

MINUTES
OF THE TWELFTH REGULAR MEETING OF THE ONE HUNDRED
AND TWENTY SEVENTH COUNCIL OF THE TOWN OF CARLETON PLACE

The Twelfth Regular Meeting of the One Hundred and Twenty Seventh Council of the Town of Carleton Place was held in the Town Hall Council Chambers on Tuesday, June 14, 2016 at 7:00 p.m.

PRESENT: Mayor Antonakos Deputy-Mayor Flynn
 Councillor Black Councillor Doucett
 Councillor Redmond Councillor Fritz
 Councillor Trimble

STAFF: P. Knowles, C.A.O.
 D. Rogers, Clerk
 L. Reynolds, Director of Protective Services
 N. Guthrie, Acting Communications Coordinator

I OPENING PRAYER

Mayor Antonakos asked members of Council and the public present to stand for a moment of silence.

II DISCLOSURE OF PECUNIARY INTEREST

None

III MINUTES OF PREVIOUS MEETING

Motion No. 12-127-01

Moved by Deputy-Mayor Flynn, seconded by Councillor Doucett

THAT the Minutes of the Eleventh Regular Meeting of the 127th Council held on May 24, 2016 be adopted as printed.

CARRIED

IV DELEGATIONS

None

V COMMUNICATIONS

127227 - 127256

VI READING OF BY-LAWS

By-law No. 27-2016

Motion No. 12-127-02

Moved by Councillor Black, seconded by Councillor Redmond

THAT By-law No. 27-2016 (**To Amend By-law No. 13-2015**) be read a first time, second time and third time and finally passed.

CARRIED

By-law No. 28-2016

Motion No. 12-127-03

Moved by Councillor Redmond, seconded by Councillor Trimble

THAT By-law No. 28-2016 (**Building By-law**) be read a first time, second time and third time and finally passed.

CARRIED

By-law No. 29-2016

Motion No. 12-127-04

Moved by Councillor Trimble, seconded by Councillor Redmond

THAT By-law No. 29-2016 **(To Amend By-law 46-2003)** be read a first time, second time and third time and finally passed.

CARRIED

VII STANDING COMMITTEES

Policy Review Committee – May 24, 2016

Motion No. 12-127-05

Moved by Councillor Doucett, seconded by Councillor Fritz

Communication: 127229

THAT Council hereby accepts the Policy Review Committee's decisions related to the consent items of May 24, 2016 and approves the Council Actions.

CARRIED

Motion No. 12-127-06

Moved by Councillor Fritz, seconded by Councillor Doucett

Communication: 127228

THAT Council hereby authorizes the Chief Administrative Officer to execute the Conditions of a Grant Agreement.

CARRIED

Physical Environment Committee – June 7, 2016

Motion No. 12-127-07

Moved by Councillor Black, seconded by Councillor Trimble

Communication: 127244 127245 127246 127249 127251

THAT Council hereby accepts the Physical Environment Committee's decisions related to the consent items of June 7, 2016 and approves the Council Actions.

CARRIED

Motion No. 12-127-08

Moved by Deputy-Mayor Flynn, seconded by Councillor Doucett

Communication: 127250

THAT Council hereby authorizes staff to submit the following applications to the Canada 150 Community Infrastructure Program:

- 1st priority – Expansion of the Neelin Street Community Centre to create new change rooms – 33.3% of the \$1.0m budget
- 2nd priority – Replace HVAC System at Carambeck – 33.3% of the \$320,000 budget
- 3rd Priority – mark a channel for boats in the Mississippi River and expand docks – 33.3% of the \$30,000 budget

CARRIED

Motion No. 12-127-09

Moved by Councillor Doucett, seconded by Councillor Fritz

Communication: 126301

THAT Council hereby authorizes staff to issue a Purchase Order to MultiSeal Paving Company for the installation of Thermoplastic Decorative Crosswalk Treatment.

CARRIED

Planning and Protection Committee – June 7, 2016

Motion No. 12-127-10

Moved by Councillor Redmond, seconded by Councillor Black

Communication: 127201 127232 127233 127235

127237 127238 127239 127242

THAT Council hereby accepts the Planning and Protection Committee's decisions related to the consent items of June 7, 2016 and approves the Council Actions.

CARRIED

Motion No. 12-127-11

Moved by Councillor Trimble, seconded by Councillor Black

Communication: 127234

THAT Council hereby authorizes staff to issue a Purchase Order to Castle Masonry and Construction, and associated scaffolding company, for the repointing portion of the Town Hall, and for additional capital projects, specifically to repoint and repair the retaining walls found on Townline Road East.

CARRIED

Motion No. 12-127-12

Moved by Deputy-Mayor Flynn, seconded by Councillor Doucett

Communication: 127240

THAT Council hereby authorizes the Clerk to amend the list of 2016 Fees and Charges for the Town of Carleton Place to include a charge for 2nd and subsequent re-inspections of buildings at a rate of \$75.00 per hour with a minimum 1 hour charge.

CARRIED

Motion No. 12-127-13

Moved by Councillor Fritz, seconded by Councillor Doucett

Communication: 127236

THAT Council hereby grants an extension for an additional 6 months up to December 1, 2016 for Development Permit Application DP3-02-2011 but that this be the final extension granted.

CARRIED

Motion No. 12-127-14

Moved by Councillor Doucett, seconded by Councillor Fritz

Communication: 127243

THAT Council hereby authorizes staff to finalize an Agreement with Cavanagh whereby Cavanagh performs work in Roy Brown Park for a negotiated price that is equivalent to the area occupied by the SWM pond valued at \$80,000/Ac. Any difference between the value of the property for the SWM pond and the value of the work will be settled with a cash payment.

Motion No. 12-127-15

Moved by Councillor Doucett, seconded by Councillor Fritz

Communication: 127243

THAT Motion No. 12-127-14 be tabled and referred back to Committee.

CARRIED

Motion No. 12-127-14

TABLED

VIII OTHER BUSINESS

Mayor Antonakos, on behalf of Council, read a Proclamation declaring July 21, 2016 as People First of Lanark County Day in the Town of Carleton Place. The Mayor, on behalf of Council, read a second Proclamation declaring the month of June 2016 as Community Living Association Month in the Town of Carleton Place.

IX MAYOR'S ANNOUNCEMENTS/DATES TO REMEMBER

Mayor Antonakos reminded members of Council of the BIA Lambs Down Park Festival scheduled for Saturday, June 18, 2016 as well as the Annual Walk-a-thon by People First of Lanark County. Councillor Fritz also reminded members of Council of the Annual Bed Pan Golf Tournament hosted by the local hospital Foundation scheduled for Monday, June 20, 2016. Mayor Antonakos read a letter from the Canadian Association of Municipal Administrators congratulating the Clerk on thirty-five years of municipal administration service to the Town of Carleton Place.

X BY-LAW CONFIRMING COUNCIL PROCEEDINGS

By-law No. 30-2016

Motion No. 12-127-16

Moved by Councillor Black, seconded by Councillor Redmond

THAT By-law No. 30-2016 (**Confirm Council Proceedings**) be read a first time, second time and third time and finally passed.

CARRIED

XI SINGING OF O CANADA

Members of Council, Staff and the public present stood for the singing of O Canada.


XII ADJOURNMENT – 7:27 p.m.

Motion No. 12-127-17


Moved by Councillor Redmond, seconded by Councillor Trimble

THAT the Twelfth Regular Meeting of the One Hundred and Twenty Seventh Council be hereby adjourned.

CARRIED



Louis Antonakos, Mayor



D.H. Rogers, Clerk



AGENDA

TWELFTH REGULAR MEETING OF THE ONE HUNDRED AND
TWENTY SEVENTH COUNCIL OF THE TOWN OF CARLETON PLACE
Tuesday, June 14, 2016 Council Chambers at 7:00 p.m.

I OPENING PRAYER

II DISCLOSURE OF PECUNIARY INTEREST

III MINUTES OF PREVIOUS MEETING

Minutes of the Eleventh Regular Meeting of the 127th Council of May 24, 2016

IV DELEGATIONS

None

V COMMUNICATIONS

127227 –127256 (*copies of communications are available to view in the Clerk's Dept.*)

VI READING OF BY-LAWS

By-law No. 27-2016 – To Amend By-law No. 13-2015

By-law No. 28-2016 – Building By-law

By-law No. 29-2016 – To Amend By-law 46-2003

VII STANDING COMMITTEES

Policy Review Committee – May 24, 2016

127228 127229

Physical Environment Committee – June 7, 2016

127244 127245 127246 127249 127250 127251 126301

Planning and Protection Committee – June 7, 2016

127232 127233 127201 127234 127235 127236

127237 127238 127239 127240 127242 127243

VIII OTHER BUSINESS

Proclamation – People First Day in Carleton Place – July 21, 2016

Proclamation – Community Living Association Month – June 2016

IX MAYOR'S ANNOUNCEMENTS/DATES TO REMEMBER

X BY-LAW NO. 30-2016 CONFIRMING COUNCIL PROCEEDING

XI SINGING OF O'CANADA

XII ADJOURNMENT

BY-LAW NO. 27-2016

**A BY-LAW OF THE COUNCIL OF THE TOWN OF CARLETON PLACE TO
AMEND BY-LAW 13-2015 WHICH IS A BY-LAW TO ESTABLISH FEES
AND CHARGES FOR APPLICATIONS REGARDING
PLANNING MATTERS OF THE SAID CORPORATION**

WHEREAS Section 391 of the Municipal Act, 2001, S.O. c.25, as amended, provides that a municipality may impose fees or charges on persons,

- a) for services or activities provided or done by or on behalf of it;
- b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and
- c) for the use of its property including property under its control and;

WHEREAS, Section 69(1) of the Planning Act, R.S.O. 1990, P.13, as amended, provides that a municipality may establish a tariff of fees for the processing of applications made in respect of planning matters;

NOW THEREFORE BE IT RESOLVED THAT, The Council of the Corporation of the Town of Carleton Place enacts as follows:

1. THAT Schedule A to By-law 13-2015 be amended to include:

Type of Fee or Charge	Amount of Fee or Charge	Rational for Fee or Charge
Extension to time to complete a Planning Approval	\$500	Recovery of Administration Cost

2. THAT this shall come into force and effect as of the 14th day of June, 2016.

READ A FIRST TIME, A SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 14TH DAY OF JUNE 2016.

Louis Antonakos, Mayor

D. H. Rogers, Clerk

BY-LAW 28-2016

BEING A BY-LAW TO REGULATE CONSTRUCTION, DEMOLITION, AND CHANGE OF USE PERMITS FOR BUILDINGS, STRUCTURES, AND ALL OTHER RELATED SERVICES WITHIN THE TOWN OF CARLETON PLACE AND TO REPEAL BY- LAW 48-2007, AS AMENDED

BUILDING BY-LAW

WHEREAS pursuant to Section 9 of the Municipal Act, 2001 S.O. 2001, chapter 25 a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS pursuant to Section 10(2)6 AND Section 11(2)6 of the Municipal Act, 2001 S.O grants authority to local municipalities to adopt By-laws or portions thereof concerning the health, safety and well-being of persons;

AND WHEREAS pursuant to Section 8. (1) of the Municipal Act, 2001 S.O. 2001, chapter 25 the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 7 of the Building Code Act, 1992, S.O.1992, c.23, as amended, authorizes municipal council to pass By-laws respecting construction, demolition and change of use permits, inspections and related matters including fees;

AND WHEREAS notice was given and a Public meeting held on June 7, 2016 in accordance with the Building Code Act, 1992, S.O.1992, c.23, as amended in relation to proposed amendments to the Building By-law 48-2007, as amended with respect to building related fees;

AND WHEREAS the Council of The Corporation of the Town of Carleton Place deems it necessary and desirable to repeal By-laws 48-2007 as amended and to enact a new Building By-law for the issuance of permits and related matters, including the establishment of a fee schedule;

NOW THEREFORE, the Council of The Corporation of the Town of Carleton Place enacts as follows:

PART 1. GENERAL

- 1.1 This By-law may be cited as the "Building By-law".
- 1.2 Words in the singular may include the plural and words in the plural may include the singular.

