

MINUTES
OF THE SIXTH REGULAR MEETING OF THE ONE HUNDRED
AND TWENTY NINTH COUNCIL OF THE TOWN OF CARLETON PLACE

The Sixth Regular Meeting of the One Hundred and Twenty Ninth Council of the Town of Carleton Place was held in the Town Hall Council Chambers on Tuesday, March 27, 2018 at 7:00 p.m.

PRESENT: Mayor Antonakos Deputy-Mayor Flynn (*left the meeting at 9:18 p.m.*)
 Councillor Black Councillor Redmond
 Councillor Fritz Councillor Trimble

STAFF: Diane Smithson, Chief Administrative Officer
 Duncan Rogers, Clerk
 Stacey Blair, Deputy-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. 6-129-01

Moved Deputy-Mayor Flynn, seconded by Councillor Fritz

THAT the Minutes of the Fifth Regular Meeting of the 129th Council held on March 13, 2018 be adopted as printed.

CARRIED

IV DELEGATIONS

Motion No. 6-129-02

Moved Councillor Trimble, seconded by Councillor Redmond

THAT Wally and Mary Cook be presented to Council.

CARRIED

Mayor Antonakos on behalf of Council welcomed Wally and Mary Cook as well as their extended family members to the meeting. The Mayor then reviewed the Life Time Achievement Award and read a prepared list of the numerous social and civic accomplishments of the Cooks over their many years in Carleton Place. Following a further discussion, members of the media held a photographic session with Mr. and Mrs. Cook and members of Council. Upon completion of the noted session, Wally and Mary Cook were thanked for their attendance at the meeting.

V COMMUNICATIONS

129120 – 129130

VI READING OF BY-LAWS

By-law No. 13-2018

Motion No. 6-129-03

Moved by Councillor Black, seconded by Councillor Redmond

THAT By-law No. 13-2018 (**To Adopt an Emergency Measures Plan**) be read a first, a second and third time and finally passed.

CARRIED

By-law No. 14-2018

Motion No. 6-129-04

Moved by Councillor Fritz, seconded by Deputy-Mayor Flynn

THAT By-law No. 14-2018 **(To Authorize the Signing of a Five Year Lease with Carleton Place Canoe Club)** be read a first, a second and third time and finally passed.

CARRIED

By-law No. 15-2018

Motion No. 6-129-05

Moved by Councillor Redmond, seconded by Councillor Trimble

THAT By-law No. 15-2018 **(To Regulate Construction, Demolition and Change of Permits –“Building By-law”)** be read a first, a second and third time and finally passed.

CARRIED

By-law No. 16-2018

Motion No. 6-129-06

Moved by Deputy-Mayor Flynn, seconded by Councillor Fritz

THAT By-law No. 16-2018 **(To Permit Temporary Road Closure - Mill St.)** be read a first, a second and third time and finally passed.

CARRIED

By-law No. 17-2018

Motion No. 6-129-07

Moved by Councillor Trimble, seconded by Councillor Redmond

THAT By-law No. 17-2018 **(To Authorize Signing for Receipt of Funding - RED Program)** be read a first, a second and third time and finally passed.

CARRIED

By-law No. 18-2018

Motion No. 6-129-08

Moved by Councillor Fritz, seconded by Deputy-Mayor Flynn

THAT By-law No. 18-2018 **(To Authorize the Sale of Certain Lands – Roe Street)** be read a first, a second and third time and finally passed.

CARRIED

By-law No. 19-2018

Motion No. 6-129-09

Moved by Councillor Black, seconded by Councillor Trimble

THAT By-law No. 19-2018 **(To Establish a Joint Lanark County 2018 Election Compliance Audit Committee)** be read a first, a second and third time and finally passed.

CARRIED

By-law No. 20-2018

Motion No. 6-129-10

Moved by Councillor Fritz, seconded by Deputy-Mayor Flynn

THAT By-law No. 20-2018 **(To Appoint an Integrity Commissioner)** be read a first, a second and third time and finally passed.

At the request of the members of Council, the Clerk recorded the vote as follows:

<u>Member</u>	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>
Mayor Antonakos	Yea		
Councillor Black		Nay	
Councillor Doucett			Absent
Deputy-Mayor Flynn		Nay	
Councillor Fritz	Yea		
Councillor Redmond	Yea		
Councillor Trimble	Yea		
Total	4	2	1

The Clerk informed Council that the vote had carried.

Motion No. 6-129-10

CARRIED

By-law No. 21-2018

Motion No. 6-129-11

Moved by Councillor Redmond, seconded by Councillor Trimble

THAT By-law No. 21-2018 **(To Remove One Foot Reserves – Dunlop Rd. and Hooper St.)** be read a first, a second and third time and finally passed.

CARRIED

By-law No. 22-2018

Motion No. 6-129-12

Moved by Councillor Trimble, seconded by Councillor Redmond

THAT By-law No. 22-2018 **(To Authorize the Signing of an Agreement for Funding for Carleton Junction)** be read a first, a second and third time and finally passed.

CARRIED

VII STANDING COMMITTEES

Policy Review Committee – March 13, 2018

Motion No. 6-129-13

Moved by Deputy-Mayor Flynn, seconded by Councillor Fritz

Communication: 129117 128423 129120 128411 129119

THAT Council hereby accepts the Policy Review Committee’s decisions related to the consent items of March 13, 2018 and approves the Council Actions. And further that the 2018 Progress Report be placed on the Town Facebook page.

CARRIED

Motion No. 6-129-14

Moved by Councillor Black, seconded by Councillor Redmond

Communication: 129118

THAT the use of Corporate Resources for Elections Policy for the Town of Carleton Place be approved.

CARRIED

Community Issues Committee – March 20 2018

Motion No. 6-129-15

Moved by Councillor Fritz, seconded by Deputy-Mayor Flynn

Communication: 129125 129126 129127

THAT Council hereby accepts the Community Issues Committee’s decisions related to the consent items of March 20, 2018 and approves the Council Actions.

CARRIED

Motion No. 6-129-16

Moved by Councillor Black, seconded by Councillor Trimble

Communication: 129126a

THAT Council be requested to declare the week of May 6th to May 12th, 2018 as Emergency Preparedness Week in the Town of Carleton Place, and

THAT this information be provided on the municipal website and municipal matters.

CARRIED

Motion No. 6-129-17

Moved by Councillor Trimble, seconded by Councillor Black

Communication: 129128

THAT Council approve the allocation of community Enrichment Grants to various organizations under Intake 1 in the amount of \$16,306.67.

CARRIED

Motion No. 6-129-18

Moved by Councillor Redmond, seconded by Councillor Black

Communication: 129129 129130

THAT Council hereby accepts the Planning and Protection Committee decisions related to the consent items of March 20, 2018, and approves the Council Actions.

CARRIED

Motion No. 6-129-19 @ 7:49 p.m.

Moved by Deputy-Mayor Flynn, seconded by Councillor Fritz

Communication:

THAT Council hereby recess the meeting.

CARRIED

Motion No. 6-129-20 @ 9:18 p.m.

Moved by Councillor Redmond, seconded by Councillor Black

Communication:

THAT Council hereby resume the meeting ion formal session.

CARRIED

VIII OTHER BUSINESS

Motion No. 6-129-21

Moved by Councillor Fritz, seconded by Deputy-Mayor Flynn

Communication: 129136

THAT Council support making a formal request to Lanark County Council to authorize the Town of Carleton Place to undertake all work on the Ottawa Valley Rail Trail within the boundaries of the Town of Carleton Place between Townline Road and Coleman Street which includes a 7m trail (where possible) incorporating a 2.5m width paved portion and a 4.5m width gravel portion; and

THAT the County reimburse the Town for work that it would have otherwise undertaken (i.e. levelling, gravel, stone dust, etc.) within the Town of Carleton Place; and

THAT Lanark County Council be asked to develop and enter into a formal long-term lease agreement with the Town for development / use of its planned community facilities at the Carleton Junction lands between Moore Street and Coleman Street.

CARRIED

IX MAYOR'S ANNOUNCEMENTS

Mayor Antonakos reminded members of Council of the upcoming Annual General Meeting of the Carleton Place and District Chamber of Commerce.

X BY-LAW CONFIRMING COUNCIL PROCEEDINGS

By-law No. 23-2018

Motion No. 6-129-22

Moved by Councillor Fritz, seconded by Councillor Black

THAT By-law No. 23-2018 (**Confirm Council Proceedings**) be read a first time, second time and third time and finally passed.

CARRIED

XI SINGING OF O CANADA

Council dispensed with the singing of the National Anthem

XII ADJOURNMENT – 9:25 p.m.

Motion No. 6-129-23

Moved by Councillor Trimble, seconded by Councillor Black

THAT the Sixth Regular Meeting of the One Hundred and Twenty Ninth Council be hereby adjourned.

CARRIED

****Original signed Minutes can be viewed in the Clerk's Dept.****

Louis Antonakos, Mayor

D.H. Rogers, Clerk



AGENDA

SIXTH REGULAR MEETING OF THE ONE HUNDRED AND TWENTY NINTH COUNCIL OF THE TOWN OF CARLETON PLACE

Tuesday, March 27, 2018, Council Chambers at 7:00 p.m.

