

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

The Eighth Regular Meeting of the One Hundred and Twenty Seventh Council of the Town of Carleton Place was held in the Town Hall Council Chambers on Tuesday, April 12, 2016 at 7:00 p.m.

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

STAFF: P. Knowles, C.A.O. D. Rogers, Clerk

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. 8-127-01

Moved by Deputy-Mayor Flynn, seconded by Councillor Doucett

THAT the Minutes of the Seventh Regular Meeting of the 127th Council held on March 22, 2016 be adopted as printed.

CARRIED

IV DELEGATIONS

Motion No. 8-127-02

Moved by Councillor Black, seconded by Councillor Redmond

THAT Susan Edwards & Eric Hardie be permitted to speak to Council.

CARRIED

Mrs. Susan Edwards and Mr. Eric Hardie members of the Syrian Refugee Committee of Carleton Place appeared before Council and using a power point presentation reviewed the past and present refugee situation caused as a result of the Civil War in Syria. Mrs. Edwards and Mr. Hardie highlighted the sponsorship process, the budget required to host a family and the current status of funds raised to date. The delegation also noted the partnership with the Carleton Place High School. Members of the Committee present were also introduced to Council. Mrs. Edwards concluded the presentation by giving examples of how the municipality could financially assist the Committee. Following the presentation, Mayor Antonakos on behalf of Council expressed thanks to the members of the Committee for their efforts and attending the meeting and informed the same that the municipality would examine ways to assist the Committee

Motion No. 8-127-03

Moved by Deputy-Mayor Flynn, seconded by Councillor Doucett

THAT Ron Goebel of the Royal Canadian Legion be permitted to speak to Council.

CARRIED

Mr. Ron Goebel, on behalf of local Branch 192 of the Royal Canadian Legion appeared before Council and using a power point presentation demonstrated how the local Legion and members of the community had assisted a local veteran who needed assistance with the construction of a shed. Mr. Goebel informed Council that the video would be included in the first edition of an electronic newsletter for the Legion that would be issued across Canada.

Following the presentation, Mr. Goebel then briefly reviewed the steps taken to prepare and produce a new Roll of Honour for local members of the military who have served in Peacekeeping and NATO missions on behalf of Canada. Mr. Goebel named those members on the list and invited the same to the front of the Council Chambers along with members of Council to unveil the new Roll of Honour.

After the unveiling of the new Roll of Honour, the local media and members of the public present took photographs of the event.

Mayor Antonakos on behalf of the members of Council thanked Mr. Goebel, members of the military and their families for attending the meeting.

V COMMUNICATIONS

127114 – 127134

VI READING OF BY-LAWS

By-law No. 16-2016

Motion No. 8-127-04

Moved by Councillor Redmond, seconded by Councillor Trimble

THAT By-law No. 16-2016 (**Refreshment Vehicle By-law**) be read a first time, second time and third time and finally passed.

CARRIED

VII STANDING COMMITTEES

Policy Review Committee – March 22, 2016

Motion No. 8-127-05

Moved by Councillor Doucett, seconded by Councillor Fritz

Communication: 126459 127114 127115

THAT Council hereby accepts the Policy Review Committee's decisions related to the consent items of March 22, 2016 and approves the Council Actions.

CARRIED

Physical Environment Committee – April 5, 2016

Motion No. 8-127-06

Moved by Councillor Black, seconded by Councillor Trimble

Communication: 127117 127118 127119 127121

THAT Council hereby accepts the Physical Environment Committee's decisions related to the consent items of April 5, 2016 and approves the Council Actions.

CARRIED

Motion No. 8-127-07

Moved by Councillor Fritz, seconded by Councillor Doucett

Communication: 127120

THAT Council hereby accepts the 2015 Carleton Place Water Pollution Control Plan Annual Report.

ALSO THAT this report be made available to the public via the Town's website.

CARRIED

Motion No. 8-127-08

Moved by Councillor Trimble, seconded by Councillor Black

Communication: 127134

THAT Council hereby authorizes staff to issue a Purchase Order to Aqua Drain to carry out the 2016 Catchbasin and Sewer Cleaning Program.

CARRIED

Planning and Protection Committee – April 5, 2016

Motion No. 8-127-09

Moved by Councillor Redmond, seconded by Councillor Black

Communication: 127272 127090 127124 127125 125126

127127 127128

127129 127131 127132 127133

THAT Council hereby accepts the Planning and Protection Committee's decisions related to the consent items of April 5, 2016 and approves the Council Actions.

