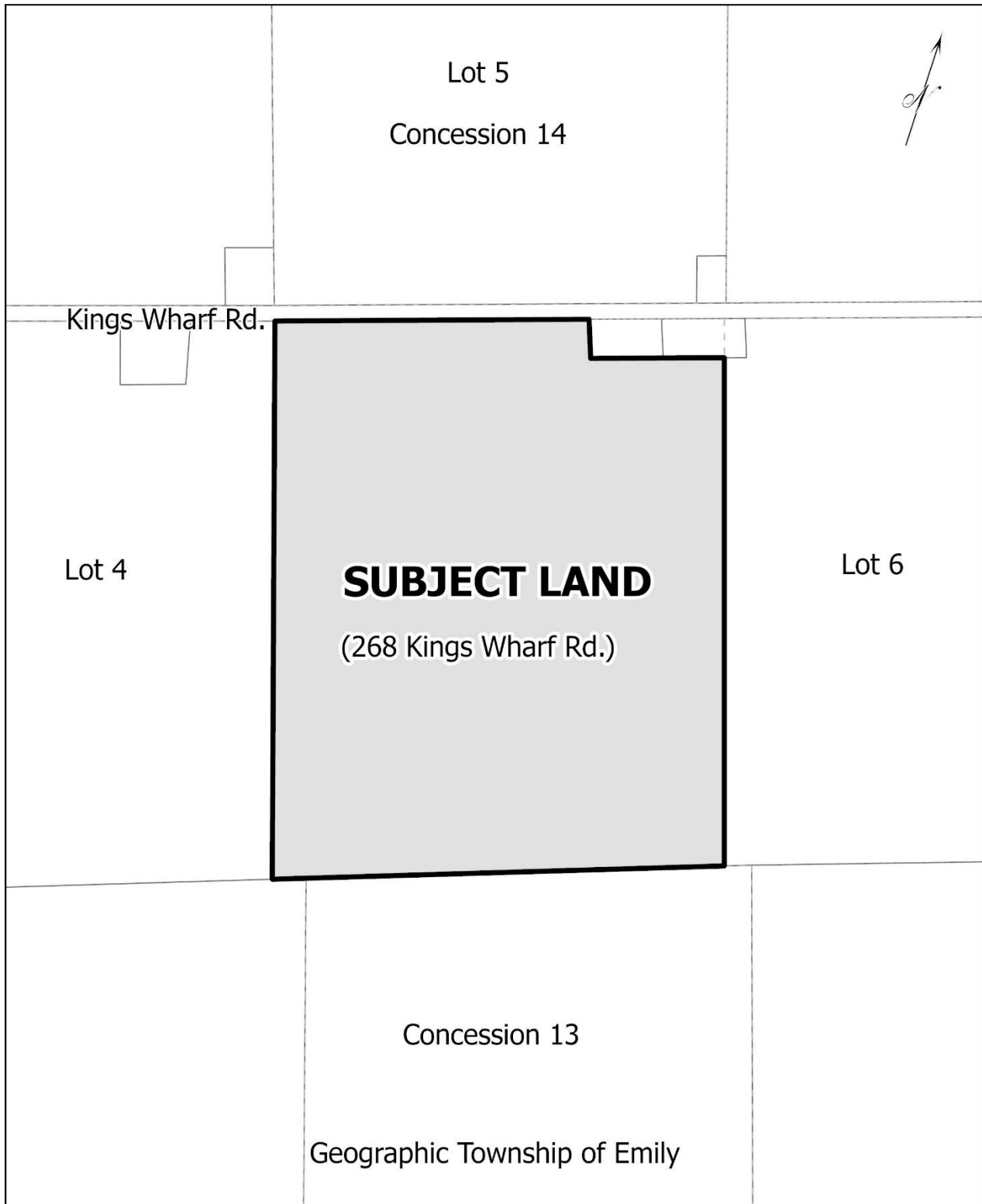
PLAN2021-023
Appendix D.pdf

(Acting) Department Head email: rholy@kawarthalakes.ca

(Acting) Department Head: Richard Holy

Department File: D44-2021-002

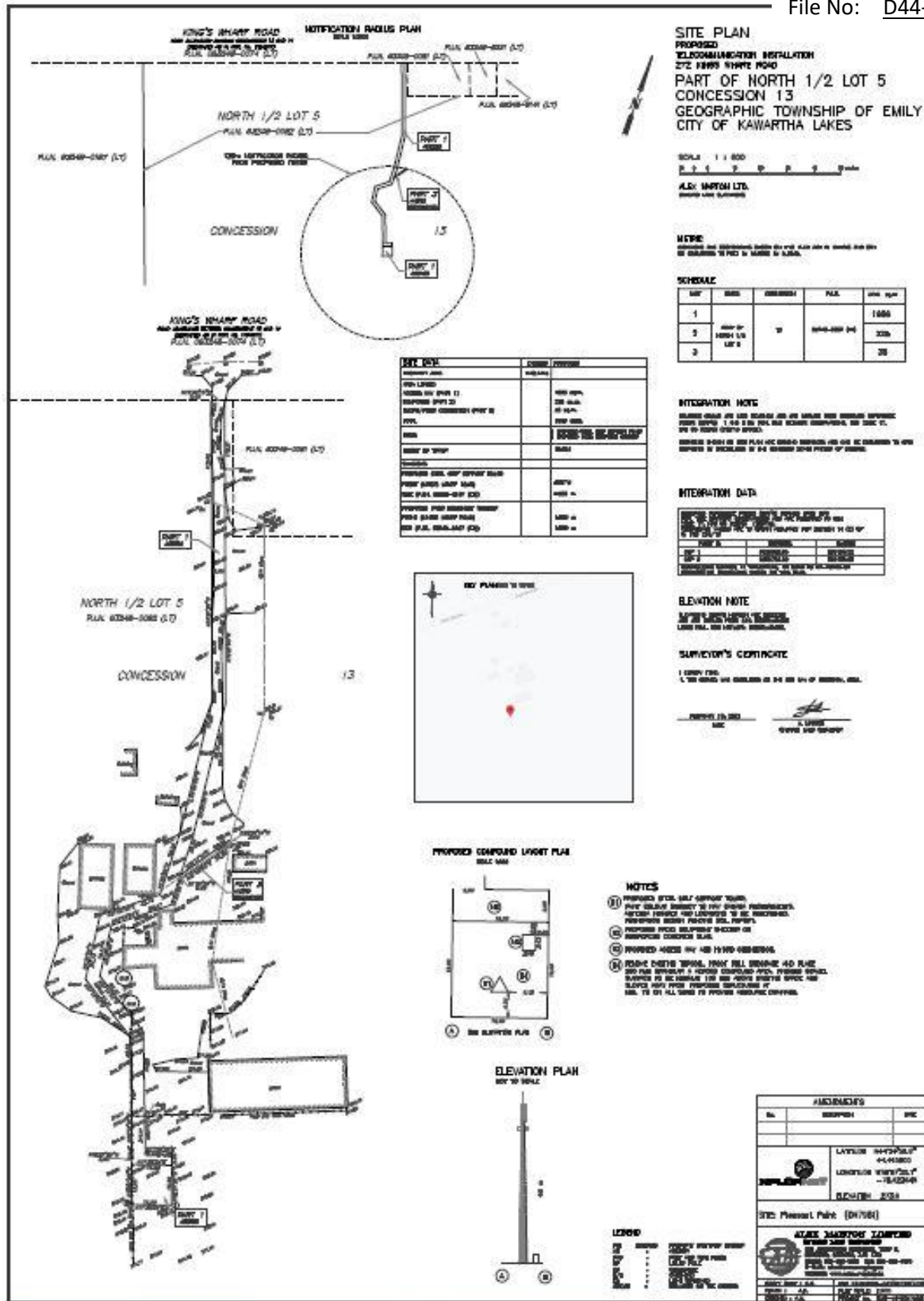
D44-2020-002



to

Report PLAN2021-023

File No: D44-2021-002



City of Kawartha Lakes
26 Francis Street
Lindsay, Ontario K9V 5R8
Attn: Ian Walker, B.Sc. Planning Officer, Large Developments
P: (705) 324-9411
E: iwalker@kawarthalakes.ca

Appendix “ C ”
to
Report PLAN2021-023
File No: D44-2021-002

May 5th, 2021

Dear Mayor and Council,

On behalf of Xplornet Communications, I would like to submit a request for a Statement of Concurrence for the proposed communication installation located at 272 Kings Wharf, Lindsay, On K9V 4R3.

The document will provide a summary of the municipal and public consultation process.

MUNICIPAL & PUBLIC CONSULTATION SUMMARY:

PROTOCOL

We have confirmed that the City of Kawartha Lakes has a locally enacted land use protocol for towers, and we were therefore required to comply with the procedures as described in CP2-18-014

PUBLIC CONSULTATION

Under the City of Kawartha Lakes Telecommunications and Antenna System Siting Policy, we provided formal notice allowing 30 days for comments to any property owners within three times the tower height (45m X 3 = 135m). We asked that you assist with contact/mailing addresses for the property PINs identified in the notification radius, and there were fourteen (14) unique addresses provided. Under CPC Section 4.2.4, synchronized notice was placed in Kawartha Lakes This Week and The Promoter on April 1st, 2021 in accordance with the criteria established therein.

PUBLIC RESPONSE

Under Section 4.2.2 of CPC 2-0-03, we are to respond to all reasonable and relevant concerns raised during the 30-day notification period of Section 4.2. What is considered reasonable or relevant (or not) is specifically defined under the CPC section entitled “Public Reply Comments”. The 30-day notice period concluded May 3rd, 2021.

- The Municipality has not advised us that they have received any comments or concerns which we were to address.
- Xplornet received one comment from a resident on April 13th, 2021 in which they communicated concerns around 5G and health effects stemming from the tower.
 - We replied to this resident, addressing their concerns on April 14th, 2021

MUNICIPAL CONSULTATION

Consultation with the municipality included the following:

- Submission of a pre-consultation application for internal review r
- Follow-up consultation by email
- Submission of a full application for review
- Discussion about the proposed property and installation
- Request for assistance with properties in the Public Notification Radius
- Request for the City's choice of newspaper
- Submission of the final Public Consultation Package (for your records)
- Request to identify any other municipal requirements
- Request for Municipal Concurrence

OTHER MUNICIPAL CONSIDERATIONS:

As we are regulated under federal policy, provincial legislation such as the Ontario Building Code Act and the Planning Act including zoning by-laws and site plan control do not apply to these facilities. Our installation is not required to submit application for a building permit. We also asked you to outline formally any other local requirements, and there were none

CONCLUDING LAND USE AUTHORITY CONSULTATION

Under CPC Section 4.3, we have satisfactorily met the consultation requirements.

Xplornet feels that the proposed site is well situated to provide and improve internet and data services in the targeted area. The proposed site has been situated and designed to have minimal impact on surrounding land uses.

At this time, we respectfully request the formal Statement of Concurrence by the City of Kawartha Lakes' Council. A copy of your concurrence will be sent to ISED Canada as they require this to confirm our compliance with the ISED Canada's default protocol CPC-2-0-03 Issue 5 (July 2014) "Radiocommunication and Broadcasting Antenna Systems" prior to moving forward with the installation of the proposed communication facility.

On behalf of Xplornet, we look forward to providing better internet and data service to this area. We thank you for your attention to this request and should you have any questions or need further information, please do not hesitate to contact me at 905.808.0073 or by email at cghassabeh@forbesbrosLtd.ca

Sincerely,

Cyrus Ghassabeh

Cyrus Ghassabeh,

FB Connect.

482 South Service Road East, Unit 130

Oakville, ON L6J 2X6



Planning Justification Report

Xplornet Communications – Telecommunication Site: Pleasant Point (ON7981)

Cyrus Ghassabeh, Director

2/24/2021

Xplornet Communications justification for a proposal to erect a 45.0m tall self support style communications structure and related equipment at 272 Kings Wharf Road, Lindsay, ON K9V 4R3

1.0 Introduction

Forbes Bros Ltd Telecommunications Services has been retained by Xplornet Communications ("Xplornet") with respect to a proposal to build a new freestanding communications base station facility on the lands at 272 Kings Wharf Road, Lindsay, ON K9V 4R3. The purpose of this report is to provide analysis and justification in support of the proposed facility and to assist the land-use authority in providing comments on the proposed development.

2.0 Background

A continual growth in demand for wireless products and their associated services has created a need for increased wireless network infrastructure. Mobile phones and other wireless devices cannot operate without the necessary infrastructure, which is made up of transmitting and receiving antenna sites located on support structures, commonly referred to as "cell towers".

New infrastructure requirements are determined by monitoring the wireless network and identifying areas with weak or insufficient coverage. Xplornet network planners isolate the areas requiring improvements and conduct coverage studies to determine the ideal co-ordinates for a new antenna base station. Real estate investigations determine feasible locations for new sites. New locations include existing towers (colocation), tall buildings or other feasible structures and of course new free-standing support structures.

3.0 Proposal

Xplornet has proposed a new free standing 45.0m tall self support type communication facility (PLEASANT POINT). The proposal supports enhanced wireless voice & data coverage and capacity for the surrounding areas.

3.1 Location

Xplornet's proposed location is on property described as PT N1/2 LT 5 CON 13 EMILY AS IN R395177 CITY OF KAWARTHA LAKES and has the municipal address 272 Kings Wharf Road, Lindsay, ON K9V 4R3. The proposed facility would be located approximately 820m south west from the Kings Wharf Rd and Sturgeon Road intersection (Figure 1).

The tower is proposed to be located on the western edge of the subject property and has the geographic coordinates:

Latitude (NAD83) N 44° 24' 57.1"

Longitude (NAD83) W 78° 37' 25.4"

Figure 1 – Location Map (not to scale)



3.2 Design

Xplornet has proposed a 45.0m tall self support style structure within a 15m x 15m leased area, transmitting and receiving antennas, and radio equipment (see Figure 2 and 3).

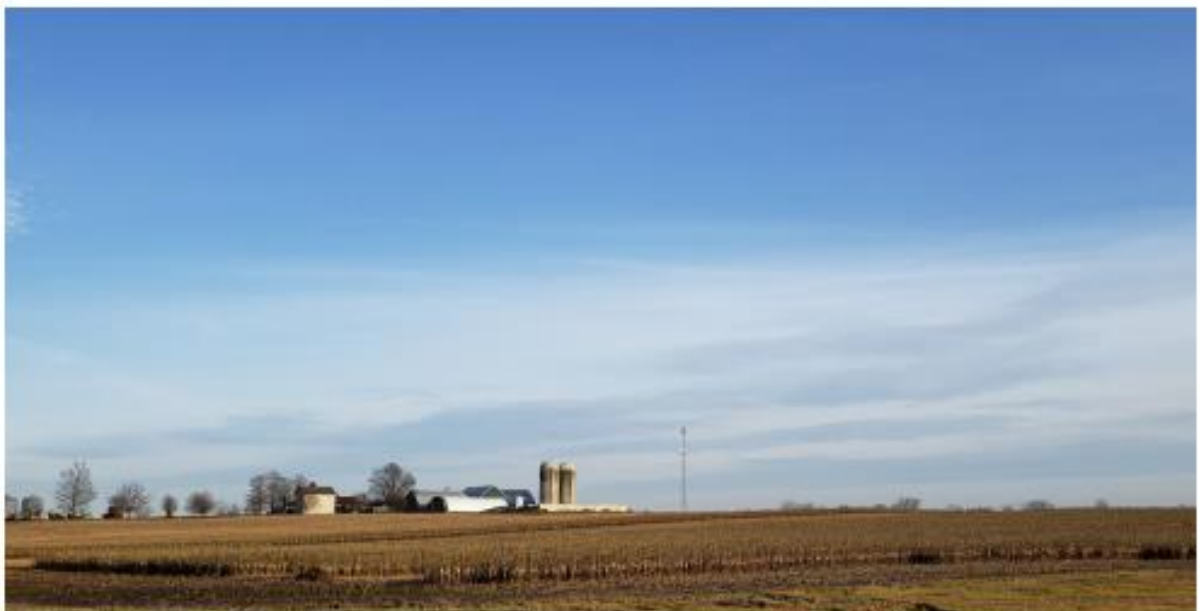
The tower height allows the antenna equipment to propagate wireless signals over top of obstacles (trees, buildings, varying topography) and maintain line of sight connections to other Xplornet facilities in the network.

The proposed installation provides an opportunity to accommodate future technologies as well as potential co-location with other licensed carriers, thus limiting the number of new tower structures required in the area.

Figure 2 – Tower location on the property (not to scale)



Figure 3 –Tower Elevation / Photosim (Looking SE from Kings Wharf Rd)



4.0 Rationale

The selection of a wireless communications site works similarly to fitting a piece into a puzzle. In this case, the puzzle is a complex radio network. Client demand, radio frequency engineering principles, local topography and land use opportunities working in concert with one another direct the geography of Xplornet sites.

In identifying a potential tower location and design, Xplornet examined the local area, assessed the visibility of the structure and considered possible tower designs. Xplornet evaluated the best location for a new facility using the following criteria:

4.1 Technical Requirements

The performance of a wireless network is dependent on the geographical location of its equipment, height of its antennas, line of sight requirements, the demand customers place on the network, as well as proximity to the network users. In expanding its wireless network, Xplornet is seeking to improve service for the surrounding areas.

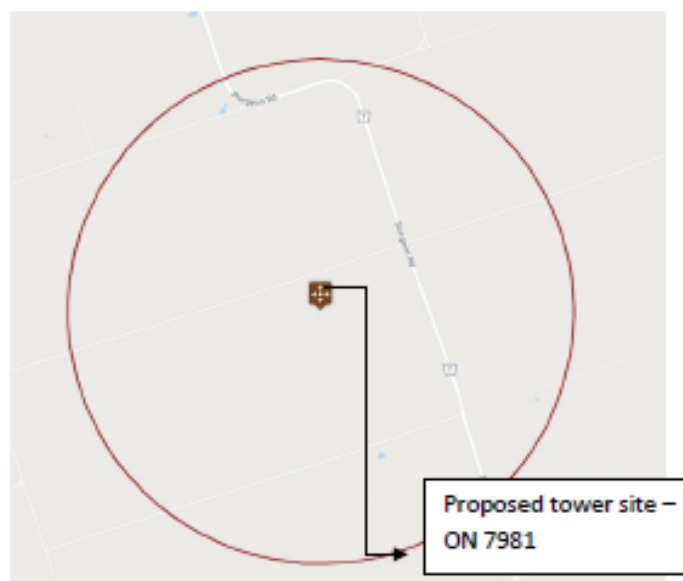
Xplornet can achieve enhanced coverage and capacity with the proposed facility ON 7981 – Pleasant Point at 272 Kings Wharf Road, Lindsay, ON.

4.2 Evaluation of Existing Structures

Co-location and rooftop deployment are the first locations considered in achieving new coverage objectives. For site sharing to be considered technically feasible, existing telecommunication sites and other tall structures must be located within the search area prescribed by Xplornet network planners and engineers. These locations must also provide adequate deployment height and structural capacity to hold additional equipment.

Site sharing investigations revealed that there are no existing tower facilities within 2.0km of Xplornet proposed location that are feasible locations (see Figure 4).

Figure 4 – 2km search radius for co-location (approximate)



4.3 Land-use Consideration

The site is located on property designated Agricultural (A1) and the subject property is abutted by further agricultural zones.

Given the coverage objectives of this site we feel it is the best possible location. The proposed facility will enhance coverage for surrounding area as well as to travellers along the roadways while maintaining a significant setback to any residential uses.

5.0 Review of Development Plan

5.1 Municipal Consultation Process

Xplornet is regulated and licensed by Industry Canada to provide inter-provincial wireless voice and data services. As a federal undertaking, Xplornet is required by Industry Canada to consult with land-use authorities in siting new mobile base station locations.

The consultation process established under Industry Canada's authority is intended to provide the local land-use authorities an opportunity to address land-use concerns while respecting the federal government's exclusive jurisdiction in the siting and operation of wireless voice and data systems.

As the provisions of the Ontario Planning Act and other municipal by-laws and regulations do not apply to federal undertakings, wireless communication facilities are not required to obtain municipal permits of any kind. Xplornet is required to follow established and documented telecommunication protocols or processes set forth by land-use authorities.

5.2 Public Consultation

In accordance with Industry Canada procedures, public consultation is required for most new telecommunication facility proposals. Per Industry Canada's guidelines default public consultation is conducted via written notification to property owners within three times (3x) the height of the tower measured from the base or outer most point of the tower. Depending on the height of the proposed facility a public notice in a locally circulated newspaper may also be warranted.

Both forms of notice must contain basic information about the proposal (location, design etc.) as well as contact information for the proponent and a thirty (30) day window to submit comments or questions to the proponent.

Public consultation requirements may vary where an established local policy or protocol is in effect.

5.3 Federal Requirements

In addition to the requirements for consultation with municipal authorities and the public, Xplornet must also fulfill other important obligations including the following:

Impact Assessment Act (IAA) formerly Canadian Environmental Assessment Act

Innovation, Science and Economic Development Canada ("ISED" formerly Industry Canada) requires that the installation and modification of antenna systems be done in a manner that complies with appropriate environmental legislation. This includes the Impact Assessment Act, 2019 (IAA), where the antenna system is incidental to a physical activity or project designated under IAA, or is located on federal lands.

Xplornet attests that the radio antenna system as proposed for this site is not located within federal lands or forms part of or incidental to projects that are designated by the Regulations Designating Physical Activities or otherwise designated by the Minister of the Environment as requiring an environmental assessment. In accordance with the Impact Assessment Act, this installation is excluded from assessment.

For additional detailed information, please consult the Impact Assessment Act at: <https://laws-lois.justice.gc.ca/eng/acts/I-2.75/>

Transport Canada's Aeronautical Obstruction Marking Requirements

Aerodrome safety is under the exclusive jurisdiction of NAV Canada and Transport Canada. An important obligation of wireless proponents is to comply with Transport Canada / NAV Canada aeronautical safety requirements. Transport Canada performs an assessment of the proposal with respect to the potential hazard to air navigation and notifies Xplornet of any painting and/or lighting requirements for the antenna system. Xplornet will submit the necessary applications to the appropriate parties to obtain the required approvals.

For additional information, please see the Transport Canada website at: <http://www.tc.gc.ca/eng/civilaviation/regserv/cars/part6-standards-standards621-3808.htm>

Health Canada's Safety Code 6 Compliance

Health Canada is responsible for research and investigation to determine and promulgate health protection limits for exposure to radio-frequency (RF) electromagnetic energy. Accordingly, Health Canada has developed a guideline entitled "Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3Khz to 300Ghz – Safety Code 6". The exposure limits specified in Safety Code 6 are established by reviewing all peer-reviewed scientific research in the area of human health and RF exposure. Included in this review are hundreds of studies conducted over the past 50 years.

Radiocommunication, including technical aspects related to broadcasting, is under the responsibility of the Ministry of Industry (Industry Canada) which has the power to establish standards, rules, policies and procedures. Industry Canada, under this authority has adopted Safety Code 6 for the protection of the general public. With this adoption, Industry Canada requires all proponents and operators to ensure that their installations comply with Safety Code 6 at all times, including any changes to the code and including any combined effects from other installations in the nearby radio environment.

Xplornet attests that the radio antenna system described will comply with Health Canada's Safety Code 6 limits, as may be amended from time to time, for the protection of the general public including any combined effects of additional carrier co-locations and nearby installations within the local radio environment.

Engineering Practices

Xplornet attests that the radio antenna system as proposed for this site will be constructed in compliance with the National Building Code and the Canadian Standards Association and comply with good engineering practices including structural adequacy.

6.0 Summary and Conclusion

As communities continue to grow to depend on wireless products and their services, it will be necessary to improve network coverage and quality. Improving network coverage and quality is achieved by increasing mobile base station infrastructure to fill coverage gaps and increase capacity for current and future wireless users.

In response to the demand for high quality wireless services in Ontario and specifically in the City of Kawartha Lakes, Xplornet has proposed a communications site that achieves the technical requirements of the network while maintaining a significant setback to any residential land uses.

I look forward to working with the Municipality in providing enhanced wireless services to the community. Should you require any further information please do not hesitate to contact me at 905.808.0073 or by email at cghassabeh@forbesbrosltd.ca

Sincerely,

Cyrus Ghassabeh

Cyrus Ghassabeh

Forbes Bros Ltd. Telecommunication Services
482 South Service Road East, Unit 130

Council Report

Report Number:	PLAN2021-024
Meeting Date:	May 18, 2021
Title:	Telecommunications Facility Concurrence Application – Xplornet Communications
Description:	An application to issue a concurrence for a proposed 45.0 metre self-supported Telecommunications Facility by FB Connect on behalf of Xplornet Communications at 64 Highway 7A, Manvers (Maltheb Farms 2000 Ltd.)
Author and Title:	Ian Walker, Planning Officer – Large Developments

Recommendations:

That Report PLAN2021-024, **Part of Lots 1 & 2, Concession 8, Geographic Township of Manvers, Maltheb Farms 2000 Ltd. – Application D44-2021-003**, be received;

That the 45.0 metre self-supported telecommunication facility proposed by FB Connect on behalf of Xplornet Communications, to be sited on property at 64 Highway 7A and generally outlined in Appendices A to D to Report PLAN2021-024, be supported by Council, conditional upon the applicant entering into a Telecommunication Facility Development Agreement with the City;

That upon completion of the public consultation by the proponent, the Public Consultation Summary Report is submitted to the City for review, and that Council support is contingent upon successful completion of the review of this Report;

That Innovation, Science and Economic Development (ISED) Canada, the applicant, and all interested parties be advised of Council's decision; and

That the Mayor and Clerk be authorized to execute any documents and agreements required by the concurrence of this application.

(Acting) Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

FB Connect has submitted an application on behalf of Xplornet Communications to permit a self-supported telecommunication facility with a height of 45.0 metres (148 feet) on a rural property located at 64 Highway 7A, west of Yelverton. See Appendix 'A'. A site compound with an area of 225 square metres (15 metres by 15 metres) will house all electrical components. For access to the compound, Xplornet Communications will utilize the existing driveway and farm laneway. See Appendix 'B'.

Owner:	Maltheb Farms 2000 Ltd.
Agent:	FB Connect on behalf of Xplornet Communications
Legal Description:	Part of Lots 1 & 2, Concession 8, Geographic Township of Manvers
Official Plan:	'Prime Agricultural' and 'Environmental Protection' on Schedule 'A-1' of the City of Kawartha Lakes Official Plan
Zoning:	'Rural General (A1) Zone' and 'Open Space (O1) Zone' on Schedule 'A' of the Township of Manvers Zoning By-law 87-06
Site Size:	225.0 square metres consisting of a 15.0 metre by 15.0 metre compound, and an existing site access lane
Site Servicing:	A dedicated electrical connection is required to service the telecommunication facility
Existing Uses:	Portions of the property are used for agriculture, and a portion includes environmental (natural) features
Adjacent Uses:	North: Highway 7A; Agricultural East: Agricultural; Yelverton Road South: Agricultural West: Wetlands/Woodlands; Region of Durham/Township of Scugog

Rationale:

The telecommunications industry is regulated by the federal government through the Radiocommunication Act, which is primarily administered by Innovation, Science and Economic Development (ISED) Canada (formerly Industry Canada) and Health Canada. As telecommunications systems are regulated by the federal government, they are therefore not subject to the requirements of Planning Act documents such as official plans or zoning by-laws. ISED Canada considers the local 'Land Use Authorities' (LUAs) to have the best knowledge of land uses in an area. Therefore, ISED Canada

encourages the development of protocols by the local municipalities (LUAs) to ensure that a clear process is established for the consideration of new telecommunications facilities within the community. Where a municipality has adopted a telecommunications policy, the applicant must receive a concurrence from the municipality that the proposal complies with their policy, before ISED Canada will issue an approval for the facility.

In 2012, Council adopted the first Telecommunications Policy relating to the installation of new telecommunication towers within the City of Kawartha Lakes. On July 15, 2014, the current ISED Canada document 'Client Procedures Circular CPC-2-0-03, Issue 5' came into effect. This document outlines the requirements that apply to anyone (considered a 'proponent') who is planning to install or modify an antenna installation of any type (typically, a tower). In 2018, Council adopted an updated Telecommunications Policy (CP2018-014 Telecommunications and Antenna System Siting Policy) in accordance with these 2014 ISED Canada standards.

The intent of the Council policy is to establish a process and provide a clear set of criteria for the consideration of new telecommunications facilities within the community. In accordance with CP2018-014, before a proponent can seek an approval from ISED Canada, all applications must first receive a concurrence from Council, subject to any necessary conditions. One of the conditions of the concurrence is that the proponent and the landowner enter into a Telecommunication Facility Development Agreement with the City, to ensure that once the tower is no longer in use, it is properly decommissioned and removed from the property.

The applicant has submitted the following reports and information in support of the application, which have been circulated to various City Departments and commenting agencies for review:

1. Planning Justification Report, prepared by FB Connect, dated March 9, 2021. The report discusses and assesses the proposed telecommunication tower in context of the federal legislation and the City's Telecommunications Policy;
2. Site Plan Showing Proposed Xplornet Compound Location, prepared by Xplornet;
3. Site Plan, prepared by Alex Marton Limited Ontario Land Surveyors, dated February 24, 2021;
4. Site Grading and Stormwater Management Plan, prepared by Alex Marton Limited Ontario Land Surveyors, dated February 24, 2021;
5. 45.72m (150') Tower Profile, prepared by Trylon, dated July 31, 2020;
6. Public Consultation Mailout Information Package dated April 7, 2021.

Applicable Provincial Policies:

While telecommunication systems are a federally-led initiative, the Province also recognizes the importance of telecommunications infrastructure and encourages further systems development to meet current and projected service demands in its policy documents, including the Provincial Policy Statement, 2020 (PPS) and A Place to Grow:

Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan). The proposed telecommunications facility fulfills the objectives of these policies.

Official Plan Conformity:

The property is designated 'Prime Agricultural' and 'Environmental Protection' in the City of Kawartha Lakes Official Plan. While telecommunication systems are not subject to the requirements of the Official Plan, Section 28.10 of the Official Plan supports the erection of new telecommunication towers, as long as they are located outside of natural features and their respective buffers, and provided that there is a demonstrated need. The proposed tower and all associated works are located in the 'Prime Agricultural' designation; are outside of all natural features and their respective buffers; and the applicant has demonstrated that there is a need for this facility.

On this basis, the proposal fulfills the provisions of the land use policies, in accordance with the City's Telecommunications Policy.

Zoning By-law Compliance:

The subject land is zoned 'Rural General (A1) Zone' and 'Open Space (O1) Zone' in the Township of Manvers Zoning By-law 87-06. The proposed tower and all associated works are located in the 'A1' zone, and outside of the 'O1' zone. While telecommunication systems are not subject to the requirements of the Zoning By-law, the 'A1' zone provides that this use is permitted.

On this basis, the proposal does not conflict with the Zoning By-law, in accordance with the City's Telecommunications Policy.

Other Alternatives Considered:

No other alternatives have been taken into consideration.

Alignment to Strategic Priorities

The Council Adopted Strategic Plan identifies these Strategic Priorities:

1. Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

This application aligns with the Good Government priority by increasing internet services available throughout Kawartha Lakes. It may also align with the Exceptional Quality of Life priority by enhancing accessibility to a range of services provided within the City.

Financial/Operation Impacts:

There are no financial considerations for the City.

Servicing Implications:

There are no servicing considerations for the City.

Consultations:

Public Comments

The City's Telecommunications Policy requires that the applicant conduct the public consultation and information process as prescribed by ISED Canada. The ISED Canada standards require notification through a local newspaper (when the tower is 30.0 metres or greater in height), and a mail-out to all landowners within a minimum notification radius which is the greater of:

- a) 120 metres; or
- b) three times the height of the tower (135 metres).

Based on the above, the mail-out radius is 135 metres from the base of the proposed tower. A notice was also placed in the local newspapers as follows: Kawartha Lakes This Week and The Kawartha Promoter on April 8, 2021, with commenting up to May 10, 2021.

Upon completion of the public consultation, the applicant will provide a letter for the City's review, noting if any public comments are received, and if there are any issues. At this point in time, Council's position on this application is contingent on the applicant being able to resolve any public concerns that may arise from the consultation process. Should the consultation report note a public concern that has not been satisfactorily resolved by the proponent, Staff will prepare a subsequent report on this matter for Council's consideration of its position. A copy of the public circulation notice has been included. See Appendix 'C'.

Agency Review Comments

The proposal was first assessed and circulated to all relevant agencies and City Departments through the City's Preconsultation process, to identify a full list of submission requirements and initial comments for consideration. As a result, the application was circulated to only the relevant agencies and City Departments which may have an interest in the application. The following comments have been received to date:

- | | |
|----------------|--|
| April 27, 2021 | The Building and Septic Division advised that as the equipment house is less than 10 square metres, they have no concerns. |
| April 27, 2021 | The Engineering and Corporate Assets Department advised they have no comments. |

May 4, 2021

The Ministry of Transportation Ontario (MTO) advised they have no objection to the proposal, but note that three MTO permits will be required for the proposed works. A full copy of the comments has been circulated to the proponent.

Development Services – Planning Division Comments:

Compliance with Telecommunication Tower Siting Criteria

Staff has reviewed the telecommunication facility application and concludes that the proposal complies with the siting criteria in following manner:

- ISED Canada has mandated that communications providers cannot have any dropped calls, given that the system is now being used for 911 or other emergency purposes in addition to personal communications. Given the topography of the area, Xplornet Communications requires a tower height of 45 metres in order to provide its services in accordance with the ISED Canada standards. The addition of this tower should provide improved service in this area.
- The applicant has investigated the possibility of co-locating other existing telecommunication towers. Since there are few towers in the area, and no other towers within a 0.5 kilometre radius, co-location is not an option and a new tower is necessary for technical reasons. The proposed tower structure has been designed to allow other carriers to co-locate in the future, should the need arise. Staff is satisfied that an additional tower is necessary to provide service for the area.
- The proposed tower fulfills all of the necessary setbacks from local roads, property lines, residential areas, and environmentally sensitive areas.
- While the tower will be visible in the skyline, the self-supported design should not make the tower obtrusive to the view of the area. Appendix 'B' contains a proposed tower and compound plan. The views of the tower are expected to be similar to those contained in the Planning Justification Report. See Appendix 'D'.

From Staff's perspective, the proposed telecommunication facility fulfills the locational requirements of the City's Telecommunications Policy.

Tower Lighting

With regard to the lighting, this tower may require painted striping or lighting. Final details of the lighting requirements are not available at this time however Xplornet Communications have indicated that they do not anticipate any painting or lighting will be required. Any painting and/or lighting requirements will be provided by Transport Canada, for navigation and/or safety purposes. Staff advise that any night lighting should not include white flashing strobe lights.

Site Development Agreement

Staff would require that this telecommunications facility be subject to a limited Telecommunications Facility Development Agreement with the City. This Agreement would secure an approved site plan, lot grading and drainage plan, securities for entrance works and landscaping (when necessary), and landscaping details as required. The agreement would also include provisions for the removal of the telecommunication facility once it is no longer being used. Staff views this agreement as serving more of an administrative function and therefore would not recommend that this agreement be registered against title.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Ian Walker, Planning Officer – Large Developments, (705) 324-9411 extension 1368.

Appendix A – Location Map



PLAN2021-024
Appendix A.pdf

Appendix B – Proposed Site Plan and Tower Drawings



PLAN2021-024
Appendix B.pdf

Appendix C – Public Consultation Notice



PLAN2021-024
Appendix C.pdf

Appendix D – Planning Justification Report



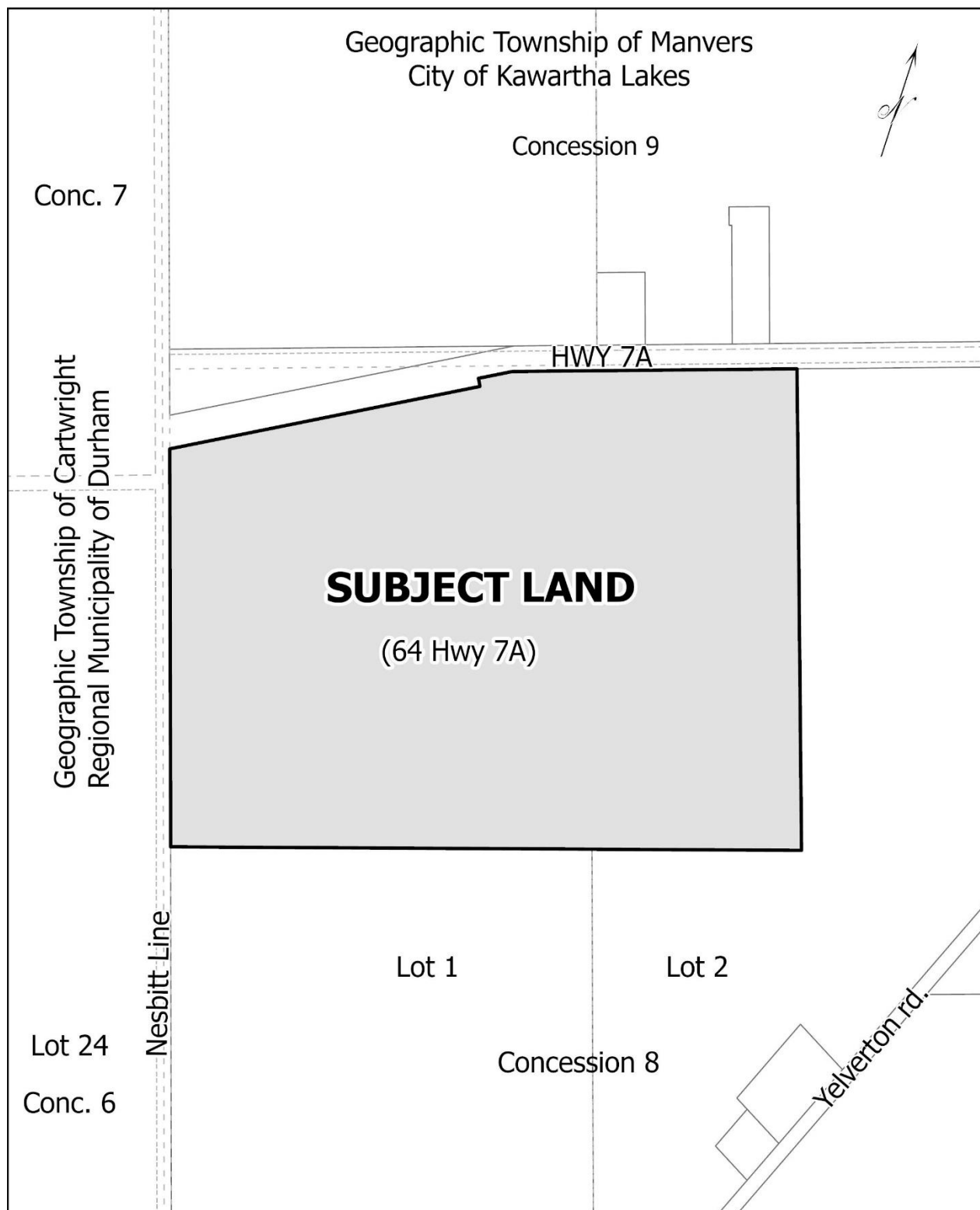
PLAN2021-024
Appendix D.pdf

(Acting) Department Head email: rholy@kawarthalakes.ca

(Acting) Department Head: Richard Holy

Department File: D44-2021-003

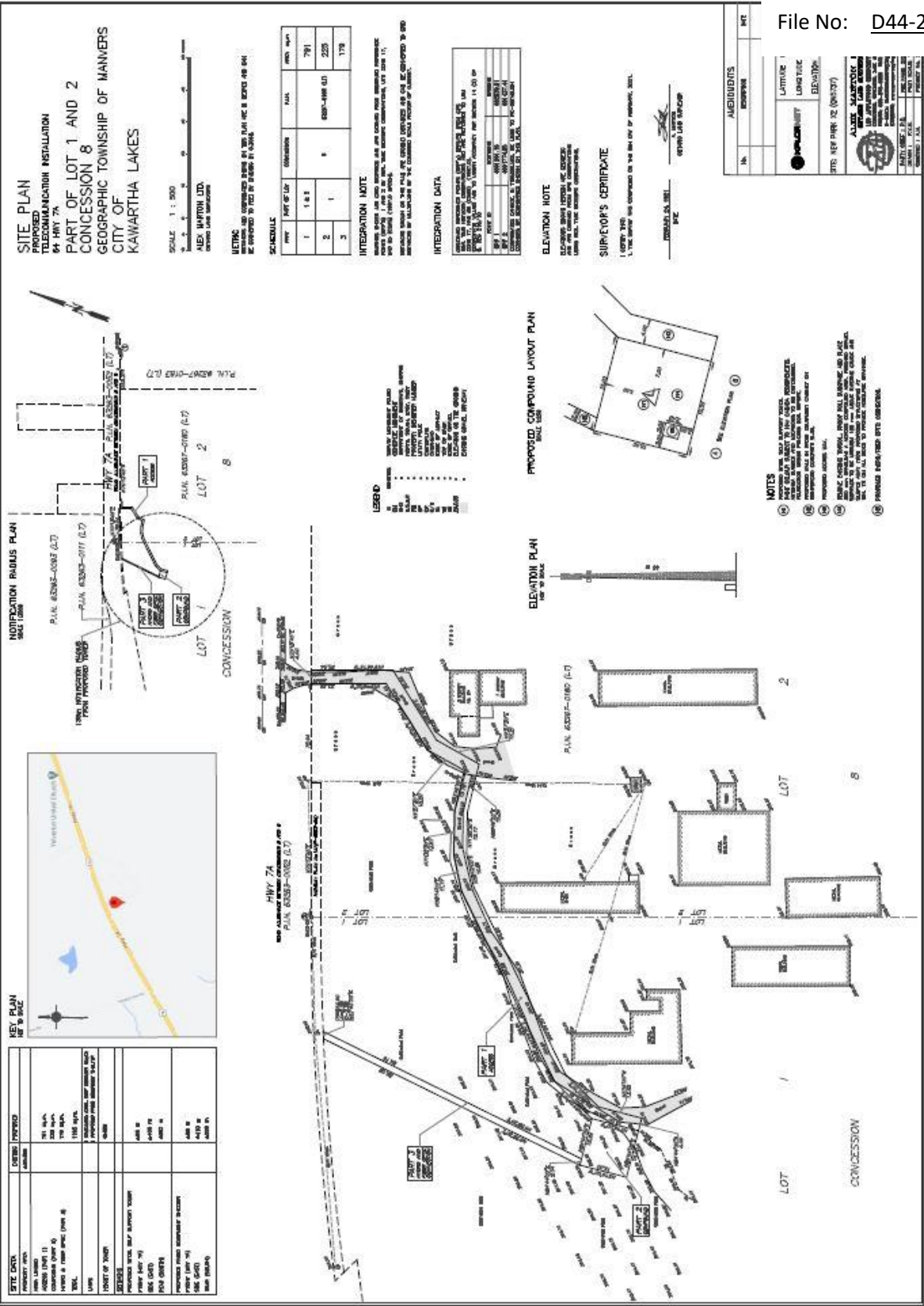
D44-2021-003



to

Report PLAN2021-024

File No: D44-2021-003



to

April 7th, 2021

Report PLAN2021-024

Dear Current Resident / Owner,

File No: D44-2021-003

**Re: INFORMATION PACKAGE FOR AN XPLORNET COMMUNICATIONS
FACILITY PROPOSAL AT 64 Hwy 7A, Kawartha Lakes (Janetville), ON L0B
1K0**

Coordinates: (NAD83) N 44° 09' 20.1" & Longitude: (NAD83) W 78° 43' 53.0".

Xplornet Communications Site: ON 5737 – New Park

Forbes Bros Ltd, in our capacity as agent to Xplornet Communications ("Xplornet") is submitting this information package to formalize the consultation process related to the installation and operation of a communications facility. We have been in discussions with the City of Kawartha Lakes to begin the local public consultation process. This letter serves as an invitation to submit any questions or comments to the proponent or municipality (details below).

Proposed Site and Background Information

Xplornet's installation is proposed to be built approximately 480m east from the Hwy 7A and Nesbitt Line Road intersection (see Location Map). The proposed installation is required to provide Xplornet customers with improved internet network coverage and data services.

Location Map (not to scale)



Existing Infrastructure and Alternate Locations



Co-location and rooftop deployment are the first locations considered in achieving new coverage objectives. For site sharing to be considered technically feasible, existing telecommunication sites and other tall structures must be located within the search area prescribed by Xplornet network planners and engineers. These locations must also provide adequate deployment height and structural capacity to hold additional equipment.

Xplornet is currently co-located on a silo approximately 170m northeast of the proposed location. This structure will not accommodate additional Xplornet equipment and does not meet requirements to be a suitable co-location candidate.

Site sharing investigations revealed that there are no existing tower facilities within 0.5km of Xplornet proposed location that are feasible locations.

The Proposed Installation

The proposed installation is a lite duty self support style communications structure. The tower installation is a triangular structure and will be 45m in height and occupy a footprint of approximately 3 metres by 3 metres. The tower will have an anti-climb mechanism. Transmitting and receiving antenna equipment is mounted to the upper portion of the structure as well as provisions for future technology services.



Above: Photosim of the proposed tower before and after– looking south from Hwy 7A.

Federal Requirements

In addition to the requirements for consultation with municipal authorities and the public, Xplornet must also fulfill other important obligations including the following:

Impact Assessment Act (IAA) *Formerly Canadian Environmental Assessment Act*

Innovation, Science and Economic Development Canada ("ISED" formerly Industry Canada) requires that the installation and modification of antenna systems be done in a manner that complies with appropriate environmental legislation. This includes the Impact Assessment Act, 2019 (IAA), where the antenna system is incidental to a physical activity or project designated under IAA, or is located on federal lands.

Xplornet attests that the radio antenna system as proposed for this site is not located within federal lands or forms part of or incidental to projects that are designated by the Regulations Designating Physical Activities or otherwise designated by the Minister of the Environment as requiring an environmental assessment. In accordance with the Impact Assessment Act, this installation is excluded from assessment.

For additional detailed information, please consult the Impact Assessment Act at: <https://laws-lois.justice.gc.ca/eng/acts/I-2.75/>

Engineering Practices

Xplornet attests that the radio antenna system as proposed for this site will be constructed in compliance with the National Building Code and The Canadian Standard Association and respect good engineering practices including structural adequacy.

Transport Canada's Aeronautical Obstruction Marking Requirements

Xplornet attests that the radio antenna system described in this notification package will be installed and operated on an ongoing basis to comply with Transport Canada and NAV Canada aeronautical safety requirements. Xplornet has confirmed there will be no lighting required on this tower.

For additional detailed information, please consult Transport Canada at: <http://www.tc.gc.ca/eng/civilaviation/regserv/cars/part6-standards-standard621-3808.htm>

Health Canada's Safety Code 6 Compliance

Xplornet attests that the radio antenna system described in this notification package will be installed and operated on an ongoing basis so as to comply with Health Canada's Safety Code 6, as may be amended from time to time, for the protection of the general public including any combined operation of additional carrier co-locations and nearby installations within the local radio environment.

More information in the area of RF exposure and health is available at the following web site: Safety Code 6: <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/radiation/consumer-radiation/radiofrequency-fields.html> and <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/safety-code-6-health-canada-radiofrequency-exposure-guidelines-environmental-workplace-health-health-canada.html>

Innovation, Science and Economic Development Canada (ISED) Spectrum Management

Please be advised that the licensing of this site and its design is under the exclusive jurisdiction of the Government of Canada through CRTC and ISED. Information relating to ISED's public consultation guidelines CPC-2-0-03 – *Radiocommunication and Broadcasting Antenna Systems* is available at <http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08777.html> or you may contact the local ISED office at:

Spectrum Management – Eastern and Northern Ontario District Office
2 Queen Street East
Sault Ste. Marie, ON P6A 1Y3
Telephone: 1-855-465-6307
Fax: 705-941-4607
Email: ic.spectrumenod-spectredeno.ic@canada.ca

Municipal and Public Consultation

In accordance with the City of Kawartha Lakes and ISED consultation guidelines *Radiocommunication and Broadcasting Antenna Systems* (CPC-2-0-03), this information package has been mailed to all property owners within 135 m of the tower structure.

Forbes Bros Ltd, on behalf of Xplornet, is committed to effective municipal and public consultation. This notice serves as invitation to submit comments in writing to the proponent. Please provide written comments and feedback to the contact provided below by **May 10th, 2021**.

Contact Information:

FB Connect

Cyrus Ghassabeh
482 South Service Road E, Suite 130
Oakville, ON L6J 2X6

Phone: (905) 808-0073
Email: cghassabeh@forbesbrosltd.ca

City of Kawartha Lakes:

Ian Walker
Planning Officer – Large Developments,
Development Services -
Phone: 705-324-9411 x1368
Email: iwalker@kawarthalakes.ca



Planning Justification Report

Xplornet Communications –
Telecommunication Site: New Park (ON 5737)

Cyrus Ghassabeh, Director
3/9/2021

Xplornet Communications justification for a proposal to erect a 45.0m tall self support style communications structure and related equipment at 64 HWY 7A, Kawartha Lakes (Janetville), ON L0B 1K0

1.0 Introduction

Forbes Bros Ltd Telecommunications Services has been retained by Xplornet Communications ("Xplornet") with respect to a proposal to build a new freestanding communications base station facility on the lands at 64 HWY 7A, Kawartha Lakes. The purpose of this report is to provide analysis and justification in support of the proposed facility and to assist the land-use authority in providing comments on the proposed development.

2.0 Background

A continual growth in demand for wireless products and their associated services has created a need for increased wireless network infrastructure. Mobile phones and other wireless devices cannot operate without the necessary infrastructure, which is made up of transmitting and receiving antenna sites located on support structures, commonly referred to as "cell towers".

New infrastructure requirements are determined by monitoring the wireless network and identifying areas with weak or insufficient coverage. Xplornet network planners isolate the areas requiring improvements and conduct coverage studies to determine the ideal co-ordinates for a new antenna base station. Real estate investigations determine feasible locations for new sites. New locations include existing towers (colocation), tall buildings or other feasible structures and of course new free-standing support structures.

3.0 Proposal

Xplornet has proposed a new free standing 45.0m tall self support type communication facility (New Park). The proposal supports enhanced wireless voice & data coverage and capacity for the surrounding areas.

3.1 Location

Xplornet's proposed location is on property described as PT LT 1-2 CON 8 MANVERS AS IN R376116, S/T INTEREST IN R370882; CITY OF KAWARTHA LAKES and has the municipal address 64 Hwy 7A, Kawartha Lakes (Janetville), Ontario, L0B 1K0. The proposed facility would be located approximately 480m east from the Hwy 7A and Nesbitt Line Road intersection (Figure 1).

The tower is proposed to be located on the western edge of the subject property and has the geographic coordinates:

Latitude (NAD83) N 44° 09' 20.1"

Longitude (NAD83) W 78° 43' 53.0"

Figure 1 – Location Map (not to scale)



3.2 Design

Xplornet has proposed a 45.0m tall self support style structure within a 15m x 15m leased area, transmitting and receiving antennas, and radio equipment (see Figure 2 and 3).

The tower height allows the antenna equipment to propagate wireless signals over top of obstacles (trees, buildings, varying topography) and maintain line of sight connections to other Xplornet facilities in the network.

The proposed installation provides an opportunity to accommodate future technologies as well as potential co-location with other licensed carriers, thus limiting the number of new tower structures required in the area.

Figure 2 – Tower location on the property (not to scale)



Figure 3 –Tower Elevation / Photosim (Looking South from HWY 7A)



4.0 Rationale

The selection of a wireless communications site works similarly to fitting a piece into a puzzle. In this case, the puzzle is a complex radio network. Client demand, radio frequency engineering principles, local topography and land use opportunities working in concert with one another direct the geography of Xplornet sites.

In identifying a potential tower location and design, Xplornet examined the local area, assessed the visibility of the structure and considered possible tower designs. Xplornet evaluated the best location for a new facility using the following criteria:

4.1 Technical Requirements

The performance of a wireless network is dependent on the geographical location of its equipment, height of its antennas, line of sight requirements, the demand customers place on the network, as well as proximity to the network users. In expanding its wireless network, Xplornet is seeking to improve service for the surrounding areas.

Xplornet can achieve enhanced coverage and capacity with the proposed facility ON 5737 – New Park at 64 HWY 7A, Kawartha Lakes, ON.

4.2 Evaluation of Existing Structures

Co-location and rooftop deployment are the first locations considered in achieving new coverage objectives. For site sharing to be considered technically feasible, existing telecommunication sites and other tall structures must be located within the search area prescribed by Xplornet network planners and engineers. These locations must also provide adequate deployment height and structural capacity to hold additional equipment.

Xplornet is currently co-located on a silo approximately 170m northeast of the proposed location. This structure will not accommodate additional Xplornet equipment and does not meet requirements to be a suitable co-location candidate.

Site sharing investigations revealed that there are no existing tower facilities within 0.5km of Xplornet proposed location that are feasible locations.

Figure 4 – 500m search radius for co-location (approximate)



4.3 Land-use Consideration

The site is located on property designated Countryside and the subject property is abutted by further countryside and agricultural zones.

Given the coverage objectives of this site we feel it is the best possible location. The proposed facility will enhance coverage for surrounding area as well as to travellers along the roadways while maintaining a significant setback to any residential uses.

5.0 Review of Development Plan

5.1 Municipal Consultation Process

Xplornet is regulated and licensed by Industry Canada to provide inter-provincial wireless voice and data services. As a federal undertaking, Xplornet is required by Industry Canada to consult with land-use authorities in siting new mobile base station locations.

The consultation process established under Industry Canada's authority is intended to provide the local land-use authorities an opportunity to address land-use concerns while respecting the federal government's exclusive jurisdiction in the siting and operation of wireless voice and data systems.

As the provisions of the Ontario Planning Act and other municipal by-laws and regulations do not apply to federal undertakings, wireless communication facilities are not required to obtain municipal permits of any kind. Xplornet is required to follow established and documented telecommunication protocols or processes set forth by land-use authorities.

5.2 Public Consultation

In accordance with Industry Canada procedures, public consultation is required for most new telecommunication facility proposals. Per Industry Canada's guidelines default public consultation is conducted via written notification to property owners within three times (3x) the height of the tower measured from the base or outer most point of the tower. Depending on the height of the proposed facility a public notice in a locally circulated newspaper may also be warranted.

Both forms of notice must contain basic information about the proposal (location, design etc.) as well as contact information for the proponent and a thirty (30) day window to submit comments or questions to the proponent.

Public consultation requirements may vary where an established local policy or protocol is in effect.

5.3 Federal Requirements

In addition to the requirements for consultation with municipal authorities and the public, Xplornet must also fulfill other important obligations including the following:

Impact Assessment Act (IAA) formerly Canadian Environmental Assessment Act

Innovation, Science and Economic Development Canada ("ISED" formerly Industry Canada) requires that the installation and modification of antenna systems be done in a manner that complies with appropriate environmental legislation. This includes the Impact Assessment Act, 2019 (IAA), where the

antenna system is incidental to a physical activity or project designated under IAA, or is located on federal lands.

Xplornet attests that the radio antenna system as proposed for this site is not located within federal lands or forms part of or incidental to projects that are designated by the Regulations Designating Physical Activities or otherwise designated by the Minister of the Environment as requiring an environmental assessment. In accordance with the Impact Assessment Act, this installation is excluded from assessment.

For additional detailed information, please consult the Impact Assessment Act at: <https://laws-lois.justice.gc.ca/eng/acts/I-2.75/>

Transport Canada's Aeronautical Obstruction Marking Requirements

Aerodrome safety is under the exclusive jurisdiction of NAV Canada and Transport Canada. An important obligation of wireless proponents is to comply with Transport Canada / NAV Canada aeronautical safety requirements. Transport Canada performs an assessment of the proposal with respect to the potential hazard to air navigation and notifies Xplornet of any painting and/or lighting requirements for the antenna system. Xplornet has submitted the necessary approvals and can confirm there are no lighting requirements for this tower.

For additional information, please see the Transport Canada website at: <http://www.tc.gc.ca/eng/civilaviation/regserv/cars/part6-standards-standards621-3808.htm>

Health Canada's Safety Code 6 Compliance

Health Canada is responsible for research and investigation to determine and promulgate health protection limits for exposure to radio-frequency (RF) electromagnetic energy. Accordingly, Health Canada has developed a guideline entitled "Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3Khz to 300Ghz – Safety Code 6". The exposure limits specified in Safety Code 6 are established by reviewing all peer-reviewed scientific research in the area of human health and RF exposure. Included in this review are hundreds of studies conducted over the past 50 years.

Radiocommunication, including technical aspects related to broadcasting, is under the responsibility of the Ministry of Industry (Industry Canada) which has the power to establish standards, rules, policies and procedures. Industry Canada, under this authority has adopted Safety Code 6 for the protection of the general public. With this adoption, Industry Canada requires all proponents and operators to ensure that their installations comply with Safety Code 6 at all times, including any changes to the code and including any combined effects from other installations in the nearby radio environment.

Xplornet attests that the radio antenna system described will comply with Health Canada's Safety Code 6 limits, as may be amended from time to time, for the protection of the general public including any combined effects of additional carrier co-locations and nearby installations within the local radio environment.



Engineering Practices

Xplornet attests that the radio antenna system as proposed for this site will be constructed in compliance with the National Building Code and the Canadian Standards Association and comply with good engineering practices including structural adequacy.

6.0 Summary and Conclusion

As communities continue to grow to depend on wireless products and their services, it will be necessary to improve network coverage and quality. Improving network coverage and quality is achieved by increasing mobile base station infrastructure to fill coverage gaps and increase capacity for current and future wireless users.

In response to the demand for high quality wireless services in Ontario and specifically in the City of Kawartha Lakes, Xplornet has proposed a communications site that achieves the technical requirements of the network while maintaining a significant setback to any residential land uses.

I look forward to working with the Municipality in providing enhanced wireless services to the community. Should you require any further information please do not hesitate to contact me at 905.808.0073 or by email at cghassabeh@forbesbrosLtd.ca

Sincerely,

Cyrus Ghassabeh

Cyrus Ghassabeh

Forbes Bros Ltd. Telecommunication Services

482 South Service Road East, Unit 130

Oakville, ON L6J 2X6

Council Report

Report Number: PLAN2021-025
Meeting Date: May 18, 2021
Title: By-law to Deem Lot 42, Plan 378
Description: Deeming By-law
Author and Title: David Harding, Planner II, RPP, MCIP

Recommendations:

That Report PLAN2021-025, **By-law to Deem Lot 42, Plan 378**, be received;

That a Deeming By-law respecting Lot 42, Plan 378, substantially in the form attached as Appendix D to Report PLAN2021-025, be approved and adopted by Council; and

That the Mayor and Clerk be authorized to execute any documents required by the approval of this application.

(Acting) Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

Proposal:	To deem Lot 42, Registered Plan 378, not to be a lot within a registered plan of subdivision to facilitate consolidation with the abutting shoreline property
Owner:	Ryan Rasmussen
Applicant:	Doug Carroll – DC Planning Services Inc.
Official Plan:	Waterfront – City of Kawartha Lakes Official Plan
Zone:	Limited Service Residential (LSR) Zone – Township of Bexley Zoning By-law 93-09
Site Servicing:	Private individual well and septic system
Existing Use:	Single Detached Dwelling
Adjacent Uses:	North – Indian Point Provincial Park South – Balsam Lake East, West – Shoreline Residential

Rationale:

On February 5, 2021, the Director of Development Services granted provisional consent to file D03-2020-010. The application proposes to sever land belonging to 846 Indian Point Road and consolidate it with the abutting property, Lot 42, addressed as 848 Indian Point Road. A deeming by-law has been imposed as Condition 2 of the provisional consent approval to ensure the consolidation of land. Thus, the owner has requested Council pass a Deeming By-law to deem Lot 42, Registered Plan 378, not to be a lot within a registered plan of subdivision.

Adoption and subsequent registration of this Deeming By-law (see Appendix "D") will consolidate Lot 42, Plan 378 with the lands being conveyed to it from 846 Indian Point Road.

Other Alternatives Considered:

There are no other alternatives considered to be appropriate or represent good planning. The Deeming By-law is the appropriate method to legally consolidate the owner's lands.

Alignment to Strategic Priorities

The proposed deeming by-law demonstrates the Exceptional Quality of Life and Healthy Environment strategic goals within the 2020-2023 Kawartha Lakes Strategic Plan as a shoreline residential lot is being enlarged. This reduces the number of lots abutting the shoreline of Balsam Lake while providing for a larger building envelope for the consolidated shoreline lot.

Financial/Operation Impacts:

The cost of registering the By-law is included in the application fee. There are no financial implications for the City.

Conclusion:

The consolidation of Lot 42 (currently addressed as 848 Indian Point Road) with the land being conveyed to it from 846 Indian Point Road will create one larger lot addressed as 848 Indian Point Road. Planning staff do not anticipate any negative impacts as a result of the consolidation.

Attachments:

Appendix A – Location Map



Appendix A to
PLAN2021-025

Appendix B – Surveyor's Sketch



Appendix B to
PLAN2021-025

Appendix C – Aerial Photograph



Appendix C to
PLAN2021-025

Appendix D – Draft Deeming By-law



Appendix D to
PLAN2021-025

(Acting) Department Head email: rholy@kawarthalakes.ca

(Acting) Department Head: Richard Holy

Department File: D30-2021-003

to

REPORT PLAN2021-025

FILE NO: D30-2021-003

Geographic Township
of Bexley

Lot 1

Unopened Rd. Allowance



Lot A

North West Bay Range

Indian Point Rd.

846 Indian
Point Road

'Retained'

'Severed'

'Benefiting Lands'

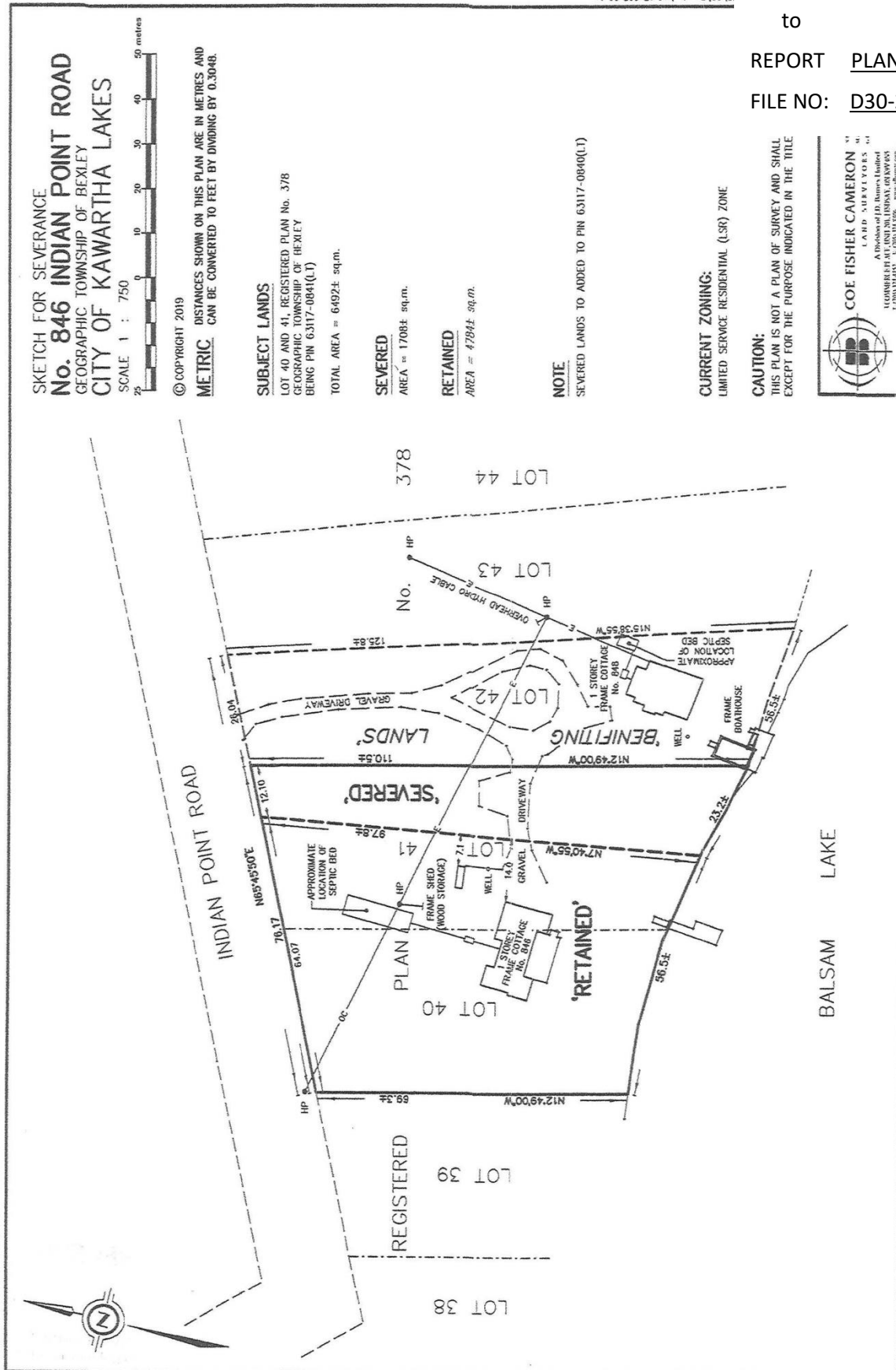
*Balsam
Lake*

848 Indian
Point Road

to

REPORT PLAN2021-025

FILE NO: D30-2021-003



to

REPORT PLAN2021-025

FILE NO: D30-2021-003

848 Indian Point Road, geographic Twp. of Bexley



This map is a user generated static map output and is for reference only. All data, layers and text that appear on this map may not be accurate, current, or otherwise reliable.
THIS MAP MAY NOT BE USED FOR COMMERCIAL OR LEGAL PURPOSES



0.11 Kilometers
WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes

to

The Corporation of the City of Kawartha LakesREPORT PLAN2021-025**By-Law 2021 -**FILE NO: D30-2021-003

**A By-Law to Deem Part of a Plan of Subdivision,
Previously Registered for Lands Within Kawartha Lakes,
Not To Be A Registered Plan Of Subdivision In Accordance With The Planning Act
PIN # 63117-0840(LT), Described as Lot 42, Plan 378, Geographic Township of
Bexley, Now City of Kawartha Lakes**

File D30-2021-003, Report PLAN2021-025, respecting 848 Indian Point Road – RASMUSSEN.

Recitals:

1. Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to deem any plan of subdivision, or part of a plan of subdivision, that has been registered for eight years or more, not to be a registered plan of subdivision for the purposes of Subsection 50(3) of the Planning Act, R.S.O. 1990, c.P.13.
2. Council has been requested to pass a deeming By-law, by the owner of the land described in Section 1 of this By-law.
3. A duplicate of this By-law shall be registered in the Land Registry Office in accordance with the Planning Act, R.S.O. 1990, c.P.13.
4. Notice of the passing of this By-law shall be mailed to the owner(s) of the land described in Section 1 of this By-law.
5. Council considers it appropriate to enact the requested By-law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-__.

Section 1:00 Details

- 1.01 **Property Affected:** PIN # 63117-0840(LT). The Property affected by this By-law is described as Lot 42, Registered Plan 378, geographic Township of Bexley, City of Kawartha Lakes.
- 1.02 **Deeming Provision:** The Property is deemed not to be part of a Registered Plan of Subdivision of the purposes of Subsection 50(3) of the Planning Act, R.S.O. 1990, c.P.13.

Section 2:00 General Terms

- 2.01 **Force and Effect:** This By-law shall come into force on the date it is finally passed, subject to the provisions of Sections 50(26), 50(28), and 50(29) of the Planning Act, R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of **, 2021.

 Andy Letham, Mayor

 Cathie Ritchie, Clerk

Council Report

Report Number: PLAN2021-026

Meeting Date: May 18, 2021

Title: Removal of Holding Provision, 2607226 Ontario Inc.

Description: An application to amend the Town of Lindsay Zoning By-law to remove the Holding provision on the property from a Residential High-Rise One Special Eleven Holding [RH1-S11(H)] Zone to permit a seven storey, 114 residential unit apartment building on vacant land on Chadwin Drive, Lindsay

Author and Title: Sherry L. Rea, Development Planning Supervisor, MCIP, RPP

Recommendations:

That Report PLAN2021-026, **Block 13, Plan 57M-782, former Town of Lindsay, City of Kawartha Lakes, identified as vacant land on Chadwin Drive, Lindsay, 2607226 Ontario Inc. - D06-2021-006**, be received;

That the proposed zoning by-law amendment, substantially in the form attached as Appendix C to Report PLAN2021-026, be adopted by Council; and

That the Mayor and Clerk be authorized to execute any documents required by the approval of this application.