- 1.3 Specific terms include both sexes and include corporations.
- 1.4 The headings and subheadings used in this By-law shall not form a part of the By-law, but shall be deemed to be inserted for convenience of reference only.
- 1.5 This By-law is to be read in conjunction with all the Statutes referred to in the preamble hereto and in the event that there is a conflict between the provisions of this By-law and the provisions of the Act or its regulations, then the provisions of the Act and its regulations as amended prevail.
- 1.6 Schedule "A", "B", "C", and "D" attached hereto shall form part of this By-law.

PART 2. DEFINITIONS

- 2.1 Non-defined terms.

In this By-law all words or phrases shall have the meaning accorded to them in the Code Act or its regulation (the Building Code); In addition to those words and phrases, in this By-law 28-2016.

- 2.2 "Act" means the Building Code Act, 1992, S.O.1992, c.23, as amended.
- 2.3 "Applicant" means the owner of a building or property who applies for a permit or any person authorized to apply for a permit on the owner's behalf, or any person or corporation empowered by statute to cause the construction or demolition of a building or buildings and anyone acting under the authority of such person or corporation.
- 2.4 "Building Code" means the regulations made under Section 34 of the Act.
- 2.5 "Chief Building Official" means the Chief Building Official appointed pursuant to Section 3.(2) of the Act and by By-law of the Corporation of the Town of Carleton Place for the purposes for the enforcement of the Act.
- 2.6 "Complete application" means an application that meets the requirements set out in the building code for applications, Part 4 of this By-law where the Chief Building Official is required to make a decision within a prescribed time.
- 2.7 "Conditional Permit" means a permit issued under Section 8(3) of the Act.
- 2.8 "Partial Permit" means a permit issued by the Chief Building Official to construct part of a building

- 2.9 "Permit" means permission or authorization given in writing by the Chief Building Official to perform work, to change the use of a building or part thereof, or to occupy a building or part thereof, as regulated by the Act and Building Code.
- 2.10 "Permit Holder" means the owner, as defined by Building Code, to whom the permit has been issued or where a permit has been transferred, the new owner to whom the permit has been transferred.
- 2.11 "Plot plan" means a detailed drawing(s) of proposed improvements to a given property at a defined scale, plot plans are also known as a site plans.
- 2.12 "Revised submission" means additional information filed with the Chief Building Official which depicts one or more changes to the proposed or as-constructed design of a building or part of a building for which a permit has already been issued and for which approval by the Chief Building Official is required.
- 2.13 "Supplementary submission" means a resubmission of additional information in relation to building permit application documents previously filed and reviewed, that requires additional review to determine Building Code compliance.
- 2.14 "Town" means The Corporation of the Town of Carleton Place.

PART 3. CLASSES OF PERMITS

- 3.1 Classes of Permits required for the construction, demolition, change of use, occupancy of a building shall be set out in Schedule "A" to this By-law.

PART 4. REQUIREMENTS FOR PERMIT APPLICATIONS

General Requirements

- 4.1 To be considered a complete application, every permit application shall be accompanied by the approval documents issued by the agencies responsible for the applicable laws listed in the Building Code.
- 4.2 An application for a Permit may be refused by the Chief Building Official where it is not a complete application.

- 4.3 The Chief Building Official is delegated the authority to create and/or adopt for usage, forms (other than those prescribed by the Act or the Code) which provide for the collection of specific information in relation to permit applications which information is necessary for the administration and enforcement of the Act and Code. This delegated authority is subject to the following conditions:
- 4.3.1 The Chief Building Official's office shall maintain a list of forms that it has issued or adopted for usage.
- 4.4 The Chief Building Official may, as the Chief Building Official deems appropriate provide prescribed forms in electronic format and may allow for electronic submission of completed permit application forms.
- 4.5 Notwithstanding Section 4.4 of this By-law, completed forms generated electronically shall be accepted subject to the endorsement by the applicant.
- 4.6 Applications submitted in accordance with this By-law or otherwise required by the Act become the property of the Town and will be disposed of or retained in accordance with relevant legislation or by-law.

Applications for Permits to Construct,

- 4.7 Every application for a Permit to construct a building shall;
- 4.7.1 identify and describe in detail the work to be done and the existing and proposed use and occupancy of the building, or part thereof, for which the building permit application is made;
- 4.7.2 be accompanied by the plans, specifications, documents, forms and other information prescribed in Parts 5 and 11 of this By-law; and
- 4.7.3 be accompanied by acceptable proof of corporate identity and property ownership, unless such proof is determined by the Chief Building Official to be unnecessary.

Applications for Permits to Demolish

- 4.8 Every application for a Permit to demolish a building shall:
- 4.8.1 identify and describe in detail the work to be done and the existing use and occupancy of the building, or part thereof, for which the application for a permit to demolish is made, and the proposed use and occupancy of that part of the building, if any, that will remain upon completion of the demolition;

- 4.8.2 be accompanied by the plans, specifications, documents, forms and other information prescribed in Part 5 of this By-law; and
- 4.8.3 be accompanied by acceptable proof of corporate identity and property ownership, unless such proof is determined by the Chief Building Official to be unnecessary.

Application for Permits to Construct Part of a Building

- 4.9 In addition to the requirements of Section 4.7 of this By-law, every application for a Partial Permit shall:
 - 4.9.1 require a permit application for the entire project;
 - 4.9.2 in addition to the plans, specifications, documents, forms and other information prescribed in Parts 5 and 11 of this By-law for the entire project, also include specifications, documents, forms and other information covering that part of the work for which application for a partial permit is made, as may be required by the Chief Building Official; and,
 - 4.9.3 include payment of all applicable permit fees, notwithstanding that the issuance of a partial permit may only grant permission to part of a building or structure, for the entire proposed project calculated in accordance with Part 7 of this By-law.
- 4.10 The Chief Building Official may issue a Partial Permit when the Chief Building Official determines it is appropriate to expedite substantial construction before a Permit for the entire building is available and where the relevant provisions of this By-law and the Act are met.
 - 4.10.1 When determining whether to issue a partial permit, the Chief Building Official shall have regard for the likelihood of subsequent approvals being available in a timely fashion such that a project is not interrupted and exposed to potential damage from the elements, while awaiting subsequent approvals.

Application for Conditional Permits

- 4.11 In addition to the requirements of Section 4.7 of this By-law, every application for a Conditional Permit shall:
 - 4.11.1 include a written statement from the applicant explaining why the applicant believes that unreasonable delays in construction would occur if a Conditional Permit is not granted;

- 4.11.2 include a written acknowledgement from the applicant of the necessary approvals that must be obtained in respect of the proposed building in order for the permit to be issued and the time in which such approvals will be obtained;
- 4.11.3 be accompanied by the plans, specifications, documents, forms and other information prescribed in Parts 5 and 11 of this By-law; and,
- 4.11.4 include payment of permit fees, notwithstanding that the issuance of a Conditional Permit may only grant permission to part of a building or structure, for the entire proposed project calculated in accordance with Part 7 of this By-law.

Conditional Permit Issuance: Discretionary

- 4.12 The Chief Building Official may, at his discretion, issue a Conditional Permit where unreasonable delays are anticipated in obtaining all necessary approvals, and where the relevant provisions of this By-law and the Act are met.
- 4.13 Prior to the issuance of a Conditional Permit the applicant, and any other persons the Chief Building Official determines, shall enter into a written agreement with the Town.

Applications for Permits for Change of Use

- 4.14 Every application for a Permit for a change of use shall:
 - 4.14.1 identify and describe in detail the existing and proposed use and occupancy of the building, or part thereof, for which the application for a Permit is made;
 - 4.14.2 be accompanied by the plans, specifications, documents, forms and other information prescribed in Part 5 of this By-law; and,
 - 4.14.3 include payment of all required fees and deposits prescribed by Part 7 of this By-law.

No Implication of Permit Availability

- 4.15 Notwithstanding the issuance of a Permit under Sections 4.10 (Partial) or 4.11 (Conditional) of this By-law, the Chief Building Official shall not be deemed, implied or obliged to issue any further or additional Permits for such property.

- 4.16 Where construction has commenced prior to the issuance of a Permit, a Permit based on any of the above applications may be issued at the sole discretion of the Chief Building Official.

Abandoned Permit and Permit Applications

- 4.17 An application for a Permit may be deemed to be abandoned by the applicant where:
- 4.17.1 the application has been determined to be incomplete pursuant to Section 4.2 of this By- law and remains incomplete for a period 90 days from the date the application was determined to be incomplete; or
 - 4.17.2 the applicant has failed to obtain a copy of a Permit within 90 days of being notified that such permit is available for issuance (including where the payment of any outstanding fees is required at the time of issuance).
 - 4.17.3 any Permit issued may be revoked in accordance to the provisions of Section 8.(10) of the Building Code Act, 1992, S.O. 1992, c.23, as amended.

Revisions of Permits

- 4.18 After the issuance of a Permit under the Act, the Applicant shall give notice to the Chief Building Official in writing of any material change to a plan, specification, document or their information upon which a permit was issued, together with the details of such change, which change shall not be made without the prior written authorization of the Chief Building Official.
- 4.19 Application for authorization of any substantial change shall constitute a revised submission or a supplementary submission.

PART 5. PLANS AND SPECIFICATIONS

- 5.1 As part of the application for a Permit and in addition to the requirements of Part 4 of this by- law, every applicant shall submit to the Chief Building Official the following:
- 5.1.1 sufficient plans, specifications, documents, forms, as described in Schedule "B" of this By- law, and such other information as may be deemed necessary by the Chief Building Official to determine whether the proposed construction, demolition, or change of use conforms to the Act, and the Building Code;

- 5.2 Plans, specifications and other documents which are submitted to satisfy Section 5.1 of this By-law shall:
- 5.2.1 be fully coordinated among design disciplines and intended for construction, demolition or change of use;
 - 5.2.2 be fully dimensioned and drawn to a suitable scale that clearly depicts the proposed construction, demolition or change of use;
 - 5.2.3 include a Title Block containing; project title or proposed use of building, owner's name, municipal address of the project location, scale of drawing, drawing title, date drawing produced and,
 - 5.2.4 include the designer's contact, qualification information, affixed with the appropriate seal embossed with the designer's signature and date of seal, as required, by applicable legislation and associated regulations.
 - 5.2.5 be submitted on paper or other suitable and durable material; and
 - 5.2.6 contain information and text that is clear and legible.
- 5.3 Unless waived by the Chief Building Official, every application shall be accompanied by three (3) sets of plans, specifications, forms, documents and other information required to facilitate the administration and enforcement of the Building Code.
- 5.4 On completion of the construction of a building, the Chief Building Official may require the applicant to Submit a set of as-constructed plans, including a plan of survey showing the location of a building.
- 5.5 Plans and specifications submitted in accordance with this By-law or otherwise required by the Act become the property of the Town and will be disposed of or retained in accordance with relevant legislation or by-law.

PART 6. AUTHORIZATION OF ALTERNATIVE SOLUTIONS

- 6.1 Where approval for an Alternative Solution under the Building Code is proposed in either the application for a permit, or in a material change to a plan, specification, document or other information on the basis of which a permit was issued, the applicant shall submit:
- 6.1.2 an application on a form prescribed by the Chief Building Official;

6.1.3 supporting documentation demonstrating that the proposed Alternative Solution will provide the level of performance required by the Building Code; and

6.1.4 payment of the required fees prescribed by Part 7 of this By-law.

PART 7. PERMIT FEES, ADMINISTRATIVE FEES, AND REFUNDS

Permit Fees, Administrative Fees.

