

MINUTES
OF THE FOURTH REGULAR MEETING OF THE ONE HUNDRED
AND TWENTY EIGHTH COUNCIL OF THE TOWN OF CARLETON PLACE

The Fourth Regular Meeting of the One Hundred and Twenty Eighth Council of the Town of Carleton Place was held in the Town Hall Council Chambers on Tuesday, February 14, 2017 at 7:00 p.m.

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

STAFF: P. Hogan, Treasurer D. Rogers, Clerk

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. 4-128-01

Moved by Deputy-Mayor Flynn, seconded by Councillor Doucett

THAT the Minutes of the Third Regular Meeting of the 128th Council held on January 31, 2017 be adopted as printed.

CARRIED

IV DELEGATIONS

None

V COMMUNICATIONS

128063 – 128088

VI READING OF BY-LAWS

By-law No. 11-2017

Motion No. 4-128-02

Moved by Councillor Redmond, seconded by Councillor Trimble

THAT By-law No. 11-2017 **(To Amend Development Permit By-law 15-2015)** be read a first, a second and third time and finally passed.

CARRIED

By-law No. 12-2017

Motion No. 4-128-03

Moved by Councillor Fritz, seconded by Councillor Doucett

THAT By-law No. 12-2017 **(To Amend Traffic and Parking By-law 46-2003)** be read a first, a second and third time and finally passed.

CARRIED

VII STANDING COMMITTEES

Policy Review Committee – January 31, 2017

Motion No. 4-128-04

Moved by Councillor Doucett, seconded by Councillor Fritz

Communication: 128063 128064

THAT Council hereby accepts the Policy Review Committee's decisions related to the consent items of January 31, 2017 and approves the Council Actions.

CARRIED

Physical Environment Committee – February 7, 2017

Motion No. 4-128-05

Moved by Councillor Black, seconded by Councillor Redmond

Communication: 128065

THAT Council hereby accepts the Physical Environment Committee's decisions related to the consent items of February 7, 2017 and approves the Council Actions.

CARRIED

Motion No. 4-128-06

Moved by Councillor Trimble, seconded by Councillor Redmond

Communication: 128031

THAT Council hereby authorizes staff to issue a Purchase Order to Carleton Place Nursery for the purchase of 100 Bare Root trees for the bid price of \$6,570.95.

CARRIED

Motion No. 4-128-07

Moved by Deputy-Mayor Flynn, seconded by Councillor Doucett

Communication: 128066

THAT Council hereby authorizes staff to engage Ainley Graham Associates on an hourly basis to provide engineering and project management services for watermain and sanitary sewer rehabilitation (lining) work.

CARRIED

Motion No. 4-128-08

Moved by Councillor Fritz, seconded by Councillor Doucett

Communication: 128067

THAT Council hereby authorizes staff to hire Castle Masonry and Construction and associated scaffolding company, to continue repointing portion of the Town Hall.

CARRIED

Planning and Protection Committee – February 7, 2017

Motion No. 4-128-09

Moved by Councillor Redmond, seconded by Councillor Black

Communication: 127388 128037 128068 128069 128070 128071

128072 128073 128074 128075 128076 128077 128078

THAT Council hereby accepts the Planning and Protection Committee's decisions related to the consent items of February 7, 2017 and approves the Council Actions.

CARRIED

VIII OTHER BUSINESS

Members of Council acknowledged and received the Report form the Integrity Commissioner dated January 26, 2017.

IX MAYOR’S ANNOUNCEMENTS/DATES TO REMEMBER

Mayor Antonakos informed Council of the very successful IODE Community Bonspiel recently held and the participation of two teams representing The Town of Carleton Place.

The Mayor also noted that the Annual Bowlathon for Big Brothers/Big Sisters would take would take place on February 28th 2017 and invited members of Council to participate.

Members were also reminded of the Winter Carnival scheduled to take place in Riverside Park and the public skating on Family Day offered n front of the OPP/OWFC Station.

Mayor Antonakos also noted that a candlelight vigil will take place at the Market Square on February 19, 2017 in memory of Gennadi Brianski who recently died as a result of a traffic accident. Members of Council were also reminded of the upcoming IODE Extravaganza Fashions for Guys and Gals on Sunday, April 9, 2017 at the Waterside Seniors Residence.

The Mayor also reminded members of Council of the Annual Good Roads Convention and that the Council meeting of Tuesday, February 28, 2017 has been cancelled.

X BY-LAW CONFIRMING COUNCIL PROCEEDINGS

By-law No. 13-2017

Motion No. 4-128-10

Moved by Councillor Doucett, seconded by Councillor Fritz

THAT By-law No. 13-2017 **(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 – 7:19 p.m.

Motion No. 4-128-11

Moved by Councillor Trimble, seconded by Councillor Black

THAT the Fourth Regular Meeting of the One Hundred and Twenty Eighth Council be hereby adjourned.

CARRIED


Louis Antonakos, Mayor


D.H. Rogers, Clerk



AGENDA

FOURTH REGULAR MEETING OF THE ONE HUNDRED AND
TWENTY EIGHTH COUNCIL OF THE TOWN OF CARLETON PLACE
Tuesday, February 14, 2017 Council Chambers at 7:00 p.m.

I OPENING PRAYER

II DISCLOSURE OF PECUNIARY INTEREST

III MINUTES OF PREVIOUS MEETING

Minutes of the Third Regular Meeting of the 128th Council of January 31, 2017

IV DELEGATIONS

None

V COMMUNICATIONS

128063 – 128088 (*copies of communications are available to view in the Clerk's Dept.*)

VI READING OF BY-LAWS

By-law 11-2017 – To Amend Development Permit By-law 15-2015
By-law 12-2017 – To Amend Traffic and Parking By-law 46-2003

VII STANDING COMMITTEES

Policy Review Committee – January 31, 2017

128063 128064

Physical Environment Committee – February 7, 2017

128065 128031 128066 128067

Planning and Protection Committee – February 7, 2017

128068 128069 128070 128071 128072 128073

128074 127388 128075 128037 128076 128077 128078

VIII OTHER BUSINESS

Mr. Robert Swayze – Integrity Commissioner's Report

IX MAYOR'S ANNOUNCEMENTS/DATES TO REMEMBER

X BY-LAW NO. 13-2017 CONFIRMING COUNCIL PROCEEDING

XI SINGING OF O'CANADA

XII ADJOURNMENT

BY-LAW NO. 11-2017

**A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO
AMEND DEVELOPMENT PERMIT BY-LAW**

WHEREAS the Council of the Corporation of the Town of Carleton Place deems it desirable to amend Development Permit By-law 15-2015 in accordance with Section 34 and 70.2 of the *Planning Act, R.S.O, 1990*.