I OPENING PRAYER

II DISCLOSURE OF PECUNIARY INTEREST

III MINUTES OF PREVIOUS MEETING

Minutes of the Fifth Regular Meeting of the 129th Council of March 13, 2018

IV DELEGATIONS

Presentation of Plaque – Lifetime Achievement Award
Jason Clarke, Carleton Place Canadians

V COMMUNICATIONS

129120 – 129130 (*copies of communications are available to view in the Clerk's Dept.*)

VI READING OF BY-LAWS

By-law 13-2018 – To Adopt an Emergency Measures Plan
By-law 14-2018 – To Authorize the Signing of a Five Year Lease with Carleton Place Canoe Club
By-law 15-2018 – To Regulate Construction, Demolition and Change of Permits –“Building By-law”
By-law 16-2018 – To Permit Temporary Road Closure (Mill St.)
By-law 17-2018 – To Authorize Signing for Receipt of Funding (RED Program)
By-law 18-2018 – To Authorize the Sale of Certain Lands (Roe Street)
By-law 19-2018 – To Establish a Joint Lanark County 2018 Election Compliance Audit Committee
By-law 20-2018 – To Appoint an Integrity Commissioner
By-law 21-2018 – To Remove One Foot Reserves – Dunlop Rd. and Hooper St.
By-law 22-2018 – To Authorize the Signing of an Agreement for Funding for Carleton Junction

VII STANDING COMMITTEES

Policy Review Committee – March 13, 2018

129117 128423 129120 129118 128411 129119

Community Issues Committee – March 20, 2018

129125 129126 129127

Planning and Protection Committee – March 20, 2018

129129 129130

RECESS

VIII OTHER BUSINESS

Ottawa Valley Rail Trail Paving Motion (from Policy Review Committee meeting March 27, 2018)

IX MAYOR'S ANNOUNCEMENTS/DATES TO REMEMBER

X BY-LAW NO. 23-2018 CONFIRMING COUNCIL PROCEEDING

XI SINGING OF O'CANADA

XII ADJOURNMENT

BY-LAW NO. 13-2018

**A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE
TO ADOPT AN EMERGENCY MEASURES PLAN**

WHEREAS Section 3(1) of *The Emergency Management and Civil Protection Act, R.S.O. 1990, Chapter E9* authorizes a municipality to formulate an emergency plan governing the provisions of necessary services during an emergency and procedures thereunder;

AND WHEREAS the Council of the Corporation of the Town of Carleton Place deems it necessary and desirable to adopt a new emergency measures plan for the said municipality;

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

1. That the Emergency Measures Plan of the Town of Carleton Place attached hereto as Schedule "A" be hereby adopted.
2. That, in accordance with Section 4 of *The Emergency Management and Civil Protection Act*, the Mayor or his/her designate is hereby authorized to declare an emergency when deemed appropriate and direct the enactment of the Emergency Measures Plan of the Town of Carleton Place.
3. An emergency shall be defined in accordance with Section 1 of *The Emergency Management and Civil Protection Act*.
4. That By-law No. 32-2017 be hereby repealed in its entirety.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS
27th DAY OF MARCH 2018.

Louis Antonakos, Mayor

D.H. Rogers, Clerk

BY-LAW NO. 14-2018

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO AUTHORIZE THE SIGNING OF A FIVE-YEAR LEASE AGREEMENT BETWEEN THE CORPORATION OF THE TOWN OF CARLETON PLACE AND THE CARLETON PLACE CANOE CLUB FOR THE USE OF THE CANOE CLUB AND THE FORMER RIVERSIDE PARK CANTEEN.

WHEREAS Section 5.3 of the Municipal Act, 2001 (S.O. 2001, c.25) authorizes that municipal powers, including municipality's capacity, rights, powers and privileges under Section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Section 9 of the Municipal Act, 2001 (S.O. 2001, c.25) provides that 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 the Council of the Town of Carleton Place deems it expedient to enter into a five-year lease agreement with the Carleton Place Canoe Club;

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

1. **SHORT TITLE**

This By-Law is short titled "Canoe Club Lease (2018-2023)"

2. **AGREEMENT**

- (a) **THAT** the Mayor and Clerk shall be and are hereby authorized on behalf of the Corporation of the Town of Carleton Place to execute a lease agreement between the Corporation of the Town of Carleton Place and the Carleton Place Canoe Club for the years 2018-2023.
- (b) **THAT** the Clerk shall be and is hereby authorized to affix the corporate seal of the Corporation of the Town of Carleton Place to the said contract.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 27TH DAY OF MARCH, 2018.

Louis Antonakos, Mayor

D.H. Rogers, Clerk

BY-LAW NO. 15-2018

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 NO. 28-2016, AS AMENDED

WHEREAS pursuant to Section 9 of the Municipal Act, 2001 (S.O. 2001, c.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. 2001, c.25) grant 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, c.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 23.1 of the Municipal Act, 2001 (S.O. 2001, c.25) authorizes a municipality to delegate its powers and duties;

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-law 28-2016 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 Building Code Act or its regulation (the Building Code).

- 2.2 "Act" means the Building Code Act, 1992, S.O.1992, c.23, as amended.
- 2.3 "Applicant" means the owner, as defined by the Building Code, 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 to be obtained by a person prior to for the construction, demolition, change of use, or 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 an administrative fee which shall be calculated in accordance with Schedule "C";

7.3.2 an applicant makes application for an 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 be 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. 2001, C.25), 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. EMERGENCY RESPONSE – TEMPORARY APPOINTMENT OF INSPECTORS

12.1 Upon receiving notice of a declared emergency, the Chief Administrative Officer may authorize the Chief Building Official to appoint Inspectors (including the function of revoking such appointments), under section 3 of the Building Code Act, 1992, subject to the following conditions:

12.1.1 the Chief Administrative Officer has determined the state of emergency has overwhelmed the Building Department's resources; and

12.1.2 prior to appointment, each candidate shall have the necessary legislated inspector qualifications.

PART 13. OFFENCES AND PENALTIES

13.1 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:

13.1.1 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;

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

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

PART 14. SEVERABILITY

14.1 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 15. REPEAL AND TRANSITION

15.1 By-law No. 28-2016 as amended is hereby repealed in its entirety upon the passing of this By-law.

15.2 Notwithstanding Sections 14.1 and 15.1 of this By-law, for any complete permit applications received prior to the effective date of this By-law, the provisions of By-law No. 28-2016, as amended shall apply to those applications.

16. EFFECTIVE DATE

16.1 This By-law shall come into force and take effect March 27, 2018.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS
27th DAY OF MARCH 2018.

Louis Antonakos, Mayor

D.H. Rogers, Clerk

SCHEDULE "A" OF BUILDING BY-LAW NO. 15-2018

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 Part 10. (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 Part 4 of this By-law on behalf of the Town where the Chief Building Official is satisfied that the compliance required under Part 8 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 NO. 15-2018

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 No. 15-2018.

SCHEDULE "C" TO BUILDING BY-LAW NO. 15-2018

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	New construction	2.08% of valuation for first \$500,000 and 1.04% of valuation thereafter
	Additions, Renovations, Alterations or Repairs (not mentioned elsewhere)	2.08% of valuation for first \$500,000 and 1.04% of valuation thereafter; and, - \$10.40 per plumbing fixture
Building - Residential All	New Construction	\$12.50 per m ² of gross floor area; and, - \$10.40 per plumbing fixture; and, - \$207.90 - if unfinished basement has plumbing rough-in; and, - \$103.90 per garage bay <i>(up to 15m² for garage size)</i>
	Addition	2.08% of valuation for first \$500,000 and 1.04% of valuation thereafter; and, - \$10.40 per plumbing fixture; and, - \$207.90 - if unfinished basement has plumbing rough-in; and, - \$103.90 per Garage bay <i>(up to 15m² for garage size)</i>
	Renovation, Alterations, or Repairs (not mentioned elsewhere)	2.08% of valuation for first \$500,000 and 1.04% of valuation thereafter; and, - \$10.40 per plumbing fixture

Permit Type	Construction Type	Permit Fee
Building - Residential to Single Dwellings	Accessory Buildings, Deck and Porches	2.08% of valuation
	Private Pools Enclosures	SEE POOL BY-LAW
	Solid Fuel Burning (Wood stoves etc...)	\$103.90
Demolition	Basic Demolition	\$103.90
	Demolition requiring Engineers Review (sub-section 1.2.3.2 Div. C of OBC)	See Fees listed under conditional permits; and, - security fee deposit at CBO's discretion
Conditional		\$519.70; and, - all applicable DP and building permit fees and Development Charges shall be collected at issuance of first permit; and, - security fee deposit at CBO's discretion; and, - all Legal or third party consultant fees incurred by Town
Partial Permit	Applicable only to where the Applicant requests a Partial Permit	\$103.90; and, - 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	\$103.90
	Where plans review of above stated application determines construction is required per Building Code	Apply all applicable project fess listed in this Schedule
Administrative Function		Administrative Fees
Revision to Permit or Request to Review Alternative Solution Proposal		\$311.90; and, - all Legal or third party consultant fees incurred by Town
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	\$103.90 per re-inspection.

Permit Type	Construction Type	Permit Fee
Investigations of	Construction of New Buildings and Structures, commencing prior to the issuance of a Building Permit	<p>\$103.90 per site inspection to review status of non-compliance; and,</p> <ul style="list-style-type: none"> - all Legal or third party consultant fees incurred by Town to achieve compliance with the Code or Act; and, - 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 fee; or, - 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 \$15,589.60).
Investigation of	Demolitions, renovations/repairs, additions, or change use	<p>\$103.90 per site inspection to review status of non-compliance; and,</p> <ul style="list-style-type: none"> - all Legal or third party consultant fees incurred by Town to achieve compliance with the Code or Act; and, - prior to the issuance of any Order issued pursuant to the Building Code Act. The value of the normal permit fee shall applied; or, - 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 \$15,589.60).