(Acting) Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

Proposal:	This application proposes to remove the Holding (H) symbol from the Residential High-Rise One Special Eleven Holding [RH1-S11(H)] Zone. The effect of the amendment is to permit a seven storey, 114 residential unit apartment building on vacant land on Chadwin Drive, Lindsay
Owner:	2607226 Ontario Inc. c/o Ray Gupta
Applicant:	Martin Lariviere, API Architecture & Planning Initiatives
Legal Description:	Block 13, Plan 57R-782, former Town of Lindsay
Official Plan:	'Residential' on Schedule 'A' of the Town of Lindsay Official Plan
Zone:	'Residential High-Rise One Special Eleven Holding [RH1-S11(H)]' on Schedule 'A' of the Town of Lindsay Zoning By-law No. 2000-75
Site Size:	11,273.4 square metres (2.78 acres)
Site Servicing:	Serviced by municipal water and sanitary and storm sewers
Existing Uses:	Vacant Land
Adjacent Uses:	North: Residential/Multi-Unit Residential East: Local Commercial South: Chadwin Drive and Residential West: Multi-Unit Residential

Rationale:

The subject land is vacant property, which fronts Chadwin Drive and adjacent to Colborne Street West in Lindsay. The property was zoned Residential High-Rise One Special Eleven (RH1-S11) on March 3, 2015 by By-law 2015-042 to permit a 114 residential unit apartment building. The Holding (H) symbol was placed to ensure that the following criteria was met:

- The North West Sanitary Sewer was commissioned.
- That the City received payment of the North West Trunk Municipal Act Capital Charge.

It has been confirmed that the North West Sanitary Sewer has been commissioned and the subject lands are not captured within that sanitary sewer shed. Therefore, payment of the charge is not required. As a result, these requirements have been addressed, and it is now appropriate to remove the (H) Holding provision.

The owner has applied to have the Holding (H) provision removed to allow the construction and servicing of a new 114 units seven (7) storey apartment building in accordance with the RH1-S11 zone provisions. See Appendix B. The development of this property is subject to the owner entering into a site plan agreement with the City. Site plan approval is nearing completion with construction expected to begin shortly. On this basis, it is appropriate for Council to consider removal of the Holding (H) provision.

Applicable Provincial Policies:

The application conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (2019 Growth Plan) and is consistent with the Provincial Policy Statement, 2020 (PPS).

Official Plan Conformity:

The land is designated 'Residential' on Schedule A of the Town of Lindsay Official Plan. The proposed development conforms to the applicable policies of the designation.

Zoning By-Law Compliance:

The property being considered by this application is zoned 'Residential High-Rise One Special Eleven Holding [RH1-S11(H)]' Zone, which permits the 114 unit seven (7) storey apartment building, subject to site specific development standards. Any proposed use of the property would need to conform to the appropriate zoning provisions. The applicant has submitted a rezoning application for removal of the Holding (H) provision to implement the proposed development.

Other Alternatives Considered:

No alternatives have been considered at this time.

Alignment to Strategic Priorities:

The Council Adopted 2020-2023 Strategic Plan identifies these Strategic Priorities:

- Priority 1 – A Vibrant and Growing Economy
- Priority 2 – An Exceptional Quality of Life
- Priority 3 – A Healthy Environment
- Priority 4 – Good Government

This application aligns with an Exceptional Quality of Life Priority as it provides housing options to supply affordable rental accommodation.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision to adopt or its refusal to adopt the requested amendment is appealed to the Local Planning Appeal Tribunal.

Servicing Comments:

The lot is proposed to be serviced by municipal water and sanitary and storm sewer and will be confirmed through the site plan approval process.

Consultations:

Notice of this application was given in accordance with the Planning Act and at the time of writing this report, no comments were received. The Engineering and Corporate Assets Department has confirmed that the Holding (H) symbol can be removed.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City.

Development Services – Planning Division Comments:

Staff support the application based on the information contained in this report and as such, respectfully recommends that the proposed zoning by-law application to remove the Holding (H) symbol be approved and adopted by Council.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Sherry L. Rea, Development Planning Supervisor 705.324.9411 x1331.

Appendix 'A' – Location Map



PLAN2021-026
Appendix A.pdf

Appendix 'B' – Proposed Site Plan



PLAN2021-026
Appendix B.pdf

Appendix 'C' – Draft Zoning By-law



PLAN2021-026
Appendix C.pdf

(Acting) Department Head email: rholy@kawarthalakes.ca

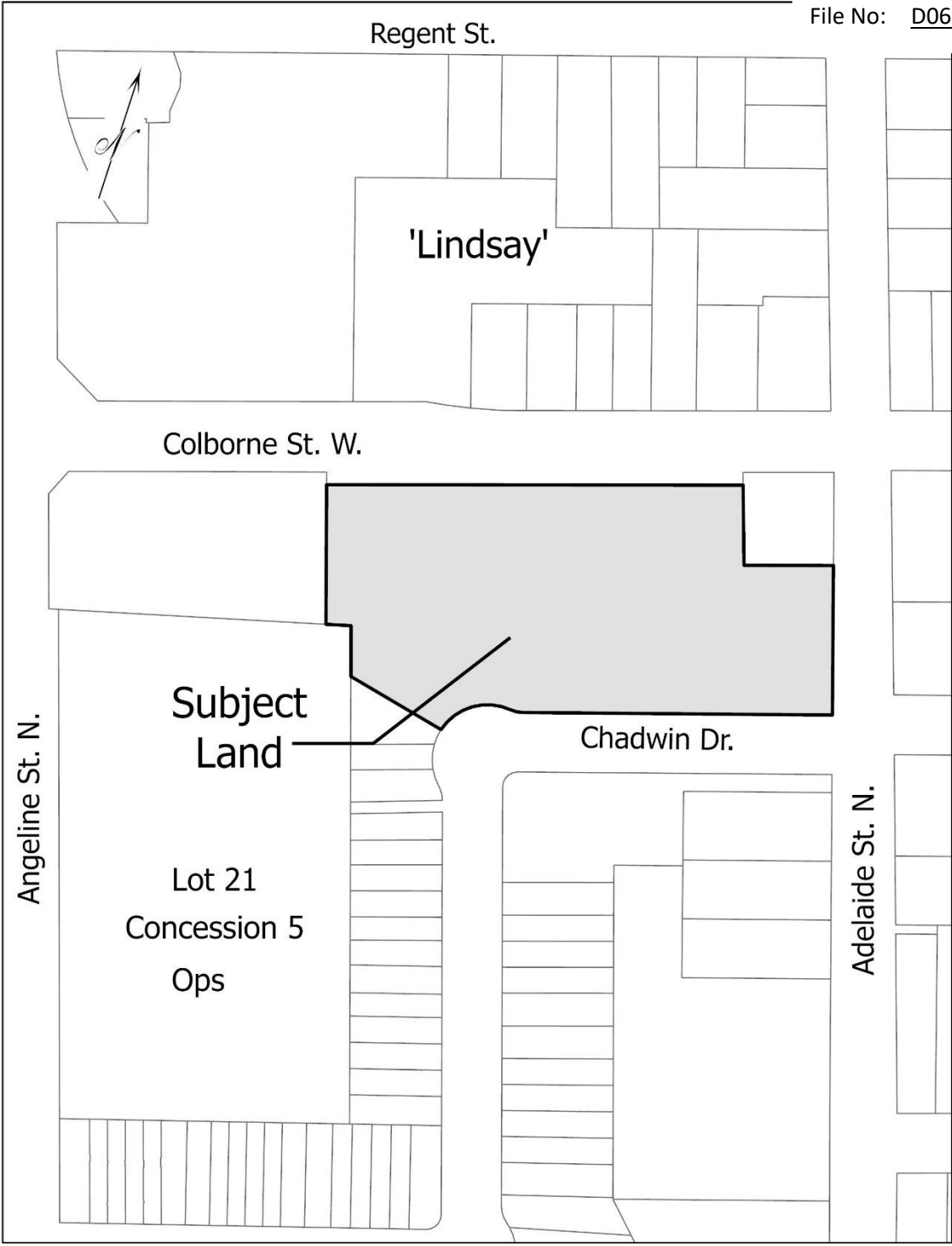
(Acting) Department Head: Richard Holy

Department File: D06-2021-006

to

Report PLAN2021-026

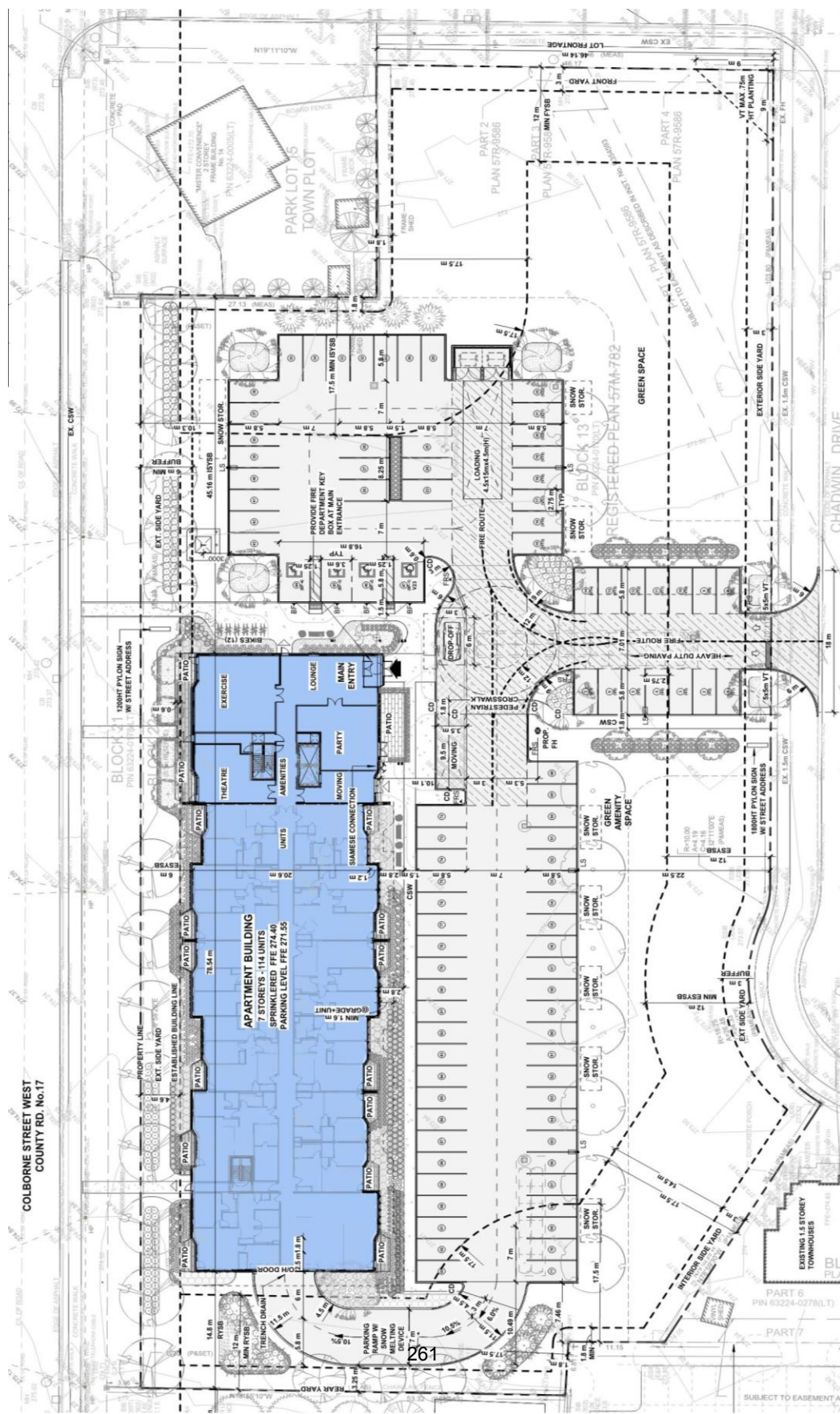
File No: D06-2021-006



to

Report PLAN2021-026

File No: D06-2021-006



The Corporation of the City of Kawartha Lak

By-Law 2021 -

A By-law to Amend the Town of Lindsay Zoning By-law No. 2000-75 to

Rezone Land within the City Of Kawartha Lakes

[File D06-2021-006, Report PLAN2021-026, respecting Block 13, Plan 57M-782, former Town of Lindsay, identified as vacant land on Chadwin Drive – 2607226 Ontario Inc.]

Recitals:

1. Section 36 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to place a Holding (H) symbol on any zoning category assigned to property. The purpose of the Holding (H) symbol is to restrict the use of the property until conditions imposed by Council have been met.
2. The Council of the City of Kawartha Lakes enacted By-law No. 2015-042, which contained a Holding (H) symbol relating to the use of the property.
3. Council has received a request to remove the Holding (H) symbol from the Residential High-Rise One Special Eleven Holding [RH1-S11(H)] Zone.
4. The conditions imposed by Council and shown in By-law 2015-042 are no longer required.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-__.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Block 13, Plan 57M-782, former Town of Lindsay, City of Kawartha Lakes.
- 1.02 **Schedule Amendment:** Schedule A to By-law No. 2000-75 of the Town of Lindsay is further amended to remove the Holding (H) symbol from the Residential High-Rise One Special Eleven Holding [RH1-S11(H)] Zone for the land referred to as RH1-S11, as shown on Schedule A attached to this By-law.

Section 2:00 General Terms

- 2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 36 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of **, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

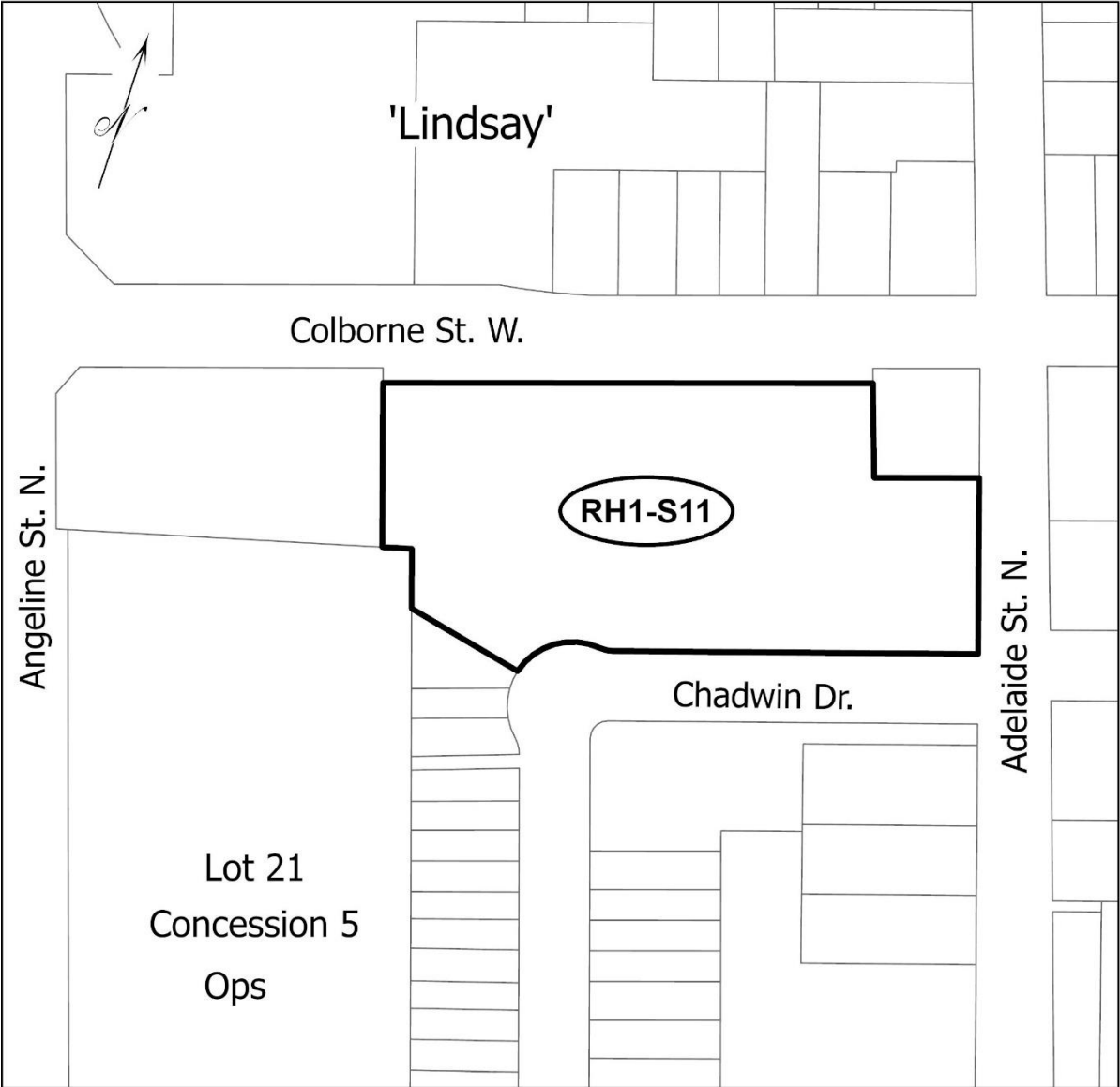
THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2021.

MAYOR _____ CLERK _____



Council Report

Report Number: PLAN2021-027

Meeting Date: May 18, 2021

Title: Removal of Holding Provision, Lindsay Seniors GP Ltd./Lindsay Seniors LP

Description: An application to amend the Town of Lindsay Zoning By-law to remove the Holding provision on the property from a Residential High-Rise One Special Five Holding [RH1-S5(H1)] Zone to permit a five storey, 176 unit senior citizens' home on vacant land at 37 Adelaide Street North.

Author and Title: Mark LaHay, Planner II, MCIP, RPP

Recommendations:

That Report PLAN2021-027, **Block 15, Plan 57M-782, former Town of Lindsay, City of Kawartha Lakes, identified as vacant land at 37 Adelaide Street North, Lindsay, Lindsay Seniors GP Ltd./Lindsay Seniors LP - D06-2021-007**, be received;

That the proposed zoning by-law amendment, substantially in the form attached as Appendix 'C' to Report PLAN2021-027, be adopted by Council; and

That the Mayor and Clerk be authorized to execute any documents required by the approval of this application.

(Acting) Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

Proposal:	This application proposes to remove the Holding (H1) symbol from the Residential High-Rise One Special Five Holding [RH1-S5(H1)] Zone. The effect of the amendment is to permit a five storey, 176 unit senior citizens' home/apartment building on vacant land identified as 37 Adelaide Street North, Lindsay.
Owner:	Lindsay Seniors GP Ltd./Lindsay Seniors LP c/o MTCO Holdings Inc.
Applicant:	Carolyn Molinari, CM Planning Inc.
Legal Description:	Block 15, Plan 57M-782, former Town of Lindsay
Official Plan:	'Residential' on Schedule 'A' of the Town of Lindsay Official Plan
Zone:	'Residential High-Rise One Special Five Holding [RH1-S5(H1)]' on Schedule 'A' of the Town of Lindsay Zoning By-law No. 2000-75
Site Size:	11,519.8 square metres (2.85 acres)
Site Servicing:	Serviced by municipal water and sanitary and storm sewers
Existing Uses:	Vacant Land
Adjacent Uses:	North: High and Low Rise Residential East: Low Rise Residential, Fair Avenue West: Vacant Lands owned by Ross Memorial Hospital South: Ross Memorial Hospital, Low Rise Residential

Rationale:

The subject land is vacant property, which fronts Adelaide Street North and adjacent to a portion of the parking area of the Ross Memorial Hospital in Lindsay. The property was zoned Residential High-Rise One Special Five (RH1-S5) by By-law 2006-330. A Site Plan application has been submitted to permit a 5-storey Seniors' Retirement Residence with 176 suites, with range of uses including Memory Care, Assisted Living, and Independent Living options. The Holding (H1) symbol was placed to ensure that the following criteria was met:

- the removal of the (H1) Holding Symbol shall occur after Council allocates an adequate supply of municipal water and sewer servicing to the proposed development

It has been confirmed that the Rivera Park Sanitary Pumping Station has been built, commissioned, and is operational and that the proposed units for the property at 37

Adelaide Street North can be accommodated. An adequate supply of municipal water and sewer servicing to the proposed development exists. As a result, it is now appropriate to remove the (H1) Holding provision.

The owner has applied to have the Holding (H1) provision removed to allow the construction and servicing of a new 176 unit five-storey seniors' building (See Appendix B) in accordance with the RH1-S5 zone provisions, as amended. The development of this property is subject to the owner entering into a site plan agreement with the City. Site plan approval is nearing completion with construction expected to begin in the near future. On this basis, it is appropriate for Council to consider removal of the Holding (H1) provision.

Applicable Provincial Policies:

The application conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (2019 Growth Plan) and is consistent with the Provincial Policy Statement, 2020 (PPS).

Official Plan Conformity:

The land is designated 'Residential' on Schedule A of the Town of Lindsay Official Plan. The proposed development conforms to the applicable policies of the designation.

Zoning By-Law Compliance:

The property being considered by this application is zoned 'Residential High-Rise One Special Five Holding [RH1-S5(H1)]' Zone, which permits the five-storey 176 unit seniors' building, subject to site specific development standards. In addition, relief has been granted through a Minor Variance application to allow a portion of the required parking (28 parking spaces) in the front yard, a loading space partially in the front yard and to allow an increase in height from 18m to 21m (plus a little extra to account for differences during construction) to accommodate parapet and mechanical features on the roof. Any proposed use of the property would need to conform to the appropriate zoning provisions, and relief, as granted. The applicant has submitted a rezoning application for removal of the Holding (H1) provision to implement the proposed development.

Other Alternatives Considered:

No alternatives have been considered at this time.

Alignment to Strategic Priorities:

The Council Adopted 2020-2023 Strategic Plan identifies these Strategic Priorities:

- Priority 1 – A Vibrant and Growing Economy
- Priority 2 – An Exceptional Quality of Life
- Priority 3 – A Healthy Environment
- Priority 4 – Good Government

This application aligns with an Exceptional Quality of Life Priority as it provides housing options to supply purpose built accommodation for seniors.

Financial/Operation Impacts:

There are no financial considerations unless Council's decision to adopt or its refusal to adopt the requested amendment is appealed to the Local Planning Appeal Tribunal.

Servicing Comments:

The lot is proposed to be serviced by municipal water and sanitary and storm sewer and will be confirmed through the site plan approval process.

Consultations:

Notice of this application was given in accordance with the Planning Act. Engineering and Assets (Development Engineering Division) confirmed that the Rivera Park Sanitary Pumping Station has been built, commissioned, and is operational and can accommodate the proposed units for the subject property.

At the time of writing this report, no other comments were received.

Review of Accessibility Implications of Any Development or Policy:

There are no accessibility implications for the City.

Development Services – Planning Division Comments:

Staff support the application based on the information contained in this report and as such, respectfully recommends that the proposed zoning by-law application to remove the Holding (H1) symbol be approved and adopted by Council.

Attachments:

The following attached documents may include scanned images of appendices, maps, and photographs. If you require an alternative format, please call Mark LaHay, Planner II at 705.324.9411 x1324.

Appendix 'A' – Location Map



Appendix 'A'
PLAN2021-027.pdf

Appendix 'B' – Proposed Site Plan



Appendix 'B'
PLAN2021-027.pdf

Appendix 'C' – Draft Zoning By-law



Appendix 'C'
PLAN2021-027.pdf

(Acting) Department Head email: rholy@kawarthalakes.ca

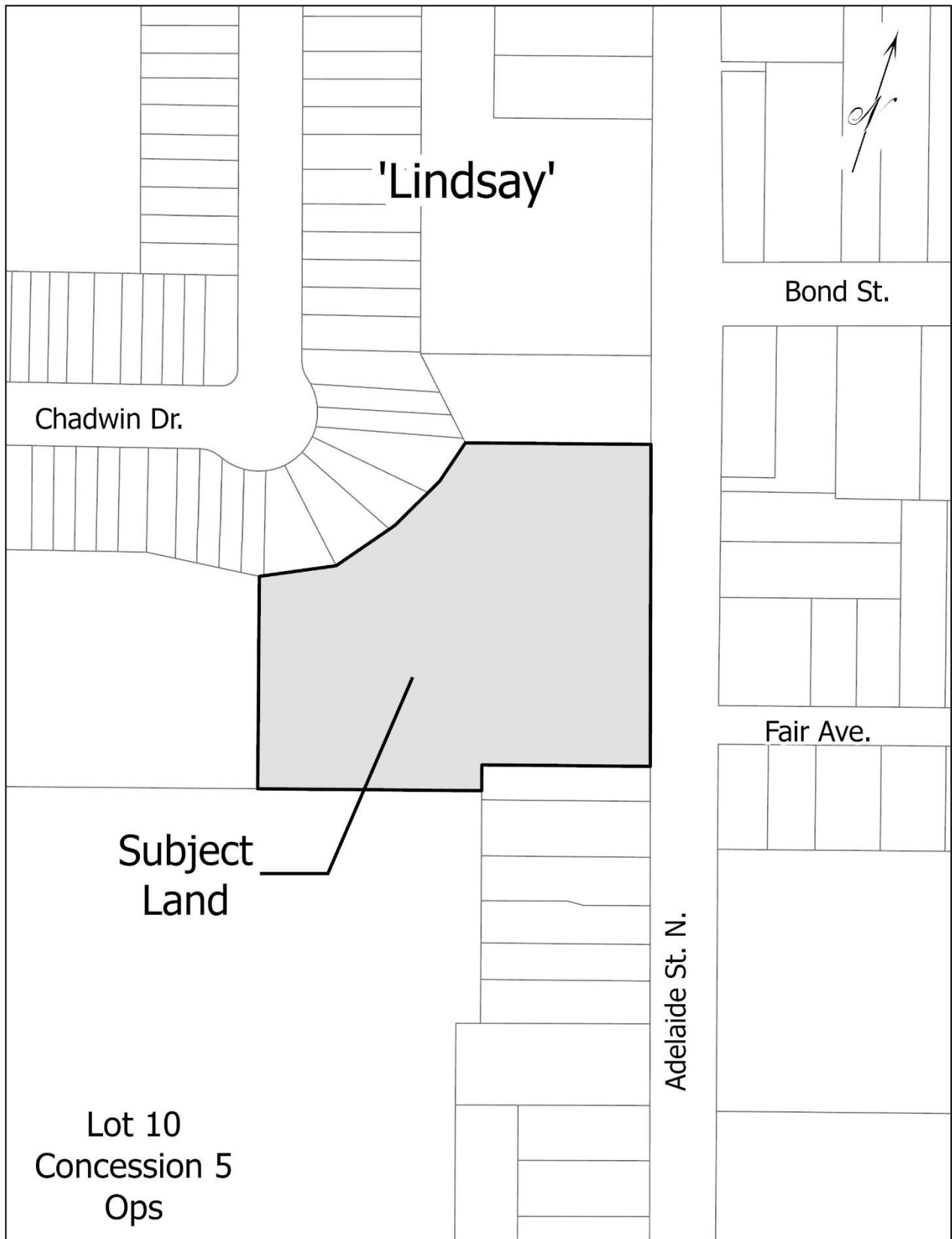
(Acting) Department Head: Richard Holy

Department File: D06-2021-007

to

REPORT PLAN2021-027

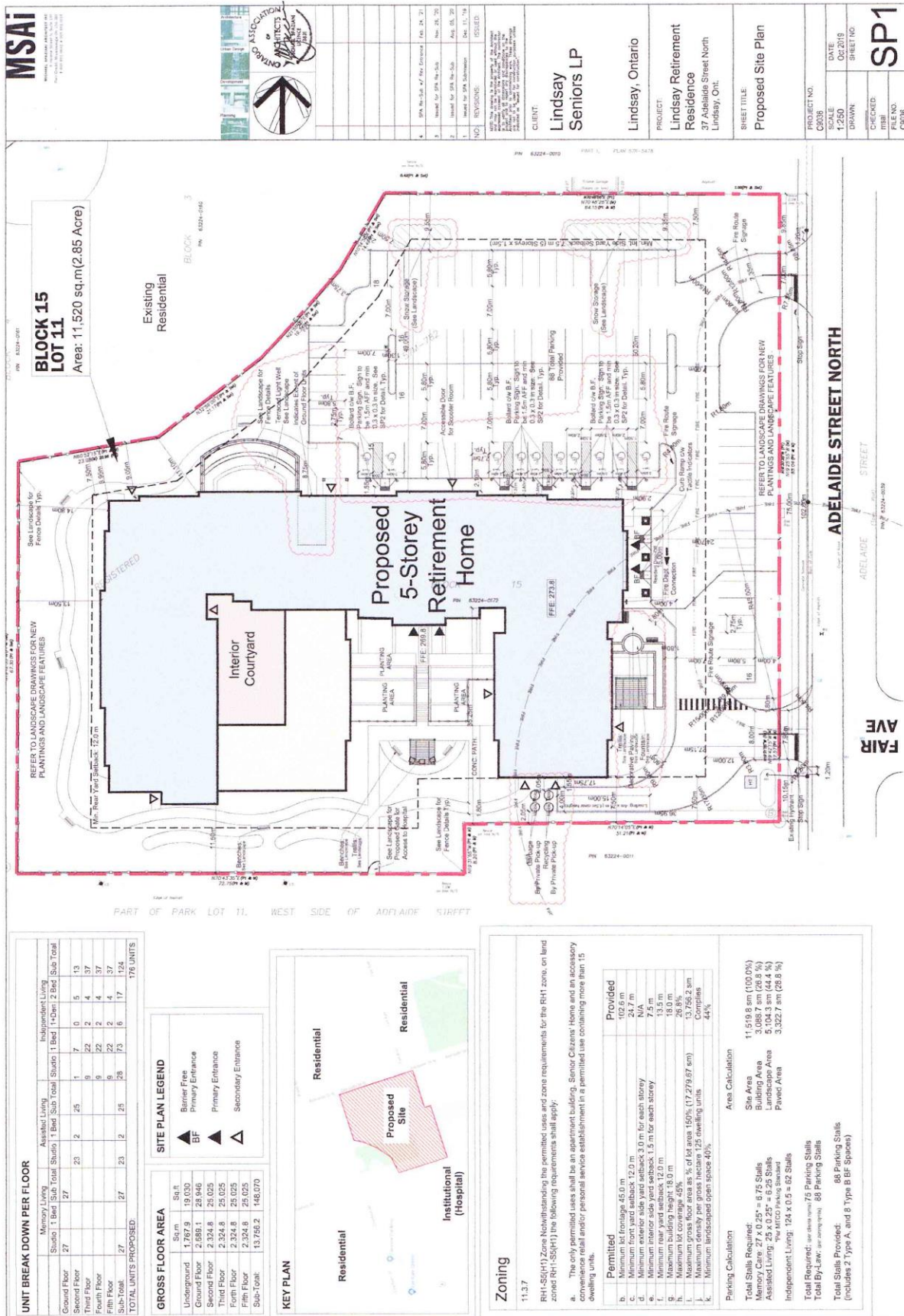
FILE NO: D06-2021-007



to

REPORT PLAN2021-027

FILE NO: D06-2021-007



The Corporation of the City of Kawartha Lakes

By-Law 2021 -

A By-law to Amend the Town of Lindsay Zoning By-law No. 2000-75 to

Rezone Land within the City Of Kawartha Lakes

[File D06-2021-007, Report PLAN2021-027, respecting Block 15, Plan 57M-782, former Town of Lindsay, identified as vacant land at 37 Adelaide Street North - Lindsay Seniors GP Ltd./Lindsay Seniors LP.]

Recitals:

1. Section 36 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to place a Holding (H) symbol on any zoning category assigned to property. The purpose of the Holding (H) symbol is to restrict the use of the property until conditions imposed by Council have been met.
2. The Council of the City of Kawartha Lakes enacted By-law No. 2006-330, which contained a Holding (H1) symbol relating to the use of the property.
3. Council has received a request to remove the Holding (H1) symbol from the Residential High-Rise One Special Five Holding [RH1-S5(H1)] Zone.
4. The conditions imposed by Council and shown in By-law 2006-330 are no longer required.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-__.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Block 15, Plan 57M-782, former Town of Lindsay, City of Kawartha Lakes.
- 1.02 **Schedule Amendment:** Schedule A to By-law No. 2000-75 of the Town of Lindsay is further amended to remove the Holding (H1) symbol from the Residential High-Rise One Special Five Holding [RH1-S5(H1)] Zone for the land referred to as RH1-S5, as shown on Schedule A attached to this By-law.

Section 2:00 General Terms

- 2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 36 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of **, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

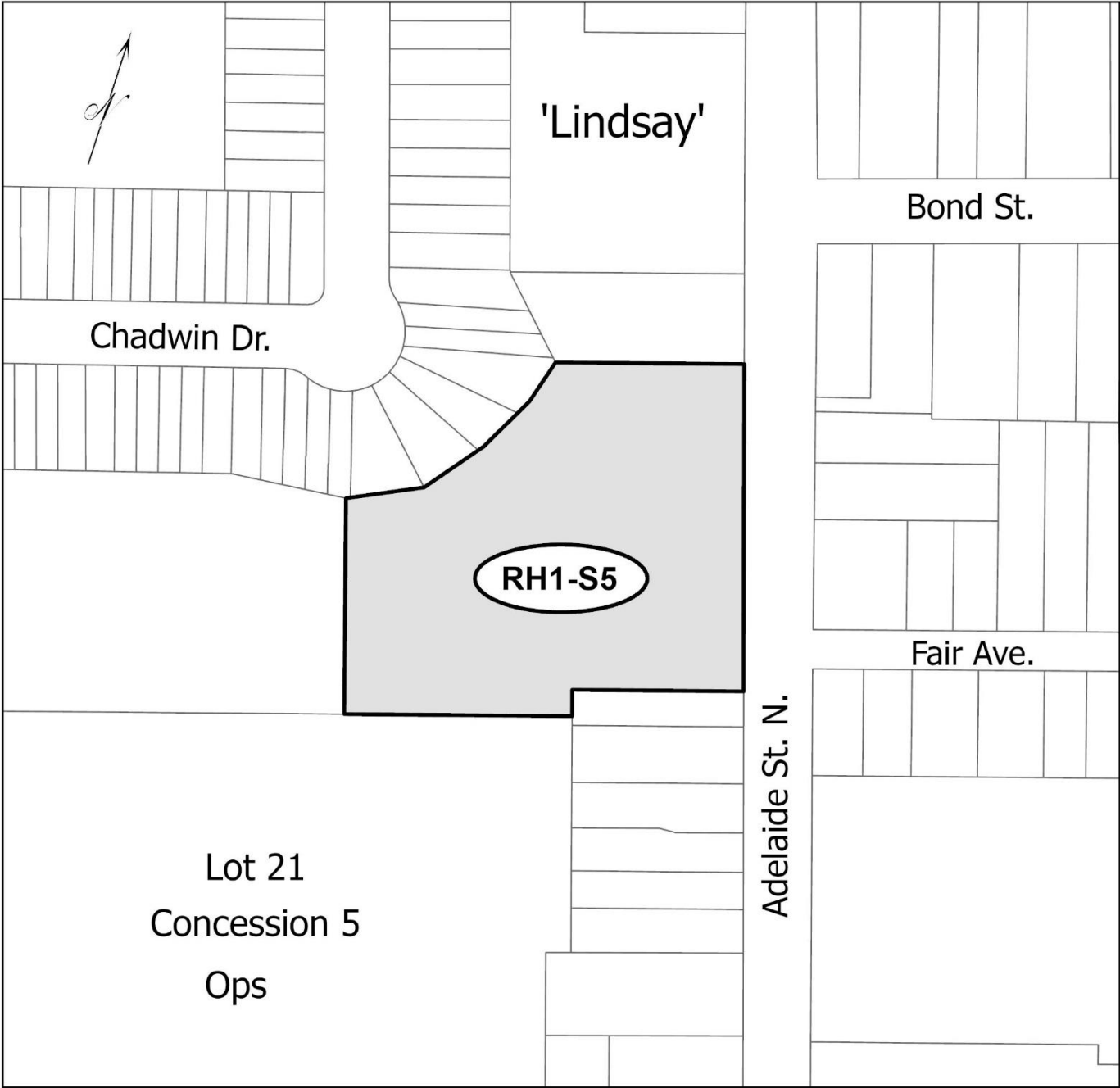
THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2021.

MAYOR _____ CLERK _____



Council Report

Report Number:	PLAN2021-028
Meeting Date:	May 18, 2021
Title:	Council Exemption Request – 2 Year Prohibition on Minor Variance Applications
Description:	A request to Council to pass resolutions for specific properties to allow for applications for minor variances to be applied for within two (2) years of the passing of the original Zoning By-law amendment by Council
Author and Title:	Richard Holy, (Acting) Director of Development Services

Recommendations:

That Report PLAN2021-028, **Council Exemption Request – 2 Year Prohibition on Minor Variance Applications**, be received; and

That in accordance with Section 45.(1.4) of the Planning Act, Council hereby passes this resolution exempting the provisions of Section 45.(1.3) from applying to the following by-laws previously approved by Council relating to specific parcels of land:

By-law 2019-107; and

By-law 2020-029.

(Acting) Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

Recent amendments to the Planning Act provide for a two-year moratorium on certain types of applications, where a Council has passed an amending by-law relating to a parcel of land within the City. Therefore, where Council has passed a site-specific Zoning By-law Amendment, a Minor Variance application cannot be applied for within 2 years of the date of passing of that by-law.

Section 45.(1.3) of the Planning Act states:

‘Subject to subsection (1.4), no person shall apply for a minor variance from the provisions of the by-law in respect of the land, building or structure before the second anniversary of the day on which the by-law was amended.’

Section 45.(1.4) provides an exception to this clause as follows:

‘Subsection (1.3) does not apply in respect of an application if the council has declared **by resolution** that such an application is permitted, which resolution may be made **in respect of a specific application**, a class of applications or in respect of such applications generally.’

Council can therefore consider passing a resolution exempting this two-year moratorium in three different ways:

- a) A resolution relating to a specific by-law passed (property specific); or
- b) A resolution relating to a specific class of applications (based on specific parameters); or
- c) A resolution exempting any applications (exempting all by-laws).

On July 16, 2019, Council passed By-law 2019-107 which relates to a parcel of land at 91 Fleetwood Road in Manvers. The Zoning By-law amendment was required as a condition of provisional consent to sever a dwelling deemed surplus to a farming operation. The new owners of the surplus dwelling now wish to construct an accessory building in the rear yard with a reduced side and rear lot line, but are not able to apply for a minor variance until after the second anniversary (July 16, 2021) of the passing of By-law 2019-107.

On March 19, 2020, Council passed By-law 2020-029 which relates to 2 abutting parcels of land being consolidated, fronting on Angeline Street South in Lindsay, to permit the construction of a hotel on the consolidated property. The owners now wish to increase the height of the proposed hotel, but are not able to apply for a minor variance until after the second anniversary (March 19, 2022) of the passing of By-law 2020-029.

Rationale:

By-law 2019-107 relates to an agricultural proposal where the surplus dwelling was severed and sold to a new owner. The new owner now wishes to add an accessory building closer to the rear and side yard lot lines, such that a larger portion of their rear yard remains available for a future in-ground pool.

By-law 2020-029 relates to a commercial proposal for a hotel, whose owners wish to submit for site plan approval and commence construction. A minor variance is needed for additional building height. This proposal aligns with the Economic Development strategic priorities for enhancing tourism in the City.

Since the passing of the original By-laws, the owners of each proposal have determined that additional relief from the provisions of the respective By-laws are necessary to facilitate the developments. Given that the permitted uses of each property have been established by Council, it is appropriate for the respective owners to request relief through the Committee of Adjustment. Passing of the proposed resolution would expedite the approvals process for each application respectively.

Applicable Provincial Policies:

Not applicable.

Other Alternatives Considered:

No other alternatives have been taken into consideration. Should Council not pass a resolution exempting these proposals from Section 45.(1.3) of the Planning Act, the owners of the respective properties could not apply for minor variances for relief from the provisions of the respective By-laws until the second anniversary of the passing of the original By-laws by Council.

Alignment to Strategic Priorities

The Council Adopted Strategic Plan identifies these Strategic Priorities:

1. Healthy Environment
2. An Exceptional Quality of Life
3. A Vibrant and Growing Economy
4. Good Government

The proposed resolution aligns with the Vibrant and Growing Economy priority by creating an environment to attract new business and expand local employment opportunities, and aligns with the Good Government priority by increasing the efficiency and effectiveness of service delivery by streamlining this process to allow for the

owners to seek Minor Variance applications instead of new Zoning By-law Amendment applications.

Financial/Operation Impacts:

There are no financial considerations for the City.

Servicing Implications:

There are no servicing considerations for the City.

Consultations:

Not applicable.

Attachments:

None.

(Acting) Department Head email: rholy@kawarthalakes.ca

(Acting) Department Head: Richard Holy

Planning Advisory Committee Report

Report Number: PLAN2021-029
Meeting Date: May 18, 2021
Title: A By-law to Deem Lots 39 and 40 (100 Laidlaw Drive),
Geographic Township of Bexley, (McAlister)
Description: Deeming By-law
Type of Report: Regular Meeting
Author and Title: Jonathan Derworiz, Planner II

Recommendation:

That Report PLAN2021-029, **A By-law to Deem Lots 39 and 40 (100 Laidlaw Drive), Geographic Township of Bexley, (McAlister)**, be received;

That a Deeming By-law respecting Lots 39 and 40, Plan 475, substantially in the form attached as Appendix D to Report PLAN2021-029, be approved and adopted by Council; and,

That the Mayor and Clerk be authorized to execute any documents and agreements required by the approval of this application.

(Acting) Department Head: _____

Legal/Other: _____

Chief Administrative Officer: _____

Background:

Proposal:	To deem Lots 39 and 40, Plan 475, as no longer a part of a plan subdivision to facilitate a lot merging
Owner:	Doug and Leslie McAlister
Official Plan:	Waterfront
Zone:	Limited Service Residential (LSR) Zone, Township of Bexley Zoning By-law 93-09
Site Servicing:	Private water and private sanitary
Existing Uses:	Residential. Lot 39 contains a garage and boat house. Lot 40 contains a dwelling
Adjacent Uses:	North: Residential East: Balsam Lake West: Residential South: Unopened road allowance

Rationale:

The owners of Lots 39 and 40, Plan 475 (100 Laidlaw Crescent), as shown on Appendices "A" and "B", have requested that Council pass a deeming by-law removing said lots from a plan of subdivision to facilitate the merging of the two lots. This merger would facilitate the expansion of the existing boathouse as proposed by the applicant.

Other Alternatives Considered:

There are no other alternatives considered to be appropriate or represent good planning. The Deeming By-law is the appropriate method to legally consolidate the subject lands.

Alignment to Strategic Priorities:

The proposed deeming by-law demonstrates the Strategic Goals of an Exceptional Quality of Life and Good Government as providing the applicant the opportunity to consolidate their lots, they are offered a larger building envelope for a detached accessory building.

Financial/Operation Impacts:

The cost of registering the By-law is included in the application fee. There are no financial implications for the City.

Attachments:



Appendix A.pdf



Appendix B.pdf



Appendix C.pdf



Appendix D.pdf

Appendix 'A' – Location Map

Appendix 'B' – Aerial Photo

Appendix 'C' – Surveyor's Sketch

Appendix 'D' – Draft Deeming Bylaw

(Acting) Department Head email: rholy@kawarthalakes.ca

(Acting) Department Head: Richard Holy

Department File: D30-2021-002

Geographic Township
of Bexley

Laidlaw Dr.

Lot 8

Water Access

North West Bay Range

Lot 7

Subject Land
to Deeming By-Law
(Lot 39 & 40, Plan 475)

Lot 39

Lot 40

Water Access

Camelot
Pl.

Balsam
Lake

Lot 39 and Lot 40, Plan 475 (Laidlaw Drive)



0.06

Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© City Of Kawartha Lakes

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Enter your notes here...

Notes

PLAN OF SURVEY OF
LOTS 39 & 40, REGISTERED PLAN No. 475
GEOGRAPHIC TOWNSHIP OF BEXLEY
MUNICIPALITY OF TRENT LAKES
CITY OF KAWARTHA LAKES

SCALE 1 : 300 METRIC

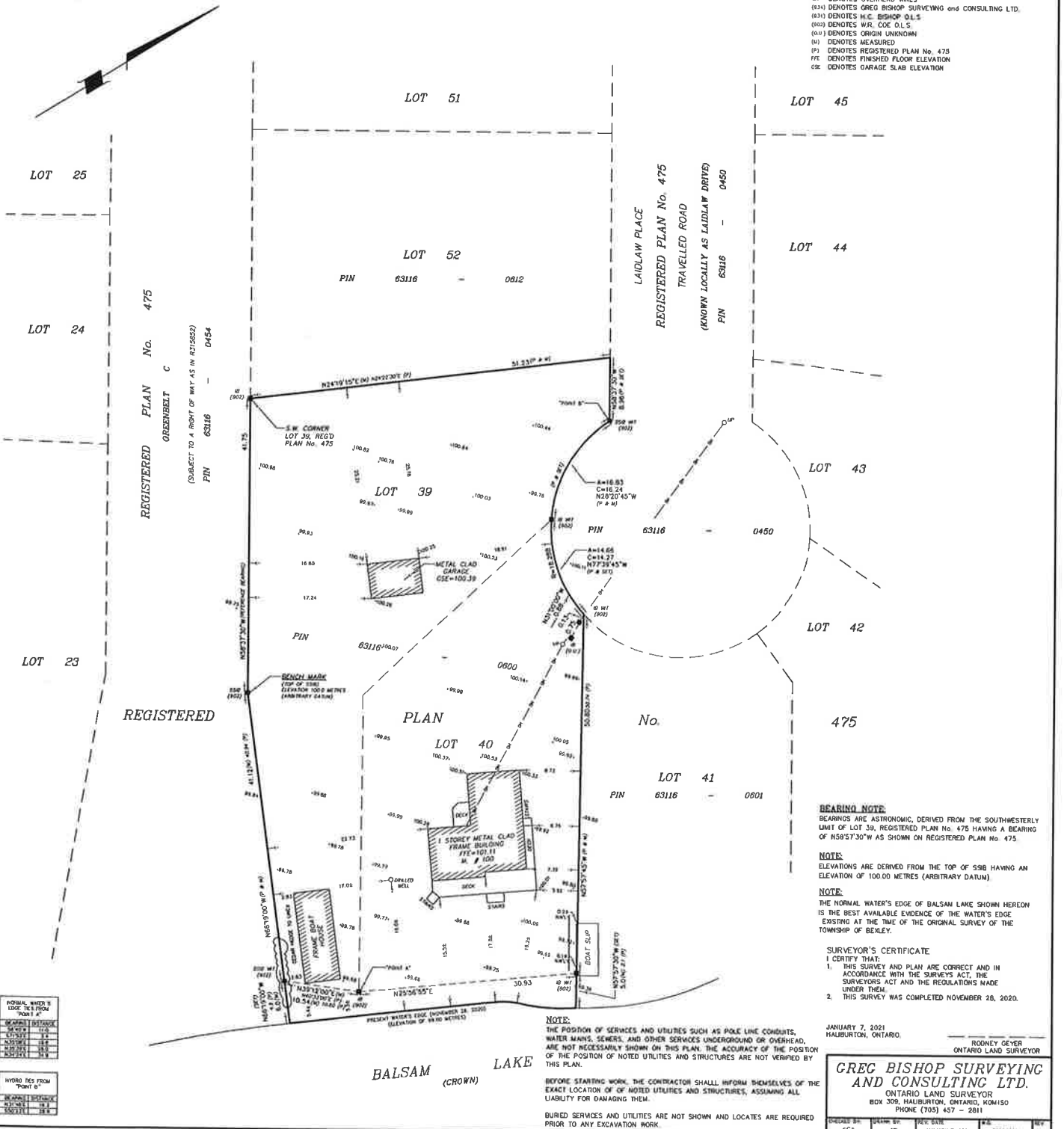


RODNEY GEYER O.L.S.

METRIC: DISTANCES AND COORDINATES ARE IN METRES
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- ▣ DENOTES WOOD STAKES
- SB DENOTES STANDARD IRON BAR
- S5B DENOTES SHORT STANDARD IRON BAR
- W DENOTES IRON BAR
- W+ DENOTES 3/4" DIA. ROUND IRON BAR
- W1 DENOTES WITNESS
- UP DENOTES UTILITY POLE
- OW DENOTES OVERHEAD WIRES
- (G34) DENOTES GREG BISHOP SURVEYING and CONSULTING LTD.
- (G31) DENOTES H.C. BISHOP O.L.S.
- (G32) DENOTES W.R. COE O.L.S.
- (G11) DENOTES CROWN UNDERMAN
- (U) DENOTES MEASURED
- (P) DENOTES REGISTERED PLAN No. 475
- FE DENOTES FINISHED FLOOR ELEVATION
- CSE DENOTES GARAGE SLAB ELEVATION



NORMAL WATER'S EDGE 100 METRES FROM "POINT B"	
WATER'S EDGE	100.00
WATER'S EDGE	100.00
WATER'S EDGE	100.00
WATER'S EDGE	100.00
WATER'S EDGE	100.00
WATER'S EDGE	100.00
WATER'S EDGE	100.00
WATER'S EDGE	100.00
WATER'S EDGE	100.00
WATER'S EDGE	100.00

HYDRO RES FROM "POINT B"	
WATER'S EDGE	100.00
WATER'S EDGE	100.00
WATER'S EDGE	100.00
WATER'S EDGE	100.00
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WATER'S EDGE	100.00
WATER'S EDGE	100.00
WATER'S EDGE	100.00
WATER'S EDGE	100.00
WATER'S EDGE	100.00

BEARING NOTE:
BEARINGS ARE ASTROMOMIC, DERIVED FROM THE SOUTHWESTERLY
LIMIT OF LOT 39, REGISTERED PLAN No. 475 HAVING A BEARING
OF N59°37'30"W AS SHOWN ON REGISTERED PLAN No. 475.

NOTE:
ELEVATIONS ARE DERIVED FROM THE TOP OF S5B HAVING AN
ELEVATION OF 100.00 METRES (ARBITRARY DATUM).

NOTE:
THE NORMAL WATER'S EDGE OF BALSAM LAKE SHOWN HEREON
IS THE BEST AVAILABLE EVIDENCE OF THE WATER'S EDGE
EXISTING AT THE TIME OF THE ORIGINAL SURVEY OF THE
TOWNSHIP OF BEXLEY.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN
ACCORDANCE WITH THE SURVEYS ACT, THE
SURVEYORS ACT AND THE REGULATIONS MADE
UNDER THEM;
2. THIS SURVEY WAS COMPLETED NOVEMBER 26, 2020.

JANUARY 7, 2021
HAUBURTON, ONTARIO.
RODNEY GEYER
ONTARIO LAND SURVEYOR

**GREG BISHOP SURVEYING
AND CONSULTING LTD.**
ONTARIO LAND SURVEYOR
BOX 309, HAUBURTON, ONTARIO, K0M1S0
PHONE (705) 437-2811

NOTE:
THE POSITION OF SERVICES AND UTILITIES SUCH AS POLE LINE CONDUITS,
WATER MAINS, SEWERS, AND OTHER SERVICES UNDERGROUND OR OVERHEAD,
ARE NOT NECESSARILY SHOWN ON THIS PLAN. THE ACCURACY OF THE POSITION
OF THE POSITION OF NOTED UTILITIES AND STRUCTURES ARE NOT VERIFIED BY
THIS PLAN.
BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM THEMSELVES OF THE
EXACT LOCATION OF NOTED UTILITIES AND STRUCTURES, ASSUMING ALL
LIABILITY FOR DAMAGING THEM.
BURIED SERVICES AND UTILITIES ARE NOT SHOWN AND LOCATES ARE REQUIRED
PRIOR TO ANY EXCAVATION WORK.

The Corporation of the City of Kawartha Lakes

By-Law 2021 -

A By-Law To Deem Part of a Plan of Subdivision, Previously Registered For Lands Within Kawartha Lakes, Not To Be A Registered Plan Of Subdivision In Accordance With The Planning Act PIN 63116-0600, Described As Lot 39 and Lot 40, Registered Plan 475, Geographic Township Of Bexley, Now City Of Kawartha Lakes

File D30-2021-002, Report PLAN2021-029, respecting Lot 39 and Lot 40, Registered Plan 475, 100 Laidlaw Drive - McAlister

Recitals:

1. Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to deem any plan of subdivision, or part of a plan of subdivision, that has been registered for eight years or more, not to be a registered plan of subdivision for the purposes of Subsection 50(3) of the Planning Act, R.S.O. 1990, c.P.13.
2. A duplicate of this By-law shall be registered in the Land Registry Office in accordance with the Planning Act, R.S.O. 1990, c.P.13.
3. Notice of the passing of this By-law shall be mailed to the owner(s) of the land described in Section 1 of this By-law.
4. Council considers it appropriate to enact the requested By-law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-__.

Section 1:00 Details

- 1.01 **Property Affected:** PIN 63116-0600. The Property affected by this By-law is described as Lot 39 and Lot 40, Registered Plan 475, geographic Township of Bexley, City of Kawartha Lakes.
- 1.02 **Deeming Provision:** The Property is deemed not to be part of a Registered Plan of Subdivision of the purposes of Subsection 50(3) of the Planning Act, R.S.O. 1990, c.P.13.

Section 2:00 General Terms

- 2.01 **Force and Effect:** This By-law shall come into force on the date it is finally passed, subject to the provisions of Sections 50(26), 50(28), and 50(29) of the Planning Act, R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of **, 2021.

Andy Letham, Mayor

Cathie Ritchie, Clerk

Council Report

Report Number: ENG2021-010

Meeting Date: May 18, 2021

Title: 2021 Airport Budget Reallocation

Description:

Author and Title: Lisa Peimann, Executive Assistant to the Director of Engineering and Corporate Assets

Recommendation(s):

That Report ENG2021-010, **2021 Airport Budget Reallocation**, be received;

That \$50,000 of tax levy funding be transferred from the Airport Obstacle Limitation Surface Survey special project (921210301) to the Capital Contingency Reserve (1.32248); and

That a new capital project, entitled Access Road Taxiway and Apron (987210104), be added to the 2021 Airport Siteworks capital program (9872101) with a budget of \$50,000 financed by the Capital Contingency Reserve (1.32248).

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

At the Special Council Meeting of December 2, 2020, Council adopted the following resolution:

CR2020-415

Moved By Councillor Yeo

Seconded By Councillor Elmslie

That the 2021 Tax-Supported Capital Budget, as amended, be approved.

Carried

Additionally, at the Special Council Meeting of February 16, 2021, Council adopted the following resolution:

CR2021-093

Moved By Councillor Dunn

Seconded By Deputy Mayor O'Reilly

That the 2021 Special Projects Budget, as amended, be approved.

Carried

Rationale:

Through the 2021 Special Projects Budget process, the Airport requested a project to complete an Airport Obstacle Limitation Surface Survey, with a proposed budget of \$60,000. The project was approved by Council on February 16, 2021.

Quotes for the project have been obtained and the work has been awarded substantially under budget. As a result, the Airport is requesting \$50,000 be transferred from the project to the Capital Budget in order to complete much-needed lifecycle improvements to the access road taxiway and apron. This work was planned for 2022, but due to the fact there is existing surplus funds in the Airport's 2021 special project, it is being recommended for acceleration to 2021.

Other Alternatives Considered:

N/A

Alignment to Strategic Priorities

The recommendations of this report align with the priority of Good Government identified in the 2020-2023 Kawartha Lakes Strategic Plan by supporting (i) asset management and (ii) efficiency and effectiveness of service delivery.

Financial/Operation Impacts:

There are no added financial or operational impacts as a result of this request, as funding currently exists. Funding is requested to be transferred from the Special Projects Budget to the Capital Budget.

Project	Project Number	Approved Budget	Budget Transfer	Remaining Balance
Airport Obstacle Limitation Surface Survey	921210301	\$60,000.00	(\$50,000.00)	\$10,000.00
Access Road Taxiway/Apron Resurfacing (*new)	987210104	\$0.00	\$50,000.00	\$50,000.00

* A new capital project number will need to be created for the access road taxiway/apron work.

Consultations:

Manager of Corporate Assets

Airport Manager, Loomex

Attachments:

N/A

Department Head email: jrojas@kawarthalakes.ca

Department Head: Juan Rojas, Director of Engineering and Corporate Assets

Petition to Repair Front St West

Petition summary and background	Intersection on Front St W & West St (3 Way Stop & Boat Launch) Needs to be properly repaired.
Action petitioned for	We, the undersigned, are concerned residents of Front St W who urge the city of Kawartha Lakes to PROPERLY repair the intersection.

Printed Name	Signature	Address	Comment	Date
RICHARD HILL	<i>Richard Hill</i>	425 FRONT. ST. W.		04/27/21
Alicia Hadada	<i>Alicia Hadada</i>	425 Front St W		04/27/21
Tanya Hill	<i>Tanya Hill</i>	425 Front St W.		04/27/21
Colin Campbell	<i>Colin Campbell</i>	436 front St W		04/27/21
Jeff Wade	<i>Jeff Wade</i>	438 front St W	also pit at new intersection	04/27/21
Temisia VGH Biljouw	<i>Temisia Biljouw</i>	394 Front St. W		04/27/21
Tessa van Biljouw	<i>Tessa van Biljouw</i>	"		04/27/21
Teya van Biljouw	<i>Teya van Biljouw</i>	"		04/27/21
Sarah Braund	<i>Sarah Braund</i>	415 front St.		04/27/21
Nathan Braund	<i>Nathan Braund</i>	415 front St.		04/27/21
Kyle Wilson	<i>Kyle Wilson</i>	411 Front St. West		04/27/21
Don & Joe Finner	<i>J. Finner</i>	400 Front St. W.		04/27/21

t: (705) 738-6741
f: (705) 738-1946
60 West Street

Kawartha Lakes Retirement Residence

Regarding: Corner of Front Street and West Street, Bobcaygeon

To who it may concern, my name is Carrie Larose, I am the General Manager at Kawartha Lakes Retirements Residents.

At Kawartha Lakes Retirement Residence we have 86 elderly residents and 33 staff members.

In addition to the above mention residents and staff we also have additional medical staff and approximately 40 essential care givers coming in and out of the property on a consistent bases.

The corner of Front Street and West Street is in terrible shape and is dangerous to the elderly residents.

We are an independent living residence so our residents are out walking and driving.

As I am sure you are aware pavement that is upheaved creates unstable footing for residents, which can result in a fall. At an elderly age a fall can lead to very extensive care and possibly even death. Of course the pot holes are worst for a possible break.

Ambulance and emergency staff also need to access the property and considering the road on this corner it would have to slow them down just to get over it without breaking anything.

I implore you to consider fixing this area. With Covid 19 restrictions, a walk or drive is among the only things residents can do right now. Sunshine and walking directly effects their mental health.

I thank you for your time and consideration.

Carrie Larose

General Manager, **Kawartha Lakes Retirement Residence**

The Corporation of the City of Kawartha Lakes

By-Law 2021-xxx

A By-law to Establish 2021 Tax Ratios in the City of Kawartha Lakes

Recitals

1. Subsection 308 (4) and 308.1 (4) of the Municipal Act, 2001 provides that the council shall pass a by-law in the year to establish the tax ratios for that year.
2. Subsection 308 (6) requires the municipality to pass a by-law adopting tax ratios subsequent to the setting of transition ratios.
3. Ontario Regulation 162/09, amending Ontario Regulation 385/98, provides for the exclusion of properties in a property class in the calculation of tax ratios.
4. The tax ratios determine the relative amount of taxation to be borne by each property class.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-xxx.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“Commercial classes” means the commercial property class and the property classes each of which is a property class that a municipality may opt to have apply under the regulations under the Assessment Act and that contains property that, if the municipality did not opt to have the property class apply, would be in the commercial property class.

“Council” means the municipal council for the City.

“Industrial classes” means the industrial property class prescribed under the Assessment Act and the property classes each of which is a property class that a municipality may opt to have apply under the regulations under the Assessment Act and that contains property that, if the municipality did not opt to have the property class apply, would be in the industrial property class.

“Manager of Revenue and Taxation” means the person within the administration of the City which fulfills the function of the Tax Collector and his or her delegate(s), as required by the Municipal Act, 2001 or, in the event of organizational changes, another person designated by Council.

1.02 Interpretation Rules:

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Tax Ratios

2.01 Transition Ratios: On April 16, 2009 Ontario Regulation 162/09 was made setting out the method of setting transition ratios.

2.02 Tax Ratios: The Tax Ratios for the taxation year 2021 shall be as follows:

Property Class	Tax Ratio
Residential and Farm	1.000000
New Multi Residential	1.000000
Residential FAD 1	0.550000
Farmland	0.250000
Managed Forest	0.250000
Multi Residential	1.956823
Commercial Occupied	1.379305
Commercial Excess Land	1.379305
Commercial Vacant Land	1.379305
Landfill Occupied	1.353442
Industrial Occupied	1.346448
Industrial Excess Land	1.346448
Industrial Vacant Units	1.346448
Pipelines	2.001314

2.03 Optional Property Classes: For the purpose of this By-law:

- a) the commercial property class includes parking lot property, major office buildings, commercial (new construction) and shopping centres; and

- b) the industrial property class includes large industrial properties and industrial (new construction).

Section 3.00: Administration and Effective Date

3.01 **Administration of the By-law:** The Manager, Revenue and Taxation is responsible for the administration of this by-law is responsible for the administration of this by-law.

3.02 **Effective Date:** This By-law shall come into force on the date it is finally

By-law read a first, second and third time, and finally passed, this day of , 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2021-

A By-law to Set Tax Rate Reductions for the Prescribed Subclasses in the City of Kawartha Lakes for the Year 2021

Recitals

1. Subsection 313(1) of the Municipal Act provides that the tax rates that would otherwise be levied for municipal purposes for the subclasses prescribed under Subsection 8 (1) of the Assessment Act shall be reduced in accordance with the rules in that section of the Municipal Act.
2. Ontario Regulation 383/98 prescribes the farmland awaiting development subclasses and tax reduction percentages
3. Council has determined the rates for reductions in the various subclasses prescribed

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-xxx

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“By-Law” means this by-law, as it may be amended from time to time. The Recitals to, and Schedules attached to this By-Law are considered integral parts of it.

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“City Clerk” means the person within the administration of the City which fulfils the function of the City Clerk as required by the Municipal Act.

“Commercial Property Class” includes all major office property, shopping centre property and parking lot property.

“Manager, Revenue and Taxation” means the person within the administration of the City which fulfills the function of the Tax Collector or his or her delegate(s), as required by the Municipal Act, 2001 or, in the event of organizational changes, another person designated by Council.

“Council” means the municipal council for the City.

The **“First and Second Classes of Farmland Awaiting Development”** consist of land as defined in accordance with Ontario Regulation 282/98, as amended.

“Industrial Property Class” includes all large industrial property.

1.02 Interpretation Rules:

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) Wherever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.
- (c) References to items in the plural include the singular, as applicable.
- (d) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Tax Rate Reductions

2.01 Commercial: The tax rate reduction for the vacant land and excess land subclasses in the Commercial Property Class is thirty (30%) percent

2.02 Industrial: The tax rate reduction for the vacant land and excess land subclasses in the Industrial Property Class is thirty-five (35%) percent.

2.03 First Class Undeveloped Farm Land: The tax rate reduction for the First Class of Farm Land Awaiting Development in the residential/farm, multi-residential, Commercial or Industrial Property Classes is forty-five (45%) percent.

2.04 Second Class Undeveloped Farm Land: The tax rate reduction for the Second Class of Farm Land Awaiting Development in the residential/farm, multi-residential, Commercial or Industrial Property Classes is zero (0%) percent.

Section 3.00: Administration and Effective Date

3.01 Administration of the By-law: The Manager, Revenue and Taxation is responsible for the administration of this by-law.

3.02 Effective Date: 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 day of , 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2021-xxx

A By-law to Limit Tax Decreases on Commercial, Industrial and Multi-Residential Properties for 2021 in the City of Kawartha Lakes

Recitals

1. Section 330 of the Municipal Act, 2001 provides that the council of a municipality may pass a by-law to establish a percentage by which tax decreases are limited for 2021.
2. The Council considers it appropriate to limit the tax decreases for commercial, industrial and multi-residential properties this year.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-xxx.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“By-law” means this by-law, as it may be amended from time to time. The Recitals to, and the Schedules attached to this By-law are considered integral parts of it

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Manager of Revenue and Taxation” means the person within the administration of the City which fulfills the function of the Tax Collector and his or her delegate(s), as required by the *Municipal Act, 2001* or, in the event of organizational changes, another person designated by Council.

“Council” or “City Council” means the municipal council for the City;

1.02 Interpretation Rules:

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) Wherever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.

- (c) References to items in the plural include the singular, as applicable.
 - (d) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.
- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Limitation of Tax Decreases

- 2.01 **Application of By-law:** This By-law applies to all properties in the affected property classes whose taxes for municipal and school purposes for 2021, as determined pursuant to the Municipal Act, 2001, exceed their taxes for municipal and school purposes for 2020, as adjusted in accordance with the Provincial Regulations.
- 2.02 **Commercial Property Class:** The property tax decrease percentage retained by the municipality for all property within the commercial class is 0% of the decrease, which would otherwise have been applicable under By-law 2021-xxx.
- 2.03 **Industrial Property Class:** The property tax decrease percentage retained by the municipality for all property within the industrial class 0% of the decrease, which would otherwise have been applicable under By-law 2021-xxx.
- 2.04 **Multi-Residential Property Class:** The property tax decrease percentage retained by the municipality for all property within the multi-residential class is 0% of the decrease, which would otherwise have been applicable under By-law 2021-xxx.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** Manager of Revenue and Taxation is responsible for the administration of this by-law.
- 3.02 **Effective Date:** 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 day of , 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2021-xxx

A By-law to Establish 2021 Tax Rates in the City of Kawartha Lakes

Recitals

1. Section 312 of the Municipal Act, 2001, as amended, provides that the Council of a local municipality shall, after the adoption of estimates for each year, pass a by-law to levy a separate tax rate on the assessment in each property class, including any adjustments made under Sections 32, 33, 34, 39.1 or 40 of the Assessment Act for the purposes of raising the general local municipal levy.
2. Section 326 (1) (c) of the Municipal Act, 2001, as amended provides that the City may designate the area of the municipality in which the residents and property owners receive or will receive an additional benefit from the special service that is not received or will not be received in other areas of the municipality.
3. Section 326 (4) (a) of the Municipal Act, 2001, as amended, states the municipality shall levy a special local municipal levy under section 312 on the rateable property in the area designated in cause (1) (c) to raise the costs determined under clause (1) (e).
4. Tax Billing and Collection Policy, Section 5.01 provides for a minimum tax bill at the amount permitted under the Act.
5. Council Resolution 2016-295 approved a minimum installment amount of \$250.
6. Section 342(b) of the Municipal Act, 2001, as amended, provides that a by-law under 342(1)(a) may establish different installments and due dates for taxes on property.
7. Council has adopted a budget for the 2021 taxation year.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-xxx.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

"City", "City of Kawartha Lakes" or "Kawartha Lakes" means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

"Manager, Revenue and Taxation" means the person within the administration of the City which fulfills the function of the Tax Collector and his or her delegate(s), as required by the Municipal Act, 2001 or, in the event of organizational changes, another person designated by Council;

"Council" or "City Council" means the municipal council for the City;

"Collector" means the Manager, Revenue and Taxation and his or her delegate(s) or, in the event of organizational changes, another person designated by Council;

"MPAC" means the Municipal Property Assessment Corporation;

"RTC" means the Realty Tax Class in relation to the Property Class, as defined within the Assessment Act;

"RTQ" means the Realty Tax Qualifier in relation to the Property Class, as defined within the Assessment Act;

1.02 **Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words "include" and "including" are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.
- (c) All references to the municipalities, which existed prior to January 1, 2001, and which were amalgamated to form the City, are references to the geographic areas of those former municipalities.
- (d) This By-law is subject to By-law 2021-xxx (Limit Tax Decreases on Commercial, Industrial, and Multi-Residential Properties) and must be read and applied in accordance with that By-law.

1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Adoption of Estimates

2.01 **Adoption:** The Council adopts the current estimates of all sums required during the year 2021 for the purposes of the City in the gross amount of \$ 210,578,942 and in the net amount of \$120,950,543.

Section 3.00: Payment Due Dates

3.01 **All Property Classes:** Taxes levied under this By-law for properties within the Residential & Farm, Farmlands, Managed Forest, Commercial, Industrial and Pipeline property classes, are payable in two installments. The first installment is

payable on June 29, 2021 and the second installment is payable on September 29, 2021.

Section 4.00: Alternative Installment Payment Due Dates

- 4.01 **12-Month Preauthorized Payment Program:** Where a property is registered for the 12-month preauthorized debit program taxes are payable in twelve installments and are due on the fifteenth day of each month.
- 4.02 **10-Month Preauthorized Payment Program:** Where a property is registered for the 10-month preauthorized debit program taxes are payable in ten installments. Payments are due on the first day of each month, for the 10-month period beginning in February and ending in November.

Section 5.00: Establishment of Tax Rates

- 5.01 **Assessment:** The whole of the assessment on real property in the City of Kawartha Lakes according to the last assessment roll for the City as amended by MPAC is in the amount of \$14,389,991,644 upon which the rate of taxation for Municipal and Education purposes for the year 2021 shall be fixed and levied pursuant to the provisions of the Municipal Act, 2001. The assessment used for calculation purposes is outlined in Schedule 'A'.
- 5.02 **Rates:** For the year 2021, there shall be levied and collected on the assessment in each property class in Kawartha Lakes, according to the last assessment roll for the City as amended by MPAC, the rates of taxation for current value assessment for general purposes to raise a sum of \$94,475,765. The amount set out in Schedule "B" in column "a" as the General Levy.