AND WHEREAS the Corporation of the Town of Carleton Place enacts as follows:

1. Schedule "A" of By-law 15-2015 of the Town of Carleton Place is hereby amended as follows:
 - a. The land shown as "Intake Protection Zone" (IPZ) on Schedule A is designated as IPZ 9 and IPZ 10.
2. This by-law shall come into force and effect on the date of passing of Official Plan Amendment No.4 to the Official Plan of the Town of Carleton Place.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED
THIS 14TH DAY OF FEBRUARY 2017.

Louis Antonakos, Mayor

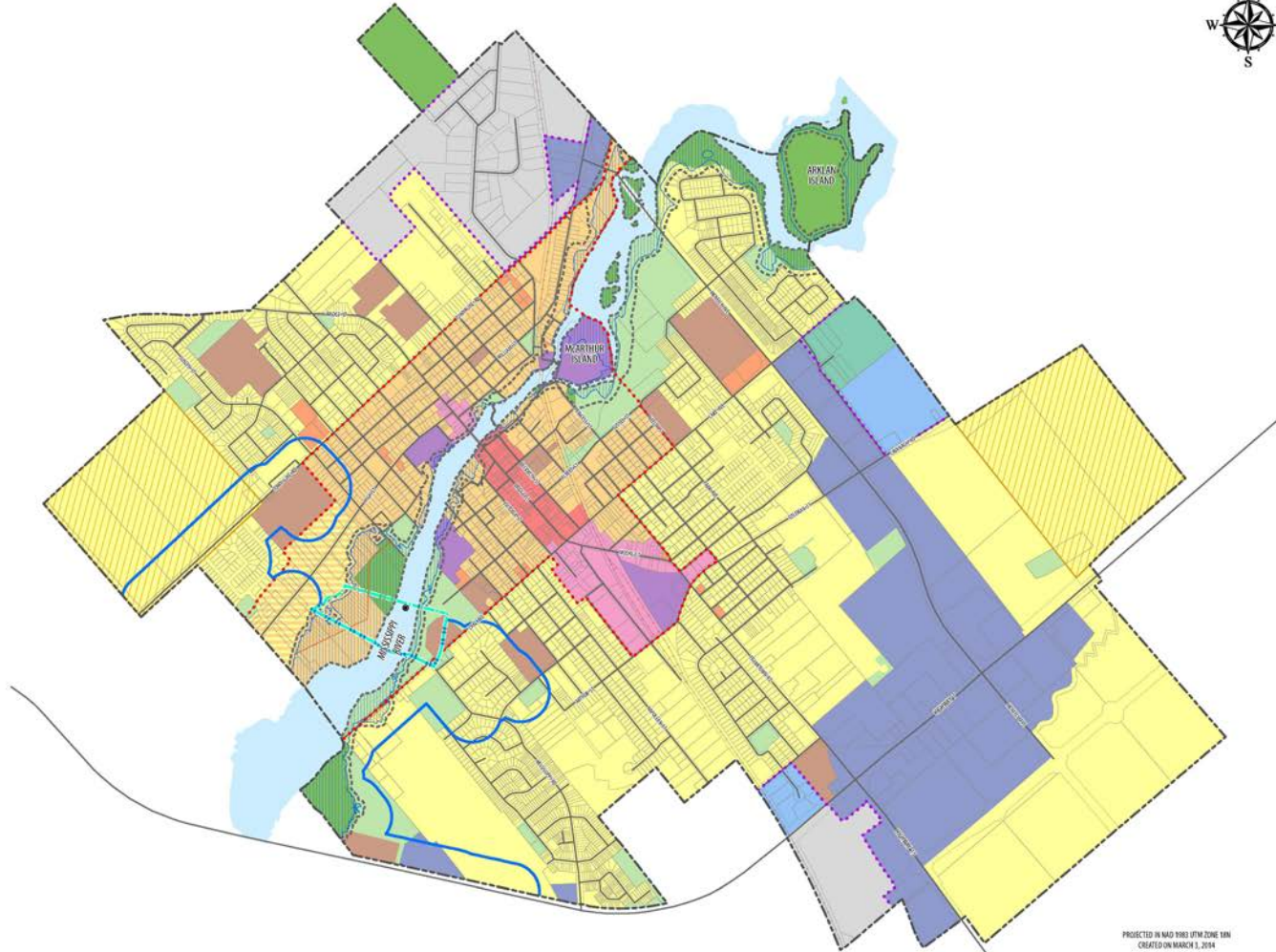
D. H. Rogers, Clerk



DEVELOPMENT PERMIT SCHEDULE A BY-LAW 11-2017

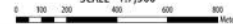
LEGEND

- TOWN OF CARLETON PLACE BOUNDARY
- LAND PARCELS
- ROADWAYS
- WATERBODY
- MISSISSIPPI DISTRICT**
 - DOWNTOWN DISTRICT
 - MISSISSIPPI TRANSITIONAL SECTOR
 - MISSISSIPPI RESIDENTIAL SECTOR
 - HIGH STREET RESIDENTIAL SECTOR
 - STRATEGIC PROPERTY
- EMPLOYMENT DISTRICT**
 - HEALTH CAMPUS
 - BUSINESS PARK CAMPUS
 - INDUSTRIAL CAMPUS
- FUTURE DEVELOPMENT DISTRICT**
- RESIDENTIAL DISTRICT
- COMMUNITY COMMERCIAL
- HIGHWAY DISTRICT
- INSTITUTIONAL
- NATURAL ENVIRONMENT DISTRICT
- PARKS AND OPEN SPACE
- ENVIRONMENTAL CONSTRAINTS
- FLOOD FRINGE
- REGULATORY LIMIT
 - IPZ 10
 - IPZ 9
- MUNICIPAL SURFACE WATER INTAKE



