

# The Corporation of the City of Kawartha Lakes

## Committee of the Whole Report

Report Number MLE 2020-001

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**Meeting Date:** February 4, 2020

**Title:** Review and amendments to:

By-Law 2014-026 being a By-Law To Require The Owners of Yards Within Kawartha Lakes To Clean and Clear Them;

By-Law 2013-043 being a by-law to regulate the fortification of land; and

By-Law 2016-210 being a bylaw To Licence, Regulate and Govern Transient Trader Businesses in Kawartha Lakes

**Description:** Review of by-laws and recommended amendments.

**Ward Number:** All

**Author and Title:** Aaron Sloan – Manager of Municipal Law Enforcement and Licensing

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### Recommendation(s):

**That** Report MLE2020-001 By-Law Review and Updates, be received; and

**That** the recommended by-laws be amended and forwarded to Council for adoption.

**That** this recommendation be brought forward to Council for consideration at the February 18, 2020 Regular Council Meeting.

**Department Head:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

## **Background:**

Staff in the Municipal Law Enforcement and Licensing Division frequently review and update by-laws. Some reviews occur at the direction of Council, Senior Management or are mandated by legislation, policy and change in processes.

The Lean Six Sigma Black Belt program teaches continuous process review to find savings and efficiencies. The attached by-laws have been reviewed by staff to determine if they should be updated to realize potential cost recovery, savings and efficiencies for the City.

This report addresses continual review, updating and realignment with policy, legislation and process.

## **Rationale:**

Staff has reviewed the following by-laws and determined deficiencies or the need for minor updates/amendments.

### **By-law 2014-026 being a By-Law To Require The Owners of Yards Within Kawartha Lakes To Clean and Clear Them.**

Staff has determined that the Clean and Clear by-law requires that all grass and weeds be kept at a maximum height of 8 inches. An increasing trend by some property owners is to allow their lawns to revegetate with higher plants and trees, which may in some instances, become a contravention of this By-law.

This By-law conflicts with the current City of Kawartha Lakes Official Plan, which contains policies to protect lake water quality by encouraging shoreline naturalization and reinstatement of tree cover. Naturalized and/or vegetative shorelines shall be retained and restored to uphold the environmental integrity of the waterfront.

KRCA and the City are working to implement the Lake Management Plans, which also include programs to educate waterfront property owners about the importance of naturalizing the shoreline. Both of these policy directions as well as the action of residents described above would not be in compliance with the Clean and Clear By-law.

In order to align the intention of the Official Plan and the Lake Management Plan staff is recommending that By-law 2014-026 being a by-law to require the owners of yards within Kawartha Lakes to Clean and Clear section 1.01 (e) "Debris" be amended to read:

- Note: Section 1.01 (e) (xi) shall not apply to lands designated and/or zoned Open Space, Environmental Protection, Agricultural which are

classified as a Rural lot as defined by this by-law and to lands designated Waterfront, Prime Agricultural or Rural, within 30 metres of the waterfront, a wetland, water body or watercourse. This shall also include any property fronting onto a waterbody within designated hamlet settlement areas and urban settlement areas.

The Consolidated Fees by-law guides staff in the administration of fees. Staff has reviewed By-law 2014-026 being a by-law to require the owners of yards within Kawartha Lakes to Clean and Clear and is recommending that the by-law be amended by adding:

- “2.08 Cost Recovery, where sections 2.01, 2.06 and 2.07 are invoked an administrative fee shall be charged as set out in 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.”

The Clean and Clear by-law 2014-026 sections 3.05, 4.06 and 6.02 be amended by removing the words “Schedule A-9 to”.

**By-Law 2013-043 being a by-law to regulate the fortification of land**

Staff is recommending that By-Law 2013-043 be amended by adding:

- “11.04 Where sections 5.01, 8.01 and 10.01 are invoked an administrative fee shall be charged as set out in 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.”

**By-Law 2016-210 being a bylaw To Licence, Regulate and Govern Transient Trader Businesses in Kawartha Lakes**

The Consolidated Fees By-Law guides staff in the administration of fees and has been recently updated to include the Transient Trader License fee chart (listed below). As a result of the update staff is recommending that By-Law 2016-210 be amended by removing the following chart to avoid duplication and confusion:

**Licence Fees**

Annual Transient Trader Licence Fee per year or part year	\$300.00
Special Community Event 1-5 Transient Trader	\$25.00 per Transient Trader
Special Community Event 5 or more Transient Trader	\$25 for first 5 vendors, \$15 per each additional Transient Trader
Door-to-Door Sales Transient Trader Licence	\$500.00
Licence Replacement	\$15.00

**Other Alternatives Considered:**

No other alternatives have been considered. The requested by-law amendments are the result of reviews and are required to allow for consistent wording and process.

**Financial/Operation Impacts:**

The amended by-laws will see improved wording which will obligate potential users of the services to be charged a fee for their violation of the by-law. In addition, the license fees will facilitate a quick and efficient collection of all fees. The implementation of these amendments will not significantly impact staff operations and will be absorbed within current budgets. The resulting revenue will be minor, but it will serve to lower the overall burden on the taxpayer.

**Relationship of Recommendations To The 2016-2019 Strategic Plan:**

This report and recommended by-law amendments align with the Strategic Enabler of responsible resource management and corporate values of continuous improvement and excellence.

**Review of Accessibility Implications of Any Development or Policy:**

N/A

**Consultations:**

Director, Development Services  
Manager of Planning  
Licensing Enforcement Officer

**Attachments:**

Appendix A: Draft Consolidated Version of By-law 2014-026, Clean and Clear By-law - Redline Version



2014-026  
Consolidated Clean an

Appendix B: Draft Consolidated Version of By-law 2013-043, Fortification of Land By-law – Redline Version



2013-043  
Consolidated Fortificat

Appendix C: Draft Consolidated Version of By-law 2016-210, Transient Traders  
By-law – Redline Version



2016-210 By-law to  
Licence Regulate and

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**Department Head: Cathie Ritchie**