Permit Type	Construction Type	Permit Fee
Agency Letter of Approval		\$207.90
Building Compliance Report		\$31.20 for each building information and planning information report
Transfer/Renewal of Permit		\$103.90

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	
<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 	\$103.90
<ul style="list-style-type: none"> • Addition to building • Creation of a new suite or unit 	\$519.70
<ul style="list-style-type: none"> • New Building – less than 300m² of gross floor area (not listed elsewhere) 	\$1039.30
<ul style="list-style-type: none"> • New Building – greater than 300m² of gross floor area (not listed elsewhere) 	\$2078.60
<ul style="list-style-type: none"> • New Building – greater than 600m² of gross floor area (not listed elsewhere) 	\$5196.50

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 (3), 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 Building By-law No. 15-2018, 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;
- (3) Notwithstanding sentence (2), no refund shall be made of an amount less than \$103.90

SCHEDULE “D” TO BUILDING BY-LAW NO. 15-2018

VACANT LOT DEVELOPMENT REQUIREMENTS

1. Additional Documents applicable to new building construction on vacant lots

1.1 To ensure that the first building constructed on a vacant lot meets the Town’s development standards, 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 the submission of the following documents:

1.1.1 At time of Building Permit application, 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:

- (a) a Location Survey, prepared by an Ontario Land Surveyor and approved by the Director of Planning; and,
- (b) a Site Lot Grading Plan, prepared by an Ontario Land Surveyor or a qualified Professional Engineer, and approved the by Director of Public Works; and,
- (c) a sump pump connection design approved by the Director of Public Works; and,
- (d) a refundable deposit of \$5,000.00, to ensure completion of grading, associated site, and survey works on the subject property to the satisfaction of the Town.

1.1.2 Upon completion of the footing and foundation system of the new building, the owner shall submit to the Director of Public Works an Underside of Footing Certificate issued by the Owner’s Professional Engineer or Ontario Land Surveyor.

1.1.3 Prior to occupancy of the new building, the Owner shall submit to the Director of Planning an “as built” Location Survey, prepared by an Ontario Land Surveyor.

BY-LAW NO. 16-2018

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO PERMIT TEMPORARY ROAD CLOSURES.

WHEREAS Section 11(2) of the Municipal Act, 2001 (S.O. 2001, c.25) as amended, authorizes a municipality to pass by-laws within the jurisdictional sphere of highways, including parking and traffic on highways;

WHEREAS Section 5.3 of the Municipal Act, 2001 (S.O. 2001, c.25) authorizes that municipal powers, including municipality's capacity, rights, powers and privileges under Section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Section 9 of the Municipal Act, 2001 (S.O. 2001, c.25), provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under this or any other Act;

AND WHEREAS Mill Street is within the jurisdiction of the Town of Carleton Place;

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

1. For the purpose of permitting the Carleton Place Bunny Run the following highway within the Town of Carleton Place be closed to vehicular traffic on Saturday, March 31, 2018, from 10:00 a.m. to 11:30 a.m.
 - (a) Mill Street from Bridge Street to Beckwith Street
2. Every person who without lawful authority uses any part of the said highway or any portion thereof so closed to traffic during the period specified is guilty of an offence and is also liable to the Town of Carleton Place for any damage or injury occasioned by such wrongful use.
3. Every person who uses a highway or portion of a highway so closed to traffic does so at their own risk and the Town of Carleton Place is not liable for any damage sustained by a person using the highway or portion thereof so closed to traffic.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 27th DAY OF MARCH 2018.

Louis Antonakos, Mayor

D.H. Rogers, Clerk

BY-LAW NO. 17-2018

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO AUTHORIZE THE SIGNING OF AN AGREEMENT BETWEEN HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS, THE CARLETON PLACE CHAMBER OF COMMERCE AND THE CORPORATION OF THE TOWN OF CARLETON PLACE FOR RECEIPT OF FUNDING UNDER THE RURAL ECONOMIC DEVELOPMENT (RED) PROGRAM FOR THE DEVELOPMENT OF A BRANDING AND MARKETING STRATEGY.

WHEREAS Section 22 of the Municipal Act, 2001 (S.O. 2001, c.25), authorizes a municipality to provide a system that it would otherwise not have power to provide within a municipality, if it does so in accordance with an agreement with the Province of Ontario under a program established and administered by the Province of Ontario;

AND WHEREAS the Council of the Town of Carleton Place deems it expedient to enter into an agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister Agriculture, Food and Rural Affairs and the Carleton Place Chamber of Commerce to provide \$10,000 for the development of a branding and marketing strategy;

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

1. **SHORT TITLE**
This By-Law is short titled "Rural Economic Development (RED) Program – Branding and Marketing Strategy".
2. **AGREEMENT**
 - (a) **THAT** the Mayor and Clerk shall be and are hereby authorized on behalf of the Corporation of the Town of Carleton Place to enter into a contribution agreement between the Corporation of the Town of Carleton Place and Her Majesty the Queen in Right of Ontario as represented by the Minister Agriculture, Food and Rural Affairs and the Carleton Place Chamber of Commerce to provide \$10,000 funding under the Rural Economic Development Program for the development of a branding and marketing strategy.
 - (b) **THAT** the Clerk shall be and is hereby authorized to affix the corporate seal of the Corporation of the Town of Carleton Place to the said agreement.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 27TH DAY OF MARCH, 2018.

Louis Antonakos, Mayor

D.H. Rogers, Clerk

BY-LAW NO. 18-2018

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO AUTHORIZE THE SALE OF CERTAIN LANDS DESCRIBED AS PART LOT 16, CONCESSION 11, FORMER TOWNSHIP OF BECKWITH, MORE PARTICULARLY DESCRIBED AS PART 2 ON RP27R11033, ROE STREET, NOW IN THE TOWN OF CARLETON PLACE, IN THE COUNTY OF LANARK (PART OF PIN 05113-0574).

WHEREAS Section 5.3 of the *Municipal Act, 2001* (S.O. 2001, c.25) authorizes that municipal powers, including municipality's capacity, rights, powers and privileges under Section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Section 9 of the *Municipal Act, 2001* (S.O. 2001, c.25), provides that 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;

WHEREAS Section 268(1) of the *Municipal Act, 2001* (S.O. 2001, c.25), authorizes municipal councils to pass by-laws for establishing procedures, including the giving of notice to the public, governing the sale of land;

AND WHEREAS the Council of the Corporation of the Town of Carleton Place deems it appropriate to pass a by-law to sell such land;

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

1. That the lands described as Part Lot 16, Concession 11, former Township of Beckwith, more particularly described as Part 2 on RP27R11033, Roe Street, now in the Town of Carleton Place, in the County of Lanark (Part of PIN 05113-0574) as shown on Schedule 'A' be sold to Steve and Mandi Murphy for the consideration of \$104,000.00 plus HST.
2. That the Mayor and Clerk are hereby authorized to execute such documents on behalf of the Corporation and to affix the seal of the Corporation thereto as may be necessary to give effect to the said sale.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 27TH DAY OF MARCH, 2018.

Louis Antonakos, Mayor

D.H. Rogers, Clerk

BY-LAW NO. 19-2018

**JOINT LANARK COUNTY 2018 ELECTION COMPLIANCE AUDIT COMMITTEE
TERMS OF REFERENCE**

WHEREAS, the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, as amended, requires municipalities to establish a Compliance Audit Committee;

AND WHEREAS, the local municipalities within the County of Lanark deem it expedient to establish a Joint Compliance Audit Committee and adopt a terms of reference for the committee;

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

1. GENERAL REGULATIONS

1.1 THAT the Joint Lanark County 2018 Election Compliance Audit Committee – Terms of Reference, attached hereto as Schedule “A”, be adopted.

2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

3. EFFECTIVE DATE

ENACTED AND PASSED this 27 day of March, 2018.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 27th DAY OF MARCH 2018.

Louis Antonakos, Mayor

D.H. Rogers, Clerk

**THE CORPORATION OF THE TOWN OF CARLETON PLACE
BY-LAW NO. 19-2018**

SCHEDULE "A"

Joint Lanark County 2018 Election Compliance Audit Committee

Terms of Reference	
1	<p><u>Name</u></p> <p>The name of the Committee is the "Joint Lanark County 2018 Election Compliance Audit Committee" consisting of the following municipalities:</p> <ul style="list-style-type: none"> Municipality of Mississippi Mills Tay Valley Township Town of Carleton Place Town of Perth Town of Smiths Falls Township of Beckwith Township of Drummond/North Elmsley Township of Lanark Highlands Township of Montague
2	<p><u>Duration</u></p> <p>The term of office is from December 1, 2018 to November 14, 2022 to deal with applications from the 2018 election and any by-elections during Council's term.</p>
3	<p><u>Mandate</u></p> <p>The powers and functions of the Committee are set out in Sections 88.33 to 88.36 of the <i>Municipal Elections Act, 1996</i> (Appendix "A"). The Committee will perform the functions relating to the compliance audit application process as outlined in the Act. These functions include:</p> <p style="margin-left: 40px;"><u>Candidate Contravention</u></p> <ol style="list-style-type: none"> a. within 30 days receipt of a compliance audit application by an elector, consider the application and decide whether it should be granted or rejected; b. give to the Candidate, the Clerk and the Applicant the decision of the Committee to grant or reject the application, and brief written reasons for the decision; c. if the application is granted, appoint a licensed auditor to conduct a compliance audit of the Candidate's election campaign finances; d. receive the auditor's report from the Clerk; e. within 30 days receipt of the auditor's report, consider the report; f. if the report concludes that the candidate appears to have contravened a provision of the Act relating to election campaign finances, decide whether to commence legal proceedings against the candidate for the apparent contravention;

- g. after reviewing the report, give to the Candidate, the Clerk and the Applicant the decision of the Committee, and brief written reasons for the decision.