PROJECTED IN NAD 1983 UTM ZONE 18N
 CREATED ON MARCH 1, 2014
 REVISED ON OCTOBER 04, 2015

SCALE 1:7,500



Helping shape better communities

BY-LAW NO. 12-2017

**A BY-LAW OF 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 No. 46-2003, the Traffic and Parking By-law and;

WHEREAS it is deemed expedient and necessary to amend By-law No. 46-2003;

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

That the following be added to SCHEDULE 'XVIII' TO BY-LAW NO. 46-2003

PROHIBITING OF SKATEBOARDS

1. No person shall use, draw, haul or propel any skateboard in the following areas:
 - a) Market Square
 - b) Town Hall Square
 - c) Any municipal parking lot with the exception of the Carleton Place Community Centre parking lot
 - d) The Cenotaph located at the Zion Memorial Park

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 14th DAY OF FEBRUARY 2017.

Louis Antonakos, Mayor

D.H. Rogers, Clerk



Policy Review Committee
Council Report
January 31st, 2017

COMMUNICATION 128063

Received from Paul Knowles, Chief Administrative Officer
Addressed to Policy Review Committee
Date January 26th, 2017
Topic Closed Meetings

SUMMARY

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

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

07-06-16-1 personal matters about an identifiable individual, including municipal or local board employees – General Nature – Staffing

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

07-06-16-1 personal matters about an identifiable individual, including municipal or local board employees – General Nature – Staffing

15-09-15-2 litigation or potential litigation, including matters before administrative tribunals, affecting the municipality of local boards; General Nature – Easement on McNeely

128063 Continued

13-01-15-1 personal matters about an identifiable individual including municipal or local board employees – General Nature – Staffing

31-01-17-1 personal matters about an identifiable individual including municipal or local board employees – General Nature – Town Boards

REPORT TO COUNCIL

07-06-16-1 Receive and Record

15-09-15-1 Receive and Record

13-01-15-1 Bring forward

31-01-17-1 Receive and Record

COUNCIL ACTION

Receive and Record

COMMUNICATION 128064

Received from Paul Knowles, CAO
Addressed to Policy Review Committee
Date January 31st, 2017
Topic Climate Change

SUMMARY

The Province's Climate Change Action Plan explains the need for municipalities to work to;

- mitigate the community's impact on the environment (and thus on Climate Change)
- adapt the community to accommodate the changing climate

The transportation sector is a major generator of Greenhouse Gas (GHG) and changes to this sector are critical to achieve announced mitigation goals. Also, transportation infrastructure is vulnerable and needs to adapt to accommodate the impact of climate change. Beginning in 2017, the Province will have significant new funds available in the Greenhouse Gas Reduction Account (GGRA) to invest into initiatives that will reduce GHG and, it makes sense that a significant portion of these funds will be used to fund new transit.

128064 Continued

More transit riders (less cars) will reduce GHG with the added benefit of reducing traffic congestion in the urban areas. In the large metropolitan areas, the Province is working directly (for example Metrolinks) or directly with the municipalities to improve transit services. However, in the more rural areas of Ontario, municipalities must manage transportation services themselves.

The communities in these more rural areas of Ontario will be contributing revenues to the new “GFRA” funds and should have access to these funds for initiatives that will work locally to either mitigate or adapt to Climate Change. Examples of initiatives that could work in a more rural area are;

- organize ride sharing programs
- construct park and ride facilities
- construct cycle facilities – particular that connect to park and ride or commuter transit stops;
- highly encourage electric cars (Note – in an urban area, replacing a car with an electric car only addresses one half of the problem – congestion on the roads remain. In the rural areas there is no congestion so conversion to electric cars should be more highly encouraged); and
- reconstruct culverts, bridges, drainage systems to adapt to climate change

The Local municipalities will be able to identify the best projects to mitigate and adapt to climate change in their community.

STAFF RECOMMENDATION

We ask that the Province to dedicate a proportionate share of the new “GFRA” funds for allocation to the rural areas of the province that are not serviced by transit that is directly supported by the Province so that these municipalities can design and implement a Climate Change Action Plan that will work for their community.

COMMITTEE DECISION

THAT we ask the Province to dedicate a proportionate share of the new “GFRA” funds for allocation to the rural areas of the province that are not serviced by transit that is directly supported by the Province so that these municipalities can design and implement a Climate Change Action Plan that will work for their community.

AND THAT this position be distributed to appropriate groups in the province for support.

COUNCIL ACTION

Receive and Record



Physical Environment Committee
Council Report
February 7th, 2017

COMMUNICATION 128065

Received from Dave Young, Director of Public Works
Addressed to Physical Environment Committee
Date Feb 1st, 2017
Topic DWQMS 2016 4th Quarter Report

SUMMARY

The distributed report identifies significant activities that have occurred over the period from October through December 2016. Noteworthy items include:

- The most significant event was the watermain break that occurred on November 3rd, 2016. This event tested the Town's ability to deal with a major drinking water event that required contributions from various municipal departments and outside agencies. Upon review of the event, it was felt that the situation was dealt with very well but there were still potential areas of improvement for a situation of this magnitude.
- Annual water consumption was at its highest in 2016 since 2012, which was an extremely hot and dry year. Internal and External Tabletop audits were conducted in this quarter with no Non-Conformances identified and only one Opportunity for Improvement.
- The Management Review was conducted on Dec 21st, 2016. Minutes and action items were previously distributed.

COMMENT

For Council's Information

STAFF RECOMMENDATION

Receive and Record

COMMITTEE DECISION

Receive and Record

COUNCIL ACTION

Receive and Record

TO BE DISCUSSED

COMMUNICATION 128031

Received from Dave Young, Director of Public Works
Addressed to Physical Environment Committee
Date January 5th, 2017
Topic Bare Root Tree Program

SUMMARY

Staff are once again working with the Urban Forest/River Corridor Advisory Committee and planning on moving forward with the Carleton Place Bare Root Tree Program. Quotes are currently out to local nurseries for the supply and distribution of the bare root stock. As in previous years the intent is to conduct an information session for tree planting and maintenance for participants of the program.