2021 Budget Requirement	\$97,350,461
2021 Generally Rated Streetlights	\$197,031
Total General Levy	<u>\$97,547,492</u>

- 5.03 **Fire Area A:** A special levy for fire services in Area A, as defined on Schedule "C", shall be levied and collected on the assessment in each property class in Area A service area in Kawartha Lakes, according to the last assessment roll for the City as amended by MPAC. This special municipal levy shall be at the rates of taxation set out in Schedule "B", column "b", to raise the sum of \$2,777,571.
- 5.04 **Fire Area C:** A special levy for fire services in Area C, as defined on Schedule "C", shall be levied and collected on the assessment in each property class in Area C service area in Kawartha Lakes, according to the last assessment roll for the City as amended by MPAC. This special municipal levy shall be at the rates of taxation set out in Schedule "B", column "c", to raise the sum of \$2,407,966.
- 5.05 **OPP Police Services:** A special levy for Ontario Provincial Police Services shall be levied and collected on the assessment in each property class in the geographic areas other than Lindsay and Ops, according to the last assessment roll for the City as amended by MPAC. This special municipal levy shall be at the rates of taxation set out in Schedule "B", column "d", to raise the sum of \$8,342,610.

- 5.06 **Kawartha Lakes Police Services (Lindsay):** A special levy for Kawartha Lakes Police Services shall be levied and collected on the assessment in each property class in the geographic area of Lindsay in Kawartha Lakes, according to the last assessment roll for the City as amended by MPAC. This special municipal levy shall be at the rates of taxation set out in Schedule “B”, column “e”, to raise the sum of \$6,963,732.
- 5.07 **Kawartha Lakes Police Services (Ops):** A special levy for Kawartha Lakes Police Services shall be levied and collected on the assessment in each property class in the geographic areas of Ops in Kawartha Lakes, according to the last assessment roll for the City as amended by MPAC. This special municipal levy shall be at the rates of taxation set out in Schedule “B”, column “f”, to raise the sum of \$1,111,308.
- 5.09 **Transit:** A special services levy for transit shall be levied and collected on the assessment in each property class in the geographic area of Lindsay in Kawartha Lakes, according to the last assessment roll for the City as amended by MPAC. This special municipal levy shall be at the rates of taxation set out in Schedule “B”, column “g” to raise the sum of \$962,930.
- 5.10 **Parks:** A special levy for parks shall be levied and collected on the assessment in each property class in the geographic area of Lindsay in Kawartha Lakes, according to the last assessment roll for the City as amended by MPAC. This special municipal levy shall be at the rates of taxation set out in Schedule “B”, column “h” to raise the sum of \$290,116.
- 5.11 **Street Lights:** A special services levy for street lights shall be levied and collected on the assessment in each property class in the geographic areas of Lindsay, Omemee, Bobcaygeon, Fenelon Falls, Woodville, and Sturgeon Point in Kawartha Lakes, according to the last assessment roll for the City as amended by MPAC. This special municipal levy shall be at the rates of taxation set out in Schedule “B”, column “i” to raise the sum of \$485,906.
- 5.12 **Business Improvement Area (BIA):** A special levy for the Business Improvement Area shall be levied and collected on the assessment in each property class for each property defined in Schedule “D”, according to the last assessment roll for the City as amended by MPAC. This special municipal levy shall be at the rates of taxation set out in Schedule “B”, column “j”, to raise the sum of \$143,500.
- 5.13 **Education:** In addition to the municipal taxes levied by this By-law, education rates as prescribed by Ontario Regulation 06/20 amending O.Reg. 400/98 shall be levied and collected on the assessment in each property class defined in Schedule “A”, according to the last assessment roll for the city as amended by MPAC.
- 5.14 **Reduction:** The amount raised by the levy provided for in this By-law shall be reduced by the amount previously raised by the interim levy in 2021 and collected.

- 5.15 **PIL Payments:** For payment-in-lieu of taxes due to the City, the actual amount due to the City is based on the last assessment roll for the City as amended by MPAC and the tax rates for the year 2021.
- 5.16 **Application:** Every property owner shall be taxed according to the applicable tax rates in this By-law.

Section 6.00: Public Hospitals, Provincial Mental Health Facilities, Universities, Colleges and Correctional Institutions

- 6.01 The sum of \$75 is fixed as the amount levied in 2021 on each:
- (a) full time student of a designated university or college of applied arts and technology;
 - (b) resident place of a designated correctional institution or training school or youth custody facility; and
 - (c) provincially rated bed in a designated public hospital or provincial mental health facility;
- as determined by the relevant Provincial Minister.
- 6.02 The taxes levied by section 6.01 are due and payable on or before August 31, 2021.

Section 7.00: Minimum Tax

- 7.01 **Minimum Tax:** Where the assessment times the tax rates equals an amount less than \$50.00, the minimum tax bill that will be issued will be \$50.00. For those properties where the taxes generated would be less than \$10.00, those taxes will not be levied and will be cancelled. The difference between the taxes levied at current value assessment times the tax rate and the taxes billed the minimum amount will form part of the general funds of the City.

Section 8.00: Minimum Installment

- 8.01 **Minimum Installment:** Where the total amount of the taxes is \$250.00 or less, the amount shall be payable on the first installment due date.

Section 9.00: Late Payments

- 9.01 **Late Payment Charge:** A percentage charge of one and one-quarter (1.25%) per cent shall be imposed as a penalty for non-payment of taxes under this By-law and shall be added to every tax installment, or part of a tax installment, on the first day of each calendar month after the default in which the default continues, up to and including December of the year concerned.
- 9.02 **Future Installments Due:** The immediate payment of any installments may be required if earlier installments are not paid on time. (Municipal Act, 2001, Section 342(1)(e)).

Section 10.00: Notice of Taxes Due

- 10.01 **Notices:** The Collector is authorized and directed to cause to be mailed or delivered, the notice of taxes due under this By-law to the address of the residence or place of business of the person to whom such notice is required to be given according to the last assessment roll for the City as amended by MPAC.

Section 11.00: Where and How Taxes are Payable

- 11.01 **Payments:** All taxes payable pursuant to this By-law shall be payable to the City. All taxes, including local improvement assessments, water and wastewater rates and other rents, rates or charges payable or collected as taxes, can be paid as follows:
- a) at the office of the Manager, Revenue and Taxation, at 26 Francis Street, Lindsay;
 - b) at any City Municipal Service Centre;
 - c) by mail addressed to City of Kawartha Lakes, P.O. Box 696, Lindsay, Ontario, K9V 4W9; or
 - d) provided they are paid on or before the due dates as specified in Section 3.00 of this By-law may be paid into any Chartered Bank of Canada, Trust Company, Credit Union or Caisse Populaire Incorporated subject to The Credit Unions and Caisses Populaires Act, to the credit of the City, in person, or via internet or telephone banking.
 - e) Through a third party service provider through an agreement entered into by the City and subject to any fees charged by the service provider.
 - f) Payment options may be altered, at the discretion of the City when an emergency has been declared by the Head of Council or Premier of Ontario in all or part of the City of Kawartha Lakes under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act. Should this occur, the City will advise residents of the changes through various media outlets.

Section 12.00: Part Payment of Taxes Due and Owing and Application of Payment

- 12.01 **Partial Payment:** The Manager, Revenue and Taxation is authorized and directed to accept part payment from time to time on account of any taxes due and to give a receipt for the payment, provided that acceptance of any payment shall not affect the collection of any percentage charge imposed and collectable under Section 7.00 of this By-law in respect of non-payment of any taxes or any class of taxes or of any installment of taxes.
- 12.02 **Application of Tax Payment:** A tax payment will be applied in accordance with subsection 347 (1) of the Municipal Act, 2001.

Section 13.00: Administration and Effective Date

13.01 **Administration of the By-law:** The Manager, Revenue and Taxation is responsible for the administration of this by-law.

13.02 **Effective Date:** 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 [redacted] day of [redacted], 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule “A” to By-law 2021-xxx
Assessment Returned to the Municipality

Unit Class/Tax Class/Tax Qualifier					2021 Assessment
COM PIL: FULL	C	F	N	S	\$ 12,989,218
COM PIL: GENERAL	C	G	N	S	\$ 16,978,200
COM TX: FULL, SHARED PIL	C	H	N	S	\$ 3,558,000
COM TX: VACANT LAND, SHARED PIL	C	J	N	S	\$ 724,000
COM PIL: FULL, TX TEN OF PROV	C	P	N	S	\$ 41,200
COM TX: FULL	C	T	N	S	\$ 428,765,838
COM TX: EXCESS LAND	C	U	N	S	\$ 9,118,100
COM TX: VACANT LAND	C	X	N	S	\$ 16,774,200
COM PIL: FULL VACANT LAND	C	Y	N	S	\$ 1,015,900
COM PIL: GENERAL VACANT LAND	C	Z	N	S	\$ 1,598,300
OFFICE BLDG PIL: GENERAL	D	G	N	S	\$ 10,163,500
OFFICE BLDG TX: FULL	D	T	N	S	\$ 4,001,800
OFFICE BLDG TX: EXCESS LAND	D	U	N	S	\$ 7,700
EXEMPT	E		N	S	\$ 439,285,304
FARM TX: FULL	F	T	F	P	\$ 210,000
FARM TX: FULL	F	T	F	S	\$ 1,149,800
FARM TX: FULL	F	T	E	P	\$ 1,257,675,313
FARM TX: FULL	F	T	E	S	\$ 61,095,350
PARKING LOT TX: FULL	G	T	N	S	\$ 208,000
LANDFILL PAYMENT IN LIEU: FULL	H	F			\$ 873,382
IND TX: FULL, SHARED PIL	I	H	N	S	\$ 1,576,200
IND TX: VACANT LAND, SHARED PIL	I	J	N	S	\$ 48,000
IND TX: EXCESS LAND, SHARED PIL	I	K	N	S	\$ 56,200
IND TX: FULL	I	T	N	S	\$ 49,500,103
IND TX: EXCESS LAND	I	U	N	S	\$ 6,889,700
IND TX: VACANT LAND	I	X	N	S	\$ 6,845,100
IND PIL: GENERAL VACANT LAND	I	Z	N	S	\$ 68,000
INDUSTRIAL: New Construction	J	T	N	S	\$ 14,367,500
INDUSTRIAL : Excess Land	J	U	N	S	\$ 771,400
LG IND TX: FULL	L	T	N	S	\$ 6,041,800
LG IND TX: EXCESS LAND	L	U	N	S	\$ 157,300
MULTI-RES TX: FULL	M	T	F	P	\$ 166,364
MULTI-RES TX: FULL	M	T	F	S	\$ 114,855
MULTI-RES TX: FULL	M	T	E	P	\$ 183,193,558
MULTI-RES TX: FULL	M	T	E	S	\$ 5,717,791
NEW MULTI-RES TX:FULL	N	T	F	P	\$ 7,437
NEW MULTI-RES TX:FULL	N	T	F	S	\$ 6,408
NEW MULTI-RES TX:FULL	N	T	E	P	\$ 4,386,769
NEW MULTI-RES TX:FULL	N	T	E	S	\$ 445,286
PIPELINE	P	T	N	S	\$ 22,415,000

**Schedule "A" to By-law 2021-xxx
Assessment Returned to the Municipality**

Unit Class/Tax Class/Tax Qualifier					2021 Assessment
RESIDENTIAL TX: FARM1	R	1	E	P	\$ 2,941,000
RESIDENTIAL PIL: FULL	R	F	F	P	\$ 3,757
RESIDENTIAL PIL: FULL	R	F	F	S	\$ 3,237
RESIDENTIAL PIL: FULL	R	F	E	P	\$ 2,833,780
RESIDENTIAL PIL: FULL	R	F	E	S	\$ 180,526
RESIDENTIAL PIL: GENERAL	R	G	N	S	\$ 8,918,400
RESIDENTIAL TX: FULL, SHARED PIL	R	H	F	P	\$ 216
RESIDENTIAL TX: FULL, SHARED PIL	R	H	F	S	\$ 186
RESIDENTIAL TX: FULL, SHARED PIL	R	H	E	P	\$ 50,310
RESIDENTIAL TX: FULL, SHARED PIL	R	H	E	S	\$ 10,388
RESIDENTIAL PIL: FULL, TXTEN OF PROV	R	P	F	P	\$ 107
RESIDENTIAL PIL: FULL, TXTEN OF PROV	R	P	F	S	\$ 93
RESIDENTIAL PIL: FULL, TXTEN OF PROV	R	P	E	P	\$ 1,238,415
RESIDENTIAL PIL: FULL, TXTEN OF PROV	R	P	E	S	\$ 5,185
RESIDENTIAL TX: FULL	R	T	F	P	\$ 16,048,845
RESIDENTIAL TX: FULL	R	T	F	S	\$ 16,778,865
RESIDENTIAL TX: FULL	R	T	N	S	\$ 317,368
RESIDENTIAL TX: FULL	R	T	E	P	\$ 10,915,584,254
RESIDENTIAL TX: FULL	R	T	E	S	\$ 687,275,388
SHOP CENTER TX: FULL	S	T	N	S	\$ 50,554,130
SHOP CENTER TX: EXCESS LAND	S	U	N	S	\$ 830,200
MANAGED FOREST TX: FULL	T	T	F	P	\$ 360,724
MANAGED FOREST TX: FULL	T	T	F	S	\$ 66,200
MANAGED FOREST TX: FULL	T	T	E	P	\$ 50,045,528
MANAGED FOREST TX: FULL	T	T	E	S	\$ 504,066
COMMERCIAL NEW CONSTRUCTION	X	T	N	S	\$ 64,507,500
COMMERCIAL NEW CONSTRUCTION: EXCESS LAND	X	U	N	S	\$ 1,539,100
COMMERCIAL NEW CONSTRUCTION: VACANT LAND	X	X	N	S	\$ 386,000
TOTAL 2021 ASSESSMENT					\$ 14,389,991,644

Schedule “B” to By-law 2021-xxx
2021 Tax Rates by Realty Tax Class/Qualifier

2021 Class Description	Realty Tax Class	General	Fire	
			Area A	Area C
	RTC	(a)	(b)	(c)
COMMERCIALPIL: FULL	CF	0.01006258	0.00105811	0.00034063
COMMERCIALPIL: GENERAL	CG	0.01006258	0.00105811	0.00034063
COMMERCIALTX: FULL, SHARED PIL	CH	0.01006258	0.00105811	0.00034063
COMMERCIALTX: VACANT LAND, SHARED PIL	CJ	0.00704380	0.00074068	0.00023844
COMMERCIALPIL: FULL, TAXABLE TENANT OF PROV	CP	0.01006258	0.00105811	0.00034063
COMMERCIALTX: FULL	CT	0.01006258	0.00105811	0.00034063
COMMERCIALTX: EXCESS LAND	CU	0.00704380	0.00074068	0.00023844
COMMERCIALTX: VACANT LAND	CX	0.00704380	0.00074068	0.00023844
COMMERCIALPIL: FULL VACANT LAND	CY	0.00704380	0.00074068	0.00023844
COMMERCIALPIL: GENERAL VACANT LAND	CZ	0.00704380	0.00074068	0.00023844
OFFICE BUILDING PIL: GENERAL	DG	0.01006258	0.00105811	0.00034063
OFFICE BUILDING TX: FULL	DT	0.01006258	0.00105811	0.00034063
OFFICE BUILDING TX: EXCESS LAND	DU	0.00704380	0.00074068	0.00023844
EXEMPT	E	0.00000000	0.00000000	0.00000000
FARM TX: FULL	FT	0.00182385	0.00019178	0.00006174
PARKING LOT TX: FULL	GT	0.01006258	0.00105811	0.00034063
LANDFILL PAYMENT IN LIEU: FULL	HF	0.00987390	0.00103827	0.00033425
INDUSTRIAL TX : FULL, SHARED PIL	IH	0.00982287	0.00103291	0.00033252
INDUSTRIAL TX: VACANT LAND, SHARED PIL	IJ	0.00638487	0.00103291	0.00021614
INDUSTRIAL TX: EXCESS LAND, SHARED PIL	IK	0.00638487	0.00067139	0.00021614
INDUSTRIAL TX: FULL	IT	0.00982287	0.00103291	0.00033252
INDUSTRIAL TX: EXCESS LAND	IU	0.00638487	0.00067139	0.00021614
INDUSTRIAL TX: VACANT LAND	IX	0.00638487	0.00067139	0.00021614
INDUSTRIAL PIL: GENERAL VACANT LAND	IZ	0.00638487	0.00067139	0.00021614
INDUSTRIAL (NEW CONS): FULL	JT	0.00982287	0.00103291	0.00033252
INDUSTRIAL (NEW CONS): EXCESS LAND	JU	0.00638487	0.00067139	0.00021614
LARGE INDUSTRIAL INDUSTRIAL TX: FULL	LT	0.00982287	0.00103291	0.00033252
LARGE INDUSTRIAL INDUSTRIAL TX: EXCESS LAND	LU	0.00638487	0.00067139	0.00021614
MULTI-RES TX: FULL	MT	0.01427580	0.00150115	0.00048326
NEW MULTI-RES TX: FULL	NT	0.00729540	0.00076713	0.00024696
PIPLINE TX: FULL	PT	0.01460038	0.00153528	0.00049425
RESIDENTIAL TX: FARM1	R1	0.00401247	0.00042192	0.00013583
RESIDENTIAL PIL: FULL	RF	0.00729540	0.00076713	0.00024696
RESIDENTIAL PIL: GENERAL	RG	0.00729540	0.00076713	0.00024696
RESIDENTIAL TX: FULL, SHARED PIL	RH	0.00729540	0.00076713	0.00024696
RESIDENTIAL PIL: FULL, TXTEN OF PROV	RP	0.00729540	0.00076713	0.00024696
RESIDENTIAL TX: FULL	RT	0.00729540	0.00076713	0.00024696
SHOPPING CENTER TX: FULL	ST	0.01006258	0.00105811	0.00034063
SHOPPING CENTER TX: EXCESS LAND	SU	0.00704380	0.00074068	0.00023844
MANAGED FOREST TX: FULL	TT	0.00182385	0.00019178	0.00006174
COMMERCIAL (New Construction) TX: FULL	XT	0.01006258	0.00105811	0.00034063
COMMERCIAL (New Construction) TX: EXCESS LAND	XU	0.00704380	0.00074068	0.00023844
COMMERCIAL (New Construction) TX: VACANT LAND	XX	0.00704380	0.00074068	0.00023844

Schedule “B” to By-law 2021-xxx
2021 Tax Rates by Realty Tax Class/Qualifier

2021 Class Description	Realty Tax Class	Police		
		OPP	Lindsay	Ops
	RTC	(d)	(e)	(f)
COMMERCIALPIL: FULL	CF	0.00117156	0.00340634	0.00210149
COMMERCIALPIL: GENERAL	CG	0.00117156	0.00340634	0.00210149
COMMERCIALTX: FULL, SHARED PIL	CH	0.00117156	0.00340634	0.00210149
COMMERCIALTX: VACANT LAND, SHARED PIL	CJ	0.00082009	0.00238444	0.00147104
COMMERCIALPIL: FULL, TAXABLE TENANT OF PROV	CP	0.00117156	0.00340634	0.00210149
COMMERCIALTX: FULL	CT	0.00117156	0.00340634	0.00210149
COMMERCIALTX: EXCESS LAND	CU	0.00082009	0.00238444	0.00147104
COMMERCIALTX: VACANT LAND	CX	0.00082009	0.00238444	0.00147104
COMMERCIALPIL: FULL VACANT LAND	CY	0.00082009	0.00238444	0.00147104
COMMERCIALPIL: GENERAL VACANT LAND	CZ	0.00082009	0.00238444	0.00147104
OFFICE BUILDING PIL: GENERAL	DG	0.00117156	0.00340634	0.00210149
OFFICE BUILDING TX: FULL	DT	0.00117156	0.00340634	0.00210149
OFFICE BUILDING TX: EXCESS LAND	DU	0.00082009	0.00238444	0.00147104
EXEMPT	E	0.00000000	0.00000000	0.00000000
FARM TX: FULL	FT	0.00021235	0.00061740	0.00038090
PARKING LOT TX: FULL	GT	0.00117156	0.00340634	0.00210149
LANDFILL PAYMENT IN LIEU: FULL	HF	0.00114960	0.00334247	0.00206209
INDUSTRIAL TX : FULL, SHARED PIL	IH	0.00114365	0.00332520	0.00205143
INDUSTRIAL TX: VACANT LAND, SHARED PIL	IJ	0.00074338	0.00216138	0.00133343
INDUSTRIAL TX: EXCESS LAND, SHARED PIL	IK	0.00074338	0.00216138	0.00133343
INDUSTRIAL TX: FULL	IT	0.00114365	0.00332520	0.00205143
INDUSTRIAL TX: EXCESS LAND	IU	0.00074338	0.00216138	0.00133343
INDUSTRIAL TX: VACANT LAND	IX	0.00074338	0.00216138	0.00133343
INDUSTRIAL PIL: GENERAL VACANT LAND	IZ	0.00074338	0.00216138	0.00133343
INDUSTRIAL (NEW CONS): FULL	JT	0.00114365	0.00332520	0.00205143
INDUSTRIAL (NEW CONS): EXCESS LAND	JU	0.00074338	0.00216138	0.00133343
LARGE INDUSTRIAL INDUSTRIAL TX: FULL	LT	0.00114365	0.00332520	0.00205143
LARGE INDUSTRIAL INDUSTRIAL TX: EXCESS LAND	LU	0.00074338	0.00216138	0.00133343
MULTI-RES TX: FULL	MT	0.00166210	0.00483258	0.00298139
NEW MULTI-RES TX: FULL	NT	0.00084939	0.00246961	0.00152359
PIPLINE TX: FULL	PT	0.00169989	0.00494246	0.00304918
RESIDENTIAL TX: FARM1	R1	0.00046716	0.00135828	0.00083797
RESIDENTIAL PIL: FULL	RF	0.00084939	0.00246961	0.00152359
RESIDENTIAL PIL: GENERAL	RG	0.00084939	0.00246961	0.00152359
RESIDENTIAL TX: FULL, SHARED PIL	RH	0.00084939	0.00246961	0.00152359
RESIDENTIAL PIL: FULL, TXTEN OF PROV	RP	0.00084939	0.00246961	0.00152359
RESIDENTIAL TX: FULL	RT	0.00084939	0.00246961	0.00152359
SHOPPING CENTER TX: FULL	ST	0.00117156	0.00340634	0.00210149
SHOPPING CENTER TX: EXCESS LAND	SU	0.00082009	0.00238444	0.00147104
MANAGED FOREST TX: FULL	TT	0.00021235	0.00061740	0.00038090
COMMERCIAL (New Construction) TX: FULL	XT	0.00117156	0.00340634	0.00210149
COMMERCIAL (New Construction) TX: EXCESS LAND	XU	0.00082009	0.00238444	0.00147104
COMMERCIAL (New Construction) TX: VACANT LAND	XX	0.00082009	0.00238444	0.00147104

Schedule “B” to By-law 2021-xxx
2021 Tax Rates by Realty Tax Class/Qualifier

2021 Class Description	Realty Tax Class				
		Transit	Parks	Streetlights	BIA
	RTC	(g)	(h)	(i)	(j)
COMMERCIALPIL: FULL	CF	0.00047102	0.00014191	0.00016339	0.00349621
COMMERCIALPIL: GENERAL	CG	0.00047102	0.00014191	0.00016339	0.00349621
COMMERCIALTX: FULL, SHARED PIL	CH	0.00047102	0.00014191	0.00016339	0.00349621
COMMERCIALTX: VACANT LAND, SHARED PIL	CJ	0.00032972	0.00009934	0.00011437	0.00244735
COMMERCIALPIL: FULL, TAXABLE TENANT OF PROV	CP	0.00047102	0.00014191	0.00016339	0.00349621
COMMERCIALTX: FULL	CT	0.00047102	0.00014191	0.00016339	0.00349621
COMMERCIALTX: EXCESS LAND	CU	0.00032972	0.00009934	0.00011437	0.00244735
COMMERCIALTX: VACANT LAND	CX	0.00032972	0.00009934	0.00011437	0.00244735
COMMERCIALPIL: FULL VACANT LAND	CY	0.00032972	0.00009934	0.00011437	0.00244735
COMMERCIALPIL: GENERAL VACANT LAND	CZ	0.00032972	0.00009934	0.00011437	0.00244735
OFFICE BUILDING PIL: GENERAL	DG	0.00047102	0.00014191	0.00016339	0.00349621
OFFICE BUILDING TX: FULL	DT	0.00047102	0.00014191	0.00016339	0.00349621
OFFICE BUILDING TX: EXCESS LAND	DU	0.00032972	0.00009934	0.00011437	0.00244735
EXEMPT	E	0.00000000	0.00000000	0.00000000	0.00000000
FARM TX: FULL	FT	0.00008537	0.00002572	0.00002961	0.00000000
PARKING LOT TX: FULL	GT	0.00047102	0.00014191	0.00016339	0.00349621
LANDFILL PAYMENT IN LIEU: FULL	HF	0.00046219	0.00013925	0.00016033	0.00343066
INDUSTRIAL TX : FULL, SHARED PIL	IH	0.00045980	0.00013853	0.00015950	0.00341293
INDUSTRIAL TX: VACANT LAND, SHARED PIL	IJ	0.00029887	0.00009005	0.00010367	0.00221840
INDUSTRIAL TX: EXCESS LAND, SHARED PIL	IK	0.00029887	0.00009005	0.00010367	0.00221840
INDUSTRIAL TX: FULL	IT	0.00045980	0.00013853	0.00015950	0.00341293
INDUSTRIAL TX: EXCESS LAND	IU	0.00029887	0.00009005	0.00010367	0.00221840
INDUSTRIAL TX: VACANT LAND	IX	0.00029887	0.00009005	0.00010367	0.00221840
INDUSTRIAL PIL: GENERAL VACANT LAND	IZ	0.00029887	0.00009005	0.00010367	0.00221840
INDUSTRIAL (NEW CONS): FULL	JT	0.00045980	0.00013853	0.00015950	0.00341293
INDUSTRIAL (NEW CONS): EXCESS LAND	JU	0.00029887	0.00009005	0.00010367	0.00221840
LARGE INDUSTRIAL INDUSTRIAL TX: FULL	LT	0.00045980	0.00013853	0.00015950	0.00341293
LARGE INDUSTRIAL INDUSTRIAL TX: EXCESS LAND	LU	0.00029887	0.00009005	0.00010367	0.00221840
MULTI-RES TX: FULL	MT	0.00066824	0.00020133	0.00023180	0.00000000
NEW MULTI-RES TX: FULL	NT	0.00034149	0.00010289	0.00011846	0.00000000
PIPLINE TX: FULL	PT	0.00068343	0.00020591	0.00023708	0.00507286
RESIDENTIAL TX: FARM1	R1	0.00018782	0.00005659	0.00006515	0.00000000
RESIDENTIAL PIL: FULL	RF	0.00034149	0.00010289	0.00011846	0.00000000
RESIDENTIAL PIL: GENERAL	RG	0.00034149	0.00010289	0.00011846	0.00000000
RESIDENTIAL TX: FULL, SHARED PIL	RH	0.00034149	0.00010289	0.00011846	0.00000000
RESIDENTIAL PIL: FULL, TXTEN OF PROV	RP	0.00034149	0.00010289	0.00011846	0.00000000
RESIDENTIAL TX: FULL	RT	0.00034149	0.00010289	0.00011846	0.00000000
SHOPPING CENTER TX: FULL	ST	0.00047102	0.00014191	0.00016339	0.00349621
SHOPPING CENTER TX: EXCESS LAND	SU	0.00032972	0.00009934	0.00011437	0.00244735
MANAGED FOREST TX: FULL	TT	0.00008537	0.00002572	0.00002961	0.00063369
COMMERCIAL (New Construction) TX: FULL	XT	0.00047102	0.00014191	0.00016339	0.00349621
COMMERCIAL (New Construction) TX: EXCESS LAND	XU	0.00032972	0.00009934	0.00011437	0.00244735
COMMERCIAL (New Construction) TX: VACANT LAND	XX	0.00032972	0.00009934	0.00011437	0.00244735

Schedule “C” to By-law 2021-xxx



fire map.pdf

Schedule “D” to By-law 2021-xxx
Listing of Business Improvement Properties

Property Class	Roll Number	Assessment
CF	010 00200201.0000	184,000
Commercial PIL: Full Total		184,000
CT	010 00200200.0000	641,000
CT	010 00200300.0000	301,100
CT	010 00200400.0000	190,000
CT	010 00200500.0000	1,518,800
CT	010 00200600.0000	408,500
CT	010 00200650.0000	215,400
CT	010 00200700.0000	181,700
CT	010 00200800.0000	212,800
CT	010 00201000.0000	351,200
CT	010 00201100.0000	320,000
CT	010 00201200.0000	158,100
CT	010 00201300.0000	1,219,000
CT	010 00201400.0000	989,700
CT	010 00201500.0000	330,000
CT	010 00201700.0000	741,700
CT	010 00201800.0000	931,000
CT	010 00202200.0000	249,800
CT	010 00202300.0000	322,000
CT	010 00202400.0000	281,000
CT	010 00202500.0000	294,900
CT	010 00202600.0000	191,800
CT	010 00202700.0000	608,000
CT	010 00202800.0000	296,000
CT	010 00202900.0000	316,000
CT	010 00203000.0000	352,000
CT	010 00203100.0000	584,000
CT	010 00203200.0000	515,700
CT	010 00203300.0000	364,800
CT	010 00203400.0000	263,500
CT	010 00203500.0000	902,700
CT	010 00222500.0000	255,700
CT	010 00222600.0000	122,500
CT	010 00222700.0000	103,400
CT	010 00222900.0000	116,500
CT	010 00223100.0000	205,000

Schedule "D" to By-law 2021-xxx
Listing of Business Improvement Properties

Property Class	Roll Number	Assessment
CT	010 00223200.0000	181,600
CT	010 00223300.0000	143,300
CT	020 00200200.0000	869,000
CT	020 00200300.0000	344,000
CT	020 00200400.0000	294,000
CT	020 00200500.0000	500,000
CT	020 00200600.0000	222,300
CT	020 00200700.0000	237,000
CT	020 00200800.0000	587,000
CT	020 00200900.0000	865,000
CT	020 00201000.0000	237,000
CT	020 00201200.0000	187,000
CT	020 00201300.0000	2,190,000
CT	020 00201500.0000	333,049
CT	020 00201600.0000	583,000
CT	020 00201700.0000	372,000
CT	020 00201800.0000	3,489,000
CT	020 00217000.0000	340,000
CT	020 00217200.0000	274,000
CT	020 00300210.0000	189,000
CT	020 00300220.0000	200,100
CT	020 00300230.0000	209,900
CT	020 00300300.0000	537,400
CT	020 00300500.0000	778,100
CT	020 00301000.0000	410,000
CT	020 00301100.0000	329,000
CT	020 00301200.0000	391,000
CT	020 00301400.0000	296,000
CT	020 00301700.0000	1,027,000
CT	020 00326200.0000	364,000
CT	020 00326300.0000	535,000
CT	020 00326500.0000	472,700
CT	040 00325000.0000	841,700
CT	040 00325500.0000	500,500
CT	040 00325600.0000	258,100
Commercial Taxable: Full Total		34,643,049

Schedule "D" to By-law 2021-xxx
Listing of Business Improvement Properties

Property Class	Roll Number	Assessment
CU	010 00201200.0000	75,200
CU	020 00300500.0000	123,900
Commercial Taxable: Excess Land Total		199,100
ST	020 00201800.0000	2,357,000
Shopping Centre Taxable: Full Total		2,357,000
XT	010 00223500.0000	748,000
XT	020 00300800.0000	2,389,000
XT	020 00326400.0000	584,000
New Construction Commercial Taxable: Full Total		3,721,000
	GRAND TOTAL	41,104,149

The Corporation of the City of Kawartha Lakes

By-Law 2021-xxx

A By-law to Provide 2021 Tax Relief To Certain City of Kawartha Lakes Property Owners Who Are Low Income Elderly Persons, Low Income Persons Between The Ages Of 55 And 64, Low Income Disabled Persons Or Ontario Disability Support Program Recipients

Recitals

1. Section 319 of the Municipal Act, 2001, S.O. 2001, c.25, provides that for purposes of relieving financial hardship, a municipality may pass a by-law providing for deferrals or cancellation of, or other relief in respect of all or part of a tax increase for 1998 and subsequent years on property in the residential property class for persons assessed as owners who are, or whose spouses are, (a) low-income seniors as defined in the by-law; or (b) low-income persons with disabilities as defined in the by-law.
2. Section 365 of the Municipal Act, 2001, S.O. 2001, c.25, provides that the council of a local municipality may, in any year, pass a by-law to provide for the cancellation, reduction or refund of taxes levied for local municipal and school purposes in the year by the council in respect of an eligible property of any person who makes an application in that year to the municipality for that relief whose taxes are considered by the council to be unduly burdensome, as defined in the by-law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-xxx.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Council” or “City Council” means the municipal council for the City;

“Manager of Revenue and Taxation” means the person within the administration of the City which fulfills the function of the Tax Collector or his or her delegate(s), as required by the Municipal Act, 2001 or, in the event of organizational changes, another person designated by Council.

“Assessment Related Property Tax Increase” is the increase in property taxes attributed directly to an increase in the assessed value of the eligible property

“Low-income Senior” means:

- i) a person who attained the age of 65 years as of December 31st of the previous year and is in receipt of benefits paid under the Guaranteed Income Supplement (GIS) program, as established under The Old Age Security Act (Canada);
- ii) a person aged 55 to 64 years of age as of December 31st of the previous year whose taxable income, as reported on Line 260 of the 2019 Income Tax Notice of Assessment, is less than \$30,000.

“Low-income person with disabilities” means a person who is in receipt of benefits paid under the Ontario Disability Support Program Act, 1997; or a disability amount paid under the Family Benefits Act (Ontario); or a Canada Pension Plan Disabilities Pension, and be eligible to claim a disability amount as defined under the Income Tax Act (Canada).

“Eligible person” means a “low-income senior” or a “low-income person with disabilities” or the spouse of such eligible person whose name also appears as a registered owner of the property.

“Eligible property” means residential property located in the City of Kawartha Lakes that is utilized as a principle residence and must be solely owned (with their spouse, if applicable) and occupied by the eligible person(s) as of January 1st of the year for which a tax credit is being applied.

“Owner” means a person assessed as the owner of residential real property, and includes an owner within the meaning of the Condominium Act.

“Tax increase” means the difference between current year tax on assessment and the previous year tax on assessment – excluding tax increases resulting from an assessment increase from new construction and/or improvements to a property.

“Eligible amount” means for

- (i) Low Income Senior as defined in section 1.01 (c) (i) and Low income person with disabilities, a combined amount totaling \$175 that first addresses the assessment related increase for the eligible property, and if the assessment related increase is less than \$175, the balance of the \$175 is related to taxes considered to be unduly burdensome.
- (ii) Low Income Senior as defined in section 1.01 (c) (i) and Low income person with disabilities, where the taxes have decreased from 2019, an amount equivalent to the

- difference between the \$175 and the amount of the total property tax reduction.
- (iii) Low Income Senior aged from 55 to 64 the amount of the property tax increase assessment related property tax increase to a maximum of \$175 per year, with a minimum rebate of \$25, if there is an increase in property taxes from the previous year.

The tax relief applies only to increases in tax based upon assessment values and does not apply to any additional charges that may be levied against the property, including but not restricted to local improvement charges, or any other miscellaneous types of charges added to the Tax Roll for collection purposes.

The tax relief amount shall be prorated from the date of ownership to December 31st, if the applicant subsequent to January 1st of the year for which the relief is sought purchases the property.

1.02 Interpretation Rules:

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Tax Relief Provisions

2.01 Tax relief granted pursuant to this by-law shall be in the form of an outright cancellation of the annual eligible amount, provided that:

(a) the Owner, or the spouse of such Owner, or both, occupies or occupy the property in respect of which real property taxes are imposed, as his, her or their principle residence;

(b) the Owner, or the spouse of such Owner, or both, have been or has been the assessed owner of the residential real property in the City on or before January 1st of the year for which they are applying for the credit

2.02 No tax relief granted pursuant to this by-law shall be allowed to an Owner in respect of more than one (1) single family dwelling unit in any year and the residence must be solely classified in the Residential tax classification.

- 2.03 Tax relief shall be granted, pursuant to this by-law, to only one eligible person per household.
- 2.04 Applications for the property tax rebate must be in writing on a form prepared by the City for this purpose and must be submitted to the City of Kawartha Lakes on or before August 31 of this taxation year for which the property tax rebate is sought.
- 2.05 The application must be submitted to:
- Manager of Revenue & Taxation
P.O. Box 696
26 Francis St.
Lindsay ON K9V 4W9
- 2.06 Applications must include documentation in supporting the applicant is an eligible person and that the property with respect to which the application is made is an eligible property.
- 2.07 Successful applications will result in a credit applied to the eligible property tax account to be deducted from the final tax installment for the year.
- 2.08 Credits will not be refunded but will be applied to future property taxes.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** Manager of Revenue and Taxation is responsible for the administration of this by-law is responsible for the administration of this by-law.
- 3.02 **Effective Date:** 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 day of , 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2021-

A By-law to Provide 2021 Water Rate Relief To Certain City of Kawartha Lakes Property Owners Who Are Low Income Elderly Persons, Low Income Persons Between The Ages Of 55 And 64, Low Income Disabled Persons Or Ontario Disability Support Program Recipients

Recitals

1. Section 10 of the Municipal Act, 2001, S.O. 2001, c.25, provides a municipality may provide any service or thing that the municipality considers necessary or desirable for the public.
2. Section 391 of the Municipal Act, 2001, S.O. 2001, c.25, provides that the council of a local municipality may impose fees and charges that include administration charges

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021- .

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Council” or “City Council” means the municipal council for the City;

“Dependant” means a child if:

- i. he/she is under 18;
- ii. he/she resides in the same home with his/her parent(s);
- iii. the parent(s) is an ODSP applicant/recipient or his/her spouse; and

The applicant/recipient receives the Canada Child Tax Benefit on behalf of the child or if that does not apply, has been determined to be the child's primary caregiver.

In addition, if the child is of school age, the child must be attending school. If the child is over 16 years of age, the child must be making satisfactory progress in school. The child is exempt from the school requirement, if the child is unable to attend school due to a physical or mental disability, or for reasons outside his/her control.

“Eligible person” means a “low-income senior” or a “low-income person with disabilities” or the spouse of such eligible person whose name also appears as a registered owner of the property who meets the qualifications set out in this By-law.

“Eligible property” means

- i. a property classified as residential real property on the annual assessment roll for the City of Kawartha Lakes, or
- ii. a portion of real properties classified as residential real property that is utilized as a principle residence and must be solely owned (with their spouse, if applicable) and occupied by the eligible person(s).

“Household income” means the combined gross income of all eligible persons occupying the eligible property in respect of which the application for a water bill rebate is made.

“Low-income person with disabilities” means:

- i. Who has owned and occupied, as the principal residence, the eligible property for a period of not less than one year immediately preceding the date of application for the rebate;
- ii. Who is in receipt of one or more of the following: benefits paid under the Ontario Disability Support Program Act, 1997; or a disability amount paid under the Family Benefits Act (Ontario); or a Canada Pension Plan Disabilities Pension.

“Low-income Senior” means:

- i. Who has owned and occupied, as the principal residence, the eligible property for a period of not less than one year immediately preceding the date of application for the rebate;
- ii. a person who attained the age of 65 years as of December 31st of the previous year and is in receipt of benefits paid under the Guaranteed Income Supplement (GIS) program, as established under The Old Age Security Act (Canada);
- iii. a person between the ages of 55 to 64 years of age as of December 31st of the previous year whose combined taxable income, with their spouse (if applicable), as reported on Line 260 of the 2019 Income Tax Notice of Assessment, is less than \$30,000.

“Manager of Revenue and Taxation” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

“Owner” means a person assessed as the owner of the eligible property, and includes the owner within the meaning of the Condominium Act.

“Treasurer” means the Director of Finance and Treasurer for the City of Kawartha Lakes or their designate.

1.02 Interpretation Rules:

- i. The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
 - ii. The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.
- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Water bill rebate for eligible low income disabled persons and low income seniors

- 2.01 The City shall, where an eligible person has made a successful application in relation to an eligible property under this portion of this By-law relating to the water bill rebate, provide a rebate in accordance with the provisions set out in Sections 2 to 5 of this By-law, inclusive.
- 2.02 The water bill rebate shall be set at a rate representing a twenty-percent reduction from the water rate, as set out in the City of Kawartha Lakes By-law 218-039, A By-Law To Regulate Water and Wastewater Services in The City Of Kawartha Lakes, or at such other rate as determined by City Council from time to time.

Section 3.00: Eligibility to receive a water bill rebate.

- 3.01 A person is eligible to receive a water bill rebate if:
- i. The person is an eligible low-income disabled person or low-income senior;
 - ii. The person occupies the eligible property, which is the subject of the rebate application, as his or her personal principal residence;
 - iii. The person has made an application for the water bill rebate program in accordance with the provisions of Section 4.00 of this By-law.
 - iv. The application for a water bill rebate is in respect of only the water bill for the year in which the application is made;
- 3.02 The person agrees to notify the Treasurer of any change in circumstances which would alter his or her status as an eligible person, or the amount of the water bill rebate to which they are entitled;
- 3.03 The person is an owner who has occupied the eligible property, which is the subject of the rebate application, for a period of not less than one year immediately preceding the date of application for the rebate;
- 3.04 Where title to the eligible property, which is the subject of the rebate application, is held by an eligible person and his or her spouse or same

- sex spouse and no other owner, one of the joint owners must qualify as an eligible person, but where title to the eligible property is held jointly by an eligible person and a person or persons who are not his or her spouse or same sex spouse, all of the joint owners must qualify as an eligible person;
- 3.05 Payment to the City for all taxes payable for all previous years and water and wastewater bill charges payable for the current year related to the eligible property, which is the subject of the rebate application, have been made in full.
- 3.06 The water consumption for the eligible property, which is the subject of the rebate application, must be
- i. 175 cubic metres or less of water per calendar year for a qualifying low income Senior; or
 - ii. 175 cubic metres or less for a low-income disabled person with up to 2 permanent residents; or
 - iii. 300 cubic metres or less for a low-income disabled person with more than 2 permanent residents residing at the property and residents of the property who are not registered owners of the property are dependants of the property owner(s).
- 3.07 The eligible property, which is the subject of the rebate application, must be metered and the applicant must provide to the City an actual meter reading in or around December 31 or the last quarter of the year, and/or provide access to City staff to obtain an actual reading; or
- 3.08 If the eligible property is one that is on the flat-rate billing system, the applicant must have made a request to the City of Kawartha Lakes, Utility Billing Section for the installation of a water meter and made a reasonable effort to provide the City access to install the new meter, in which case, the water bill rebate shall be calculated to a maximum rebate that an eligible metered customer would be entitled to receive for a consumption of 175 cubic metres, for accounts paid on or before the due date for the year in which the rebate is being sought.

Section 4.00: Administration and Effective Date

- 4.01 Applications for the water bill rebate must be in writing on a form prepared by the City for this purpose and must be submitted to the City of Kawartha Lakes on or before September 30 of the year for which the water bill rebate is sought.
- 4.02 An application must include documentation in support thereof in a form satisfactory to the Manager of Revenue and Taxation, to establish that the applicant or, in the case of property held jointly in accordance with Section 3.04, the applicant's spouse, is an eligible person, that the eligible property with respect to which the application is made is eligible for such water bill rebate and to establish the amount of water bill rebate to which the eligible person is entitled.

Section 5.00: Credit to water bill account

The following provisions shall apply to the water bill rebate program:

- 5.01 The rebate for eligible low-income seniors and low-income disabled persons shall be in the form of a credit applied to the eligible person's water bill for the eligible property which is the subject of the rebate application;
- 5.02 If all eligibility requirements are met, the credit shall be applied to the eligible person's first water bill of the following year;
- 5.03 If an eligible person sells their eligible property during the year, and provided that a final read was forwarded to the City prior to the change in ownership, a rebate will be credited to the final bill for the portion of the year the eligible property was owned by the eligible person and shall be issued based on the consumption used up to the change of ownership date calculated on a pro-rated basis; and
- 5.04 In any year, or eligible portion thereof, the water bill rebate or credit rate shall be calculated by multiplying the water per cubic metre rate by 20%, and such rates being based on 'paid on or before the due date', applicable for the year or portion thereof in which the rebate is being applied for.

Section 6.00: Administration and Effective Date

- 6.01 **Administration of the By-law:** The Manager of Revenue and Taxation is responsible for the administration of this by-law.
- 6.02 **Effective Date:** 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 [redacted] day of [redacted], 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2021-

A By-law to Authorize the Imposition of Special Charges relating to the Septic Rehabilitation Loan Program for 5 Boulder Street, Little Britain (Roll No. 1651 006 001 10100.0000) in the City of Kawartha Lakes

Recitals

1. At its meeting of April 8, 2014, Council enacted By-law 2014-115, being a by-law to authorize the undertaking of septic rehabilitation works on private residential property as local improvements in the City of Kawartha Lakes in accordance with section 36.5 of Ontario Regulation 586/06 - Local Improvement Charges - Priority Lien Status, made under the Municipal Act, 2001 ("O. Reg. 586/06").
2. The owner(s) of the benefitting property and the City of Kawartha Lakes (the "City") have entered into a Property Owner Agreement (the "POA") pursuant to section 36.2 of O. Reg. 586/06 for the City to undertake work as a local improvement (the "Work") on the benefitting property and to raise the cost of the Work (the "Cost") by imposing a special charge on the benefitting property.
3. The City Clerk has certified the POA pursuant to section 36.4 of O. Reg. 586/06.
4. The Work has been completed.
5. A local improvement roll was prepared in accordance with section 36.10 of O. Reg. 586/06, setting out the Cost of the Work, the proposed special charges to be imposed on the benefitting property, when the special charges are to be paid, and the lifetime of the Work,
6. The City has given notice of the proposed local improvement roll to the owner(s) of the benefitting property pursuant to subsection 36.11(1) of O. Reg. 586/06.
7. The Treasurer has certified the proposed local improvement roll in accordance with subsection 36.11(2) of the O. Reg. 586/06.

8. Section 36.14 of O. Reg. 586/06 provides that after the Treasurer has certified the local improvement roll, the City shall by by-law provide that the amount specially charged on the lot set out in the roll shall be sufficient to raise the lot's share of the cost by a number of equal annual payments and that a special charge shall be imposed in each year on the lot equal to the amount of the payment payable in that year.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021- .

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Council” or “City Council” means the municipal council for the City;

“Treasurer” means the person appointed by Council to carry out the duties of the clerk described in section 286 of the *Municipal Act, 2001*;

"Manager, Revenue and Taxation" means the person within the administration of the City which fulfills the function of the Tax Collector and his or her delegate(s), as required by the Municipal Act, 2001 or, in the event of organizational changes, another person designated by Council;

“POA” means Property Owner Agreement.

1.02 Interpretation Rules:

(a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

(b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Local Improvement Charge

2.01 The provisions of section 36.14 of O. Reg. 586/06 apply to the benefitting property as a result of the completion of the work pursuant to the POA.

- 2.02 The amounts specially charged on the lot as set out in the certified local improvement roll attached as Schedule "A" to this by-law (the "Special Charge") is sufficient to raise the lot's share of the Cost and shall be imposed on and collected by annually adding the annual amount payable as set out in Schedule "A" to this by-law (the "Annual Payment") to the tax roll of the lot.
- 2.03 The Annual Payments as set out in certified local improvement roll attached as Schedule "A" do not extend beyond the lifetime of the work.
- 2.04 The amount of each payment made in respect of the Special Charge shall be entered in the local improvement roll by the Treasurer.
- 2.05 This by-law shall be deemed repealed on the date on which the Treasurer certifies that the Special Charge has been paid in full.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Manager, Revenue and Taxation is responsible for the administration of this by-law.
- 3.02 **Effective Date:** 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 day of , 2021.



Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule "A"
City of Kawartha Lakes – Septic Rehabilitation Loan Program
Local Improvement Charges Added to Taxes

Roll Number	Site Address	Lot	Property Owner(s)
1651 006 001 10100	5 Boulder St Little Britain	CON 2 PT LOT 6 RP 57R2822 PART 3	White, Lane Mathew Green, Edwina Joan

Local Improvement Charge	
Cost of Work	\$20,679.00
Funding Amount	\$20,679.00
Interest Charge	\$ 9,564.61
Admin Charge (paid)	\$ 165.00
Special Charge (Total Amount Owning)	\$30,243.61
Interest Rate	3.93%
When Special Charge to be Paid	within 20 year(s) from first payment date
Lifetime of Work	25 years
Annual Payment	\$1,512.18
Detail Description	Septic Rehabilitation Loan Local Improvement Charges added to taxes

Certified as sufficient, in accordance with O.Reg. 586/06 <div style="text-align: center; font-size: 1.2em;">  </div>	
Approved as to Form <div style="text-align: center; font-size: 1.2em;">  </div>	Carolyn Daynes, Treasurer Linda Liotti, Manager, Revenue & Taxation

The Corporation of the City of Kawartha Lakes

By-Law 2021-TBD

A By-law to Authorize the Financing of Capital Projects in the City of Kawartha Lakes

Being a By-law of the Corporation of the City of Kawartha Lakes to authorize the financing of capital projects by debenture with the Royal Bank of Canada.

Recitals

1. The Municipal Act, 2001, S.O. 2001, C.25 Part XIII, Section 401(l) authorizes that a municipal corporation may incur debt for the purpose of the municipality.
2. The Council authorized capital projects in 2011 and prior years with debenture financing approved in the budget. By-law 2011-084 confirmed a debenture of \$3,681,252.55 with the Royal Bank of Canada for a 10 year term with a 20 year amortization.
3. The initial 10 year term of the debenture matures in May 2021 and now requires a renewal of the remaining 10 year term to complete the approved 20 year amortization for the balance of the debenture in the amount of \$2,249,277.10.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-TBD.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Council” or “City Council” means the municipal council for the City;

“Treasurer” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 Interpretation Rules:

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.

(b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Debt Confirmation

- 2.01 The capital projects as detailed in Schedule A as authorized in 2011 and prior year capital budgets be completed and the remaining amount of \$2,249,277.10 be financed in order to do so.
- 2.02 Financing for the total amount of \$2,249,277.10 with the Royal Bank of Canada is approved. The interest rate for this debenture shall be a maximum of 3.00% over a 10 year term with principal and interest payments made monthly.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Treasurer is responsible for the administration of this by-law.

By-law read a first, second and third time, and finally passed, this 18th day of May, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk



RBC Debenture
2021 Schedule A.xls>

The Corporation of the City of Kawartha Lakes

By-Law 2021-XXX

A By-law to Authorize the Execution of a Letter of Agreement between Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario and the City of Kawartha Lakes related to Funding Provided by the Province of Ontario to the Municipality under the Safe Restart Agreement (SRA) Phase 2 Municipal Transit Funding

Recitals

1. An Agreement between the Minister of Transportation and the City must be entered into for the municipality to be eligible to receive funding.
2. The purpose of the Agreement was designed to support Ontario municipal transit systems with COVID-19 pandemic related financial pressures in order to help the province restart the economy.
3. This By-law authorizes the Agreement to be executed by the municipality.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-XXX.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law;

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area.

“City Clerk” means the person within the administration of the City which fulfils the function of the City Clerk as required by the Municipal Act, 2001, c.25.

“Council” means the municipal council for the City.

“Treasurer” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council;

“Mayor” means the Chief Executive Officer of the City.

1.02 Interpretation Rules:

- (a) Wherever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.

- (b) References to items in the plural include the singular, as applicable.
 - (c) The word “include” is not to be read as limiting the phrases or descriptions that precede it.
- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, which are applicable within the Province of Ontario.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered to be severed from the balance of the By-law, which will continue to operate in full force and effect.

Section 2.00: Approval

- 2.01 Approvals: The Agreement appended to this By-law as Schedule “A” is approved.
- 2.02 Authorization: The Mayor and City Clerk are authorized to sign the Agreement appended to this By-law as Schedule “A”, and to affix the City’s corporate seal to them.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Treasurer shall be responsible for the administration of this by-law.
- 3.02 **Effective Date:** 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 18th day of May, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk



Schedule A -
SRA.pdf

**TRANSFER PAYMENT AGREEMENT
FOR THE SAFE RESTART AGREEMENT (SRA) –
PHASE 2 MUNICIPAL TRANSIT FUNDING**

THIS TRANSFER PAYMENT AGREEMENT for the Safe Restart Agreement (SRA) – Phase 2 Municipal Transit Funding (the “Agreement”) is effective as of the Effective Date.

B E T W E E N:

Her Majesty the Queen in right of Ontario as represented by the
Minister of Transportation for the Province of Ontario

(the “**Province**”)

- and -

The Corporation of the City of Kawartha Lakes

(the “**Recipient**”)

BACKGROUND:

The Government of Canada (“Canada”) announced, on July 16, 2020, \$1 billion in federal funding under the Safe Restart Agreement (SRA) to support Ontario municipal transit systems with COVID-19 pandemic related financial pressures in order to help the province restart the economy, while making Canada more resilient to possible future waves of the COVID-19 pandemic.

Under the SRA, the Province of Ontario has agreed to provide up to \$1 billion to cost-match the federal funding for a total of up to \$2 billion in funding to support Ontario municipal transit systems with COVID-19 pandemic related financial pressures.

The Province has provided SRA funding to the Recipient in September 2020 (Phase 1) and will provide the remainder of the Recipient’s allocated SRA funding in Phase 2.

The funding for Phase 1 was intended to offer the Recipient immediate assistance towards additional municipal transit expenses the Recipient incurred, as a result of the COVID-19 pandemic, on or after April 1, 2020 and on or before September 30, 2020.

The funding for Phase 2, which will be provided to the Recipient in accordance with the terms and conditions set out in the Agreement, is intended to provide the Recipient with assistance for the Financial Impacts (as defined in section 1.2 (Definitions)) the Recipient has incurred during the Eligibility Period (as defined in section A1.2 (Definitions)).

CONSIDERATION:

In consideration of the mutual covenants and agreements contained in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

1.0 ENTIRE AGREEMENT

- 1.1 **Schedules and Sub-schedule to the Agreement.** The following schedules and sub-schedule form part of the Agreement:

Schedule "A" - General Terms and Conditions

Schedule "B" - Contact Information and Authorized Representatives

Schedule "C" - Eligible Expenditures and Ineligible Expenditures

Schedule "D" - Claim and Attestation Submission, Supporting Documentation and Payment Procedures

Sub-schedule "D.1" - Claim and Attestation Form.

- 1.2 **Entire Agreement.** The Agreement constitutes the entire agreement between the Parties (as defined in section A1.2 (Definitions)) with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

2.0 CONFLICT OR INCONSISTENCY

- 2.1 **Conflict or Inconsistency.** In the event of a conflict or inconsistency between any of the requirements of:

- (a) Schedule "A" (General Terms and Conditions) and any of the requirements of another schedule or a sub-schedule, Schedule "A" (General Terms and Conditions) will prevail to the extent of the inconsistency; or
- (b) a schedule and any of the requirements of a sub-schedule, the schedule will prevail to the extent of the inconsistency.

3.0 COUNTERPARTS

- 3.1 **Counterparts.** The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

- 3.2 **Electronic Execution and Delivery of Agreement.**

- (a) The Agreement may:

- (i) be executed and delivered by scanning the manually signed Agreement as a PDF and delivering it by email to the other Party; or
 - (ii) subject to the Province's prior written consent, be executed and delivered electronically to the other Party.
- (b) The respective electronic signature of the Parties is the legal equivalent of a manual signature.

4.0 AMENDING THE AGREEMENT

- 4.1 **Amending the Agreement.** The Agreement may only be amended by a written agreement.
- 4.2 **Execution of Amending Agreement.** An amending agreement for changes to the Agreement may be duly executed by the representatives of the Parties listed on the signature page below or in Schedule "B" (Contact Information and Authorized Representatives).

5.0 ACKNOWLEDGEMENT

- 5.1 **Acknowledgement.** The Recipient acknowledges that:
 - (a) the Funds are to assist the Recipient with the Financial Impacts of the COVID-19 pandemic on the Recipient's transit system and not to provide goods or services to the Province;
 - (b) the Province is not responsible for the Recipient's transit system, including any Financial Impact; and
 - (c) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the Recipient's transit system, any Financial Impact or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.
- 5.2 **Acknowledgement from Province.** The Province acknowledges that the Recipient is bound by the *Municipal Freedom of Information and Protection of Privacy Act* (Ontario) and any information provided to the Recipient in connection with the Recipient's transit system, any Financial Impact or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

- SIGNATURE PAGE FOLLOWS -

The Parties have executed the Agreement on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF THE
PROVINCE OF ONTARIO**, represented by the
Minister of Transportation for the Province of Ontario

Date

Name: Caroline Mulroney
Title: Minister

**THE CORPORATION OF THE CITY OF
KAWARTHA LAKES**

Date

Name: Andy Letham
Title: Mayor

I have authority to bind the Recipient.

Date

Name: Cathie Ritchie
Title: City Clerk

I have authority to bind the Recipient.

SCHEDULE “A” GENERAL TERMS AND CONDITIONS

A1.0 INTERPRETATION AND DEFINITIONS

A1.1 Interpretation. For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the headings do not form part of the Agreement; they are for reference only and will not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency will be in Canadian dollars and currency; and
- (e) all accounting terms not otherwise defined in the Agreement have their ordinary meanings.

A1.2 Definitions. In the Agreement, the following terms will have the following meanings:

“Agreement” means this agreement, entered into between the Province and the Recipient, all of the schedules and the sub-schedule listed in section 1.1 (Schedules and Sub-schedule to the Agreement), and any amending agreement entered into pursuant to section 4.1 (Amending the Agreement).

“Authorities” means any government authority, agency, body or department, whether federal, provincial or municipal, having or claiming jurisdiction over the Recipient’s transit system, any Financial Impact, or the Agreement.

“Business Day” means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year’s Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

“Communications Activities” means, but is not limited to, public or media events or ceremonies including key milestone events, news releases, reports, web and social media products or postings, blogs, news conferences, public notices, physical and digital signs, publications, success stories and vignettes, photos, videos, multi-media content, advertising campaigns, awareness campaigns, editorials, multi-media products, and all related communication materials in respect of the Agreement.

“Effective Date” means the date of signature by the last signing Party to the Agreement.

“Eligible Expenditures” means the costs of the Financial Impacts that are eligible for funding by the Province under the Agreement, and that are further described in section C2.1 (Scope of Eligible Expenditures).

“Eligibility Period” means the period starting on or after October 1, 2020 and ending on or before March 31, 2021.

“Event of Default” has the meaning ascribed to it in section A12.1 (Events of Default).

“Expiry Date” means March 31, 2022.

“Financial Impacts” means the net revenue losses and additional net operating and capital costs the Recipient has incurred in respect of the Recipient’s municipal transit system as a result of the COVID-19 pandemic.

“Funds” means the money the Province provides to the Recipient pursuant to the Agreement.

“Indemnified Parties” means Her Majesty the Queen in right of Ontario, and includes Her ministers, agents, appointees, and employees.

“Ineligible Expenditures” means the costs that are ineligible for funding by the Province under the Agreement, and that are further described in section C3.1 (Scope of Ineligible Expenditures).

“Loss” means any cause of action, liability, loss, cost, damage, or expense (including legal, expert and consultant fees) that anyone incurs or sustains as a result of or in connection with the Recipient’s transit system, any Financial Impact or with any other part of the Agreement.

“Low-performing Route” means any bus route deemed by a Recipient as not meeting service objectives or where service has been reduced or cancelled for not meeting service objectives.

“Maximum Funds” means \$146,065.

“Notice” means any communication given or required to be given pursuant to the Agreement.

“Notice Period” means the period of time within which the Recipient is required to remedy an Event of Default, pursuant to paragraph A12.3(b), and includes any such period or periods of time by which the Province extends that time in accordance with section A12.4 (Recipient not Remediating).

“On-demand Microtransit” means small scale, flexible transportation services where rides are ordered on-demand.

“Parties” means the Province and the Recipient.

“Party” means either the Province or the Recipient.

“Proceeding” means any action, claim, demand, lawsuit, or other proceeding that anyone makes, brings or prosecutes as a result of or in connection with the Recipient’s transit system, any Financial Impact or with any other part of the Agreement.

“Records Review” means any assessment the Province conducts pursuant to section A7.4 (Records Review).

“Reports” means the reports described in Schedule “D” (Claim and Attestation Submission, Supporting Documentation and Payment Procedures).

“Requirements of Law” means all applicable requirements, laws, statutes, codes, acts, ordinances, approvals, orders, decrees, injunctions, by-laws, rules, regulations, official plans, permits, licences, authorizations, directions, and agreements with all Authorities.

“SRA Phase 1 Contribution” means the funding for the SRA Phase 1 the Province provided to the Recipient in September 2020 and that is further described in the 4th paragraph of the Background to the Agreement.

A2.0 REPRESENTATIONS, WARRANTIES AND COVENANTS

A2.1 General. The Recipient represents, warrants and covenants that:

- (a) it has, and will continue to have, the experience and expertise necessary to operate its transit system;
- (b) it is in compliance with, and will continue to comply with, all Requirements of Law related to any aspect of the Recipient’s transit system, Financial Impacts, and the Funds;
- (c) if Funds are used for acquired goods or services, or both, these were acquired in compliance with the Recipient’s policies and procedures and, to the extent possible under the COVID-19 pandemic unprecedented times, through a process that promotes the best value for the money;
- (d) it is in compliance with the insurance requirements set out in section A10.1 (Recipient’s Insurance); and

- (e) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds including, without limitation, information relating to any eligibility requirements, the Recipient's transit system, any Financial Impact and related timelines was true and complete at the time the Recipient provided it and will continue to be true and complete.

A2.2 Execution of Agreement. The Recipient represents and warrants that it has:

- (a) the full power and authority to enter into the Agreement; and
- (b) taken all necessary actions to authorize the execution of the Agreement, including passing a municipal by-law authorizing the Recipient to enter into the Agreement.

A2.3 Governance. The Recipient represents, warrants, and covenants that it has, will maintain in writing, and will follow:

- (a) procedures to enable the Recipient to manage the Funds prudently and effectively;
- (b) procedures to address any identified risks to the Recipient's ability to claim Eligible Expenditures within the Eligibility Period, all in a timely manner;
- (c) procedures to enable the preparation and submission of all Reports required pursuant to Article A7.0 (Reporting, Accounting and Review); and
- (d) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to carry out its obligations under the Agreement.

A2.4 Supporting Proof. Upon request of the Province and within the timelines set out in the request, the Recipient will provide the Province with proof of the matters referred to in this Article A2.0 (Representations, Warranties and Covenants).

A3.0 TERM OF THE AGREEMENT

A3.1 Term. The term of the Agreement will commence on the Effective Date and will expire on the Expiry Date unless terminated earlier pursuant to Article A11.0 (Termination on Notice) or Article A12.0 (Event of Default, Corrective Action, and Termination for Default).

A4.0 FUNDS

A4.1 Funds Provided. The Province will:

- (a) provide the Recipient up to the Maximum Funds for Eligible Expenditures;
- (b) provide the Funds to the Recipient in accordance with the payment procedures in Schedule “D” (Claim and Attestation Submission, Supporting Documentation and Payment Procedures); and
- (c) deposit the Funds into an account designated by the Recipient provided that the account:
 - (i) resides at a Canadian financial institution; and
 - (ii) is in the name of the Recipient.

A4.2 Limitation on Payment of Funds. Despite section A4.1 (Funds Provided):

- (a) in addition to any other limitations under the Agreement on the payment of Funds by the Province, the Province is not obligated to provide any Funds to the Recipient unless the Recipient fulfils the special conditions listed in section A27.1 (Special Conditions);
- (b) the Province may adjust the amount of Funds it provides to the Recipient based upon the Province’s assessment of one or more of the following events:
 - (i) of the information the Recipient provides to the Province pursuant to section A7.2 (Preparation and Submission); and
 - (ii) the SRA Phase 1 Contribution funding provided to the Recipient exceeds the additional municipal transit expenses the Recipient incurred, as a result of the COVID-19 pandemic, on or after April 1, 2020 and on or before September 30, 2020.

A4.3 Use of Funds. The Recipient will do all of the following:

- (a) spend the Funds only on Eligible Expenditures; and
- (b) not use the Funds to cover any Eligible Expenditure that has or will be funded or reimbursed by one or more of any third party, including any level of government, or ministry, agency, or organization of the Government of Ontario, other than the Province pursuant to the Agreement.

A4.4 **SRA Phase 1 Contribution, Rebates, Credits and Refunds.** The Province will calculate Funds based on the actual losses or costs to the Recipient for the Financial Impacts, less any actual losses or costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, SRA Phase 1 Contribution, a rebate, credit or refund.

A4.5 **Interest-Bearing Account.** If the Province provides Funds before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest-bearing account in the name of the Recipient at a Canadian financial institution.

A4.6 **Interest.** If the Recipient earns any interest on the Funds, the Province may:

- (a) deduct an amount equal to the interest from any further instalments of Funds; or
- (b) demand from the Recipient the payment of an amount equal to the interest.

A5.0 RECIPIENT'S DISPOSAL OF ASSETS

A5.1 **Disposal.** The Recipient will not, without the Province's prior written consent and prior to the Expiry Date or earlier termination of the Agreement, sell, lease, or otherwise dispose of any asset purchased or created with the Funds.

A6.0 CONFLICT OF INTEREST

A6.1 **No Conflict of Interest.** The Recipient represents and warrants that there is and there will continue to be no conflict of interest in respect of any Eligible Expenditures claimed under the Agreement or the Financial Impacts and that the Recipient will use the Funds without an actual, potential, or perceived conflict of interest.

A6.2 **Conflict of Interest Includes.** For the purposes of this Article A6.0 (Conflict of Interest), a conflict of interest includes any circumstances where:

- (a) the Recipient; or
- (a) any person who has the capacity to influence the Recipient's decisions, has outside commitments, relationships, or financial interests that could, or could be seen to, interfere with the Recipient's objective, unbiased, and impartial judgment relating to the Eligible Expenditures claimed under the Agreement, the Financial Impacts or the use of the Funds.

A6.3 Disclosure to Province. The Recipient will:

- (a) disclose to the Province, without delay, any situation that a reasonable person would interpret as an actual, potential, or perceived conflict of interest; and
- (a) comply with any terms and conditions that the Province may prescribe as a result of the disclosure.

A7.0 REPORTING, ACCOUNTING AND REVIEW

A7.1 Province Includes. For the purposes of sections A7.4 (Records Review), A7.5 (Inspection and Removal) and A7.6 (Cooperation), “**Province**” includes any auditor or representative the Province may identify.

A7.2 Preparation and Submission. The Recipient will:

- (a) submit to the Province at the address referred to in section A15.1 (Notice in Writing and Addressed):
 - (i) all Reports in accordance with the timelines and content requirements as provided for in Schedule “D” (Claim and Attestation Submission, Supporting Documentation and Payment Procedures); and
 - (ii) any other reports in accordance with any timelines and content requirements the Province may specify from time to time; and
- (b) ensure that all Reports and other reports are:
 - (i) completed to the satisfaction of the Province; and
 - (ii) signed by an authorized signing officer of the Recipient.

A7.3 Record Maintenance. The Recipient will keep and maintain for a period of seven years from their creation:

- (a) proper and accurate financial accounts and records, kept in a manner consistent with generally accepted accounting principles in effect in Canada or with the public sector accounting standards approved or recommended by the Public Sector Accounting Board including, without limitation, its contracts, invoices, statements, receipts, and vouchers and any other evidence of payment relating to the Funds or otherwise to the Eligible Expenditures claimed under the Agreement or Financial Impacts; and

- (b) all non-financial records and documents relating to the Funds or otherwise to the Eligible Expenditures claimed under the Agreement or Financial Impacts.

A7.4 **Records Review.** The Province may, at its own expense, upon twenty-four hours' Notice to the Recipient and during normal business hours, enter upon the Recipient's premises to conduct an audit or investigation of the Recipient regarding the Recipient's compliance with the Agreement, including assessing any of the following:

- (a) the truth of any of the Recipient's representations and warranties; and
- (b) the Recipient's allocation and expenditure of the Funds.

A7.5 **Inspection and Removal.** For the purposes of any Records Review, the Province may take one or more of the following actions:

- (a) inspect and copy any records and documents referred to in section A7.3 (Record Maintenance); and
- (b) remove any copies the Province makes pursuant to section A7.5(a).

A7.6 **Cooperation.** To assist the Province in respect of its rights provided for in section A7.5 (Inspection and Removal), the Recipient will cooperate with the Province by:

- (a) ensuring that the Province has access to the records and documents including, without limitation, paid invoices and original receipts, wherever they are located;
- (b) assisting the Province in copying records and documents;
- (c) providing to the Province, in the form the Province specifies, any information the Province identifies; and
- (d) carrying out any other activities the Province requests.

A7.7 **No Control of Records.** No provision of the Agreement will be construed so as to give the Province any control whatsoever over the Recipient's records.

A7.8 **Auditor General.** The Province's rights under Article A7.0 (Reporting, Accounting and Review) are in addition to any rights provided to the Auditor General pursuant to section 9.2 of the *Auditor General Act* (Ontario).