7.1 The Chief Building Official shall determine the required permit fees in accordance with this Part of the By-law and Schedule "C" to this By-law, and;

7.1.1 despite the above the Chief Building Official may place a valuation on the cost of the proposed project as contained in Schedule "C" and where disputed by the applicant, the applicant shall pay the required fee under protest and, within six months of completion of the project, shall submit an audited statement of the actual costs. Where the Chief Building Official, in his sole discretion, agrees that the audited costs are less than the valuation, the Chief Building Official may issue a partial refund that reflects the difference between the two amounts.

7.2 Where the Chief Building Official determines that a third party evaluation is required to assist in the determination of compliance with the Building Code and associated Regulations or Standards. Any person that permits the construction, demolition or changes the use of a building or part thereof shall pay a nonrefundable fee to the Town equal to all fees and disbursements incurred by the Town for the third party review, and all other costs associated to the use of Town resources used to engage and obtain a third party evaluation;

7.3 In addition to applicable permit fees, where;

7.3.1 an applicant makes supplementary submissions and revised submissions, the applicant shall pay a administrative fee which shall be calculated in accordance with Schedule "C";

7.3.2 an applicant makes application for a Alternative Solution Review, as prescribed by the Building Code, the applicant shall pay a nonrefundable administrative fee to the Town accordance with Schedule "C", and a nonrefundable fee to the Town equal to all fees and disbursements incurred by the Town for the third party review, and all other costs associated to the use of Town resources used to engage and obtain a third party evaluation;

- 7.3.3 an applicant makes application for a Conditional Permit, the applicant shall pay a nonrefundable administrative fee to the Town equal to all fees and disbursements incurred by the Town for the drafting and registration of conditional permit agreements;
- 7.3.4 any person who commences construction, demolition or changes the use of a building or part thereof prior to the issuance of a permit to construct, demolish or change the use of a building or part thereof, in addition to any penalty imposed under the Act or Building Code, shall pay a non-refundable administrative fee as set out in Schedule "C";
- 7.4 The fees set out in Schedule "C" of this By-law, shall be adjusted annually on and effective the 1st of February based upon the previous year's 3rd quarter Statistics Canada Non-Residential Cost Index: Ottawa. Where such index indicates negative growth, the fees shall remain at the level established for the prior year, in all situations no amendment to the By-law shall be required to give effect to the fee changes.
- 7.5 The Chief Building Official shall not issue a Permit until all fees required by this By-law have been paid in full by the applicant; and,
- 7.5.1 If Permit issuance is refused due to non-compliance with Section 8.(2) of the Act, the property owner shall be invoiced any outstanding fees calculated in accordance with Part 7 of this by-law. Payment shall be due payable from the date of the invoice.
- 7.6 Where any fees set out in this By-law remain unpaid after the due date, the amount unpaid shall be added to the tax roll and collected as taxes.

Refunds of Fees and Deposits

- 7.7 In the case of withdrawal or abandonment of an application, or refusal Permit issuance, and upon written request by the applicant, the Chief Building Official may refund any unearned fees to the party that made payment, which shall be calculated in accordance with this By-law. In no case shall any fees collected in accordance with Subsections 7.3.2, and 7.3.3, or 7.3.4 of this By-law be refundable.

8. TRANSFER OF PERMITS

- 8.1 If the owner of the land changes subsequent to the issuance of a permit and prior to the final inspection related thereto, the Permit may be transferred to the new owner (the transferee) of the subject lands upon the submission of an application in accordance with the requirements of Part 4 of this By-law, and where such application is accompanied by the following:

- 8.1.2 Proof of ownership of the subject lands by the transferee;
 - 8.1.3 written confirmation from the Designer, Architect and/or Professional Engineer or such other qualified person referenced in the original application that such person or firm has been retained to continue to provide the stated services in respect of the application (if such services continued to be required under the Act/Code) or the name, address, telephone number of the Designer, Architect and/or Professional Engineer or such other qualified person and where applicable the written confirmation of such person or firm that they have been retained in relation to the application;
 - 8.1.4 the payment of applicable fees set out in Part 7 of this By-law.
- 8.2 Upon the issuance of a transfer of Permit to the transferee, the transferee shall be deemed to be the permit holder and the original permit holder shall have no further rights or obligations to the Town under the Permit save and except for any obligations set out in an agreement entered into under Section 8.(3).(c) of the Act.

9. NOTICES FOR INSPECTIONS

- 9.1 Inspection notices required by the Building Code and this By-law shall be made in writing or by telephone.
- 9.2 Inspection notices are required a minimum of two business days prior to the stages of construction specified therein and shall be given in accordance with the requirements of Subsection 1.3.5 of Division C of the Building Code.
- 9.3 The person to whom the Permit has been issued shall notify the Chief Building Official of each stage of construction for which a notice is prescribed by the Building Code.
- 9.4 Notwithstanding Part 10 of this By-law, the person to whom the Permit has been issued shall notify the Chief Building Official of the date of completion of the building or demolition work no more than two days after that date.
- 9.5 In addition to the notices prescribed in Article 1.3.5.1 of Division C of the Building Code, and where the Chief Building Official has notified the Permit Holder, in writing, of those stages of construction set out in Article 1.3.5.2 of Division C of the Building Code that are also applicable to the project for which the Permit has been issued, shall give notice to the Chief Building Official of the readiness for inspection of those stages of construction.

- 9.6 All notices for inspections as described above shall not be deemed effective until the notice is acknowledged as received by the Chief Building Official in writing or by telephone.

PART 10. FENCING CONSTRUCTION SITES

- 10.1 Where, in the opinion of the Chief Building Official, a construction or demolition site presents a hazard to the public, the Chief Building Official may require the Permit Holder to erect such fencing to the standards and specifications that the Chief Building Official deems to be appropriate in the circumstances.
- 10.2 When determining if a construction or demolition site presents a hazard to the public and requires the erection of fencing and the type of fencing required, the Chief Building Official shall have regard to:
- 10.2.1 the proximity of the construction site to occupied dwellings;
 - 10.2.2 the proximity of the construction site to lands accessible to the public, including but not limited to streets, parks and commercial and institutional activities;
 - 10.2.3 the hazards presented by the construction activities and materials;
 - 10.2.4 the feasibility and effectiveness of site fencing; and
 - 10.2.5 the duration of the hazard.
- 10.3 When the Chief Building Official is of the opinion that fencing is required, the Permit Holder shall, prior to the commencement of any construction, demolition, or placement of materials or equipment on site, erect or cause to be erected fencing to the standards required by the Chief Building Official to enclose the construction or demolition site for the purposes of preventing unauthorized entry on the site. For the purposes of this section, construction or demolition site shall include the area of the proposed construction or demolition and any area where materials or equipment are stored or operated.

PART 11. VACANT LOT DEVELOPMENT REQUIREMENTS

- 11.1 Pursuant to Section 10(2)6 and Section 11(2)6 of the Municipal Act, 2001 S.O., notwithstanding development requirements addressed otherwise in another Statute, Regulation or Standards, the Vacant Lot Development Requirements found in Schedule "D" of this By-law shall apply to the first proposed building to be constructed on any vacant lot.

PART 12. OFFENCES AND PENALTIES

12.1 Any person is guilty of an offence and is subject to a penalty in accordance with Part 36 of the Building Code Act, 1992, S.O. 1992, c.23, as amended if the person:

12.1.1 knowingly furnishes false information in any application under the Act, in any certificate required to be issued or in any statement or return required to be furnished under the Act or the regulations;

12.1.2 fails to comply with an order, direction or other requirement made under the Act; or

12.1.3 contravenes the Act, the regulations or this By-law passed under Section 7 of the Act.

PART 13. SEVERABILITY

13.1 If a court of competent jurisdiction should declare any section or part of a section this By-law to be invalid such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this By-law and it is hereby declared that the remainder of this By-law shall be valid and shall remain in force.

PART 14. REPEAL AND TRANSITION

14.1 By-law Number 48-2007 and amendments thereto are hereby repealed in their entirety upon the date that this By-law comes into force.

14.2 Notwithstanding Sections 13.1 and 14.1 of this By-law, for any complete permit applications received prior to the effective date of this By-law, the provisions of By-law Number 48-2007, as amended shall remain in force and effect of the purpose of those permit applications.

15. EFFECTIVE DATE

15.1 This By-law shall come into force and take effect July 1st, 2016

READ A FIRST TIME, SECOND TIME, THIRD TIME AND FINALLY PASSED THIS
14TH DAY OF JUNE 2016

Louis Antonakos, Mayor

D. H. Rogers, Clerk

SCHEDULE "A" OF BUILDING BY-LAW 28-2016

CLASSES OF PERMITS

BUILDING PERMIT:

To be for the purpose of allowing all types of construction governed by the Act and the Building Code.

CHANGE OF USE PERMIT:

To comply with the requirements of Part10. (1) of the Act.

CONDITIONAL PERMIT:

Pertains to construction only and may be issued only in accordance with Part 8 (3) of the Act. The Chief Building Official is hereby authorized to execute the written agreement referred to in Part4 of this By-law on behalf of the Town where the Chief Building Official is satisfied that the compliance required under Part8 of the Act has been achieved.

DEMOLITION PERMIT:

To be used for the demolition of all or part of a building or structure.

PARTIAL PERMIT:

When a permit is applied for in accordance to the provisions of the Building By-law, in order to expedite work, the Chief Building Official may grant approval for construction to proceed for a portion of a structure.

OCCUPANCY PERMIT:

Pertains to a Certificate of Occupancy, or a final inspection report issued by the Chief Building Official in accordance with Section 1.3 of Division C of the Building Code, as amended.

SCHEDULE "B" OF BUILDING BY-LAW 28-2016

Plans, Specifications and Documentation Requirements

Type 1 Projects

The following buildings are considered Type 1 Projects;

- Single Detached homes,
- Semi-detached homes,
- Town Homes,
- Duplexes, and
- any ancillary buildings constructed on these properties;

The following plans and specifications, as applicable to the scope of works proposed are required for Type 1 projects;

- Survey or Plot Plan,
- Architectural,
- Structural,
- HVAC,
- Electrical Layout,
- Site services; and,
- Additional Sections, Plans, Details, or Specifications as determined by the scope of the work involved, for example;
 - Details sealed (by P. Eng.) for engineered manufactured products, i.e. trusses,
 - Site Design for spatial separation, exposed building face and drainage patterns
 - Ventilation Design Summary and Heat Loss and Gain Calculations
 - Energy Efficiency Design Summary form for Part 9 Residential Houses
 - Lighting and smoke and carbon monoxide detectors layouts

Noting that for alterations or repairs the Chief Building Official may accept less.

Type 2 Projects

The following buildings, or structures are considered Type 2 Projects;

- Industrial,
- Commercial,
- Institutional,
- Multi-Residential (not listed above),
- Designated Structures, as defined by the Building Code, and
- Any Ancillary Building, Structures, or Temporary Structures regulated by the Building Code.

Plans and Specifications, as applicable to the scope of works proposed for all type 2 projects,

- Survey or Plot Plan,
- Architectural,
- Structural,
- Mechanical,
- Electrical Layout,
- Site services; and,
- Additional Sections, Plans, Details, or Specifications, for example;
 - Fire Access route design with hydrant locations, or on site water supply,
 - Site Storm and Sanitary layouts,
 - Details sealed (by P. Eng.) for engineered manufactured products, i.e. trusses,
 - HVAC,
 - Energy Efficiency Design SB10 forms (Part 3 or Part 9 Non-Residential Buildings),
 - Plumbing,
 - Sprinklers,
 - Lighting, interior and exterior,
 - Emergency Lighting system, and
 - Fire Alarm system

Noting that for alterations or repairs the Chief Building Official may accept less.