Candidate Contributor Contravention

- a. within 30 days receipt of a report identifying each contributor to a candidate for office on a council who appears to have contravened any of the contribution limits, consider the report and decide whether to commence a legal proceeding against the contributor for an apparent contravention.
- b. after reviewing the report, give to the Contributor and the Clerk the decision of the Committee, and brief written reasons for the decision.

Registered Third Party Contravention

- a. within 30 days receipt of a compliance audit application by an elector, consider the application and decide whether it should be granted or rejected;
- b. give to the Candidate, the Clerk and the Applicant the decision of the Committee to grant or reject the application, and brief written reasons for the decision;
- c. if the application is granted, appoint a licensed auditor to conduct a compliance audit of the Registered Third Party's campaign finances;
- d. receive the auditor's report from the Clerk;
- e. within 30 days receipt of the auditor's report, consider the report;
- f. if the report concludes that the Registered Third Party appears to have contravened a provision of the Act relating to campaign finances, decide whether to commence legal proceedings against the Registered Third Party for the apparent contravention;
- g. after reviewing the report, give to the Registered Third Party, the Clerk and the Applicant the decision of the Committee, and brief written reasons for the decision.

Registered Third Party Contributor Contravention

- a. within 30 days receipt of the report, consider the report;
- b. if the report concludes that the Contributor appears to have contravened a provision of the Act relating to campaign finances, decide whether to commence legal proceedings against the Contributor for the apparent contravention;
- c. after reviewing the report, give to the Contributor and the Clerk the decision of the Committee, and brief written reasons for the decision.

Auditor Selection

If the committee decides to grant the application, it shall appoint an auditor licensed under the *Public Accounting Act, 2004* to conduct a compliance audit of the Candidate's election campaign finances.

The selection process will be coordinated through the Clerk of the respective municipality.

4 Membership

The Committee shall be composed of three (3) voting members, with three (3) alternate members that would assume all the rights and privileges of a voting member if called upon. Alternate members shall be ranked and will be called upon to replace a voting member that has resigned from the Committee.

Membership will be drawn from the following groups:

- a. accounting and audit - accountants or auditors with experience in preparing or auditing the financial statements of municipal candidates and registered third parties;
- b. legal;
- c. professionals who in the course of their duties are required to adhere to codes or standards of their profession which may be enforced by disciplinary tribunals; and/or
- d. other individuals with knowledge of the campaign financing rules of the *Municipal Elections Act, 1996*.

Municipal employees or officers of the municipality, members of Council or local board; any Candidates or any persons who are Registered Third Parties in the 2018 municipal election or in any by-election during the term of Council for any member municipality are ineligible to be appointed as a member of the Committee pursuant to subsection 88.37 (2) of the of the *Municipal Elections Act, 1996*.

Members will be required to participate in an orientation session as a condition of appointment.

5 Membership Selection

The terms of reference and application form will be posted, as a minimum, on the municipal websites of the member municipalities. Staff will also contact and solicit those individuals as set out under section 4 of the Terms of Reference. In addition, advertisements will be placed in a local paper.

All applicants will be required to complete an application form outlining their qualifications and experience. Staff may interview applicants who meet the selection criteria and prepare a short list of three voting members and three alternate members. Recommended candidates will be submitted to the Council of each member municipality for consideration.

Members will be selected on the basis of the following:

- a. demonstrated knowledge and understanding of municipal election financing rules;
- b. proven analytical and decision-making skills;
- c. experience working on a committee, task force or similar setting;
- d. availability and willingness to attend meetings; and
- e. excellent oral and written communication skills.

	<p>Any members appointed must also agree in writing they will not be a candidate or an individual who is a Registered Third Party in the current municipal election or in any by-election during the term of Council for any member municipality. Failure to adhere to this requirement will result in the individual being removed from the Committee.</p>
6	<p><u>Conflict of Interest</u></p> <p>The principles of the <i>Municipal Conflict of Interest Act</i>, apply to this Committee. Failure to adhere to this requirement will result in the individual being removed from the Committee.</p> <p>To avoid a conflict, any person appointed to the Committee must agree in writing not to prepare or audit the election financial statements of any candidate or registered third party for any of the member municipalities in the current municipal election. Failure to adhere to this requirement will result in the individual being removed from the Committee.</p>
7	<p><u>Chair</u></p> <p>The Committee will select a Chair from amongst its members at its first meeting when a compliance audit application is received.</p> <p>The Chair is the liaison between the members and the Secretary of the Committee on matters of policy and process.</p> <p>The Chair shall enforce the observance of order and decorum among the Committee members and the public at all meetings.</p> <p>When the Chair is absent, the Committee may appoint another member as Acting Chair. While presiding, the Acting Chair shall have all the powers of the Chair.</p>
8	<p><u>Staffing and Funding</u></p> <p>The Clerk from the applicable member municipality shall act as Secretary to the Committee.</p> <p>The member municipality requiring the services of the Committee shall be responsible for all associated expenses, including the auditor's costs.</p> <p>Committee Member Remuneration:</p> <ul style="list-style-type: none"> • \$150 per diem per meeting; and • mileage at a rate of \$0.50 cents per kilometer.

9

Meetings

Meetings of the Committee shall be open to the public. The Committee may deliberate in private.

Timing of Meetings

Meetings shall be called by the Clerk of the member municipality when required. The date and time of the meeting will be determined by the Clerk and communicated directly to the Committee members. Subsequent meetings will be held at the call of the Chair in consultation with the Clerk.

Committee activity shall be determined primarily by the number and complexity of applications for compliance audits that may be received. The frequency and duration of meetings will be determined by the Committee in consultation with the Clerk.

Meeting Location

The Committee shall meet at the location determined by the member municipality.

Meeting Notices, Agendas & Minutes

The agenda shall constitute notice. The Clerk of the member municipality requiring the services of the Committee shall cause notice of the meetings to be provided:

- to members of the Committee, Candidate, and the Public for a meeting regarding an application by an elector;
- to members of the Committee, Contributor, Candidate and the Public for a meeting regarding a Candidate Contributor Contravention report;
- to members of the Committee, Contributor, Registered Third Party and the public for a meeting regarding a Registered Third Party Contributor Contravention.

A minimum of two (2) business days prior to the date of each meeting, not including weekends or holidays. The agendas and minutes of meetings shall be posted on the member municipality's website.

Minutes of each meeting shall outline the general deliberations and specific actions and recommendations that result.

Agenda Format

1. Call to Order
2. Disclosure of Pecuniary Interest and General Nature Thereof
3. Consideration of Compliance Audit Application, Clerk's Report or Auditor's Report
4. Adjournment

Quorum

Quorum for meetings shall consist of a majority of the members of the Committee.

If no quorum is present thirty (30) minutes after the time appointed for a meeting, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next meeting.

	<p><i>Meeting Attendance</i> Any member of the Committee, who misses three (3) consecutive meetings, without being excused by the Committee, may be removed from the Committee. The Committee must make recommendations, by a report to Council for the removal of any member.</p> <p><i>Motions & Voting</i> A motion shall only need to be formally moved before the Chair can put the question or a motion can be recorded in the minutes.</p> <p>A motion shall be reduced to writing and shall be signed by the Chair and Secretary.</p> <p>Every Member present shall be deemed to vote against the motion if they decline or abstain from voting, unless disqualified from voting by reason of a declared pecuniary interest.</p> <p>In the case of a tie vote, the motion shall be considered to have been lost.</p> <p>The manner of determining the vote on a motion shall be by show of hands.</p> <p>The Chair shall announce the result of every vote.</p>
10	<p><u>Administrative Practices and Procedures</u></p> <p>The Terms of Reference constitute the Administrative Practices and Procedures of the Committee. Any responsibilities not clearly identified within these Terms of Reference shall be in accordance with Section 88.33 to 88.37 of the <i>Municipal Elections Act, 1996</i>.</p> <p>The Clerk at any time has the right to develop additional administrative practices and procedures.</p>

APPENDIX "A"

Municipal Elections Act, 1996

S.O. 1996, c. 32

(for reference only)

Compliance Audits and Reviews of Contributions

Compliance audit of candidates' campaign finances

Application by elector

88.33 (1) An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances, even if the candidate has not filed a financial statement under section 88.25. 2016, c. 15, s. 63.

Requirements

(2) An application for a compliance audit shall be made to the clerk of the municipality or the secretary of the local board for which the candidate was nominated for office, and it shall be in writing and shall set out the reasons for the elector's belief. 2016, c. 15, s. 63.

Deadline for applications

(3) The application must be made within 90 days after the latest of the following dates:

1. The filing date under section 88.30.
 2. The date the candidate filed a financial statement, if the statement was filed within 30 days after the applicable filing date under section 88.30.
 3. The candidate's supplementary filing date, if any, under section 88.30.
 4. The date on which the candidate's extension, if any, under subsection 88.23 (6) expires.
- 2016, c. 15, s. 63.