A8.0 COMMUNICATIONS REQUIREMENTS

A8.1 Acknowledge Support. Unless the Province directs the Recipient to do otherwise, the Recipient will in each of its Agreement-related publications whether written, oral or visual:

- (a) acknowledge the support of the Province for the Funds provided under the Agreement;
- (b) ensure that any acknowledgement is in a form and manner as the Province directs; and
- (c) indicate that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

A8.2 Request from the Province in Respect of Communications Activities. The Recipient will, upon Notice from the Province, provide the Province with any information the Province may request in respect of any Communications Activities.

A9.0 INDEMNITY

A9.1 Indemnification. The Recipient will indemnify and hold harmless the Indemnified Parties from and against any Loss and any Proceeding, unless solely caused by the negligence or wilful misconduct of the Indemnified Parties.

A10.0 INSURANCE

A10.1 Recipient's Insurance. The Recipient is responsible for its own insurance and has been carrying, at its own costs and expense, and requiring the same from its subcontractors, all the necessary and appropriate insurance that a prudent municipality in similar circumstances would maintain in order to protect itself and the Indemnified Parties and support the Recipient's indemnification set out in section A9.1 (Indemnification). For greater certainty, the Recipient is not covered by the Province of Ontario's insurance program and no protection will be afforded to the Recipient by the Government of Ontario for any Loss or Proceeding that may arise out of the Financial Impacts or the Agreement.

A11.0 TERMINATION ON NOTICE

A11.1 Termination on Notice. The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving at least 30 days' Notice to the Recipient.

A11.2 Consequences of Termination on Notice by the Province. If the Province terminates the Agreement pursuant to section A11.1 (Termination on Notice), the Province may take one or more of the following actions:

- (a) cancel all further instalments of Funds; and
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient.

A12.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT

A12.1 Events of Default. It will constitute an Event of Default if, in the opinion of the Province, the Recipient breaches any representation, warranty, covenant, or other material term of the Agreement including, without limitation, failing to do any of the following in accordance with the terms and conditions of the Agreement:

- (a) use or spend any of the Funds or related interest for a purpose other than that contemplated under the Agreement without the prior written consent of the Province; or
- (b) provide, in accordance with section A7.2 (Preparation and Submission), Reports or such other reports as may have been requested pursuant to paragraph A7.2(b).

A12.2 Consequences of Events of Default and Corrective Action. If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

- (a) provide the Recipient with an opportunity to remedy the Event of Default;
- (b) suspend the payment of Funds for such period as the Province determines appropriate;
- (c) reduce the amount of the Funds;
- (d) cancel all further instalments of Funds;
- (e) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;
- (f) demand from the Recipient the payment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;

- (g) demand from the Recipient the payment of an amount equal to any Funds the Province provided to the Recipient;
- (h) demand from the Recipient the payment of an amount equal to the costs the Province incurred or incurs to enforce its rights under the Agreement, including the costs of any Record Review and the costs it incurs to collect any amounts the Recipient owes to the Province; and
- (i) terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Province upon giving Notice to the Recipient.

A12.3 Opportunity to Remedy. If, in accordance with paragraph A12.2(a), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will provide Notice to the Recipient of:

- (a) the particulars of the Event of Default; and
- (b) the Notice Period.

A12.4 Recipient not Remediating. If the Province has provided the Recipient with an opportunity to remedy the Event of Default pursuant to paragraph A12.2(a), and:

- (a) the Recipient does not remedy the Event of Default within the Notice Period;
- (b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or
- (c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Notice Period, or initiate any one or more of the actions provided for in paragraphs A12.2 (b), (c), (d), (e), (f), (g), (h) and (i).

A12.5 When Termination Effective. Termination under this Article A12.0 (Event of Default, Corrective Action, and Termination for Default) will take effect as provided for in the Notice.

A13.0 FUNDS UPON EXPIRY

A13.1 Funds Upon Expiry. The Recipient will, upon expiry of the Agreement, pay to the Province any Funds and SRA Phase 1 Contribution and related interest remaining in its possession or under its control.

A14.0 DEBT DUE AND PAYMENT

A14.1 Payment of Overpayment. If at any time the Province provides Funds in excess of the amount to which the Recipient is entitled under the Agreement, the Province may:

- (a) deduct an amount equal to the excess Funds from any further instalments of Funds; or
- (b) demand that the Recipient pay an amount equal to the excess Funds to the Province.

A14.2 Debt Due. If, pursuant to the Agreement:

- (a) the Province demands from the Recipient the payment of any Funds or an amount equal to any Funds; or
- (b) the Recipient owes any Funds or SRA Phase 1 Contribution, or an amount equal to any Funds or SRA Phase 1 Contribution to the Province, whether or not the Province has demanded their payment,

such amounts will be deemed to be a debt due and owing to the Province by the Recipient, and the Recipient will pay the amounts to the Province immediately, unless the Province directs otherwise.

A14.3 Interest Rate. The Province may charge the Recipient interest on any money owing by the Recipient at the then current interest rate charged by the Province of Ontario on accounts receivable.

A14.4 Payment of Money to Province. The Recipient will pay any money owing to the Province by cheque payable to the “Ontario Minister of Finance” and delivered to the Province as provided for in Schedule “B” (Contact Information and Authorized Representatives).

A14.5 Fails to Pay. Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, Her Majesty the Queen in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in right of Ontario.

A15.0 NOTICE

A15.1 Notice in Writing and Addressed. Notice will be:

- (a) in writing;

- (b) delivered by email, postage-prepaid mail, personal delivery or courier; and
- (c) addressed to the Province and the Recipient as set out in Schedule “B” (Contact Information and Authorized Representatives), or as either Party later designates to the other by Notice.

A15.2 Notice Given. Notice will be deemed to have been given:

- (a) in the case of postage-prepaid mail, five Business Days after the Notice is mailed; and
- (b) in the case of email, personal delivery or courier on the date on which the Notice is delivered.

A15.3 Postal Disruption. Despite paragraph A15.2(a), in the event of a postal disruption:

- (a) Notice by postage-prepaid mail will not be deemed to be given; and
- (b) the Party giving Notice will provide Notice by email, personal delivery or courier.

A16.0 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT

A16.1 Consent. When the Province provides its consent pursuant to the Agreement:

- (a) it will do so by Notice;
- (b) it may attach any terms and conditions to the consent; and
- (c) the Recipient may rely on the consent only if the Recipient complies with any terms and conditions the Province may have attached to the consent.

A17.0 SEVERABILITY OF PROVISIONS

A17.1 Invalidity or Unenforceability of Any Provision. The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement.

A18.0 WAIVER

A18.1 Waiver Request. Either Party may, by Notice, ask the other Party to waive an obligation under the Agreement.

A18.2 **Waiver Applies.** If in response to a request made pursuant to section A18.1 (Waiver Request) a Party consents to a waiver, the waiver will:

- (a) be valid only if the Party that consents to the waiver provides the consent by Notice; and
- (b) apply only to the specific obligation referred to in the waiver.

A19.0 INDEPENDENT PARTIES

A19.1 **Parties Independent.** The Recipient is not an agent, joint venturer, partner, or employee of the Province, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any actions that could establish or imply such a relationship.

A20.0 ASSIGNMENT OF AGREEMENT OR FUNDS

A20.1 **No Assignment.** The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.

A20.2 **Agreement Binding.** All rights and obligations contained in the Agreement will extend to and be binding on:

- (a) the Recipient's successors, and permitted assigns; and
- (b) the successors to Her Majesty the Queen in right of Ontario.

A21.0 GOVERNING LAW

A21.1 **Governing Law.** The Agreement and the rights, obligations and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

A22.0 FURTHER ASSURANCES

A22.1 **Agreement into Effect.** The Recipient will:

- (a) provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains; and

- (b) do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

A23.0 JOINT AND SEVERAL LIABILITY

A23.1 Joint and Several Liability. Where the Recipient is comprised of more than one entity, all such entities will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

A24.0 RIGHTS AND REMEDIES CUMULATIVE

A24.1 Rights and Remedies Cumulative. The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

A25.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS

A25.1 Other Agreements. If the Recipient:

- (a) has failed to comply with any term, condition or obligation under any other agreement with Her Majesty the Queen in right of Ontario or one of Her agencies (a “**Failure**”);
- (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;
- (c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
- (d) such Failure is continuing,

the Province may suspend the payment of Funds for such period as the Province determines appropriate.

A26.0 SURVIVAL

A26.1 Survival. The following Articles, sections and paragraphs, and all applicable cross-referenced Articles, sections, paragraphs, schedules and sub-schedules, will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement: Article 1.0 (Entire Agreement), paragraph 3.2(b), Articles 2.0 (Conflict or Inconsistency), 5.0 (Acknowledgment), and A1.0 (Interpretation and Definitions) and any other applicable definitions, paragraph A2.1(a), sections A4.4 (SRA Phase 1 Contribution, Rebates, Credits and Refunds), A5.1 (Disposal), A7.1 (Province Includes), A7.2 (Preparation and Submission) to the extent that the Recipient has not provided the Reports or other reports as may have been requested to the satisfaction of the Province, A7.3 (Record Maintenance), A7.4 (Records Review), A7.5 (Inspection and Removal), A7.6 (Cooperation), A7.7 (No Control of Records), A7.8 (Auditor General), Articles A8.0 (Communications Requirements) and A9.0 (Indemnity), sections A11.2 (Consequences of Termination on Notice by the Province) and A12.1 (Events of Default), paragraphs A12.2 (b), (c), (d), (e), (f), (g), (h) and (i), Articles A13.0 (Funds Upon Expiry), A14.0 (Debt Due and Payment), A15.0 (Notice) and A17.0 (Severability of Provisions), section A20.2 (Agreement Binding), Articles A21.0 (Governing Law), A23.0 (Joint and Several Liability), and A24.0 (Rights and Remedies Cumulative), and this Article A26.0 (Survival).

A27.0 SPECIAL CONDITIONS

A27.1 Special Conditions. The Province's funding under the Agreement is conditional upon,

- (a) on or before the Effective Date, the Recipient providing the Province with:
 - (i) a copy of the by-law(s) and, if applicable, any council resolution(s) authorizing the execution of the Agreement by the Recipient;
 - (ii) the necessary information, including a void cheque or a blank letter, to facilitate an electronic transfer to an interest-bearing account in the name of the Recipient at a Canadian financial institution; and
 - (iii) the reporting form required for Phase 1 with the details on the use of the SRA Phase 1 Contribution and a forecast of Eligible Expenditures for the Eligibility Period; and
- (b) the Recipient, together with its claim for payment and to promote ridership growth and transit sustainability objectives, providing the Province with an attestation that the Recipient:

- (i) has engaged or will engage, as requested and in a manner to be specified by the Province, including share information, with the Province to determine the benefit of optional consolidated procurement of specific COVID-19 pandemic related items;
- (ii) has considered or will consider whether On-demand Microtransit, or other service innovations, would better serve Low-performing Routes or cancelled or new routes than traditional fixed-route service as part of the Recipient's regular service reviews;
- (iii) has engaged or will engage, as requested and in a manner to be specified by the Province, with the Province or Metrolinx, or both, on lessons learned and capacity building to support future consideration of On-demand Microtransit by the Recipient;
- (iv) has participated or will participate, as requested and in a manner to be specified by the Province, in discussions lead by the Province or Metrolinx, or both, on improved fare and service integration and work toward implementing options that would improve the rider experience; and
- (v) has requested in writing, provincial assistance in discussions to transform transit delivery between neighboring municipal governments, where there is a local interest and benefit to pursuing structural reforms.

For greater certainty, if the Province provides any Funds to the Recipient prior to any of the conditions set out in this Article A27.0 (Special Conditions) having been met, and has not otherwise waived compliance with such condition in writing, the Province may exercise one or more of the remedies available to it pursuant to section A12.4 (Recipient Not Remediating).

- END OF GENERAL TERMS AND CONDITIONS -

SCHEDULE “B”
CONTACT INFORMATION AND AUTHORIZED REPRESENTATIVES

Contact information for the purposes of Notice to the Province	<p>Address: Strategic Investments Office Ministry of Transportation 777 Bay, 30th Floor Toronto, ON M7A 2J8</p> <p>Attention: Kevin Dowling, Manager, Strategic Investments Office</p> <p>Phone: (416) 859-7912 Email: kevin.dowling@ontario.ca</p>
Contact information for the purposes of Notice to the Recipient	<p>Address: PO Box 9000, 26 Francis Street Lindsay, ON K9V 5R8</p> <p>Attention: Todd Bryant, Manager, Fleet and Transit Services</p> <p>Phone: (705) 324-3401 x2381 Email: tbryant@kawarthalakes.ca</p>
Contact information for the senior financial official in the Recipient organization (e.g., CFO, CAO) – to respond as required to requests from the Province in respect of the Agreement	<p>Address: PO Box 9000, 26 Francis Street Lindsay, ON K9V 5R8</p> <p>Attention: Carolyn Daynes, Treasurer</p> <p>Phone: (705) 324-9411 x1252 Email: cdaynes@kawarthalakes.ca</p>
Authorized representative of the Province for the purpose of section 4.2 (Execution of Amending Agreements)	<p>Position: Director, Municipal Programs Branch, Ministry of Transportation</p>
Authorized representative of the Recipient for the purpose of section 4.2 (Execution of Amending Agreements)	<p>Position: Treasurer</p>

SCHEDULE “C”

ELIGIBLE EXPENDITURES AND INELIGIBLE EXPENDITURES

C1.0 Definitions. In this Schedule “C” (Eligible Expenditures and Ineligible Expenditures), the following terms will have the following meanings:

“**MTEC**” means the Municipal Transit Enhanced Cleaning (MTEC) funding provided to Ontario municipalities for costs incurred related to the enhanced cleaning of transit vehicles and any other public and non-public facing transit assets resulting from the COVID-19 pandemic.

“**Operating Budget**” means the Recipient’s 2020 operating budget which has been prepared and adopted by the Recipient as required by section 290(1) of the *Municipal Act, 2001*.

C2.0 ELIGIBLE EXPENDITURES

C2.1 Scope of Eligible Expenditures. Eligible Expenditures include, at the Province’s sole discretion, the following Financial Impacts incurred during the Eligibility Period:

Revenue Losses

- (a) The following revenue losses measured against the Operating Budget (i.e., (revenue amount in the Operating Budget minus the actual revenue amount during the Eligibility Period) minus the non-COVID-19 pandemic revenue amount = the eligible revenue loss amount), that, in the opinion of the Province, the Recipient properly and reasonably incurred as a result of the COVID-19 pandemic will be considered Eligible Expenditures:
- (i) farebox revenue losses;
 - (ii) advertising revenue losses;
 - (iii) parking revenue losses;
 - (iv) contract revenue losses; and
 - (v) any other revenue loss the Recipient incurred as a result of the COVID-19 pandemic that, in the opinion of the Province, is considered eligible.

Operating Costs

- (b) The following operating costs measured against the Operating Budget (i.e., (operating costs amount in the Operating Budget minus the actual operating costs amount during the Eligibility Period) minus the non-COVID-19 pandemic operating costs amount = the eligible operating costs amount) that, in the opinion of the Province, the Recipient properly and reasonably incurred and paid as a result of the COVID-19 pandemic will be considered Eligible Expenditures:
- (i) costs associated with vehicle cleaning, except for those for which MTEC funds have been provided or claimed;
 - (ii) costs associated with changes in fuel consumption (e.g., increases due to running additional buses or savings in consumption relating to lower service levels than budgeted, or both);
 - (iii) costs associated with vehicle maintenance;
 - (iv) costs associated with transit facilities;
 - (v) costs resulting from existing contracts with expanded scope/new contracts;
 - (vi) employee related costs (i.e., salaries, wages, benefits);
 - (vii) costs for employee personal protection equipment (e.g., face masks, gloves, sanitizer);
 - (viii) costs for signage and other means of communications related to the COVID-19 pandemic (e.g., social distance guidance); and
 - (ix) any other operating cost the Recipient incurred as a result of the COVID-19 pandemic that, in the opinion of the Province, is considered eligible.

Capital Costs

- (c) The following capital costs that, in the opinion of the Province, the Recipient properly and reasonably incurred and paid as a result of the COVID-19 pandemic, will be considered Eligible Expenditures:
- (i) costs associated with installing driver protection barriers and other protection measures for transit drivers;
 - (ii) costs associated with providing passenger protection equipment and other passenger safety measures; and

- (iii) any other capital cost the Recipient incurred as a result of the COVID-19 pandemic that, in the opinion of the Province, is considered eligible.

C3.0 INELIGIBLE EXPENDITURES

C3.1 Scope of Ineligible Expenditures. Unless a cost or a loss is considered an Eligible Expenditure pursuant to section C2.1 (Scope of Eligible Expenditures), such cost or loss will be considered an Ineligible Expenditure. Without limitation, the following costs and loss will be considered Ineligible Expenditures:

- (a) costs incurred outside of the Eligibility Period;
- (b) costs not paid prior to having been submitted to the Province for payment;
- (c) Recipient's staff, including permanent and seasonal, salaries and travel costs unless otherwise indicated in paragraph (b)(vi) of section C2.1 (Scope of Eligible Expenditures);
- (d) legal, audit, or interest fees;
- (e) costs for which MTEC funds have been provided or claimed;
- (f) any operating or capital cost that, in the opinion of the Province, the Recipient could not have properly and reasonably incurred or paid, or both, during the Eligibility Period and as a result of the COVID-19 pandemic (i.e., excess purchases or stockpiling);
- (g) any loss that, in the opinion of the Province, the Recipient could not have properly and reasonably incurred during the Eligibility Period and as a result of the COVID-19 pandemic;
- (h) refundable Harmonized Sales Tax or other refundable expenses; and
- (i) any other cost which is not specifically listed as an Eligible Expenditure under section C2.1 (Scope of Eligible Expenditure) and which, in the opinion of the Province, is considered ineligible.

**SCHEDULE “D”
CLAIM AND ATTESTATION SUBMISSION,
SUPPORTING DOCUMENTATION AND PAYMENT PROCEDURES**

D1.0 CLAIM AND ATTESTATION

- D1.1 Claim and Attestation from the Recipient’s Senior Financial Official.** The Recipient will use the form in Sub-schedule “D.1” (Claim and Attestation Form) for the submission of its claim for payment.

D2.0 SUPPORTING DOCUMENTATION

- D2.1 Report on Expenditures and Additional Report and Information.** The Recipient will, together with the claim form described in section D1.1 (Claim and Attestation from the Recipient’s Senior Financial Official), submit the following supporting documentation with its claim for payment:
- (a) a report on expenditures using the form in Appendix A (Form of Report on Expenditures) to Sub-schedule “D.1” (Claim and Attestation Form); and
 - (b) any additional reports or information, or both, the Province may request at its sole discretion and in a form provided by the Province.

D3.0 PAYMENT PROCEDURES

- D3.1 Submission of Claim for Payment and Required Documentation.** The Recipient will submit its claim for payment, together with the supporting documentation set out in section D1.1 (Claim and Attestation from the Recipient’s Senior Financial Official) and section D2.1 (Report on Expenditures and Additional Report and Information) on or before May 31, 2021, or at a later date upon Notice from the representative of the Province on the signature page above or in Schedule “B” (Contact Information and Authorized Representatives).
- D3.2 Claim Payments.** Subject to the terms and conditions set out in the Agreement and if due and owing under the Agreement, the Province will use its reasonable efforts to make the payment to the Recipient for the claim submitted pursuant to section D3.1 (Submission of Claim for Payment and Required Documentation) in a timely manner.
- D3.3 No Interest.** The Province will under no circumstances be liable for interest for failure to make a payment within the time limit provided for in section D3.2 (Claim Payments).

D3.4 **No Obligation to Pay.** For greater clarity and without limitation to any other right of the Province, the Province will have no obligation to pay a claim if it does not meet the terms and conditions of the Agreement including, without limitation, if the claim is missing any of the required supporting documentation or is submitted after May 31, 2021, or at a later date upon Notice from the representative of the Province on the signature page above or in Schedule “B” (Contact Information and Authorized Representatives), or both.

**SUB-SCHEDULE “D.1”
CLAIM AND ATTESTATION FORM**

TO: Ministry of Transportation
Transportation Programs Office

Attention: Manager, Transportation Programs Office

Email: MTO-COVID_Transit_Funding@ontario.ca

FROM: **[Insert name of Recipient]**

Attention: **[insert name and title of Recipient senior official]**

Telephone No.: **[insert telephone number of Recipient senior official]**

RE: Safe Restart Agreement – Phase 2 Municipal Transit Funding

In the matter of the Safe Restart Agreement (SRA) – Phase 2 Municipal Transit Funding entered into between Her Majesty the Queen in right of Ontario, represented by the Minister of Transportation for the Province of Ontario, and the **[insert the legal name of the Recipient]** (the “Recipient”), on _____, _____ (the “Agreement”).

I, _____ **[insert the name and title of the Recipient’s senior official]**, an authorized representative of the Recipient, having made such inquiries as I have deemed necessary for this attestation, hereby certify that to the best of my knowledge, information and belief.

On the date set out below:

- 1) all representations and warranties contained in Article A2.0 (Representations, Warranties, and Covenants) of Schedule “A” (General Terms and Conditions) to the Agreement are true and correct.
- 2) the Recipient is in compliance with all the terms and conditions of the Agreement.;
- 3) the information in respect of the Eligible Expenditures that is contained in the attached Appendix A (Report on Expenditures) is true and correct.
- 4) the Eligible Expenditures claimed in the attached Appendix A (Report on Expenditures) have:
 - (a) in respect of the losses, been incurred during the Eligibility Period;

- (b) in respect of the operating and capital costs, been incurred during the Eligibility Period;
 - (c) have only been expended on Financial Impacts as defined in section A1.2 (Definitions) of the Agreement;
 - (d) have not been and will not be funded or reimbursed through any other funding program; and
 - (e) have not replaced the budgeted subsidy that the Recipient provides to transit operations.
- 5) the Recipient has not received and will not receive SRA Phase 1 Contribution, a rebate, credit or refund for any Eligible Expenditures claimed or, if it did, those were deducted from the Eligible Expenditures claimed.
- 6) the Recipient is in compliance with all of the reporting requirements of the Agreement.
- 7) the Recipient:
- (a) has engaged or will engage, as requested and in a manner to be specified by the Province, including share information, with the Province to determine the benefit of optional consolidated procurement of specific COVID-19 pandemic related items;
 - (b) has considered or will consider whether On-demand Microtransit, or other service innovations, would better serve Low-performing Routes, cancelled or new routes than traditional fixed-route service as part of the Recipient's regular service reviews;
 - (c) has engaged or will engage, as requested and in a manner to be specified by the Province, with the Province or Metrolinx, or both, on lessons learned and capacity building to support future consideration of On-demand Microtransit by the Recipient;
 - (d) has participated or will participate, as requested and in a manner to be specified by the Province, in discussions lead by the Province or Metrolinx, or both, on improved fare and service integration and work toward implementing options that would improve the rider experience; and
 - (e) has requested, in writing, provincial assistance in discussions to transform transit delivery between neighboring municipal governments, where there is a local interest and benefit to pursuing structural reforms.

By signing below, I hereby claim payment in the amount of \$ _____, on behalf of the Recipient, on account of the Province's contribution towards the Eligible Expenditures of the Agreement.

Declared at _____ (city), in the Province of Ontario, this _____ day of _____, 20_____.

(Signatures)

Name:

Title:

I have authority to bind the Recipient.

**APPENDIX A
FORM OF REPORT ON EXPENDITURES
TO
SUB-SCHEDULE “D.1” (CLAIM AND ATTESTATION FORM)**

Safe Restart Agreement (SRA) Phase 2 Municipal Transit Funding Expenditure Report for the Eligibility Period	
Date:	
Recipient's Name:	
Total Funds Allocated:	
Total Funds Claimed:	
Remaining Allocation:	

See Schedule "C" (Eligible Expenditures & Ineligible Expenditures, including Articles C2.0 (Eligible Expenditures) & C 3.0 (Ineligible Expenditures) for details on Eligible Expenditures & Ineligible Expenditures		October 2020	November 2020	December 2020	January 2021	February 2021	March 2021	[Note: If the Eligibility Period is extended pursuant to section 1.2 (Definitions) of the Agreement, add a new column for each additional month]	Total
Revenue Losses	Farebox								
	Advertising								
	Parking								
	Contracts (e.g., school)								
	Other Revenue ¹								
Operating Costs	Vehicle Cleaning ²								
	Changes in Fuel Consumption								
	Vehicle Maintenance								
	Transit Facilities								
	Existing Contracts with Expanding Scope/New Contracts								
	Employee								
	Employee PPE								

	Communications								
	Other Operating Costs ³								
Capital Costs	Driver Protection								
	Passenger Protection								
	Other Capital Costs ⁴								
Net Monthly Impact - Pressure/(Savings):									
Cumulative Impact - Pressure/(Savings):									

¹Other revenue impacts beyond those listed above

²Cleaning costs beyond costs reimbursed through Municipal Transit Enhancement Cleaning funding

³Additional COVID related operating costs beyond those listed above

⁴See workbook tab and/or comments for details

The Recipient attests to the following conditions from the drop-down menu, as outlined in Schedule A (General Terms and Conditions), paragraph 27.1(b) of the Transfer Payment Agreement,

Condition	Select
Has engaged or will engage, as requested and in a manner to be specified by the Province, including share information, with the Province to determine the benefit of optional consolidated procurement of specific COVID-19 pandemic related items.	
Has considered or will consider whether On-demand Microtransit, or other service innovations, would better serve low-performing, cancelled or new routes than traditional fixed-route service as part of the Recipient's regular service reviews.	

Has engaged or will engage, as requested and in a manner to be specified by the Province, with the Province or Metrolinx, or both, on lessons learned and capacity building to support future consideration of On-demand Microtransit by the Recipient.		
Has participated or will participate, as requested and in a manner to be specified by the Province, in discussions lead by the Province or Metrolinx, or both, on improved fare and service integration and work toward implementing options that would improve the rider experience.		
Has requested, in writing, provincial assistance in discussions to transform transit delivery between neighboring municipal governments, where there is a local interest and benefit to pursuing structural reforms.		

Results Achieved with Provincial Funding:

Additional Comments:

Conclusion:

Recommended for payment:

Date:

Recommended for payment:

Date:

**[insert/print the name and title of the Recipient's
authorized representative]**

**[insert/print the name of the
Director]
Director, Ministry of Transportation**

The Corporation of the City of Kawartha Lakes

By-Law 2021-XXX

A By-law to Authorize the Execution of a Letter of Agreement between Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario and the City of Kawartha Lakes related to Funding Provided by the Province of Ontario to the Municipality under the Investing in Canada Infrastructure Program (ICIP): Public Transit Stream

Recitals

1. An Agreement between the Minister of Transportation and the City must be entered into for the municipality to be eligible to receive funding.
2. The purpose of the Agreement was designed to create long-term economic growth, build inclusive, sustainable and resilient communities, and support low-carbon economy.
3. This By-law authorizes the Agreement to be executed by the municipality.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-XXX.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law;

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area.

“City Clerk” means the person within the administration of the City which fulfils the function of the City Clerk as required by the Municipal Act, 2001, c.25.

“Council” means the municipal council for the City.

“Treasurer” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council;

“Mayor” means the Chief Executive Officer of the City.

1.02 Interpretation Rules:

- (a) Wherever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.

- (b) References to items in the plural include the singular, as applicable.
 - (c) The word “include” is not to be read as limiting the phrases or descriptions that precede it.
- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, which are applicable within the Province of Ontario.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this By-law to be illegal or unenforceable, that portion of this By-law will be considered to be severed from the balance of the By-law, which will continue to operate in full force and effect.

Section 2.00: Approval

- 2.01 Approvals: The Agreement appended to this By-law as Schedule “A” is approved.
- 2.02 Authorization: The Mayor and City Clerk are authorized to sign the Agreement appended to this By-law as Schedule “A”, and to affix the City’s corporate seal to them.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Treasurer shall be responsible for the administration of this by-law.
- 3.02 **Effective Date:** 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 18th day of May, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk



Schedule 'A'.pdf

**TRANSFER PAYMENT AGREEMENT
FOR THE INVESTING IN CANADA INFRASTRUCTURE PROGRAM (ICIP):
PUBLIC TRANSIT STREAM**

THIS TRANSFER PAYMENT AGREEMENT for the Investing in Canada Infrastructure Program (ICIP): Public Transit Stream (the “Agreement”) is effective as of the Effective Date.

B E T W E E N

Her Majesty the Queen in right of the Province of Ontario,
represented by the Minister of Transportation for the Province of Ontario

(the “**Province**”)

- and -

The Corporation of the City of Kawartha Lakes

(the “**Recipient**”)

BACKGROUND

The Investing in Canada Infrastructure Program (“ICIP”) is a federal infrastructure program designed to create long-term economic growth, build inclusive, sustainable and resilient communities, and support a low-carbon economy.

The Government of Canada (“Canada”) announced, in its *Budget 2016* and *Budget 2017*, over \$180 billion for the ICIP to support sustainable and inclusive communities, while driving economic growth.

The federal Minister of Infrastructure, Communities and Intergovernmental Affairs and the provincial Minister of Infrastructure entered into the Canada-Ontario Integrated Bilateral Agreement for the Investing in Canada Infrastructure Program (“Bilateral Agreement”), for Canada to provide financial support to the Province.

Under the Bilateral Agreement, Canada agrees to provide contribution funding to Ontario under the public transit stream of ICIP.

Also, under the Bilateral Agreement, Ontario agrees to identify projects, including municipal projects, and be responsible for the transfer of ICIP and provincial funds to eligible municipalities pursuant to transfer payment agreements.

The Recipient has applied to the Province for ICIP funds to assist the Recipient in carrying out one or more public transit infrastructure projects.

The Province has submitted to Canada for approval and Canada has approved, in accordance with the terms and conditions set out in the Bilateral Agreement, the Project or Projects, as the case may be.

The Agreement sets out the terms and conditions upon which ICIP funds will be provided to the Recipient for carrying out the Project or Projects, as the case may be.

CONSIDERATION

In consideration of the mutual covenants and agreements contained in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

1.0 ENTIRE AGREEMENT

1.1 Schedules and Sub-schedules to the Agreement. The following schedules and sub-schedules form part of the Agreement:

Schedule "A" - General Terms and Conditions

Schedule "B" - Specific Information

Schedule "C" - Project Description, Budget, Timelines, and Standards

Sub-schedule "C.1" - Project Description, Budget, and Timelines

Schedule "D" - Reports

Sub-schedule "D.1" - Project Tier Classification and Other Information

Schedule "E" - Eligible Expenditures and Ineligible Expenditures

Schedule "F" - Evaluation

Schedule "G" - Communications Protocol

Schedule "H" - Disposal of Assets

Schedule "I" - Aboriginal Consultation Protocol

Schedule "J" - Requests for Payment and Payment Procedures

Sub-schedule "J.1" - Form of Certificate from Recipient

Sub-schedule "J.2" - Form of Declaration of Project Substantial Completion

Sub-schedule "J.3" - Form of Certificate from a Professional Engineer for Project Substantial Completion

Sub-schedule "J.4" - Form of Certificate from an Independent Engineer to Certify Progress

Schedule "K" - Committee

1.2 Entire Agreement. The Agreement constitutes the entire agreement between the Parties in respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

2.0 CONFLICT OR INCONSISTENCY

2.1 Conflict or Inconsistency. In the event of a conflict or inconsistency between any of the requirements of:

- (a) the main body of the Agreement and any of the requirements of a schedule or a sub-schedule, the main body of the Agreement will prevail to the extent of the conflict or inconsistency;
- (b) Schedule “A” (General Terms and Conditions) and any of the requirements of another schedule or a sub-schedule, Schedule “A” (General Terms and Conditions) will prevail to the extent of the conflict or inconsistency; or
- (c) a schedule and any of the requirements of a sub-schedule, the schedule will prevail to the extent of the conflict or inconsistency.

3.0 COUNTERPARTS

3.1 One and the Same Agreement. The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

3.2 Electronic Execution and Delivery of Agreement.

- (a) The Agreement may:
 - (i) be executed and delivered by scanning the manually signed Agreement as a PDF and delivering it by email to the other Party; or
 - (ii) subject to the Province’s prior written consent, be executed and delivered electronically to the other Party.
- (b) The respective electronic signature of the Parties is the legal equivalent of a manual signature.

4.0 AMENDING THE AGREEMENT AND AGREEMENT REVIEW

4.1 Amending the Agreement. Subject to sections C.3.3 (Amending the Agreement for Minor Changes to the Project Description, Budget, and Timelines) and D.7.2 (Amending the Agreement for Minor Changes to the Reporting), the Agreement may only be amended by a written agreement duly executed by the representatives of the Parties listed on the signature page below.

- 4.2 **Agreement Review.** If, pursuant to section 25.10 (Review of Agreement) of the Bilateral Agreement, the Bilateral Agreement is reviewed after three or five years, or both, of the effective date of the Bilateral Agreement, and any changes to the Bilateral Agreement are required as a result, the Parties agree to amend the Agreement as necessary and consistent with such changes.

5.0 ACKNOWLEDGEMENT

- 5.1 **Acknowledgement from Recipient.** The Recipient acknowledges, in respect of each Project, that:
- (a) the Funds are to assist the Recipient to carry out the Project and not to provide goods or services to the Province or Canada;
 - (b) the Province and Canada are not responsible for carrying out the Project;
 - (c) the Province's and Canada's role in respect of the Project is limited to making a financial contribution to the Recipient for the Project, and the Province and Canada are not involved in the Project or its operation;
 - (d) the Province and Canada are neither decision-makers nor administrators in respect of the Project;
 - (e) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and any information provided to the Province in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act; and
 - (f) Canada is bound by the *Access to Information Act* (Canada) and any information provided to Canada by either the Province or the Recipient in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.
- 5.2 **Acknowledgement from Province.** The Province acknowledges that the Recipient is bound by the *Municipal Freedom of Information and Protection of Privacy Act* (Ontario) and any information provided to the Recipient in connection with any Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

6.0 CANADA'S RIGHTS AND INFORMATION SHARING WITH CANADA

- 6.1 **Third Party Beneficiary.** The Recipient agrees that, although the Agreement is between the Province and the Recipient, Canada is, in respect of the rights, covenants, remedies, obligations, indemnities, and benefits (together referred to as "Rights")

undertaken or given to Canada in the Agreement, a third party beneficiary under the Agreement and is entitled to rely upon and directly enforce those Rights as if Canada were a party to the Agreement.

6.2 Sharing of Information with the Province and Canada. The Recipient agrees that, consistent with section 6.1 (Third Party Beneficiary) and for the implementation of the Bilateral Agreement:

- (a) the Province or Canada, or both, and in respect of Canada either directly or through the Province, may, upon Notice to the Recipient, request additional information from the Recipient including, without limitation, information for any determination under Article A.28.0 (Environmental Requirements and Assessments) and Article A.29.0 (Aboriginal Consultation);
- (b) if the Province or Canada, or both, provide the Recipient with Notice under paragraph 6.2(a), the Recipient will, within the timelines set out in the Notice, deliver the information to either the Province or Canada, or both, as required; and
- (c) the Province or Canada, or both, may share any information received from the Recipient pursuant to the Agreement with each other.

- SIGNATURE PAGE FOLLOWS -

The Parties have executed the Agreement on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF THE
PROVINCE OF ONTARIO**, represented by the Minister of
Transportation for the Province of Ontario

Date

Name: Caroline Mulroney
Title: Minister

**THE CORPORATION OF THE CITY OF KAWARTHA
LAKES**

Date

Name: Andy Letham
Title: Mayor

I have authority to bind the Recipient.

Date

Name: Cathie Ritchie
Title: City Clerk

I have authority to bind the Recipient.

SCHEDULE “A” GENERAL TERMS AND CONDITIONS

A.1.0 INTERPRETATION AND DEFINITIONS

A.1.1 Interpretation. For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the background and headings do not form part of the Agreement; they are for information and reference only and will not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency will be in Canadian dollars and currency; and
- (e) all accounting terms not otherwise defined in the Agreement have their ordinary meanings.

A.1.2 Definitions. In the Agreement, the following terms have the following meanings:

“Aboriginal Community” has the meaning ascribed to it in section I.1.1 (Definitions).

“Aboriginal Consultation Record” means the Aboriginal Consultation Record described in section I.3.1 (Requirements for Aboriginal Consultation Record).

“Agreement” means this agreement entered into between the Province and the Recipient, all of the schedules and sub-schedules listed in section 1.1 (Schedules and Sub-schedules to the Agreement), and any amending agreement entered into pursuant to section 4.1 (Amending the Agreement).

“Asset” means any real or personal property, or immovable or movable asset, acquired, purchased, constructed, rehabilitated, renovated or improved, in whole or in part, with any of the Funds.

“Authorities” means any government authority, agency, body or department, whether federal, provincial, or municipal, having or claiming jurisdiction over the Agreement or any Project, or both.

“Bilateral Agreement” means the Canada-Ontario Integrated Bilateral Agreement for the Investing in Canada Infrastructure Program entered into between Canada and Her Majesty the Queen in right of Ontario, effective as of March 26, 2018.

“Budget” means, in respect of a Project, the Project budget set out in Sub-schedule “C.1” (Project Description, Budget, and Timelines).

“Business Day” means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year’s Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day; and any other day on which the Province has elected to be closed for business.

“Canada” means, unless the context requires otherwise, Her Majesty the Queen in right of Canada.

“Canadian Content Policy” means the *Ministry of Transportation Canadian Content for Transit Vehicle Procurement Policy*, as amended from time to time.

“Certificate from a Professional Engineer for Project Substantial Completion” means a Certificate from a Professional Engineer in the form set out in Sub-schedule “J.3” (Form of Certificate from a Professional Engineer for Project Substantial Completion).

“Certificate from an Independent Engineer to Certify Progress” means a Certificate from an Independent Engineer to Certify Progress in the form set out in Sub-schedule “J.4” (Form of Certificate from an Independent Engineer to Certify Progress).

“Committee” refers to a Committee established pursuant to section A.30.1 (Establishment of Committee).

“Communications Activities” means, but is not limited to, public or media events or ceremonies including key milestone events, news releases, reports, web and social media products or postings, blogs, news conferences, public notices, physical and digital signs, publications, success stories and vignettes, photos, videos, multi-media content, advertising campaigns, awareness campaigns, editorials, multi-media products, and all related communication materials under the Agreement.

“Contract” means a contract between the Recipient and a Third Party whereby the Third Party agrees to supply goods or services, or both, in respect of any Project in return for financial consideration.

“Declaration of Project Substantial Completion” means a Declaration of Project Substantial Completion in the form set out in Sub-schedule “J.2” (Form of Declaration of Project Substantial Completion).

“Effective Date” means the date of signature by the last signing party to the Agreement.

“Eligible Expenditures” means the costs in respect of each Project the Recipient has incurred and paid and that are eligible for payment under the terms and conditions of the Agreement, and that are further described in Schedule “E” (Eligible

Expenditures and Ineligible Expenditures).

“Environmental Laws” means all applicable federal, provincial, or municipal laws, regulations, by-laws, orders, rules, policies, or guidelines respecting the protection of the natural environment, public, or occupational health or safety, and the manufacture, importation, handling, transportation, storage, disposal, and treatment of environmental contaminants and includes, without limitation, the *Environmental Protection Act* (Ontario), *Environmental Assessment Act* (Ontario), *Ontario Water Resources Act* (Ontario), *Canadian Environmental Protection Act, 1999* (Canada), *Canadian Environmental Assessment Act, 2012* (Canada), *Fisheries Act* (Canada), and *Navigation Protection Act* (Canada).

“Evaluation” means an evaluation in respect of any Project, the Projects or the ICIP as described in Article F.1.0 (Projects and ICIP Evaluations).

“Event of Default” has the meaning ascribed to it in section A.12.1 (Events of Default).

“Expiry Date” means the expiry date set out in Schedule “B” (Specific Information).

“Federal Approval Date” means the date on which Canada has approved a Project identified in Sub-schedule “C.1” (Project Description, Budget, and Timelines).

“Funding Year” means:

- (a) in the case of the first Funding Year, the period commencing on the Effective Date and ending on the following March 31; and
- (b) in the case of Funding Years subsequent to the first Funding Year, the period commencing on April 1 following the end of the previous Funding Year and ending on the following March 31 or the Expiry Date, whichever comes first.

“Funds” means the money the Province provides to the Recipient pursuant to the Agreement.

“Holdback” means the Holdback described in and to be paid in accordance with section A.4.12 (Retention of Contribution) and Article J.7.0 (Holdback).

“ICIP” means the federal infrastructure program described in the first paragraph of the “Background” to the Agreement.

“Indemnified Parties” means Her Majesty the Queen in right of Ontario and Her Majesty the Queen in right of Canada, and includes their respective ministers, officers, servants, agents, appointees, and employees.

“Ineligible Expenditures” means the costs in respect of each Project that are ineligible for contribution by the Province and Canada under the terms and conditions of the Agreement, and that are described in Schedule “E” (Eligible Expenditures and Ineligible Expenditures).

“Loss” means any cause of action, liability, loss, cost, damage, or expense (including legal, expert, and consultant fees) that anyone incurs or sustains as a result of or in connection with any Project or any part of the Agreement or the Bilateral Agreement.

“Maximum Funds” means the maximum Funds amount set out Schedule “B” (Specific Information).

“Notice” means any communication given or required to be given pursuant to the Agreement.

“Notice Period” means the period of time within which the Recipient is required to remedy an Event of Default, pursuant to paragraph A.12.3(b), and includes any such period or periods of time by which the Province extends that time in accordance with section A.12.4 (Recipient Not Remediating).

“Parties” means the Province and the Recipient.

“Party” means either the Province or the Recipient.

“Person” means, without limitation, a person, the Recipient, a Third Party, a corporation, or any other legal entity, and their officers, servants, employees, or agents.

“Proceeding” means any action, claim, demand, lawsuit, or other proceeding, whether in contract, tort (including negligence), or otherwise, that anyone makes, brings, or prosecutes as a result of or in connection with any Project or any part of the Agreement or the Bilateral Agreement.

“Progress Report” means the Progress Report described in Article D.1.0 (Progress Reports).

“Project Substantial Completion Date” means, in respect of any Project, the Project Substantial Completion Date indicated on the Declaration of Project Substantial Completion.

“Projects” means, collectively, the undertakings described in Sub-schedule “C.1” (Project Description, Budget, and Timelines), and **“Project”** means any one of them.

“Records Review” means any assessment the Province conducts pursuant to section A.7.4 (Records Review).

“Reports” means the reports described in Schedule “D” (Reports).

“Requirements of Law” means all applicable requirements, laws, statutes, codes, acts, ordinances, approvals, orders, decrees, injunctions, by-laws, rules, regulations, official plans, permits, licences, authorizations, directions, and agreements with all Authorities, and includes the Environmental Laws.

“Substantial Completion” or **“Substantially Completed”** means, in respect of any Project, that the Project can be used for the purpose for which it was intended.

“Term” means the period of time described in section A.3.1 (Term).

“Third Party” means any person or legal entity, other than a Party, who participates in the implementation of any Project by means of a Contract.

“Timelines” means the Project schedule described in Sub-schedule “C.1” (Project Description, Budget, and Timelines).

“Total Financial Assistance” means the total Project funding from all sources including, but not limited to, funding from federal, provincial, territorial, municipal, regional, band council, and Indigenous government sources; private sources; and in-kind contributions.

A.2.0 REPRESENTATIONS, WARRANTIES, AND COVENANTS

A.2.1 General. The Recipient represents, warrants, and covenants that, in respect of each Project:

- (a) it has, and will continue to have, the experience and expertise necessary to carry out the Project;
- (b) it is in compliance with, and will continue to comply with, all Requirements of Law related to any aspect of the Project, the Funds, or both;
- (c) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds (including, without limitation, any information relating to any eligibility requirements) was true and complete at the time the Recipient provided it and will continue to be true and complete; and
- (d) any Funds received have not displaced, and will continue to not displace, the Recipient’s own funding and spending on public transit.

A.2.2 **Execution of Agreement.** The Recipient represents and warrants that it has:

- (a) the full power and authority to enter into the Agreement; and
- (b) taken all necessary actions to authorize the execution of the Agreement, including passing a municipal by-law authorizing the Recipient to enter into the Agreement.

A.2.3 **Governance.** The Recipient represents, warrants, and covenants that it has, will maintain in writing, and will follow:

- (a) procedures to enable the Recipient to manage Funds prudently and effectively;
- (b) procedures to enable the Recipient to complete each Project successfully;
- (c) procedures to enable the Recipient to identify risks to the completion of each Project and strategies to address the identified risks, all in a timely manner;
- (d) procedures to enable the preparation and submission of all Reports required pursuant to Article A.7.0 (Reporting, Accounting, and Review); and
- (e) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to enable the Recipient to carry out its obligations under the Agreement.

A.2.4 **Supporting Proof.** Upon the request of the Province, the Recipient will provide the Province with proof of the matters referred to in this Article A.2.0 (Representations, Warranties, and Covenants).

A.3.0 TERM OF THE AGREEMENT AND SUBSTANTIAL COMPLETION

A.3.1 **Term.** The term of the Agreement will commence on the Effective Date and will expire on the Expiry Date, unless terminated earlier pursuant to Article A.11.0 (Termination on Notice) or Article A.12.0 (Event of Default, Corrective Action, and Termination for Default).

A.3.2 **Substantial Completion.** The Recipient will ensure that each Project is Substantially Completed on or before October 31, 2027.

A.4.0 FUNDS AND CARRYING OUT THE PROJECT

A.4.1 **Funds Provided.** The Province will:

- (a) provide the Recipient up to the Maximum Funds for the purpose of carrying out the Projects;

- (b) provide the Funds to the Recipient in accordance with the request for payment and payment procedures provided for in Schedule “J” (Requests for Payment and Payment Procedures); and
- (c) deposit the Funds into an account the Recipient designates, provided that the account:
 - (i) resides at a Canadian financial institution; and
 - (ii) is in the name of the Recipient.

A.4.2 Limitation on Payment of Funds. Despite section A.4.1 (Funds Provided):

- (a) in addition to any other limitation under the Agreement on the payment of Funds, the Province is not obligated to provide:
 - (i) any Funds to the Recipient until the Recipient fulfils the special conditions listed in section A.32.1 (Special Conditions); and
 - (ii) any instalment of Funds in respect of any Project until the Province and Canada are satisfied with the progress of the Project;
- (b) the Province may adjust the amount of Funds it provides to the Recipient in any Funding Year based upon the Province’s assessment of the information the Recipient provides to the Province pursuant to section A.7.2 (Preparation and Submission); and
- (c) any payment of Funds is subject to:
 - (i) the requirements of the *Financial Administration Act* (Ontario), including the availability of an appropriation by the Ontario Legislature that is sufficient and constitutes lawful authority for the payment;
 - (ii) ministerial funding levels in respect of transfer payments, the program under which the Agreement was made, or otherwise that are sufficient for the payment; and
 - (iii) Canada’s payment of funds to the Province, pursuant to the Bilateral Agreement, that are sufficient for the payment.

The Province may reduce or terminate the amount of Funds it provides to the Recipient in response to a reduction of appropriation, ministerial funding levels, or Canada’s payment of funds. Notwithstanding Article A.9.0 (Limitation of Liability and Indemnity), the Province will not be liable for any direct, indirect, consequential, exemplary, or punitive damages, regardless of the form of action,

whether in contract or in tort (including negligence) or otherwise, arising from any reduction or termination of Funds. If any changes to the Agreement, including changes in respect of any Project or Budget, are required as a result, the Parties agree to amend the Agreement accordingly.

A.4.3 Use of Funds and Carry Out the Project. The Recipient will, in respect of each Project, do all of the following:

- (a) carry out the Project in accordance with the Agreement;
- (b) use the Funds only for the purpose of carrying out the Project;
- (c) spend the Funds only in accordance with the Budget;
- (d) not use the Funds to cover any Ineligible Expenditure; and
- (e) not use the Funds to cover any Eligible Expenditure that has or will be funded or reimbursed by one or more of any third party, or ministry, department, agency, or organization of the Government of Ontario or of the Government of Canada.

A.4.4 Interest-Bearing Account. If the Province provides Funds before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest-bearing account in the name of the Recipient at a Canadian financial institution.

A.4.5 Interest. If the Recipient earns any interest on the Funds, the Province may do either or both of the following:

- (a) deduct an amount equal to the interest from any further instalments of Funds;
- (b) demand from the Recipient the payment of an amount equal to the interest.

A.4.6 Maximum Funds and Recovery of Excesses. The Recipient acknowledges that:

- (a) the Funds available to it pursuant to the Agreement will not exceed the Maximum Funds;
- (b) if Canada's total contribution from all federal sources in respect of any Project exceeds, in the aggregate, the sum of the amounts set out in column I (Federal Contribution Towards the Total Eligible Expenditures of the Project) and column K (Other Federal Contribution Towards the Total Costs of the Project) of the Budget for that Project, the Province may recover the excess from the Recipient or reduce the contribution under the Agreement by an amount equal to the excess;
- (c) if the Province's total contribution from all provincial sources in respect of any Project exceeds the amount set out in column L (Provincial Contribution Towards

the Total Eligible Expenditures of the Project) of the Budget for that Project, the Province may recover the excess from the Recipient or reduce the contribution under the Agreement by an amount equal to the excess; and

- (d) if the Total Financial Assistance received in respect of any Project exceeds the amount set out in column H (Total Eligible Expenditures of the Project) of the Budget for that Project, the Province may, up to the Maximum Funds, recover the excess from the Recipient or reduce the contribution under the Agreement by an amount equal to the excess.

A.4.7 Disclosure of Other Financial Assistance. The Recipient will inform the Province promptly of any financial assistance received in respect of any Project.

A.4.8 Rebates, Credits, and Refunds. The Province will, in respect of any Project, calculate Funds based on the actual costs to the Recipient to carry out the Project, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit, or refund.

A.4.9 Recipient's Acknowledgement of Responsibility for Project. The Recipient will, in respect of any Project, assume full responsibility for the Project, including, without limitation:

- (a) complete, diligent, and timely Project implementation within the costs and timelines specified in the Agreement and in accordance with all other terms and conditions of the Agreement;
- (b) all of the costs of the Project, including, without limitation, unapproved expenditures, Ineligible Expenditures, and cost overruns, if any;
- (c) subsequent operation, maintenance, repair, rehabilitation, construction, demolition, or reconstruction, as required and in accordance with industry standards, and any related costs for the full lifecycle of the Project; and
- (d) the engineering work being undertaken in accordance with industry standards.

A.4.10 Increase in Project Costs. If, at any time during the Term and in respect of any Project, the Recipient determines that it will not be possible to complete the Project unless it expends amounts in excess of all funding available to it (a "Shortfall"), the Recipient will immediately notify the Province of that determination. If the Recipient so notifies the Province, it will, within 30 days of a request from the Province, provide a summary of the measures that it proposes to remedy the Shortfall. If the Province is not satisfied that the measures proposed will be adequate to remedy the Shortfall, then the Province may exercise one or more of the remedies available to it pursuant to section A.12.4 (Recipient Not Remediating).

A.4.11 Recipient's Request for Payment and Payment Procedures. The Recipient agrees to submit its requests for payment in accordance with the payment procedures

provided for in Schedule “J” (Requests for Payment and Payment Procedures).

A.4.12 Retention of Contribution. The Province will retain a maximum of 10% of the provincial funding and 5% of the federal funding in respect of each Project (“Holdback”) up until the following conditions have been met:

- (a) the Recipient has fulfilled all of its obligations under the Agreement for the Project;
- (b) the Recipient has submitted a Declaration of Project Substantial Completion to the Province; and
- (c) the Parties have jointly carried out a final reconciliation, as set out in section J.6.1 (Final Reconciliation and Adjustments), and made any adjustments required in the circumstances.

A.5.0 RECIPIENT’S ACQUISITION OF GOODS OR SERVICES, CONTRACT PROVISIONS, AND DISPOSAL OF ASSETS

A.5.1 Acquisition. If the Recipient acquires goods, services, or both with the Funds, it will do so through a process that:

- (a) is fair, transparent, competitive, and consistent with value for money principles, or in a manner otherwise acceptable to Canada;
- (b) if applicable, is in accordance with the Canadian Free Trade Agreement and international agreements; and
- (c) is in compliance with the Canadian Content Policy, a copy of which the Province will provide to the Recipient.

A.5.2 Non-Compliance with Acquisition Requirements. If the Province or Canada determines that a Contract is awarded in a manner that is not in compliance with the requirements in section A.5.1 (Acquisition), upon giving Notice to the Recipient, the Province may consider the expenditures associated with the Contract to be an Ineligible Expenditure.

A.5.3 Exemptions to Competitive Awarding. Canada may consent to the provision of exemptions from competitive awarding of Contracts on a case-by-case basis, if the Recipient:

- (a) provides a written request indicating the business case rationale for the exemption, in advance of the Contract being awarded;
- (b) provides a consultant or contractor quote for market value; and

- (c) attests to:
 - (i) following value-for-money procurement processes for materials and sub-contracts; and
 - (ii) following its own policies and procedures.

A.5.4 Contract Provisions. The Recipient will ensure that all Contracts are consistent with and incorporate the relevant provisions of the Agreement. More specifically but without limiting the generality of the foregoing, the Recipient agrees to include provisions in all Contracts to ensure:

- (a) that proper and accurate accounts and records are kept and maintained as described in the Agreement including, but not limited to, in paragraph A.7.3(a);
- (b) that all applicable Requirements of Law including, without limitation, labour and human rights legislation, are complied with; and
- (c) that the Contract secures the respective rights of the Province and Canada, and any authorized representative or independent auditor identified by the Province or Canada, and the Auditor General of Ontario and the Auditor General of Canada to:
 - (i) inspect and audit the terms of any Contract, record or account in respect of any Project; and
 - (ii) have free and timely access to the Project sites and facilities, and any records, documentation or information, as contemplated pursuant to section A.7.5 (Inspection and Removal).

A.5.5 Disposal of Assets. The Recipient will not, unless in accordance with the terms and conditions set out in Schedule “H” (Disposal of Assets), sell, lease, encumber, or otherwise dispose, directly or indirectly, of any Asset.

A.6.0 CONFLICT OF INTEREST

A.6.1 Conflict of Interest Includes. For the purposes of this Article A.6.0 (Conflict of Interest), a conflict of interest includes any circumstances where:

- (a) the Recipient or any person who has the capacity to influence the Recipient’s decisions has outside commitments, relationships, or financial interests that could, or could be seen by a reasonable person to interfere with the Recipient’s objective, unbiased, and impartial judgment in respect of any Project or the use of the Funds, or both; or

- (b) a former public servant or public office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes, or policies of Canada apply will derive a direct benefit from the Agreement, unless the provision or receipt of such benefits complies with such legislation, guidelines, policies, or codes.

A.6.2 No Conflict of Interest. The Recipient will carry out each Project and use the Funds without an actual, potential, or perceived conflict of interest unless:

- (a) the Recipient:
 - (i) provides Notice to the Province disclosing the details of the actual, potential, or perceived conflict of interest; and
 - (ii) requests the consent of the Province to carry out the Project with an actual, potential, or perceived conflict of interest;
- (b) the Province consents to the Recipient carrying out the Project with an actual, potential, or perceived conflict of interest; and
- (c) the Recipient complies with any terms and conditions the Province may prescribe in its consent.

A.7.0 REPORTING, ACCOUNTING, AND REVIEW

A.7.1 Province and Canada Include. For the purpose of sections A.7.4 (Records Review), A.7.5 (Inspection and Removal) and A.7.6 (Cooperation), “Province” includes Canada and any auditor or representative that the Province or Canada, or both, may identify.

A.7.2 Preparation and Submission. The Recipient will:

- (a) submit to the Province at the address referred to in section A.16.1 (Notice in Writing and Addressed):
 - (i) all Reports in accordance with the timelines and content requirements provided for in Schedule “D” (Reports); and
 - (ii) any other reports in accordance with any timelines and content requirements the Province may specify from time to time; and
- (b) ensure that all Reports and other reports are:
 - (i) completed to the satisfaction of the Province; and

- (ii) signed by an authorized signing officer of the Recipient.

A.7.3 Record Maintenance. The Recipient will keep and maintain for a period of seven years after the Expiry Date:

- (a) proper and accurate financial accounts and records, kept in a manner consistent with generally accepted accounting principles, including but not limited to its contracts, invoices, statements, receipts, and vouchers and any other evidence of payment relating to the Funds or otherwise to each Project; and
- (b) all non-financial records and documents relating to the Funds or otherwise to each Project.

A.7.4 Records Review. The Province may, at its own expense, upon 24 hours' Notice to the Recipient and during normal business hours, enter upon the Recipient's premises to conduct an audit or investigation of the Recipient regarding the Recipient's compliance with the Agreement, including assessing any of the following:

- (a) the truth of any of the Recipient's representations and warranties;
- (b) the progress of any Project;
- (c) the Recipient's allocation and expenditure of the Funds.

A.7.5 Inspection and Removal. For the purposes of any Records Review, the Province may take one or more of the following actions:

- (a) inspect and copy any records or documents referred to in section A.7.3 (Record Maintenance); and
- (b) remove any copies the Province makes pursuant to section A.7.5(a).

A.7.6 Cooperation. To assist the Province in respect of its rights provided for in section A.7.5 (Inspection and Removal), the Recipient will cooperate with the Province by:

- (a) ensuring that the Province has access to the records and documents wherever they are located;
- (b) coordinating access with any Third Party;
- (c) assisting the Province to copy the records and documents;
- (d) providing to the Province, in the form the Province specifies, any information the Province identifies; and
- (e) carrying out any other activities the Province requests.

- A.7.7 **No Control of Records.** No provision of the Agreement will be construed so as to give the Province or Canada, or both, any control whatsoever over the Recipient's records.
- A.7.8 **Auditor General (Ontario and Canada).** The Province's rights under this Article A.7.0 (Reporting, Accounting, and Review) are in addition to any rights provided to the Auditor General of Ontario pursuant to section 9.2 of the *Auditor General Act* (Ontario) and to the Auditor General of Canada pursuant to section 7.1 of the *Auditor General Act* (Canada).
- A.7.9 **Sharing of Audit Findings and Reports.** The Recipient acknowledges that Canada and the Province may:
- (a) inform each other, and any of their respective authorized representatives and auditors, that an audit is being conducted; and
 - (b) share the findings of any audit, including any audit report, with each other and any of their respective authorized representatives and auditors.
- A.7.10 **Evaluation.** The Recipient agrees to participate in any Evaluation and comply with the requirements for such Evaluation that are set out in Schedule "F" (Evaluation).
- A.7.11 **Calculations.** The Recipient will make all calculations and prepare all financial data to be submitted in accordance with the generally accepted accounting principles in effect in Canada. These will include, without limitation, those principles and standards approved or recommended from time to time by the Chartered Professional Accountants of Canada or the Public Sector Accounting Board, as applicable, or any successor institute, applied on a consistent basis.
- A.7.12 **Adverse Fact or Event.** The Recipient will inform the Province immediately of any fact or event of which it is aware that has or will compromise, wholly or in part, any Project.

A.8.0 COMMUNICATIONS REQUIREMENTS

- A.8.1 **Communications Protocol.** The Parties agree to be bound by the terms and conditions of the communications protocol provided for in Schedule "G" (Communications Protocol).

A.9.0 LIMITATION OF LIABILITY AND INDEMNITY

- A.9.1 **Province and Canada Limitation of Liability.** In no event will any of the Indemnified Parties be held liable for any damages, including direct, indirect, consequential,

exemplary, or punitive damages, regardless of the form of action, whether in contract, tort (including negligence), or otherwise, for:

- (a) any injury to any Person, including, but not limited to, death, economic loss, or infringement of rights;
- (b) any damage to or loss or destruction of property of, any Person; or
- (c) any obligation of any Person, including, but not limited to, any obligation arising from a loan, capital lease, or other long-term obligation

in relation to the Agreement, the Bilateral Agreement, or any Project or Projects.

A.9.2 Indemnification of the Province and Canada. The Recipient will indemnify and hold harmless the Indemnified Parties from and against any Loss and any Proceeding based upon or occasioned by:

- (a) any injury to any Person, including, but not limited to, death, economic loss, or any infringement of rights;
- (b) any damage to, or loss or destruction of, property of any Person; or
- (c) any obligation of any Person, including, but not limited to, any obligation arising from a loan, capital lease, or other long-term obligation,

except to the extent to which such Loss or Proceeding is caused by the negligence or wilful misconduct of any Indemnified Party in the performance of that Indemnified Party's duties.

A.9.3 Recipient's Participation. The Recipient will, at its expense, to the extent requested by the Province or Canada, or both, participate in or conduct the defence of any Proceeding against any of the Indemnified Parties and any negotiations for their settlement.

A.9.4 Province's Election. The Province or Canada, or both, may elect to participate in, or conduct the defence of, any Proceeding by providing Notice to the Recipient of such election, without prejudice to any other rights or remedies of the Province under the Agreement or of the Province or Canada under the Bilateral Agreement, at law or in equity. If the Province, Canada, or the Recipient, as applicable, participates in the defence, it will do so by actively participating with the other's counsel.

A.9.5 Settlement Authority. The Recipient will not enter into a settlement of any Proceeding against any of the Indemnified Parties unless the Recipient has obtained from the Province or Canada, as applicable, prior written approval or a waiver of this requirement. If the Recipient is requested by the Province or Canada to participate in or conduct the defence of any Proceeding, the Province or Canada, as applicable, will

cooperate with and assist the Recipient to the fullest extent possible in the Proceeding and any related settlement negotiations.

- A.9.6 **Recipient's Cooperation.** If the Province or Canada conducts the defence of any Proceeding, the Recipient will cooperate with and assist the Province or Canada, as applicable, to the fullest extent possible in the Proceeding and any related settlement negotiations.

A.10.0 INSURANCE

- A.10.1 **Recipient's Insurance.** The Recipient represents, warrants, and covenants that it has, and will maintain at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Projects would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury, and property damage, to an inclusive limit of not less than \$2,000,000.00 per occurrence, which commercial general liability insurance policy will include the following:

- (a) the Indemnified Parties as additional insureds in respect of liability arising in the course of performance of the Recipient's obligations under, or otherwise in connection with, the Agreement;
- (b) a cross-liability clause;
- (c) contractual liability coverage; and
- (d) a 30-day written notice of cancellation.

- A.10.2 **Proof of Insurance.** The Recipient will:

- (a) provide to the Province, either:
 - (i) annually, certificates of insurance that confirm the insurance coverage as provided in section A.10.1 (Recipient's Insurance); or
 - (ii) other proof that confirms the insurance coverage as provided for in section A.10.1 (Recipient's Insurance); and
- (b) at the Province's request, the Recipient will provide to the Province a copy of any of the Recipient's insurance policies that relate to the Project or otherwise to the Agreement or both.

A.11.0 TERMINATION ON NOTICE

A.11.1 Termination on Notice. The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving at least 30 days' Notice to the Recipient.

A.11.2 Consequences of Termination on Notice by the Province. If the Province terminates the Agreement pursuant to section A.11.1 (Termination on Notice), the Province may take one or more of the following actions:

- (a) cancel all further instalments of Funds;
- (b) demand the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down any Project or the Projects, as applicable, and do either or both of the following:
 - (i) permit the Recipient to offset such costs against the amount the Recipient owes pursuant to paragraph A.11.2(b); and
 - (ii) subject to paragraph A.4.1(a), provide Funds to the Recipient to cover such costs.

A.12.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT

A.12.1 Events of Default. It will constitute an Event of Default if, in the opinion of the Province, the Recipient breaches any representation, warranty, covenant, or other material term of the Agreement, including failing to do any of the following in accordance with the terms and conditions of the Agreement:

- (a) carry out any Project in whole or in part;
- (b) use or spend Funds; or
- (c) provide, in accordance with section A.7.2 (Preparation and Submission), Reports or such other reports as the Province may have requested pursuant to paragraph A.7.2(b).

A.12.2 Consequences of Events of Default and Corrective Action. If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

- (a) initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of any Project;

- (b) provide the Recipient with an opportunity to remedy the Event of Default;
- (c) suspend the payment of Funds for such period as the Province determines appropriate;
- (d) reduce the amount of the Funds;
- (e) cancel all further instalments of Funds;
- (f) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;
- (g) demand from the Recipient the payment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;
- (h) demand from the Recipient the repayment of an amount equal to any Funds the Province provided to the Recipient;
- (i) demand from the Recipient an amount equal to the costs the Province incurred or incurs to enforce its rights under the Agreement, including the costs of any Records Review and the costs it incurs to collect any amounts the Recipient owes to the Province; and
- (j) terminate the Agreement at any time, including immediately, without liability, penalty, or costs to the Province upon giving Notice to the Recipient.

A.12.3 Opportunity to Remedy. If, in accordance with paragraph A.12.2(b), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will provide Notice to the Recipient of:

- (a) the particulars of the Event of Default; and
- (b) the Notice Period.

A.12.4 Recipient Not Remediating. If the Province provided the Recipient with an opportunity to remedy the Event of Default pursuant to paragraph A.12.2(b), and:

- (a) the Recipient does not remedy the Event of Default within the Notice Period;
- (b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or
- (c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Notice Period, or initiate any one or more of the actions

provided for in paragraphs A.12.2(a), (c), (d), (e), (f), (g), (h), (i), and (j).

- A.12.5 **When Termination Effective.** Termination under this Article A.12.0 (Event of Default, Corrective Action, and Termination for Default) will take effect as provided for in the Notice.

A.13.0 FUNDS AT THE END OF A FUNDING YEAR

- A.13.1 **Funds at the End of a Funding Year.** Without limiting any rights of the Province under Article A.12.0 (Event of Default, Corrective Action, and Termination for Default), if, in respect of any Project, the Recipient has not spent all of the Funds allocated for the Funding Year as provided for in the Budget for that Project, the Province may take one or both of the following actions:

- (a) demand from the Recipient payment of the unspent Funds; and
- (b) adjust the amount of any further instalments of Funds accordingly.

- A.13.2 **Effect of Action Taken by the Province.** If the Province takes any action under section A.13.1 (Funds at the End of a Funding Year), the Parties will review the effect of such action on the overall implementation of the Project and may amend the Agreement.

A.14.0 FUNDS UPON EXPIRY

- A.14.1 **Funds Upon Expiry.** The Recipient will, upon expiry of the Agreement, pay to the Province any Funds remaining in its possession, under its control, or both.

A.15.0 DEBT DUE AND PAYMENT

- A.15.1 **Payment of Overpayment.** If at any time the Province provides Funds in excess of the amount the Recipient is entitled to under the Agreement, the Province may:

- (a) deduct an amount equal to the excess Funds from any further instalments of Funds; or
- (b) demand that the Recipient pay to the Province an amount equal to the excess Funds.

- A.15.2 **Debt Due.** If, pursuant to the Agreement:

- (a) the Province demands from the Recipient the payment of any Funds, an amount equal to any Funds or any other amounts owing under the Agreement; or

- (b) the Recipient owes to the Province any Funds, an amount equal to any Funds, or any other amounts owing under the Agreement, whether or not the Province has demanded their payment,

such amounts will be deemed to be debts due and owing to the Province by the Recipient, and the Recipient will pay the amounts to the Province immediately, unless the Province directs otherwise.

- A.15.3 **Interest Rate.** The Province may charge the Recipient interest on any money owing to the Province by the Recipient under the Agreement at the then-current interest rate charged by the Province of Ontario on accounts receivable.
- A.15.4 **Payment of Money to Province.** The Recipient will pay any money owing to the Province by cheque payable to the “Ontario Minister of Finance” and delivered to the Province at the address set out in Schedule “B” (Specific Information) for the purposes of Notice to the Province.
- A.15.5 **Failure to Repay.** Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, Her Majesty the Queen in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in right of Ontario.

A.16.0 NOTICE

- A.16.1 **Notice in Writing and Addressed.** Notice will be:

- (a) in writing;
- (b) delivered by email, postage-prepaid mail, personal delivery, or courier; and
- (c) addressed to the Province and the Recipient as set out in Schedule “B” (Specific Information), or as either Party later designates to the other by Notice.

- A.16.2 **Notice Given.** Notice will be deemed to have been given:

- (a) in the case of postage-prepaid mail, five Business Days after the Notice is delivered; and
- (b) in the case of email, personal delivery, or courier, on the date on which the Notice is delivered.

- A.16.3 **Postal Disruption.** Despite paragraph A.16.2(a), in the event of a postal disruption:

- (a) Notice by postage-prepaid mail will not be deemed to be given; and
- (b) the Party giving Notice will provide Notice by email, personal delivery, or courier.

A.17.0 CONSENT BY PROVINCE OR CANADA AND COMPLIANCE BY RECIPIENT

A.17.1 Consent. When the Province or Canada provides its consent pursuant to the Agreement:

- (a) it will do so by Notice;
- (b) it may attach any terms and conditions to the consent; and
- (c) the Recipient may rely on the consent only if the Recipient complies with any terms and conditions the Province or Canada may have attached to the consent.

A.18.0 SEVERABILITY OF PROVISIONS

A.18.1 Invalidity or Unenforceability of Any Provision. The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement.

A.19.0 WAIVER

A.19.1 Waiver Request. Either Party may, by Notice, ask the other Party to waive an obligation under the Agreement.

A.19.2 Waiver Applies. If in response to a request made pursuant to section A.19.1 (Waiver Request) a Party consents to a waiver, the waiver will:

- (a) be valid only if the Party that consents to the waiver provides the consent by Notice; and
- (b) apply only to the specific obligation referred to in the waiver.