COMMENT

Staff have increased the number of trees for 2017 slightly as the impacts of the weather conditions of 2016 are still being assessed but it is felt, by staff, that the Town's tree inventory has been adversely affected by last year's drought.

UPDATE – February 7th, 2017

One bid was received on February 1st, 2017 for the supply and distribution of Bare Root Trees. Carleton Place Nursery submitted a price of \$6570.95.

Carleton Place Nursery has provided this service numerous times in the past and staff have always been satisfied with their service. Species provided this year include: Sugar Maple, Red Oak, Hackberry, Showy Mountain Ash, Edible Flowering Crab, McIntosh Apple, Honeylocust.

STAFF RECOMMENDATION

THAT Council hereby authorizes staff to issue a Purchase Order to Carleton Place Nursery for the purchase of 100 Bare Root trees for the bid price of \$6,570.95

COMMITTEE DECISION

THAT Council hereby authorizes staff to issue a Purchase Order to Carleton Place Nursery for the purchase of 100 Bare Root trees for the bid price of \$6,570.95

COUNCIL ACTION

THAT Council hereby authorizes staff to issue a Purchase Order to Carleton Place Nursery for the purchase of 100 Bare Root trees for the bid price of \$6,570.95

COMMUNICATION 128066

Received from Paul Knowles, CAO
Addressed to Physical Environment Committee
Date February 1st, 2017
Topic RFP

SUMMARY

The CWWF projects for 2017 include rehabilitation (lining) of the Flora St watermain river crossing, Antrim St sanitary sewer, Industrial Park North sanitary sewer and Ferrill Cres sanitary sewer. Staff requested proposals to manage these projects from four engineering firms however only two of the firms responded to the RFP. The consultant's task will begin with an investigation of the infrastructure followed by design and management of rehabilitation. As the exact scope of the consultant's work cannot be defined, the consultant will be engaged on an hourly basis.

In their response to the RFP, both consultants provided hourly rates for their staff and an estimate of their potential total cost and the cost was comparable (\$97,074 vs \$99,898). After reviewing the consultant's experience with related work and their recommended approach to the project, staff recommend engaging Ainley Graham Associates for this project

COMMENT

For Council's Information

STAFF RECOMMENDATION

That staff engage Ainley Graham Associates on an hourly basis to provide engineering and project management services for watermain and sanitary sewer rehabilitation (lining) work.

COMMITTEE DECISION

That staff engage Ainley Graham Associates on an hourly basis to provide engineering and project management services for watermain and sanitary sewer rehabilitation (lining) work.

COUNCIL ACTION

THAT Council hereby authorizes staff to engage Ainley Graham Associates on an hourly basis to provide engineering and project management services for watermain and sanitary sewer rehabilitation (lining) work.

COMMUNICATION 128067

Received from Andrew Willows, Building Inspector/Plans examiner
Addressed to Physical Environment Committee
Date February 1st, 2017
Topic Repointing of Town Hall – Contract Renewal

SUMMARY

During the summer 2016, the Town, in conjunction with Canada 150 Community Infrastructure Program, undertook repointing a portion of the Town Hall.

Castle Masonry and Construction, back pointed a large portion and repointed the wall, while working with staff to ensure the colour and finished joint would be consistent with the existing work and the historic value.

Work was completed in roughly 6 weeks as anticipated, and only slightly over budget, due to Staff approved extras, outside the contracted scope of work.

Scaffold-Russ Dilworth Limited, provide the full scaffolding set-up, complete with Professionally Engineered drawings and review. As the recommended scaffolding company by Castle Masonry, the Town saved thousands over other quotations.

Heather & Little Ltd., played a small role in the restoration project, repairing the galvanized steel hood moldings over a number of windows, and performed temporary repairs to the slate roof where accessible from the existing scaffolding.

The Canada 150 Community Infrastructure Program is a two year contribution agreement. In the second year, the Town intends to continue repointing portions of the Town Hall, and refurbish approximately 12 windows, 1 door.

The exact location of the portion of Town Hall to be repointed in 2017, has yet to be determine, given the possibility of the Bridge restoration project.

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

Given the proximity to the last tender is within a year, and work completed to date has met the expectation of the scope of work, it is recommended that *Castle Masonry and Construction*, and the associate trades, continue with the Town Hall restoration project.

Castle Masonry and Construction, has expressed interest and agreed to continue, at a rate of \$15 per square foot. The scaffold cost will vary depending upon the location.

With approval, *Castle Masonry and Construction*, can be secured for an early spring start, with the intent to be completed prior to the Canada 150 celebrations.

COMMENT

For Council's Information

128067 Continued

STAFF RECOMMENDATION

THAT Council Herby authorizes staff to hire Castle Masonry and Construction, and associated scaffolding company, to continue repointing portions of the Town Hall.

COMMITTEE DECISION

THAT Council Herby authorizes staff to hire Castle Masonry and Construction, and associated scaffolding company, to continue repointing portions of the Town Hall.

COUNCIL ACTION

THAT Council Herby authorizes staff to hire Castle Masonry and Construction, and associated scaffolding company, to continue repointing portions of the Town Hall.



Planning and Protection Committee
Council Report
February 7th, 2017

COMMUNICATION 128068

Received from Joanna Bowes, Manager of Development Services
Addressed to Planning and Protection Committee
Date January 26th, 2017
Topic Development Services- Planning Activity Report

SUMMARY

The monthly activity review for January regarding planning matters received within the department was previously distributed. The distributed report represents only those matters that were accompanied by a submitted application or pre-consultations with Planning Staff.

COMMENT

For Council's Information

STAFF RECOMMENDATION

Receive and Record

COMMITTEE DECISION

Receive and Record

COUNCIL ACTION

Receive and Record

COMMUNICATION 128069

Received from Les Reynolds, Director or Protective Services
Addressed to Planning and Protection Committee
Date February 2nd, 2017
Topic OWFC Activity Report

SUMMARY

OWFC Activity Report for the month of December 2016 was previously distributed.

COMMENT

For Council's Information

STAFF RECOMMENDATION

Receive and Record

COMMITTEE DECISION

Receive and Record

COUNCIL ACTION

Receive and Record

COMMUNICATION 128070

Received from Joanna Bowes, Manager of Development Services
Addressed to Planning and Protection Committee
Date January 24th, 2017
Topic Fee Schedule Increase for Leeds, Grenville and Lanark District Health Unit

SUMMARY

Leeds, Grenville and Lanark District Health Unit has revised their fee schedule in relation to sewage permits and services. This fee schedule will come into effect August 1, 2017.