Additional Forms and Documents (where applicable)

- Property Owner's Letter of Authorization appointing an agent,
- Commitment to General Review signed by all project team disciplines
- Building Code Data Matrix
- Geotechnical Investigation Report
- Copies of authorizations/permits from other approving agencies (Applicable Law approvals)
- Such other information as may be deemed necessary by the Chief Building Official to determine whether the proposed construction, demolition, or change of use conforms to the Act, and the Building Code

This required information is in addition to any information specified in Parts 4, 5 and 11 of By-law 28-2016

Schedule "C" to By-law 28-2016

PERMIT AND ADMINISTRATIVE FEES, AND REFUND PROVISIONS

Fee Calculations

Permit Fees shall be calculated in accordance to the following chart;

Permit Type	Construction Type	Permit Fee
Building - Commercial / Industrial / Institutional and Designated Structures	New construction	2% of valuation for first \$500,000 and 1% of valuation thereafter
	Additions, Renovations, Alterations, or Repairs (not mentioned elsewhere)	2% of valuation for first \$500,000 and 1% of valuation thereafter Plus - \$10.00 / plumbing fixture
Building - Residential All	New Construction	\$12.00/m ² of gross floor area Plus - \$10.00/plumbing fixture. Plus - \$200.00/if unfinished basement has plumbing rough-in Plus – Garage \$100.00/bay (up to 15m ² for garage size)
	Addition	2% of valuation for first \$500,000 and 1% of valuation thereafter Plus - \$10.00/plumbing fixture Plus - \$200.00/if unfinished basement has plumbing rough-in Plus – Garage \$100.00/bay (up to 15m ² for garage size)
	Renovation, Alterations, or Repairs (not mentioned elsewhere)	2% of valuation for first \$500,000 and 1% of valuation thereafter Plus - \$10.00 / plumbing fixture

Permit Type	Construction Type	Permit Fee
Building - Residential to Single Dwellings	Accessory Buildings, Deck and Porches	2% of valuation
	Private Pools Enclosures	SEE POOL BY-LAW
	Solid Fuel Burning (Wood stoves etc...)	\$100.00
Demolition	Basic Demolition	\$100.00
	Demolition requiring Engineers Review (sub-section 1.2.3.2 Div. C of OBC)	See Fees listed under conditional permits Plus – Security fee deposit at CBO's discretion
Conditional		\$500.00 Plus – all applicable DP and Building Permit fees and Development Charges shall be collected at issuance of first permit Plus – Security fee deposit at CBO's discretion
Partial Permit	Applicable only to where the Applicant requests a Partial Permit	\$100.00 Plus – all applicable DP and Building Permit fees and Development Charges shall be collected at issuance of first permit

Permit Type	Construction Type	Permit Fee
Change of Use	no construction proposed or required per Building Code	\$100.00
	Where plans review of above stated application determines construction is required per Building Code	Apply all applicable project fees listed in this Schedule
Administrative Function		Administrative Fees
Revision to Permit		\$100.00 (minor) \$300.00 (all others) at CBO's discretion
Request to Review Alternative Solution Proposal		\$300.00
Re-inspections under valid permit	Any outstanding fees shall be paid in full to the Town prior to the issuance of a Certificate of Occupancy or a final Inspection report	\$100.00 per re-inspection.

Permit Type	Construction Type	Permit Fee
Investigations of	Construction or Demolition of New Buildings or Structures having commenced prior to the issuance of a Building Permit	<p>\$100.00 per site inspection to review status of non-compliance; plus,</p> <p>Prior to the issuance of any Order issued pursuant to the Building Code Act. The value of the normal permit fee shall be multiplied by 0.5 to determine the administrative fee portion of the total fees payable; or,</p> <p>After the issuance of any Order issued pursuant to the Building Code Act. The value of the normal permit fee amount shall be doubled (maximum of \$15,000.00)</p>
Investigation of	Construction or Demolition works relating to Renovations or Additions having commenced prior to the issuance of a Building Permit	<p>\$100.00 per site inspection to review status of non-compliance; plus,</p> <p>Prior to the issuance of any Order issued pursuant to the Building Code Act. The value of the normal permit fee shall applied; or,</p> <p>After the issuance of any Order issued pursuant to the Building Code Act. The value of the normal permit fee amount shall be doubled (maximum of \$15,000.00)</p>

Permit Type	Construction Type	Permit Fee
Agency Letter of Approval		\$200.00
Building		\$30.00 for each building information

Permit Type	Construction Type	Permit Fee
Compliance Report		and planning information report
Transfer/Renewal of Permit		\$100.00

Alternative Fee Calculations

Structures that are of an unusual shape, or where projects are unique in nature, and where the application fees set out in this Schedule is not possible, or would be impractical, the Chief Building Official, at his discretion, may determine the value of the Permit Fee. The Chief Building Official may utilize some, all, or a combination thereof, of the following criteria to determine the Permit Fee:

- Inspection and revision review fees listed in this Schedule may be used to calculate a Permit Fee based upon an estimation of staff time that may spent on the file.
- Apply a fee, or combination of fees listed this schedule that in the judgment of the Chief Building Official, most closely reflects the proposed project.

Minimum Fees

Notwithstanding the above, the minimum applicable fee for any permit application shall be collected in accordance to the following chart;

Minimum Fees - To be collected at time of Building Permit Application submission	
<ul style="list-style-type: none"> • Any project not listed elsewhere in this chart • Renovations • Accessory building or deck to single dwelling • Solid Fuel Appliance (Wood-stove) • Change of Use – no construction • Demolition 	\$100.00
<ul style="list-style-type: none"> • Addition to building • Creation of a new suite or unit 	\$500.00
<ul style="list-style-type: none"> • New Building – less than 300m² of gross floor area (not listed elsewhere) 	\$1000.00
<ul style="list-style-type: none"> • New Building – greater than 300m² of gross floor area (not listed elsewhere) 	\$2000.00
<ul style="list-style-type: none"> • New Building – greater than 600m² of gross floor area (not listed elsewhere) 	\$5000.00

Determination of Floor Area

The following method establishing the total floor area shall be used;

- Each floor area, shall be measured between the outside surfaces of exterior walls, or between the outside surfaces of exterior walls and the centre line of Firewalls or Party Walls. For structures like, Mezzanines, Decks/Porches, and Loading Docks the area shall be measured between the platform edge to platform edge, or between the platform edge to an abutting wall face. The summation of these calculations shall be considered the total gross floor area.
- A residential basement or a crawlspace contained in whole below grade, and with no interior finishes installed, or where no Use is proposed shall not be calculated as part of the total gross floor area.
- Notwithstanding the above, all walkout basements in dwellings shall have half of their total floor area calculated to the total gross floor area.
- No deductions shall be made for openings within a Floor, i.e. stairwells, elevator shafts, service shafts (ducts. etc.). A horizontal plane may be projected over sloping and stepped Floors to determine Floor area in lieu of actual surface area.

REFUND OF PERMIT FEES

General Provisions

- (1) Refunds of fees collected under the authority of this Schedule, shall be provided in accordance with other provisions of this Part, where the;
 - Building Permits have been issued, but no construction has commenced,
 - Building Permits have not been revoked,
 - Building Permit Applications have not expired,
- (2) Requests for refunds must be submitted to the Chief Building Official in writing who will determine the amount of Fees, if any, that may be refunded.
- (3) Except as provided in sentence (4), the amount of fees refundable shall be calculated based on the total of fees collected under the authority of this Schedule and provisions listed in Part 7 of the Building By-law 28-2016, as follows:
 - 75 percent refundable if applicant cancels application prior to release of permit for issuance;
 - 50 percent refundable if Chief Building Official has released the permit for issuance;
- (4) Notwithstanding sentence (3), no refund shall be made of an amount less than \$100.00

SCHEDULE “D” to Bylaw 28-2016

VACANT LOT DEVELOPMENT REQUIREMENTS

1. Two Stage Partial Building Permit System

- 1.1 To ensure that the first building constructed on a vacant lot meets the development standards of the Town, specifically for location of the building on the lot, the grading of the site, and the connection to the municipal storm sewer system. The Town requires that construction be only permitted in two stages. Where a Building Permit application is received to construct the first building on a vacant lot, the Chief Building Official shall only issue Partial Building Permits, each stage of permitted works and timing of issuance of said permits are as follows;
- 1.1.1 The first Partial Building Permit issued will be to permit the construction of the buildings footings, foundation walls, and all associated “under-ground” works, including on site water supply, sanitary and storm sewers, and foundation wall drainage systems. A first partial Building Permit, may only be issued upon the owner or applicant satisfying the conditions found in Part 2 of this Schedule.
- 1.1.2 The second Partial Building Permit issued will be to permit the construction of the remainder of the building in accordance to the plans, specifications and other approval documents reviewed and accepted by the Town as the permit documents. A second partial Building Permit, may only be issued upon the owner or applicant satisfying the conditions found in Part 3 of this Schedule.

2. Requirements at Time of Building Permit Application

- 2.1 In addition to other applicable Approvals, Permits and payment of all fees regulated by either Federal or Provincial Statute, Regulation or Standard, or a Municipal By-law. The owner, or applicant, shall also submit at time of Building Permit Application;
- 2.1.1 a Location Survey, prepared by an Ontario Land Surveyor and approved by the Director of Planning; and,
- 2.1.2 a Site Lot Grading Plan, prepared by an Ontario Land Surveyor or a qualified Professional Engineer, and approved the Director of Public Works; and,
- 2.1.3 a completed copy of a form titled “Sump Pit Detail Sign-off” attached to the back of this Schedule, and approved by the Director of Public Works; and,

- 2.1.4 pay a refundable deposit of \$5,000.00, to ensure completion of grading and associated site works on the subject property to the satisfaction of the Director of Public Works.

3. Requirements to Obtain Second Partial Building Permit

- 3.1 To obtain the second Partial Building Permit, the owner shall submit to the Chief Building Official;
 - 3.1.1 a Top of Foundation Wall (TFW) Survey, prepared by an Ontario Land Surveyor, and approved the Director of Planning and the Director of Public Works, confirming that the “as built”;
 - (a) location of the building is in accordance to the approved Location Survey noted in clause 2.1.1; and,
 - (b) elevations of the top of the foundation walls are in accordance to the approved Site Lot Grading Plan noted in clause 2.1.2.

BY-LAW NO. 29-2016

A BY-LAW FO THE CORPORATION OF THE TOWN OF CARLETON PLACE TO AMEND TRAFFIC AND PARKING BY-LAW NO. 46-2003

WHEREAS the Council of the Town of Carleton Place adopted By-law 46-2003, the Traffic and Parking By-law;

AND WHEREAS it is deemed expedient and necessary to amend By-law 46-2003;

NOW THEREFORE the Council of the Corporation of the Town of Carleton Place hereby enacts as follows:

1. THAT Schedule 'XIV' to By-law 46-2003 (Traffic and Parking) be amended to add:

**SCHEDULE 'XIV' TO BY-LAW NO. 46-2003
MUNICIPAL PARKING LOTS
DESIGNATED HANDICAPPED PARKING SPACES**

Column 1 Lot Type	Column 2 Location	Column 3 Number of Spaces
Municipal	Bridge & Victoria	2 spaces

READ A FIRST TIME, A SECOND TIME, A THIRD TIME AND FINALLY PASSED THIS 14th DAY OF JUNE 2016.

Louis Antonakos, Mayor

D.H. Rogers, Clerk



Policy Review Committee
Council Report
May 24th, 2016

COMMUNICATION 127228

Received from Minister of Canadian Heritage
Addressed to Phil Hogan, Treasurer
Date May 10th, 2016
Topic Canada 150 Fund – Roy Brown Park Signage

SUMMARY

Town has been notified that they have been successful in receiving the funding (\$30,000 matched by \$30,000 from the Town) for signage in Roy Brown Park.

STAFF RECOMMENDATION

THAT Council hereby authorizes the Chief Administrative Officer to execute the 'Conditions of a Grant Agreement.