A.19.3 Waivers in Writing. If a Party fails to comply with any term of the Agreement, that Party may only rely on a waiver of the other Party if the other Party has provided a written waiver in accordance with the Notice provisions in Article A.16.0 (Notice). Any waiver must refer to a specific failure to comply and will not have the effect of waiving any subsequent failures to comply.

A.20.0 INDEPENDENT PARTIES

- A.20.1 **Parties Independent.** The Recipient is not an agent, joint venturer, partner, or employee of either the Province or Canada, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any actions that could establish or imply such a relationship.
- A.20.2 **No Authority to Represent.** Nothing in the Agreement is to be construed as authorizing any Person, including a Third Party, to contract for or to incur any obligation on behalf of the Province or Canada, or both, or to act as an agent for the Province or Canada. The Recipient will take the necessary action to ensure that any Contract between the Recipient and a Third Party contains a provision to that effect.

A.21.0 ASSIGNMENT OF AGREEMENT OR FUNDS

- A.21.1 **No Assignment.** The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.
- A.21.2 **Agreement Binding.** All rights and obligations contained in the Agreement will extend to and be binding on:
- (a) the Recipient's successors and permitted assigns; and
 - (b) the successors to Her Majesty the Queen in right of Ontario.

A.22.0 GOVERNING LAW

- A.22.1 **Governing Law.** The Agreement and the rights, obligations, and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

A.23.0 FURTHER ASSURANCES

- A.23.1 **Agreement into Effect.** The Recipient will:
- (a) provide such further assurances as the Province may request from time to time in respect to any matter to which the Agreement pertains; and
 - (b) do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

A.24.0 JOINT AND SEVERAL LIABILITY

A.24.1 **Joint and Several Liability.** Where the Recipient is comprised of more than one entity, each entity will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

A.25.0 RIGHTS AND REMEDIES CUMULATIVE

A.25.1 **Rights and Remedies Cumulative.** The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

A.26.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS

A.26.1 **Other Agreements.** If the Recipient:

- (a) has failed to comply with any term, condition, or obligation under any other agreement with Her Majesty the Queen in right of Ontario or one of Her agencies (a “Failure”);
- (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;
- (c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
- (d) such Failure is continuing,

the Province may suspend the payment of Funds for such period as the Province determines appropriate.

A.27.0 SURVIVAL

A.27.1 **Survival.** Any rights and obligations of the Parties that, by their nature, extend beyond the termination of the Agreement will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement. Surviving provisions include, without limitation, the following Articles, sections and paragraphs, and all applicable cross-referenced Articles, sections, paragraphs, schedules, and sub-schedules: Articles 1.0 (Entire Agreement), 2.0 (Conflict or Inconsistency), 5.0 (Acknowledgement), 6.0 (Canada’s Rights and Information Sharing with Canada), A.1.0 (Interpretation and Definitions) and any other applicable definitions, paragraphs A.2.1(a), A.4.2(c), sections A.4.4 (Interest-Bearing Account), A.4.5 (Interest), A.4.8 (Rebates, Credits, and Refunds), A.5.5 (Disposal of Assets), A.7.1 (Province and

Canada Include), A.7.2 (Preparation and Submission) (to the extent that the Recipient has not provided the Reports or other reports as may have been requested to the satisfaction of the Province), A.7.3 (Record Maintenance), A.7.4 (Records Review), A.7.5 (Inspection and Removal), A.7.6 (Cooperation), A.7.7 (No Control of Records), A.7.8 (Auditor General (Ontario and Canada)), A.7.9 (Sharing of Audit Findings and Reports), A.7.10 (Evaluation), A.7.11 (Calculations), Articles A.8.0 (Communications Requirements), A.9.0 (Limitation of Liability and Indemnity), sections A.11.2 (Consequences of Termination on Notice by the Province), A.12.1 (Events of Default), paragraphs A.12.2(d), (e), (f), (g), (h), (i) and (j), Articles A.13.0 (Funds at the End of a Funding Year), A.14.0 (Funds Upon Expiry), A.15.0 (Debt Due and Payment), A.16.0 (Notice), and A.18.0 (Severability of Provisions), section A.21.2 (Agreement Binding), and Articles A.22.0 (Governing Law), A.24.0 (Joint and Several Liability), A.25.0 (Rights and Remedies Cumulative), A.27.0 (Survival), A.28.0 (Environmental Requirements and Assessments), A.29.0 (Aboriginal Consultation), and A.32.0 (Special Conditions).

A.28.0 ENVIRONMENTAL REQUIREMENTS AND ASSESSMENTS

A.28.1 Federal Environmental Requirements. Without limitation to the Recipient's obligations to comply with Environmental Laws and for greater clarity:

- (a) no site preparation, removal of vegetation or construction will occur in respect of any Project; and
- (b) the Province will have no obligation to pay any Eligible Expenditures that are capital costs, as determined by the Province, until Canada is satisfied that federal requirements are met, and continue to be met, under the following:
 - (i) *Canadian Environmental Assessment Act, 2012*;
 - (ii) other applicable environmental assessment legislation that is or may come into force during the term of the Agreement; and
 - (iii) other applicable agreements between Canada and Aboriginal Communities.

A.28.2 Assessments. The Recipient will complete the assessments that are required in Sub-schedule "D.1" (Project Tier Classification and Other Information) and are further described in Schedule "D" (Reports).

A.29.0 ABORIGINAL CONSULTATION

A.29.1 Aboriginal Consultation Protocol. The Parties agree to be bound by the terms and conditions of the Aboriginal Consultation Protocol provided for in Schedule "I" (Aboriginal Consultation Protocol).

A.29.2 **Legal Duty to Consult.** Until Canada and, if applicable, the Province are satisfied that any legal duty to consult and, where appropriate, to accommodate Aboriginal Communities, or any other federal consultation requirement, has been, and continues to be met:

- (a) no site preparation, removal of vegetation or construction will occur in respect of any Project; and
- (b) the Province has no obligation to pay any Eligible Expenditures that are capital costs, as determined by the Province and Canada; and, for any Project requiring consultation, Canada and, if applicable, the Province must be satisfied that:
 - (i) Aboriginal Communities have been notified and, if applicable, consulted;
 - (ii) where consultation has occurred, the Recipient has provided a summary of consultation or engagement activities, including a list of Aboriginal Communities consulted, concerns raised, and how each of the concerns have been addressed or, if not addressed, an explanation as to why not;
 - (iii) the Recipient is carrying out accommodation measures, where appropriate; and
 - (iv) any other information has been provided which Canada or Ontario, or both, may deem appropriate.

A.29.3 **Funding Conditional upon Meeting Aboriginal Consultation Obligations.** No funds will be provided to the Recipient under the Agreement unless Canada and, if applicable in the opinion of the Province, the Province are satisfied that their respective obligations have been met in respect of the legal duty to consult and, if applicable, accommodate any Aboriginal Community.

A.30.0 COMMITTEE

A.30.1 **Establishment of Committee.** The Province may, at its sole discretion, require the establishment of a committee to oversee the Agreement (the “Committee”).

A.30.2 **Notice of Establishment of Committee.** Upon Notice from the Province, the Parties will hold an initial meeting to establish, in accordance with Schedule “K” (Committee), the Committee described in section A.30.1 (Establishment of Committee).

A.31.0 DISPUTE RESOLUTION

A.31.1 **Contentious Issues.** The Parties will keep each other informed of any issues that could be contentious.

- A.31.2 **Examination by the Committee and Parties.** If a contentious issue arises and a Committee has been established under section A.30.1 (Establishment of Committee), the Parties will refer the contentious issue that may arise to the Committee for examination. In the absence of a Committee, the Parties will examine the contentious issue.
- A.31.3 **Potential Dispute Resolution by Committee.** The Committee or the Parties, as the case may be, will attempt, reasonably and in good faith, to resolve disputes as soon as possible and, in any event, within, for the Committee, 30 days, or, for the Parties, 90 days of receiving Notice of a contentious issue.
- A.31.4 **Dispute Resolution by the Parties.** If the Committee cannot agree on a resolution, the matter will be referred to the Parties for resolution. The Parties will provide a decision within 60 Business Days of the Notice.
- A.31.5 **Alternative Mechanisms for Dispute Resolutions.** Where the Parties cannot agree on a resolution, the Parties may use any alternative dispute resolution mechanisms available to them to resolve the issue.
- A.31.6 **Suspension of Payments.** The Province may suspend any payments related to any contentious issue or dispute raised by either Party, together with the obligations related to such issue, pending resolution.

A.32.0 SPECIAL CONDITIONS

- A.32.1 **Special Conditions.** The Province's funding under the Agreement is conditional upon,
- (a) on or before the Effective Date, the Recipient having provided the Province with:
 - (i) evidence satisfactory to the Province that the Recipient's council has passed a municipal by-law authorizing the Recipient to execute the Agreement;
 - (ii) the certificates of insurance or any other proof the Province may request pursuant to section A.10.2 (Proof of Insurance);
 - (iii) banking information, such as a void cheque or a bank letter, for an interest-bearing account in the name of the Recipient at a Canadian financial institution, into which the Province may transfer funds electronically; and
 - (iv) an asset management self-assessment, in the form and at the address provided by the Province.

- (b) prior to submitting a request for payment in respect of any Project under the Agreement,
 - (i) the Recipient having provided the Province with written confirmation that:
 - a. the Recipient is in compliance with all Environmental Laws, including the Recipient's obligations under section A.28.1 (Federal Environmental Requirements), and has obtained all necessary approvals and permits;
 - b. the Recipient has met any requirements under Article A.29.0 (Aboriginal Consultation) that may apply to the Project; and
 - c. if the Recipient does not own the land on which the Project is to be carried out, the Recipient has entered into legally binding agreements with all owners of such land, which agreements are consistent with, and incorporates the relevant provisions of the Agreement; and
 - (ii) the Recipient having provided the Province with any required assessments pursuant to Article A.28.0 (Environmental Requirements and Assessments); and
- (c) on or before February 1 in each of the years 2021, 2023 and 2024, unless the Project has reached Substantial Completion before such date, the Recipient having provided the Province with an asset management self-assessment, in the form and at the address provided by the Province.

For greater certainty, if the Province provides any Funds to the Recipient before the conditions set out in this Article A.32.0 (Special Conditions) have been met, and unless the Province has waived compliance with such condition in writing, the Province may exercise one or more of the remedies available to it pursuant to section A.12.2 (Consequences of Event of Default and Corrective Action).

END OF GENERAL TERMS AND CONDITIONS

**SCHEDULE “B”
SPECIFIC INFORMATION**

Maximum Funds*	\$1,735,020.00
Expiry Date	March 31, 2029
Contact information for the purposes of Notice to the Province	<p>Address: Strategic Investments Office Municipal Programs Branch Ontario Ministry of Transportation 777 Bay Street, 30th Floor Toronto ON M7A 2J8</p> <p>Phone: 416-585-7637 Email: ICIPTransit@ontario.ca</p>
Contact information for the purposes of Notice to the Recipient	<p>Position: Manager of Corporate Assets Address: 26 Francis Street Lindsay, ON K9V 5R8</p> <p>Phone: 705-324-9411 ext. 1183 Email: afound@kawarthalakes.ca</p>
Authorized Representative of the Province for the purpose of sections C.3.3 (Amending the Agreement for Minor Changes to the Project Description, Budget, and Timelines) and D.7.2 (Amending the Agreement for Minor Changes to the Reporting)	Position: Director, Municipal Programs Branch; or Director, Capital Project Oversight Branch
Authorized Representative designated by the Recipient for the purpose of sections C.3.3 (Amending the Agreement for Minor Changes to the Project Description, Budget, and Timelines) and D.7.2 (Amending the Agreement for Minor Changes to the Reporting)	Position: Manager of Corporate Assets

Contact Information for the senior financial person in the Recipient organization (e.g., CFO, CAO) - to respond to requests from the Province related to the Agreement	Position: Finance Coordinator Address: 26 Francis Street Lindsay, ON K9V 5R8 Phone: 705-324-9411 ext. 1359 Email: jhood@kawarthalakes.ca
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***Note:** For greater clarity, neither the Province nor Canada will contribute Funds in respect of any Project that exceed their proportional share of the Eligible Expenditures for that Project, as set out in column J (Federal Funding Rate of the Total Eligible Expenditures of the Project) and column M (Provincial Funding Rate of the Total Eligible Expenditures of the Project) in Sub-schedule “C.1” (Project Description, Budget, and Timelines).

SCHEDULE “C”

PROJECT DESCRIPTION, BUDGET, TIMELINES, AND STANDARDS

C.1.0 PROJECT DESCRIPTION, BUDGET, AND TIMELINES

C.1.1 Project Description. The Recipient will carry out each Project described in Sub-schedule “C.1” (Project Description, Budget, and Timelines).

C.1.2 Budget and Timelines. The Recipient will carry out each Project within the Budget and Timelines for that Project set out in Sub-schedule “C.1” (Project Description, Budget, and Timelines).

C.2.0 PROJECT STANDARDS

C.2.1 Canada’s Requirements for Standards. In addition to any other standards that the Recipient must meet or exceed for the Project, the Recipient will ensure the Project meets or exceeds the following:

- (a) any applicable energy efficiency standards for buildings outlined in Canada’s *Pan-Canadian Framework on Clean Growth and Climate Change* provided by Canada at www.canada.ca/en/services/environment/weather/climatechange/pan-canadian-framework.html, or at any other location the Province may provide; and
- (b) the accessibility requirements of the highest accessibility standards published in Ontario, in addition to accessibility requirements in applicable provincial building codes and relevant municipal by-laws.

C.3.0 CHANGES TO THE PROJECT DESCRIPTION, BUDGET, AND TIMELINES

C.3.1 Province’s and Canada’s Consent. Any change to the Project will require the Province’s and Canada’s prior written consent. When seeking to make a change in respect of any Project, the Recipient will submit updated Project information and any other information that the Province or Canada, or both, may require to the satisfaction of Canada and the Province.

C.3.2 Minor Changes to the Project Description, Budget, and Timelines. Subject to sections C.3.1 (Province’s and Canada’s Consent) and C.3.3 (Amending the Agreement for Minor Changes to the Project Description, Budget, and Timelines), changes that, in the opinion of the Province, are minor may be made in respect of any Project to Sub-schedule “C.1” (Project Description, Budget, and Timelines).

C.3.3 Amending the Agreement for Minor Changes to the Project Description, Budget, and Timelines. Any change made pursuant to section C.3.2 (Minor Changes to the Project Description, Budget, and Timelines) must be documented through a written agreement duly executed by the respective representatives of the Parties listed in Schedule “B” (Specific Information).

**SUB-SCHEDULE “C.1”
PROJECT DESCRIPTION, BUDGET, AND TIMELINES**

Project ID	Project Title	Project Description	Forecasted Project Start Date (MM/DD/YYYY)	Forecasted Project End Date (MM/DD/YYYY)	Federal Approval Date (MM/DD/YYYY)	Total Costs of the Project	Total Eligible Expenditures of the Project	Federal Contribution Towards the Total Eligible Expenditures of the Project	Federal Funding Rate of the Total Eligible Expenditures of the Project	Other Federal Contribution Towards the Total Costs of the Project	Provincial Contribution Towards the Total Eligible Expenditures of the Project	Provincial Funding Rate of the Total Eligible Expenditures of the Project	Recipient Contribution Towards the Total Costs of the Project	Other Contribution Towards the Total Eligible Expenditures of the Project
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)
ICIP- KAW-01	Transit Improvement and Expansion	<p>The project output consists of a bus maintenance facility renovation and expansion, bus replacement and expansion, new hubs and stops, bike racks and bike corrals as well as upgrades to transit software. The project will enhance the transit system efficiency, accessibility and connectivity with road and active transportation networks, and will provide for a better customer experience.</p> <p>Specifically, the project scope includes 1 bus maintenance facility renovation/expansion (conversion of the public works fleet maintenance depot), 7 new low-emission gasoline buses (5 will replace older buses), 1 new transit hub (large cement pad with 3 bus shelters), 20 additional bus stops, 7 bus-mounted bike racks, 6 bike corrals and 1 transit software package for a specialized public transit scheduling system.</p>	03/25/2020	12/20/2024	03/25/2020	\$2,856,000.00	\$2,856,000.00	\$946,478.40	33.14%	\$0.00	\$788,541.60	27.61%	\$1,120,980.00	\$0.00

SCHEDULE “D” REPORTS

D.1.0 PROGRESS REPORTS

- D.1.1 **Progress Reports.** The Recipient will submit Progress Reports to the Province in a format to be provided by the Province and in accordance with the timelines and any other requirements set out in Article D.2.0 (Reporting Requirements) in respect of each Project.
- D.1.2 **Description of Progress Report.** The Recipient agrees that each Progress Report will include, without limitation and at the sole discretion of the Province, the following information in respect of the Project to which the Progress Report relates:
- (a) Canada’s and the Province’s respective forecasted contributions to the Project by Funding Year;
 - (b) the Project start date and the Project end date (forecasted and actual where applicable);
 - (c) the percentage of the Project that has been completed;
 - (d) risks and mitigation strategies;
 - (e) confirmation that the Project is on track to achieve expected results or, if the Project is Substantially Completed, confirmation of actual results; and
 - (f) confirmation that all required signage for the Project has been installed.

D.2.0 REPORTING REQUIREMENTS

The reporting requirements for each Project vary depending on the tier classification, as set out in column C (Project Tier for Reporting Purposes) of Sub-schedule “D.1” (Project Tier Classification and Other Information), for the Project.

- D.2.1 **Tier 1 Reporting Requirements.** If, based on the Province’s assessment, a Recipient’s Project is categorized as a Tier 1 Project, as identified in column C (Project Tier for Reporting Purposes) of Sub-schedule “D.1” (Project Tier Classification and Other Information), the Recipient will submit to the Province:
- (a) up and until the final payment has been made pursuant to section J.8.1 (Final Payment), a Progress Report in each calendar year on or before:
 - (i) March 15th; and
 - (ii) September 15th;
 - (b) upon reaching Substantial Completion:
 - (i) a Declaration of Project Substantial Completion;

- (ii) a final Progress Report; and
- (iii) a photograph of the Project; and
- (c) within 90 days of submitting the final Progress Report, a summary of any Communications Activities made for the Project.

D.2.2 Tier 2 Reporting Requirements. If, based on the Province's assessment, a Recipient's Project is categorized as a Tier 2 Project, as identified in column C (Project Tier for Reporting Purposes) of Sub-schedule "D.1" (Project Tier Classification and Other Information), the Recipient will submit to the Province:

- (a) up and until the final payment has been made pursuant to section J.8.1 (Final Payment), a Progress Report in each calendar year on or before:
 - (i) March 15th;
 - (ii) June 15th;
 - (iii) September 15th; and
 - (iv) December 15th;
- (b) upon reaching Substantial Completion:
 - (i) a Declaration of Project Substantial Completion;
 - (ii) a final Progress Report;
 - (iii) a Certificate from a Professional Engineer for Project Substantial Completion;
 - (iv) a copy of the report for a compliance audit carried out in accordance with Article D.8.0 (Compliance Audit(s)); and
 - (v) a photograph of the Project; and
- (c) within 90 days of submitting the final Progress Report:
 - (i) a summary of any Communications Activities made for the Project; and
 - (ii) a summary of how the Project aligns with provincial and federal objectives.

D.2.3 Tier 3 Reporting Requirements. If, based on the Province's assessment, a Recipient's Project is categorized as a Tier 3 Project, as identified in column C (Project Tier for Reporting Purposes) of Sub-schedule "D.1" (Project Tier Classification and Other Information), then the Recipient will work with the Province to establish a Committee. Additionally, the Recipient will submit to the Province:

- (a) up and until the final payment had been made pursuant to section J.8.1 (Final Payment):
 - (i) a Progress Report in each calendar year on or before:
 - a. March 15th;
 - b. June 15th;
 - c. September 15th; and
 - d. December 15th; and
 - (ii) a Certificate from an Independent Engineer to Certify Progress on or before September 15th of each calendar year;
- (b) a communications plan within 180 days of the Effective Date;
- (c) upon reaching Substantial Completion:
 - (i) a Declaration of Project Substantial Completion;
 - (ii) a final Progress Report;
 - (iii) a Certificate from a Professional Engineer for Project Substantial Completion; and
 - (iv) a photograph of the Project;
- (d) a copy of the reports for the following two compliance audits carried out in accordance with Article D.8.0 (Compliance Audit(s)). The initial compliance audit will be carried out midway through the Project. The final compliance audit will be carried out upon reaching the Project Substantial Completion Date; and
- (e) within 90 days of submitting the final Progress Report:
 - (i) a summary of any Communications Activities made for the Project;
 - (ii) a summary of how the Project aligns with provincial and federal objectives; and
 - (iii) a summary of lessons learned.

D.2.4 Tier 4 Reporting Requirements. If, based on the Province's assessment, a Recipient's Project is categorized as a Tier 4 Project, as identified in column C (Project Tier for Reporting Purposes) of Sub-schedule "D.1" (Project Tier Classification and Other Information), then the Recipient will work with the Province to establish a Committee. Additionally, the Recipient will submit to the Province:

- (a) up and until the final payment has been made pursuant to section J.8.1 (Final Payment):
 - (i) a Progress Report in each calendar year on or before the 15th day of each month;
 - (ii) a Certificate from an Independent Engineer to Certify Progress on or before March 15th and September 15th of each calendar year; and
 - (iii) a communications plan within 180 days of the Effective Date and on or before March 15th in each calendar year thereafter;
- (b) upon reaching Substantial Completion:
 - (i) a Declaration of Project Substantial Completion;
 - (ii) a final Progress Report;
 - (iii) a Certificate from a Professional Engineer for Project Substantial Completion; and
 - (iv) a photograph of the Project;
- (c) a copy of the reports for the following two compliance audits carried out in accordance with Article D.8.0 (Compliance Audit(s)). The initial compliance audit will be carried out midway through the Project. The final compliance audit will be carried out upon reaching the Project Substantial Completion Date; and
- (d) within 90 days of submitting the final Progress Report:
 - (i) a summary of any required Communications Activities made for the Project;
 - (ii) a summary of how the Project aligns with provincial and federal objectives; and
 - (iii) a summary of lessons learned.

D.3.0 ABORIGINAL CONSULTATION RECORD

D.3.1 Inclusion of Aboriginal Consultation Record. The Recipient will include an updated Aboriginal Consultation Record, if consultation with any Aboriginal Community is required, in its Progress Report.

D.4.0 RISK ASSESSMENT

D.4.1 Further Details on Risk Assessment. Upon the Province's written request and within the timelines set out by the Province, the Recipient will provide further details on the risk assessment the Recipient provides in respect of any Progress Report.

D.5.0 CLIMATE LENS ASSESSMENTS

D.5.1 Climate Change Resilience Assessment. If a climate change resilience assessment is identified as “Required” in column F (Climate Change Resilience Assessment) of Sub-schedule “D.1” (Project Tier Classification and Other Information), the Recipient will submit to Canada, through the Province and in a format acceptable to Canada, a climate change resilience assessment prior to submitting a request for payment for the Project. The climate change resilience assessment will be in accordance with:

- (a) the publication titled, *Climate Lens - General Guidance*, provided by Canada at <https://www.infrastructure.gc.ca/pub/other-autre/cl-occ-eng.html>, or at any other location the Province may provide; and
- (b) any additional direction the Province may provide.

D.5.2 Greenhouse Gas Emissions Assessment. If a greenhouse gas emissions assessment is identified as “Required” in column D (Greenhouse Gas Emissions Assessment) of Sub-schedule “D.1” (Project Tier Classification and Other Information), the Recipient will submit to Canada, through the Province and in a format acceptable to Canada, a greenhouse gas emissions assessment prior to submitting a request for payment for the Project. The greenhouse gas emissions assessment will be in accordance with:

- (a) the publication titled, *Climate Lens – General Guidance*, provided by Canada at <https://www.infrastructure.gc.ca/pub/other-autre/cl-occ-eng.html>, or at any other location the Province may provide; and
- (b) any additional direction the Province may provide.

D.6.0 COMMUNITY EMPLOYMENT BENEFITS ASSESSMENTS

D.6.1 Community Employment Benefits Assessments. If community employment benefits assessments are identified as “Required” in column E (Community Employment Benefits Assessments) of Sub-schedule “D.1” (Project Tier Classification and Other Information), the Recipient will complete community employment benefits assessments for the Project, as described in section D.6.2 (Description of the Community Employment Benefits Assessments), to the satisfaction of Canada and the Province.

D.6.2 Description of the Community Employment Benefits Assessments. If community employment benefits assessments are required pursuant to section D.6.1 (Community Employment Benefits Assessments), the Recipient will provide the Province and Canada with such assessments for three or more of the following federal target groups:

- (a) apprentices;
- (b) Indigenous peoples;
- (c) women;

- (d) persons with disabilities;
- (e) veterans;
- (f) youth;
- (g) new Canadians;
- (h) small-medium-sized enterprises; and
- (i) social enterprises.

D.6.3 Reporting on Community Employment Benefits Assessments. The Recipient will submit its community employment benefit assessments to the Province, together with its Progress Reports, on or before September 15th of each calendar year.

D.7.0 CHANGES TO SCHEDULE “D” (REPORTS)

D.7.1 Minor Changes to the Reporting. Subject to section D.7.2 (Amending the Agreement for Minor Changes to the Reporting), the Parties may make changes to this Schedule “D” (Reports) or Sub-schedule “D.1” (Project Tier Classification and Other Information), or both, that, in the opinion of the Province, are minor.

D.7.2 Amending the Agreement for Minor Changes to the Reporting. Any change made pursuant to section D.7.1 (Minor Changes to the Reporting) must be documented through a written agreement duly executed by the respective representatives of the Parties listed in Schedule “B” (Project Specific Information).

D.8.0 COMPLIANCE AUDIT(S)

D.8.1 Compliance Audit(s). Without limiting the generality of section A.7.4 (Records Review) and as required under Article D.2.0 (Reporting Requirements), the Recipient will, at its own expense, retain an independent third party auditor to conduct one or more compliance audits of the Recipient. Each audit will be conducted in accordance with Canadian Generally Accepted Auditing Standards, as adopted by the Canadian Institute of Chartered Accountants, applicable as of the date on which a record is kept or required to be kept under such standards. In addition, each audit will assess the Recipient’s compliance with the terms of the Agreement and will address, without limitation, the following:

- (a) whether the Funds were spent in accordance with the Agreement and with due regard to economy, efficiency, and effectiveness;
- (b) the progress or state of completion of the Project;
- (c) whether the financial information the Recipient provided is complete, accurate, and timely, and in accordance with the Agreement;

- (d) whether the Recipient's information and monitoring processes and systems are adequate to identify, capture, validate, and monitor the achievement of intended benefits of the Project;
- (e) the overall management and administration of the Project;
- (f) recommendations for improvement or redress; and
- (g) whether prompt and timely corrective action is taken on prior audit findings.

**SUB-SCHEDULE “D.1”
PROJECT TIER CLASSIFICATION AND OTHER INFORMATION**

Project ID	Project Title	Project Tier for Reporting Purposes	Greenhouse Gas Emissions Assessment	Community Employment Benefits Assessments	Climate Change Resilience Assessment	Eligibility of Own-Force Labour Costs	Competitive Acquisition Exemption
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
ICIP-KAW-01	Transit Improvement and Expansion	Tier 1	N/A	N/A	N/A	N/A	N/A

Note: Please see Schedule “D” (Reports) for further details on reporting.

SCHEDULE “E”
ELIGIBLE EXPENDITURES AND INELIGIBLE EXPENDITURES

E.1.0 ELIGIBLE EXPENDITURES

E.1.1 Scope of Eligible Expenditures. Eligible Expenditures are the direct costs which are, in the opinion of the Province, properly and reasonably incurred and paid by the Recipient in respect of any Project. Eligible Expenditures only include the following costs:

- (a) incurred on or after the Federal Approval Date and paid on or before October 31, 2027:
 - (i) all costs considered by the Parties to be direct and necessary for the successful implementation of the Project which may include, unless excluded under Article E.2.0 (Ineligible Expenditures), capital, construction, design and planning costs; and
 - (ii) the costs related to monitoring project-level community employment benefits.
- (b) the costs related to the completion of the climate lens assessments, incurred at any time and paid on or before October 31, 2027;
- (c) the costs associated with Aboriginal consultation and, where appropriate, accommodation measures, incurred on or after February 15, 2018 and paid on or before October 31, 2027;
- (d) if the Project is identified as “Approved” in column G (Eligibility of Own-Force Labour Costs) of Sub-schedule “D.1” (Project Tier Classification and Other Information), the incremental own-force labour costs for which Canada has provided its prior written consent and have been incurred on or after the date set out in the consent and paid on or before October 31, 2027;
- (e) if the Project is identified as “Approved” in column H (Competitive Acquisition Exemption) of Sub-schedule “D.1” (Project Tier Classification and Other Information), the costs for which Canada has provided its prior written consent and are associated with sole-source contracts, and have been incurred on or after the date set out in the consent and paid on or before October 31, 2027; and
- (f) any other cost that, in the opinion of the Province, is considered to be necessary for the successful implementation of the Project and has been approved in writing prior to being incurred.

E.2.0 INELIGIBLE EXPENDITURES

E.2.1 Scope of Ineligible Expenditures. Unless a cost is considered an Eligible Expenditure pursuant to section E.1.1 (Scope of Eligible Expenditures), such cost will be considered an Ineligible Expenditure. Without limitation, the indirect costs listed in section E.2.2 (Indirect Costs), the costs listed in section E.2.3 (Costs Over and Above a Project Scope) that are over and above the scope of a Project, and the following costs will be considered Ineligible Expenditures:

- (a) costs incurred prior to the Federal Approval Date of a Project, except for the costs specified in paragraph E.1.1 (b) and paragraph E.1.1 (c);
- (b) costs incurred or paid, or both after October 31, 2027, unless otherwise approved pursuant to paragraph E.1.1(f);
- (c) costs incurred for a cancelled Project;
- (d) land acquisition costs;
- (e) leasing costs for land, buildings, and other facilities;
- (f) leasing costs for equipment other than equipment directly related to the construction of a Project;
- (g) real estate fees and related costs;
- (h) any overhead costs, including salaries and other employment benefits of any employees of the Recipient, any direct or indirect operating or administrative costs of the Recipient, and more specifically, any costs related to planning, engineering, architecture, supervision, management, and other activities normally carried out by the Recipient's staff, except in accordance with paragraph E.1.1(d);
- (i) financing charges;
- (j) legal fees;
- (k) loan interest payments;
- (l) costs of any goods and services received through donations or in-kind;
- (m) taxes and any other costs for which the Recipient or any Third Party is eligible for a rebate;
- (n) costs associated with operating expenses and regularly scheduled

maintenance work, with the exception of essential capital equipment purchased at the onset of the construction/acquisition of the main Asset and approved by Canada;

- (o) costs related to furnishings and non-fixed assets which are not essential for the operation of an Asset or Project;
- (p) costs related to easements (e.g., surveys); and
- (q) any other cost which is not specifically listed as an Eligible Expenditure under Article E.1.0 (Eligible Expenditures) and which, in the opinion of the Province, is considered to be ineligible.

E.2.2 Indirect Costs. Without limitation, the following indirect costs are Ineligible Expenditures:

- (a) costs of developing the business case for the purposes of applying for provincial funding in respect of any Project;
- (b) costs in respect of any Evaluation or any other Project evaluation and audit, unless otherwise approved by the Province in writing;
- (c) costs associated with obtaining any necessary approval, licence or permit where the Recipient is the entity providing the approval, licence or permit;
- (d) costs associated with general planning studies, including the Recipient's *Official Plan* and *Transportation Master Plan*;
- (e) carrying costs incurred on the funding share of any funding partner other than the Province;
- (f) costs associated with municipal staff and any Third Party travel;
- (g) litigation costs including, without limitation, any award or settlement costs in respect of damages and related interest, and disbursements; and
- (h) Recipient's upgrades not expressly approved by the Province.

E.2.3 Costs Over and Above a Project Scope. Activities undertaken in respect of any Project that are over and above the scope of the Project are considered Ineligible Expenditures. These costs include, but are not limited to:

- (a) the costs to upgrade municipal services and utilities that are over and above those for the relocation and replacement of municipal services and utilities that are solely required for the Project;

- (b) the costs for upgrades to materials and design beyond existing municipal standards; and
- (c) the costs for corridor and urban design enhancements over and above those that are described in the Project description.

SCHEDULE “F” EVALUATION

F.1.0 PROJECTS AND ICIP EVALUATIONS

- F.1.1 Recipient’s Participation in Projects and ICIP Evaluations.** The Recipient understands that the Province or Canada, or both, may ask the Recipient to participate in one or more evaluation in respect of any Project, the Projects or the ICIP during and for a period of up to six years after March 31, 2028. The Recipient agrees, if asked and at its own expense, to provide Project-related information to the Province or Canada, or both, for any evaluation.
- F.1.2 Results of Projects and ICIP Evaluations.** The result of any evaluation carried under section F.1.1 (Recipient’s Participation in Projects and ICIP Evaluations) will be made available to the public, subject to all applicable laws and policy requirements.

SCHEDULE “G” COMMUNICATIONS PROTOCOL

G.1.0 DEFINITIONS

G.1.1 **Definitions.** For the purposes of this Schedule “G” (Communications Protocol):

“**Joint Communications**” means events, news releases, and signage that relate to the Agreement or the Bilateral Agreement, or both, that are not operational in nature, and that are collaboratively developed and approved by,

- (a) in the case of the Bilateral Agreement, Canada, the Province and the Recipient; and
- (b) in the case of the Agreement, the Province and the Recipient.

G.2.0 PURPOSE

G.2.1 **Purpose.** This communications protocol outlines the roles and responsibilities of each of the Parties to the Agreement in respect of Communications Activities related to the Project.

G.2.2 **Guidance.** This communications protocol will guide all planning, development and implementation of Communications Activities with a view to ensuring efficient, structured, continuous, consistent, and coordinated communications to the Canadian public.

G.2.3 **Application to Communications Activities.** The provisions of this communications protocol apply to all Communications Activities related to the Agreement and the Project.

G.3.0 GUIDING PRINCIPLES

G.3.1 **Information to Canadians.** Communications Activities undertaken through this communications protocol should ensure that Canadians are informed about the Project benefits, including the ways in which the Project helps improve their quality of life.

G.3.2 **Factors to Consider.** The scale and scope of Communications Activities undertaken for any Project will take into consideration the financial value, scope and duration of the Project and the feasibility of Joint Communications for such Communications Activities.

- G.3.3 **Deficiencies and Corrective Actions.** The Province will communicate to the Recipient any deficiencies or corrective actions, or both, identified by the Province, Canada or, as applicable, the Committee.
- G.3.4 **Approval of Communications Material.** The announcement or publication of the Project must be approved by the Parties and Canada prior to being carried out.
- G.3.5 **Costs of Communication Activities.** With the exception of advertising campaigns outlined in Article G.10.0 (Advertising Campaigns), the costs of Communication Activities and signage will follow the eligibility rules established in Schedule “E” (Eligible Expenditures and Ineligible Expenditures).

G.4.0 JOINT COMMUNICATIONS

- G.4.1 **Subject Matter.** The Parties and Canada may have Joint Communications about the funding and status of each Project.
- G.4.2 **Prior Knowledge and Agreement.** Joint Communications in respect of any Project should not occur without the prior knowledge and agreement of the Parties and Canada.
- G.4.3 **Recognition of the Province’s and Canada’s Contributions.** All Joint Communications material will be approved by the Province and Canada and will recognize the Province’s and Canada’s contribution under Schedule “A” (General Terms and Conditions) or the Total Financial Assistance, or both, received in respect of any Project.
- G.4.4 **Notice and Timing.** The Recipient and the Province, on its own behalf or that of Canada, may request Joint Communications. The Party requesting the Joint Communications will provide at least 15 Business Days’ Notice to the other Party. If the Communications Activity is an event, it will take place at a date and location mutually consented to by the Parties and, if applicable, Canada.
- G.4.5 **Participation and Representatives.** The Party requesting a Joint Communications will provide the opportunity for the other Party and Canada to choose to participate and, if they do so choose, their own designated representative (in the case of an event).
- G.4.6 **English and French.** Canada has an obligation to communicate in English and French. Communications products related to events must be bilingual and include the Canada word mark and the logos of the Parties. In such cases, Canada will provide the translation services and final approval on products.

- G.4.7 **Table of Precedence for Canada.** The conduct of all Joint Communications will, as applicable, follow the *Table of Precedence for Canada* provided by Canada at <https://www.canada.ca/en/canadian-heritage/services/protocol-guidelines-special-event/table-precedence-canada.html>, or at any other location as the Province may provide.

G.5.0 INDIVIDUAL COMMUNICATIONS

- G.5.1 **Canada's Obligations.** Notwithstanding Article G.4.0 (Joint Communications), the Parties agree that Canada or the Province, or both, have the right to communicate information to Canadians and Ontarians about the Agreement and the use of Funds to meet its legislated and regulatory obligations through their respective own Communications Activities.
- G.5.2 **Restrictions.** Each Party may include general ICIP messaging and an overview in respect of any Project in their own Communications Activities. The Province and the Recipient will not unreasonably restrict the use of, for their own purposes, Communications Activities related to the Project and, if the communications are web- or social-media based, the ability to link to it. Canada has also agreed, in the Bilateral Agreement, to the above.
- G.5.3 **Publication.** The Recipient will indicate, in respect of any Project-related publications, whether written, oral, or visual, that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of Canada and the Province.
- G.5.4 **Canada's Recognition in Documents.** In respect of any Project where the deliverable is a document, such as but not limited to plans, reports, studies, strategies, training material, webinars, and workshops, the Recipient will clearly recognize Canada's and the Province's respective financial contribution for the Project.
- G.5.5 **Acknowledgement of Support.** Unless the Province directs the Recipient to do otherwise, the Recipient will, in respect of any Project-related publications, whether written, oral, or visual, acknowledge the Province's and Canada's support for the Project.

G.6.0 OPERATIONAL COMMUNICATIONS

- G.6.1 **Responsibility of Recipient.** The Recipient is solely responsible for operational communications in respect of any Project, including but not limited to calls for tender, contract awards, and construction and public safety notices. Operational communications as described above are not subject to the *Official Languages Act* of Canada.

G.7.0 MEDIA RELATIONS

- G.7.1 Significant Media Inquiry.** The Province and the Recipient will share information promptly with the other Party and Canada if significant media inquiries are received or emerging media or stakeholder issues arise in respect of a Project or the ICIP.

G.8.0 SIGNAGE

- G.8.1 Recognition of Funding Contribution.** The Parties agree that Canada, the Province and the Recipient may each have signage recognizing their funding contribution in respect of any Project.
- G.8.2 Funding Recognition.** Unless otherwise agreed by Canada or the Province, or both, the Recipient will produce and install a sign to recognize the funding contributed by the Province or Canada, or both, at any Project site in accordance with, as applicable, their current respective signage guidelines. Federal sign design, content, and installation guidelines will be provided by Canada. Provincial sign design, content, and installation guidelines will be provided by the Province.
- G.8.3 Permanent Plaque.** Where the Recipient decides to install a permanent plaque or another suitable marker in respect of any Project, the Recipient will:
- (a) on the marker, recognize the Province's and Canada's contributions; and
 - (b) prior to installing the marker, seek the prior written approval of both Canada and the Province, each respectively, for its content and installation.
- G.8.4 Notice of Sign Installation.** The Recipient will inform the Province of sign installations, including providing the Province with photographs of the sign, once the sign has been installed.
- G.8.5 Timing for Erection of Sign.** If erected and unless the Province otherwise consents in writing, signage recognizing Canada's and the Province's respective contributions will be installed at the Project site(s) 30 days prior to the start of construction, be visible for the duration of the Project, and remain in place until 180 days after construction is completed and the infrastructure is fully operational or opened for public use.
- G.8.6 Size of Sign.** If erected, signage recognizing Canada's and the Province's respective contribution will be at least equivalent in size and prominence to Project signage for contributions by other orders of government and will be installed in a prominent and visible location that takes into consideration pedestrian and traffic safety and visibility.

G.8.7 Responsibility of Recipient. The Recipient is responsible for the production and installation of Project signage, and for maintaining the signage in a good state of repair during the Project, or as otherwise agreed upon.

G.9.0 COMMUNICATING WITH RECIPIENT

G.9.1 Facilitation of Communications. The Province agrees to facilitate, as required, communications between Canada and the Recipient for Communications Activities.

G.10.0 ADVERTISING CAMPAIGNS

G.10.1 Notice of Advertising Campaigns. Recognizing that advertising can be an effective means of communicating with the public, the Recipient agrees that Canada or the Province, or both, may, at their own cost, organize an advertising or public information campaign in respect of any Project or the Agreement. However, such a campaign will respect the provisions of the Agreement. In the event of such a campaign, Canada or the Province will inform each other and the Recipient of its intention no less than 21 Business Days prior to the campaign launch.

SCHEDULE “H” DISPOSAL OF ASSETS

H.1.0 DEFINITIONS

H.1.1 **Definitions.** For the purposes of this Schedule “H” (Disposal of Assets):

“**Asset Disposal Period**” means the period set out in the 1st column of the table in section H.2.2 (Disposal of Asset and Payment).

H.2.0 DISPOSAL OF ASSETS

H.2.1 **Asset Disposal Period.** Unless the Province consents otherwise, the Recipient will maintain the ongoing operations and retain title to and ownership of any Asset acquired in respect of any Project for the Asset Disposal Period.

H.2.2 **Disposal of Asset and Payment.** If, at any time within the Asset Disposal Period, the Recipient sells, leases, encumbers, or otherwise disposes, directly or indirectly, of any Asset other than to Canada, the Province, or a municipal or regional government established by or under provincial statute, the Province may require the Recipient to reimburse the Province or Canada, via the Province, for any Funds received for the Project in accordance with the table below:

ASSET DISPOSAL PERIOD*	TYPE OF ASSET	RETURN OF FEDERAL CONTRIBUTION	RETURN OF PROVINCIAL CONTRIBUTION
5 years	All Assets	100%	100%
12 years	Transit vehicles including, without limitation, 9 metre to 18 metre buses and double deck buses, regardless of propulsion system	0%	100%
25 years	Subway cars, light rail vehicles, and large infrastructure assets (e.g. a maintenance and storage facility)	0%	100%

* **Note:** The Asset Disposal Period starts on the Substantial Completion Date of the Project in respect of which the Asset was acquired.

SCHEDULE “I” ABORIGINAL CONSULTATION PROTOCOL

I.1.0 DEFINITIONS

I.1.1 Definitions. For the purposes of this Schedule “I” (Aboriginal Consultation Protocol):

“**Aboriginal Community**”, also known as “Aboriginal Group”, includes First Nation, Métis, and Inuit communities or peoples of Canada.

“**Aboriginal Consultation Plan**” means the Aboriginal Consultation Plan described in section I.2.1 (Development of Plan).

I.2.0 ABORIGINAL CONSULTATION PLAN

I.2.1 Development of Plan. The Province, based on the scope and nature of the Project or at the request of Canada, may require the Recipient, in consultation with the Province or Canada, or both, to develop and comply with an Aboriginal consultation plan (“Aboriginal Consultation Plan”).

I.2.2 Procedural Aspects of Aboriginal Consultation. If consultation with Aboriginal Communities is required, the Recipient agrees that:

- (a) the Province or Canada, or both, may delegate certain procedural aspects of the consultation to the Recipient; and
- (b) the Province or Canada, or both, will provide the Recipient with an initial list of the Aboriginal Communities the Recipient will consult.

I.2.3 Provision of Plan to Province. If, pursuant to section I.2.1 (Development of Plan), the Province provides Notice to the Recipient that an Aboriginal Consultation Plan is required, the Recipient will, within the timelines provided in the Notice, provide the Province with a copy of the Aboriginal Consultation Plan.

I.2.4 Changes to Plan. The Recipient agrees that the Province or Canada, in the sole discretion of the Province or Canada and from time to time, may require the Recipient to make changes to the Aboriginal Consultation Plan.

I.3.0 ABORIGINAL CONSULTATION RECORD

I.3.1 Requirements for Aboriginal Consultation Record. If consultation with an Aboriginal Community is required, the Recipient will maintain an Aboriginal Consultation Record and provide such record to the Province, and any update to it,

as part of its reporting to the Province pursuant to section D.3.1 (Inclusion of Aboriginal Consultation Record).

I.4.0 RESPONSIBILITIES OF THE RECIPIENT

I.4.1 Notification to and Direction from the Province. The Recipient will immediately notify the Province:

- (a) of contact by Aboriginal Communities regarding the Project; or
- (b) of any Aboriginal archaeological resources that are discovered in relation to the Project,

and, in either case, the Recipient agrees that the Province or Canada, or both, may direct the Recipient to take such actions as the Province or Canada, or both, may require. The Recipient will comply with the Province's or Canada's direction.

I.4.2 Direction from the Province and Contracts. In any Contract, the Recipient will provide for the Recipient's right and ability to respond to direction from the Province or Canada, or both, as the Province or Canada may provide in accordance with section I.4.1 (Notification to and Direction from the Province).

SCHEDULE “J”

REQUESTS FOR PAYMENT AND PAYMENT PROCEDURES

J.1.0 DEFINITION

J.1.1 **Definition.** For the purposes of this Schedule “J” (Requests for Payment and Payment Procedures):

“**Final Payment**” means the final payment by the Province to the Recipient in respect of any Project as described in and to be paid in accordance with Article J.8.0 (Final Payment).

J.2.0 PROCEDURES AND TIMING FOR REQUESTS FOR PAYMENT

J.2.1 **Procedures.** The procedures provided for in Article J.3.0 (Procedures for Requests for Payment for Eligible Expenditures) will apply to requests for payment that the Recipient submits to the Province under the Agreement.

J.2.2 **Diligent and Timely Manner.** The Recipient will submit its requests for payment to the Province in a diligent and timely manner.

J.3.0 PROCEDURES FOR REQUESTS FOR PAYMENT FOR ELIGIBLE EXPENDITURES

J.3.1 **Timing, Reports and Documents.** The Recipient will submit each request for payment for Eligible Expenditures in respect of each Project to the Province on a date and frequency as set out below and, if the Province so requested pursuant to paragraph K.4.1(f), after review by the Committee. The Recipient agrees to submit, for each of the circumstances listed below, the following reports and documents:

- (a) for each request for payment, including the Final Payment, a Request for Payment Form using the form provided in Sub-schedule “J.1” (Form of Certificate from Recipient), fully and accurately completed by an authorized representative of the Recipient. For greater clarity, the Recipient may make one request per Project for each calendar year quarter before the following dates:
 - (i) March 15th;
 - (ii) June 15th;
 - (iii) September 15th; and
 - (iv) December 15th;

- (b) for each request for payment for a non-exempt vehicle, a declaration form, pursuant to the Canadian Content Policy;
- (c) for each request for payment, except for the Final Payment:
 - (i) a Progress Report acceptable to the Province, for the period to which the request for payment relates; and
 - (ii) if, based on the Province's assessment, a Recipient's Project is categorized as a Tier 4 Project, as identified in column C (Project Tier for Reporting Purposes) of Sub-schedule "D.1" (Project Tier Classification and Other Information), a Certificate from an Independent Engineer to Certify Progress;
- (d) for each request for Final Payment, a final Progress Report, acceptable to the Province, for the period to which the request for payment relates;
- (e) if the Province so requests, a copy of all documentation provided to the Recipient by an authorized representative of the Recipient or a professional engineer, or both; and
- (f) such other information as the Province may request.

J.4.0 PAYMENTS

- J.4.1 Payment by the Province.** Subject to the terms and conditions of the Agreement, upon receipt of a request for payment fully completed in accordance with this Schedule "J" (Requests for Payment and Payment Procedures), the Province will use its reasonable efforts to make a payment to the Recipient, if due and owing under the terms of the Agreement, in a timely manner.
- J.4.2** For greater certainty and without limitation, before the Province makes a payment to the Recipient, the following terms and conditions of the Agreement must be met, in the opinion of the Province or Canada, or both:
- (a) the conditions set out in paragraph A.4.2(c);
 - (b) the special conditions listed in Article A.32.0 (Special Conditions);
 - (c) receipt and acceptance by the Province of all required Reports and other reports, as applicable;
 - (d) compliance with all applicable audit requirements under the Agreement; and

- (e) applicable communications requirements, as set out Schedule “G” (Communications Protocol).

J.4.3 The Province will under no circumstances be liable for interest for failure to make a payment within the time limit provided for in this Article J.4.0 (Payments).

J.5.0 TIME LIMITS FOR REQUESTS FOR PAYMENTS

J.5.1 **Timing.** The Recipient will submit all requests for payment on or before November 1, 2027.

J.5.2 **No Obligation for Payment.** The Province will have no obligation to make any payment for a request for payment submitted after November 1, 2027.

J.6.0 FINAL RECONCILIATION AND ADJUSTMENTS

J.6.1 **Final Reconciliation and Adjustments.** For each Project, following the submission of both the Declaration of Project Substantial Completion and the final Progress Report, the Parties will jointly carry out a final reconciliation of all requests for payments and payments in respect of any Project and make any adjustments required in the circumstances.

J.7.0 HOLDBACK

J.7.1 **Holdback.** For each Project, the Province may hold back funding in accordance with section A.4.12 (Retention of Contribution).

J.8.0 FINAL PAYMENT

J.8.1 **Final Payment.** Subject to paragraph A.4.2(c), the Province will pay to the Recipient the remainder of its contribution under the Agreement, including the Holdback, after all of the conditions under section A.4.12 (Retention of Contribution) have been met.

**SUB-SCHEDULE “J.1”
FORM OF CERTIFICATE FROM RECIPIENT**

**CERTIFICATE FROM RECIPIENT
INVESTING IN CANADA INFRASTRUCTURE PROGRAM (ICIP):
PUBLIC TRANSIT STREAM TRANSFER PAYMENT AGREEMENT**

TO: [insert the information the Province will provide to the Recipient after the Effective Date by Notice]

FROM: [insert address of the Recipient’s authorized representative]
Attention: [insert the name and title of the Recipient’s authorized representative]
Email: [insert email address of the Recipient’s authorized representative]
Telephone No.: [insert telephone number of the Recipient’s authorized representative]

RE: Investing in Canada Infrastructure Program (ICIP) Transfer Payment Agreement - Project [insert the Project unique ID and title]

In the matter of the Investing in Canada Infrastructure Program (ICIP): Public Transit Stream Transfer Payment Agreement entered into between Her Majesty the Queen in right of Ontario, represented by the Minister of Transportation for the Province of Ontario, and the [insert the legal name of the Recipient] (the “Recipient”), on _____, _____ (the “Agreement”).

I, _____ [insert name and title of the Recipient’s authorized representative], having made such inquiries as I have deemed necessary for this certificate, hereby certify that to the best of my knowledge, information, and belief:

1. On and as of the date set out below:
 - (a) all representations and warranties contained in Article A.2.0 (Representations, Warranties, and Covenants) of Schedule “A” (General Terms and Conditions) to the Agreement are true and correct;
 - (b) the Recipient is in compliance with all the terms and conditions of the Agreement, including, without limitations, its obligations under Article A.28.0 (Environmental Requirements and Assessments), and sections A.29.1 (Aboriginal Consultation Protocol), A.32.1 (Special Conditions), and C.2.1 (Canada’s Requirements for Standards), and no Event of Default, as defined in the Agreement, is currently occurring;

- (c) if the Recipient has incurred a cost overrun in respect of any Project, it has funded the cost, is not asking for funds from the Province, and has sufficient funds to complete the Project in compliance with the Agreement; and
 - (d) the Recipient has complied with all applicable provision of the *Construction Lien Act* (Ontario) and the *Construction Act* (Ontario) and is not aware of any claims for lien under that Act.
2. The information in respect of the Project **[insert the Project unique ID and title]** that is contained in the attached Request for Payment Form and Progress Report is true and correct.
 3. Eligible Expenditures in Appendix “A” have been incurred in accordance with the Agreement and have only been expended on the Project as described in Sub-schedule “C.1” (Project Description, Budget, and Timelines) of the Agreement.
 4. The Recipient is in compliance with all of the reporting requirements of the Agreement.

The Recipient hereby requests a payment in the amount of:

\$ _____ on account of the Province’s; and

\$ _____ on account of Canada’s contribution towards the Eligible Expenditures of the Project **[insert the Project unique ID and title]**.

Declared at _____ (municipality), in the Province of Ontario, this _____ day of _____, 20_____.

(Signatures)

Name: **[insert/print the name of the Recipient’s authorized representative]**

Title: **[insert/print the title of the Recipient’s authorized representative]**

Witness Name: **[insert/print the name of the witness]**

Title: **[insert/print the title of the witness]**

I have authority to bind the Recipient.

**CERTIFICATE FROM RECIPIENT
INVESTING IN CANADA INFRASTRUCTURE PROGRAM (ICIP):
PUBLIC TRANSIT STREAM TRANSFER PAYMENT AGREEMENT**

APPENDIX “A”

COMPLIANCE REQUIREMENTS BEFORE SUBMITTING A REQUEST FOR PAYMENT TO THE PROVINCE <i>(please respond with “YES”, “NO”, or “N/A”, as appropriate)</i>	
If your Project requires an environmental assessment (EA), pursuant to A.28.1 (Federal Environmental Requirements) of the Agreement, please indicate if the EA has been approved by Canada.	
If your Project has been identified by Canada or the Province as having a legal duty to consult and, where appropriate, to accommodate Aboriginal Communities, please indicate if the requirements under Article A.29.0 (Aboriginal Consultation) have been met for the Project.	
If a climate change resilience assessment is identified as “Required” in column F (Climate Change Resilience Assessment) of Sub-schedule “D.1” (Project Tier Classification and Other Information), please indicate if a climate change resilience assessment has been approved by Canada.	
If a greenhouse gas emissions assessment is identified as “Required” in column D (Greenhouse Gas Emissions Assessment) of Sub-schedule “D.1” (Project Tier Classification and Other Information), please indicate if a greenhouse gas emission assessment has been approved by Canada.	
The Recipient must pay all payment claims and invoices in full before making a request for payment to the Province. Please indicate whether the Recipient has already paid the claimed amount.	
If your Project requires the acquisition of a vehicle that is not exempt from the Canadian Content Policy, please provide a declaration form pursuant to the Canadian Content Policy.	

Record of Invoices											
Date of Invoice (DD/MM/YY)	Period of Work Performed		Vendor Name	Date Paid (DD/MM/YY)	Description of Expense	Eligibility per E.1.1	Amount Paid (\$)				
	From (DD/MM/YY)	To (DD/MM/YY)					Invoice Subtotal without HST	Ineligible Expenditures	Invoice Total HST	Recoverable HST	*Eligible Cost (Net of HST)
TOTAL											

Recommended for payment request:

Date

[insert/print the name and title of the Recipient's authorized representative]

I have authority to bind the Recipient.

Recommended for payment:

Date

[insert/print the name of the Director]
Director, Ministry of Transportation

**SUB-SCHEDULE “J.2”
FORM OF DECLARATION OF PROJECT SUBSTANTIAL COMPLETION**

**DECLARATION OF PROJECT SUBSTANTIAL COMPLETION
INVESTING IN CANADA INFRASTRUCTURE PROGRAM (ICIP):
PUBLIC TRANSIT STREAM TRANSFER PAYMENT AGREEMENT**

TO: [insert the information the Province will provide to the Recipient after the Effective Date by Notice]

FROM: [insert address of the Recipient’s authorized representative]
Attention: [insert the name and title of the Recipient’s authorized representative]
Email: [insert email address of the Recipient’s authorized representative]
Telephone No.: [insert telephone number of the Recipient’s authorized representative]

RE: Investing in Canada Infrastructure Program (ICIP) Transfer Payment Agreement - Project [insert the Project unique ID and title]

In the matter of the Investing in Canada Infrastructure Program (ICIP): Public Transit Stream Transfer Payment Agreement entered into between Her Majesty the Queen in right of Ontario, as represented by the Minister of Transportation for the Province of Ontario, and the [insert the legal name of the Recipient] (the “Recipient”), on _____, _____ (the “Agreement”).

I, _____ [insert name and title of the Recipient’s authorized representative], having made such inquiries as I have deemed necessary for this certificate, hereby certify that to the best of my knowledge, information and belief:

1. On and as of the date set out below:
 - (a) all representations and warranties contained in Article A.2.0 (Representations, Warranties, and Covenants) of Schedule “A” (General Terms and Conditions) to the Agreement are true and correct;
 - (b) the Recipient is in compliance with all the terms and conditions of the Agreement, including, without limitation, its obligations under Article A.28.0 (Environmental Requirements and Assessments), and sections A.29.1 (Aboriginal Consultation Protocol), A.32.1 (Special Conditions), and C.2.1 (Canada’s Requirements for Standards) to the Agreement, and no Event of Default, as defined in the Agreement, is currently occurring;

- (c) if the Recipient has incurred a cost overrun for the Project, the Recipient has funded the cost, is not asking for funds from the Province, and has sufficient funds to complete the Project in compliance with the Agreement;
 - (d) the Recipient has complied with all applicable provisions of the *Construction Lien Act* (Ontario) and the *Construction Act* (Ontario) and is not aware of any claims for lien under that Act;
 - (e) the work for the Project **[insert the Project unique ID and title]**:
 - (i) has reached Substantial Completion, as defined in the Agreement, on the _____ day of _____ 20____ (the “Project Substantial Completion Date”);
 - (ii) was carried out between _____ **[insert the start date]** and the Project Substantial Completion Date;
 - (iii) was supervised and inspected by qualified staff;
 - (iv) conforms with the plans, specifications, and other documentation for the work;
 - (v) conforms with Schedule “C” (Project Description, Budget, Timelines, and Standards) of the Agreement, except as the Province has otherwise approved in advance and in writing;
 - (vi) conforms with the requirements provided for in paragraph A.4.9(d) of Schedule “A” (General Terms and Conditions) of the Agreement to comply with industry standards; and
 - (vii) conforms with applicable Environmental Laws, as defined in the Agreement, and appropriate mitigation measures have been implemented.
2. The information in respect of the Project **[insert the Project unique ID and title]** that is contained in the final Progress Report is true and correct.
 3. The Funds will only and entirely be used for Eligible Expenditures that have been incurred by the Recipient in accordance with the Agreement.
 4. The value of completed work on the Project is \$ _____ **[insert the amount in Canadian dollars]**.

Declared at _____ (municipality), in the Province of Ontario, this _____ day of _____, 20_____.

(Signatures)

Name: **[insert/print the name of the Recipient's authorized representative]**

Title: **[insert/print the title of the Recipient's authorized representative]**

Witness Name: **[insert/print the name of the witness]**

Title: **[insert/print the title of the witness]**

I have authority to bind the Recipient.

**SUB-SCHEDULE “J.3”
FORM OF CERTIFICATE FROM A PROFESSIONAL ENGINEER
FOR PROJECT SUBSTANTIAL COMPLETION**

[Note: This form is only for Tiers 2, 3 and 4 Projects and must be completed by an independent engineer for Tiers 3 and 4 Projects.]

**CERTIFICATE FROM A PROFESSIONAL ENGINEER
FOR PROJECT SUBSTANTIAL COMPLETION
INVESTING IN CANADA INFRASTRUCTURE PROGRAM (ICIP):
PUBLIC TRANSIT STREAM TRANSFER PAYMENT AGREEMENT**

TO: [insert the information the Province will provide to the Recipient after the Effective Date by Notice]

FROM: [insert the address of the professional engineer]
Attention: [insert the name and title of the professional engineer]
Email: [insert the email address of the professional engineer]
Telephone No.: [insert the telephone number of the professional engineer]

RE: Investing in Canada Infrastructure Program (ICIP): Public Transit Stream Transfer Payment Agreement - Project [insert the Project unique ID and title]

In the matter of the Investing in Canada Infrastructure Program (ICIP): Public Transit Stream Transfer Payment Agreement entered into between Her Majesty the Queen in right of Ontario, as represented by the Minister of Transportation for the Province of Ontario, and the [insert the name of the Recipient] (the “Recipient”), on _____, _____ (the “Agreement”).

I, _____ [insert the name and title of the professional engineer], a professional engineer duly licensed in the Province of Ontario, having made such inquiries as I have deemed necessary for this certificate, hereby certify that to the best of my knowledge, information and belief:

On and as of the date set out below, the work for the Project [insert the Project unique ID and title]:

1. has reached Substantial Completion, as defined in the Agreement, on the _____ day of _____ 20____ (the “**Project Substantial Completion Date**”);
2. was carried out between [insert the start date] and the Project Substantial Completion Date;
3. was supervised and inspected by qualified staff;

4. conforms with the plans, specifications, and other documentation for the work;
5. conforms with applicable Environmental Laws, as defined in the Agreement, and appropriate mitigation measures have been implemented, if applicable;
6. conforms with Schedule “C” (Project Description, Budget, Timelines, and Standards) of the Agreement, except as the Province has otherwise approved in advance and in writing; and
7. conforms with the requirements provided for in paragraph A.4.9(d) of Schedule “A” (General Terms and Conditions) of the Agreement to comply with industry standards.

Declared at _____ (municipality), in the Province of Ontario, this _____ day of _____, 20_____.

(Signatures)

Name: **[insert/print the name of the professional engineer]**
Title: **[insert/print the title of the professional engineer]**

Witness Name: **[insert/print the name of the witness]**
Title: **[insert/print the title of the witness]**

SUB-SCHEDULE “J.4”

FORM OF CERTIFICATE FROM AN INDEPENDENT ENGINEER TO CERTIFY PROGRESS

[Note: This form is only for Tiers 3 and 4 Projects.]

**CERTIFICATE FROM AN INDEPENDENT ENGINEER TO CERTIFY PROGRESS
INVESTING IN CANADA INFRASTRUCTURE PROGRAM (ICIP):
PUBLIC TRANSIT STREAM TRANSFER PAYMENT AGREEMENT**

TO: [insert the information the Province will provide to the Recipient after the Effective Date by Notice]

FROM: [insert the address of an independent professional engineer]
Attention: [insert the name and title of the professional engineer]
Email: [insert the email address of the professional engineer]
Telephone No.: [insert the telephone number of the professional engineer]

RE: Investing in Canada Infrastructure Program (ICIP): Public Transit Stream Transfer Payment Agreement - Project [insert the Project unique ID and title]

In the matter of the Investing in Canada Infrastructure Program (ICIP): Public Transit Stream Transfer Payment Agreement entered into between Her Majesty the Queen in right of Ontario, as represented by the Minister of Transportation for the Province of Ontario, and the [insert the name of the Recipient] (the “Recipient”), on _____, _____ (the “Agreement”).

I, _____ [insert the name and title of the professional engineer], an independent professional engineer duly licensed in the Province of Ontario, having made such inquiries as I have deemed necessary for this certificate, hereby certify that to the best of my knowledge, information and belief:

On and as of the date set out below, the work for the Project is _____ [Insert Project percent complete] percent complete, and the Project:

1. was supervised and inspected by qualified staff;
2. conforms with the plans, specifications and other documentation for the work;
3. conforms with applicable Environmental Laws, as defined in the Agreement, and appropriate mitigation measures have been implemented;
4. conforms with Schedule “C” (Project Description, Budget, Timelines, and Standards) of the Agreement, except as the Province has otherwise approved in advance and in writing; and

5. conforms with the requirements provided for in paragraph A.4.9(d) of Schedule “A” (General Terms and Conditions) of the Agreement to comply with industry standards.

Declared at _____ (municipality), in the Province of Ontario, this _____ day of _____, 20_____.

(Signatures)

Name: **[insert/print the name of the professional engineer]**
Title: **[insert/print the title of the professional engineer]**

Witness Name: **[insert/print the name of the witness]**
Title: **[insert/print the title of the witness]**

SCHEDULE “K” COMMITTEE

K.1.0 ESTABLISHMENT OF COMMITTEE

K.1.1 Establishment and Term of Committee. If the Province requires the establishment of a Committee to oversee the Agreement, pursuant to section A.30.1 (Establishment of Committee), the Parties will, within 60 days of the Province providing Notice, hold an initial meeting to establish the Committee. The Committee’s mandate will expire on the Expiry Date of the Agreement.

K.2.0 COMMITTEE MEMBERS, CO-CHAIRS, AND OBSERVERS

K.2.1 Appointments by the Province. The Province will appoint two persons as members of the Committee.

K.2.2 Appointments by the Recipient. The Recipient will appoint two persons as members of the Committee.

K.2.3 Chairs of the Committee. The Committee will be headed by co-chairs chosen from its members, one appointed by the Province and one appointed by the Recipient. If a co-chair is absent or otherwise unable to act, the member of the Committee duly authorized in writing by the Province or the Recipient, as applicable, will replace him or her and will act as co-chair in his or her place.

K.2.4 Non-committee Member Staff. The Parties may invite any of their staff to participate in Committee meetings. The Province may invite up to two representatives from Canada to sit as observers on the Committee. For greater certainty, the staff and representative(s) from Canada will not be considered members and will not be allowed to vote.

K.3.0 MEETINGS AND ADMINISTRATIVE MATTERS

K.3.1 Rules of Committee. The Committee will:

- (a) meet at least two times a year, and at other times at the request of a co-chair;
and
- (b) keep minutes of meetings approved and signed by the co-chairs as a true record of the Committee meetings.

K.3.2 Quorum. A quorum for a meeting of the Committee will exist only when both co-chairs are present.

K.4.0 COMMITTEE MANDATE

K.4.1 Mandate. Provided that no action taken by the Committee will conflict with the rights of the Parties under the Agreement, the mandate of the Committee will include, but not be limited to:

- (a) monitoring the implementation of the Agreement including, without limitation, the implementation of Schedule “G” (Communications Protocol), for compliance with the terms and conditions of the Agreement;
- (b) acting as a forum to resolve potential issues or disputes and address concerns;
- (c) reviewing and, as necessary, recommending to the Parties amendments to the Agreement;
- (d) approving and ensuring audit plans are carried out as per the Agreement;
- (e) establishing sub-committees as needed;
- (f) at the request of the Province, reviewing requests for payments; and
- (g) attending to any other function required by the Agreement, including monitoring project risk and mitigation measures, or as mutually directed by the Parties.

K.4.2 Committee Decisions. Decisions of the Committee will be made as follows:

- (a) the co-chairs will be the only voting members on the Committee; and
- (b) decisions of the Committee must be unanimous and recorded in writing.

K.5.0 ROLE OF THE RECIPIENT

K.5.1 Requirements. The Recipient undertakes to fulfill, in addition to any other requirements provided for in this Schedule “K” (Committee), the following:

- (a) establish a fixed location where the Agreement will be managed, and maintain it until the expiry of the Committee’s mandate and, if relocation is required, establish a new location;
- (b) prepare and retain, at the location described in paragraph K.5.1(a), and make available to the Committee, all documents needed for the work of the Committee, including payment request forms, approval documents, contracts, and agendas and minutes of meetings of the Committee and its subcommittees;

- (c) ensure that any audit required of the Recipient pursuant to the Agreement is carried out and the results are reported to the Committee;
- (d) ensure that administrative and financial systems are developed and implemented for the Project and the work of the Committee;
- (e) promptly inform the Committee of all proposed changes in respect of any Project; and
- (f) provide the Committee, as requested and within the timelines set by the Committee, and to the Committee's satisfaction, project status information related to Schedule "D" (Reports).

The Corporation of the City of Kawartha Lakes

By-Law 2021-XXX

A By-Law To Amend The Following 18 Zoning By-Laws Within The City Of Kawartha Lakes

Township of Bexley Zoning By-Law No. 93-09
Village of Bobcaygeon Zoning By-Law No. 16-78
Township of Carden Zoning By-Law No. 79-2
Township of Dalton Zoning By-Law No. 10-77
Township of Eldon Zoning By-Law No. 94-14
Township of Emily Zoning By-Law No. 1996-30
Township of Fenelon Zoning By-Law No. 12-95
Village of Fenelon Falls Zoning By-Law No. 89-25
United Townships of Laxton, Digby, Longford Zoning By-Law No. 32-83
Town of Lindsay Zoning By-Law No. 2000-75
Township of Manvers Zoning By-Law No. 87-06
Township of Mariposa Zoning By-Law No. 94-07
Village of Omemee Zoning By-law No. 1993-15
Township of Ops Zoning By-Law No. 93-30
Township of Somerville Zoning By-Law No. 78-45
Village of Sturgeon Point By-Law No. 339
Township of Verulam Zoning By-Law No. 6-87
Village of Woodville Zoning By-Law No. 93-9

[File D06-2020-027, Report PLAN2021-019, respecting lands within The City of Kawartha Lakes]

Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land.
2. This By-Law is in response to recommendation PAC2020-051 passed at the November 4, 2020 Planning Advisory Committee Meeting, as adopted by Council at the November 17, 2020 Regular Council Meeting by resolution CR2020-368, regarding the regulation of Cannabis Production and Processing in the City of Kawartha Lakes.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-Law 2021-XXX.