COMMENT

For Council's Information

128070 Continued

STAFF RECOMMENDATION

Receive and Record

COMMITTEE DECISION

Receive and Record

COUNCIL ACTION

Receive and Record

COMMUNICATION 128071

Received from	Joanna Bowes, Manager of Development Services
Addressed to	Planning and Protection Committee
Date	January 24 th , 2017
Topic	Promoting Affordable Housing Act 2016

SUMMARY

The Ministry of Municipal Affairs and Housing has notified municipalities through a letter that the *Promoting Affordable Housing Act, 2016* has received Royal Assent. This has thereby amended parts of the *Planning Act, Development Charges Act, the Housing Services Act* and the *Residential Tenancies Act*.

COMMENT

The Ministry of Municipal Affairs and Housing is looking to add inclusionary zoning, which increases affordable units based off of local/municipal need. Once passed this will allow municipalities the option of requiring affordable housing as part of residential developments. Inclusionary zoning would have to be added to the Town's Official Plan documents. Secondary Suites are also mentioned in the letter as they are viewed as a potential source of affordable rental housing. When proclaimed, changes to the Development Charges Act will require municipalities to exempt development charges for secondary suites. With respect to Residential Maintenance Standards, municipalities not enforcing residential maintenance standards will be required to do so. The Town of Carleton Place currently does enforce residential maintenance standards.

STAFF RECOMMENDATION

Receive and Record

COMMITTEE DECISION

Receive and Record

COUNCIL ACTION

Receive and Record

COMMUNICATION 128072

Received from Les Reynolds, Director or Protective Services
Addressed to Planning and Protection Committee
Date January 2nd, 2017
Topic Animal Control Statistics

SUMMARY

Staff have compiled statistics for Animal Control activity for 2016 which includes a comparison to the previous 5 year statistics.

COMMENT

For Council's Information

STAFF RECOMMENDATION

Receive and Record

COMMITTEE DECISION

Receive and Record

COUNCIL ACTION

Receive and Record

COMMUNICATION 128073

Received from Les Reynolds, Director or Protective Services
Addressed to Planning and Protection Committee
Date January 26th, 2017
Topic Police Service Board Minutes

SUMMARY

Minutes of the Police Service Board meeting of January 23rd, 2017 were previously distributed. Noteworthy items include - OPP skating day will be held February 25th, 2017.

COMMENT

For Council's Information

STAFF RECOMMENDATION

Receive and Record

COMMITTEE DECISION

Receive and Record

COUNCIL ACTION

Receive and Record

COMMUNICATION 128074

Received from Joanna Bowes, Manager of Development Services
Addressed to Planning and Protection Committee
Date January 30, 2017
Topic Lanark County Sustainable Communities Official Plan
 Amendment #5

SUMMARY

The County of Lanark has scheduled a public meeting with regard to Amending the Sustainable Communities Official Plan (SCOP). The meeting is to be held on February 22nd, 2017 at the Lanark County Council Chambers. The intent of the amendment is to update the policies relating to Areas of Natural and Scientific Interest (ANSI) and to revise the mapping of the areas on Schedule A of the SCOP.

COMMENT

The amendment is looking to define the various types of ANSI's (Life Science, Earth Science and Candidate) and to allow the extent of the adjacent ANSI's to be defined in local Official Plans based on recommendations from the Ministry of Natural Resources or other approaches that will meet the same objective. The amendment notice and schedule A was distributed. This amendment has no direct impact on the Town of Carleton Place.

STAFF RECOMMENDATION

Receive and Record

COMMITTEE DECISION

Receive and Record

COUNCIL ACTION

Receive and Record

COMMUNICATION 127388

Received from Les Reynolds, Director of Protective Services
Addressed to Planning and Protection Committee
Date September 28th, 2016
Topic Skateboarding on Lake Ave

SUMMARY

We have received a request from Vice Principal Brown, at Carleton Place High School expressing his concern about students skateboarding on Lake Avenue in front of the high school. He would like skateboarding prohibited on Lake Avenue. The OPP have concerns about the situation as well.

COMMENT

Currently the Traffic and Parking By-law (46-2003) Schedule 'VIII' prohibits skateboarding only in the downtown area.

UPDATE – December 6th, 2016

Staff were directed to review the issue and present the committee with more detailed information about what streets, parking lots and areas would be affected.

Staff feel that the traffic volumes and patterns on the listed streets are such that the prohibition is warranted from a safety perspective.

The recommendation to prohibit the use of skateboards in the municipal parking lots and pavilions recognizes that such use is inappropriate and incompatible with the intended purpose of those facilities. The Community Centre parking lot is an exception in order to permit the seasonal use of skateboarding equipment that is located there.

UPDATE – February 7th, 2017

While this issue initially arose as a result of a specific safety concern, it has become obvious that skateboards are increasingly seen as a necessary means of transportation for some people. In order to determine how they can best be accommodated within our overall transportation strategy, ie where their use is appropriate and ensuring the safety of the skateboard operator and others, staff feel that this broader question should be referred to the Active Transportation Committee for their consideration and recommendations.

Municipal parking lots and pavilions do not form part of the transportation network and the use of skateboards in these areas is neither necessary nor appropriate with the exception of the Community Centre parking lot to permit the seasonal use of skateboarding equipment located there.

127388 Continued

STAFF RECOMMENDATION

THAT the Traffic and Parking By-law (46-2003) be amended by adding the current Schedule 'IVIII' (Prohibiting of Skateboards) with the following:

SCHEDULE 'XVIII' TO BY-LAW NO. 46-2003

PROHIBITING OF SKATEBOARDS

1. No person shall use, draw, haul or propel any skateboard in the following areas
 - a) Market Square
 - b) Town Hall Square
 - c) Any municipal parking lot with the exception of the Community Centre parking lot

THAT the Active Transportation Committee consider if/where skateboard restrictions on streets should be imposed.