Compliance audit committee

(4) Within 10 days after receiving the application, the clerk of the municipality or the secretary of the local board, as the case may be, shall forward the application to the compliance audit committee. 2016, c. 15, s. 63.

Procedural matters

(5) The meetings of the committee under this section shall be open to the public and reasonable notice shall be given to the candidate, the applicant and the public. 2016, c. 15, s. 63.

Same

(6) Subsection (5) applies despite sections 207 and 208.1 of the *Education Act*. 2016, c. 15, s. 63.

Decision of committee

(7) Within 30 days after the committee has received the application, the committee shall consider the application and decide whether it should be granted or rejected. 2016, c. 15, s. 63.

Same

(8) The decision of the committee to grant or reject the application, and brief written reasons for the decision, shall be given to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. 2016, c. 15, s. 63.

Appeal

(9) The decision of the committee under subsection (7) may be appealed to the Superior Court of Justice within 15 days after the decision is made, and the court may make any decision the committee could have made. 2016, c. 15, s. 63.

Appointment of auditor

(10) If the committee decides under subsection (7) to grant the application, it shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances. 2016, c. 15, s. 63.

Same

(11) Only auditors licensed under the *Public Accounting Act, 2004* or prescribed persons are eligible to be appointed under subsection (10). 2016, c. 15, s. 63.

Duty of auditor

(12) The auditor shall promptly conduct an audit of the candidate's election campaign finances to determine whether he or she has complied with the provisions of this Act relating to election campaign finances and shall prepare a report outlining any apparent contravention by the candidate. 2016, c. 15, s. 63.

Who receives report

(13) The auditor shall submit the report to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. 2016, c. 15, s. 63.

Report to be forwarded to committee

(14) Within 10 days after receiving the report, the clerk of the municipality or the secretary of the local board shall forward the report to the compliance audit committee. 2016, c. 15, s. 63.

Powers of auditor

(15) For the purpose of the audit, the auditor,
(a) is entitled to have access, at all reasonable hours, to all relevant books, papers, documents or things of the candidate and of the municipality or local board; and
(b) has the powers set out in section 33 of the *Public Inquiries Act, 2009* and section 33 applies to the audit. 2016, c. 15, s. 63.

Costs

(16) The municipality or local board shall pay the auditor's costs of performing the audit. 2016, c. 15, s. 63.

Decision

(17) The committee shall consider the report within 30 days after receiving it and, if the report concludes that the candidate appears to have contravened a provision of the Act relating to

election campaign finances, the committee shall decide whether to commence a legal proceeding against the candidate for the apparent contravention. 2016, c. 15, s. 63.

Notice of decision, reasons

(18) The decision of the committee under subsection (17), and brief written reasons for the decision, shall be given to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. 2016, c. 15, s. 63.

Immunity

(19) No action or other proceeding for damages shall be instituted against an auditor appointed under subsection (10) for any act done in good faith in the execution or intended execution of the audit or for any alleged neglect or default in its execution in good faith. 2016, c. 15, s. 63.

Saving provision

(20) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to election campaign finances. 2016, c. 15, s. 63.

88.34 (1) The clerk shall review the contributions reported on the financial statements submitted by a candidate under section 88.25 to determine whether any contributor appears to have exceeded any of the contribution limits under section 88.9. 2016, c. 15, s. 64.

Report, contributions to candidates for council

(2) As soon as possible following the day that is 30 days after the filing date or supplementary filing date, as the case may be, under section 88.30, the clerk shall prepare a report identifying each contributor to a candidate for office on a council who appears to have contravened any of the contribution limits under section 88.9 and,

(a) if the contributor's total contributions to a candidate for office on a council appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to the candidate; and

(b) if the contributor's total contributions to two or more candidates for office on the same council appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to all candidates for office on the same council. 2016, c. 15, s. 64.

Same

(3) The clerk shall prepare a separate report under subsection (2) in respect of each contributor who appears to have contravened any of the contribution limits under section 88.9. 2016, c. 15, s. 64.

Same

(4) The clerk shall forward each report prepared under subsection (2) to the compliance audit committee. 2016, c. 15, s. 64.

Report, contributions to candidates for a local board

(5) As soon as possible following the day that is 30 days after the filing date or supplementary filing date, as the case may be, under section 88.30, the clerk shall prepare a report

identifying each contributor to a candidate for office on a local board who appears to have contravened any of the contribution limits under section 88.9 and,

(a) if the contributor's total contributions to a candidate for office on a local board appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to the candidate; and

(b) if the contributor's total contributions to two or more candidates for office on the same local board appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to all candidates for office on the same local board. 2016, c. 15, s. 64.

Same

(6) The clerk shall prepare a separate report under subsection (5) in respect of each contributor who appears to have contravened any of the contribution limits under section 88.9. 2016, c. 15, s. 64.

Same

(7) The clerk shall forward each report prepared under subsection (5) to the secretary of the local board for which the candidate was nominated for office and, within 10 days after receiving the report, the secretary of the local board shall forward it to the compliance audit committee. 2016, c. 15, s. 64.

Decision of compliance audit committee

(8) Within 30 days after receiving a report under subsection (4) or (7), the compliance audit committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention. 2016, c. 15, s. 64.

Procedural matters

(9) The meetings of the committee under subsection (8) shall be open to the public, and reasonable notice shall be given to the contributor, the applicable candidate and the public. 2016, c. 15, s. 64.

Same

(10) Subsection (9) applies despite sections 207 and 208.1 of the *Education Act*. 2016, c. 15, s. 64.

Notice of decision, reasons

(11) The decision of the committee under subsection (8), and brief written reasons for the decision, shall be given to the contributor and to the clerk of the municipality or the secretary of the local board, as the case may be. 2016, c. 15, s. 64.

Saving provision

(12) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to contribution limits. 2016, c. 15, s. 64.

Compliance audit of registered third parties

Application by elector

88.35 (1) An elector who is entitled to vote in an election in a municipality and believes on reasonable grounds that a registered third party who is registered in relation to the election in

the municipality has contravened a provision of this Act relating to campaign finances may apply for a compliance audit of the campaign finances of the registered third party in relation to third party advertisements, even if the registered third party has not filed a financial statement under section 88.29. 2016, c. 15, s. 65.

Requirements

(2) An application for a compliance audit shall be made to the clerk of the municipality in which the registered third party was registered, and it shall be made in writing and shall set out the reasons for the elector's belief. 2016, c. 15, s. 65.

Deadline

(3) The application must be made within 90 days after the latest of the following dates:

1. The filing date under section 88.30.
2. The date the registered third party filed a financial statement, if the statement was filed within 30 days after the applicable filing date under section 88.30.
3. The supplementary filing date, if any, for the registered third party under section 88.30.
4. The date on which the registered third party's extension, if any, under subsection 88.27 (3) expires. 2016, c. 15, s. 65.

Application of s. 88.33 (4) to (20)

(4) Subsections 88.33 (4) to (20) apply to a compliance audit under this section, with the following modifications:

1. A reference to a candidate shall be read as a reference to the registered third party.
2. A reference to the clerk with whom the candidate filed his or her nomination shall be read as a reference to the clerk of the municipality in which the registered third party is registered.
3. A reference to election campaign finances shall be read as a reference to the campaign finances of the registered third party in relation to third party advertisements that appear during an election in the municipality. 2016, c. 15, s. 65.

Review of contributions to registered third parties

88.36 (1) The clerk shall review the contributions reported on the financial statements submitted by a registered third party under section 88.29 to determine whether any contributor appears to have exceeded any of the contribution limits under section 88.13. 2016, c. 15, s. 65.

Report by the clerk

(2) As soon as possible following the day that is 30 days after the filing date or supplementary filing date, as the case may be, under section 88.30 for a registered third party, the clerk shall prepare a report identifying each contributor to the registered third party who appears to have contravened any of the contribution limits under section 88.13 and,

- (a) if the contributor's total contributions to a registered third party that is registered in the municipality appear to exceed the limit under section 88.13, the report shall set out the contributions made by that contributor to the registered third party in relation to third party advertisements; and
- (b) if the contributor's total contributions to two or more registered third parties that are registered in the municipality appear to exceed the limit under section 88.13, the report shall set out the contributions made by that contributor to all registered third parties in the municipality in relation to third party advertisements. 2016, c. 15, s. 65.

Same

(3) The clerk shall prepare a separate report under subsection (2) in respect of each contributor who appears to have contravened any of the contribution limits under section 88.13. 2016, c. 15, s. 65.

Same

(4) The clerk shall forward each report prepared under subsection (2) to the compliance audit committee. 2016, c. 15, s. 65.

Decision of compliance audit committee

(5) Within 30 days after receiving a report under subsection (4), the compliance audit committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention. 2016, c. 15, s. 65.

Procedural matters

(6) The meetings of the committee under subsection (5) shall be open to the public, and reasonable notice shall be given to the contributor, the registered third party and the public. 2016, c. 15, s. 65.

Notice of decision, reasons

(7) The decision of the committee under subsection (5), and brief written reasons for the decision, shall be given to the contributor and to the clerk of the municipality. 2016, c. 15, s. 65.

Saving provision

(8) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to contribution limits. 2016, c. 15, s. 65.

Compliance audit committee

88.37 (1) A council or local board shall establish a compliance audit committee before October 1 of an election year for the purposes of this Act. 2016, c. 15, s. 66.