COMMITTEE DECISION

THAT Council hereby authorizes the Chief Administrative Officer to execute the 'Conditions of a Grant Agreement.

COUNCIL ACTION

THAT Council hereby authorizes the Chief Administrative Officer to execute the 'Conditions of a Grant Agreement.

COMMUNICATION 127229

Received from Paul Knowles, Chief Administrative Officer
Addressed to Policy Review Committee
Date May 19th, 2016
Topic Closed Meetings

SUMMARY

As authorized by the Municipal Act, Council should review selected items in closed session.

127229 Continued

STAFF RECOMMENDATION

THAT in accordance with Section 239 of the Municipal Act, S.O. 2001, that the meeting be closed to the public with the following agenda:

AGENDA

- 13-01-15-1 personal matters about an identifiable individual, including municipal or local board employees; General Nature – Succession Planning
- 15-09-15-2 litigation or potential litigation, including matters before administrative tribunals, affecting the municipality of local boards; General Nature – Easement on McNeely
- 15-03-16-1 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Beckwith Street Property
- 19-04-16-1 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Beckwith Street Property
- 24-05-16-1 personal matters about an identifiable individual, including municipal or local board employees; General Nature – Valley Heartland

COMMITTEE DECISION

THAT in accordance with Section 239 of the Municipal Act, S.O. 2001, that the meeting be closed to the public with the following agenda:

AGENDA

- 13-01-15-1 personal matters about an identifiable individual, including municipal or local board employees; General Nature – Succession Planning
- 15-09-15-2 litigation or potential litigation, including matters before administrative tribunals, affecting the municipality of local boards; General Nature – Easement on McNeely
- 15-03-16-1 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Beckwith Street Property
- 19-04-16-1 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Beckwith Street Property
- 24-05-16-1 personal matters about an identifiable individual, including municipal or local board employees; General Nature – Valley Heartland

127229 Continued

REPORT TO COUNCIL

13-01-15-1 Bring forward

15-09-15-2 Bring forward

15-03-16-1 Receive and Record

19-04-16-1 Bring forward

24-05-16-1 Mayor Antonakos is to be nominated to serve on the Valley Heartland Board.

COUNCIL ACTION

Receive and Record



Physical Environment Committee
Council Report
June 7th, 2016

COMMUNICATIONS 127244

Received from Township of Beckwith
Addressed to Paul Knowles, Chief Administrative Officer
Date May 11th, 2016
Topic Joint Road Project for 2017

SUMMARY

Beckwith is considering the reconstruction of Lake Ave E from Arklan Road to the Dead-end in 2017. They are requesting the Town to consider this road project as a joint initiative between the two municipalities.

COMMENT

Lake Avenue E is in need of rehabilitation within both municipal boundaries, and this makes sense to undertake this project together so that the road structure is consistent. Staff will need to work out the logistics of the project in advance of the budget process.

STAFF RECOMMENDATION

THAT staff meet with Beckwith representatives to work out this joint venture assuming both parties would be responsible for costs within their respective municipal boundary.

COMMITTEE DECISION

THAT staff meet with Beckwith representatives to work out this joint venture assuming both parties would be responsible for costs within their respective municipal boundary.

COUNCIL ACTION

Receive and Record

COMMUNICATION 127245

Received from Deputy-Mayor Flynn
Addressed to Physical Environment Committee
Date June 1st, 2016
Topic Transportation Policy

SUMMARY

Deputy-Mayor Flynn would like to have a discussion about an Active Transportation Policy.

STAFF RECOMMENDATION

THAT staff investigate the benefits and implications of developing an Active Transportation for consideration in 2017.

COMMITTEE DECISION

THAT staff investigate the benefits and implications of developing an Active Transportation for consideration in 2017.

COUNCIL ACTION

Receive and Record

COMMUNICATION 127246

Received from Patricia Darlington
Addressed to Dave Young, Director of Public Works
Date May 5th, 2016
Topic Request for a Handicap Parking Stall

SUMMARY

Ms. Darlington operate an Acupuncture and Massage Therapy business, on Victoria Street, that is located adjacent to the municipal parking lot at the Thirsty Moose. She is requesting that the Town add a new Handicap Parking Stall, where one had been previously located, on the south side of the parking lot immediately adjacent to Victoria Street. She adds that the nature of her business, catering to clientele with mobility issues and the elderly, warrants this request.

127246 Continued

COMMENT

Ms. Darlington is correct in stating that there had previously been a handicap parking stall located in this spot, but the Town relocated it to the east at the request of the Accessibility Advisory Committee as they thought it would be closed to more businesses on Bridge Street. There are currently 21 parking stalls in this parking lot and 1 handicap stall. The existing parking stalls are at the minimum required width, so to incorporate an additional handicap parking stall will require one existing parking stall to be eliminated.

STAFF RECOMMENDATION

THAT Ms. Darlington's request to add an additional handicap stall in the municipal lot at the Thirsty Moose be accommodated.

COMMITTEE DECISION

THAT Ms. Darlington's request to add an additional handicap stall in the municipal lot at the Thirsty Moose be accommodated.

COUNCIL ACTION

Receive and Record

COUNCILLOR BLACK DECLARED A POSSIBLE
PECURIARY INTEREST RE COMMUNICATION 127249 –
RELATIVE OWNS BUSINESS

COMMUNICATION 127249

Received from	Linda Camphaug
Addressed to	Physical Environment Committee
Date	May 17 th , 2016
Topic	Commercial Billing for Water & Sewer 136 Bridge St

SUMMARY

Following up a letter sent out by Phil Hogan Treasurer identifying business entities within Commercial Properties it was noted that this property located at 136 Bridge St. has 2 business entities and is currently billed for 1.

127249 Continued

Owner has acknowledged that property does have more than 1 tenant but believes that no additional billing should be received. The building has a common kitchen and washroom facility for all tenants. Considers the second billing a money grab detriment to making Bridge St. viable.

COMMENT

By-law for Water & Sewer Billings states that each separate Commercial, Industrial or institutional entity shall receive a separate bill for each location they occupy. Each business which pays a separate business tax (HST #) shall be considered a separate entity.

The municipality has several buildings that rent to separate Commercial entities with common kitchen and washroom facilities.

STAFF RECOMMENDATION

That in keeping with the existing by-law and practices currently in place for Water & Sewer Billings that this property be billed based on the number of Commercial entities.

COMMITTEE DECISION

That in keeping with the existing by-law and practices currently in place for Water & Sewer Billings that this property be billed based on the number of Commercial entities.

COUNCIL ACTION

Receive and Record

COMMUNICATION 127250

Received from	Paul Knowles, Chief Administrative Officer
Addressed to	Physical Environment Committee
Date	May 30 th , 2016
Topic	Canada 150 Community Infrastructure Program

SUMMARY

Intake II for the Canada 150 Community Infrastructure Program is now open. Funding is for the renovation, expansion and improvement of existing community infrastructure assets that are non-commercial in nature.

127250 Continued

Ineligible projects include construction of new infrastructure, temporary installations, projects taking place in multiple locations, or facility expansions that would result in a significant increase of the asset (i.e., more than a 50 percent increase in square footage).

Eligible projects must:

- fall under an eligible category and be proposed by an eligible recipient;
- be for the renovation, expansion or improvement of existing community infrastructure assets;
- be open for use to the public and not limited to a private membership; and
- be substantially completed by March 31, 2018.

Projects must fall within the following project categories to be eligible for funding under the program:

- community centres (including Legion Halls);
- cultural centres and museums;
- parks, recreational trails, including fitness trails, bike paths and other types of trails;
- libraries;
- recreational facilities including local arenas, gymnasias, swimming pools, sports fields, tennis, basketball, volleyball or other sport-specific courts, golf courses, ski hills or other types of recreational facilities;
- tourism facilities;
- docks;
- cenotaphs; and
- other existing community infrastructure assets for public benefit that have a local community impact, such as but not limited to, local roads, connectivity and broadband, drinking water treatment and distribution systems, local airports, solid waste management and wastewater infrastructure.

While the program can provide up to 50 percent of the total project costs, priority may be given to recipients seeking no more than 33.3 percent. The amount of federal funding cannot exceed \$1 million per eligible project.

The project must demonstrate how it provides benefits to Canadians in support of one or more of the following outcomes:

- Increases public access to, and participation in, physical activity or sports;
- Supports programs for the development of Canadian amateur athletes, including hosting opportunities for regional, national or international amateur sporting events;
- Supports community vitality by providing spaces for community activities, such as clubs, volunteer activities, social support, physical activity, and public meetings; or
- Extends the life of an existing asset.

127250 Continued

The project should also support a clean growth economy, provide economic benefits to the community, encourage regional community based partnerships and be linked to Canada's 150th Anniversary. A total of \$44.4 million is available for southern Ontario. The Town can apply for more than one project but the projects must be ranked in order of priority.

COMMENT

Potential projects include:

- arena change rooms;
- HVAC for Carambeck;
- trails/exercise equipment;
- dock/mark channel; and
- Trail on rail line.

STAFF RECOMMENDATION

THAT Council hereby authorizes staff to submit the following applications to the Canada 150 Community Infrastructure Program:

- 1st priority – Expansion of the Neelin Street Community Centre to create new change rooms – 33.3% of the \$1.0m budget
- 2nd priority – Replace HVAC System at Carambeck – 33.3% of the \$320,000 budget
- 3rd Priority – mark a channel for boats in the Mississippi River and expand docks – 33.3% of the \$30,000 budget

COMMITTEE DECISION

THAT Council hereby authorizes staff to submit the following applications to the Canada 150 Community Infrastructure Program:

- 1st priority – Expansion of the Neelin Street Community Centre to create new change rooms – 33.3% of the \$1.0m budget
- 2nd priority – Replace HVAC System at Carambeck – 33.3% of the \$320,000 budget
- 3rd Priority – mark a channel for boats in the Mississippi River and expand docks – 33.3% of the \$30,000 budget

COUNCIL ACTION

THAT Council hereby authorizes staff to submit the following applications to the Canada 150 Community Infrastructure Program:

- 1st priority – Expansion of the Neelin Street Community Centre to create new change rooms – 33.3% of the \$1.0m budget
- 2nd priority – Replace HVAC System at Carambeck – 33.3% of the \$320,000 budget
- 3rd Priority – mark a channel for boats in the Mississippi River and expand docks – 33.3% of the \$30,000 budget

COMMUNICATION 127251

Received from Valley Heartland
Addressed to Town of Carleton Place
Date June 2016
Topic Annual General Meeting

SUMMARY

Valley Heartland is giving notice that their Annual General Meeting will be held on Wednesday, June 22nd, 2016 at Stonefields Heritage Farm.

STAFF RECOMMENDATION

THAT those interested in attending RSVP to 613-283-7002 ext 101 or email maryellen.cote@valleycfdc.com by June 16th, 2016.

COMMITTEE DECISION

STAFF RECOMMENDATION

THAT those interested in attending RSVP to 613-283-7002 ext 101 or email maryellen.cote@valleycfdc.com by June 16th, 2016.

COUNCIL ACTION

Receive and Record

Communication 126301

Received from Dave Young, Director of Public Works
Addressed to Policy Review Committee
Date June 19th, 2015
Topic Franktown Road/Coleman Street Intersection Improvements

SUMMARY

Staff have received proposals from engineering firms to work with the Town's Traffic Signal Contractor to undertake upgrades at the intersection of Franktown Road and Coleman Street.

McIntosh Perry	\$33,850
Novatech Engineering	\$33,900

Both firms have experience with the Town and have worked with Partham Engineering. Since both firms have essentially provided the same proposal, staff recommend that the project be assigned to Novatech Engineering as there are a number of projects that McIntosh Perry has been awarded.

126301 Continued

UPDATE 1 – October 6th, 2015

Detailed design is near completion for the proposed incorporation of left turn lanes on Franktown Road and Coleman Street. Staff have looked at the scope of work for this project and there are a number of items that are already in the Town's 2015 reconstruction project that has been undertaken by Thomas Cavanagh Construction.