COMMITTEE DECISION

THAT the Traffic and Parking By-law (46-2003) be amended by adding the current Schedule 'IVIII' (Prohibiting of Skateboards) with the following:

SCHEDULE 'XVIII' TO BY-LAW NO. 46-2003

PROHIBITING OF SKATEBOARDS

1. No person shall use, draw, haul or propel any skateboard in the following areas
 - a) Market Square
 - b) Town Hall Square
 - c) Any municipal parking lot with the exception of the Community Centre parking lot

THAT the Active Transportation Committee consider if/where skateboard restrictions on streets should be imposed.

COUNCIL ACTION

Receive and Record

COMMUNICATION 128075

Received from Joanna Bowes, Manager of Development Services
Addressed to Planning and Protection Committee
Date February 7th, 2017
Topic Development Permit Amendment Bylaw – Source Water Protection

SUMMARY

The proposed amendment to bylaw 15-2015 (Development Permit Bylaw) and the Town of Carleton Place Official Plan for Source Water Protection was brought to the August 2nd, 2016 Policy Review Committee for approval. Due to staff error the Official Plan Amendment bylaw was approved by Council while the Development Permit Bylaw amendment was not.

STAFF RECOMMENDATION

THAT the Development Permit Bylaw Amendment regarding Source Water Protection, along with the associated schedule change be forwarded to Council for approval.

COMMITTEE DECISION

THAT the Development Permit Bylaw Amendment regarding Source Water Protection, along with the associated schedule change be forwarded to Council for approval.

COUNCIL ACTION

Receive and Record

COMMUNICATION 128037

Received from Township of Drummond/North Elmsley
Addressed to Municipality
Date December 16th, 2016
Topic MVCA's Regulating Wetlands

SUMMARY

Drummond/North Elmsley does not support MVCA's intention to regulate local wetlands and is seeking support for this position.

128037 Continued

COMMENT

During the summer of 2015, the MVCA first introduced their proposal to designate local wetlands. In September 2015, the Town provided MVCA with detailed comments on the seven wetlands that they proposed to designate with the Town. The Town also provided general comments and recommended that prior to proceeding to designate new wetlands, the MVCA should:

Firstly – work with municipalities and conduct field inspections to refine their screening map. Property which is obviously already developed or with firm plans for development should not be impacted and properties which appear to be obvious wetlands highlighted for further detailed evaluation.

Secondly – develop and post recommended policies regarding:

- compensation for impacted property owners;
- recognition of existing and planned uses; and
- encouraging voluntary designation of wetlands;

Thirdly – phase in any formal designation of wetlands beginning with critical, obvious wetlands identified in the first step where on the ground information is available.

Since that time, the Town has supplied specific ground-trothed information on the two municipally owned properties which had been proposed to be wetland and these properties have been deleted from the screening map.

Also, MPP Randy Hillier has provided a letter in which he points out that these new policies are not a provincial requirement or the result of any new provincial legislation or mandates, but a desire of the MVCA to expand their authority, and originates with the staff of the MVCA. Further, the only means for these new policies to become lawful and have effect is through municipal concurrence and adoption.

The letter continues to explain the Negative Consequences of this Policy;

1. It is abundantly clear that the regulations as proposed and their enforcement would be biased upon ownership. If an imposition on a wetland was required by a municipality, a utility, or the province, there would be a hierarchy of flexibility and cost; however, should the wetland property be privately owned, prohibitions, rigidity and excessive costs and penalties would be imposed. It is wholly contradictory that this policy prevents an individual from developing or improving their lands, dwellings, or businesses in areas adjacent to insignificant wetlands, while at the same time permitting improvements and developments in these same lands if undertaken for the public benefit such as utilities, parks, or for conservation purposes.

128037 Continued

Economic development and improvements upon private property is arguably more important and necessary as on public lands as it is the mechanism that funds public infrastructure. Furthermore, should an insignificant wetland be in or adjacent to provincial Crown land, this policy does not propose to place any restrictions on these lands.

2. Unlike provincially significant wetlands, which have been determined using some objective criteria and can be reasonably justified as requiring development restrictions, the new MVCA proposals attempt to impose the same process on all wetlands regardless of their significance to the health of the watershed and instead relevant only to their physical size (0.5 Ha).
3. Should the MVCA feel that a wetland is in need of protection and preservation, significant or insignificant, it ought to be incumbent upon them to apply to the respective township on a case-by-case basis to have said wetland protected, and should the Township agree, the MVCA must be required to compensate the property owner for any financial loss, as well as loss in use and enjoyment.

and make the following recommendations;

1. All property, whether private or publicly owned, be subject to the same development regulations;
2. Develop objective criteria to determine if a wetland requires protection under the municipalities' planning authorities; and
3. Provide compensation to affected property owners.

The letter closes with "This continued expansion of regulations and restrictions turns the concept of 'sustainable development' on its ear; it proposes broad developmental restrictions that are unnecessarily over-reaching and antithetical to the very concept of development, sustainable or otherwise. The longer term effect of regulatory restrictions on development in rural Ontario is already being felt.

The four school boards represented in my riding of Lanark-Frontenac-Lennox & Addington are undergoing student accommodation reviews, highlighted by proposals to close as many as 40 community schools over the next four or five years; banks are closing up, health care services are being reduced and Service Ontario outlets in rural communities offer but a fraction of the services that are provided in larger centers.

128037 Continued

All of these problems are endemic to lack of development and growth and would be exasperated under the proposed policies, if adopted by our townships, would grant the MVCA expansive and invasive new authority. Such policy adoption should not be done precipitously, as it exposes property owners and any new development to the capricious rectitude of an unelected body.

I would encourage the MVCA to withdraw the existing proposals and undertake a comprehensive review of their operations and mandate to develop a plan that permits and facilitates growth while improving our economic and natural environments”

Staff understand that MVCA will be meeting with local planners later in January.

UPDATE – February 7th, 2017

At a meeting with staff from Planning Departments from Lanark County and City of Ottawa, Mississippi Valley Conservation Authority (MVCA) reviewed their policies and regulations with respect to “other” wetlands, being those that are not deemed to be provincially significant. A number of comments and concerns were brought forward to the MVCA. They noted that they had a significant response from private developers, agricultural interests, municipalities and the community. They expect some modifications to their policy as it currently stands but have further research to do.