Composition

(2) The committee shall be composed of not fewer than three and not more than seven members and shall not include,

(a) employees or officers of the municipality or local board;

(b) members of the council or local board;

(c) any persons who are candidates in the election for which the committee is established; or

(d) any persons who are registered third parties in the municipality in the election for which the committee is established. 2016, c. 15, s. 66.

Eligibility for appointment

(3) A person who has such qualifications and satisfies such eligibility requirements as may be prescribed is eligible for appointment to the committee. 2016, c. 15, s. 66.

Same

(4) In appointing persons to the committee, the council or local board shall have regard to the prescribed eligibility criteria. 2016, c. 15, s. 66.

Term of office

(5) The term of office of the committee is the same as the term of office of the council or local board that takes office following the next regular election, and the term of office of the members of the committee is the same as the term of the committee to which they have been appointed. 2016, c. 15, s. 66.

Role of clerk or secretary

(6) The clerk of the municipality or the secretary of the local board, as the case may be, shall establish administrative practices and procedures for the committee and shall carry out any other duties required under this Act to implement the committee's decisions. 2016, c. 15, s. 66.

Costs

(7) The council or local board, as the case may be, shall pay all costs in relation to the committee's operation and activities. 2016, c. 15, s. 66.

BY-LAW NO. 20-2018

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO APPOINT AN INTEGRITY COMMISSIONER FOR THE CORPORATION OF THE TOWN OF CARLETON PLACE.

WHEREAS the Municipal Act, 2001, as amended (the “Municipal Act”) provides that the powers of a municipal corporation are to be exercised by Council through the adoption of by-laws; AND;

WHEREAS the Municipal Act authorizes the Town to establish codes of conduct for members of Council and to appoint an Integrity Commissioner who reports to Council; AND;

WHEREAS Municipal Council adopted a Code of Conduct in 2009, as amended; AND;

WHEREAS the Integrity Commissioner will assist the County of Lanark and local municipalities thereof with matters such as a review and update of the Council Code of Conduct for Council and Local Board Procedure, the creation of a Council-Staff Relations Policy, the review of the Town’s Integrity Commissioner Complaint Policy and/or Procedure and any other procedures, rules and policies of the municipality and/or local boards governing the ethical behavior of members of Council and/or of Local Boards;

AND WHEREAS an Integrity Commissioner is responsible for performing in an independent manner the functions assigned by the municipality;

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

1. GENERAL REGULATIONS

- i. That Cunningham, Swan, Carty, Little & Bonham LLP through its lead Tony Fleming is hereby appointed as The Town of Carleton Place Integrity Commissioner pursuant to Part V.1, Accountability and Transparency, of the Municipal Act.
- ii. That upon appointment, Cunningham, Swan, Carty, Little & Bonham LLP will have all the functions, powers and duties of an integrity commissioner as set out in Part V.1, Accountability and Transparency, of the Municipal Act, and in addition such functions, powers and duties as may be assigned by Council from time to time.
- iii. That The Town of Carleton Place hereby indemnifies and save harmless the Integrity Commissioner or any person acting under the instructions of the Integrity Commissioner for costs reasonably incurred in connection with the defence of a proceeding if the proceeding relates to an act done in good faith in the performance or intended performance of a function, duty or authority under Part V.1 of the Municipal Act, or a by-law passed thereunder, or an alleged neglect or default in the performance in good faith of the function, duty or authority.

- iv. That all actions taken and required to be taken by the Mayor and Clerk on behalf of The Corporation of The Town of Carleton Place to complete this matter including the execution of the Agreement and any other associated documentation are hereby authorized, confirmed and ratified.
 - v. That in accordance with Item 4(b) of the Integrity Commissioner Agreement dated October 25, 2017, that Mr. R. Swayze be notified of the decision of The Corporation of the Town of Carleton Place to conclude the said agreement.
2. ULTRA VIRES Should any sections of this by-law, including any section or part of any schedules attached hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.
3. EFFECTIVE DATE This By-Law shall come into force and take effect following 30 days notice as provided by Item 4(b) of the said Integrity Commissioner Agreement with Mr. Swayze.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 27th DAY OF MARCH 2018.

Louis Antonakos, Mayor

D.H. Rogers, Clerk

BY-LAW NO. 21-2018

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO REMOVE ONE FOOT RESERVES LEGALLY DESCRIBED AS BLOCK 266 AND BLOCK 265 ON PLAN 27M-81 AND TO DEDICATE SAID RESERVES AS A PUBLIC HIGHWAY, AS PART OF DUNLOP ROAD AND AS PART OF HOOPER STREET.

WHEREAS a one foot reserve was retained by the Corporation of the Town of Carleton Place at Block 266 and at Block 265 on Plan 27M-81 in the Town of Carleton Place.

AND WHEREAS the retention of the above-noted one foot reserves are deemed no longer necessary.

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

1. **That** the one foot reserves legally described as Block 266 and as Block 265 on Plan 27M-81 be hereby removed.
2. **That** Block 266 on Plan 27M-81 be hereby dedicated as a public highway, as part of Dunlop Road.
3. **That** Block 265 on Plan 27M-81 be hereby dedicated as a public highway, as part of Hooper Street.
4. **That** a copy of this By-law be deposited on title in the Lanark Land Titles Division Office No. 27

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 27th DAY OF MARCH 2018.

Louis Antonakos, Mayor

D.H. Rogers, Clerk

BY-LAW NO. 22-2018

A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO AUTHORIZE THE SIGNING OF AN AGREEMENT BETWEEN THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO AND THE CORPORATION OF THE TOWN OF CARLETON PLACE FOR RECEIPT OF FUNDING UNDER THE MAIN STREET REVITALIZATION INITIATIVE FOR THE ENHANCEMENT OF THE CARLETON JUNCTION PROJECT.

WHEREAS Section 22 of the Municipal Act, 2001 (S.O. 2001, c.25), authorizes a municipality to provide a system that it would otherwise not have power to provide within a municipality, if it does so in accordance with an agreement with the Province of Ontario under a program established and administered by the Province of Ontario;

AND WHEREAS the Municipality acknowledges that Funds received through the Agreement must be invested in an interest-bearing reserve until the earliest of expenditure or March 31, 2020;

AND WHEREAS the Council of the Town of Carleton Place deems it expedient to enter into an agreement with the Association of Municipalities of Ontario which is administering the funds on behalf of Her Majesty the Queen in Right of Ontario as represented by the Minister Agriculture, Food and Rural Affairs, to provide \$47,061.78 for the enhancement of the Carleton Junction Project;

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

1. **SHORT TITLE**

This By-Law is short titled "Main Street Revitalization Initiative – Carleton Junction".

2. **AGREEMENT**

(a) **THAT** the Chief Administrative Office shall be and is hereby authorized on behalf of the Corporation of the Town of Carleton Place to enter into a contribution agreement between the Corporation of the Town of Carleton Place and the Association of Municipalities of Ontario to provide \$47,061.78 funding under the Main Street Revitalization Initiative for the enhancement of the Carleton Junction Project.

(b) **THAT** the Clerk shall be and is hereby authorized to affix the corporate seal of the Corporation of the Town of Carleton Place to the said agreement.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 27th DAY OF MARCH 2018.

Louis Antonakos, Mayor

D.H. Rogers, Clerk



Policy Review Committee Council Report March 13th, 2018

COMMUNICATION 129117

Received from Stacey Blair, Deputy Clerk
Addressed to Policy Review Committee
Date February 26, 2018
Topic Accessibility Plan for the 2018 Elections

SUMMARY

The attached draft accessibility plan for the 2018 municipal elections has been reviewed and approved by the Accessibility Advisory Committee.

COMMENT

For Council's information.

COMMITTEE DECISION

Receive and record.

COUNCIL ACTION

Receive and record.

COMMUNICATION 128423

Received from Paul Knowles, Chief Administrative Officer
Addressed to Physical Environment Committee
Date October 31, 2017
Topic GHG Challenge Fund

SUMMARY

Previously, the government of Ontario launched the Municipal GHG Challenge Fund, a competitive, application-based program. Ontario is inviting municipalities to submit applications for the fund by November 14, 2017.

The eligibility requirements for the first round of funding will now be opened to allow all municipalities to apply, so long as applicants demonstrate a commitment to completing their community-wide GHG inventory, targets and plan within 18 months, through a council resolution. If approved for funding, the council resolution must occur before the transfer payment agreement is completed.

128423 Continued

Applications will be scored using the criteria outlined in the Program Guide. If applicants do not have an inventory, targets, and/or a GHG reduction plan, this will impact their score in the section entitled “Alignment with Municipal GHG Planning”.

COMMENT

Earlier, Council considered this program (Communication 128354) and decided not to pursue an application. However, with the new announcement, staff suggest submitting two applications – one for funding to install energy efficient street lighting and one to support implementing the Active Transportation Commuter Transit Plan that is currently under development. To support these applications to the GHG Challenge Fund, staff have drafted a GHG Emissions Reduction Statement (attached).

UPDATE MARCH 8, 2018

Earlier, the Town submitted an application to the Municipal GHG Challenge Fund for 50% funding of \$900,000.00 (cost of project) to assist with converting the streetlights to LED. However, the Town's application was not selected for funding.