Cavanagh has indicated that they would honour existing contract pricing where it is applicable and provide pricing for items not already in the existing contract.

UPDATE 2 – December 1st, 2015

The approved design for the Franktown Road/Coleman Street intersection was finally received the week of November 16th. Although the Contractor had intended to make resources available to undertake this project, it was felt that the required concrete work to create the new turn lanes would be vulnerable at this time of the year with winter operation beginning soon. The concrete contractors do not warranty concrete sidewalks that have salt applied during the curing period. All parties involved have committed to undertake this work as soon as conditions permit in the spring of 2016.

UPDATE 3 – January 5th, 2016

Staff have received pricing from Cavanagh Construction for the reconstruction of Franktown Road/Coleman Street Intersection. The cost to incorporate components of the Arterial Streetscape is very cost prohibitive and will create significant inconveniences. This is due to the fact that in order to incorporate interlock crosswalks, a concrete base is required. In order to pour the bases, maintain traffic, allow proper curing time and then place interlock brick, the job would take over a month and cost in excess of \$90,000.

Staff feel that other alternatives should be investigated and/or only undertake this type of installation when a complete reconstruction project is happening.

UPDATE 4 – February 2nd, 2016

Staff have investigated alternative options and found thermoplastic overlays may be a viable option.

UPDATE – June 7th, 2016

Staff have received quotations for the installation of the thermoplastic decorative crosswalk installation at the intersection of Franktown Road and Coleman Street. Prices received were:

MultiSeal Paving Company	\$40,850.00
Thermo Design Inc	\$43,700.00

STAFF RECOMMENDATION

THAT Council hereby authorizes staff to issue a Purchase Order to MultiSeal Paving Company for the installation of Thermoplastic Decorative Crosswalk Treatment.

126301 Continued

COMMITTEE DECISION

THAT Council hereby authorizes staff to issue a Purchase Order to MultiSeal Paving Company for the installation of Thermoplastic Decorative Crosswalk Treatment.

COUNCIL ACTION

THAT Council hereby authorizes staff to issue a Purchase Order to MultiSeal Paving Company for the installation of Thermoplastic Decorative Crosswalk Treatment.



Planning and Protection Committee
Council Report
June 7th, 2016

COMMUNICATION 127232

Received from	Les Reynolds, Director of Protective Services
Addressed to	Planning and Protection Committee
Date	June 2 nd , 2016
Topic	OWFC Activity Report

SUMMARY

OWFC Activity Report for the month of May was previously distributed.

COMMENT

For Council's Information

STAFF RECOMMENDATION

Receive and Record

COMMITTEE DECISION

Receive and Record

COUNCIL ACTION

Receive and Record

COMMUNICATION 127233

Received from Joanna Bowes, Manager of Development Services
Addressed to Planning and Protection Committee
Date May 25th, 2016
Topic Development Services- Planning Activity

SUMMARY

Committee has requested, from the Planning Department, a monthly review of planning matters received or approved within the department. The following outline represents only those matters that were accompanied by a submitted application. The overview does not represent the numerous inquiries received throughout the reporting period, as these inquiries may or may not come to fruition. In addition the accompanying chart does not illustrate the ongoing efforts with respect to various submitted subdivision files.

COMMENT

For Council's Information

STAFF RECOMMENDATION

Receive and Record

COMMITTEE DECISION

Receive and Record

COMMUNICATION 127201

Received from Brian Gass, Chief Building Official
Addressed to Planning and Protection Committee
Date April 28, 2016
Topic New Building By-law

SUMMARY

The Town has had the same Building By-law for the past ten years. During those same years the Province has opted to start using the Building Code Act, and its companion regulation, the Building Code, as a means to introduce provincial policy decisions that go beyond regulating the traditional structural and fire/life safety aspects of construction.

127201 Continued

For example, the design and construction of Resource Conservation and Environmental Integrity features in buildings have resulted in enhanced inspection protocols. In addition, the new By-law provides the starting point of framework for the Building Department to move towards e-permits. A system where applications would not only be received electronically, but permits also being issued electronically.

The current 2015 permit fee schedule has also been reviewed. Treasury has indicated that this permit fee schedule is projected to adequately cover the costs of the Building Department in the near future. As a result, there are no substantial changes to fees proposed. The changes are summarized as follows;

1. Discontinuation of “Inspection Deposit Fee”

Currently, every permit holder is required to post an Inspection Deposit Fee. The purpose of this deposit is to recover any costs associated with extra inspections. The collection and refund of these deposits are an administrative nightmare and places an unnecessary financial burden on our clients.

2. Introduction of an annual fee rate adjustment.

The reality is that each year operational costs of any organization increase. Therefore, since permit fees are meant to cover the costs associated with administration and enforcement of the Building Code and Act, these fees should be increased accordingly over time. Several years ago, municipalities in western Ontario, after consulting with their local construction, determined that yearly minor (typically under 1%) fee increases can better anticipated by the market rather than being faced with than substantial fee increases (typically between 10% to 25%) every five or ten years. As a result, this by-law proposes an annual fee adjustment based upon the 3rd Quarter Statistics Canada Construction Cost Index for Ottawa.

3. Introduction of Minimum Fee Deposits at time of permit application.

The Minimum Permit Fee is not an extra or new fee, it is simply a collection of part of the permit fees when an application is applied for. With the abandonment of the Inspection Deposit Fee, we still should be collecting some fees at time of permit application to offset the costs associated with plans review and processing of a permit that may be abandoned by the applicant

127201 Continued

4. Introduction of the ability to recover costs associated with third party peer review

The current fee schedule does not provide the Town the ability to recover costs where consultation with a professional is required from time to time. For example, the Building Code now permits an applicant to seek an Alternative Solution (material or whole building system) to a prescriptive requirement of the code.

Sometimes these materials are so new, and innovative, that they perhaps had not fully undergone testing. We would need to hire experts in that particular field to peer review the data submitted by the applicant.

In addition to the above noted changes, the Chief Building Official was asked by the Development Review Team to explore what practices other municipalities use to ensure that the siting of new buildings for location (setbacks), site grading and storm water management / flood mitigation measures are being constructed to the original plans filed within agreements that are beyond the authority of the Building Code Act to enforce. A review of the current operational practices established over the years by staff in both the Public Works and Planning Departments, work relatively well with some minor exceptions.

The greatest challenge appears to be the timing of when town staff receive “as built” survey plans for the building. This drawing does not only ensure the building is actually located on the site where it was proposed, but in addition, can also provide top of foundation wall elevations, to confirm that the foundation is constructed at a height adequate to permit the grading of the lot and driveway to be installed as it was proposed. Currently, this survey information and/or grading certificate are submitted by the builder upon completion of the whole building, when there is little opportunity to easily correct errors, such as inverted driveways, or side yard swales sloped too steep to cut a lawn with a mower, etc... This results in unhappy homeowners which may not only just complain to the town, but they could also initiate litigation against the builder and the Town.

In an effort to assist Planning and Public Works staff manage these challenges. The previously distributed Building By-law has a schedule, governed under the authority of the Municipal Act, not the Building Code Act, to set out a program regarding how vacant lots are to be developed. Essentially, Schedule “D” takes the current practices of Planning and Public Works and establishes a time line of what documents are required when. If the by-law is enacted, as written, then a builder will be required to submit to the Town a “top of foundation as built” survey of the building upon completion of the

127201 Continued

foundation. What is important to note here is that most builders have this survey already done and simply do not submitted it to the town until the project is completed and they are seeking refund of their grading deposit.

COMMENT

The proposed Building By-law is a modernized version of the current by-law. Introducing greater flexibility in the administration of the Building Code to deal with the ever changing technologies and systems of construction, while protecting the general public's interests of ensuring structures remain safe for their users.

UPDATE – June 7th, 2016

In accordance to the direction received by Council, on May 12 and 19, 2016, staff advertised notice of both an Open House meeting, held on May 26, 2016 at 3:30 pm in Council Chambers, and the Statutory Public Meeting, held on June 7, 2017 at 7:00 pm in Council Chambers, in the local print media page "Municipal Matters". Also additional notices were posted on the Towns Website, Facebook and Twitter accounts.

In addition, Building Department staff made a point of discussing face to face the proposed changes with contractors that are currently building in town while conducting building inspections. Overall, while it is human nature to initially resist change, after explaining the intent and rational, the contractors seem generally receptive to the proposed changes. Staff, did note some valid concerns with some worthwhile suggestions that will assist us in making operational decisions in regards to implementation of the new changes to hopefully ensure a smooth transition.

STAFF RECOMMENDATION

That By-law be forwarded to Council.

COMMITTEE DECISION

That By-law be forwarded to Council.

COUNCIL ACTION

Receive and Record

COMMUNICATION 127234

Received from Andrew Willows, Building Inspector/Plans examiner
Addressed to Planning and Protection Committee
Date June 2nd, 2016
Topic Repointing of Town Hall – 150 Community Infrastructure Program

SUMMARY

2 On March 22nd, 2016, a contribution agreement was made between the Town and Canada 150 Community Infrastructure Program for the refurbishing of approximately 12 windows, 1 door, and repointing portions of the stonework of the Town Hall. The duration of the agreement is over a two year period in which the Minister agreed to the contribution of an amount not exceeding the lesser of (a) and (b) as follows:

- a) Max 33.3% of total Eligible Costs of the Project incurred and paid by the Recipient; and
- b) \$ 67 000.

Staff posted a call for “Expression of Interest” to contractor for various capital projects. Contractors had until May 15, 2016 to respond. From which, three contractor provided quotations, for the repointing portion based on the scope of work below;

Scope of Work

Contractors quoted on repointing the South wall of the Town Hall, from the corner of Bridge and Mill Street to the Clock Tower, including the first 35 vertical feet of west wall of the Clock Tower. Contractors were to provide material and labor quotations. Contractors also were asked to provide their plan for scaffolding, but not to include within quotation.

Information collected was as follows;

Castle Masonry and Construction Quotation: \$14.00 per square foot

“Castle Masonry combines excellent masonry workmanship with effective project coordination. They can take on challenging projects and get the job done within schedule.” – Lisa Nicol, P.Eng. John G. Cooke & Associates Ltd.

Castle Masonry also completed masonry on the Town Square Washroom Building.

Heritage Brick & Stone Craft Quotation: \$25.00 per square foot

Owner, Colin Coveny, has been the contractor working on the emergency repointing repair which were required from the John G. Cooke report for the past couple years.

Darren Hearfield Quotation: \$30.00 per square foot

127234 Continued

All masons are graduates of the Heritage Masonry Program at Algonquin College, and have been working on Parliament Hill on the restoration of the West Block.

All Contractors are insured, and will ensure working conditions are safe for all. All contractors will complete all repointing in a manner consistent with heritage repointing.

Staff will be addressing the windows and door portion at a later date.

STAFF RECOMMENDATION

THAT Council hereby authorizes staff to issue a Purchase Order to Castle Masonry and Construction, and associated scaffolding company, for the repointing portion of the Town Hall, and for additional capital projects, specifically to repoint and repair the retaining walls found on Townline Road East.

COMMITTEE DECISION

THAT Council hereby authorizes staff to issue a Purchase Order to Castle Masonry and Construction, and associated scaffolding company, for the repointing portion of the Town Hall, and for additional capital projects, specifically to repoint and repair the retaining walls found on Townline Road East.

COUNCIL ACTION

THAT Council hereby authorizes staff to issue a Purchase Order to Castle Masonry and Construction, and associated scaffolding company, for the repointing portion of the Town Hall, and for additional capital projects, specifically to repoint and repair the retaining walls found on Townline Road East.