CARRIED

Motion No. 8-127-10

Moved by Councillor Doucett, seconded by Councillor Fritz

Communication: 127130

THAT Council hereby endorses the motion adopted by the Town of Aurora with respect to Ontario Municipal Board Powers;

FURTHER THAT staff forward the Town of Carleton Place motion to the Honourable Kathleen O. Wynne.

CARRIED

VIII OTHER BUSINESS

Mayor Antonakos read a Proclamation declaring the week of May 1st 2016 to May 7th 2016 as Emergency Preparedness Week in the Town of Carleton Place.

Motion No. 8-127-11

Moved by Deputy-Mayor Flynn, seconded by Councillor Doucett

Communication:

THAT Mr. Terry Honour be permitted to present an artifact to Council.

CARRIED

Mr. Maxwell Toms and Mr. Terry Honour of the Bytown Gunners Firepower Museum appeared before Council and presented to Council an artillery shell of the type that was used in former H.M.C.S. Carlplace. The gentlemen explained that the original casing was produced in 1942 and the shell portion was a wooden replica of the original. Following the presentation a photograph session with the local media took place. Mayor Antonakos on behalf of Council thanked Mr. Toms and Mr. Honour for the donation of the historical artifact.

IX MAYOR'S ANNOUNCEMENTS/DATES TO REMEMBER

Mayor Antonakos on behalf of Council thanked everyone who worked or participated in the local Home Show held last weekend. Members of Council noted the success of the local show and that the same was well attended and received by the public. Councillor Fritz informed Council of her research regarding Section 2.2.2 of the Animal Control By-law and the registering of cats. Councillor Redmond informed Council of the efforts of the local Museum to restore the original rocking horse of former Captain A. Roy Brown and to receive funding for the restoration. Deputy-Mayor Flynn reminded members of Council of the upcoming Law and Order Fundraiser. Councillor Fritz noted that the Special Olympic Torch Run would take place here in Carleton Place on June 2nd.

X BY-LAW CONFIRMING COUNCIL PROCEEDINGS

By-law No. 17-2016

Motion No. 8-127-12

Moved by Councillor Fritz, seconded by Councillor Doucett

THAT By-law No. 17-2016 (**Confirm Council Proceedings**) be read a first time, second time and third time and finally passed.

CARRIED

XI SINGING OF O CANADA

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

XII ADJOURNMENT – 8:15 p.m.

Motion No. 8-127-13

Moved by Councillor Trimble, seconded by Councillor Redmond

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

CARRIED



Louis Antonakos, Mayor



D.H. Rogers, Clerk



AGENDA

EIGHTH REGULAR MEETING OF THE ONE HUNDRED AND TWENTY SEVENTH COUNCIL OF THE TOWN OF CARLETON PLACE Tuesday, April 12, 2016 Council Chambers at 7:00 p.m.

I OPENING PRAYER

II DISCLOSURE OF PECUNIARY INTEREST

III MINUTES OF PREVIOUS MEETING

Minutes of the Seventh Regular Meeting of the 127th Council of March 22, 2016

IV DELEGATIONS

Susan Edwards & Eric Hardie – Carleton Place Syrian Refugee Committee
Ron Goebel of the Royal Canadian Legion – Video Presentation and Plaque Presentation

V COMMUNICATIONS

127114 – 127134 (*copies of communications are available to view in the Clerk's Dept.*)

VI READING OF BY-LAWS

By-law 16-2016 – Refreshment Vehicle By-law

VII STANDING COMMITTEES

Policy Review Committee – March 22, 2016
126459 127114 127115

Physical Environment Committee – April 5, 2016
127117 127118 127119 127120 127121 127134

Planning and Protection Committee – April 5, 2016
127124 127125 127126 126272 127090 127127
127128 127129 127130 127131 127132 127133

VIII OTHER BUSINESS

Proclamation – Emergency Preparedness Week

IX MAYOR'S ANNOUNCEMENTS/DATES TO REMEMBER

X BY-LAW NO. 17-2016 CONFIRMING COUNCIL PROCEEDING

XI SINGING OF O'CANADA

XII ADJOURNMENT

BY-LAW NO. 16-2016

**A BY-LAW OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF CARLETON PLACE
TO LICENSE, REGULATE AND GOVERN REFRESHMENT VEHICLES IN THE TOWN OF
CARLETON PLACE**