At the time of budget preparation, this grant funding opportunity was not known, and was therefore not included in the 2018 budget. At the time of budget preparation, the anticipated cost of the project was \$780,000.00. The increased cost of \$120,000.00 (\$900,000.00 - \$780,000.00) will be left unfinanced at year end and will be paid for from anticipated energy savings, resulting from the project. The unfinanced portion of the project is expected to be paid off within 2 years due to the energy savings.

COMMITTEE DECISION

Receive and record.

COUNCIL ACTION

Receive and record.

COMMUNICATION 129120

Received from	Paul Knowles, Town Engineer
Addressed to	Policy Review Committee
Date	March 9, 2018
Topic	Highway Access Management Plan for Hwy. 7

SUMMARY

In January of 2017, at the ROMA conference, MTO agreed to partner with the Town and lead the process to prepare a Highway Access Management Plan (HAMP) for Highway 7 between McNeely Ave. and Highway 15.

129120 Continued

When completed, this HAMP would show how the Hwy 7/Hwy 15 intersection would be upgraded to increase capacity and how the commercial entrances along Hwy 7 would be impacted. It would also describe how re-development of the commercial properties along Hwy 7 could proceed. However, work has not really yet begun on this project.

At the OGRA conference, the Mayor, Deputy Mayor, Councillor Black, Dave Young and Paul Knowles met with Arthur Potts, Parliamentary Assisting and several senior MTO staff and discussed the lack of progress on the Highway Access Management Plan that is being developed for Hwy 7. MTO committed to giving this project a higher priority.

COMMENT

For information.

COMMITTEE DECISION

Receive and record.

COUNCIL ACTION

Receive and record.

COMMUNICATION 129118

Received from Stacey Blair, Deputy Clerk
Addressed to Policy Review Committee
Date February 26, 2018
Topic Use of Corporate Resources for Elections Policy

SUMMARY

In accordance with the *Municipal Elections Act, 1996 section 88.18*, before May 1st in the year of a regular election, municipalities shall establish rules and procedures with respect to the use of municipal resources, during the election campaign period.

This report recommends the adoption of a Use of Corporate Resources for Elections Policy, which will serve as a guide for members of Council, candidates, staff, local boards of the Town of Carleton Place and the public on the appropriate use of the Town's corporate resources.

While it is recognized that members of Council must be able to perform the duties of their office during an election year, it is also important to establish clear guidelines to ensure that the election campaigns of sitting members do not receive any benefits by virtue of their office and at the same time, clarify the use of corporate resources for other candidates, municipal staff, and the public.

129118 Continued

This policy was drafted after reviewing the related policies of a number of other municipalities including the Municipality of Mississippi Mills and the Town of Smiths Falls.

COMMENT

Related Policies:

Although it does not refer to elections specifically, Council's Code of Conduct provides the following with respect to the use of Municipal Property and Resources:

Council, committee appointees and municipal employees must not use the municipality's property, equipment, supplies or services, which are not available to the general public, for purposes not associated with the discharge of their official duties.

The Town of Carleton Place Digital Communications Policy states the following:

The Town of Carleton Place will not consider posting external links on its websites to:

- *Personal websites*
- *Council - No promotion of a member of Council, an individual or organization, shall be permitted for political purposes*
- *Posting material from any member of Council requires the express permission of the remaining members of Council. Direction should be given to the Website Administrator from the Chief Administrative Officer in the event that material of this nature is to be posted.*

In the past, the information package provided to municipal council candidates during the nomination period, also included the following statement:

The use of corporate resources is not permitted by Candidates for election purposes (ie. staff, electronic devices, supplies, candidate photos taken in/on municipal property, etc.)

Additionally, in November 2017, the Town adopted an Employee Involvement in Municipal Elections Policy which addresses the role of employees but not corporate resources specifically.

In the interest of accountability and transparency, a greater detailed stand-alone policy addressing the use of corporate resources during an election period is now required under the *Municipal Elections Act, 1996*.

129118 Continued

The Municipal Elections Act, 1996, prohibits a municipality and its local boards from making a contribution to a candidate. As contributions may take the form of money, goods or services, publicly clarifying the goods and services, which would not be available to sitting members of Council and/or candidates, would establish reference criteria for all, including campaign workers and municipal staff.

COMMITTEE DECISION

THAT the Use of Corporate Resources for Elections Policy for the Town of Carleton Place be approved.

COUNCIL ACTION

THAT the Use of Corporate Resources for Elections Policy for the Town of Carleton Place be approved.

COMMUNICATION 128411

Received from	Clerk's Department
Addressed to	Policy Review Committee
Date	March 8, 2018
Topic	Integrity Commissioner Contract

SUMMARY

Last fall, Mr. Swayze informed the Town that he had completed his five-year term with Council as Integrity Commissioner for the Town of Carleton Place.

COMMENT

Neither By-law No. 29-2012 nor the initial motion of Council appointing Mr. Swayze as Integrity Commissioner for the Town of Carleton Place noted a five-year term of office. Staff contacted Mr. Swayze to determine if he would be interested in remaining as the Integrity Commissioner for the Town.

UPDATE - October 2017

Mr. Swayze informed the Town that he is prepared to accept a renewal of his term as Integrity Commissioner but that his rates and other terms have changed. Effective last fall, Mr. Swayze's new charges are \$320.00/hr and \$160.00/hr for travel time. His previous rates were \$280.00 per hour and \$140.00/hr for travel time. He also charges an annual retainer of \$2,000.00.

Mr. Swayze has provided a sample draft service agreement that he now uses. A 30-day termination clause was included with the 2017 contract renewal.

128411 Continued

UPDATE – March 2018

Lanark County issued a Request for Proposal (RFP) for the services of an Integrity Commissioner on December 13, 2017 with a closing date of January 15, 2018. Included in the County RFP were the following municipalities: Beckwith, Drummond/North Elmsley, Lanark Highlands, Mississippi Mills, Montague, Perth, Tay Valley and Smiths Falls.

The County received 7 RFP submissions which were reviewed by the Evaluation Committee comprised of the Clerk (or his/her designate) of each local municipality involved. Each submission was evaluated against the criteria set out in section 4.1 of the RFP, as follows:

Evaluation Criteria	Weighted Score
Company Profile	5
Project Experience	20
Approach, Methodology & Project Schedule	25
Integrity Consultant Team	20
Cost Factor	30
Total	100
Interview (Stage 2) *Optional	25

Staff from seven of the eight local municipalities plus the Town of Smiths Falls participated in the process. A review of the proposals was undertaken by the group in accordance with the evaluation criteria. The Stage 2 Interview component was optional, but deemed unnecessary.

After the evaluation process was complete Cunningham, Swan, Carty, Little & Bonham LLP was the proponent with the highest total score. The team will be led by Tony Fleming, who brings a wealth of knowledge both from a legal and municipal perspective. The firm is located out of Kingston, with strong familiarity of Lanark County and its local municipalities. The proposal was clear, concise and the group is confident in the team's abilities based on experience and wide breadth of knowledge on various topics. The proposal outlined an initial informal resolution approach which is very desirable versus proceeding with an immediate investigation.

128411 Continued

Their proposal also provides for education and training for Council members, staff and the public on the Code of Conduct, various policies and the complaint process while instilling the values of accountability and transparency through the provision of an ethical framework with which to work from.

Financial Implications:

Presently, the Town's agreement with Mr. Swayze provides that it can be terminated by resolution of Council giving 30 days' notice and if Council so decides, Mr. Swayze has agreed to prorate his annual retainer of \$2,000.00.

The recommended firm (Cunningham Swan) does not require an annual retainer fee; however, there will be ongoing budget needs for the costs of investigations, reports and information provided to members which will be charged at \$295 per hour. The Town would be responsible for all costs associated with its investigations. This is a savings of \$25/hour from the Town's present contract.

There could be other potential savings in working together with the Lanark County group and the recommended firm on matters such as reviewing the Council and Employee Code of Conducts, Council/Staff Relations Policies, the Integrity Commissioner Complaint Policy and any other policies/procedures, rules of the municipalities and local boards governing the ethical behaviour of members of council and/or local boards.

Options available regarding the Integrity Commissioner include:

1. Status Quo – remain with Mr. Swayze as the Municipality's Integrity Commissioner until the end of the current 5-year contract
2. Join with other Lanark County Municipalities now and enter into a contract with Cunningham Swan.
3. Change to Cunningham Swan at the end of the current Council term.

COMMITTEE DECISION

THAT Cunningham, Swan, Carty, Little & Bonham LLP (Lead - Tony Fleming) be appointed as the Integrity Commissioner for the Town of Carleton Place; and

THAT the Clerk be directed to prepare the necessary appointment by-law for the March 27th, 2018 meeting of Council; and

THAT the Mayor and Clerk be authorized to execute an agreement with Cunningham, Swan, Carty, Little & Bonham for the provision of services of an Integrity Commissioner; and

THAT the Clerk provide Mr. Swayze with the necessary 30 days' notice of termination of services.

128411 Continued

At the request of Mayor Antonakos, staff administered the following recorded vote:

Mayor Antonakos: Yay
Deputy Mayor Flynn: Absent
Councillor Black: Nay
Councillor Doucett: Yay
Councillor Fritz: Yay
Councillor Redmond: Nay
Councillor Trimble: Yay

The committee secretary declared the vote as CARRIED.