COMMUNICATION 127235

Received from	Joanna Bowes, Manager of Development Services
Addressed to	Planning and Protection Committee
Date	May 25 th , 2016
Topic	Extension of Nu Globe Subdivision Draft Plan Approval

SUMMARY

The County has received a letter from McIntosh Perry, on behalf of their client, Nu Globe Developments, requesting the extension of draft plan approval for 09-T-12002 which currently lapses September 21, 2016. Nu Globe has requested a one (1) year extension to September 21st, 2017. Their reasons for request include:

- difficulties with being able to meet draft conditions due to delays in negotiations with neighboring landowners and the municipality, and

127235 Continued

- Not being able to obtain engineering approvals from both the municipality and the Mississippi Valley Conservation Authority.

They further note that they have on-going negotiations with potential development partners.

COMMENT

The Planning Act allows for applicants to request for an extension to Draft Approval for up to a period of three years. Extensions past that period are not permitted. The reasons for this are:

- That the validity of the supporting technical reports and studies may be out of date with current trends and growth that has occurred after the issuance of draft approval.
- There is also a concern that if allowed to linger the public is not necessarily informed as the period of time since the public meeting is extensive.

Although the applicant only faced the normal challenges associated with satisfying the draft conditions, staff has reviewed the applicant's request and determined at this time that there is no need to ask for addendums to current technical reports and studies. Also, the public continues to be aware of the pending development of the subdivision so the public consultation remains valid.

STAFF RECOMMENDATION

THAT staff forward a recommendation to the County of Lanark for an extension for one (1) year to the Draft Approval of the Nu Globe Subdivision.

COMMITTEE DECISION

THAT staff forward a recommendation to the County of Lanark for an extension for one (1) year to the Draft Approval of the Nu Globe Subdivision.

COUNCIL ACTION

Receive and Record

COMMUNICATION 127236 (previous # 127000)

Received from Joanna Bowes, Manager of Development Services
Addressed to Planning and Protection Committee
Date May 25th, 2016
Topic Development Permit Application DP3-02-2011

SUMMARY

The applicant for development permit application DP3-02-2011, John Gibson, has asked for a further extension to his Development Permit Class 3 application.

COMMENT

Mr. Gibson applied for his Class 3 development permit application in 2011 to demolish the existing single family dwelling and construct a 26 unit, three storey apartment building with access from Franktown Road. The applicant was given a Development Permit Agreement which was never signed.

October 14, 2014 a letter was sent to Mr. Gibson noting that the application had been ongoing without contact for over a year. The Town asked Mr. Gibson to provide in writing, confirmation that the project was to continue. The Town received a letter from Mr. Gibson October 23, 2014.

October 30, 2014 another letter was sent to Mr. Gibson noting that Council would grant an extension until January 31, 2015 in order to have the new Council review and decide on extension times.

January 6, 2015 Council extended the application until November 30, 2015. Council granted the previous extension and Mr. Gibson was sent a letter dated December 4, 2015 noting the requested extension had been granted until June 1, 2016.

UPDATE

The Town has now received additional correspondence that Mr. Gibson would like to request a further extension to the project of 6 months.

Staff have reviewed the applicant's request and determined that, at this time, there is no need to ask for addendums to current technical reports and studies. Also, the public continues to be aware of the project so the public consultation remains valid.

Given that this is the fourth extension, and provided that we now include a 6 month period in our Development Permit Agreements prior to lapsing of the agreement, it is suggested that this should be the final extension provided.

STAFF RECOMMENDATION

That Council grant an extension for an additional 6 months up to December 1, 2016 for Development Permit Application DP3-02-2011 but that this be the final extension granted.

127236 Continued

COMMITTEE DECISION

That Council grant an extension for an additional 6 months up to December 1, 2016 for Development Permit Application DP3-02-2011 but that this be the final extension granted.

COUNCIL ACTION

That Council hereby grants an extension for an additional 6 months up to December 1, 2016 for Development Permit Application DP3-02-2011 but that this be the final extension granted.

COMMUNICATION 127237

Received from	Paul Knowles, Chief Administrative Officer
Addressed to	Planning and Protection Committee
Date	June 1 st , 2016
Topic	Amend By-law 13-2015

SUMMARY

When planning applications are approved often the project cannot begin immediately as the Developer needs some time to complete certain details (arrange financing, finalize sales, obtain building permits, fulfill conditions of approval). However, the various technical studies and the public consultation only remain valid for a fixed time. For this reason, planning approvals include a date for proceeding, normally 3 years for a Subdivision and 6 months for a Development Permit approval.

Each request to extend timelines is unique to the project. Extension requests are reviewed by staff of various departments in order to determine if an extension is appropriate considering whether or not the reports are still valid and whether the public is aware of the future development. Staff recommends that this procedure be continued but as there is currently no fee associated with this review, the tariff of fees by-law should be amended to include a fee.

STAFF RECOMMENDATION

That the tariff of fees By-law 13-2015 be amended to include a fee \$500.00 for review of extension requests. This fee would apply to all future requests for an extension of planning approvals.

COMMITTEE DECISION

That the tariff of fees By-law 13-2015 be amended to include a fee \$500.00 for review of extension requests. This fee would apply to all future requests for an extension of planning approvals.

COUNCIL ACTION

Receive and Record

COMMUNICATION 127238

Received from Paul Knowles, Chief Administrative Officer
Addressed to Planning and Protection Committee
Date May 30th, 2016
Topic MVCA – Wetlands

SUMMARY

Last summer, the Town learned of MVCA's plans to designate new local wetlands and this was reviewed with Council on September 8th, 2015 (126344). Despite the Town's comments it appears MVCA feels that their outreach efforts which reached approximately 40 landowners (of approximately 5000 owners impacted) have been sufficient and they intend to proceed with designation of the wetlands.

COMMENT

MVCA acknowledges that they created their map of proposed wetlands using dated aerial mapping and that they have not actually visited the sites which they propose to designate as wetlands. Because they have prepared their proposed wetland map based on such poor information, MVCA has offered to refine their proposed map if the property owner can provide sufficient data.

Staff have provided MVCA with actual field data related to the town properties owned by the Town, where wetlands were proposed and MVCA has agreed to refine their map and remove the wetlands proposed on the Town's property.

STAFF RECOMMENDATION

THAT staff work with the other property owners within Carleton Place, that are impacted by MVCA's proposed new wetland, to have the proposed wetland map appropriately refined to reflect the actual conditions.

ALSO THAT the Town circulate a letter to the other municipalities in the MVCA drainage area outlining the steps the Town is taking to ensure owners within the Town have an opportunity to refine the wetlands map before it is adopted as a regulation by MVCA.

COMMITTEE DECISION

THAT staff work with the other property owners within Carleton Place, that are impacted by MVCA's proposed new wetland, to have the proposed wetland map appropriately refined to reflect the actual conditions.

ALSO THAT the Town circulate a letter to the other municipalities in the MVCA drainage area outlining the steps the Town is taking to ensure owners within the Town have an opportunity to refine the wetlands map before it is adopted as a regulation by MVCA.

COUNCIL ACTION

Receive and Record

COMMUNICATION 127239

Received from Kory Earle
Addressed to Paul Knowles, Chief Administrative Officer
Date May 25th, 2016
Topic AODA

SUMMARY

Kory Earle will be meeting with the Ministry in Toronto to discuss the Accessibility for Ontarian's with Disabilities Act (AODA) and would appreciate some feedback that he can convey at this meeting.

COMMENT

The AODA sets out numerous requirements that impact both the built environment and how organizations (both public and private) and their staff operate. The requirements are being phased in over a number of years but some of the requirements will be onerous, particularly for small organizations. Little funding has been available to assist with the cost of implementing the AODA requirements.

STAFF RECOMMENDATION

THAT Kory Earle be asked to encourage the Minister to provide additional support, including financial, to assist small organizations with implementing the AODA requirements.

COMMITTEE DECISION

THAT Kory Earle be asked to encourage the Ministry to provide additional support, including financial, to assist small organizations with implementing the AODA requirements and ensure that the application process is simplified.

COUNCIL ACTION

Receive and Record

COMMUNICATION 127240

Received from Les Reynolds, Director of Protective Services
Addressed to Planning and Protection Committee
Date May 27th, 2016
Topic Fire Safety Inspection Charges

SUMMARY

Our Fire Prevention Officers conduct fire safety inspections on various classes of buildings throughout the town. In many cases a single visit confirms that the building is in compliance with the Ontario Fire Code. Unfortunately some inspections reveal contraventions of the Code which must be rectified. When this occurs the inspector issues a Fire Safety Inspection Report and schedules a follow up inspection. If the contravention is not rectified by the time of the re-inspection then a Fire Safety Order is issued, a second re-inspection is scheduled and the property owner may face prosecution.

These re-inspections impact staff time and our ability to carry out scheduled fire prevention activities. Property owners who ignore directions to correct deficiencies should expect to incur the associated enforcement costs. In 2015, 30 buildings required 3 or more visits to bring them into compliance with an estimated cost of \$3500 in staff time.

STAFF RECOMMENDATION

THAT Council hereby authorizes the Clerk to amend the list of 2016 Fees and Charges for the Town of Carleton Place to include a charge for 2nd and subsequent re-inspections of buildings at a rate of \$75.00 per hour with a minimum 1 hour charge.

COMMITTEE DECISION

THAT Council hereby authorizes the Clerk to amend the list of 2016 Fees and Charges for the Town of Carleton Place to include a charge for 2nd and subsequent re-inspections of buildings at a rate of \$75.00 per hour with a minimum 1 hour charge.

COUNCIL ACTION

THAT Council hereby authorizes the Clerk to amend the list of 2016 Fees and Charges for the Town of Carleton Place to include a charge for 2nd and subsequent re-inspections of buildings at a rate of \$75.00 per hour with a minimum 1 hour charge.

COMMUNICATION 127242

Received from Joanna Bowes, Manager of Development Services
Addressed to Planning and Development Committee
Date June 2nd, 2016
Topic Consent Application B16/077, 131-133 Elizabeth Street

SUMMARY

A consent application has been received from the applicant in relation to the property known municipally as 131-133 Elizabeth St. The subject lands are legally described as Parts 1 and 2 on 27R-10582 and illustrated below.



This consent application is to sever a 307.1 m² residential lot, leaving a 307.46m² portion of retained residential property. The purpose of the severance is to split the existing semi-detached units into separate ownerships. The semi-detached units were constructed and approved through building permit 14N043.

The Provincial Policy Statement (PPS) provides direction on matters of Provincial interest pertaining to land use matters and all development proposals must be consistent with the policies therein. The statement believes that long term prosperity for the Province depends upon a “strong, sustainable and resilient community, a clean and healthy environment, and a strong and competitive economy”. The policy statement directs development to settlement areas and protects the resources throughout the province.

127242 Continued

Section 1.0 of the statement, Building Strong Healthy Communities, stresses efficient development patterns by supporting infill development, utilizing existing infrastructure and promoting opportunities to create a varied built form.

Section 2.0 of the statement protects resources and Section 3.0 outlines policies to direct development away from areas of potential hazards.

The proposed severance complies and is consistent with policy directions within the Provincial Policy Statement.

The Official Plan designation for this property is Residential (R). This designation allows for a mix of housing types which complements the existing small town character. The Development Permit By-law also designates the property as Residential (R). The severance will allow the existing semi-detached to be created under individual ownerships. Both the retained and the severed lot meets the minimum frontage required under the Development Permit By-law.

COMMENT

The proposal, if approved, will allow for the existing semi-detached to be under separate ownership. The lots are appropriately designated in both the Official Plan and in the Development Permit By-law. As with any severance application, staff compiles a list of conditions that the application must meet before final approval and creation of a new deed.