WHEREAS Section 151(1) of the *Municipal Act, 2001* S.O. Chapter 25 grants to municipalities general licensing powers and;

WHEREAS Section 27(1) of the said *Municipal Act* authorizes Council to pass by-laws respecting highways if it has jurisdiction over them; and

WHEREAS Section 63(1) of the said *Municipal Act* authorizes a Municipality having a by-law to prohibit or regulate the placing, stopping, standing or parking of an object or vehicles on a highway to impound, restrain or immobilize any object or vehicle placed, stopped, standing or parked on a highway in a contravention of the by-law;

AND WHEREAS Council deems it appropriate to regulate and licence Refreshment Vehicles for the purpose of Health and Safety, Nuisance Control and Consumer Protection with respect to the inhabitants of the Municipality;

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

1 DEFINITIONS:

The following definitions shall apply for the purposes of this by-law:

- 1.1 “applicant” means the owner of a vehicle or property who applies for a permit or any person authorizes by the owner to apply for a permit on the owner’s behalf, or any person or corporation empowered by the statute to conduct business in the Province of Ontario.
- 1.2 “approved location” shall mean the location(s) specified in the application and for which a licence has been granted.
- 1.3 “chief building official” means the Chief Building Official appointed by Council.
- 1.4 “clerk” shall mean the Clerk or Deputy Clerk of the Town of Carleton Place.
- 1.5 “corporation” shall mean the Corporation of the Town of Carleton Place.
- 1.6 “Council” shall mean the council of the Town of Carleton Place.
- 1.7 “eating establishment” means a building or part of a building where food is offered for sale or sold to the public for consumption and which has seating and eating facilities. Such uses include a restaurant, ice cream parlour, tea or lunchroom, dairy bar and/or a coffee shop.
- 1.8 “licence” shall mean a licence under the provisions of this by-law.
- 1.9 “licensee” means the person to whom the licence has been issued and who assumes the primary responsibility for complying with this by-law.

- 1.10 “located **refreshment vehicle**” means a vehicle located at an approved location for the purposes of selling food and beverages to the public. A **refreshment vehicle** must be capable of being readily removed from an approved location within 24 hours of a notice to remove being received. A located **refreshment vehicle** shall be permitted to locate on private property by the development permit system.
- 1.11 “medical officer of health” shall mean the Medical Officer of Health for Leeds, Grenville and Lanark District Health Unit or his duly authorized delegate.
- 1.12 “mobile canteen” shall mean a motor vehicle equipped for the cartage, storage and preparation of refreshments from which said motor vehicle refreshments are offered for sale for consumption primarily by persons at their place of employment or by persons attending a private function, including auction sales or other special sale where the mobile canteen operator has been invited or authorized by a person holding the sale to dispense refreshments. A mobile canteen shall be included in the definition of “refreshment vehicle”.
- 1.13 “owner” means that registered owner of the land and includes a lessee mortgages in possession, and the person in charge of the property.
- 1.14 “roadworthy” shall mean the vehicle complies with the requirements of *The Highway Traffic Act* and is licensed by the Ministry of Transportation for operation on a public highway. The applicant for a license shall produce such vehicle licence prior to issuance of a licence.
- 1.15 “operate” shall mean the act of selling, offering for sale, or otherwise dispensing of refreshments and “operator” shall have a like meaning.
- 1.16 “refreshment” shall mean all food stuffs or beverages either prepared on site or pre-packaged and intended for consumption by the public. Refreshments shall include, but not limited to, French fries, hamburgers, onion rings, pogos, hotdogs, sausages, sandwiches, popcorn, ice cream, candy, confections and fresh produce.
- 1.17 “refreshment cart” shall mean a mobile vehicle from which refreshments are sold for consumption by the general public. A main body of the refreshment cart shall not exceed the following dimensions: 3 metres in length, 1.5 metre in width and 2.5 metres in height, measured from the ground upward.
- 1.18 “**Refreshment Vehicle**” shall mean a motor vehicle, trailer or **cart** equipped for the cartage, storage and preparation of refreshments which is used only for the sale of such refreshments intended for the consumption of the general public. A chip wagon, **mobile canteen and refreshment cart** shall be included in the definition of a “refreshment vehicle”.