Section 1:00 Zoning Details – Definitions

- 1.01 Property Affected: The Property affected by this Section is described as lands within: the former Town of Lindsay; the former Townships of Bexley, Carden, Dalton, Eldon, Emily, Fenelon, Laxton, Digby, Longford, Manvers, Mariposa, Ops, Somerville and Verulam; and, the former Villages of Bobcaygeon, Fenelon Falls, Omemee, Sturgeon Point and Woodville.
- 1.02 Textual Amendment: The following By-Law Nos. and corresponding Sections as described in the table below are further amended by adding the Definitions in alphabetical order, as described in 1.03, in the table below:

Zoning By-law	Definitions Section/Part
Township of Bexley Zoning By-law No. 93-09	2
Village of Bobcaygeon Zoning By-law No. 16-78	2
Township of Carden Zoning By-law No. 79-2	15
Township of Dalton Zoning By-law No. 10-77	15
Township of Eldon Zoning By-law No. 94-14	2
Township of Emily Zoning By-law No. 1996-30	2
Township of Fenelon Zoning By-law No. 12-95	2
Village of Fenelon Falls Zoning By-law No. 89-25	1
Townships of Laxton, Digby, Longford Zoning By-law No. 32-83	19
Town of Lindsay Zoning By-law No. 2000-75	4
Township of Manvers Zoning By-law No. 87-06	21
Township of Mariposa Zoning By-law No. 94-07	2
Village of Omemee Zoning By-law No. 1993-15	2
Township of Ops Zoning By-law No. 93-30	19
Township of Somerville Zoning By-law No. 78-45	19
Village of Sturgeon Point By-law No. 339	2
Township of Verulam Zoning By-law No. 6-87	4
Village of Woodville Zoning By-law No. 93-9	2

1.03 Textual Amendment – Details

“Air Filtration Control shall mean the functional use of industrial grade multi-stage carbon filtration systems or similar technology, to reduce and/or treat the emission of pollen, dust and odours expelled from a facility and size accordingly in comparison to the facility it serves as designed by a qualified person.”

“Cannabis shall mean a genus of flowering plants in the family Cannabaceae. Synonyms include but are not limited to marijuana, and marihuana. This definition does not include the industrial or agricultural production of hemp (a source of foodstuffs [hemp milk, hemp seed, hemp oil], fiber and biofuels).”

“Cannabis Production and Processing Facility means lands, buildings or structures used for producing, processing, testing, destroying, packaging and/or shipping of cannabis authorized by an issued license or registration by the

federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.”

- 2.01 Property Affected: The Property affected by this Section is described as lands within: the former Townships of Bexley, Carden, Dalton, Eldon, Emily, Fenelon, Laxton, Digby, Longford, Manvers, Mariposa, Ops, Somerville and Verulam; and, the former Villages of Bobcaygeon, Fenelon Falls, Omemee, Sturgeon Point and Woodville.
- 2.02 Textual Amendment: The following By-Law Nos. and corresponding Sections as described in the table below are further amended by adding the Definitions in alphabetical order, as described in 2.03, in the table below:

Zoning By-law	Definitions Section/Part
Township of Bexley Zoning By-law No. 93-09	2
Village of Bobcaygeon Zoning By-law No. 16-78	2
Township of Carden Zoning By-law No. 79-2	15
Township of Dalton Zoning By-law No. 10-77	15
Township of Eldon Zoning By-law No. 94-14	2
Township of Emily Zoning By-law No. 1996-30	2
Township of Fenelon Zoning By-law No. 12-95	2
Village of Fenelon Falls Zoning By-law No. 89-25	1
Townships of Laxton, Digby, Longford Zoning By-law No. 32-83	19
Township of Manvers Zoning By-law No. 87-06	21
Township of Mariposa Zoning By-law No. 94-07	2
Village of Omemee Zoning By-law No. 1993-15	2
Township of Ops Zoning By-law No. 93-30	19
Township of Somerville Zoning By-law No. 78-45	19
Village of Sturgeon Point By-law No. 339	2
Township of Verulam Zoning By-law No. 6-87	4
Village of Woodville Zoning By-law No. 93-9	2

2.03 Textual Amendment – Details

“Sensitive Land Use means buildings, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be part of the built or natural environment. Examples include residences, day care centres, and educational and health centres.”

Section 2:00 Township of Bexley Zoning By-law No. 93-09

- 2.01 Property Affected: The Property affected by this Section is described as lands within the former Township of Bexley.

2.02 Textual Amendment: By-law No. 93-09 of the Township of Bexley is amended by:

2.02.1 In Part 2 – Definitions, replacing the definition for Agricultural Use, Industry, Heavy, Industry, Light, and Industry, Medium, with the following:

“Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, aquaculture, poultry or beekeeping, and such uses as are customarily and normally related to agriculture but does not include Cannabis Production and Processing Facilities.”

“Industry, Heavy, means an industry, assembly, manufacturing, or processing plant which is land intensive or predominantly conducted in an open or unenclosed space or which by their nature, including volume of truck traffic, use of hazardous or flammable materials, the discharge of noise, odours or particulate matter require extensive buffering. Examples of such uses are steel mills, steel fabricating, metal or rubber recovery plants, foundries, pesticide manufacturing, refineries and bulk fuel storage facilities. This use does not include Cannabis Production and Processing Facilities.”

“Industry, Light, means an industry which is conducted and wholly contained within an enclosed building and the operation of which does not produce emissions of noise, smoke, odour, particulate matter or vibration which is detectable beyond any lot line. Examples of such uses are light assembly, electronics, warehousing and industrial malls. This use does not include Cannabis Production and Processing Facilities.”

“Industry, Medium, means an industry, assembly, manufacturing or processing plant which is predominantly conducted within a wholly enclosed building but which may also involve open storage. Examples of such uses are sheet metal, plastic, fibre glass or wood fabricating, motor vehicle body repair shops and food processing facilities. This use does not include Cannabis Production and Processing Facilities.”

2.02.2 In Part 3: General Provisions, adding the following:

“3.23 Cannabis Production and Processing Facilities

3.23.1 Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

3.23.2 The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

3.23.3 Notwithstanding 3.23.2:

- i. in the Rural General (RG) Zone and General Industrial (M2) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located closer than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Rural General (RG) Zone and General Industrial (M2) Zone, a cannabis production and processing facility without air filtration control shall not be located close than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 3:00 Village of Bobcaygeon Zoning By-Law No. 16-78

3.01 Property Affected: The Property affected by this Section is described as lands within the former Village of Bobcaygeon.

3.02 Textual Amendment: By-Law No. 16-78 of the Village of Bobcaygeon is amended by:

3.02.1 Replacing the definition for 2.3 Agricultural Use with the following:

“2.3 Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, poultry or beekeeping, and such uses as are customarily and normally related to agriculture and includes a farm dwelling and accessory buildings but does not include cannabis production and processing facilities.”

3.02.2 Adding the following to Section 3 General Provisions:

“3.28 Cannabis Production and Processing Facilities

i) Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

ii) The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

iii) Notwithstanding ii):

- i. in the Rural General (A1) Zone and Restricted Industrial (M1) Zone, a cannabis production and processing facility equipped with air filtration

control shall not be located close than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.

- ii. in the Rural General (A1) Zone and Restricted Industrial (M1) Zone, a cannabis production and processing facility without air filtration control shall not be located close than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 4:00 Township of Carden Zoning By-Law No. 79-2

4.01 Property Affected: The Property affected by this Section is described as lands within the former Township of Carden.

4.02 Textual Amendment: By-Law No. 79-2 of the Township of Carden is amended by:

4.02.1 Replacing the definition for Agricultural Use in Section 15 with:

“Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, poultry or beekeeping, and such uses as are customarily and normally related to agriculture and includes accessory buildings and does not include cannabis production and processing facilities.”

4.02.2 Adding the following to Section 14 General Provisions:

“14.29 Cannabis Production and Processing Facilities

i) Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

ii) The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

iii) Notwithstanding ii):

- i. in the Rural General (RG) Zone and General Industrial (M3) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located close than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Rural General (RG) Zone and General Industrial (M3) Zone, a cannabis production and processing facility without air filtration control

shall not be located close than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 5:00 Township of Dalton Zoning By-Law No. 10-77

5.01 Property Affected: The Property affected by this Section is described as lands within the former Township of Dalton.

5.02 Textual Amendment: By-Law No. 10-77 of the Township of Dalton is amended by:

5.02.1 Replacing the definitions for Agricultural Use and Agricultural Use, Specialized, in Section 15, with the following:

“Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, poultry or beekeeping, and such uses as are customarily and normally related to agriculture and includes accessory buildings and does not include cannabis production and processing facilities.”

“Agricultural Use, Specialized means land on which the predominant use is for buildings for the intensive raising or keeping of chickens, turkeys or other fowl, rabbits or other fur bearing animals, a broiler plant, the growing of mushrooms, the keeping of animals for medical purposed or the intensive feeding of hogs, sheep, goats, horses or cattle in a confined area and does not include cannabis production and processing facilities.”

5.02.2 Adding the following to Section 14 – General Provisions:

“14.32 Cannabis Production and Processing Facilities

i) Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minster of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

ii) The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

iii) Notwithstanding ii):

- i. in the Rural General (RG) Zone and General Industrial (M2) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located close than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the

- Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Rural General (RG) Zone and General Industrial (M2) Zone, a cannabis production and processing facility without air filtration control shall not be located close than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 6:00 Township of Eldon Zoning By-Law No. 94-14

6.01 Property Affected: The Property affected by this Section is described as lands within the former Township of Eldon.

6.02 Textual Amendment: By-Law No. 94-14 of the Township of Eldon is amended by:

6.02.1 In Part 2 – Definitions, replacing the definitions for Agricultural Produce Storage Facility, Agricultural Use, Agriculturally Related Commercial Use, Industry, Heavy, Industry, Light, and Industry, Medium with the following:

“Agricultural Produce Storage Facility means a building or structure used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail outlet for the sale of such agricultural produce, not including cannabis, to the general public.”

“Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, aquaculture, poultry or beekeeping, and such uses as are customarily and normally related to agriculture and does not include cannabis production and processing facilities.”

“Agriculturally Related Commercial Use means a use directly related to agriculture and requiring proximity to farm operations and includes such uses as animal husbandry services, produce or grain storage facilities or farm machinery sales and service outlets and does not include cannabis production and processing facilities.”

“Industry, Heavy, means an industry, assembly, manufacturing, or processing plant which is land intensive or predominantly conducted in an open or unenclosed space or which by their nature, including volume of truck traffic, use of hazardous or flammable materials, the discharge of noise, odours or particulate matter require extensive buffering. Examples of such uses are steel mills, steel fabricating, metal or rubber recovery plants, foundries, pesticide manufacturing, refineries and bulk fuel storage facilities. This use does not include cannabis production and processing facilities.”

“Industry, Light, means an industry which is conducted and wholly contained within an enclosed building the operation of which does not produce emissions of noise, smoke, odour, particulate matter or vibration which is detectable beyond any lot line. Examples of such uses are light assembly, electronics,

warehousing and industrial malls. This use does not include cannabis production and processing facilities.”

“Industry, Medium, means an industry, assembly, manufacturing or processing plant which is predominantly conducted within a wholly enclosed building but which may also involve open storage. Examples of such uses are sheet metal, plastic, fibre glass or wood fabricating, motor vehicle body repair shops and food processing facilities. This use does not include cannabis production and processing facilities.”

6.02.2 Adding the following to Section 3 – General Provisions:

“3.24 Cannabis Production and Processing Facilities

3.24.1) Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

3.24.2) The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

3.24.3) Notwithstanding 3.24.2):

- i. in the Agricultural (A1) Zone, Rural General (A2) Zone and General Industrial (M2) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located closer than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Agricultural (A1) Zone, Rural General (A2) Zone and General Industrial (M2) Zone, a cannabis production and processing facility without air filtration control shall not be located closer than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 7:00 Township of Emily Zoning By-Law No. 1996-30

7.01 Property Affected: The Property affected by this Section is described as lands within the former Township of Emily.

7.02 Textual Amendment: By-Law No. 1996-30 of the Township of Emily is amended by:

7.02.1 Replacing definitions for Agricultural Use, Industry, Heavy, Industry Light, and Industry, Medium, in Part 2 – Definitions with the following:

“Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, aquaculture, poultry or beekeeping, and such uses as are customarily and normally related to agriculture and does not include cannabis production and processing facilities.”

“Industry, Heavy, means an industry, assembly, manufacturing or processing plant which is land intensive or predominantly conducted in an open or unenclosed space or which by its nature, including volume of truck traffic, use of hazardous or flammable materials, the discharge of noise, odours or particulate matter requires extensive buffering. Examples of such uses are steel mills, steel fabricating, metal or rubber recovery plants, foundries, pesticide manufacturing, refineries and bulk fuel storage facilities, but the same does not include aggregate processing operations. This use does not include cannabis production and processing facilities. (OMB Order # 1118 June 9, 1999)”

“Industry, Light, means an industry which is conducted and wholly contained within an enclosed building the operation of which does not produce emissions of noise, smoke, odour, particulate matter or vibration which is detectable beyond any lot line. Examples of such uses are light assembly, electronics, warehousing and industrial malls. This use does not include cannabis production and processing facilities.”

“Industry, Medium, means an industry, assembly, manufacturing or processing plant which is predominantly conducted within a wholly enclosed building but which may also involve open storage. Examples of such uses are sheet metal, plastic, fibre glass or wood fabricating, motor vehicle body shops and food processing facilities. This use does not include cannabis production and processing facilities.”

7.02.2 Adding the following to Part 3 – General Provisions:

“3.24 Cannabis Production and Processing Facilities

3.24.1) Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

3.24.2) The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

3.24.3) Notwithstanding 3.24.2):

- i. in the Agricultural (A1) Zone, Rural General (A2) Zone and General Industrial (M2) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located close than 70m to

- a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Agricultural (A1) Zone, Rural General (A2) Zone and General Industrial (M2) Zone, a cannabis production and processing facility without air filtration control shall not be located close than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 8:00 Township of Fenelon Zoning By-Law No. 12-95

8.01 Property Affected: The Property affected by this Section is described as lands within the former Township of Fenelon.

8.02 Textual Amendment: By-Law No. 1996-30 of the Township of Fenelon is amended by:

8.02.1 In Part 2, replacing the definitions for Agricultural Produce Storage Facility, Agricultural Use, Agriculturally Related Commercial Use, Industry, Heavy, Industry, Light, and Industry, Medium, with:

“Agricultural Produce Storage Facility means a building or structure used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail outlet for the sale of such agricultural produce, not including cannabis, to the general public.”

“Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, aquaculture, poultry or beekeeping, and such uses as are customarily and normally related to agriculture but does not include cannabis production and processing facilities.”

“Agriculturally Related Commercial Use means a use directly related to agriculture and requiring proximity to farm operations and includes such uses as animal husbandry services, produce or grain storage facilities or farm machinery sales and service outlets but does not include cannabis production and processing facilities.”

“Industry, Heavy, means an industry, assembly, manufacturing, or processing plant, exclusive of a sand or gravel pit, which is land intensive, or predominantly conducted in an open or unenclosed space, or which by its nature generates large volumes of truck traffic; uses and/or stores bulk quantities of hazardous or flammable materials; usually or commonly discharges noise, odours, smoke or particulate matter or vibration beyond the property boundaries; and require extensive buffering. Examples of such uses are steel mills, steel fabricating, metal or rubber recovery plants, foundries, pesticide manufacturing and refineries. This use does not include cannabis production and processing facilities.”

“Industry, Light, means an industry which is conducted and wholly contained within an enclosed building the operation of which does not produce emissions of noise, odour, smoke or particulate matter or vibration which are detectable beyond any lot line. Examples of such uses are light assembly, electronics, warehousing and industrial malls. This use does not include cannabis production and processing facilities.”

“Industry, Medium, means an industry, assembly, manufacturing or processing plant which is predominantly conducted within a wholly enclosed building but which may also involve a limited amount of open or unenclosed storage areas and the discharge of noise, odour, particulate matter or smoke, or vibration which is detectable beyond the property boundaries. Examples of such uses are sheet metal, plastic, fibre glass or wood fabricating operations; motor vehicle body repair shops; and food processing facilities. This use does not include cannabis production and processing facilities.”

8.02.2 Adding the following to Part 3 – General Provisions:

“3.24 Cannabis Production and Processing Facilities

3.24.1) Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

3.24.2) The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

3.24.3) Notwithstanding 3.24.2):

- i. in the Agricultural (A1) Zone, Rural General (A2) Zone and General Industrial (M2) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located close than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Agricultural (A1) Zone, Rural General (A2) Zone and General Industrial (M2) Zone, a cannabis production and processing facility without air filtration control shall not be located close than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 9:00 Village of Fenelon Falls Zoning By-Law No. 89-25

9.01 Property Affected: The Property affected by this Section is described as lands within the former Village of Fenelon Falls.

9.02 Textual Amendment: By-Law No. 89-25 of the Village of Fenelon Falls is amended by:

9.02.1 In Part 1 – Definitions, replace 1.3 Agricultural Produce Warehouse and 1.116 Manufacturing, Processing, Assembling or Fabricating Plant with the following:

“1.3 Agricultural Produce Warehouse shall mean a building or part of a building used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail commercial outlet for the sale of such agricultural produce, not including cannabis, to the general public.”

“1.116 Manufacturing, Processing, Assembling or Fabricating Plant shall mean a plant in which the process of producing any product, by hand or mechanical power and machinery, is carried on systematically with division of labour and shall not include cannabis production and processing facilities.”

9.02.2 Add the following to Part 5 – General Zone Provisions:

“5.30 Cannabis Production and Processing Facilities

5.30.1 Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

5.30.2 The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

5.30.3 Notwithstanding 5.30.2:

- i. in the Restricted Industrial (M1) Zone and General Industrial (M2) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located closer than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Restricted Industrial (M1) Zone and General Industrial (M2) Zone, a cannabis production and processing facility without air filtration control shall not be located closer than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 10:00 United Townships of Laxton, Digby, Longford Zoning By-Law No. 32-83

10.01 Property Affected: The Property affected by this Section is described as lands within the former United Townships of Laxton, Digby and Longford.

10.02 Textual Amendment: By-Law No. 32-83 of the United Townships of Laxton, Digby, Longford is amended by:

10.02.1: In Section 19 – Definitions, replacing the definition of Agricultural Use, Industry, Heavy, Industry, Light, and, Industry, Medium, with the following:

“Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, poultry or beekeeping, and such uses as are customarily and normally related to agriculture and includes accessory buildings and does not include cannabis production and processing facilities.”

“Industry, Heavy, means an industry, assembly, manufacturing, or processing plant which is land intensive or predominantly conducted in an open or unenclosed space or which by their nature, including: volume of truck traffic, use of hazardous or flammable materials, the discharge of noise, odours or particulate matter, require extensive buffering. Examples of such uses are steel mills, steel fabricating, metal or rubber recovery plants, foundries, pesticide manufacturing, refineries and bulk fuel storage facilities. This use does not include cannabis production and processing facilities.”

“Industry, Light, means an industry which is conducted and wholly contained within an enclosed building the operation of which does not produce emissions of noise, smoke, odour, particulate matter or vibration which is detectable beyond any lot line. Examples of such uses are light assembly, electronics, warehousing and industrial malls. This use does not include cannabis production and processing facilities.”

“Industry, Medium, means an industry, assembly, manufacturing or processing plant which is predominantly conducted within a wholly enclosed building but which may also involve open storage. Examples of such uses are sheet metal, plastic, fibre glass or wood fabricating, motor vehicle body repair shops and food processing facilities. This use does not include cannabis production and processing facilities.”

10.02.2: In Section 18 – General Provisions, insert the following:

“18.33 Cannabis Production and Processing Facilities

18.33.1 Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations,

SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

18.33.2 The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

18.33.3 Notwithstanding 18.33.2:

- i. in the Rural General (AI) Zone and General Industrial (M1) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located close than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Rural General (AI) Zone and General Industrial (M1) Zone, a cannabis production and processing facility without air filtration control shall not be located close than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 11:00 Town of Lindsay Zoning By-Law No. 2000-75

11.01 Property Affected: The Property affected by this Section is described as lands within the former Town of Lindsay.

11.02 Textual Amendment: By-Law No. 2000-75 of the Town of Lindsay is amended by:

11.02.1 In Section 4 – Definitions, replacing 4.2 Agricultural Use and 4.99 Industrial Use with the following:

“4.2 Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, poultry or beekeeping, and such uses as are customarily and normally related to agriculture. Agricultural use shall also include the use of land, buildings or structures on an accessory basis for the sale of agricultural products produced on the farm, but shall not include an abattoir and does not include cannabis production and processing facilities.”

“4.99 Industrial Use means the use of land, building or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage of goods and related accessory uses. This use does not include cannabis production and processing facilities.”

11.02.2 Adding the following to Section 5 – General Provisions for All Zones:

“5.37 Cannabis Production and Processing Facilities

5.37.1 Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law

only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

5.37.2 The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

5.37.3 Notwithstanding 5.37.2:

- i. in the Rural General (A1) Zone and General Industrial (M1) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located closer than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Rural General (A1) Zone and General Industrial (M1) Zone, a cannabis production and processing facility without air filtration control shall not be located closer than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 12:00 Township of Manvers Zoning By-Law No. 87-06

12.01 Property Affected: The Property affected by this Section is described as lands within the former Township of Manvers.

12.02 Textual Amendment: By-Law No. 87-06 of the Township of Manvers is amended by:

12.02.1 In Section 21 – Definitions, replacing the definitions for Agricultural Use with the following:

“Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, poultry or beekeeping, and such uses as are customarily and normally related to agriculture and includes a farm dwelling and accessory buildings and does not include cannabis production and processing facilities.”

12.02.2 Inserting the following into Section 20 - General Provisions:

“20.32 Cannabis Production and Processing Facilities

20.32.1 Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations,

SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

20.32.2 The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

20.32.3 Notwithstanding 20.32.2:

- i. in the Rural General (A1) Zone, Rural Specialized (A2) Zone, and General Industrial (M1) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located close than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Rural General (A1) Zone, Rural Specialized (A2) Zone, and General Industrial (M1) Zone, a cannabis production and processing facility without air filtration control shall not be located close than 300m to the following to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 13:00 Township of Mariposa Zoning By-Law No. 94-07

13.01 Property Affected: The Property affected by this Section is described as lands within the former Township of Mariposa.

13.02 Textual Amendment: By-Law No. 94-07 of the Township of Mariposa is amended by:

13.02.1 In Part 2 – Definitions, replacing the definitions for Agricultural Produce Storage Facility, Agricultural Use, Agriculturally Related Commercial Use, Industry, Heavy, Industry, Light, and Industry, Medium, with the following:

“Agricultural Produce Storage Facility means a building or structure used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail outlet for the sale of such agricultural produce, not including cannabis, to the general public.”

“Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, aquaculture, poultry or beekeeping, and such uses as are customarily and normally related to agriculture and does not include cannabis production and processing facilities.”

“Agriculturally Related Commercial Use means a use directly related to agriculture and requiring proximity to farm operations and includes such uses as animal husbandry services, produce or grain storage facilities or farm machinery sales and service outlets and does not include uses related to cannabis production and processing facilities.”

“Industry, Heavy, means an industry, assembly, manufacturing, or processing plant which is land intensive or predominantly conducted in an open or unenclosed space or which by their nature, including volume of truck traffic, use of hazardous or flammable materials, the discharge of noise, odours or particulate matter require extensive buffering. Examples of such uses are steel mills, steel fabricating, metal or rubber recovery plants, foundries, pesticide manufacturing, refineries and bulk fuel storage facilities. This use does not include cannabis production and processing facilities.”

“Industry, Light, means an industry which is conducted and wholly contained within an enclosed building the operation of which does not produce emissions of noise, smoke, odour, particulate matter or vibration which is detectable beyond any lot line. Examples of such uses are light assembly, electronics, warehousing and industrial malls. This use does not include cannabis production and processing facilities.”

“Industry, Medium, means an industry, assembly, manufacturing or processing plant which is predominantly conducted within a wholly enclosed building but which may also involve open storage. Examples of such uses are sheet metal, plastic, fibre glass or wood fabricating, motor vehicle body repair shops and food processing facilities. This use does not include cannabis production and processing facilities.”

13.02.2 Inserting the following into Part 3 - General Provisions:

“3.25 Cannabis Production and Processing Facilities

3.25.1 Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

3.25.2 The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

3.25.3 Notwithstanding 3.25.2:

- i. in the Agricultural (A1) Zone, Rural General (A2) Zone, and General Industrial (M2) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located closer than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Agricultural (A1) Zone, Rural General (A2) Zone, and General Industrial (M2) Zone, a cannabis production and processing facility without air filtration control shall not be located closer than 300m to a Sensitive Land Use. This setback shall be measured from the building

line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 14:00 Village of Omemee Zoning By-Law No. 1993-15

14.01 Property Affected: The Property affected by this Section is described as lands within the former Village of Omemee.

14.02 Textual Amendment: By-Law No. 1993-15 of the Village of Omemee is amended by:

14.02.1 In Part 2 – Definitions, replacing the definitions for Agricultural Produce Storage Facility, Agricultural Use, Industry, Heavy, Industry, Light, and Industry, Medium, with those below:

“Agricultural Produce Storage Facility means a building or structure used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail outlet for the sale of such agricultural produce, not including cannabis, to the general public.”

“Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, aquaculture, poultry, worm farming or beekeeping, and such uses as are customarily and normally related to agriculture and does not include cannabis production and processing facilities.”

“Industry, Heavy, means an industry, assembly, manufacturing, or processing plant which is land intensive or predominantly conducted in an open or unenclosed space or which by their nature, including volume of truck traffic, use of hazardous or flammable materials, the discharge of noise, odours or particulate matter require extensive buffering. Examples of such uses are steel mills, steel fabricating, metal or rubber recovery plants, foundries, pesticide manufacturing, refineries and bulk fuel storage facilities. This use does not include cannabis production and processing facilities.”

“Industry, Light, means an industry which is conducted and wholly contained within an enclosed building the operation of which does not produce emissions of noise, smoke, odour, particulate matter or vibration which is detectable beyond any lot line. Examples of such uses are light assembly, electronics, warehousing and industrial malls. This use does not include cannabis production and processing facilities.”

“Industry, Medium, means an industry, assembly, manufacturing or processing plant which is predominantly conducted within a wholly enclosed building but which may also involve open storage. Examples of such uses are sheet metal, plastic, fibre glass or wood fabricating, motor vehicle body repair shops and food processing facilities. This use does not include cannabis production and processing facilities.”

14.02.2 Adding the following to Part 3 – General Provisions:

“3.23 Cannabis Production and Processing Facilities

3.23.1 Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

3.23.2 The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

3.23.3 Notwithstanding 3.23.2:

- i. in the Rural General (A1) Zone and General Industrial (M2) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located close than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Rural General (A1) Zone and General Industrial (M2) Zone, a cannabis production and processing facility without air filtration control shall not be located close than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 15:00 Township of Ops Zoning By-Law No. 93-30

15.01 Property Affected: The Property affected by this Section is described as lands within the former Township of Ops.

15.02 Textual Amendment: By-Law No. 93-30 of the Township of Ops is amended by:

15.02.1 In Section 19 – Definitions, replacing the definitions for Farm and Farm, Specialized, as per the following:

“19.72 Farm means any farming or agricultural use and includes apiaries, aviaries, berry or bush crops, breeding, raising, training or boarding of horses or cattle, commercial greenhouses, farms devoted to the hatching, raising and marketing of chickens, turkeys or other fowl or game birds, animals fish or frogs, farms for grazing, flower gardening, field crops, goat or cattle dairies, growing, raising, picking, treating and storing of vegetables or fruit produce produced on the premises, nurseries, orchards, riding stables, the raising of sheep or goats or other ruminants, the raising of swine, tree crops, market gardening, bee keeping, wood lots, such uses or enterprises as are customarily carried on in the field of general agriculture not including a specialized farm as defined or cannabis production and processing facilities. ‘Farm’ includes a single-family dwelling house and such principle or main buildings and structure as a barn or

silo, as well as accessory buildings and structure which are incidental to the operation of the farm.”

“19.73 Farm, Specialized means any land on which the predominant economic activity consists of raising chickens, turkeys or other fowl, the raising of fur bearing animals, the raising of swine, goats, horses, or cattle on feed lots or other intensive animal operations, the raising or boarding of dogs or cats or the growing of mushrooms and does not include cannabis production and processing facilities.”

15.02.2 Adding the following to Section 2 – General Provisions:

“2.30 Cannabis Production and Processing Facilities

2.30.1 Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

2.30.2 The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

2.30.3 Notwithstanding 2.30.2:

- i. in the Agricultural (A) Zone, Agricultural Support (AS) Zone, and General Industrial (M) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located closer than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Agricultural (A) Zone, Agricultural Support (AS) Zone, and General Industrial (M) Zone, a cannabis production and processing facility without air filtration control shall not be located closer than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 16:00 Township of Somerville Zoning By-Law No. 78-45

16.01 Property Affected: The Property affected by this Section is described as lands within the former Township of Somerville.

16.02 Textual Amendment: By-Law No. 78-45 of the Township of Somerville is amended:

16.02.1 In Section 19 – Definitions, replacing the definition for Agricultural Use, Industry, Heavy, Industry, Light, and Industry, Medium, with the following:

“Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, poultry or beekeeping, and such uses as are customarily and normally related to agriculture and includes accessory buildings and does not include cannabis production and processing facilities.”

“Industry, Heavy, means an industry, assembly, manufacturing, or processing plant, exclusive of a sand or gravel pit or quarry, which is land intensive, or predominantly conducted in an open or unenclosed space, or which by their nature, generates large volumes of truck traffic; uses and/or stores bulk quantities of hazardous or flammable materials; usually or commonly discharges noise, odours, smoke or particulate matter, or vibrations beyond the property boundaries; and require extensive buffering. Examples of such uses are steel mills, steel fabricating, metal or rubber recovery plants, foundries, pesticide manufacturing and refineries. This use does not include cannabis production and processing facilities.”

“Industry, Light, means an industry which is conducted and wholly contained within an enclosed building the operation of which does not produce emissions of noise, smoke, odour, particulate matter or vibration which is detectable beyond any lot line. Examples of such uses are light assembly, electronics, warehousing and industrial malls. This use does not include cannabis production and processing facilities.”

“Industry, Medium, means an industry, assembly, manufacturing or processing plant which is predominantly conducted within a wholly enclosed building but which may also involve a limited amount of open storage and the discharge of noise, odour, smoke or particulate matter, or vibration which is detectable beyond the property boundaries. Examples of such uses are sheet metal, plastic, fibre glass or wood fabricating, motor vehicle body repair shops and food processing facilities. This use does not include cannabis production and processing facilities.”

16.02.2 In Section 18 – General Provisions, adding the following:

“18.31 Cannabis Production and Processing Facilities

18.31.1 Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

18.31.2 The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

18.31.3 Notwithstanding 18.31.2:

- i. in the Rural General (RG) Zone and General Industrial (M2) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located close than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Rural General (RG) Zone and General Industrial (M2) Zone, a cannabis production and processing facility without air filtration control shall not be located close than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 17:00 Village of Sturgeon Point By-Law No. 339

17.01 Property Affected: The Property affected by this Section is described as lands within the former Village of Sturgeon Point.

17.02 Textual Amendment: By-law No. 339 of the Village of Sturgeon Point is amended by:

17.02.1 In Section 2 – Definitions, replacing the definition for 2.3 Agricultural Use with the following:

“Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, poultry or beekeeping, and such uses as are customarily and normally related to agriculture and includes a farm dwelling and accessory buildings and does not include cannabis production and processing facilities.”

17.02.2 Adding the following to Section 3 – General Provisions:

“3.25 Cannabis Production and Processing Facilities

3.25.1 Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

3.25.2 The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

3.25.3 Notwithstanding 3.25.2:

- i. in the Rural General (A1) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located close than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.

- ii. in the Rural General (A1) Zone, a cannabis production and processing facility without air filtration control shall not be located close than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 18:00 Township of Verulam Zoning By-law No. 6-87

18.01 Property Affected: The Property affected by this Section is described as lands within the former Township of Verulam.

18.02 Textual Amendment: By-law No. 6-87 of the Township of Verulam is amended by:

18.02.1 In Section 4 – Definitions, replacing the definition for Farm with the following:

“Farm means a use of land, buildings or structures for the purpose of field crops, fruit farming, market gardening, dairying, woodlots, animal husbandry, poultry or beekeeping, and such uses as are customarily and normally related to agriculture and does not include cannabis production and processing facilities.”

18.02.2 In Section 5 – General Provisions:

“5.29 Cannabis Production and Processing Facilities

5.29.1 Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

5.29.2 The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

5.29.3 Notwithstanding 5.29.2:

- i. in the General Rural (A1) Zone and General Industrial (M1) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located close than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the General Rural (A1) Zone and General Industrial (M1) Zone, a cannabis production and processing facility without air filtration control shall not be located close than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 19:00 Village of Woodville Zoning By-law No. 93-9

19.01 Property Affected: The Property affected by this Section is described as lands within the former Village of Woodville.

19.02 Textual Amendment: By-law 93-9 of the Village of Woodville is amended by:

19.02.1 In Part 2 – Definitions, replacing the definitions for Agricultural Produce Storage Facility, Agricultural Use, Industry, Heavy, Industry, Light, and Industry, Medium, with the following:

“Agricultural Produce Storage Facility means a building or structure used for the storage of agricultural produce and may include facilities for wholesale distribution or an accessory retail outlet for the sale of such agricultural produce, not including cannabis, to the general public.”

“Agricultural Use means a use of land, buildings or structures for the purpose of forestry, field crops, fruit farming, market gardening, dairying, animal husbandry, aquaculture, poultry or beekeeping, and such uses as are customarily and normally related to agriculture and does not include cannabis production and processing facilities.”

“Industry, Heavy, means an industry, assembly, manufacturing, or processing plant which is land intensive or predominantly conducted in an open or unenclosed space or which by their nature, including volume of truck traffic, use of hazardous or flammable materials, the discharge of noise, odours or particulate matter require extensive buffering. Examples of such uses are steel mills, steel fabricating, metal or rubber recovery plants, foundries, pesticide manufacturing and refineries. This use does not include cannabis production and processing facilities.”

“Industry, Light, means an industry which is conducted and wholly contained within an enclosed building the operation of which does not produce emissions of noise, smoke, odour, particulate matter or vibration which is detectable beyond any lot line. Examples of such uses are light assembly, electronics, warehousing and industrial malls. This use does not include cannabis production and processing facilities.”

“Industry, Medium, means an industry, assembly, manufacturing or processing plant which is predominantly conducted within a wholly enclosed building but which may also involve open storage. Examples of such uses are sheet metal, plastic, fibre glass or wood fabricating, motor vehicle body repair shops, food processing facilities and bulk fuel storage facilities. This use does not include cannabis production and processing facilities.”

19.02.2 In Part 3 – General Provisions, adding the following:

“3.23 Cannabis Production and Processing Facilities

3.23.1 Notwithstanding any other provision of this Bylaw, Cannabis Production and Processing Facilities shall be subject to the following provisions; this by-law only allows for the Production and Processing of cannabis for operators in possession of a valid license or registration by the federal Minister of Health, pursuant to the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successors thereto.

3.23.2 The cannabis production and processing facility shall comply with all regulations prescribed within the zones where the use is permitted.

3.23.3 Notwithstanding 3.23.2:

- i. in the Rural General (A1) Zone and General Industrial (M2) Zone, a cannabis production and processing facility equipped with air filtration control shall not be located close than 70m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.
- ii. in the Rural General (A1) Zone and General Industrial (M2) Zone, a cannabis production and processing facility without air filtration control shall not be located close than 300m to a Sensitive Land Use. This setback shall be measured from the building line or crop line of the Cannabis Production and Processing Facility to the nearest building line of the sensitive land use.”

Section 20:00 Effective Date

20.01 Effective Date: This By-Law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 34 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this _____ day of _____, _____.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2021 -

A By-Law To Amend The Township of Emily Zoning By-Law No. 1996-30 To Rezone Land Within The City Of Kawartha Lakes

File D06-2020-029, Report PLAN2021-020, respecting Part of Lot 3, Concession 11, geographic Township of Emily, being 833 Pigeon Lake Road – David Gingrich

Recitals:

1. Section 34 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to determine the appropriate zoning categories and provisions assigned to land. Section 36 of the Planning Act authorizes Council to place a Holding (H) symbol on any zoning category assigned to property. The purpose of the Holding (H) symbol is to restrict the use of the property until conditions imposed by Council have been met.
2. Council has received an application to amend the categories and provisions relating to a specific parcel of land to permit a custom woodworking shop as an additional permitted use on a portion of the subject land.
3. A public meeting to solicit public input has been held.
4. Council deems it appropriate to rezone the Property.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-__.

Section 1:00 Zoning Details

1.01 Property Affected: The Property affected by this by-law is described as Part of Lot 3, Concession 11, geographic Township of Emily, identified as 833 Pigeon Lake Road, City of Kawartha Lakes.

1.02 Textual Amendment: By-law No. 1996-30 of the Township of Emily is further amended by deleting Section 7.3.7 and replacing with the following:

“7.3.7 Agricultural Exception Seven (A1-7) Zone

7.3.7.1 Notwithstanding subsections 7.1.1 and 7.2.1, and articles 3.1.3.1 and 3.14.1.2, land zoned “A1-7” may also be used for a custom woodworking shop.

7.3.7.2 Notwithstanding subsection 7.2.1 and articles 3.1.3.1 and 3.14.1.2, land zoned “A1-7” to be used for a custom woodworking shop shall be subject to the following zone provisions:

- | | |
|----------------------------|------------|
| a) Gross Floor Area (max.) | 595 sq. m. |
| b) Parking (min.) | 6 spaces |

- 7.3.7.3 The provisions of subsection 3.13.1 and 3.14.2.2 shall not apply.
- 7.3.7.4 On land zoned A1-7(H), the removal of the (H) holding symbol shall be in accordance with the following:
- a) The owner shall apply for and obtain Site Plan Approval for the development on the A1-7 zoned portion of the subject land.”
- 1.03 **Schedule Amendment:** Schedule ‘A’ to By-law No. 1996-30 of the Township of Emily is further amended to change the zone category from the ‘Agricultural (A1) Zone’ to the ‘Agricultural Exception Seven Holding [A1-7 (H)] Zone’ and from the ‘Agricultural Exception Seven (A1-7) Zone’ to the ‘Agricultural (A1) Zone’ as shown on Schedule ‘A’ attached to this By-law.

Section 2:00 Effective Date

- 2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Sections 34 and 36 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of ***, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

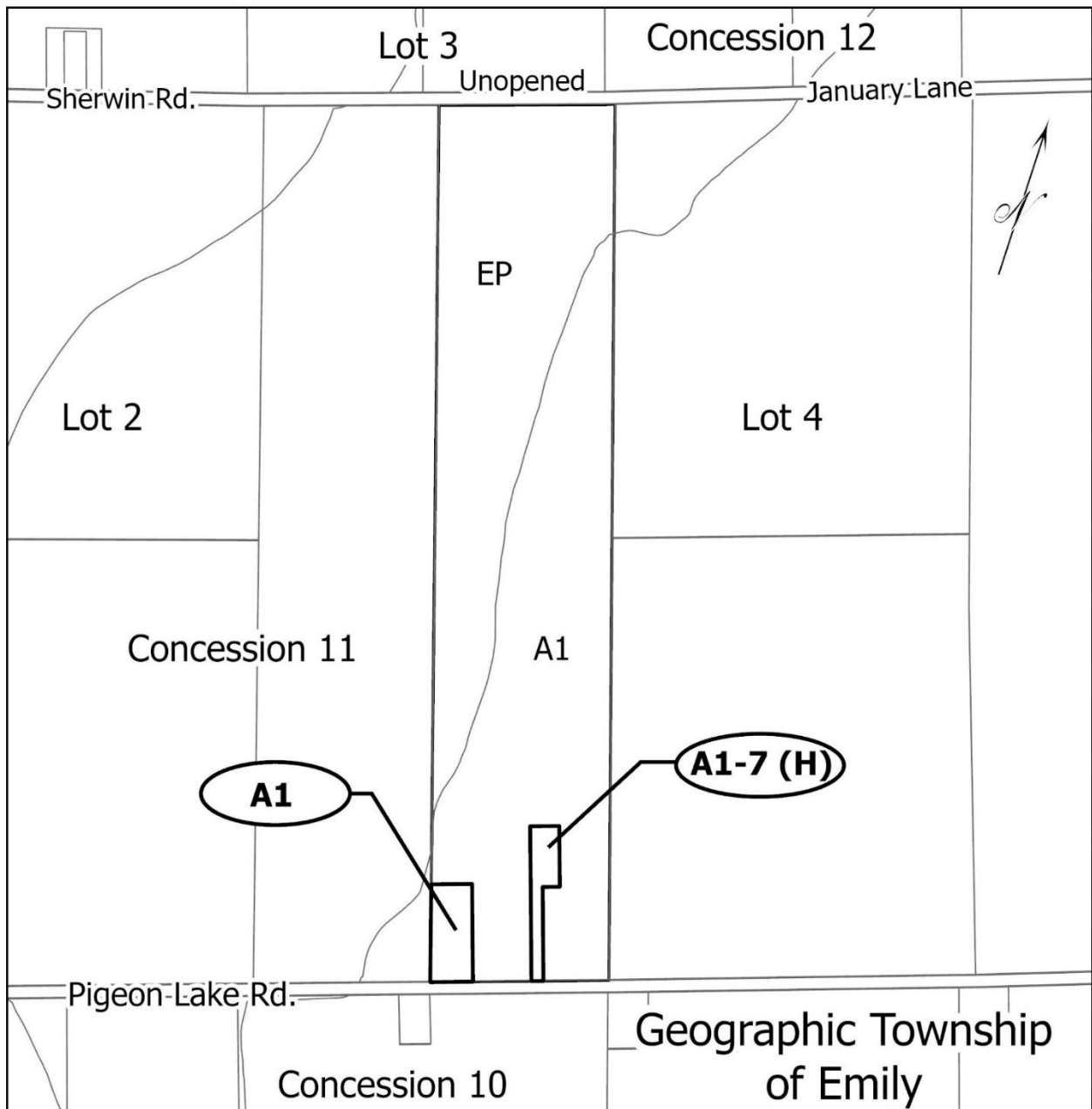
THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2021.

MAYOR _____ CLERK _____



The Corporation of the City of Kawartha Lakes

By-Law 2021 - XX

A By-law to Amend the Town of Lindsay Zoning By-law No. 2000-75 to Rezone Land within the City Of Kawartha Lakes

[File D06-2021-008, Report PLAN2021-022, respecting Block 39, Plan 57M-798, former Town of Lindsay, identified as vacant land on Logie Street – Bromont Homes Inc.]

Recitals:

1. Section 36 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to place a Holding (H) symbol on any zoning category assigned to property. The purpose of the Holding (H) symbol is to restrict the use of the property until conditions imposed by Council have been met.
2. The Council of the City of Kawartha Lakes enacted By-law No. 2000-75, which contained a Holding (H2) symbol relating to the use of the property.
3. Council has received a request to remove the Holding (H2) symbol from the Residential High-Rise One Holding [RH1(H2)] Zone.
4. The conditions imposed by Council and shown in By-law 2000-75 are no longer required.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-XX.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Block 39, Plan 57M-789, former Town of Lindsay, City of Kawartha Lakes.
- 1.02 **Schedule Amendment:** Schedule A to By-law No. 2000-75 of the Town of Lindsay is further amended to remove the Holding (H2) symbol from the Residential High-Rise One Holding [RH1(H2)] Zone for the land referred to as RH1, as shown on Schedule A attached to this By-law.

Section 2:00 General Terms

2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 36 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this 18th day of May, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

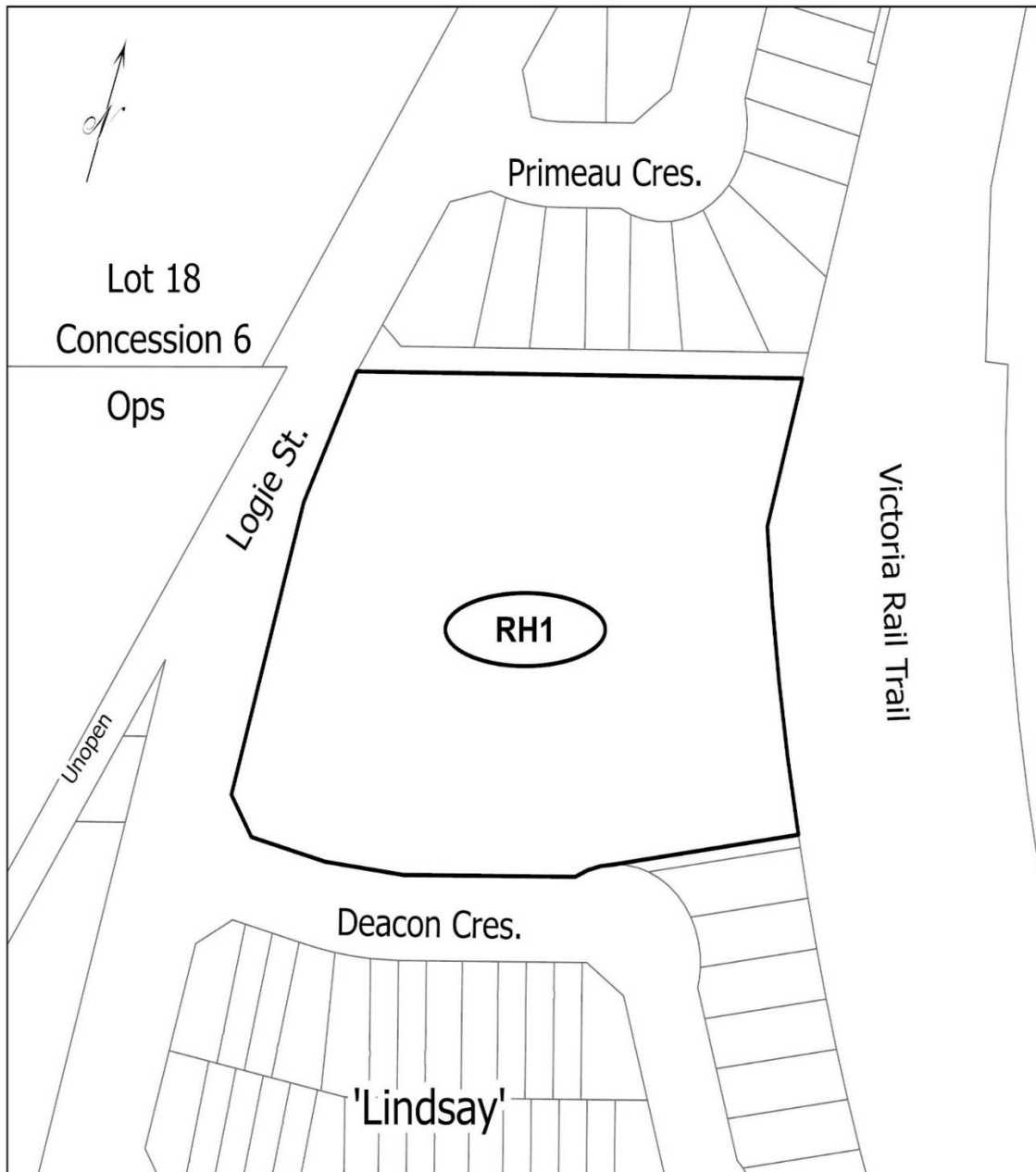
THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2021.

MAYOR _____ CLERK _____



The Corporation of the City of Kawartha Lakes

By-Law 2021 -

A By-Law to Deem Part of a Plan of Subdivision, Previously Registered for Lands Within Kawartha Lakes, Not To Be A Registered Plan Of Subdivision In Accordance With The Planning Act PIN # 63117-0840(LT), Described as Lot 42, Plan 378, Geographic Township of Bexley, Now City of Kawartha Lakes

File D30-2021-003, Report PLAN2021-025, respecting 848 Indian Point Road – RASMUSSEN.

Recitals:

1. Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to deem any plan of subdivision, or part of a plan of subdivision, that has been registered for eight years or more, not to be a registered plan of subdivision for the purposes of Subsection 50(3) of the Planning Act, R.S.O. 1990, c.P.13.
2. Council has been requested to pass a deeming By-law, by the owner of the land described in Section 1 of this By-law.
3. A duplicate of this By-law shall be registered in the Land Registry Office in accordance with the Planning Act, R.S.O. 1990, c.P.13.
4. Notice of the passing of this By-law shall be mailed to the owner(s) of the land described in Section 1 of this By-law.
5. Council considers it appropriate to enact the requested By-law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-__.

Section 1:00 Details

- 1.01 **Property Affected:** PIN # 63117-0840(LT). The Property affected by this By-law is described as Lot 42, Registered Plan 378, geographic Township of Bexley, City of Kawartha Lakes.
- 1.02 **Deeming Provision:** The Property is deemed not to be part of a Registered Plan of Subdivision of the purposes of Subsection 50(3) of the Planning Act, R.S.O. 1990, c.P.13.

Section 2:00 General Terms

2.01 **Force and Effect:** This By-law shall come into force on the date it is finally passed, subject to the provisions of Sections 50(26), 50(28), and 50(29) of the Planning Act, R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of **, 2021.

Andy Letham, Mayor

Cathie Ritchie, Clerk

Geographic Township
of Bexley



Lot 1
North West Bay Range

Unopen

Shields
Lane

Lot A

Indian Point Rd.

Subject Land
to Deeming By-Law
(Lot 42, Plan 378)

Balsam
Lake

The Corporation of the City of Kawartha Lakes

By-Law 2021 -

A By-law to Amend the Town of Lindsay Zoning By-law No. 2000-75 to Rezone Land within the City Of Kawartha Lakes

[File D06-2021-006, Report PLAN2021-026, respecting Block 13, Plan 57M-782, former Town of Lindsay, identified as vacant land on Chadwin Drive – 2607226 Ontario Inc.]

Recitals:

1. Section 36 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to place a Holding (H) symbol on any zoning category assigned to property. The purpose of the Holding (H) symbol is to restrict the use of the property until conditions imposed by Council have been met.
2. The Council of the City of Kawartha Lakes enacted By-law No. 2015-042, which contained a Holding (H) symbol relating to the use of the property.
3. Council has received a request to remove the Holding (H) symbol from the Residential High-Rise One Special Eleven Holding [RH1-S11(H)] Zone.
4. The conditions imposed by Council and shown in By-law 2015-042 are no longer required.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-__.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Block 13, Plan 57M-782, former Town of Lindsay, City of Kawartha Lakes.
- 1.02 **Schedule Amendment:** Schedule A to By-law No. 2000-75 of the Town of Lindsay is further amended to remove the Holding (H) symbol from the Residential High-Rise One Special Eleven Holding [RH1-S11(H)] Zone for the land referred to as RH1-S11, as shown on Schedule A attached to this By-law.

Section 2:00 General Terms

- 2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 36 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of **, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

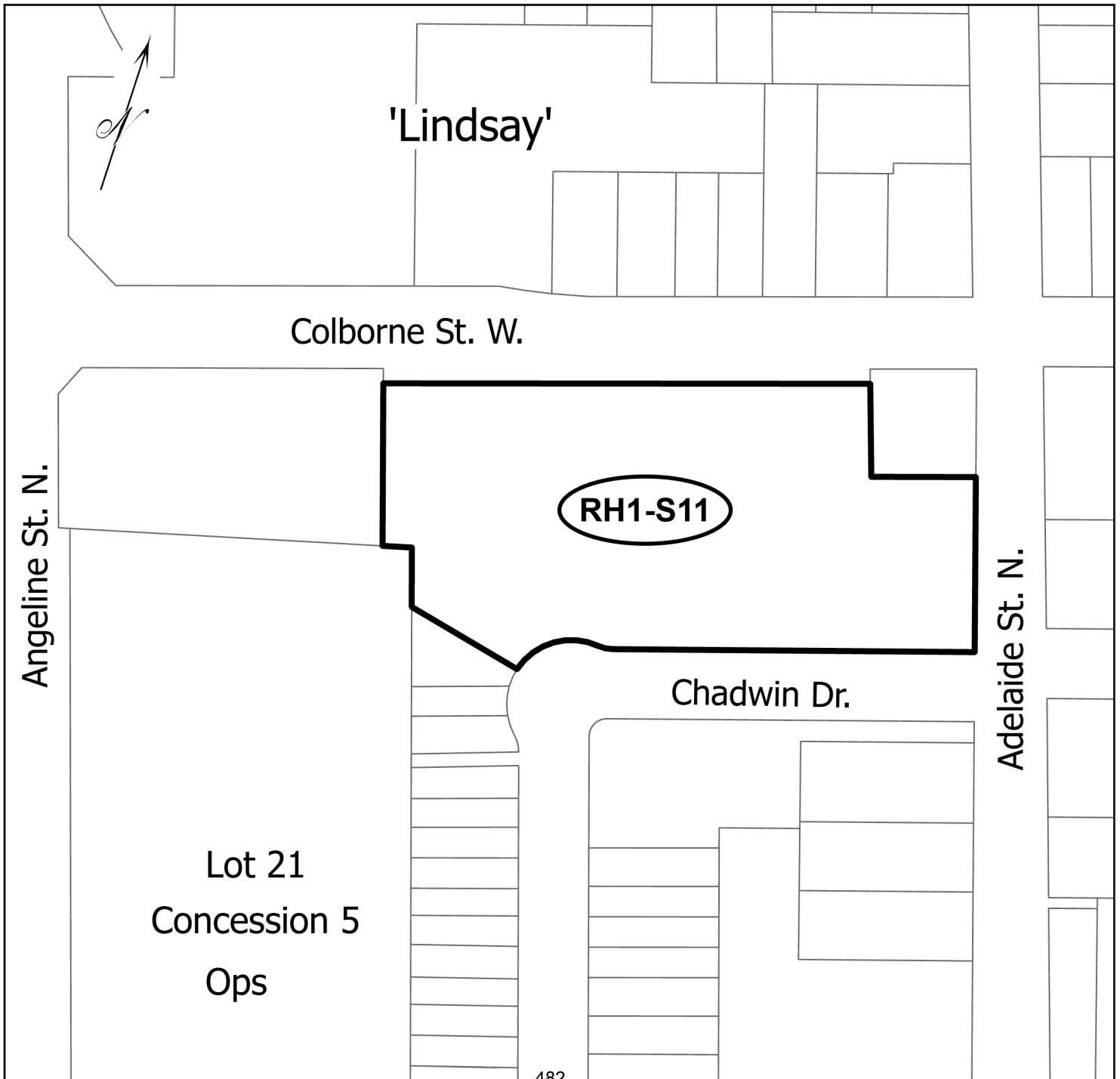
THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2021.

MAYOR _____ CLERK _____



The Corporation of the City of Kawartha Lakes

By-Law 2021 -

A By-law to Amend the Town of Lindsay Zoning By-law No. 2000-75 to Rezone Land within the City Of Kawartha Lakes

[File D06-2021-007, Report PLAN2021-027, respecting Block 15, Plan 57M-782, former Town of Lindsay, identified as vacant land at 37 Adelaide Street North - Lindsay Seniors GP Ltd./Lindsay Seniors LP.]

Recitals:

1. Section 36 of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to place a Holding (H) symbol on any zoning category assigned to property. The purpose of the Holding (H) symbol is to restrict the use of the property until conditions imposed by Council have been met.
2. The Council of the City of Kawartha Lakes enacted By-law No. 2006-330, which contained a Holding (H1) symbol relating to the use of the property.
3. Council has received a request to remove the Holding (H1) symbol from the Residential High-Rise One Special Five Holding [RH1-S5(H1)] Zone.
4. The conditions imposed by Council and shown in By-law 2006-330 are no longer required.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-__.

Section 1:00 Zoning Details

- 1.01 **Property Affected:** The Property affected by this by-law is described as Block 15, Plan 57M-782, former Town of Lindsay, City of Kawartha Lakes.
- 1.02 **Schedule Amendment:** Schedule A to By-law No. 2000-75 of the Town of Lindsay is further amended to remove the Holding (H1) symbol from the Residential High-Rise One Special Five Holding [RH1-S5(H1)] Zone for the land referred to as RH1-S5, as shown on Schedule A attached to this By-law.

Section 2:00 General Terms

- 2.01 **Effective Date:** This By-law shall come into force and take effect on the date it is finally passed, subject to the provisions of Section 36 of the Planning Act R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of **, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

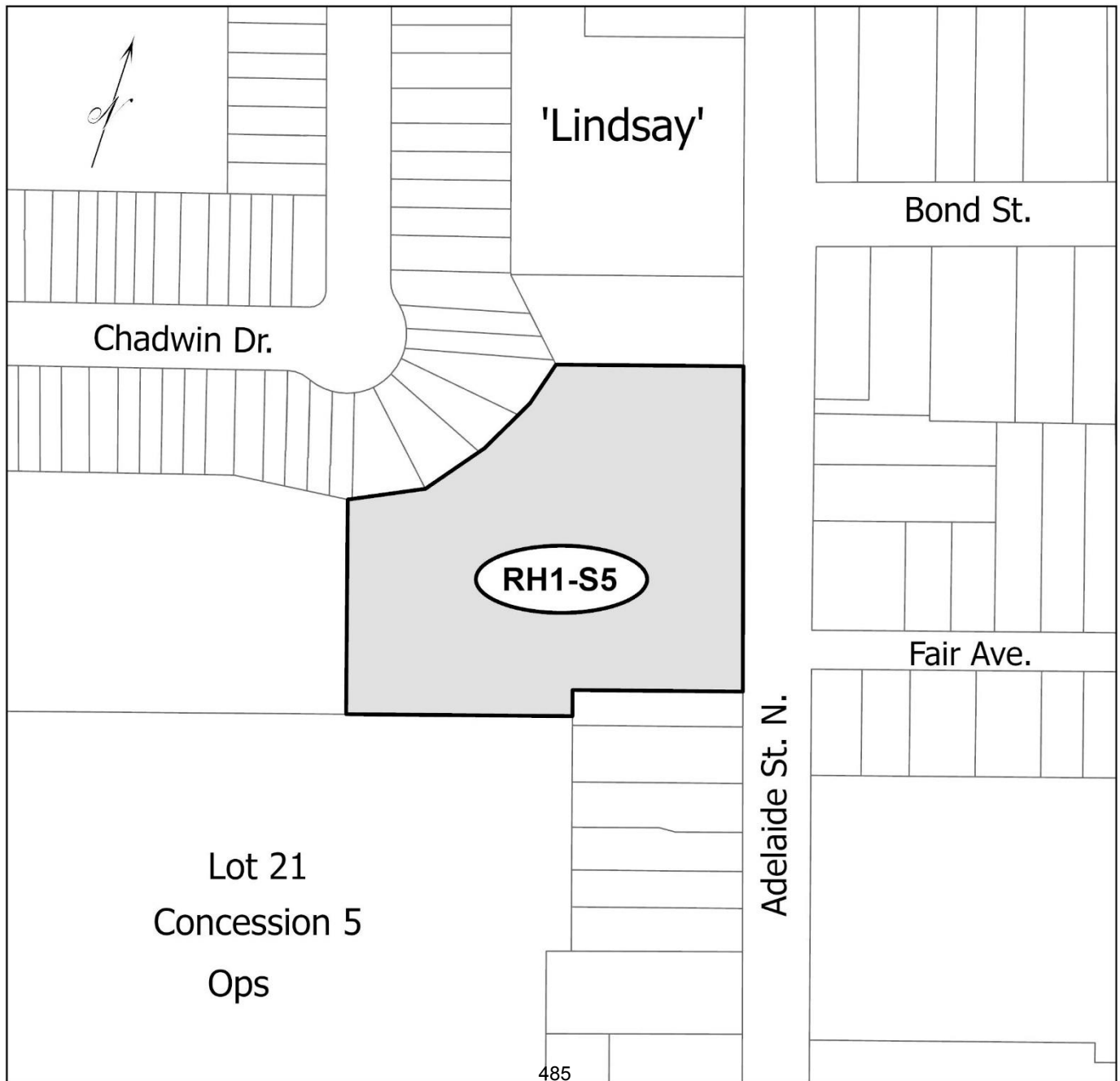
THE CORPORATION OF THE CITY OF

KAWARTHA LAKES

THIS IS SCHEDULE 'A' TO BY-LAW _____ PASSED

THIS _____ DAY OF _____ 2021.

MAYOR _____ CLERK _____



The Corporation of the City of Kawartha Lakes

By-Law 2021 -

A By-Law To Deem Part of a Plan of Subdivision, Previously Registered For Lands Within Kawartha Lakes, Not To Be A Registered Plan Of Subdivision In Accordance With The Planning Act PIN 63116-0600, Described As Lot 39 and Lot 40, Registered Plan 475, Geographic Township Of Bexley, Now City Of Kawartha Lakes

File D30-2021-002, Report PLAN2021-029, respecting Lot 39 and Lot 40, Registered Plan 475, 100 Laidlaw Drive - McAlister

Recitals:

1. Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13 authorizes Council to deem any plan of subdivision, or part of a plan of subdivision, that has been registered for eight years or more, not to be a registered plan of subdivision for the purposes of Subsection 50(3) of the Planning Act, R.S.O. 1990, c.P.13.
2. A duplicate of this By-law shall be registered in the Land Registry Office in accordance with the Planning Act, R.S.O. 1990, c.P.13.
3. Notice of the passing of this By-law shall be mailed to the owner(s) of the land described in Section 1 of this By-law.
4. Council considers it appropriate to enact the requested By-law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-__.

Section 1:00 Details

- 1.01 **Property Affected:** PIN 63116-0600. The Property affected by this By-law is described as Lot 39 and Lot 40, Registered Plan 475, geographic Township of Bexley, City of Kawartha Lakes.
- 1.02 **Deeming Provision:** The Property is deemed not to be part of a Registered Plan of Subdivision of the purposes of Subsection 50(3) of the Planning Act, R.S.O. 1990, c.P.13.

Section 2:00 General Terms

2.01 **Force and Effect:** This By-law shall come into force on the date it is finally passed, subject to the provisions of Sections 50(26), 50(28), and 50(29) of the Planning Act, R.S.O. 1990, c.P.13.

By-law read a first, second and third time, and finally passed, this ** day of **, 2021.

Andy Letham, Mayor

Cathie Ritchie, Clerk

RATING BY-LAW

Tile Drainage Act, R.S.O. 1990, c. T.8, s.8

THE CORPORATION OF THE
City of Kawartha Lakes

BY-LAW NUMBER 2021-

A by-law imposing special annual drainage rates upon land in
respect of which money is borrowed under the Tile Drainage Act.

WHEREAS owners of land in the municipality have applied to the council under the Tile Drainage Act for loans for the purpose of constructing subsurface drainage works on such land;

AND WHEREAS the council has, upon their application, lent the owners the total sum of \$31,800.00 to be repaid with interest by means of rates hereinafter imposed;

The council, pursuant to the Tile Drainage Act, enacts as follows:

1. That annual rates as set out in the Schedule 'A' attached hereto are hereby imposed upon such land as described for a period of ten years, such rates shall have priority lien status, and shall be levied and collected in the same manner as taxes.

First Reading 2021-May-18
yyyy/mm/dd

Second Reading 2021-May-18
yyyy/mm/dd

Provisionally adopted this 18 day of May, 2021

Andy Letham
Name of Head of Council

Signature

Cathie Ritchie
Name of Clerk

Signature

Third Reading 2021-May-18

Enacted this 18 day of May, 2021

Andy Letham
Name of Head of Council

Signature

Corporate Seal

Cathie Ritchie
Name of Clerk

Signature

I, Cathie Ritchie, clerk of the Corporation of the City of Kawartha Lakes certify that the above by-law was duly passed by the council of the Corporation and is a true copy thereof.

Cathie Ritchie
Name of Clerk

Signature

Corporate Seal

The Corporation of the _____ City _____ of _____ Kawartha Lakes
Schedule 'A' to By-law Number _____ 2021-

Property Owner Information*				Description of Land Parcel to Which the Repayment Charge Will be Levied					Proposed date of loan (YYYY-MM-DD)	Sum to be loaned \$	Annual rate to be imposed \$
David McMorrow	0	0		Lot: Part 17 SE 1/4	Con: 9				2021-Jun-01	\$ 31,800.00	\$ 4,320.60
-	-										
445 Settlers Road		Lindsay	ONT	Roll #:	1651	006	003	13800			
0	0	0		Lot:		Con:					
-	-										
				Roll #:							
0	0	0		Lot:		Con:					
-	-										
				Roll #:							
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0	0	0		Lot:		Con:					
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				Roll #:							
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0	0	0		Lot:		Con:					
-	-										
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-	-										
				Roll #:							
0	0	0		Lot:		Con:					
-	-										
				Roll #:							
* If property is owned in partnership, all partners must be listed. If property is owned by a corporation, list the corporation's name and the name and corporate position of the authorized officer in the last blank space provided.Only the owner(s) of the property may apply for a loan.											
TOTAL *										\$ 31,800.00	\$ 4,320.60

* If property is owned in partnership, all partners must be listed. If property is owned by a corporation, list the corporation's name and the name and corporate position of the authorized officer in the last blank space provided. Only the owner(s) of the property may apply for a loan.

TILE DRAINAGE DEBENTURE

Tile Drainage Act, R.S.O. 1990, c. T.8, subs. 2(1)

\$31,800.00

No. 2021-06

The Corporation of the _____ City _____ of _____ Kawartha Lakes _____ hereby promises to pay to the Minister of Finance, the principal sum of _____ \$31,800.00 _____ of lawful money of Canada, together with interest thereon at the rate of _____ 6 _____ per cent per annum in ten equal instalments of _____ \$4,320.60 _____ on the 1st day of _____ June _____, in the years _____ 2022 _____ to _____ 2031 _____, both inclusive.

The right is reserved to The Corporation of the _____ City _____ of _____ Kawartha Lakes _____ to prepay this debenture in whole or in part at any time or times on payment, at the place where and in the money in which this debenture is expressed to be payable, of the whole or any amount of principal and interest owing at the time of such prepayment.

This debenture, or any interest therein, is not, after a Certificate of Ownership has been endorsed thereon by the Treasurer of this Corporation, or by such other person authorized by by-law of this Corporation to endorse such Certificate of Ownership, transferable.

Dated at the _____ City _____ of _____ Kawartha Lakes _____ in the Province of Ontario, this 1st day of _____ June, 2021 _____, under the authority of By-law No. _____ 2006-184 _____ of the Corporation entitled "A by-law to raise money to aid in the construction of drainage works under the *Tile Drainage Act*."

Corporate Seal

Andy Letham

Name of Head of Council

Signature

Carolyn Daynes

Name of Treasurer

Signature

OFFER TO SELL

Tile Drainage Act, R.S.O. 1990, c. T.8, subs. 5(8)

TO THE MINISTER OF FINANCE

The Corporation of City of Kawartha Lakes
hereby offers to sell Debenture No. 2021-06 in the principal amount of \$31,800.00
to the Minister of Finance as authorized by Borrowing By-law No. 2006-184 of the Corporation.

The principal amount of this debenture is the aggregate of individual loans applied for and each loan is not more than 75 per cent of the cost of the drainage work constructed.

An inspector of drainage, employed by the Corporation, has inspected each drainage work for which the Corporation will lend the proceeds of this debenture and each has been completed in accordance with the terms of the loan approval given by council.

A copy of the Inspection and Completion Certificate for each drainage work, for which the Corporation lend the proceeds of this debenture, is attached hereto.

June 01, 2021

Date

Carolyn Daynes

Name of Treasurer

Corporate Seal

Signature of Treasurer

The Corporation of the City of Kawartha Lakes

By-Law 2021-____

A By-law to Repeal By-law 2018-097, being a By-law to Appoint a Municipal Law Enforcement Officer for the City of Kawartha Lakes

Recitals

1. Council adopted By-law 2018-097 on June 19, 2018 to appoint Devin Camplin as a Municipal Law Enforcement Officer for the City of Kawartha Lakes.
2. Council deems it appropriate to repeal By-law 2018-097 due to changes in staffing.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-____.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“Council” or “City Council” means the municipal council for the City;

1.02 Interpretation Rules:

- (a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

Section 2.00: Repeals

2.01 Repeal: By-law 2018-097 is repealed.

Section 3.00: Administration and Effective Date

3.01 Administration of the By-law: The Manager of Municipal Law Enforcement and Licensing is responsible for the administration of this by-law.

By-law read a first, second and third time, and finally passed, this 18 day of May 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2021-____

A By-law to Repeal By-law 2018-098, being a By-law to Appoint an Area Weed Inspector for the City of Kawartha Lakes

Recitals

1. Council adopted By-law 2018-098 on June 19, 2018 to appoint Devin Camplin as an Area Weed Inspector for the City of Kawartha Lakes.
2. Council deems it appropriate to repeal By-law 2018-098 due to changes in staffing.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-____.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“Council” or “City Council” means the municipal council for the City;

1.02 Interpretation Rules:

- (a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

Section 2.00: Repeals

2.01 Repeal: By-law 2018-098 is repealed.

Section 3.00: Administration and Effective Date

3.01 Administration of the By-law: The Manager of Municipal Law Enforcement and Licensing is responsible for the administration of this by-law.