MVCA stated that should the policies come into effect the number of wetlands within Lanark County that will be protected will double. They did note that Environment Canada would like to see 10% of the land mass be covered with wetlands. Provincially Significant Wetlands currently account for 4% and are the only protected areas.

MVCA mentioned that there are many exemptions relating to development on or around a wetland including exemptions for public infrastructure, conservation and recreation uses, any developments that have draft approval, agricultural lands and others. They also noted that they will allow for compensation when necessary. The mapping has been updated and refined as distributed.

In speaking with staff from MVCA they stated that they would be willing to review the revised mapping with the Town and owners of the lands impacted by these policies.

STAFF RECOMMENDATION

That staff set up a meeting with Mississippi Valley Conservation Authority staff, Town staff and affected property owners to determine how the policies will affect them moving forward.

128037 Continued

COMMITTEE DECISION

THAT the Town of Carleton Place asks that the MVCA Board hold all work to designate new wetlands and only proceed with designating new wetlands in municipalities that support this initiative.

RECORDED VOTE

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

CARRIED

COUNCIL ACTION

Receive and Record

COMMUNICATION 128076

Received from	Paul Knowles, Chief Administrative Officer
Addressed to	Planning and Protection Committee
Date	January 19 th , 2016
Topic	Roy Brown Park

SUMMARY

The Town's Official Plan requires Developers to provide compensation (replace trees) for any significant trees that are removed during development. As compensation for the trees removed from the subdivision adjacent to Roy Brown Park, the Developer will be required to plant trees within the subdivision and supply and plant 107 trees in Roy Brown Park as shown on the previously distributed sketch.

The dog park fencing and trail signage, in Roy Brown Park, will also be constructed in 2017 completing the work in Phase 1 and the park will be available for use by the public.

Phase 2 work would proceed in conjunction with development of the adjacent subdivision. This work is illustrated on the previously distributed and will include:

128076 Continued

Developers Responsibility

- ✓ constructing a municipal street through the subdivision that will provide access to the park; and
- ✓ constructing SWM pond including adjacent paths and landscaping;

Town's Responsibility

- extend sanitary sewer and water services to MVCA building.
- extend the municipal road into Roy Brown Park and construct a small parking lot;
- connect Roy Brown Pathways to path along new street in subdivision;
- install play structure;
- construct hard surface play features (basketball, tennis, rink, etc).

This Phase 2 work would likely be constructed in 2018 – 2019 and the Town's cost would be approximately \$800,000.

As specified in Schedule E of the MVCA's Site Plan Control Agreement, approximately \$286,000 is payable by MVCA for connection to services. Also, in conjunction with development of the subdivision, the Developer will owe \$98,700 for a cash-in-lieu of parkland payment. The balance of the costs should be funded from the Development Fund.

STAFF RECOMMENDATION

THAT the Recreation Department determine details for the play structure and the hard surface play area and that the Developer's Engineer be engaged to include the detailed design for the Town's Phase 2 responsibilities with the Developers work so the various components of the total work are planned together.

COMMITTEE DECISION

THAT the Recreation Department determine details for the play structure and the hard surface play area and that the Developer's Engineer be engaged to include the detailed design for the Town's Phase 2 responsibilities with the Developers work so the various components of the total work are planned together.

COUNCIL ACTION

Receive and Record

COMMUNICATION 128077

Received from Joanna Bowes, Manager of Development Services
Addressed to Planning and Protection Committee
Date January 26th, 2017
Topic B17/002,133 and 135 Elizabeth Street Severance

A consent application has been received from the applicant in relation to the property known municipally as 133 and 135 Elizabeth Street. The subject lands are legally described as Part 1 on Plan 27R-10582 and Part 2 on Plan 27R-10322 and illustrated below.



This land was previously two lots. The first lot was divided through Part Lot Control under application PLC-02-2013 into two lots 135-137 Elizabeth Street. The Part Lot Control was done, as is characteristic, after the semi-detached unit was constructed under building permit 12N034. In 2016, the remaining lot was divided through the severance process because it had been noted by staff that this area should no longer be recognized as a plan of subdivision. As such a deeming by-law was created and approved through Council to require all separation of land in this area to be done under consent application.

128077 Continued

The lot currently developed as 131-133 Elizabeth Street was done so under severance B16/077. Through circumstance, the owner of the property purchased the unit at 135 Elizabeth Street, being adjacent to the lands he also owned at 131-133 Elizabeth Street. Due to the current functioning of the land registry system, the properties automatically merged on title due to the fact that they were under the same ownership. As such, the lands of 131-133 and the lot for 135 Elizabeth Street are now considered one property.

The owner has now made application to re-sever the properties 133 and 135 Elizabeth Street application through this application. The application is to sever at 307.46 square metre residential lot holding 133 Elizabeth Street and retain a 307.46 square metre residential lot with the existing dwelling at 135 Elizabeth Street. The semi-detached units were constructed under building permits as discussed above. The purpose of this severance is to re-create two residential lots under separate ownership.

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.

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). This severance will allow for the creation of two lots under separate ownership. Both the retained and the severed lots will meet the minimum frontage required under the Development Permit By-law.

128077 Continued

COMMENT

The proposal, if approved, will allow for the two existing semi-detached dwellings to be divided into 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 the applicant shall provide the Town of Carleton Place with a Building Location Survey demonstrating that the lands severed and the lands retained are in compliance with all Development Permit provisions. The Building Location Survey shall also include confirmation for both the severed and retained parcels that there is:
 - Adequate frontage along the maintained road
 - Adequate access along the maintained road
 - Compliance with the Ontario Building Code

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 128078

Received from Paul Knowles, Chief Administrative Officer
Addressed to Planning and Protection Committee
Date February 2nd, 2017
Topic Closed Meetings

SUMMARY

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

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

10-01-17-4 personal matters about an identifiable individual including municipal or local board employee – General Nature – Staffing

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

10-01-17-4 personal matters about an identifiable individual including municipal or local board employee – General Nature – Staffing