2 GENERAL PROVISIONS

- 2.1 Every licensee shall ensure that an adequate number of containers for recyclable materials and waste receptacles with self-closing lids are provided in accessible locations in the vicinity of the refreshment vehicle.
- 2.2 Every licensee shall ensure that the waste receptacles are emptied at least once a day.
- 2.3 Every licensee shall ensure that the grounds in the vicinity of the refreshment vehicle for a distance of 30 metres are kept clean of all waste.

- 2.4 Every licensee shall ensure that the refreshment vehicle, all accessories and equipment shall be kept in good repair and at all times and in a clean and sanitary condition.
- 2.5 Every licensee shall ensure that:
- 2.5.1 no person other than a bona fide employee of the licensee shall operate the refreshment vehicle, and
 - 2.5.2 any employee (operator) shall be adequately trained in the safe operation of the refreshment vehicle and equipment, and
 - 2.5.3 all employee are familiar with the contents of this by-law, and
 - 2.5.4 any operator or employee under his control, management or supervision does not breach any of the provision of this by-law.
- 2.6 Every licensee shall ensure that all conditions expressed by the Fire Company, **the By-law Department**, the Health Unit, the Building Department, or the Planning Department forming part of any approval shall be adhered to at all times.
- 2.7 No person shall operate a refreshment vehicle within the limits of the Town of Carleton Place unless and until the operator has obtained a separate licence for each refreshment vehicle, as issued under the provisions of this by-law. The applicant for every licence shall be a minimum of eighteen (18) years of age.
- 2.8 The annual licence fee for each refreshment vehicle shall be as listed in Schedule "A" of this by-law.
- 2.9 The term of each licence shall be from the first day of January to the thirty-first day of December in each year, and no licence shall be issued except on payment of the full amount of the prescribed fee.
- 2.10 A licence shall not be transferred from one vehicle to another nor from one operator to another.
- 2.11 An annual renewal licence may be issued to the previous holder of a licence for a previously approved location provided all other application requirements, including the payment of the prescribed fee, permission of the landowner, proof of valid vehicle licence and compliance approval from the medical officer of health, fire chief and building inspector, are submitted on an annual basis. **A completed application form and fee shall be submitted to the Clerk by January 15th.**
- 2.12 No person shall operate a refreshment vehicle without having, at all times, in the vehicle licensed by the Corporation, the individual licence granted for that specific vehicle and shall present such licence on demand for inspection by any law or By-law Enforcement Officer of the Corporation.
- 2.13 The operator of a refreshment vehicle shall accept liability for all or any claims for injury or damage to any person or property caused or created by the operation of the refreshment vehicle.

2.14 Exemptions from **location** provisions of this by-law may be granted for refreshment vehicles to be operated on parks or other lands in the control of the Corporation for specific special events, but only during the times and at the locations designated by Council in writing. **Exemptions may also be granted by Council for events and other locations.**

2.15 No person shall operate a refreshment vehicle closer than 30 metres to an eating establishment that is paying a property tax to the Town of Carleton Place. Should the owner of a refreshment vehicle wish to locate the said vehicle closer than 30 metres to an eating establishment, written acknowledgement from the affected eating establishment owner shall be filed with the application. A sample letter is attached as Schedule "B.2".

3. PRESCRIBED FORMS

3.1 The forms prescribed for use as application for licence, for licences and for notices of contravention shall be as set out in Schedule "B" attached to and forming part of this by-law.

4 APPLICATION

4.1 To obtain a permit, an applicant shall file an application in writing on the forms prescribed by and available from the Clerk **and/or By-law Department**, and shall supply any other information relating to that application as required by the Town of Carleton Place.

4.2 Every application for refreshment vehicle licences shall:

4.2.1 identify and describe in detail the products to be sold;

4.2.2 be accompanied by the required application fee as calculated in accordance with Schedule "A";

4.2.3 include a description of the vehicle and where applicable provide a photocopy of the current motor vehicle registration document;

4.2.4 include a current certificate of compliance with "The Food Premises Regulation" as written under the Act from the medical officer of health;

4.2.5 include certificates of compliance from the following Town of Carleton Place authorities:

4.2.5.1 the Fire Company

4.2.5.2 the By-law Department

4.2.6 be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the connection of all water, sewer, gas, electric, telephone or other utilities and services that are proposed, if applicable;

4.2.7 include a statement of indemnification to the Town of Carleton Place as described in Section 7 hereof;

4.2.8 provide proof of insurance as described in Section 6 hereof;

4.2.9 be signed by the applicant who shall certify as to the truth of the contents of the application.