COUNCIL ACTION

THAT Cunningham, Swan, Carty, Little & Bonham LLP (Lead - Tony Fleming) be appointed as the Integrity Commissioner for the Town of Carleton Place; and
THAT the Clerk be directed to prepare the necessary appointment by-law for the March 27th, 2018 meeting of Council; and
THAT the Mayor and Clerk be authorized to execute an agreement with Cunningham, Swan, Carty, Little & Bonham for the provision of services of an Integrity Commissioner; and
THAT the Clerk provide Mr. Swayze with the necessary 30 days' notice of termination of services.

COMMUNICATION 129119

Received from Clerk's Department
Addressed to Policy Review Committee
Date March 13, 2018
Topic Closed Meetings

SUMMARY

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

COMMITTEE DECISION

THAT in accordance with Section 239 (2) (b) and (c) of the Municipal Act, S.O. 2001, that the meeting be closed to the public with the following agenda.

AGENDA

- 2018-03-13-1 Personal matters about an identifiable individual, including municipal or local board employees – General Nature – Striking Committee (Appointment Application for the Municipal Drug Strategy Committee)
- 2018-03-13-2 A proposed or pending acquisition or disposition of land by the municipality or local board – General Nature – Sale of Land

REPORT TO COUNCIL

- 2018-03-13-1 THAT Council hereby instructs the Clerk to amend the Striking Committee Report to add Brenda MacDonald-Rowe as a member of Municipal Drug Strategy Committee.
- 2018-03-13-2 THAT Council hereby authorizes the Mayor and the Clerk to execute an agreement of Purchase and Steve and Mandi Murphy for the purchase of Part 2 on 27R11033, Roe Street for \$104,000.00.

COUNCIL ACTION

- 2018-03-13-1 Receive and record.
- 2018-03-13-2 THAT a **By-law** be prepared to authorize the Mayor and the Clerk to execute an Agreement of Purchase and Sale to Steve and Mandi Murphy for the purchase of Part 2 on RP 27R11033, Roe Street for the amount of \$104,000.00.



Community Issues Committee
Council Report
March 20, 2018

COMMUNICATION 129125

Received from Ministry of Municipal Affairs
Addressed to Municipal Treasurer, Clerk/Treasurer
Date February 27, 2018
Topic 2018 Annual Repayment Limit (ARL)

SUMMARY

The Town of Carleton Place is currently utilizing 16.5% of its debt capacity. The remaining annual limit of \$4,193,858 could fund up to \$52 million of debt for a 20-year debenture at 5% interest.

Our current forecast for sewer and water requirements for the period from 2025 to 2035 show approximately \$27 million of expenditures requiring \$17 million of debt. (NOTE: that the current budget has the municipality updating the cost estimates for these works in 2018 since the last engineering report was in 2011).

COMMENT

For information only.

COMMITTEE DECISION

Receive and record.

COMMUNICATION 129126

Received from Various Committees
Addressed to Community Issues Committee
Date November 2018 – March 2018
Topic Action Reports/Minutes

SUMMARY

Minutes of the **Carleton Place Drug Strategy Committee** for November 23, 2017 are attached. Noteworthy items include:

- Brett Pearson Run for Your Life

- Icelandic Model

Minutes of the **Carleton Place Emergency Management Committee** for February 22 are attached. Noteworthy items include:

- Emergency Water Distribution Plan
- Annual Emergency Exercise for 2018
- 2018 Emergency Management Plan (MOTION PREPARED)
- 2018 Critical Infrastructure Chart
- 2018 Hazard Identification and Risk Assessment
- Spring CERV Training Seminar and 15 Anniversary of CERV
- Library – Warming Centre-Extreme Cold Weather
- Emergency Preparedness Week (May 6th to May 12th, 2018) (MOTION PREPARED)

Minutes of the March 1, 2018 meeting of the **Carleton Place Accessibility Advisory Committee** are attached. Noteworthy items include:

- Accessible Transportation Services in Lanark County
- Draft Accessibility Plan for 2018 Municipal Election
- Stop Gap Update

Minutes of the **Carleton Place Environmental Advisory Committee** for March 5 are attached. Noteworthy items include:

- Climate Change Action Plan
- Recycle Bins at Riverside Park
- 10-year EAC anniversary

The Action report for the March 5, 2018 meeting of the **Parks and Recreation Committee** is attached. Noteworthy items include:

- Sign at Boat Launch, Mississippi Lake Association
- Snow Melt Pit Heat Exchanger
- Arena Dressing Rooms
- Museum Front Doors

COMMITTEE DECISIONS

THAT Council receives the minutes and action reports of the various advisory committees.

Second Motion

THAT the 2018 Carleton Place Emergency Management Plan as amended be forwarded to Council for adoption by By-law.

Third Motion

THAT Council be requested to declare the week of May 6th to May 12th, 2018 as Emergency Preparedness Week in the Town of Carleton Place, and

THAT this information be provided on the municipal website and municipal matters.

Fourth Motion

THAT a by-law be prepared to authorize the Mayor and Clerk to renew the lease agreement with the Carleton Place Canoe Club for a five-year term for the use of the Canoe Club and the former Riverside Park Canteen.

COMMUNICATION 129127

Received from Trisa McConkey
Addressed to Corporate Services Committee
Date March 20, 2018
Topic Conference Budget for Council 2018

SUMMARY

2018 conference requests by Council members have been made for submission to the committee for approval.

COMMITTEE DECISION

THAT Council approves the attached conference schedule for 2018 as amended.

COMMUNICATION 129128

Received from Joanne Henderson, Manager of Recreation and Culture
Addressed to Community Issues Committee
Date March 14th, 2018
Topic Enrichment Grants

SUMMARY

The attached chart summarizes the 1st Intake of applications for the Community Enrichment Grant and includes recommendations.

COMMENT

Each year, Council approves a budget to allocate funding to various community groups to assist them in their endeavours. Council approved a budget of \$30,000.00 for 2018. The funding program is known as the Community Enrichment Program.

There are two (2) application intakes under the program: February 28 for the 1st intake and August 31st for the second intake.

Applications not received by the 1st intake deadline are considered with other applications received for the 2nd intake. If any funds remain after the 2nd intake, individual applications are considered until the end of the year and/or until the annual funds are utilized.

Staff reviewed the 1st intake applications and reviewed them against the program criteria. Attached is a chart summarizing applications received and staff's recommendations in terms of funding allotments.

The total funding request by organizations based on applications received is \$22,906.67. Of this amount, staff is recommending that Council allocate \$16,306.67 of the \$30,000.00 available budget.

COMMITTEE DECISION

THAT Council approve the allocation of Community Enrichment Grants to various organizations under Intake 1 in the amount of \$16,306.67.



Planning and Protection Committee
Council Report
March 20, 2018

COMMUNICATION 129129

Received from Joanna Bowes, Manager of Development Services
Addressed to Planning and Protection Committee
Date March 20, 2018
Topic Removal of One Foot Reserves, Phase 2, Meadow Ridge Subdivision for Pegasus

SUMMARY

Pegasus Development Corporation/Olympia Homes has requested the removal of one-foot reserves for Block 265 and Block 266 on Plan 27M-81. The removal of one-foot reserves will allow for the opening of Phase 2 in order for building permits to be issued. A map of the reserves to be removed is found below:



COMMENT

Pegasus Development Corporation/Olympia Homes have completed the majority of the requirements for Phase 1 and the Town currently holds sufficient securities to allow for the opening of Phase 2.

COMMITTEE DECISION

That staff forward a By-law to Council for the approval of the removal of one-foot reserves for Block 265 and 266 on Plan 27M-81 for Meadow Ridge Subdivision.

COMMUNICATION 129130

Received from Brian Gass, Chief Building Official
Addressed to Planning and Protection Committee
Date March 20, 2018
Topic Amendments to Building By-law 28-2016

SUMMARY

With the passage of any new by-law, as the document begins to get used on a daily basis, anomalies between intent and function arise. For approximately the past year, the CBO has compiled a list of matters that have arisen and which require further review. The purpose of this report is to provide a brief overview of some “housekeeping” amendments to the Building By-law proposed by staff which are included in the attached draft by-law.

COMMENT

The first two proposed amendments (found in clauses 2.3 and 3.1 of the By-law respectively) are minor wording changes to bring the language found in the Building By-law in line with the language found in both the Building Code Act and the Building Code.

The third proposed amendment is the insertion of a new Part 12 to the by-law, which will provide the Chief Administrative Officer the temporary authority, upon a declaration of an emergency event, i.e. a tornado, to appoint building inspectors from other jurisdictions to assist the Building Department in the review and inspection of damaged structures and buildings.

The fourth proposed amendment is to renumber several existing Parts of the By-law as a result of the insertion of a new Part 12.

The last proposed amendment is a rewrite of the current Schedule “D” – Vacant Lot Development Requirements within the Building By-law to remove the requirement of a two-phased building permit system for new homes. The Town’s existing Builders’ Security Program will now be relied upon to ensure all lot developers are required to submit certification and survey documents to the Public Works and Planning Departments.

COMMITTEE DECISION

THAT Council repeal By-Law 28-2016; and
THAT Council pass a new Building By-Law incorporating the recommended updates.

BY-LAW NO. 23-2018

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE ONE HUNDRED AND TWENTY NINTH COUNCIL OF THE CORPORATION OF THE TOWN OF CARLETON PLACE AT THE SIXTH REGULAR MEETING OF COUNCIL OF MARCH 27, 2018

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 129TH Council of the Corporation of the Town of Carleton Place at the SIXTH Regular Meeting of Council held on MARCH 27, 2018, 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 27TH DAY OF MARCH 2018.

Louis Antonakos, Mayor

D.H. Rogers, Clerk