It should be noted that once the County of Lanark Land Division Committee makes a decision, the applicant must clear all conditions within one year from the date of that decision. The proposed conditions for the application are:

1. The balance of outstanding taxes, including penalties and interest, (and any local improvement charges if applicable) shall be paid to the Town of Carleton Place.
2. The applicant shall provide the Town of Carleton Place with a digital copy of the reference plan (in NAD83 datum).
3. That a deposited reference plan be submitted to the Town of Carleton Place.
4. That a cash-in-lieu of parkland payment of \$640.00 be collected from the applicant.

STAFF RECOMMENDATION

That staff forward the above conditions to the County of Lanark for consideration.

COMMITTEE DECISION

That staff forward the above conditions to the County of Lanark for consideration.

COUNCIL ACTION

Receive and Record

COMMUNICATION 127243

Received from Paul Knowles, Chief Administrative Officer
Addressed Planning and Protection Committee
Date June 3rd, 2016
Topic Closed Meeting

SUMMARY

As authorized by the Municipal Act, Council should review selected items in closed session.

COMMENT

The Municipal Act permits discussions about the sale of property to be in closed session so that negotiations can be finalized in confidence. It also allows Council the opportunity to consider an offer, and, if the proposal is not acceptable and not proceeding there is no need to publicize what is not happening. However, regarding 08-03-16-1, the Developer's consultant has chosen to introduce the topic to the public.

STAFF RECOMMENDATION

THAT 08-03-16-1 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Carambeck Property be discussed in Open Session

THAT in accordance with Section 239 of the Municipal Act, S.O. 2001, that the meeting be closed to the public with the following agenda:

AGENDA

- 19-04-16-1 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Beckwith Street Property.
- 07-06-16-1 personal matters about an identifiable individual, including municipal or local board employees; General Nature - Staffing
- 07-06-16-2 litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board: General Nature – OCWA Contract
- 07-06-16-3 litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board: General Nature – Water Inspection
- 07-06-16-4 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Roy Brown Park

127243 Continued

COMMITTEE DECISION

THAT in accordance with Section 239 of the Municipal Act, S.O. 2001, that the following item be closed to the public with the following agenda and that the Town Realtor and Developer attend.

AGENDA

19-04-16-1 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Beckwith Street Property

CARRIED

THAT 08-03-16-1 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Carambeck Property be discussed in Open Session

CARRIED

SUMMARY

The distributed offer from Quest Homes Ltd. has been received for property on Bridge Street (Carambeck)

The offer to purchase the property for \$400,000 is conditional on the following items:

- That the seller issues building permits for a semi-detached dwelling on Part 3 and 9 town homes on Part 4, and
- The lot's shall be fully serviced on the closing date
- Closing date is 10 days after the lots are serviced and building permit is ready
- That the seller agrees to pay 5% consulting fee to CP Rental and Property Management upon closing
- That the offer is null and void if the conditions are not met by August 1, 2016.

COMMENT

These properties were advertised for sale in March 2015. In May 2015, Council considered and countered an offer as shown below.

Parcel	Asking Price	Offer May 2015 5% Commission	Counter Offer 2015 2% Commission	Offer February 2016 5% Consulting fee
Part 1 & 2	\$95,000	\$60,000	\$85,500	
Part 3	\$110,000	\$70,000	\$99,000	\$98,876
Part 5	\$335,000	240,000	\$301,500	\$301,124

127243 Continued

The property for sale has been listed by the Town and does indicate that the proposed semi and townhome dwellings would be appropriate and possible. Prior to listing the property staff undertook an exercise to investigate building yield on the lands. The Official Plan requires that a Plan of Subdivision is necessary for the creation of any more than four lots. There are many technical studies and documents that would be required as part of that process at the county prior to any building permit being issued. The timeline outlined in the offer could not be met as the subdivision approval process takes longer than six months.

However, an alternative approach to developing (sale of blocks and severances) could proceed more quickly but this approach will require some effort to properly structure the purchase and sale agreement.

UPDATE – April 19th, 2016

At the April 12th, 2016 meeting Committee instructed staff to counter for \$485,000 for Parts 1, 2, 3 and 4.

UPDATE – May 3rd, 2016

Developer is now proposing significantly denser development that was originally anticipated.

Area	Advertised	Proposed
Parts 1 & 2	1	4
Part 3	2	6
Part 5	Max 9	20

This is a change from the original offer which referred to 1 semi-detached and 9 townhomes.

Two issues should be considered;

- 1) Is the development proposed appropriate? Council should not sell the property knowing the proposed use unless Council is prepared to approve the application for the proposed site.
- 2) Property was advertised with an 'asking price' and stated "Property is suitable for". The proposed development includes significantly more units and property is often valued as a cost/unit. Is the proposed purchase price fair?

At the May 3rd, 2016 meeting Council decided that the proposal to construct 30 units on the lots along Bridge Street was not acceptable and suggested that the developer consider constructing his proposed dense development on part 6.

127243 Continued

UPDATE – June 7th, 2016

When we acquired Carambeck our goal was to create a facility that would benefit the community with little or no cost to the taxpayer. In addition to the pool (that already existed), we wanted the community facility to include multi-use indoor space, dedicated space for the youth centre, accommodation for the School Board's continued use (this provides ongoing rental revenue), outdoor recreational space and an opportunity for a seniors building similar to Elizabeth Court. With these goals in mind, we renovated the building and constructed parking with the intent to recover as much of the cost of this work as possible through the sale of a portion of the property. The property along Bridge St (Parts 1, 2, 3 and 4) offers little opportunity for outdoor recreational use and can easily be developed. If sold for close to the appraised value it would largely achieve the goal of financing the capital cost to date. Intensify residential development on the property to achieve maximum development has not been the goal.

The Developer has proposed a project that was too dense to fit onto Parts 1, 2, 3 and 4 (that are along Bridge St) so we suggested he look at part 6. He is now interested in Part 6 for his version of a seniors style development. When staff first heard the Developer wanted to increase the size of Part 6, staff advised this would not be acceptable. However, the Developer felt that the size of Part 6 should be increased to accommodate his specific development proposal and provided the attached sketch.

Staff feel it is important to maintain open space parkland for community use at the Carambeck Community Centre. Increasing the size of Part 6 as requested would significantly reduce the amount of open space and not allow for the planned splash pad, outdoor rink and other outdoor uses. Last year, staff provided the same answer to a similar proposal from another developer.

Staff would certainly support the creation of seniors housing on the property. The Childcare program currently operates intergenerational programs with Waterside Retirement Residence and would welcome the opportunity to expand the program to a nearby facility. However, the project being proposed is for stacked townhomes – the ground floor would be accessible but ½ of the units would be on the upper floors only accessible via stairs and not suitable for seniors. Also, a key feature for a seniors development is interior halls so the residents can easily move about the building for both exercise and social exchange. A common area would also be important. Stacked townhomes each have their own private exterior entrance so there would not be any interior halls or common area. Stacked townhomes would be more suitable in other locations around the Town (Lansdowne at Arthur, Coleman at MacGregor, etc)

Also, the term 'affordable' generally means that the rent for the units is less than the market rent and this can only be achieved if a grant or a subsidy is provided. On May 20th, 2016, a representative from CMHC explained current funding that is available to create 'affordable' housing. It seems the County is pursuing rebuilding their homes on Edwards Drive and this may address a portion of the affordable seniors housing need in the community. However, it is doubtful there will be any grants or subsidy to create additional affordable units at this time.

127243 Continued

STAFF RECOMMENDATION

THAT the developer be asked scope their development plans to fit within the property which has been identified for sale (Part 6)

COMMITTEE DIRECTION

Bring forward

THAT 07-06-16-4 a proposed or pending acquisition or disposition of land by the municipality of local board; General Nature – Roy Brown Park be discussed in Open Session

RECORDED VOTE

Mayor Antonakos	Yea	Councillor Black	Yea
Deputy-Mayor Flynn	Yea	Councillor Fritz	Yea
Councillor Redmond	Yea	Councillor Trimble	Yea

CARRIED

SUMMARY

Earlier there had been a general agreement with Cavanagh that the required SWM pond could be located in Roy Brown Park in exchange for compensation. With approval of the Canada 150 grant for signage in Roy Brown Park, it is urgent to finalize plans for Roy Brown Park so that the signage is installed in the correct locations. The attached concept plan illustrates how the park will be developed in phases and has been reviewed with MVCA. It will also be reviewed with the public (Urban Forest/River Corridor Committee and Boundary Road residents) on June 21st, 2016.

It is proposed that Cavanagh be permitted to construct the SWM pond on the Town's property. In exchange, Cavanagh would perform work with a value of \$80,000 x the number of acres occupied by the pond. Note – Roy Brown Park will also drain into the SWM pond so the Town would be responsible for a share of the cost for the pond.

Cavanagh will prepare a detailed construction drawing for Roy Brown Park Phases 1 & 2 and construct Phase 1 in 2016. Cavanagh would construct Phase 2, including installing services for MVCA building and the potential future Community Centre in conjunction with the development of their adjacent subdivision. MVCA will construct Phase 3. The Town would construct Phase 4 in the future when required.

STAFF RECOMMENDATION

THAT staff finalize an Agreement with Cavanagh whereby Cavanagh performs work in Roy Brown Park for a negotiated price that is equivalent to the area occupied by the SWM pond valued at \$80,000/Ac. Any difference between the value of the property for the SWM pond and the value of the work will be settled with a cash payment.

127243 Continued

COMMITTEE DIRECTION

THAT staff finalize an Agreement with Cavanagh whereby Cavanagh performs work in Roy Brown Park for a negotiated price that is equivalent to the area occupied by the SWM pond valued at \$80,000/Ac. Any difference between the value of the property for the SWM pond and the value of the work will be settled with a cash payment.

RECORDED VOTE

Mayor Antonakos	Yea	Councillor Black	Nay
Deputy-Mayor Flynn	Yea	Councillor Fritz	Yea
Councillor Redmond	Yea	Councillor Trimble	Yea

CARRIED

THAT in accordance with Section 239 of the Municipal Act, S.O. 2001, that the meeting be closed to the public with the following agenda:

- 07-06-16-1 personal matters about an identifiable individual, including municipal or local board employees; General Nature - Staffing
- 07-06-16-2 litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board: General Nature – OCWA Contract
- 07-06-16-3 litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board: General Nature – Water Inspection

CARRIED

REPORT TO COUNCIL

- 19-04-16-1 Bring forward
- 07-06-16-1 Bring forward
- 07-06-16-2 Bring forward
- 07-06-16-3 Bring forward

COUNCIL ACTION

THAT Council hereby authorizes staff to finalize an Agreement with Cavanagh whereby Cavanagh performs work in Roy Brown Park for a negotiated price that is equivalent to the area occupied by the SWM pond valued at \$80,000/Ac. Any difference between the value of the property for the SWM pond and the value of the work will be settled with a cash payment.

BY-LAW NO. 30-2016

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE ONE HUNDRED AND TWENTY SEVENTH COUNCIL OF THE CORPORATION OF THE TOWN OF CARLETON PLACE AT THE TWELFTH REGULAR MEETING OF COUNCIL OF JUNE 14, 2016

AND WHEREAS Section 5 of the Municipal Act, S.O. 2001, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS it is deemed expedient that the proceeding of the Council of the Corporation of the Town of Carleton Place at this meeting be confirmed and adopted by by-law;

NOW THEREFORE the Council of the Corporation of the Town of Carleton Place enacts as follows:

1. **THAT** the action of the 127TH Council of the Corporation of the Town of Carleton Place at the TWELFTH Regular Meeting of Council held on June 14, 2016, in respect of each motion and resolution passed, and other action taken by the Council of the Corporation of the Town of Carleton Place at its meeting, is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-law.
2. **THAT** the Mayor and proper officials of the Corporation of the Town of Carleton Place are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of the Town of Carleton Place referred to in the preceding section thereof.
3. **THAT** the Mayor and Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the Seal of the Corporation of the Town of Carleton Place.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 14th DAY OF JUNE 2016.

Louis Antonakos, Mayor

D.H. Rogers, Clerk