5 FEES

- 5.1 A Licence and Application fee shall be charged on an annual basis in accordance with this by-law in order to recover the cost of the administration and enforcement of the said licence. The purpose of a licence charge under this by-law shall be to ensure consumer protection, the public health and safety and consumer control.
- 5.2 The required fees shall be calculated in accordance with Schedule "A" for the licence proposed and the applicant shall pay such fees.
- 5.3 No application shall be reviewed unless the required application fees have been paid in full.
- 5.4 No licence shall be issued unless the required licence fees have been paid in full.
- 5.5 The first year licence fee for an approved applicant may be prorated for the number of months left in the year of the first application (see Schedule "A" for fees).

6 INSURANCE

- 6.1 No person shall be granted or hold a licence for a refreshment vehicle unless he/she establishes and maintain in effect proof of financial responsibilities covering each vehicle. Such proof shall be made by delivering to the Town of Carleton Place an original or a copy of a current valid insurance (as photocopied by the Clerk) which includes the following:
 - 6.1.1 a description of the coverage, policy number, effective date, expiry date, limits of liability and details of the vehicle covered;
 - 6.1.2 an amount of insurance not less than one million dollars (\$1,000,000.00), exclusive of interest and costs for each vehicle to include:
 - 6.1.2.1 loss or damage resulting from illness, injury or death of one or more persons from any food, product, goods or any act or omission by the operator or owner of a refreshment vehicle, and
 - 6.1.2.2 loss or damage resulting from bodily injury to or death of one or more persons, or from loss or damage to property resulting from any one accident; and
 - 6.1.3 an endorsement included in the insurance policy that provides for the Town of Carleton Place to receive at least fifteen (15) days' written notice of the policy being cancelled or expiring, or any changes to the terms and conditions of the policy.

7 INDEMNIFICATION

- 7.1 No person shall be granted or hold a licence for the operation of a refreshment vehicle unless he **or she** has in writing agreed to indemnify and hold harmless the Town of Carleton Place, its agents, servants, employees and officials for any claims, actions or suits which might be brought against the said person and the Town of Carleton Place arising out of the operation of the refreshment vehicle in any manner whatsoever, or any error, negligence, or omission of the person, his **or her** agents, servants or employees. A sample indemnification form is attached hereto as Schedule “D”.

8 REVISIONS TO LICENCE

- 8.1 After the issuance of a licence under this by-law, notice of any material change to a plan, specification, document or other information on the basis of which the licence was issued, must be given in writing to the Town of Carleton Place together with the details of the change.
- 8.2 No modification(s) to any refreshment vehicle shall be carried out without the express written authorization of the Clerk as authorized by Council.

9 REGULATIONS

9.1 (Located) Refreshment Vehicle:

- 9.1.1 **(located) Refreshment vehicles** shall be permitted to locate only on **approved** property locations **as** shown on Schedule “C” attached hereto. **All other locations require approval by Council.**

Every application **to request a location not shown on Schedule “C”** shall include a site plan drawn to scale showing the proposed vehicle location, adjacent structures, entrance and exit from adjacent street(s), proposed additions to the vehicle, signs, required parked spaces, the location and proposed hook-up of all utilities and set back distances from the street, all as required by the provision of this by-law.

- 9.1.2 The **Refreshment Vehicle** shall be located at least three (3) metres from the front line of the property on which it is located.
- 9.1.3 The site for a **Refreshment Vehicle** shall provide a minimum of four automobile parking spaces for the exclusive use of the **Refreshment Vehicles’** patrons.
- 9.1.4 All structures or additions to the **Refreshment Vehicle** site, including signs and structures designed to protect the public from the elements while being served a the servicing window, are subject to approval of the Chief Building Official and shall be shown on the approved plan required pursuant to Section 9.1.1. Such structures or additions shall be designated and constructed in a neat and workmanlike fashion such that they do not detract from the general appearance of the site nor inhibit the ability to move the vehicle or short notice. The maximum area of all additions, in total, shall not exceed one third (1/3) of the area occupied by the **Refreshment Vehicle** itself.