By-law read a first, second and third time, and finally passed, this 18 day of May 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2021-____

A By-law to Appoint a Municipal Law Enforcement Officer for the City of Kawartha Lakes

Recitals

1. Section 15 of the Police Services Act R.S.O. 1990, c.P.15 authorizes municipal councils to appoint municipal law enforcement officers, who are peace officers for the purpose of enforcing their by-laws.
2. Council considers it advisable to appoint an individual to serve as a municipal law enforcement officer.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-____.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“Council” or “City Council” means the municipal council for the City;

“Manager of Municipal Law Enforcement and Licensing” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 Interpretation Rules:

(a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Appointments

- 2.01 **Municipal Law Enforcement Officer:** Jessica Pitre is appointed as a Municipal Law Enforcement Officer for the City of Kawartha Lakes in accordance with section 15 of the Police Services Act R.S.O. 1990, c.P.15.
- 2.02 **Reporting Relationship:** Jessica Pitre shall report to and be under the direction of the Manager of Municipal Law Enforcement and Licensing.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Manager of Municipal Law Enforcement and Licensing is responsible for the administration of this by-law.
- 3.02 **Effective Date:** 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 18th day of May, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2021-____

A By-Law to Appoint an Area Weed Inspector for the City of Kawartha Lakes

Recitals

1. Weed inspectors are required to enforce the Weed Control Act, R.S.O. 1990, c. W.5.
2. Paragraph 6(1) of the Weed Control Act, R.S.O. 1990, c. W.5 states that the council of every upper-tier and single tier municipality shall By-Law appoint one or more persons as area weed inspectors to enforce the Weed Control Act, R.S.O. 1990, c. W. 5 in the area within the council's jurisdiction and fix their remuneration or other compensation.
3. Council deems it appropriate to appoint Municipal Law Enforcement Officers as Weed Inspectors.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-Law 2021-____.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this By-Law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“Council” or “City Council” means the municipal council for the City;

“Manager of Municipal Law Enforcement and Licennsing” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 Interpretation Rules:

- (a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this By-Law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this By-Law to be illegal or unenforceable, that portion of this By-Law shall be considered to be severed from the balance of the By-Law, which shall continue to operate in full force and effect.

Section 2.00: Appointments

- 2.01 **Municipal Weed Inspector:** Jessica Pitre is appointed as an Area Weed Inspector for The Corporation of the City of Kawartha Lakes.

Section 3.00: Duties and Responsibilities

- 3.01 The duties and responsibilities of the Area Weed Inspector are set out in the Statutes and Regulations of the Province of Ontario and in the By-Laws and Policies of The Corporation of the City of Kawartha Lakes, which exist or may be passed in future.
- 3.02 The Area Weed Inspector shall report to and be under the direction of the Manager Municipal Law Enforcement and Licensing of The Corporation of the City of Kawartha Lakes.

Section 4.00: Remuneration

- 4.01 The Area Weed Inspector shall receive remuneration in accordance with the City's Collective Agreement with the Canadian Union of Public Employees.

Section 5.00: Notice

- 5.01 Written notice of this By-Law shall be given to the chief inspector appointed under Section 2 of the Weed Control Act R.S.O. 1990, c.W.5 by the Manager of Municipal Law Enforcement and Licensing.

Section 6.00: Administration and Effective Date

- 6.01 **Administration of the By-Law:** The Manager of Municipal Law Enforcement and Licensing is responsible for the administration of this By-Law.
- 6.02 **Effective Date:** 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 18th day of May, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2021-____

A By-law to Appoint a Municipal Law Enforcement Officer for the City of Kawartha Lakes

Recitals

1. Section 15 of the Police Services Act R.S.O. 1990, c.P.15 authorizes municipal councils to appoint municipal law enforcement officers, who are peace officers for the purpose of enforcing their by-laws.
2. Council considers it advisable to appoint an individual to serve as a municipal law enforcement officer.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-____.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“Council” or “City Council” means the municipal council for the City;

“Manager of Municipal Law Enforcement and Licensing” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 Interpretation Rules:

(a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Appointments

- 2.01 **Municipal Law Enforcement Officer:** Domenic Lofranco is appointed as a Municipal Law Enforcement Officer for the City of Kawartha Lakes in accordance with section 15 of the Police Services Act R.S.O. 1990, c.P.15.
- 2.02 **Reporting Relationship:** Domenic Lofranco shall report to and be under the direction of the Manager of Municipal Law Enforcement and Licensing.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Manager of Municipal Law Enforcement and Licensing is responsible for the administration of this by-law.
- 3.02 **Effective Date:** 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 18th day of May, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2021____

A By-Law to Appoint an Area Weed Inspector for the City of Kawartha Lakes

Recitals

1. Weed inspectors are required to enforce the Weed Control Act, R.S.O. 1990, c. W.5.
2. Paragraph 6(1) of the Weed Control Act, R.S.O. 1990, c. W.5 states that the council of every upper-tier and single tier municipality shall By-Law appoint one or more persons as area weed inspectors to enforce the Weed Control Act, R.S.O. 1990, c. W. 5 in the area within the council's jurisdiction and fix their remuneration or other compensation.
3. Council deems it appropriate to appoint Municipal Law Enforcement Officers as Weed Inspectors.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-Law 2021-____

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this By-Law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“Council” or “City Council” means the municipal council for the City;

“Manager of Municipal Law Enforcement and Licennsing” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 Interpretation Rules:

- (a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this By-Law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this By-Law to be illegal or unenforceable, that portion of this By-Law shall be considered to be severed from the balance of the By-Law, which shall continue to operate in full force and effect.

Section 2.00: Appointments

- 2.01 **Municipal Weed Inspector:** Domenic Lofranco is appointed as an Area Weed Inspector for The Corporation of the City of Kawartha Lakes.

Section 3.00: Duties and Responsibilities

- 3.01 The duties and responsibilities of the Area Weed Inspector are set out in the Statutes and Regulations of the Province of Ontario and in the By-Laws and Policies of The Corporation of the City of Kawartha Lakes, which exist or may be passed in future.
- 3.02 The Area Weed Inspector shall report to and be under the direction of the Manager Municipal Law Enforcement and Licensing of The Corporation of the City of Kawartha Lakes.

Section 4.00: Remuneration

- 4.01 The Area Weed Inspector shall receive remuneration in accordance with the City's Collective Agreement with the Canadian Union of Public Employees.

Section 5.00: Notice

- 5.01 Written notice of this By-Law shall be given to the chief inspector appointed under Section 2 of the Weed Control Act R.S.O. 1990, c.W.5 by the Manager of Municipal Law Enforcement and Licensing.

Section 6.00: Administration and Effective Date

- 6.01 **Administration of the By-Law:** The Manager of Municipal Law Enforcement and Licensing is responsible for the administration of this By-Law.
- 6.02 **Effective Date:** 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 18th day of May, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2021-____

A By-law to Appoint a Municipal Law Enforcement Officer for Limited By-law Enforcement Purposes

Recitals

1. Private property owners find it convenient to have certain municipal by-laws enforced by members of their own staff. The City receives requests, from time to time, for the appointment of citizens as municipal law enforcement officers for limited purposes.
2. The City has received such a request from the owner of Eggsmart located at 321 Kent Street West, Lindsay.
3. Section 15 of the Police Services Act, R.S.O. 1990, c.P.15 authorizes municipal councils to appoint municipal law enforcement officers, who are peace officers for the purpose of enforcing their by-laws.
4. The Manager of Municipal Law Enforcement recommends that the person put forward be appointed for limited enforcement purposes.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-____.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“Council” or “City Council” means the municipal council for the City;

“Manager of Municipal Law Enforcement” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 Interpretation Rules:

(a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 Statutes: References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.

1.04 Severability: If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Appointments

- 2.01 **Appointment:** Arpita Mukherjee is appointed as a Municipal Law Enforcement Officer for the limited purpose of enforcement of the applicable Kawartha Lakes parking by-laws and regulations at the property known as “Eggsmart”, located at 321 Kent Street West in Lindsay.
- 2.02 **Provincial Offences Officer:** Arpita Mukherjee is appointed as a Provincial Offences Officer for the limited purpose of enforcement of the applicable Kawartha Lakes parking by-laws and regulations at the property known as “Eggsmart”, located at 321 Kent Street West in Lindsay, in accordance with the provisions of the Provincial Offences Act, R.S.O. 1990, c.P. 33.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Manager of Municipal Law Enforcement is responsible for the administration of this by-law.
- 302 **Effective Date:** 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 18th day of May, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-Law 2021-xxx

A By-Law to Repeal and Replace By-law 2017-039 as amended, Being a By-law to Regulate Animals in The City of Kawartha Lakes

Recitals

1. Section 10 (2) 9 of the Municipal Act, 2001 S.O. 2001 c25. authorizes the councils of municipalities to pass by-laws respecting animals.
2. Section 103 of the Municipal Act, 2001 authorizes municipalities to impound animals which are at large in contravention of any such by-law.
3. Section 105 of the Municipal Act, 2001 provides that if a municipality requires the muzzling of a dog under any circumstance, the council of the municipality shall, upon the request of the owner of the dog, hold a hearing to determine whether or not to exempt the owner in whole or part from the requirement.
4. Section 391 of the Municipal Act, 2001 authorizes municipalities to impose fees or charges for services rendered.
5. Council considers it advisable to regulate animals to ensure that animals are kept and treated in a humane manner and that the owners of animals provide good quality care to them.
6. Council deems it appropriate to repeal By-Law 2017-039, being a By-law to Regulate Animals in the City of Kawartha Lakes, and its amendments thereto, being By-laws 2018-200 and 2019-043 effective July 31, 2021.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021-xxx.

Section 1:00 Definitions and Interpretation

1.01 Definitions: In this By-law,

“Administrative Fees” means any fees specified as set out in the Consolidated Fees By-Law.

“Aggressive animal” means an animal which, in the opinion of the Manager of the Municipal Law Enforcement or their delegate, has demonstrated excessive and/or unprovoked aggression, or is of a threatening disposition;

“Aggressive, dangerous or vicious” means behaviour exhibited that, without mitigating factors, the animal has:

- attacked, bitten or caused injury to a person, or
- demonstrated a propensity to do so, or
- attacked, bitten or caused injury to a domestic animal, or
- been placed on an Order to Restrain and is kept or permitted to be kept by its owner in violation of the requirements of such order;

“Altered” means spayed or neutered;

“Animal” means any member of the animal kingdom or living beings, including mammals, birds and reptiles but excluding fish;

“Animal Enclosure” means an enclosed place for the keeping of animals and includes bird lofts, bird cages, chicken coops, pigeon coops, dog runs, dog pens, doghouse, rabbit hutches, catteries and reptile tanks. Pasture land or fenced agricultural land used for livestock or other agricultural purpose, or the yard of a residential property where fencing has been erected on or along the property lines for the purposes of enclosing, shall not be deemed to be an animal enclosure;

“Appeal Committee” means a committee appointed by Council consisting of members of Council to conduct hearings, pursuant to sections of this by-law;

“At large” means an animal that is in a place other than the property owned, or occupied by the owner, where that animal is not being kept on a leash by its owner or by another person acting on the owner's behalf, where permission has not been granted by that owner, excludes domestic cats;

“Attractant” means any substance which could be reasonably expected to attract a wild animal or animals or does attract wild animals, strays, feral or abandoned animals;

“Backyard Chicken Coop” shall have a similar meaning to “Coop”

“Breeding” means the production of offspring;

“Business day” means any Monday, Tuesday, Wednesday, Thursday or Friday other than a public holiday;

“Chicken” shall mean a domesticated female chicken or chick and “Hen” shall have a corresponding meaning;

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

“City Clerk” means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Competent person” means a person having the strength and capacity to securely control an animal so as to not permit or allow unwanted contact with another person or animal;

“Companion animal” means an animal specifically trained and used as a companion animal for persons with special needs and shall not include Livestock or chickens;

“Confining” means to prevent the animal from leaving the owner’s property and coming into contact with other persons or animals who have not consented to contact; when used in connection with a dog that is the subject of an Order to Restrain at the owner’s property, means that the dog must be restrained by means of an enclosure, fence, leash or tether in order to prevent the animal from leaving the owner’s property;

“Control” includes care and custody;

“Coop” means a fully-enclosed weatherproof structure where hens are kept and the interior of which includes nest boxes for egg laying, perches for hens to roost on and food and water containers;

“Council” or “City Council” means the Council of the City of Kawartha Lakes;

“Daily care fee” means the ordinary cost for housing and feeding an animal per day;

“Dog” means a domesticated canine animal of the species *canis familiaris*, male or female;

“Dog Owners Liability Act” means the Dog Owners’ Liability Act, R.S.O. 1990, c. D.16, as amended;

“Domestic Animal” means an animal that is permitted in Canada, is not wild and is normally kept as a household pet or is domesticated for humane use or agricultural purposes;

“Dwelling” or “Dwelling unit” means a room or suite of two or more rooms designed or intended for residential use by a person or persons in which culinary and sanitary conveniences are provided for the exclusive use of such person or persons and having a private entrance from outside or from a common hallway or stairway inside and which is located in a residentially zoned part of the City;

“Enclosed property” means a pen or other enclosure that it prevents the animal from leaving the property and prevents contact with people and other animals;

“Extreme Weather” means a cold warning, heat warning or other weather warning alert issued by Environment Canada for weather in the City including but not limited to extreme cold or hot weather, snow storms, freezing rain, heavy rainfall, hurricanes, tornadoes and/or strong winds;

“Feed or feeding” means the deliberate act of furnishing, or making food or other substances available which is likely to be consumed by wild animals, strays, feral or abandoned animals;

“Hen” means a domesticated female chicken that is at least four months old, “chicken” may have a corresponding meaning;

“Hen Run” means a secure outdoor enclosure that provides the hens with an area to move around freely. The enclosure shall include side walls and is covered in such a way to prevent the hens from leaving and protected from entry of other birds or animals;

“Household pet” means a domestic animal that is kept for companionship and shall not include chickens or livestock;

“Humane Society of Kawartha Lakes” means the local animal shelter and affiliate of the OSPCA from which animals may be redeemed or lawfully adopted;

“Impound” means the animal is taken into custody and transported to a City pound and held as per this by-law;

“Keep” means to have temporary or permanent control or possession of an animal, and the words “kept” or “keeping” have a similar meaning;

“Kennel” means a facility licenced by the City dealing with the business of breeding, buying, selling, boarding or training of dogs;

“Leash” means a strap, cord or chain which is designed to restrain the breed of animal it is controlling and it may not exceed 1.8 metres (6 ft.) long;

“Leash free park” means a park identified by Council as an enclosure where dogs are permitted to run free;

“Licence” means a licence issued pursuant to this by-law;

“Licencing Enforcement Officer” means a person appointed by Council under section 15 of the Police Services Act to enforce the by-laws of the City, and includes a Municipal Law Enforcement Officer;

“Livestock” means domestic farm animal (i.e. horse, donkey, pony, mule, jackass, bovine, bull or heifer, goat, swine, deer, elk, mink, fox, sheep, chinchilla) and fowl that are kept for agricultural purposes; as designated as livestock under the Livestock and Livestock Products Act O. Regulation 318/99, the Livestock Community Sales Act; and such additional class or classes of animals as are prescribed in the regulations made under the Livestock Identification Act. This definition does not include Backyard Chickens established by permit under this by-law;

“Livestock Guardian Dog” means a dog that works and/or lives with domestic farm animals (i.e. cattle, sheep, goats) to protect them while aggressively repelling predators and is used exclusively for that purpose;

“Manager of Municipal Law Enforcement and Licensing” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council;

“Microchip” means an approved “Canadian Standard” encoded identification device implanted into an animal, which contains a unique code that permits or facilitates access to owner information, including the name and address of the owner, which is stored in a central data base;

“Minor” means a person under the age of 18;

“Motor Vehicle” includes an automobile, a motorcycle, a motor-assisted bicycle unless otherwise indicated in the Highway Traffic Act, and any other vehicle propelled or driven otherwise than by muscular power;

“Municipal Law Enforcement Officer” means a person appointed by Council under section 15 of the *Police Services Act* to enforce the by-laws of the City, and includes the Licencing Officer;

“Municipal property” means all property owned, leased or under the control of the municipality, and without limitation, this term shall include all parks, open

space, opened or unopened road allowances, sidewalks, footpaths or bicycle trails;

“Municipal service centre” means a designated Municipal Service Centre of the City which provides local government services;

“Municipality” means the Corporation of the City of Kawartha Lakes;

“Muzzle” means a humane fastening or covering device of adequate strength placed over the mouth of an animal to prevent it from biting and the words “muzzled” and “muzzling” have similar meaning;

“Muzzled dog” means a dog wearing a muzzle in the manner anticipated by the manufacturer of the muzzle;

“Occupied” means being in possession of a property or part of a property, for example, as a result of a tenancy agreement or as an invited guest;

“Order to restrain” means the order issued by a Municipal Law Enforcement Officer or Police Officer in accordance with the provisions of this by-law;

“Owner” includes any person who possesses, keeps or harbours an animal and, where an owner is a minor, includes the person who is responsible for the care, control or custody of the minor; and the word “owns” has a similar meaning;

“Park” means a public area controlled by the City and set aside for use by the public for rest, recreation, exercise, pleasure, amusement and enjoyment, and includes playgrounds, sports fields, wading and swimming areas, public pathways and trails;

“PAWS” means the Provincial Animal Welfare Services Act; PAWS shall include staff referred to as Provincial Inspectors;

“Person” means an individual, property owner, tenant, leasee, partnership, association, firm or corporation and includes a Licensee or an Applicant for a License issued under the by-law, may include “Owner” as a similar meaning;

“Pet store” means a business that sells live animals as household pets;

“Pit bull” means a dog as identified in the Dog Owners’ Liability Act, which includes a pit bull terrier, a Staffordshire bull terrier, an American Staffordshire terrier, an American pit bull terrier, or a dog that has an appearance and physical characteristics that are substantially similar to those of dogs referred to above;

“Police officer” means a chief of police or other police officer in a police service;

“Police Service dog” means a dog trained for and engaged in law enforcement by any federal, provincial or municipal government agency;

“Pound” means a city or contract authorized facility in which animals are impounded under the authority of this by-law are kept;

“Premises” includes a dwelling unit, a house or building and the land or premises on which the building or house is situated or attached;

“Property” means a parcel of land including any buildings or other structures on the land;

“Protective care” means the temporary keeping of an animal as a result of an eviction, incarceration, medical or fire emergency, or any other situation as approved by the Manager of Municipal Law Enforcement, for the health and safety of the animal;

“Restrained” means under control and where used in connection with a dog which is the subject of an Order to Restrain means the said dog will be controlled by one or more of being muzzled, leashed with a leash no longer than 1.8 metres (6 feet) in length and under the care and control of a person who is at least 16 years of age with sufficient strength to control the dog;

“Rooster” means a domesticated male chicken;

“Sanitary Condition” means a condition that does not result in an accumulation of fecal matter, odour, insect infestation, or rodent attractants which could endanger the health of any person or animal. The definition shall not be interpreted in such a way as to restrict livestock or normal farm practices regulated by other legislation;

“Sanitize” means to clean for the purpose of controlling disease-producing organisms and “sanitized” has a corresponding meaning;

“Shelter” means a recognized facility that provides fostering or treatment programs for dogs that have been abandoned, abused or injured;

“Service Animal” means a guide dog and other trained service animal identifiable by proper identification and used principally to assist persons with a disability or impairment, includes a Police Service Dog;

“Tag” means a conventional tag or any other device that sets out the identification number of every dog that is registered with the City;

“Tether” means a rope, chain or similar device which is used to tie, secure an animal to a post, wall or other such structures, so that the animal will stay in a particular area on a property;

“Valid rabies certificate” means a rabies certificate issued by a licenced veterinarian certifying the dog has been immunized and verifying that it will be current on the date of application for a licence or renewal licence;

“Veterinary hospital or clinic” means premises for the medical treatment of dogs under the supervision of a licensed veterinarian;

“Without provocation” means in the absence of teasing, tormenting, abusing or assaulting actions upon the dog or its owner, either in the past or in the present, by the person or domestic animal which as been bitten by the dog;

“Wild Animal” means all mammals, birds and reptiles, other than domestic animals, including feral cats and wild dogs.

1.02 **Interpretation:**

- (a) Except as otherwise provided, the regulations established by this by-law apply to all animals and to their owners within the boundaries of the City.
- (b) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (c) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.
- (d) Except as otherwise provided, the fees established by this by-law shall be in accordance with the fees established within the Consolidated Fees By-law of the City and apply to all animals and their owners.

1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time that are applicable within the Province of Ontario.

1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00 **Licencing and Registration of Dogs**

- 2.01 **Registration:** Every owner of a dog that has reached the age of 28 weeks shall make application to register the dog with the City for either an annual or lifetime dog tag within 30 days of acquisition of the dog by its owner or by another person acting on the owner's behalf.
- 2.02 **Expiry of Annual Registrations:** The annual registration of the dog expires on December 31st of every calendar year.
- 2.03 **Registration Procedure:** A dog shall be registered at any municipal service centre, or in any other manner adopted by the City by providing the necessary information, paying the prescribed fee, and submitting a copy of a current certificate of immunization against rabies. It is an offence for an owner of a dog to provide false information about the dog being registered.
- 2.04 **Altered Dogs:** Any person who is registering an altered dog for the first time shall be required to provide proof that the dog has been altered in order to be eligible for the reduced fee.
- 2.05 **Issuance of Tag:** Upon registration with the City, a dog will be included in the dog identification system by means of the issuance of a tag.
- 2.06 **Ownership of Tag:** Every tag that is issued remains the property of the City, and no tag shall be sold except with the written consent of the City.
- 2.07 **Wearing of Tag:** Every tag that is issued shall be kept securely fixed on the dog at all times when the dog is in a place other than the dwelling of its owner.
- 2.08 **Transfer of Tag:** No tag shall be transferred to or displayed on any dog other than the dog for which it was issued, except with the written consent of the City.
- 2.09 **Replacement of Tag:** An owner of a dog or another person acting on the owner's behalf may obtain a replacement for a tag that has been lost or destroyed by paying the prescribed fee as outlined in the Fees By-Law.
- 2.10 **Exemptions:** The requirement for annual registration set out in section 2.01 does not apply to dogs in a:
- (a) pound or shelter;
 - (b) veterinary hospital or clinic;
 - (c) kennel which holds a valid licence from the City; or
 - (d) pet store; and

(e) Police Dogs

- 2.11 **Livestock Guardian Dog Exemption:** The owner of a licenced Livestock Guardian Dog may remove the tag from a Livestock Guardian Dog's collar while the dog is being actively used for Livestock protection to repel predators, provided that the owner provides for alternative means of identification, providing the name and address of the owner.

Section 3.00 Licencing of Backyard Chicken Coops

Pilot program duration 2 years effective on the date of passage of this by-law.

- 3.01 No person shall be permitted to have a Backyard Chicken Coop or chickens on a Residential or non Agricultural property without first having been issued a municipal licence; and must comply with the provisions relating to accessory structures in the respective Zoning By-law.
- 3.02 No person shall be permitted to have a Backyard Chicken Coop unless:
- a. the setbacks and lot coverage for the location of the Backyard Chicken Coop shall conform with the applicable zoning by-law and zone provisions relating to accessory structures;
 - b. The Backyard Chicken Coop shall be set back from every lot line similar to other structures as designated in the applicable zoning by-law;
 - c. notwithstanding the provisions of the zoning by-law, the keeping of a Backyard Chicken Coop is permitted to occur on lots that have 0.5 acres or greater area.
- 3.03 No person shall be permitted to have a backyard chicken coop in the following areas: an environmentally sensitive area, wetland, Wellhead Protection Areas (WHPAs) and Intake Protection Zones (IPZs), natural heritage system area, green belt and/or a flood plan area and areas zoned for commercial or industrial use.
- 3.04 **Building Permits:** A license issued to permit a Backyard Chicken Coop does not remove any obligation of a person and/or property owner to comply with the Building Code or any requirements for a building permit.
- 3.05 **Registration:** Applicants shall submit all required application documents, as outlined in this by-law, together with a License Fee as per the fees by-law submitted to the Licensing Enforcement Officer for review and to determine if a License may be issued for the keeping of Backyard Chicken Coops.
- 3.06 All registration applications for a License Backyard Chicken Coop on a Residential Property or Rural Property shall include:

- a. The name, contact email, phone number and address of the Licensee where Backyard Chicken Coop will be kept;
 - b. Proof of Ownership for the Premises or letter of authorization from the property owner to permit a Backyard Chicken Coop, if property is leased or rented;
 - c. The applicant shall provide at least 15 days notice to all adjoining property owners, with proof of delivery and any comments;
 - d. A site plan of the Property, showing the proposed Backyard Chicken Coop and Hen Run location and structure demensions, all other buildings and structures, as well as the property dimensions and appropriate setbacks; and,
 - e. Any other documentation, deemed necessary by the Licensing
- 3.07 Upon completion of the application package and review by the Licensing Enforcement Officer or designate the applicant will receive notification of approval or a request for additional information or refusal of the License.
- 3.08 Once the application materials have been reviewed the Licensing Enforcement Officer shall complete a site inspection of the Backyard chicken coop prior to approval.
- 3.09 The hens and the coop may be inspected without notice to ensure that there is a safe and secure environment for the hens.
- 3.10 A License, issued pursuant to this by-law shall expire within the calendar year and all licenses shall expire upon the completion of the Pilot Project, or as declared by City of kawartha Lakes Council.
- 3.11 A Licence shall be issued to an person whose application meets all of the requirements set out in this Bylaw, subject to section 3.06 and 3.15.
- 3.12 The Licensing Enforcement Officer or deligate may issue a License with or without conditions, refuse a License, and/or revoke a License if the applicant is not able to meet the requirements of the Pilot Project as prescribed.
- 3.13 The License to keep Backyard Chicken Coop on a Residential Property or non-agricultural property shall be in a form as prescribed by the City of Kawartha Lakes.
- 3.14 For the purpose of this 2 year Pilot Project, a maximum of 50 Licenses will be issued for Backyard Chicken Coops in each year. The Licensing Enforcement Officer or deligate shall refuse to issue any License once the maximum number of Licenses have been issued.
- 3.15 The Licensing Enforcement Officer or deligate may refuse to issue or revoke a License issued pursuant to this bylaw if:

- a. The Licensee fails to comply with:
 - i. Any of the conditions upon which the License was issued;
 - ii. Any of the provisions of this by-law;
 - b. The License was issued in error, or as a result of mistaken, false or incorrect information;
 - c. For any other purpose, as deemed fit by the Licensing Enforcement Officer.
- 3.16 No person shall transfer a Backyard Chicken Coop license to another person or property except with the written consent of the Licensing Enforcement Officer or delegate.
- 3.17 No person shall keep roosters on a residential property.
- 3.18 No person shall keep more than 4 chickens or chicks on a residential property.
- 3.19 No person shall keep Chickens or a Backyard Chicken Coop on their property unless the following conditions are maintained:
- a. The Backyard Chicken coop must be located in the the rear yard of the property; in the case of irregular-shaped lot or a corner lot the exterior side yard may be used;
 - b. No person shall construct a Backyard Chicken Coop unless the coop is located 8 metres from any dwelling, school, store or shop and at least 2 metres from each property boundary on which it is located;
 - c. No person shall construct a Backyard Chicken Coop on a residential property that is adjacent to an agricultural property that houses a poultry farming operation.
 - d. The Backyard Chicken coop must be large enough (min. 0.92 m²/chicken) for the chickens to move around freely and must contain hen boxes and perch areas sufficient to accommodate all chickens;
 - e. The Backyard Chicken coop must contain sufficient feeders and water containers for all chickens;
 - f. The Backyard Chicken coop is soundly constructed of hard durable material, which is impervious to water;
 - g. The Backyard Chicken coop shall be maintained in a state of good repair free from holes, cracks, rust or other damage;
 - h. The Backyard Chicken coop and run is enclosed completely and covered in such a way to prevent the chickens from leaving and free ranging;
 - i. The Backyard Chicken coop and chickens run shall be protected from entry of other birds or animals;
 - j. Chickens must remain in their coops from 8pm until 8am;

- k. The Backyard Chicken coop must be protected from the weather, adequately ventilated, insulated and heated in the winter;
- l. The Backyard Chicken coop is lined with an appropriate material to absorb fecal matter which is resistant to mold and will facilitate daily cleaning, and is disinfected regularly;
- m. Backyard Chicken coops and hen runs must be kept in a clean condition and shall be kept free of obnoxious odours;
- n. Stored manure shall be kept in an enclosed structure such as a compost bin in accordance with regulations, and no more than 0.1 m³ may be stored at one time;
- o. Manure shall be disposed of in accordance with Municipal bylaws;
- p. All stored feed must be kept in rodent proof containers and secured at all times;
- q. Home slaughter of chickens is prohibited and any deceased chickens must be disposed of at a livestock disposal facility or at a facility approved by the Ministry of Agriculture or at a City of Kawartha Lakes landfill.
- r. No person shall place or dispose of a deceased chicken within their household garbage or by placement at the curbside for collection by waste services.
- s. No person shall offer the sale of eggs, meat or manure or anything associated with chickens.

Section 4.00 Order to Restrain and Appeals - Dogs

- 4.01 **Order to Restrain:** Where a dog exhibits aggressive, dangerous or vicious behaviour towards a person or domestic animal, a Municipal Law Enforcement Officer may issue an “Order to Restrain” to the owner or person responsible for the dog.
- 4.02 Any Order to Restrain may include but is not limited to:
- i. confining the dog to the owner’s property;
 - ii. restraining the dog with a leash;
 - iii. restraining the dog with a muzzle;
 - iv. the posting of warning signs;
 - v. any additional restriction as deemed reasonable by the Municipal Law Enforcement Officer

- 4.03 **Under Age:** An owner or person responsible for the dog which is the subject of an Order to Restrain shall ensure that the dog is under the control of a person at least sixteen (16) years of age when the dog is not on the owner's premises.
- 4.04 **Transfer of Ownership:** An owner or person responsible for the dog which is the subject of an Order to Restrain shall notify the Manager of Municipal Law Enforcement within five (5) days of transfer if the dog is transferred to a new location or if the ownership of the dog is transferred to another person.
- 4.05 **Compliance:** Every owner or person responsible for the dog shall at all times comply with an Order to Restrain.
- 4.06 **Appeal Committee:** An Appeal Committee is established, consisting of three (3) members of Council. Council will appoint the members of the Appeal Committee for terms of office equivalent to the Council's term of office. The Manager of Municipal Law Enforcement shall ensure that a member of City staff is assigned the role of secretary to the Appeal Committee.
- 4.07 **Duties of the Appeal Committee:** The Appeal Committee is delegated Council's decision making authority as it applies to the Order to Restrain to conduct a hearing relating to an Order to Restrain, and shall be governed by the City's Procedural By-law and the Municipal Law Enforcement By-law Appeals Committee Terms of Reference, as amended from time to time by Council.
- 4.08 **Appeal of Order To Restrain:**
- a. In the event that the owner or person responsible for the dog disagree with the Order to Restrain, he or she may appeal the Order to Restrain to the Manager of Municipal Law Enforcement within 7 days of receipt of said order by filing a "Notice to Appeal" including an administrative fee, as set out in the Consolidated Fees bylaw. Upon receipt of notification of an appeal, the Manager of Municipal Law Enforcement shall prepare a report for the consideration of the Appeal Committee. The Applicant and any other interested party shall be provided with at least two (2) weeks notice of the meeting of the Appeal Committee to consider the Order to Restrain and shall have the opportunity on the hearing date to address the Appeal Committee prior to the Appeal Committee making a decision. The report shall be made available to the Applicant and any other interested party upon request.
 - b. The Order to Restrain shall remain in full force and effect between the date of the Order to Restrain and the date of the hearing of the appeal by an Appeal Committee, the owner or person responsible for said dog, shall comply with all the requirements as outlined in the Order to Restrain.

- c. At such time as the Appeal Committee makes its decision to confirm, modify or quash the Order to Restrain, the decision shall be considered to be final and binding and the owner of the dog shall comply therewith.
 - d. Within seven (7) days of the decision of the Appeal Committee, the Manager of Municipal Law Enforcement shall provide a written decision letter to the Applicant.
- 4.09 **Order Expiration:** An Order to restrain only expires upon the provision of proof that the dog is deceased or the Manager of Municipal Law Enforcement is satisfied that it no longer resides in the City.

Section 5.00 Feeding of Wild Animals

- 5.01 **Feeding of Wild Animals:** No person shall intentionally feed wild animals or leave food or attractants of any type, in any form and in such a manner as to attract, be accessible to wild animals, feral or stray domestic animals.
- 5.02 **Exemptions:** Section 4.01 does not apply in the following situations:
- (1) The leaving of food as bait for the purposes of hunting or in a trap by a property owner or person authorized to legally hunt or to capture a nuisance wild animal inhabiting or habituating their property pursuant to the Fish and Wildlife Conservation Act, 1997, S.O.1997, c.41 or other hunting regulation.
 - (2) The leaving of food as bait by a licensed trapper, and employee of a licensed wildlife or pest control agency, a Municipal Law Enforcement Officer, an Ontario Society for the Prevention of Cruelty to Animals Inspector or a Police Officer, in the performance of their work.
 - (3) The leaving of food for a colony of stray or feral cats.
 - (4) The feeding of birds on a property provided the owner or occupier places seed in a bird feeding device that is sufficiently above grade and maintained in a sanitary condition.

Section 6.00 Keeping of Animals – General Provisions

- 6.01 **Animal Welfare:** Every owner of an animal shall treat the animal in a human manner, as provided in the Provincial Animal Welfare Services Act, 2019, Ontario Regulation 444/19 , Standards of Care and Administrative Standards.
- 6.02 **Tethering:** No person shall tether an animal using a choke chain or a prong type collar.

- 6.03 **Tethering Device:** Notwithstanding section 6.02 of this By-law and normal farming practices, a tether restraining device used to tether an animal must:
- a. be at least three (3) metres long (9.84 feet);
 - b. be attached to a permanently fixed object;
 - c. allow the animal to move safely and unrestricted (except by the length of the tether) on its own property;
 - d. allow the animal to have access to adequate water, shelter; and
 - e. be designed to prevent injury to the animal.
- 6.04 Nothing under this section requires the City to assume responsibility concerning distress or care of an animal, which is the obligation of the Provincial Animal Welfare Services Act, 2019
- 6.05 **Prohibited Animals:** No person shall keep, or cause to be kept, any animals listed in Schedule “A”,
- 6.06 **Number of Animals:** Notwithstanding section 6.05, no person shall keep, or cause to be kept, more than four (4) dogs, four (4) cats or a total of eight (8) individual animals, except:
- i. a licensed pet shop;
 - ii. a Police Canine Unit;
 - iii. a kennel licensed by the Corporation;
 - iv. a security firm licensed and authorized by the Province of Ontario to provide guard dog services;
 - v. where the keeping of animals is on lands zoned and used for agricultural, agricultural support or agriculturally-related purposes;
 - vi. a retirement or group home premises.
- 6.07 **Exemptions:** Sections 6.05 and 6.06 do not apply to:
- i. an animal hospital or clinic that is lawfully operated and supervised by a veterinarian licensed by the Ontario Veterinary Association;
 - ii. a pound or shelter lawfully operated by or under license by the City, or the Kawartha Lakes Humane Society and Kawartha Lakes branch of the Provincial Animal Welfare Services or any organization permitted by law to provide protection and humane treatment of animals;
 - iii. any person while rendering emergency treatment to an injured or abandoned animal;
 - iv. the Corporation or other governmental authority while lawfully operating a public park, exhibition, or zoological garden, and maintaining animals therein;

- v. any person in charge of a travelling circus, exhibition, or road show, or any employee thereof, lawfully displaying animals;
- vi. persons operating premises registered as research facilities under the Animals for Research Act, R.S.O. 1990, c. A-22, as amended, or the persons in charge, or the employees thereof, during the course of their duties;
- vii. persons operating “agriculture” operation including farming in all its branches, including but not limited to dairying, beekeeping, aquaculture, the raising of livestock including non-traditional livestock, furbearing animals and poultry, including eggs, and any practices performed as an integral part of an agricultural operation.

6.08 **Grandfathering:** Owners of prohibited animal(s) kept, possessed or harboured in any one premise in the City of Kawartha Lakes shall when requested supply proof to the Municipal Law Enforcement Division that the animal(s) existed prior to passage of this By-law. Upon being satisfied that the animal(s) existed prior to the passage of this by-law, the animal(s) may be deemed to be “grandfathered”. The grandfathering clause will not apply to future animals, offspring or allow animal(s) to be replaced due to death or other cause in a premises if the number exceeds the amount specified in Section 6.06.

6.09 **Onus of proof of Qualification for Exemption:** Any person claiming an exemption or grandfathering under Sections 6.07 or 6.08 shall provide to the Manager of Municipal Law Enforcement appropriate evidence in support of the claim for exemption or grandfathering.

6.10 **Restriction – Livestock or Agricultural Animals:** No person shall keep livestock or agricultural animals such as but not limited to a horse, donkey, pony, mule, jackass, bovine, bull, heifer, goat, swine, mink, fox, sheep, peafowl in any premises or on property that is zoned and primarily used for residential purposes as defined in the applicable Zoning by-law.

Section 7.00 Keeping of Animals

7.01 **Requirement to Clean Up:** Every owner and other person, who is in control of an animal, shall immediately remove any excrement left by the animal on any property other than a property owned or occupied by the owner.

7.02 **Mode of Clean Up:** If an Animal is on any public or private property other than the property of its Owner, the animal Owner shall have in his possession a suitable means of facilitating the removal of the Animal’s feces.

7.03 **Exemption:** The requirement set out in section 7.01 and 7.02 is not applicable to the owner who is physically unable to comply with this requirement, activity that

is agricultural support or agriculturally-related or to a police officer who is engaged in work related activities.

- 7.04 **Being at Large:** No owner or person shall cause or permit his or her animal to be at large; this section shall not apply to domestic cats. Livestock shall be deemed to be at large if found on a Municipal Property.
- 7.05 **Exemption:** An animal shall not be deemed to be at large, as set out in section 7.04, if, without being kept on a leash or lead, it is on a property other than a property owned or occupied by its owner with the express permission of the owner or occupant of that property or with it's owner at a leash free park. **This exemption will include farm practices that include Livestock movement, such as a cattle drive, between properties, where the activity is supervised and monitored.**
- 7.06 **Administrative Fee:** Where a Person or Owner has received an occurrence inspection an Administrative Fee may be charged for the inspection and the Administrative Fee as set out in the Consolidated Fees By-law, if not paid, the fee shall be added to the tax roll of the property and shall be collected in a like manner as municipal taxes.

Section 8.00 Animal Enclosures

- 8.01 **Requirements:** Every owner of an animal shall ensure that the animal enclosure provided for the animal meets the following requirements, regardless of whether the animal enclosure is located indoors or outdoors:
- i. The animal enclosure shall be of a size and in a condition such that the animal may:
 - a. extend its legs, wings, and body to their full natural extent;
 - b. stand, turn around and lie down;
 - c. sit; and
 - d. d) perch.
 - ii. Every reptile and amphibian shall be provided with an enclosed space adequate for the needs of the species.
 - iii. The enclosure is of such a nature and condition that the animal contained therein would not be harmed and its health would not be negatively affected for the reason of being placed in such an animal enclosure.
 - iv. Every animal contained therein may be readily observed unless the natural habits of the animal require otherwise.
 - v. The animal enclosure shall be sufficiently lit, ventilated and kept in a clean and sanitary condition.
 - vi. The animal enclosure is kept free of offensive odour.

vii. The animal enclosure (except for doghouses) is escape proof.

8.02 **Agriculture Purpose:** Section 8.01 shall not be interpreted to regulate a Livestock animal enclosure on lands zoned and used for agricultural purposes.

8.03 **Enclosure Requirement:** No person shall keep, or cause to be kept, a reptile, insect or amphibian permitted under this By-law outside a building or structure unless it is in an animal enclosure.

Section 9.00 Seizure and Impoundment

9.01 **Impoundment:** Any domestic animal found at large in contravention of this by-law may be impounded by a municipal law enforcement officer or police officer and taken to a pound or facility. This section shall not be used to impound Livestock found to be at large.

9.02 **Impound Note to section 9.01:** Municipal Law Enforcement Officers may be requested by City of Kawartha Lakes staff, Police, Fire, EMS or other services or agency to attend a location in the Municipality to assist with the removal of a domestic animal, to allow safe access and entry to a property or premises. Any animal detained in this way will not be considered an impounded animal as per this by-law, and will be housed and released only at the direction of the original service or agency requesting this assistance. Any associated fee/costs will be recovered as set out in the Consolidated Fees By-law or by other action. Application of this section will not be considered as a violation of this By-law.

9.03 **Injured or Vicious Animals:** Despite section 9.01, any animal found at large in contravention of this by-law that is gravely injured or that is exhibiting the characteristics of viciousness to such an extent that a municipal law enforcement officer or police officer attending the animal fears for his or her own health or safety or the health and safety of others in the vicinity, may be destroyed immediately at the officer's sole discretion.

9.04 **Recovery of Impounded Animals:** The owner of an impounded animal or another person acting with the authorization of the owner may recover the animal from a pound within three (3) business days, excluding the day on which the animal was impounded, and in order to do so shall be required to pay the current fee for each day or portion of a day that the animal has been in the pound and all costs incurred by the City in impounding the animal, including the full amount of any emergency veterinary care that was required for the animal and administration fee, as set out in the Consolidated Fees By-law.

9.05 **Recovery of Unregistered Dogs:** The owner of an impounded animal or other person acting with the authorization of the owner, may recover the animal, that is not registered with the City, from a pound within three (3) business days, excluding the day on which the animal was impounded.

- 9.06 If the animal is a dog and it has reached the age of 28 weeks, the owner shall, in addition to paying the costs set out in section 9.04, be required to register the dog in the manner set out in section 2.03.
- 9.07 **Disposal:** If an impounded animal is not recovered from a pound within the time period specified in section 9.03, the animal may be sold or disposed of or destroyed by the City in any lawful and humane manner.

Section 10.00 Surrendering of Animals

- 10.01 **Surrender Ownership:** An owner of an animal may give up ownership of the animal by surrendering the animal to Municipal Law Enforcement, a member of a Police Service or the City approved Pound.
- 10.02 **Ownership and Possession:** By surrendering the animal, the owner is deemed to have relinquished all rights of ownership and possession of the animal.
- 10.03 **Fees:** To surrender the animal, the owner shall pay the appropriate fees as required under the applicable Consolidated Fees By-law.
- 10.04 **City Property:** An animal that has been surrendered immediately becomes the property of the City and may be kept or disposed of as the City deems appropriate, including:
1. placing the animal for adoption;
 2. euthanasia, where in the opinion of the Municipal Law Enforcement Officer, the animal is not suitable for adoption or should be euthanized for humane reasons.

Section 11.00 Quarantine of Animals

- 11.01 **Quarantine Requirements and Fees:** This section shall not apply to agricultural Livestock;
- 11.02 **Quarantine Process:** If, in the opinion and by the direction of the Haliburton, Kawartha, Pine Ridge District Health Unit inspector, bites of persons by animals or contacts to persons that may result in human rabies, may result in the animal being put into quarantine by the Municipal Law Enforcement Division in addition to other regulation or direction, the owner of the animal shall:
1. quarantine the animal, in premise or property, as per the direction of the Health Inspector; or
 2. bring or ensure that the animal is brought to the Municipal Law Enforcement approved pound facility to be put in quarantine; if the owner is not able to transport the animal,

- the animal shall be transported by or on behalf of the Municipal Law Enforcement Officer;
3. be responsible for the costs associated with the quarantine, including the costs of any transportation costs, veterinary care required for the animal and any other daily care fees as provided in the applicable City Consolidated Fees By-law.

Section 12.00 Adoption of Animals

- 12.01 **Adoption Fee:** A person adopting an animal from the City or City authorized Pound facility shall pay the appropriate adoption fee calculated as the Daily Care fee established in the Pound Contract and any other fee established in the Consolidated Fees By-law.

Section 13.00 City Liability

- 13.01 **Damages or Compensation:** The Corporation, its officers, employees and agents shall not be liable for damages or compensation for any animal euthanized under the provisions of this By-law and no such damages or compensation shall be paid to any person.

Section 14.00 Offence

- 13.01 **Enforcement:** This by-law may be enforced by every municipal law enforcement officer, licensing enforcement officer and police officer.
- 13.02 **Obstruction:** No person shall hinder or obstruct, or attempt to hinder or obstruct, any person exercising a power or performing a duty under this by-law.
- 13.03 **Offence and Penalty:** It is an offence for a person to contravene any provision of this by-law, and every person who contravenes this by-law is guilty of an offence and, on conviction, is liable to a fine in accordance with the provisions of the Provincial Offences Act, R.S.O and to any other applicable penalty.
- 13.04 **Multiple Offences:** The conviction of a person for the contravention of any provision of this by-law shall not operate as a bar to a prosecution against the same person for any subsequent or continued contravention of this by-law.
- 13.05 **Court Order:** If this by-law is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.

13.06 **Severance:** If a court of competent jurisdiction declares any section or part of a section of the Bylaw invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force.

Section 15.00 Administration and Effective Date

14.01 **Administration of the By-law:** Except where otherwise indicated, the Manager of Municipal Law Enforcement is responsible for the administration of this by-law.

14.02 **Effective Date:** This by-law comes into force on the date of passage.

14.03 **Repeal: By-law 2017-039 and amending bylaws are repealed effective July 31, 2021.**

By-law read a first, second and third time, and finally passed, this ____ day of _____ 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Schedule “A” Prohibited Animals

Class	Order	Common Names
Mammals	Artiodactyla	<p>All species purely or partially of the order Artiodactyla (Even-toed ungulates) (cattle, goats, sheep, pigs, deer, elk, hippopotamus, etc.)</p> <p>Except where the animals are kept as agricultural Livestock</p>
	Carnivora	<p>All species purely or partially of the order Carnivora [panda, otter, wolves, bears, seals, walruses, coyotes, foxes hybrid, wolf dogs, tigers, leopards, cougars, lions, lynx, hyaenas, minks, skunks, weasels, otters, badgers, mongoose, civets, genets coatimundi, cacomistles, raccoons, African wildcats, savannah cat, jungle cat, serval cat, European wildcat, Chinese mountain cat, sand cat etc.]</p> <p>Except common domestic dogs, common domestic cats and ferrets</p>
	Chiroptera	All species purely or partially of the order Chiroptera [bats, myotis, flying foxes, etc.]
	Edentates	All species purely or partially of the order Edentates [anteaters, sloths, armadillos, etc.]
	Lagomorpha	<p>All species purely or partially of the order Lagomorpha [hares, pikas, etc.]</p> <p>Except domestic rabbits</p>
	Marsupialia	All species purely or partially of the order Marsupialia [koala kangaroo, possum, wallabies, etc.]

	Primates	All species purely or partially of the order Primates [chimpanzees, gorillas, monkeys, lemurs, etc.]
	Perissodactyla	All species purely or partially of the order Perissodactyla (odd-toed ungulates) [horses, donkeys, jackasses, mules, zebras, ponies, rhinoceros, etc.] Except where the animals are kept as agricultural Livestock
	Proboscidea	All species purely or partially of the order Proboscidea [elephants, etc.]
	Rodentia	All species purely or partially of the order Rodentia [porcupines, prairie dogs, nutria etc.] Except rodents which do not exceed 1,500 grams and are derived from self sustaining captive populations
Reptiles	Crocodylia	All species purely or partially of the order Crocodylia [alligators, crocodiles, gavial, caymans, etc.]
	Squamata (scaled reptiles)	All squamata purely or partially of the following species: <ul style="list-style-type: none"> • The genus Eunectes [Anacondas] • Morelia amethystina [Amethystine and Scrub pythons] • Python molurus [Indian python, Indian rock python, Burmese python] • Python sebae [African rock python] • Python reticulatus [Reticulated python] • Varanus niloticus [Nile monitor] • Varanus salvadorii [Crocodile monitor] • Varanus salvator [Water monitor] • Varanus varius [Lace monitor]

		<ul style="list-style-type: none"> • Varanus giganteus [Perentie – Monitor Lizard] • Varanus komodoensis [Komodo dragon] • The family Viperidae [True vipers, Fea's viper, Night adders, Rattlesnakes, etc.] • The family Elapidae [Cobras, Mambas, Kraits, Coral snakes, etc.] • The subfamily Hydrophiinae [Sea snakes, Coral reef snakes, etc.] • The genus Dispholidus [Boomslang snakes] • The genus Thelotornis [Twig snakes] • The genus Rhabdophis [Keelbacks] • The genus Atractaspis [Burrowing vipers, Mole vipers, etc.] • Philodryas viridissimus [South American green racer] • The family Helodermatidae [Gila monster, Beaded lizards] <p>Lizards which reach an adult length larger than 2 meters when measured from snout to tail.</p> <p>Snakes which reach an adult length larger than 3 meters when measured from snout to tail.</p>
Birds	Anseriformes	<p>All species purely or partially of the order Anseriformes [ducks, geese, swans, screamers, etc.]</p> <p>Except where the animals are kept as agricultural Livestock.</p>
	Galliformes	<p>All species purely or partially of the order Galliformes [pheasants, grouse, guineafowls, turkeys, chickens, pea fowls, etc.]</p> <p>Except where the animals are kept as agricultural Livestock or as permitted by municipal licence as a Backyard Chicken Coop.</p>

	Struthioniformes	<p>All species purely or partially of the order Struthioniformes [ostriches, rheas, cassowaries, emus, kiwis, eagles, hawks, falcons, owls, etc.]</p> <p>Except agricultural livestock and birds kept for falconry.</p>
Arachnida	Araneae	<p>All Araneae purely or partially of the following species:</p> <ul style="list-style-type: none"> • The family Ctenidae [Wandering spiders] • The genus Latrodectus [Black widow spiders] • The family Sicariidae [Brown recluse spider, Assassin spider, etc.] • The family Hexathelidae [Australian Funnel web spiders]
	Scorpiones	<p>All species purely or partially of the family Buthidae [Fat tailed scorpions, Bark scorpions, etc.]</p>
<ul style="list-style-type: none"> • Poisonous or venomous animals – including but not limited to spiders, snakes, lizards and insects. 		

The Corporation of the City of Kawartha Lakes

By-Law 2021-

A By-law to Amend By-law 2018-234, being a By-Law to Establish and Require Payment of Fees for Information, Services, Activities and Use of City Property in The City of Kawartha Lakes (known as the Consolidated Fees By-law)

Recitals

1. By-laws may be passed to establish and require the payment of fees for information, services, activities and use of City property.
2. Section 391 of the Municipal Act 2001, S.O. 2001, as amended, provides for a municipality to pass by-laws imposing fees or charges on persons for services and activities provided or done by or on behalf of it, for cost payable by it for services or activities provided or done by or on behalf of any other municipality or local board, and for the use of its property including property under its control.
3. Section 69(1) of the Planning Act R.S.O 1990, c.P.13, as amended, provides that a municipality may establish a tariff of fees for the processing of applications.
4. Section 7 of the Building Code Act, 1992, S.O. 1992, as amended, authorizes a municipal council to pass by-laws concerning the issuance of permits and related matters requiring the payment of fees on applications for and on the issuance of permits.
5. Section 398(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to add fees and charges to the tax roll for the property and collect them in the same manner as municipal taxes.
6. This by-law consolidates all fees charged by the municipality into one by-law.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021- .

Section 1.00: Definitions and Interpretation

1.01 Definitions:

All defined terms in the amending By-law take their meaning from By-law 2018-234 of the City of Kawartha Lakes.

1.02 Interpretation Rules:

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

Section 2.00: Amendment Details

2.01 Amendments:

Schedule A: Section A-11 Property Standards – updated reference By-Law

Schedule B: Section B-4 renumbered to B-3
B-3 Dog Tag and Regulation Fees renamed to Animal
Regulation Fees
Added Backyard Chicken Coop license fee

Schedule E: Section E-2
Accessory Dwelling Unit renamed to Additional Dwelling Unit

Section 3.00: Administration and Effective Date

3.01 **Administration of the By-law:** The Director of the City Departments are responsible for administration of the respective department fees as approved in Schedules A to H to this by-law.

3.02 **Effective Date:** This By-law shall come into force on **May 18, 2021.**

By-law read a first, second and third time, and finally passed, this day of , 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

Index of Schedules



Consolidated Fees
Schedules_Fee Change

Schedule A - Administration

Schedule B - Business Licensing

Schedule C - Fire and Emergency Services

Schedule D - Parks, Recreation and Culture

Schedule E - Planning and Development

Schedule F - Engineering

Schedule G - Waste Management

Schedule H - Public Works

Schedule I - Transit

Schedule A – Administration					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
A - 1 Corporate					
Certified Documents - City of Kawartha Lakes documents	each request	plus photocopy fee	\$11.00	\$11.00	By-law 2003-046
Facsimile Received	page		\$1.25	\$1.25	By-law 2003-046
Facsimile Sent - Local	page		\$1.25	\$1.25	By-law 2003-046
Facsimile Sent - Long Distance	page		\$2.25	\$2.25	By-law 2003-046
Oath Administration	each request		\$11.00	\$11.00	By-law 2003-046
Oath Administration: Related to Pension Documents	each request		no charge	no charge	By-law 2003-046
Photocopies	page		\$0.50	\$0.50	By-law 2003-046
Photocopies - colour letter and legal size	page		\$0.75	\$0.75	By-law 2003-046
Photocopies - black and white 11 x 17	page		\$1.25	\$1.25	By-law 2003-046
Photocopies - colour 11 x 17	page		\$1.25	\$1.25	By-law 2003-046
Photocopies - black and white larger than 11 x 17	per linear foot		\$1.75	\$1.75	By-law 2003-046
Photocopies - colour larger than 11 x 17	per linear foot		\$2.00	\$2.00	By-law 2003-046
A - 2 Revenue & Taxation					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Account Adjustment Fee (Mortgage Company)	each		\$35.00	\$35.00	By-law 2003-046
Administration Fee - Loans added to Property Taxes - Drainage Ditches	each		\$165.00	\$165.00	120 FD 014
Administration Fee - Loans added to Property Taxes - Septic Rehabilitation Program	each		\$165.00	\$165.00	By-law 2014 115
Administration Fee - Loans added to Property Taxes - Work on Private Land (Water & Sewer Projects)	each		\$165.00	\$165.00	CORP 2016-015
Administration Fee - Tax Sales	each		\$360.00	\$360.00	By-law 2003-046
Credit Card Service Fee	each		as charged by provider	as charged by provider	By-law 2003-046
Duplicate Receipt	each		\$25.00	\$25.00	By-law 2003-046
Interest on Loan added to Taxes - Drainage Ditches, Septic Rehabilitation, Work on Private Land (Water & Sewer Projects)	each		2% above Infrastructure Ontario Lending Rate	2% above Infrastructure Ontario Lending Rate	Various
Large Account Fee	each		\$9.00	\$9.00	By-law 2003-046
Late Payment Charges - Miscellaneous Revenues (not compounded)	month		1.25%	1.25%	By-law 2003-046
Mortgage Company/Agenda Additions	each		\$15.00	\$15.00	By-law 2003-046
New Account Administration Fee	each		\$40.00	\$40.00	By-law 2003-046
Registered Mail	each		\$35.00	\$35.00	By-law 2003-046
Reminder Notices	each		\$25.00	\$25.00	By-law 2003-046
Reprint of Invoice	each		\$30.00	\$30.00	By-law 2003-046
Retrieval of Post Dated Cheque	each		\$40.00	\$40.00	By-law 2003-046
Returned Cheque Fee	each		\$40.00	\$40.00	By-law 2003-046
Site Visits - Tax Accounts	each		\$200.00	\$200.00	By-law 2003-046
Subsearch of Property Title	each	Plus costs	\$87.00	\$87.00	By-law 2003-046
Tax Arrears Extension Agreement	each		\$250.00	\$250.00	By-law 2003-046
Tax Payment Certificates	each		\$60.00	\$60.00	By-law 2003-046
Tax Searches	each		\$35.00	\$35.00	By-law 2003-046
Transfer of Electronic Payments	each		\$35.00	\$35.00	By-law 2003-046
A – 3 Water and Wastewater					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Administration Fees					
Duplicate Bill (per copy)			\$30.00	\$30.00	By-Law 2018-039
Duplicate Receipt			\$30.00	\$30.00	By-Law 2018-039
Final Meter Readings			\$0.00	\$0.00	By-Law 2018-039

Schedule A – Administration					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
New Account Administration Fee			\$40.00	\$40.00	By-Law 2018-039
Registered Mail			\$35.00	\$35.00	By-Law 2018-039
Retrieval of Post Dated Cheque			\$40.00	\$40.00	By-Law 2018-039
Returned Cheque Fee			\$40.00	\$40.00	By-Law 2018-039
Special Meter Readings			\$112.00	\$112.00	By-Law 2018-039
Statement of Account Activity (per year)			\$42.00	\$42.00	By-Law 2018-039
Transfer Payment to Different Account (Customer Error)			\$35.00	\$35.00	By-Law 2018-039
Utility Payment Certificates	each		\$58.00	\$58.00	By-law 2003-046
Water Shut-off Charge (by request)			\$80.00	\$80.00	By-Law 2018-039
Water Turn on Charge (by request)			\$80.00	\$80.00	By-Law 2018-039
Replace/Repair of Damaged Equipment					
Broken Meter Replacement (including frozen service)			Based on meter size noted below	Based on meter size noted below	By-Law 2018-039
Replacement of Back Plate				\$141.00	By-Law 2018-039
Meter Reading Receptacle Replacement			\$135.00	\$135.00	By-Law 2018-039
Radio Read External Unit			\$200.00	\$200.00	By-Law 2018-039
Radio Read Wire			\$50.00	\$50.00	By-Law 2018-039
Repair Damaged or Broken Hydrant			Time and Material	Time and Material	By-Law 2018-039
Protective Device (10.07)			Time and Material	Time and Material	By-Law 2018-039
Delinquent Accounts or Failure to Comply with By-Law					
Disconnection			\$160.00	\$160.00	By-Law 2018-039
Final Notice			\$25.00	\$25.00	By-Law 2018-039
Late Payment Charge			5% of the overdue amount	5% of the overdue amount	By-Law 2018-039
Hand Delivery of Notices			\$135.00	\$35.00	By-Law 2018-039
Reconnection (After Hours)			\$135.00	\$135.00	By-Law 2018-039
Reconnection (Regular Hours)			\$85.00	\$85.00	By-Law 2018-039
Transfer to Property Taxes for Collection			5% of amount transferred with \$50 minimum charge	5% of amount transferred with \$50 minimum charge	By-Law 2018-039
Unregistered water when order not complied with	Per Day		\$50.00	\$50.00	By-Law 2018-039
Fees Related to Construction, Demolition or New Construction					
Connection Fees					
Request for Information - Application Fee			\$102.00	\$102.00	By-Law 2018-039
Service Installation Inspection Fee			\$255.00	\$255.00	
Frontage Charges					
Water main (to a maximum of 16 metres)	Per Metre		\$200.00	\$200.00	By-Law 2018-039
Sewer main (to a maximum of 16 metres)	Per Metre		\$250.00	\$250.00	By-Law 2018-039
Water main for Commercial/Industrial (to a maximum of 30 metres)	Per Metre		\$200.00	\$200.00	By-Law 2018-039
Sewer main for Commercial/Industrial (to a maximum of 30 metres)	Per Metre		\$250.00	\$250.00	By-Law 2018-039
Demolition of a Building					
Turn off of Service			\$80.00	\$80.00	By-Law 2018-039
Deposit for Disconnection of Water Service			\$200.00	\$200.00	By-Law 2018-039
Excavation					
Deposit for inspection by excavation			\$500.00	\$500.00	By-Law 2018-039
Excavation Costs			Time and Material	Time and Material	By-Law 2018-039
New Construction Water					
Per Residential Unit per 3 month period			\$175.00	\$175.00	By-Law 2018-039
Backflow Prevention Device			Time and Material	Time and Material	By-Law 2018-039
Commercial/Industrial			Shall be metered	Shall be metered	By-Law 2018-039

Schedule A – Administration					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Sprinkler Service Connection			Time and Material	Time and Material	By-Law 2018-039
Water Meters					
Residential Meters: Supply and Install					
5/8" by 3/4"			\$320.00	\$320.00	By-Law 2018-039
3/4"			\$378.00	\$378.00	By-Law 2018-039
1"			\$415.00	\$415.00	By-Law 2018-039
Commercial Meters:					
3/4" - Supply and install			\$375.00	\$375.00	By-Law 2018-039
1" - Supply and Install			\$415.00	\$415.00	By-Law 2018-039
1 1/2" - Supply only			\$1,975.00	\$1,975.00	By-Law 2018-039
2" - Supply only			\$2,150.00	\$2,150.00	By-Law 2018-039
2.5" and above - Supply only			Price will be quoted at time of order	Price will be quoted at time of order	By-Law 2018-039
Meter Size Change Request			\$115.00	\$115.00	By-Law 2018-039
Meter Accuracy Test			\$225.00	\$225.00	By-Law 2018-039
Temporary Hydrant Meter			\$500.00	\$500.00	By-Law 2018-039
Additional Services					
Fire Flow Testing - operation of fire hydrants by staff			\$150.00 / 4 hours	\$150.00 / 4 hours	By-Law 2018-039
Requested Additional Hydrant Installation					
Part of a Construction Project			Time and Material	Time and Material	By-Law 2018-039
Dig-in (if required)			Time and Material	Time and Material	By-Law 2018-039
Bulk Water Consumption	per cubic meter		Based upon Schedule "A" to By-Law 2018-039 Water and Sewer Rates	Based upon Schedule "A" to By-Law 2018-039 Water and Sewer Rates	By-Law 2018-039
Bulk Water Key			\$25.00	\$25.00	
Replacement Bulk Water Key			\$25.00	\$25.00	
Extra or Replacement Smart Vend Card			\$25.00	\$25.00	
A – 4 Legal					
Applicants for development agreements shall, where a decision is made to use in-house legal counsel, pay the following fees for negotiating, drafting, creating, amending, and finalizing development agreements from a legal perspective, in addition to any fees payable pursuant to By-law 2001-59:					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Amendments to existing agreements, and finalization of all other Development Agreements	each	Plus costs	\$220.00	\$220.00	By-law 2003-046
Bonusing Agreements (Planning Act)	each	Plus costs	\$220.00	\$220.00	By-law 2003-046
Front Ending Agreement (Re: Development Charges)	each	Plus costs	\$550.00	\$550.00	By-law 2003-046
Ontario Municipal Board Hearings: referenced in Section 12.2 of Bylaw 2001-59	per day or partial day	Plus costs	\$330.00	\$330.00	By-law 2003-046
Payment Arrangement Agreements (Re: Development Charges)	each	Plus costs	\$220.00	\$220.00	By-law 2003-046
Site Plan Agreement	each	Plus costs	\$380.00	\$380.00	By-law 2003-046
Subdivision Agreement	each	Plus costs	\$545.00	\$545.00	By-law 2003-046
Land Management Committee Application Fee (inquiries pertaining to ownership and/or maintenance of City land, requests to acquire/use City land)	each	Plus costs	\$125.00	\$125.00	By-law 2018-020
Sale of City-owned Land	each	\$1,500 for Realty Services Staff Time + plus costs			By-law 2018-020
Encroachment Agreements					
Minor Encroachments (stairs, small portion of a building, sign, etc.)	Annual		\$125.00	\$125.00	New By-law 2018-017
Dock or Boathouse	Annual		\$150.00	\$150.00	New By-law 2018-017

Schedule A – Administration					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Major Encroachments (shed, garage, etc.)	Annual		\$200.00	\$200.00	New By-law 2018-017
Co-location of equipment on City-owned tower/building	Annual		\$6,000.00	\$6,000.00	New By-law 2018-017
Tower	Annual		\$13,000.00	\$13,000.00	New By-law 2018-017
A – 5 Road Allowance Inquiries					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Maintenance	each		\$82.00	\$82.00	By-law 2015-131
Ownership	each		\$110.00	\$110.00	By-law 2015-131
Public Highway By-law	each	applicable legal fees/by-law registration costs	\$220.00	\$220.00	By-law 2015-131
Road Status (Open/Assumed Public Road)	each		\$82.00	\$82.00	By-law 2015-131
All of the Above	each	applicable legal fees/by-law registration costs	\$494.00	\$494.00	By-law 2015-131
Disbursements from third parties	each		Actual Cost	Actual Cost	By-law 2015-131
A – 6 Vital Statistics					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Death Registration	each		\$20.00	\$20.00	By-law 2003-046
Division Registrar's Statement	each		\$22.00	\$22.00	By-law 2003-046
Marriage Licence	each		\$135.00	\$135.00	By-law 2003-046
Civil Marriage Ceremony Rehearsal Fee (maximum 1 hour)	each		\$50.00	\$50.00	By-law 2019-031
Civil Marriage Ceremony at City Hall held during normal business hours	each		\$250.00	\$250.00	By-law 2019-031
Civil Marriage Ceremony at City Hall held outside normal business hours	each		\$300.00	\$300.00	By-law 2019-031
Civil Marriage Ceremony held off-site	each	plus mileage at City rate	\$350.00	\$350.00	By-law 2019-031
A – 7 Advertising Devices					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Mobile Sign Permit					
One Year Permit	each		\$172.00	\$172.00	By-law 2009-076
Month to Month Mobile Sign Permit:					
Base fee (one month)	each		\$57.00	\$57.00	By-law 2009-076
Monthly fee beyond one month	month		\$23.00	\$23.00	By-law 2009-076
All Other Signs Requiring a Permit	each		\$109.00	\$109.00	By-law 2009-076
Additional Signs Requiring a Permit Included on Original Application	each		\$57.00	\$57.00	
Storage of Signs (maximum 10 days)	day		\$11.00	\$11.00	By-law 2009-076
Sign Removal/Redemption to owner (not including signs on hydro poles)	each		\$56.00	\$56.00	By-law 2009-076
Minor Deviation Fee	each		\$114.00	\$114.00	By-law 2009-076
A – 8 Highway, Facility, Municipal Facility and Park Naming					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Non-refundable Processing Fee: If the request is endorsed by Council, the processing fee will be used as a deposit against the actual costs	each		\$275.00	\$275.00	Policy 108 CCS 012
A – 9 Fence Viewers					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Administration Fee	Flat Rate		\$255.00	\$255.00	By-law 2015-124
Administration Fee if Award Appealed	Flat Rate		\$102.00	\$102.00	By-law 2015-124
Administration Fee for any re-attendance of the Fence-Viewers	Flat Rate		\$102.00	\$102.00	By-law 2015-124
Costs based on Fence Viewing Award			Actual Costs	Actual Costs	By-law 2015-124
A – 10 Clean and Clear					

Schedule A – Administration					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Change in ownership occurrence cycle starts again					
Initial First Inspection	each		Free	Free	By-law 2014-026
Initial Final Inspection	each		Free	Free	By-law 2014-026
Second Offence Inspection	each		Free	Free	By-law 2014-026
Second Offence Final Inspection	each		\$114.00	\$114.00	By-law 2014-026
Third Offence Inspection	each		Free	Free	By-law 2014-026
Third Offence Final Inspection	each		\$228.00	\$228.00	By-law 2014-026
Fourth Offence Inspection	each		Free	Free	By-law 2014-026
Fourth Offence Final Inspection	each		\$458.00	\$458.00	By-law 2014-026
Fifth Offence Inspection	each		Free	Free	By-law 2014-026
Fifth Offence Final Inspection	each		\$913.00	\$913.00	By-law 2014-026
Subsequent offences	each		Fees double	Fees double	By-law 2014-026
Notice Letter/Compliance Letter			\$169.00	\$169.00	
Request to Amend Notice (time period)			\$84.00	\$84.00	
Monitoring of property clean-up (officer's time)	hour		\$41.00	\$41.00	
A – 11 Property Standards					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
First Inspection	each		Free	Free	MLE 2016-112
2nd / Follow-up Inspection	each		Free	Free	MLE 2016-112
Compliance Inspection (final)	each		Free	Free	MLE 2016-112
Additional Recheck or Requested Inspection (any inspection that occurs after the Compliance Inspection)	each		\$112.00	\$112.00	MLE 2016-112
Letter Order / File	each		\$169.00	\$169.00	MLE 2016-112
Duplicate (Letter/Order)	each		\$84.00	\$84.00	MLE 2016-112
Registration/Removal of Order to Title / Deed	each		\$225.00	\$225.00	MLE 2016-112
Property Standards Committee Appeal	each		\$95.00	\$95.00	MLE 2016-112
Derelict / Vacant Building Registry - Entry into Registry	each		Free	Free	MLE 2016-112
Maintenance of Entry in Registry	annual		\$172.00	\$172.00	MLE 2016-112
Removal from Registry (Exit)	each		\$172.00	\$172.00	MLE 2016-112
Property Standards Officer to attend Landlord Tenant Board Hearing (give evidence)	each		\$140.00	\$140.00	MLE 2016-112
City undertakes to complete the work required to comply with final order	hour	10% of overall cost	\$41.00	\$41.00	MLE 2016-112
Processing of Property Standards Invoice for tax collection	each		\$29.00	\$29.00	MLE 2016-112
A – 12 General Inspections (all Regulatory By-law Inspections not including Property Standards and Clean and Clear)					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
First Occurrence Inspection	each		Free	Free	
Second Occurrence Inspection	each		\$112.00	\$112.00	amending bylaw 2018-191
Third Occurrence Inspection	each		\$225.00	\$225.00	amending bylaw 2018-191
Fourth Occurrence Inspection	each		\$445.00	\$445.00	amending bylaw 2018-191
Fifth Occurrence Inspection	each		\$894.00	\$894.00	amending bylaw 2018-191
Subsequent offences	each		Fees double	Fees double	amending bylaw 2018-191
Order/Notice	each		\$110.00	\$110.00	amending bylaw 2018-191
Certificate of Compliance (Includes Discharge from title / deed)	each		\$225.00	\$225.00	amending bylaw 2018-191
2018-191 effective September 25, 2018					
A – 12 Noise					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference

Schedule A – Administration					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Noise Exemption Application	each		\$75.00	\$75.00	By-law 2019-124
A – 12 Fortification					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Partial or Complete Exemption Application	each		\$75.00	\$75.00	By-law 2013-043
Appeal Fee	each		\$95.00	\$95.00	By-law 2013-043
Order - Letter	each		\$110.00	\$110.00	By-law 2013-043
A – 12 Grade Alteration					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
General Permit - Small fill operation	each		\$600.00	\$600.00	By-law 2019-105
General Permit - Large fill operation	each		\$1000.00 - plus \$1.00 per cubic metre	\$1000.00 - plus \$1.00 per cubic metre	By-law 2019-105
but impact the City infrastructure)	each		\$600.00	\$600.00	By-law 2019-105
but impact the City infrastructure)	each		\$1,000.00	\$1,000.00	By-law 2019-105
Permit - Renewal	each		50% of the original permit fee	50% of the original permit fee	By-law 2019-105
Permit - Transfer	each		\$110.00	\$110.00	By-law 2019-105
Mud or Dust control (measures undertaken by city employee or third party)	each		30% plus all associated costs	30% plus all associated costs	By-law 2019-105
Order - Letter	each		\$169.00	\$169.00	By-law 2019-105
Administration fee	each		\$110.00	\$110.00	By-law 2019-105
A – 12 Parking Permits/Sign Fees					
Parking Permit to extend on street parking past 12 hrs. (Not available from November 30th of one year and April 1st of the next year.)					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Contractor (on street parking past 2hrs)	each		\$11.00	\$11.00	
Daily Permits (municipal lots in Lindsay)	each		\$3.00	\$3.00	
Weekly Permits (municipal lots in Lindsay)	each		\$15.00	\$15.00	
Monthly Permits (municipal lots in Lindsay)	each		\$51.00	\$51.00	
Annual Permits (municipal lots in Lindsay)	each		\$562.00	\$562.00	
Sign Installation	each		Associated costs	Associated costs	
2018-023 amended A-4, effective March 6, 2018					

Schedule B – Business Licensing					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
B – 1 Taxi License Fare Rates					
General Licensing					
Business Licence Fee	each		\$332.00	\$332.00	By-law 2016-110
Vehicle Licence Fee	each		\$83.00	\$83.00	By-law 2016-110
Plate Reassignment Fee	each		\$28.00	\$28.00	By-law 2016-160
Taxi Driver's Licence Fee	each		\$55.00	\$55.00	By-law 2016-110
Tariff Cards	each		\$3.00	\$3.00	By-law 2016-110
Replacement Licenses and Taxi Plates	Each		\$16.00	\$16.00	By-law 2016-110
Meter Calibration	per meter		\$28.00	\$28.00	By-law 2016-110
2018-023 amended B-1, deleted B-2 effective March 6, 2018					
B – 2 Licensing Fees					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Transient Traders					
Annual Transient Trader Licence Fee per year or part year	each		\$305.00	\$305.00	By-law 2016-120
Special Community Event 1-5 Transient Trader	each		\$25.00	\$25.00	By-law 2016-120
Special Community Event 5 or more Transient Trader	each		\$25.00 for the first 5 vendors, \$15.00 for each additional vendor	\$25.00 for the first 5 vendors, \$15.00 for each additional vendor	By-law 2016-120
Door-to-Door Sales Transient Trader	each		\$509.00	\$509.00	By-law 2016-120
Licence Replacement			\$16.00	\$16.00	By-law 2016-120
Special Events					
Special Event Permit	each		\$276.00	\$276.00	By-law 2013-197
License Replacement	each		\$16.00	\$16.00	By-law 2013-197
Seasonal Trailer Parks					
License Fee per year or part year	each		\$243.00	\$243.00	By-law 2013-148
License Fee per year or part year	each		\$16.00	\$16.00	By-law 2013-148
Salvage Yards					
License Fee per year or part year	each		\$554.00	\$554.00	By-law 2013-195
License Replacement	each		\$16.00	\$16.00	By-law 2013-195
Refreshment Vehicles					
First Location					
Refreshment Vehicle – Class 1	per year or part year	Fire Prevention Inspection Fee	\$359.00	\$359.00	By-law 2013-195
Refreshment Vehicle - Class 2	per year or part year	Fire Prevention Inspection Fee	\$359.00	\$359.00	By-law 2013-195
Refreshment Vehicle – Class 3	per year or part year	Fire Prevention Inspection Fee	\$359.00	\$359.00	By-law 2013-195
Refreshment Vehicle – Temporary or Special Community Event (max. 7 consecutive days)	per event		\$177.00	\$177.00	By-law 2013-195

Schedule B – Business Licensing					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Refreshment Vehicle – Temporary – Non-Profit/Charitable Organization			No Charge	No Charge	By-law 2013-195
Refreshment Vehicle – where extension of current business operation on the same property			No Charge	No Charge	By-law 2013-195
Second Location					
Refreshment Vehicle – Class 1	per year or part year	Fire Prevention Inspection Fee	\$359.00	\$359.00	By-law 2013-195
Refreshment Vehicle - Class 2	per year or part year	Fire Prevention Inspection Fee	\$359.00	\$359.00	By-law 2013-195
Refreshment Vehicle – Class 3	per year or part year	Fire Prevention Inspection Fee	\$359.00	\$359.00	By-law 2013-195
Third, Plus Location					
Refreshment Vehicle – Class 1	per year or part year	Fire Prevention Inspection Fee	\$359.00	\$359.00	By-law 2013-195
Refreshment Vehicle - Class 2	per year or part year	Fire Prevention Inspection Fee	\$359.00	\$359.00	By-law 2013-195
Refreshment Vehicle – Class 3	per year or part year	Fire Prevention Inspection Fee	\$359.00	\$359.00	By-law 2013-195
Other Fees					
Transfer of License	per transfer		\$177.00	\$177.00	By-law 2013-195
License Replacement	each		\$16.00	\$16.00	By-law 2013-195
Motor Vehicle Racing and Facilities					
License Fee	per year or part year		\$1,241.00	\$1,241.00	By-law 2013-194
License Fee (Temporary)	per event		\$554.00	\$554.00	By-law 2013-194
License Replacement	each		\$16.00	\$16.00	By-law 2013-194
Kennels					
License (or renewal)	per year or part year		\$190.00	\$190.00	By-law 2014-141
License Replacement	each		\$16.00	\$16.00	By-law 2014-141
Adult Entertainment Book and Video Stores					
Adult videotape and/or book or magazine store owner/operator licence	per year or part year		\$4,874.00	\$4,874.00	By-law 2013-192
Adult videotape and/or book or magazine store licence	per year or part year		\$2,438.00	\$2,438.00	By-law 2013-192
Adult videotape and/or book or magazine store operator licence	per year or part year		\$2,438.00	\$2,438.00	By-law 2013-192
License Replacement	each		\$16.00	\$16.00	By-law 2013-192
Adult Entertainment Parlours					
Adult Entertainment Parlour Owner/Operator	per year or part year		\$4,874.00	\$4,874.00	By-law 2013-193
Adult Entertainment Parlour Owner's license	per year or part year		\$2,438.00	\$2,438.00	By-law 2013-193
Adult Entertainment Parlour Operator's license	per year or part year		\$2,438.00	\$2,438.00	By-law 2013-193
Adult Entertainment Parlour Performer's license	per year or part year		\$237.00	\$237.00	By-law 2013-193

Schedule B – Business Licensing					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
License Replacement	each		\$16.00	\$16.00	By-law 2013-193
Liquor Licence Applications					
Liquor Sales Licence Application	each	Fire Prevention Inspection Fee, Building Inspection Fee	\$109.00	\$109.00	By-law 2016-206
Temporary Extension to Licensed Areas	each		\$55.00	\$55.00	By-law 2016-206
Special Occasion Permits	each		No charge	No charge	By-law 2016-206
Lottery Licenses					
Lottery Licenses	each		3% of Prize Value	3% of Prize Value	
B – 3 Animal Regulation Fees					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Annual Fees (with current certification of rabies immunization)					
Altered Dog (proof of alteration)	each		\$27.00	\$27.00	By-law 2017-039
Unaltered Dog	each		\$32.00	\$32.00	By-law 2017-039
Special Services Dog	each		No charge	No charge	By-law 2017-039
Livestock Guardian Dog	each		No charge	No charge	By-law 2017-039
Lifetime Dog Tag					
Microchipped, Spayed or Neutered	each		\$60.00	\$60.00	By-law 2017-039
Microchipped, Unaltered	each		\$100.00	\$100.00	By-law 2017-039
Service Animal	each		\$0.00	\$0.00	By-law 2017-039
Replacement Tag	each		\$10.00	\$10.00	By-law 2017-039
Other Fees					
License Replacement	each		\$0.00	\$0.00	By-law 2017-039
Backyard Chicken Coops					
				Rate Effective May 18, 2021	
Backyard Chicken Coop License	each			\$50.00	By-law 2021-xxx
Animal Control					
Daily Care – impounded dog	each		established in Pound Contract	established in Pound Contract	By-law 2017-039
Impoundment of dog wearing a current tag					
First Occurrence	each	Daily Care Fee	Free	Free	By-law 2017-039
First Occurrence if not picked up within 24 hours	each	Daily Care Fee	\$57.00	\$57.00	By-law 2017-039
Second Occurrence	each	Daily Care Fee	\$85.00	\$85.00	By-law 2017-039
Third or subsequent occurrence	each	Daily Care Fee	\$114.00	\$114.00	By-law 2017-039
Impoundment of a dog not wearing current tag					
First Occurrence	each	Daily Care Fee & Annual License Fee	\$57.00	\$57.00	By-law 2017-039
Second Occurrence	each	Daily Care Fee & Annual License Fee	\$85.00	\$85.00	By-law 2017-039
Third or subsequent occurrence	each	Daily Care Fee & Annual License Fee	\$114.00	\$114.00	By-law 2017-039
Order to Restrain Appeal	each		\$97.00	\$97.00	By-law 2017-039
Order to Restrain Registry (once per lifetime)	each		\$29.00	\$29.00	By-law 2017-039

Schedule B – Business Licensing					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Surrender Animal	each		\$114.00	\$114.00	By-law 2017-039
Veterinary Medical Care/Euthanasia	each		As established by Veterinary Clinic	As established by Veterinary Clinic	By-law 2017-039

Schedule C – Fire and Emergency Services					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
C – 1 Emergency Response Fees and Charges					
The at-fault party is responsible for paying for each hour that a Fire Vehicle is in attendance – 1st Hour Flat Rate	Vehicle (Maximum 3)	Situations of Extreme Need 3 vehicle maximum will not apply	as per current MTO rates per hour	as per current MTO rates per hour	By-law 2010-087
The at-fault party is responsible for paying for each hour that a Fire Vehicle is in attendance – Subsequent Hours	Vehicle (each additional 1/2 hour - Max 3 Vehicles)	Situations of Extreme Need 3 vehicle maximum will not apply	as per current MTO rates per hour	as per current MTO rates per hour	By-law 2010-087
Firefighters in attendance and active part in resolution	each/hour or part		Actual Cost	Actual Cost	By-law 2010-087
City's expenses (if any)	each		Actual Cost	Actual Cost	By-law 2010-087
C – 2 Fire Services Fees and Charges					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Information					
Copy of Emergency Response Report within past 2 years	each		\$82.00	\$82.00	By-law 2010-151
Copy of Emergency Response Report over 2 years	each		\$92.00	\$92.00	By-law 2010-151
File Search	each		\$82.00	\$82.00	By-law 2010-151
Fire Regulation Compliance Letter	each		\$82.00	\$82.00	By-law 2010-151
Inspections					
Boarding/Lodging/Rooming House upon request	per hour		\$82.00	\$82.00	By-law 2010-151
Educational Institutions upon request	per hour		\$82.00	\$82.00	By-law 2010-151
Foster Care upon request	per hour		\$82.00	\$82.00	By-law 2010-151
Group Home upon request	per hour		\$82.00	\$82.00	By-law 2010-151
Institutional upon request	per hour		\$82.00	\$82.00	By-law 2010-151
Licensed Day Care upon request	per hour		\$82.00	\$82.00	By-law 2010-151
Private Home Day Care upon request	per hour		\$82.00	\$82.00	By-law 2010-151
Liquor Licensing upon request	per hour		\$82.00	\$82.00	By-law 2010-151
Liquor Licensing for Outdoor Patios - includes full inspection	per hour		\$82.00	\$82.00	By-law 2010-151
Non residential inspection - 1000m2 or less - upon request	per hour		\$82.00	\$82.00	By-law 2010-151
Non residential inspection - multiple unit occupancy - per tenant (strip mall)	per hour		\$82.00	\$82.00	By-law 2010-151
Residential inspection - upon request - (apartment complex, hotel/motel)	per hour		\$82.00	\$82.00	By-law 2010-151
Two unit residential inspection - retrofit - upon request or complaint	per hour		\$82.00	\$82.00	By-law 2010-151
Re-inspection - follow up pertaining to an inspection	per hour		\$82.00	\$82.00	By-law 2010-151
Fire Safety					
Presentations/Training			No charge	No charge	By-law 2010-151
Inspection initiated by the Fire Department			No charge	No charge	By-law 2010-151
Fire Safety Plan Development (after 3rd read)	per hour		\$82.00	\$82.00	By-law 2010-151
Miscellaneous Inspections	per hour		\$82.00	\$82.00	By-law 2010-151
Fire Extinguishing Training Annual Commercial Accreditation	per hour		\$82.00	\$82.00	By-law 2010-151
Fire Route Applications	each		No charge	No charge	By-law 2010-151
Propane Licensing					
Propane Licensing Level 1<5000USWG	each		\$540.00	\$540.00	By-law 2016-206
Propane Licensing Level 2 > 5000USWG initial review	each		\$1,628.00	\$1,628.00	By-law 2016-206
Propane licensing Level 2 > 5000USWG follow-up meetings and review	per hour		\$82.00	\$82.00	By-law 2016-206
Annual renewal review Propane Licensing	per hour		\$82.00	\$82.00	By-law 2016-206
C – 3 Fireworks Fees and Charges					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Fireworks Permits					
Trailer Retail Seller - Consumer Fireworks	per year		\$1,119.00	\$1,119.00	By-law 2007-236
Non-Profit Organization - Display Fireworks Permit	event		No charge	No charge	By-law 2007-236
Non-Profit Organization - Consumer Fireworks Permit	event		No charge	No charge	By-law 2007-236
Local Vendor Retail Consumer Fireworks Seller Permit	per year		\$112.00	\$112.00	By-law 2007-236
Display Fireworks Permit	event		\$50.00	\$50.00	By-law 2007-236

Schedule C – Fire and Emergency Services					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Consumer Fireworks Permit	event		\$50.00	\$50.00	By-law 2007-236
C – 4 Burn Permit Fees					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Burn Permits					
Burn Permit	each		\$11.00	\$11.00	By-law 2016-110
Long Term Special Burn Permit	each		\$43.00	\$43.00	By-law 2016-110
Annual Burn Permit (up to 1 cubic metre)	each		\$54.00	\$54.00	By-law 2016-110
Special Permit	each		\$22.00	\$22.00	By-law 2016-110
Campground/Trailer Camp Permit	each		\$108.00	\$108.00	By-law 2016-110
Agricultural Permit	each		\$22.00	\$22.00	By-law 2016-110
Agricultural Special Burn Permit (Larger than 3 metres by 3 metres)	each		\$43.00	\$43.00	By-law 2016-110
Fire Department Charges for Callout			as per current MTO rates per hour	as per current MTO rates per hour	By-law 2016-110
C – 5 9-1-1 Signage					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Creation and Installation of 911 Signs					
Replacement Blade (Sign only)	each		\$18.00	\$18.00	By-law 2008-133
New Installation (Blade and Post, includes replacements installed by CKL)	each		\$57.00	\$115.00	By-law 2008-133

Schedule D – Parks, Recreation and Culture					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
D – 1 Aquatic Fees and Charges					
Lessons/Programs					
Pre-school and Swim 1-4 (30 minutes)	per class		\$6.90	\$6.90	
Swim 5-6 (45 minutes)	per class		\$7.50	\$7.50	
Swim 7-10 (60 minutes)	per class		\$8.00	\$8.00	
Beach Swim Program	1 wk		\$9.00	\$10.00	109 CCS 013
Beach Swim Program	day		\$10.00	\$10.00	109 CCS 013
Private Lesson (10-30 minutes) - Children	per class		\$19.85	\$27.60	
Semi Private Lessons (10-30 minutes) - Children	per class		\$11.45	\$13.80	
Bronze Star	course		\$94.58	\$100.00	109 CCS 013
Bronze Medallion	course		\$207.47	\$238.00	109 CCS 013
Bronze Cross	course		\$197.65	\$197.65	109 CCS 013
Bronze Cross College	course		\$230.20	\$265.00	109 CCS 013
Bronze Cross or Med recertification	each		\$65.14	\$70.00	109 CCS 013
Bronze Cross with SFA	course			\$245.00	New
NLS Course	course		\$258.32	\$310.00	109 CCS 013
NLS or RC Instructor recertification	each		\$78.06	\$85.00	109 CCS 013
Red Cross Instructor	each		\$330.53	\$345.00	109 CCS 013
Lifesaving Society Instructor	each		\$222.42	\$250.00	109 CCS 013
Red Cross Instructor Update	each		\$78.06		109 CCS 013
National Lifeguard Instructor			\$315.27		
Standard First Aid Course	course		\$122.04	\$135.00	109 CCS 013
Standard First Aid Course (City staff)	course		\$97.96	\$135.00	109 CCS 013
Stand First Aid recertification	each		\$74.48	\$85.00	109 CCS 013
Babysitting Course	course		\$65.00	\$65.00	
Aqua Fitness (60 minutes)	per class		\$5.93	\$5.93	109 CCS 013
	drop in		\$6.75	\$6.75	109 CCS 013
LRC - Therapy (45 minutes)	per class		\$4.70	\$4.70	
Forbert - Therapy (45 min)	per class		\$9.56	\$9.56	
Adult Swim Lessons (60Min)	per class		\$9.56	\$9.56	
Specialty youth programs (60min)	per class		\$9.04	\$9.04	
Public Swimming					
Child	each		\$2.60	\$2.60	109 CCS 013
Senior	each		\$4.40	\$4.40	109 CCS 013
Adult	each		\$4.90	\$4.90	109 CCS 013

Schedule D – Parks, Recreation and Culture					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Family/Group	each		\$11.15	\$11.15	109 CCS 013
Miscellaneous					
Small Belts	each		\$44.40	\$44.40	109 CCS 013
Medium Belts	each		\$47.80	\$47.80	109 CCS 013
Large Belts	each		\$57.35	\$57.35	109 CCS 013
Red Cross Swim Badges	each		\$1.60	\$1.60	109 CCS 013
D – 2 Fitness Memberships					
Swim Membership - Forbert Memorial Pool					
Child	10 Pass		\$23.85	\$23.85	109 CCS 013
	Monthly		\$14.55	\$14.55	
	Ongoing Monthly		\$13.35	\$13.35	
	Year		\$145.50	\$145.50	109 CCS 013
Senior	10 Pass		\$40.70	\$40.70	109 CCS 013
	Monthly		\$17.45	\$17.45	
	Ongoing Monthly		\$16.00	\$16.00	
	Year		\$174.65	\$174.65	109 CCS 013
Adult	10 Pass		\$45.40	\$45.40	109 CCS 013
	Monthly		\$23.40	\$23.40	
	Ongoing Monthly		\$21.45	\$21.45	
	Year		\$233.90	\$233.90	109 CCS 013
Couple	Year		\$374.20	\$374.20	109 CCS 013
Family	10 Pass		\$102.45	\$102.45	109 CCS 013
	Ongoing Monthly		\$55.00	\$55.00	
	Year		\$600.00	\$600.00	109 CCS 013
Health Membership – Forbert Memorial Pool					
Senior	Single Use		\$8.45	\$8.45	109 CCS 013
	10 Pass		\$76.00	\$76.00	109 CCS 013
	Monthly		\$25.10	\$25.10	
	Ongoing Monthly		\$23.00	\$23.00	
	Year		\$251.00	\$251.00	109 CCS 013
Adult	Single Use		\$10.55	\$10.55	109 CCS 013
	10 Pass		\$95.00	\$95.00	109 CCS 013
	Monthly		\$31.00	\$31.00	
	Ongoing Monthly		\$28.35	\$28.35	
	Year		\$309.50	\$309.50	109 CCS 013

Schedule D – Parks, Recreation and Culture					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Couple	Year		\$496.00	\$496.00	109 CCS 013
	Ongoing Monthly		\$67.10	\$67.10	
Family	Year		\$732.00	\$732.00	109 CCS 013
Fitness Membership – Forbert Memorial Pool					
Senior	Single Use		\$4.65	\$4.65	109 CCS 013
	10 Pass		\$41.85	\$41.85	109 CCS 013
	Monthly		\$11.30	\$11.30	
	Ongoing Monthly		\$10.40	\$10.40	
	Year		\$113.15	\$113.15	109 CCS 013
Adult	Single Use		\$5.30	\$5.30	109 CCS 013
	10 Pass		\$47.80	\$47.80	109 CCS 013
	Monthly		\$15.40	\$15.40	
	Ongoing Monthly		\$14.15	\$14.15	
	Year		\$152.00	\$152.00	109 CCS 013
Couple	Year		\$263.00	\$263.00	109 CCS 013
Swim Membership - Lindsay Recreation Complex					
Child	10 Pass		\$23.85	\$23.85	109 CCS 013
	1 Month		\$14.55	\$14.55	
	Ongoing Monthly		\$13.35	\$13.35	
	Year		\$145.50	\$145.50	109 CCS 013
Senior	10 Pass		\$40.70	\$40.70	109 CCS 013
	1 Month		\$17.45	\$17.45	
	Ongoing Monthly		\$16.00	\$16.00	
	Year		\$174.65	\$174.65	109 CCS 013
Adult	10 Pass		\$45.40	\$45.40	109 CCS 013
	1 Month		\$23.40	\$23.40	
	Ongoing Monthly		\$21.45	\$21.45	
	Year		\$233.90	\$233.90	109 CCS 013
Couple	Year		\$374.20	\$374.20	109 CCS 013
Family	10 Pass		\$102.45	\$102.45	109 CCS 013
	Ongoing Monthly		\$55.00	\$55.00	
	Year		\$600.00	\$600.00	109 CCS 013
Health Membership – Lindsay Recreation Complex					
	Single		\$8.45	\$8.45	
	10 Pass			\$80.75	

Schedule D – Parks, Recreation and Culture					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Senior	1 Month		\$28.60	\$28.60	
	Ongoing Monthly		\$26.20	\$26.20	
	Year		\$285.85	\$285.85	109 CCS 013
Adult	Single		\$10.60	\$10.60	109 CCS 013
	10 Pass			\$94.95	
	1 Month		\$35.90	\$35.90	
	Ongoing Monthly		\$32.90	\$32.90	
	Year		\$358.60	\$358.60	109 CCS 013
Couple	Year		\$576.25	\$576.25	109 CCS 013
Family	Ongoing Monthly		\$73.50	\$73.50	
	Year		\$816.40	\$816.40	109 CCS 013
Squash Membership – Lindsay Recreation Complex					
Child	Single			\$6.60	
	10 Pass			\$50.85	
	1 Month		\$23.00	\$23.00	
	Ongoing Monthly		\$21.00	\$21.00	
	Year		\$229.20	\$229.20	
Senior	Single		\$6.60	\$6.60	109 CCS 013
	10 Pass		\$59.40	\$59.40	109 CCS 013
	1 Month		\$24.75	\$24.75	
	Ongoing Monthly		\$22.70	\$22.70	
	Year		\$247.40	\$247.40	109 CCS 013
Adult	Single		\$8.20	\$8.20	109 CCS 013
	10 Pass		\$73.90	\$73.90	109 CCS 013
	1 Month		\$30.60	\$30.60	
	Ongoing Monthly		\$28.00	\$28.00	
	Year		\$305.60	\$305.60	109 CCS 013
Couple	Year		\$536.65	\$536.65	109 CCS 013
Family	Year		\$792.30	\$792.30	109 CCS 013
Squash & Health Membership – Lindsay Recreation Complex					
Senior	Single		\$12.35	\$12.35	109 CCS 013
	1 Month		\$39.45	\$39.45	109 CCS 013
	Ongoing Monthly		\$36.20	\$36.20	109 CCS 013
	Year		\$394.50	\$394.50	109 CCS 013
	Single		\$13.95	\$13.95	109 CCS 013

Schedule D – Parks, Recreation and Culture					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Adult	1 Month		\$48.75	\$48.75	
	Ongoing Monthly		\$44.70	\$44.70	
	Year		\$487.50	\$487.50	109 CCS 013
Couple	Year		\$797.90	\$797.90	109 CCS 013
Family	Year		\$1,159.70	\$1,159.70	109 CCS 013
Locker Membership – Lindsay Recreation Complex					
Locker	1 Month			\$9.90	
	3 Month		\$27.75	\$27.75	109 CCS 013
	6 Month		\$44.40	\$44.40	109 CCS 013
	Year		\$66.60	\$66.60	109 CCS 013
Corporate Memberships – Lindsay Recreation Complex					
Business Membership (outside Personal Trainers only)	each		\$600.24	\$600.24	109 CCS 013
Dual Facility Membership	each		\$443.55	\$443.55	109 CCS 013
Bronze Corporate Lump Sum	each		\$2,000.00	\$2,000.00	
Bronze Corporate Individual Fee - Employee	year		\$176.50	\$176.50	
Silver Corporate Lump Sum	each		\$4,000.00	\$4,000.00	
Silver Corporate Individual Fee - Employee	year		\$143.60	\$143.60	
Gold Corporate Lump Sum	each		\$6,000.00	\$6,000.00	
Gold Corporate Individual Fee - Employee	year		\$133.25	\$133.25	
Corporate Single Upgrade	year		\$178.50	\$178.50	
Corporate Family Upgrade	year		\$267.50	\$267.50	
Personal Training					
Personal Training Session	Each		\$33.30	\$33.30	109 CCS 013
	10 Pass		\$300.00	\$300.00	109 CCS 013
Semi Private Training Session	Each		\$61.00	\$61.00	109 CCS 013
Program Refresher	Each		\$17.00	\$17.00	109 CCS 013
Miscellaneous Charges					
Fitness Program *base rate	Class		\$4.95	\$4.95	109 CCS 013
Fitness Class Pass	Day		\$7.45	\$7.45	109 CCS 013
Squash Racquet Rental (40 min)	Each		\$2.15	\$2.15	109 CCS 013
Squash Ball	Each		\$4.80	\$4.80	109 CCS 013
Card Replacement	Each		\$30.00	\$30.00	109 CCS 013
Transfer/Cancellation/Medical Hold			15% charge - \$ 5 minimum	15% charge - \$ 5 minimum	109 CCS 013
D – 3 Recreation Programs					
General					

Schedule D – Parks, Recreation and Culture					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Adult Recreational (8 hrs)	per hour		\$15.00	\$15.00	109 CCS 013
Badminton (drop in)	Each		\$4.00	\$4.00	109 CCS 013
Milk Run					
5k Entry	Regular		\$35.00	\$35.00	109 CCS 013
	Day of		\$50.00	\$50.00	109 CCS 013
10k Entry	Regular		\$40.00	\$40.00	109 CCS 013
	Day of		\$50.00	\$50.00	109 CCS 013
21k Entry	Regular		\$70.00	\$70.00	109 CCS 013
	Day of		\$80.00	\$80.00	109 CCS 013
Children’s Camp					
Lindsay Camp	Daily		\$32.00	\$32.00	109 CCS 013
	Weekly		\$160.00	\$160.00	109 CCS 013
Camp Field Trip	Each		\$28.00	\$28.00	109 CCS 013
Sport & Skate	Weekly		\$197.50	\$197.50	109 CCS 013
Sport & Swing	Weekly		\$185.00	\$185.00	109 CCS 013
Sport & Swim	Weekly		\$160.00	\$160.00	109 CCS 013
Public Skating					
Public Skating – Entry	Adult		\$3.00	\$3.00	109 CCS 013
	Child		\$2.00	\$2.00	109 CCS 013
	Pre-school		Free	Free	109 CCS 013
	Senior		\$2.00	\$2.00	109 CCS 013
Shinny/Ticket Ice	Single		\$6.45	\$6.45	109 CCS 013
	10 pass		\$58.00	\$58.00	109 CCS 013
Stick & Puck (one adult/child)	Single		\$6.45	\$6.45	109 CCS 013
D – 4 Facility Rentals					
Arena					
Arena Floor Minor Hourly (maximum 4 hours)	per hour		\$71.10	\$71.10	109 CCS 013
Arena Floor Minor Daily (maximum 12 hours)	per day		\$645.00	\$645.00	109 CCS 013
Arena Floor Adult Hourly (maximum 4 hours)	per hour		\$85.30	\$85.30	109 CCS 013
Arena Floor Adult Daily (maximum 12 hours)	per day		\$1,032.00	\$1,032.00	109 CCS 013
Ice Rental Standard Hourly	per hour		\$154.70	\$154.70	109 CCS 013
Ice Rental Non-Prime Hourly (Open-5pm, 11pm -Close)	per hour		\$117.30	\$117.30	109 CCS 013
Ice Rental Minor Hourly	per hour		\$129.00	\$129.00	109 CCS 013
Ice Rental LRC Standard Hourly	per hour		\$193.20	\$193.20	109 CCS 013
Ice Rental LRC Non-Prime Hourly (Open-5pm, 11pm-Close)	per hour		\$117.30	\$117.30	109 CCS 013

Schedule D – Parks, Recreation and Culture					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Ice Rental LRC Minor Hourly	per hour		\$129.00	\$129.00	109 CCS 013
Ice Rental Standard Summer Hourly (April 1 – August 31)	per hour		\$206.10	\$206.10	109 CCS 013
Ice Rental Minor Summer Hourly (April 1 – August 31)	per hour		\$144.40	\$144.40	109 CCS 013
Athletic Field/Ball Diamond					
Class A Athletic Field Adult Game	2 hours		\$38.80	\$38.80	109 CCS 013
Class A Athletic Field Adult Tournament	Day		\$129.20	\$129.20	109 CCS 013
Class A Athletic Field Minor Game	2 hours		\$19.60	\$19.60	109 CCS 013
Class A Athletic Field Minor Tournament	Day		\$64.60	\$64.60	109 CCS 013
Class B Athletic Field Adult Game	2 hours		\$25.80	\$25.80	109 CCS 013
Class B Athletic Field Adult Tournament	Day		\$58.10	\$58.10	109 CCS 013
Class B Athletic Field Minor Game	2 hours		\$13.00	\$13.00	109 CCS 013
Class B Athletic Field Minor Tournament	Day		\$29.20	\$29.20	109 CCS 013
Class A Ball Diamond Adult Game	2 hours		\$45.20	\$45.20	109 CCS 013
Class A Ball Diamond Adult Tournament	Day/Diamond		\$129.20	\$129.20	109 CCS 013
Class A Ball Diamond Minor Game	2 hours		\$22.80	\$22.80	109 CCS 013
Class A Ball Diamond Minor Tournament	Day/Diamond		\$64.60	\$64.60	109 CCS 013
Class B Ball Diamond Adult Game	2 hours		\$32.30	\$32.30	109 CCS 013
Class B Ball Diamond Adult Tournament	Day/Diamond		\$96.90	\$96.90	109 CCS 013
Class B Ball Diamond Minor Game	2 hours		\$16.30	\$16.30	109 CCS 013
Class B Ball Diamond Minor Tournament	Day/Diamond		\$48.60	\$48.60	109 CCS 013
Class C Ball Diamond Adult Game	2 hours		\$19.60	\$19.60	109 CCS 013
Class C Ball Diamond Adult Tournament	Day/Diamond		\$58.10	\$58.10	109 CCS 013
Class C Ball Diamond Minor Game	2 hours		\$9.80	\$9.80	109 CCS 013
Class C Ball Diamond Minor Tournament	Day/Diamond		\$29.20	\$29.20	109 CCS 013
Athletic Field/Ball Diamond Lights Game	2 hours		\$13.20	\$13.20	109 CCS 013
Park					
Park Vendor Monthly	per month		\$263.80	\$263.80	109 CCS 013
Boat Docking Daily	per day		\$30.00	\$30.00	109 CCS 013
Boat Launch Daily	day		\$10.00	\$10.00	
Boat Launch Commercial	annual		\$555.00	\$555.00	
Boat Launch Seasonal	annual		\$47.00	\$47.00	
Fishing Tournament Daily	day		\$263.80	\$263.80	
Overnight Rest Area Access	day		\$10.00	\$10.00	
Park - Special Events					
1-50 Attendees	per day		\$33.00	waived - CW2020-164	

Schedule D – Parks, Recreation and Culture					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
51-150 Attendees	per day		\$99.00	waived - CW2020-164	
151-300 Attendees	per day		\$181.90	waived - CW2020-164	
301-1,000 Attendees	per day		\$266.90	waived - CW2020-164	
Over 1,001 Attendees	per day		\$394.00	waived - CW2020-164	
Park Activity Rental					
Park Hourly Rate (maximum 4 hours per day)	per hour		\$20.10	\$20.10	
Community Hall					
Class A Hourly (maximum 4 hours)	per hour		\$59.50	\$59.50	109 CCS 013
Class A Daily (maximum 12 hours)	per day		\$925.00	\$925.00	109 CCS 013
Class B Hourly (maximum 4 hours)	per hour		\$35.90	\$35.90	109 CCS 013
Class B Daily (maximum 12 hours)	per day		\$563.50	\$563.50	109 CCS 013
Class C Hourly (maximum 4 hours)	per hour		\$29.80	\$29.80	109 CCS 013
Class C Daily (maximum 12 hours)	per day		\$435.30	\$435.30	109 CCS 013
Class D Hourly (maximum 4 hours)	per hour		\$23.90	\$23.90	109 CCS 013
Class D Daily (maximum 12 hours)	per day		\$260.10	\$260.10	109 CCS 013
Class E Hourly (maximum 4 hours)	per hour		\$18.50	\$18.50	109 CCS 013
Class E Daily (maximum 12 hours)	per day		\$154.60	\$154.60	109 CCS 013
Victoria Park Washrooms Only			\$130.00	\$130.00	109 CCS 013
Exterior Portable Sign Weekly	per week		\$130.00	\$130.00	109 CCS 013
Liability Insurance					
Events – Public with Alcohol (1-100 people)	Day		refer to provider	refer to provider	Rates set by provider
Events – Public with Alcohol (101-250 people)	Day		refer to provider	refer to provider	Rates set by provider
Events – Public with Alcohol (251-500 people)	Day		refer to provider	refer to provider	Rates set by provider
Events – Public with Alcohol (501-1000 people)	Day		refer to provider	refer to provider	Rates set by provider
Events – Private with Alcohol (1-25 people)	Day		refer to provider	refer to provider	Rates set by provider
Events – Private with Alcohol (26-100 people)	Day		refer to provider	refer to provider	Rates set by provider
Events – Private with Alcohol (101-250 people)	Day		refer to provider	refer to provider	Rates set by provider
Events – Private with Alcohol (251-400 people)	day		refer to provider	refer to provider	Rates set by provider
Storage Space					
Various Facilities	sq ft per year		\$3.20	\$3.20	109 CCS 013
Office Space					
Lindsay Recreation Complex	sq ft per month		\$7.20	\$7.20	109 CCS 013
Victoria Park Armoury	sq ft per month		\$4.30	\$4.30	109 CCS 013
Parking Lot					
Various Facilities	per space per year		\$152.00	\$152.00	

Schedule D – Parks, Recreation and Culture					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Indoor Pool					
LRC Large Pool	Hourly		\$105.60	\$105.60	109 CCS 013
LRC Large Pool Bulk Hourly	Hourly		\$84.50	\$84.50	109 CCS 013
LRC Therapeutic Pool	Hourly		\$79.20	\$79.20	109 CCS 013
LRC Therapeutic Pool Bulk Rate Hourly	Hourly		\$63.40	\$63.40	109 CCS 013
LRC Half Pool			\$52.80	\$52.80	109 CCS 013
Forbert	Hourly		\$105.60	\$105.60	109 CCS 013
Forbert Bulk Rate	Hourly		\$84.25	\$84.25	109 CCS 013
Lifeguard	Hourly		\$32.55	\$32.55	109 CCS 013
Miscellaneous					
Holiday Premium (minimum three hour rental - ice booking can be combination of multiple bookings)			50%	50%	109 CCS 013
Not-For-Profit Discount (based on daily rental at community hall for community event)			40%	40%	109 CCS 013
Refund/Cancellation Fee (minimum \$5 or 15 percent)		\$5 minimum	15%	15%	109 CCS 013
Non Resident Premium			25%	25%	New
D – 5 Centennial Trailer Park					
Centennial Park South West	Annual		\$2,174.00	\$2,174.00	109 CCS 013
Centennial Park East	Annual		\$2,350.25	\$2,350.25	109 CCS 013
Centennial Park North West	Annual		\$2,585.00	\$2,585.00	109 CCS 013
Centennial Park Guest Pass	Monthly			\$84.00	New
	Annual		\$350.00	\$350.00	
Centennial Park Secondary Parking Pass	Monthly			\$36.00	New
	Annual		\$150.00	\$150.00	
Boat Docking Seasonal	per foot		\$23.00	\$23.00	
Hydro Service Charge	Annual		Based on usage	Based on usage	109 CCS 013
Replacement Access Card			\$30.00	\$30.00	109 CCS 013
Laundry	per use		\$2.00 Machine only accept loonies	\$2.00 Machine only accept loonies	109 CCS 013
D – 6 Parks, Recreation and Culture – Advertising					
Community Guide Ads					
Half Banner	each		\$215.00	\$215.00	109 CCS 013
Banner	each		\$320.00	\$320.00	109 CCS 013
Half Page	each		\$430.00	\$430.00	109 CCS 013
Full Page	each		\$672.00	\$672.00	109 CCS 013

Schedule D – Parks, Recreation and Culture					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Inside Front Cover	each		\$837.00	\$837.00	109 CCS 013
Inside Back Cover	each		\$837.00	\$837.00	109 CCS 013
Back Cover	each		\$1,454.00	\$1,454.00	109 CCS 013
Multiple Publication Commitment (Discount)	each		15%	15%	109 CCS 013
Sponsorship and Dedication					
Plant a Tree	each		\$1,125.00	\$1,125.00	109 CCS 013
Dedicate a Park Bench	each		\$1,885.00	\$1,885.00	109 CCS 013
Facility Ads					
Rink Boards	year		\$370.00	\$370.00	109 CCS 013
Arena Wall	year		\$248.00	\$248.00	109 CCS 013
Ice Surface (per season)	year		\$1,228.00	\$1,228.00	109 CCS 013
Olympia	year		\$490.00	\$490.00	109 CCS 013
Lindsay Rink Board	year		\$617.00	\$617.00	109 CCS 013
Lindsay Wall Ad	year		\$496.00	\$496.00	109 CCS 013
Board Glass	year		\$308.50	\$308.50	109 CCS 013
FF Mezzanine	year		\$308.50	\$308.50	109 CCS 013
FF Stair Risers	year		\$370.00	\$370.00	109 CCS 013
FF Accessible Viewing Area Risers	year		\$308.50	\$308.50	109 CCS 013
Ball Diamonds (per year, minimum of 3 years)	year		\$124.00	\$124.00	109 CCS 013
D – 7 Cemeteries					
		40% Care and Maintenance for in-ground lots			
Single Lot	each		\$1,140.00	\$1,140.00	
Cremation Lot (flat marker only)	each		\$722.00	\$722.00	
		15% Care and Maintenance			
Two Urn Niche 12” x 12” x 12”	each		\$1,810.00	\$1,810.00	
		15% Care and Maintenance			
Two Urn Niche 14” x 14” x 14”	each		\$1,840.00	\$1,840.00	
		\$25.00 Care and Maintenance			
Common Scattering	each		\$50.00	\$50.00	
		\$104.00 Care and Maintenance			
Private Scattering Right	each		\$260.00	\$260.00	
Open & Close Adult/Child Weekday (before 3 p.m.)	each		\$763.00	\$763.00	
Open & Close Adult/Child Saturday (before 12:00 Noon)	each		\$1,120.00	\$1,120.00	

Schedule D – Parks, Recreation and Culture					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Open & Close Cremated Remains Weekday (before 3 p.m.)	each		\$325.00	\$325.00	
Open & Close Cremated Remains Saturday (before 3 p.m.)	each		\$447.00	\$447.00	
Each Additional Urn or Cremated Remains	each		\$25.00	\$25.00	
Double Depth	each		\$875.00	\$875.00	
Late Funeral Charge (after 3:00 p.m. arrival)	each		\$170.00	\$170.00	
Dis-interment Charges	each		\$1,810.00	\$1,810.00	
Dis-interment Urn	each		\$50.00	\$50.00	
Winter Interment Adult/Child (Additional)	each		\$590.00	\$590.00	
Winter Interment Infant (Additional)	each		\$173.00	\$173.00	
Columbarium Bronze Plaque	each		\$540.00	\$540.00	
Columbarium 2nd Urn Opening	each		\$173.00	\$173.00	
Columbarium Additional Date Tab for Plaque	each		\$173.00	\$173.00	
Columbarium Saturday Charges Additional	each		\$173.00	\$173.00	
Engrave Niche Standard Inscription	each		\$508.00	\$508.00	
Engrave Niche Additional Date	each		\$203.00	\$203.00	
Foundations For Monument	per cubic foot		\$36.00	\$36.00	
Corner Posts	set of four		\$235.00	\$235.00	
Setting Corner Posts	each		\$60.00	\$60.00	
Setting Flat Marker (larger than 173 sq. inches)	each		\$173.00	\$173.00	
Setting Flat Marker (smaller than 173 sq. inches (footstone))	each		No Charge	No Charge	
Staking for Flat Marker (monument dealer installation)	each		\$50.00	\$50.00	
Care and Maintenance Marker (less than 173 sq. inches)	each		No Charge	No Charge	
Care and Maintenance Marker (more than 173 sq. inches)	each		\$50.00	\$50.00	Legislated amount - FBCSA
Care and Maintenance Upright Monument (equal to or less than 4'0" in width or height)	each		\$100.00	\$100.00	Legislated amount - FBCSA
Care and Maintenance Upright Monument (greater than 4'0" in width or height)	each		\$200.00	\$200.00	Legislated amount - FBCSA
Use of Greens and Lowering Device	each		\$305.00	\$305.00	
Winter Storage in Vault	each		\$254.00	\$254.00	
Transfer of Interment or Scattering Rights	each		\$122.00	\$122.00	
Duplicate Interment Rights Certificate	each		\$30.00	\$30.00	
Administration of Resale of Rights	each		\$173.00	\$173.00	

Schedule E – Planning and Development					
Note: Legal and other administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
E – 1 Planning Fees					
Administration					
Planning Department Fees waived if the application is initiated by the City or is for an organization that the City is involved with.	each	None	Waived	Waived	
Zoning Compliance Letter	each	None	\$114.00	\$114.00	By-law 2013-006
Zoning Compliance Letter - Rush Fee	each	None		\$250.00	New
Site Plan Compliance Letter	each	None	\$114.00	\$114.00	By-law 2013-006
Site Plan Compliance Letter - Rush Fee	each	None		\$250.00	New
Subdivision Compliance Letter			\$114.00	\$114.00	
Subdivision Compliance Letter - Rush Fee	each	None		\$250.00	New
Clearance to fulfill Oak Ridges Moraine	each	None	\$520.00	\$520.00	
Applicant Requested Deferral for any Application	each	None	\$343.00	\$343.00	
Written Responses to Property Inquiries	each	None	\$114.00	\$114.00	By-law 2013-006
GIS Mapping Requests (CKL Mapping only up to 11x17 paper size)	each	None	\$32.00 plus \$10 per additional map	\$32.00 plus \$10 per additional map	
Copying of Maps and Drawings	Per map or drawing	None	\$20.00	\$20.00	
Photocopying or Scanning of Documents	(each side for double sided)	None	\$0.50	\$0.50	
Information Requests for Closed Planning Act Application Files	Per File	Photocopying charges	\$312.00	\$150.00	
File Status Update Letter for any type of application	each	None	\$572.00	\$572.00	By-law 2013-006
Pre-consultation Application	each	None	\$225.00	\$300.00	By-law 2013-006
Peer Review of all Specialized Reports or Studies	each	\$2,400.00 deposit required	Actual Costs	Actual Costs	By-law 2013-006
Pre-screening Application to Open a Road Allowance	each	None	\$225.00	\$225.00	
LPAT Appeal Fees					
OMB Participation Costs	each	\$2,400.00 deposit required	Actual Costs	Actual Costs	By-law 2013-006
Legal Expenses (not identified through applications)	each	Applicant responsible for 100% of City's legal fees	Actual Costs	Actual Costs	By-law 2013-006
Official Plan Amendment					
Advertising Fee	each		\$458.00	\$458.00	By-law 2013-006
Official Plan Amendment- Minor	each	Advertising Fee	\$3,991.00	\$3,991.00	By-law 2013-006
Official Plan Amendment -Major Applications for commercial development greater than 2,500 sq. m.; deletion or addition to the designated road network; tourist commercial development; an application that has broader policy implications for the City as deemed by the Director of Development Services	each	Advertising Fee	\$5,706.00	\$5,706.00	By-law 2013-006
Pit or Quarry where proposed annual tonnage is less than 100,000 tonnes	each	Advertising Fee	\$4,573.00	\$4,573.00	By-law 2013-006
Pit or Quarry where proposed annual tonnage is between 100,000-500,000 tonnes	each	Advertising Fee	\$6,849.00	\$6,849.00	By-law 2013-006
Pit or Quarry where proposed tonnage is between 500,000-1,000,000 tonnes	each	Advertising Fee	\$12,561.00	\$12,561.00	By-law 2013-006
Pit or Quarry where proposed annual tonnage is over 1,000,000 tonnes	each	Advertising Fee	\$18,272.00	\$18,272.00	By-law 2013-006
Application Revision	each	Advertising Fee	\$1,143.00	\$1,143.00	By-law 2013-006
Zoning By-Law Amendment – Minor					
Advertising Fee	each		\$458.00	\$458.00	By-law 2013-006
Rezoning Application where required as a condition of consent	each	Advertising Fee	\$1,143.00	\$1,143.00	
Rezoning Application base fee plus the applicable fees that follow below:	each	Advertising Fee	\$2,286.00	\$2,286.00	By-law 2013-006
a) set fee per residential lot, block, and/or dwelling unit to a maximum fee of \$10,000.00; and/or,	each	None	\$26.00	\$26.00	By-law 2013-006
b) set fee per 100 sq. m. or part thereof of proposed commercial gross floor area; and/or,	each	None	\$78.00	\$78.00	By-law 2013-006
c) set fee per 100 sq. m. or part thereof of proposed industrial gross floor area	each	None	\$78.00	\$78.00	By-law 2013-006
d) set fee per 100 sq. m. or part thereof of proposed institutional gross floor area	each	None	\$32.00	\$32.00	By-law 2013-006
Zoning By-Law Amendment – Major					
Application is associated with an official plan amendment application; a draft plan of subdivision or condominium; involves multiple properties; has background technical studies to be reviewed; and/or has zoning implications throughout the City					
Advertising Fee	each		\$458.00	\$458.00	By-law 2013-006

Schedule E – Planning and Development					
Note: Legal and other administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Rezoning Application base fee plus the applicable fees that follow below:	each	Advertising Fee	\$3,430.00	\$3,430.00	
a) set fee per residential lot, block, and/or dwelling unit to a maximum fee of \$10,000.00; and/or,	each	None	\$26.00	\$26.00	
b) set fee per 100 sq. m. or part thereof of proposed commercial gross floor area; and/or,	each	None	\$78.00	\$78.00	
c) set fee per 100 sq. m. or part thereof of proposed industrial gross floor area	each	None	\$32.00	\$32.00	
d) set fee per 100 sq. m. or part thereof of proposed institutional gross floor area	each	None	\$32.00	\$32.00	
Application Revisions	each	Advertising Fee	\$1,143.00	\$1,143.00	By-law 2013-006
Removal of (H) Holding Symbol					
Advertising Fee	each		\$229.00	\$229.00	By-law 2013-006
Removal of Holding Rezoning Application	each	Advertising Fee plus Conservation Authority fee if a condition of the Removal of (H) Holding relates to their comments	\$572.00	\$572.00	By-law 2013-006
Draft Plan of Subdivision or Condominium					
Advertising Fee	each		\$458.00	\$458.00	By-law 2013-006
Residential and/or Mixed Use - base fee plus set fee per new residential, commercial, and institutional lot/block to a maximum fee of \$15,000.00 plus legal and registration fees	each	Advertising Fee	\$6,849.00 plus \$26.00	\$6,849.00 plus \$26.00	By-law 2013-006
Non-Residential - base fee plus set fee per new industrial, commercial, and institutional block plus legal and registration fees	each	Advertising Fee	\$3,419.00 plus \$26.00	\$3,419.00 plus \$26.00	By-law 2013-006
Resubmission Fee for Fourth Submission	each	None		\$2,000.00	New
Extension of Draft Plan Approval	each	None	\$343.00	\$343.00	By-law 2013-006
Minor Revisions to Draft Plan Approval where no recirculation is required	each	None if Public Meeting not required	\$343.00	\$343.00	By-law 2013-006
Minor Revisions to Draft Plan Approval where agency recirculation is required	each	None if Public Meeting not required	\$572.00	\$572.00	By-law 2013-006
Major Revisions to Draft Plan Approval	each	Advertising Fee	\$5,540.00	\$5,540.00	By-law 2013-006
Clearance of Draft Plan Conditions	each	None	\$572.00	\$572.00	By-law 2013-006
Preparation of Subdivision or Condominium Agreement (includes legal and registration	each	None	\$2,214.00	\$2,214.00	By-law 2013-006
Condominium Conversion	each	None if Public Meeting not required	\$1,143.00	\$1,143.00	
Exemption for a Condominium	each	None	\$722.00	\$722.00	
Removal of Road Reserves	each	None	\$343.00	\$343.00	
Part Lot Control					
Part Lot Control (including legal and registration fees)	each	Plus \$40.00 for each additional division	\$675.00	\$675.00	By-law 2013-006
Deeming By-law of Repeal of Deeming By-Law					
Deeming By-law of Repeal of Deeming By-Law (includes legal and registration fees)	each	None	\$800.00	\$800.00	By-law 2013-006
Deeming Application where required as a condition of any other Planning Act application or where associated with the sale of City lands	each	None	\$400.00	\$400.00	
By-law 2018-043 effective March 20, 2018					
Combined Planning Applications					
Advertising Fee	each		\$458.00	\$458.00	By-law 2013-006
Where an applicant submits any combination of an official plan amendment, zoning by-law amendment, draft plan of subdivision, and/or draft plan of condominium applications together at the same time, the highest application fee is the base fee and all other application fees are reduced by 50%. Only one advertising fee will be charged	each	Advertising Fee			By-law 2013-006
Minor Variance					
Advertising Fee	each		\$229.00	\$229.00	By-law 2013-006
Minor Variance Pre-screening, if required as determined by staff	each	None	\$225.00	\$225.00	By-law 2013-006
Minor Variance	each	Advertising Fee	\$1,143.00	\$1,143.00	By-law 2013-006
Minor Variance where required as a condition of consent	each	Advertising Fee	\$800.00	\$800.00	
Minor Variance for Approval of Accessibility Structures	each	Advertising Fee	\$572.00	\$572.00	
By-law 2018-043 effective March 20, 2018					

Schedule E – Planning and Development					
Note: Legal and other administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Consent					
Consent Potential Inquiries	each		\$225.00	\$225.00	By-law 2013-006
Advertising Fee	each	None	\$229.00	\$229.00	By-law 2013-006
Consent for lot creation - base fee plus set fee for each additional lot or boundary adjustments when applications are submitted at the same time	each	Advertising Fee	\$1,143.00 plus \$229.00	\$1,143.00 plus \$229.00	By-law 2013-006
Consent for easement, charge, lease, right-of-way, correction of title, and validation of title	each	Advertising Fee	\$982.00	\$982.00	By-law 2013-006
Consent for boundary adjustments - base fee plus set fee for each additional boundary adjustment when all applications are submitted at the same time	each	Advertising Fee	\$982.00 plus \$156.00	\$982.00 plus \$156.00	By-law 2013-006
Amendments to consent when recirculating required	each	Advertising Fee	\$343.00	\$343.00	By-law 2013-006
Stamping Fee: certificate for lot creation, lot retention, and boundary adjustments	each	None	\$458.00	\$458.00	By-law 2013-006
Stamping Fee: certificate for an easement, charge, lease, right-of-way, correction of title and validation of title	each	None	\$229.00	\$229.00	By-law 2013-006
Consent Agreement (Preparation, legal and registration of fees)	each	None	\$1,143.00 plus \$520.00	\$1,143.00 plus \$520.00	By-law 2013-006
Site Plan Approval					
Request for Exemption from Site Plan Control	each	None	\$343.00	\$343.00	By-law 2013-006
Residential - base fee plus set fee per residential dwelling unit plus additional fees for agreement preparation and registration	each	None	\$2,287.00 plus \$26.00 plus \$1,143.00 plus \$520.00	\$2,287.00 plus \$26.00 plus \$1,143.00 plus \$520.00	By-law 2013-006
Mixed Use Building - base fee plus set fee per residential dwelling unit plus set fee per 100 sq.m. or part thereof of proposed non-residential floor space, plus additional fees for agreement preparation and registration	each	None	\$2,287.00 plus \$26.00 plus \$78.00 plus \$1,143.00 plus \$520.00	\$2,287.00 plus \$26.00 plus \$78.00 plus \$1,143.00 plus \$520.00	By-law 2013-006
Non-Residential - base fee plus set fee per 100 sq.m. or part thereof of proposed commercial floor space, and/or plus set fee per 100 sq.m. or part thereof of proposed industrial floor space, and/or plus set fee per 100 sq.m. or part thereof of proposed institutional floor space plus additional fees for agreement preparation and registration	each	None	\$2,287.00 plus \$26.00 plus \$78.00 plus \$1,143.00 plus \$520.00	\$2,287.00 plus \$26.00 plus \$78.00 plus \$1,143.00 plus \$520.00	By-law 2013-006
Resubmission Fee for Fourth Submission	each	None		\$2,000.00	New
Amending Site Plan Approval					
Residential - base fee plus set fee per residential dwelling unit plus additional fees for agreement preparation and registration	each	None	\$1,715.00 plus \$26.00 plus \$1,143.00 plus \$520.00	\$1,715.00 plus \$26.00 plus \$1,143.00 plus \$520.00	By-law 2013-006
Mixed Use Building - base fee plus set fee per residential dwelling unit plus set fee per 100 sq.m. or part thereof of proposed non-residential floor space plus additional fees for agreement preparation and registration	each	None	\$1,715.00 plus \$26.00 plus \$52.00 plus \$1,143.00 plus \$520.00	\$1,715.00 plus \$26.00 plus \$52.00 plus \$1,143.00 plus \$520.00	By-law 2013-006
Non-Residential - base fee plus set fee per 100 sq.m. or part thereof of proposed commercial floor space, and/or plus set fee per 100 sq.m. or part thereof of proposed industrial floor space, and/or plus set fee per 100 sq.m. or part thereof of proposed institutional floor space plus additional fees for agreement preparation and registration	each	None	\$1,715.00 plus \$78.00 plus \$32.00 plus \$1,143.00 plus \$520.00	\$1,715.00 plus \$78.00 plus \$32.00 plus \$1,143.00 plus \$520.00	By-law 2013-006
Resubmission Fee for Fourth Submission	each	None		\$2,000.00	New
Minor Site Plan Approval					
Plans only approval or with scoped site plan agreement for such uses as chip trucks, temporary new home sales trailers/offices, minor building extensions or alterations, school portables, or government agency reviews exempt from site plan control	each	None	\$572 plus \$832 for site plan agreement	\$572 plus \$832 for site plan agreement	By-law 2013-006
Telecommunications Application Fees					
Telecommunications Tower Application	each	None	\$2,286.00	\$2,286.00	By-law 2013-006
Refund of Application Fees					
Advertising	each	None	90% if not advertised	90% if not advertised	By-law 2013-006
If request submitted within one (1) year from date of application being received and prior to preparation of staff report	each	None	25% of total application fee refundable	25% of total application fee refundable or at the discretion of the Director of Development Services	By-law 2013-006

Schedule E – Planning and Development					
Note: Legal and other administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Preparation of Development Agreement					
Where required in conjunction with a Planning Act application but not mentioned above plus registration fee	each	None	\$1,143.00 plus \$520.00	\$1,143.00 plus \$520.00	
Where required but not in conjunction with a Planning Act application such as roadway construction, fulfillment of Oak Ridges Moraine Conservation Plan conditions plus registration fee	each	None	\$1,143.00 plus \$520.00	\$1,143.00 plus \$520.00	
Where required to register a restrictive covenant on title or facilitate the merger of one or more properties plus registration fee	each	None	\$1,559.00 plus \$520.00	\$1,559.00 plus \$520.00	
E – 2 Permits					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Pool Permits	each		\$110.00	\$110.00	By-law 2005-314
Additional Residential Units	each		\$142.00	\$142.00	By-law 2014-305

Schedule F – Engineering					
Note: Legal and other administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
F -1 Approvals					
Subdivision Approval					
Basic Fee - Percentage of constructed value of the public infrastructure created relative to the subdivision	each		3.70%	3.70%	By-law 2007-132
Site Plan Approval					
Basic Fee – Percentage of constructed value of the site works created relative to the project	each		3.70%	3.70%	By-law 2007-132
Condominium Approval					
Basic Fee - Percentage of the constructed value of the infrastructure	each		3.70%	3.70%	By-law 2007-132
Abnormally complex proposals or where additional submissions or inspections required	each		Actual Costs	Actual Costs	By-law 2007-132
F – 2 Permits					
Patio Permits	each		\$286.00	waived - CW2020-164	By-law 2016-009

Schedule G – Waste Management					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
G – 1 Waste Management Fees					
Solid Waste Tipping Fees shall always be based on weight when a weight fee is listed for that item. Volume based fees will apply if there is a failure of the scale system					
Residential Recyclable Materials (Blue/Comingle & Green/ Paper Box Recycling)	each		Free	Free	By-law 2016-144
Residential Household Hazardous Waste (at designated landfill sites only)	each		Free	Free	By-law 2016-144
Residential Waste Electronic & Electrical Equipment	each		Free	Free	By-law 2016-144
Scrap Metal (including appliances without Freon)	each		Free	Free	By-law 2016-144
Ashes (must be cold to be accepted)	each		Free	Free	By-law 2016-144
Cannabis plants seized within the City of Kawartha Lakes by the Ontario Provincial Police or the Kawartha Lakes Police	Visit			Free	
Curbside Bag Tags	each		\$3.00	\$3.00	By-law 2016-144
Bulky/Large Item Tags	each			\$5.00	
Mattresses and Box Springs	each		\$15.00	\$15.00	By-law 2016-144
Appliances Containing Freon (refrigerators, air conditions, dehumidifiers, freezers, etc.)	item		\$20.00	\$20.00	By-law 2016-144
Residential/ Commercial Containers					
Standard 14 or 16 gallon green	each		\$7.00	\$7.00	
Standard 16 gallon blue	each		\$7.00	\$7.00	
Extra large 22 gallon blue boxes (for containers only)	each		\$9.00	\$9.00	
Commercial Recycling Carts (not available for residential collection)					
65 gallon blue and green carts	each		\$90.00	\$95.00	
95 gallon blue carts (for container recycling only)	each		\$105.00	\$110.00	
Rain Barrels					
Rain Barrel	each		\$75.00	\$75.00	
Composters					
Tumbling composter	each		\$65.00	\$65.00	
Backyard composters (80 gallons)	each		\$45.00	\$45.00	
Kitchen compost pails (2 gallons)	each		\$3.00	\$3.00	
Digesters	each		\$70.00	\$70.00	
Weight Based Tipping Fees					
Minimum charge Sorted Material (Waste)	Visit		\$5.00	\$10.00	By-law2016-144/CR2020-474
Minimum charge Mixed Load (Waste and Leaf & Yard Materials)	Visit		\$7.00	\$14.00	By-law2016-144/CR2020-474
Sorted Waste over \$5 by weight	Tonne		\$115.00	\$120.00	By-law2016-144/CR2019-641
Sorted Leaf & Yard Material over 250kg	Tonne		\$115.00	\$120.00	By-law2016-144/CR2019-641
Mixed Loads (more than 20% by volume of recyclable materials and/or opaque bags)	tonne		\$215.00	\$220.00	By-law2016-144/CR2019-641
Contaminated Soil (suitable for daily cover)	tonne		\$50.00	\$50.00	By-law 2016-144
Contaminated Soil (not suitable for daily cover)	tonne		\$115.00	\$120.00	By-law2016-144/CR2019-641
Boat and Bale Wrap	tonne		\$115.00	\$120.00	By-law2016-144/CR2019-641
Asbestos	tonne		\$250.00	\$250.00	By-law 2016-144
Construction and Demolition Waste	tonne		\$115.00	\$120.00	By-law2016-144/CR2019-641
Residential, Industrial, Commercial and Institutional Waste	tonne		\$115.00	\$120.00	By-law2016-144/CR2019-641
Fees When Scales are inoperative or for Freon Removal					
Minimum charge Sorted Material (Waste)	Visit		\$5.00	\$5.00	By-law 2016-144
Minimum Charge Mixed Load (Waste and Leaf & Yard Material)	Visit		\$7.00	\$7.00	By-law 2016-144

Schedule G – Waste Management					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Sorted Waste Material over \$5.00 by cubic yard	Cubic yard		\$20.00	\$22.50	By-law 2016-144
Sorted Leaf & Yard Material over 1.75 cubic yard	Cubic yard		\$20.00	\$22.50	By-law 2016-144
Mixed Loads (more than 20% by volume of recyclable materials and/or opaque bags)	cubic yard		\$40.00	\$45.00	By-law 2016-144
Asbestos per cubic yard	Cubic yard		\$125.00	\$125.00	
RV Disposal per visit at Lindsay Ops Only	per visit		\$5.00	\$5.00	
Vac Trucks	per load		\$200.00	\$200.00	
Boats	per foot		\$3.00	\$3.00	By-law 2016-144
Residential, Industrial, Commercial and Institutional Waste	cubic yard		\$20.00	\$22.50	By-law 2016-144
Boat and Bale Wrap	cubic yard		\$20.00	\$22.50	By-law 2016-144
Construction and Demolition Waste	cubic yard		\$60.00	\$65.00	By-law 2016-144
Contaminated Soil (suitable for cover material)	cubic yard		\$25.00	\$25.00	By-law 2016-144
Contaminated Soil (not suitable for cover material)	cubic yard		\$65.00	\$70.00	By-law 2016-144

Schedule H – Public Works					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
I – 1 Oversize and Overweight Loads					
Single Move Permit	each		\$55.00	\$55.00	By-law 2010-064
Annual Permit	each		\$220.00	\$220.00	By-law 2010-064
I – 2 Reduced Load Permit					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Permit for moving of heavy Vehicles, loads, objects or structures in excess of the load restrictions	each		\$55.00	\$55.00	By-law 2005-077
I – 3 Entrance Permit					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Consent Application Review	each		\$104.00	\$104.00	
Entrance Permit Application Fee (valid for one year)	each		\$113.00	\$113.00	
Installation of Access / Entrance Way					
City Hired Contractor (per 3.04 a, b and 3.06 b)		Full quoted cost plus actual administration costs			By-Law 2017-151
Application Hired Contractor					
Residential, filed, agricultural, temporary or utility entrance (per 3.04 and 3.06a)		\$ 2,000 deposit required. Actual cost including administration to be paid by applicant.			By-Law 2017-151
Commercial, Industrial, Institutional, emergency or public entrance (per 3.04 and 3.06a)		Deposit amount to be set by the Director. Actual costs including administration to be paid by applicant.			By-Law 2017-151
Failure to Comply with By-Law					
Contravention of By-Law (Per 7.02 a)		Fine as outlined in the Provincial Offences Act			By-Law 2017-151
Per 7.02 b - First offence		\$ 1,000 plus remedy and administration costs			By-Law 2017-151
Per 7.02 b - Second and succeeding offences		\$ 2,000 plus remedy and administration costs			By-Law 2017-151
I – 4 Installation of Banners over City Roads					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
Not for Profit, Charitable, Community Based Organization	location/year				Policy 140 EPW 012
Second and Subsequent Signs	week		\$110.00	\$110.00	Policy 140 EPW 012

Schedule I – Transit					
Note: Administration charges outlined in Schedule A may apply to transactions contained in this schedule. See Schedule A for details.					
Service Description	Unit	Additional Fees	Rate Effective January 1, 2020	Rate Effective January 1, 2021	Reference
I – 1 Transit Fees					
Per Trip					
Adults	trip		\$2.50	\$2.50	CR2017-632/By-law 2010-117
Students	trip		\$2.00	\$2.00	CR2017-632/By-law 2010-117
Children 8-14	trip		\$1.50	\$1.50	CR2017-632/By-law 2010-117
Children Under 8	trip		no charge	no charge	CR2017-632/By-law 2010-117
Tokens	6 tokens		\$10.00	\$10.00	CR2017-632/By-law 2010-117
	12 tokens		\$20.00	\$20.00	CR2017-632/By-law 2010-117
Monthly Pass					
Adults	pass		\$65.00	\$65.00	CR2017-632/By-law 2010-117
Seniors/Students	pass		\$55.00	\$55.00	CR2017-632/By-law 2010-117
Transit Charters					
For Profit Organizations (minimum 4 hours)	per hour		\$85.00	\$85.00	CR2017-632/By-law 2010-117
Not For Profit Organizations (minimum 4 hours)	per hour		\$42.50	\$42.50	CR2017-632/By-law 2010-117
2017-215 Effective October 24, 2017					

The Corporation of the City of Kawartha Lakes

By-Law 2021-

A By-Law to Amend By-Law 2007-236, being A By-Law Respecting the Sale and the Setting Off of Fireworks within the City of Kawartha Lakes

Recitals

1. By-Law 2007-236, being a by-law respecting the sale and the setting off of fireworks within the City of Kawartha Lakes, was adopted by Council on October 30, 2007.
2. At the September 15, 2020 Regular Council Meeting Council approved Resolution CR2020-263 directing that specific by-law amendments respecting the sale of fireworks be brought forward to Council for adoption.
3. This by-law amends By-Law 2007-236 to reflect that direction.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2021- .

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law,

All defined terms in the amending By-Law take their meaning from City of Kawartha Lakes By-Law 2007-236, as amended.

1.02 Interpretation Rules:

(a) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

- ##### **1.03 Severability:**
- If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Amendment Details

2.01 Section 1.01: Definitions

That the definition of “municipal law enforcement officer” within Section 1.01 of By-law 2007-236 be deleted in its entirety and be replaced with the following:

“municipal law enforcement officer” means a person appointed by Council under section 15 of the Police Services Act, R.S.O. 1990, c.P.15 to enforce the by-laws of the City and reports to the Manager of Municipal Law Enforcement and Licensing

2.02 **Section 1.01: Definitions**

That the following definition be added to Section 1.01 of By-law 2007-236:

"special event" or **"event"** means any cultural, recreational or educational event of limited duration, including an exhibition, show, display, concert, festival, race, competition, public entertainment, parade and any other organized public amusement, whether free or for a fee.

2.03 **Section 6.00: Use of Consumer Fireworks**

That Section 6.00 of By-Law 2007-236 be amended to include the following as Section 6.01, and that the subsequent subsections of Section 6:00 be renumbered to accommodate the addition of 6.01:

6.01: No person shall discharge Consumer Fireworks except between dusk and 11:00 PM on the day of, or within the 1 day preceding or the 1 day following the days set for observance of Victoria Day, Canada Day, Family Day, Indigenous Peoples Day, Labour Day or New Years Eve, or pursuant to a Permit for a special event.

2.04 **Section 8:00: Permits and Fees:**

That Section 8.00 of By-Law 2007-236 be amended to include the following as Sections 8.02 and 8.03, and that the subsequent subsections of Section 8.00 be renumbered to accommodate the addition of 8.02 and 8.03:

8.02 No person shall discharge fireworks without a Discharge Permit other than listed in 8.03.

8.03 No Discharge Permit shall be required to discharge Consumer Fireworks on, or the 1 day preceding or the 1 day following:

- a) Victoria Day
- b) Canada Day
- c) Family Day
- d) Indigenous Peoples Day
- e) Labour Day
- f) New Years Eve

2.05 **Section 8:00 Permits and Fees:**

That Section 8.20 of By-Law 2007-236 be deleted in its entirety and replaced with the following:

8.20 Where any holder of any permit issued under any section of this by-law fails or refuses to comply with a term or condition to which the permit is subject, the Fire Chief or Municipal Law Enforcement Officer shall immediately revoke the permit and the Fire Chief shall forthwith send a written notice of that revocation to the permit holder.

Section 3.00: Administration and Effective Date

- 3.01 **Administration of the By-law:** The Fire Chief and City Clerk are responsible for the administration of this by-law.
- 3.02 **Effective Date:** 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 18 day of May, 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk

The Corporation of the City of Kawartha Lakes

By-law 2021-XXX

A By-Law to Confirm the Proceedings of a Regular Meeting of Council, Tuesday, May 18, 2021

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 2021-XXX.

Section 1.00: Confirmation

- 1.01 The actions of the Council at the following meeting:

Tuesday, May 18, 2021, Open Session, Regular Council 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 18th day of May 2021.

Andy Letham, Mayor

Cathie Ritchie, City Clerk