REPORT TO COUNCIL

10-01-17-4 Receive and Record

COUNCIL ACTION

Receive and Record

ROBERT J. SWAYZE

BARRISTER & SOLICITOR

CERTIFIED BY THE LAW SOCIETY OF UPPER CANADA AS A SPECIALIST IN
MUNICIPAL LAW - LOCAL GOVERNMENT/LAND USE PLANNING AND DEVELOPMENT

TELE: (519) 942-0070
FAX: (519) 942-1233
E-mail: robert.swayze@sympatico.ca

20736 Mississauga Road
CALEDON, ONTARIO
L7K 1M7

REPORT TO THE COUNCIL OF CARLETON PLACE

FROM: Robert J. Swayze, Integrity Commissioner

DATE OF REPORT: January 26, 2017

DATE OF MEETING: February 14, 2017

BACKGROUND

Unlike the previous two years, I have been active in Carleton Place as Integrity Commissioner during 2016. I received 4 detailed complaints alleging that two members of Council contravened the Council Code of Conduct (the "Code"). Until now, I have not found it appropriate to report to Council on any of these matters. Three of the complaints were against Councillor Black and one against the Mayor. I have been requested by one of the complainants to remain anonymous and have decided not to identify any of them in this report, except to confirm that all are members of Council.

The complaint against the Mayor was filed with me in December of 2015 and it alleged as follows:

1. That he wrote letters to the Hospital Board and spoke publicly, contrary to the will of Council, resulting in a serious deterioration of the relationship between the Board and Council.
2. That he failed to advise Council that the Conservation Authority had expanded the representation on its board of members of CP Council from one to two.
3. That he showed lack of respect for and insulting behaviour towards, the complainant.

Respecting sections 1 and 2 above, I requested the complainant to provide me with sections of the Code which were contravened and a 15 page response was received without identifying any relevant sections. I found that my mandate is to enforce the Code and not to evaluate the performance of the Mayor in his job. I also found no obligation on the Mayor to report proceedings of a conservation authority to Council. As to the section 3 complaint, I will deal later in this report generally with members of Council not showing respect to other members, which is a common refrain through all the complaints filed.

I found no merit in the complaint against the Mayor and summarily dismissed it by confidential E-mail to the Complainant.

The three complaints against Councillor Black all had similar elements of showing lack of respect for each of the complainants and a second ground of disclosing on several occasions, confidential matters discussed by Council in camera.

Decorum

With respect to decorum, the Code provides as follows:

“3(1) (a) The professional and personal conduct of members of Council must be above reproach and avoid even the appearance of impropriety. Councillors shall refrain from abusive conduct, personal charges, verbal attacks or gossip upon the character or motives of municipal employees, Councillors, committee appointees or the public. All dealings between Council, committee appointees, municipal employees and the public are to exhibit a high degree of professionalism and are to be based on honesty, respect, impartiality and fairness. Service to the public is of paramount importance.”

This section of the Code would appear to prohibit all abusive behaviour between members of Council. However, I must extend considerable latitude to members of Council when they are accused of lack of decorum when referring to another politician. I must support the Canadian right to freedom of expression, particularly in political comment and debate which is a healthy part of the democratic process. However, I have reviewed literally hundreds of pages filed with me by the complainants which reveal a toxic relationship between the Mayor and Councillor Black. It is clearly beyond constructive political rivalry and is damaging to the Town. They are elected to do a job professionally and the name calling by both of them needs to stop. There is a line they can cross where I will recommend sanctions against either or both of them if I receive a valid complaint in the future.

Confidentiality

The second ground for all three complaints against Councillor Black is that he has on several occasions disclosed council deliberations in closed meetings which is contrary to the Code in Section 4.

I have considered the following incidents where it is alleged that Councillor Black disclosed confidential matters discussed in closed session Council meetings:

1. He is quoted in a newspaper article dated February 20, 2016 disclosing a “disintegrating relationship” between the Hospital Board and Council which was only discussed in camera. I am of the opinion that the difficult relationship was public knowledge before this article was published.
2. There was a discussion in camera about the Mayor’s wish to remove Councillor Black from the Business Improvement Area Board of directors and he offered to

- resign. I did not find any evidence of his disclosure of the Mayors statement made in camera and he subsequently resigned by letter to the Clerk's department.
3. There were personnel matters discussed in an in camera meeting held on October 20, 2016 and it is alleged that he discussed these matters with a former member of Council. Mr. Black advised me in our telephone interview that he did not remember any details of discussions he had with the former member of Council. I also telephoned the former member of Council and he also could not remember whether any such discussion took place.
 4. Councillor Black admitted to me that he read from a letter in open Council which was sent by the chair of the Hospital Board to all members of Council suggesting that a mediator be retained to assist in the dispute with the Town. The letter was not marked confidential and only one hard copy was sent to the Chief Administrative Officer of the Town. He decided that it should be placed before a closed session of Council and in accordance with Town procedure it was printed on green sheets. The decision to take the matter in camera was in accordance with the *Municipal Act* because the dispute related to the Town reserving land to accommodate a new hospital. Councillor Black argues that he was on the original distribution list for the letter and it was not marked confidential. This is a legal issue and I am of the opinion that the letter was to be considered confidential because of the way in which Councillor Black received it which was only from the in camera meeting. Accordingly this is a breach of Section 4 of the Code of Conduct.

CONCLUSION

I am not recommending that any sanctions be imposed on Councillor Black at this time. I am concerned about his casual approach to disclosing confidential matters and I request that he consider this report as a serious warning that he must be careful in the future. If I receive a future valid complaint that he has disclosed confidential information, I will recommend the suspension of a substantial amount of his salary.

RECOMMENDATION

That the report of the Integrity Commissioner dated January 26, 2017 be received by Council.

ALL OF WHICH IS RESPECTFULLY SUBMITTED



Robert J. Swayze
Integrity Commissioner
Town of Carleton Place

BY-LAW NO. 13-2017

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE ONE HUNDRED AND TWENTY EIGHTH COUNCIL OF THE CORPORATION OF THE TOWN OF CARLETON PLACE AT THE FOURTH REGULAR MEETING OF COUNCIL OF FEBRUARY 14, 2017

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 128TH Council of the Corporation of the Town of Carleton Place at the FOURTH Regular Meeting of Council held on February 14, 2017, 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 FEBRUARY 2017.

Louis Antonakos, Mayor

D.H. Rogers, Clerk