- 9.1.5 Every **Refreshment Vehicle** shall be capable of being moved and driven or towed on a highway upon 24 hours' notice by a police officer and/or the by-law enforcement officer. Permanent electrical or other utility hook-ups are prohibited. To provide for the operation of exhaust fans, approved lighting and other electrical power requirements, a **Refreshment Vehicle** may be connected to an approved power source provided such connection is made by means of a connection which can be readily and safely disconnected without the use of tools. Such connection must not inhibit the capability of the **Refreshment Vehicle** to be mobile on short notice or to otherwise cause the **Refreshment Vehicle** to be recognized as a permanent structure.
- 9.1.6 No sign or advertising device may be displayed, except in accordance with the Sign By-law.
- 9.1.7 Where there is a potential for the production of grease-laden vapours and smoke, the installation of equipment for the removal of smoke and grease-laden vapours shall be installed to meet the requirements of NFPA 96 "Standards for the Installation of Equipment for the Removal of Smoke and Grease-laden Vapours".
- 9.1.8 Where electrical facilities are provided, a certificate of inspection certifying compliance to the requirements of Hydro One is required.
- 9.1.9 All plumbing facilities shall comply with the requirements of Part 7 of *The Ontario Building Code*. The operator or attendant of each vehicle shall have access to toilet and washing facilities during hours of operation to the satisfaction of the Chief Building Official.
- 9.2.1 Site Specific Refreshment Vehicles Licences – Riverside Park Only
Two site specific mobile **Refreshment Vehicle** licences for Riverside Park only shall be available each year on a first come first served basis. No operator may obtain more than one specific licence for Riverside Park.
- 9.2.2 **That a letter of approval from the Manager of Recreation and Culture for a site specific location be submitted prior to the issuance of a licence. The letter shall state terms and conditions as deemed appropriate by the Manager of Recreation and Culture.**

9.3 Refreshment Vehicle (Mobile Canteen) Provisions

- 9.3.1 The operator of a mobile canteen shall conduct business while parked other than on a public highway, street, road, land, park, boulevard or other public land, provided that when special exemption to do so has been granted in writing by Council, business may be conducted when parked on a street where construction work is being carried out or when parked on a park or other lands in the control of the Corporation. A mobile canteen may stay on any one private property no longer than 30 minutes.

9.4 Refreshment Vehicle (Cart) Provisions

9.4.1 No person shall vend from a refreshment cart or carts except in accordance with the following provisions:

9.4.1.1 General Provisions for Refreshment Carts:

- a) Every licensee who vends shall ensure that all articles, whether on display or not on display, except for a garbage receptacle and a small condiment tray are contained within the cart. The garbage receptacle and a small condiment tray shall be located no further than 1.5 metres from the cart.
- b) No person shall vend from a **Refreshment Vehicle (cart)** or from a stand upon any highway including a boulevard, sidewalk or street, or any part thereof.
- c) Every licensee shall keep his or her refreshment cart at all times in a clean and sanitary condition and in a state of good repair and appearance.
- d) Every refreshment cart equipped with a food heating capability shall be adequately equipped with a fire extinguisher having an A.B.C. rating.
- e) No person licensed pursuant to this by-law shall carry, sell, offer or expose for sale any or all of the food products which are prohibited from time to time by the medical officer of health.
- f) The licensee shall ensure that any person vending with or from his or her refreshment cart has visible to the public and attached to the refreshment cart the license issued in the Town.

The holder of a licence in a category set out in Section I shall not use the licence for the purpose of any other category unless specifically permitted herein.

Every person to whom this by-law relates shall be governed by *The Public Health Act*, R.S.O. 1990, Chap. P.10, as amended, or *The Health Protection and Promotion Act*, R.S.O. 1990, Chap. H.7, as amended, and regulations enacted thereunder.

No person shall use:

- i) an external gasoline-powered generator
- ii) an external propane-powered generator, or
- iii) an external diesel-powered generator in conjunction with a refreshment cart.

9.4.1.2 Collection and Removal of Garbage from a Refreshment Cart:

- a) No person who vends with or from a refreshment cart shall place or locate any carton, box or other article, other than a garbage receptacle and a small condiment tray, outside of the refreshment cart. The garbage receptacle and a small condiment tray shall be located no further than 1.5 metres from the cart.
- b) No person shall vend with or from a refreshment cart without first placing a garbage receptacle outside of the refreshment vehicle.
- c) Every person who vends with or from a refreshment cart shall ensure that the garbage receptacle placed outside the cart is taken away with the vehicle and that the garbage is disposed of in a proper and sanitary manner.
- d) Every person who vends shall ensure that the garbage or litter resulting from his or her vending activity is collected and removed from the vending area within a distance of 30 metres of the refreshment cart.
- e) The placing of the garbage or litter in a sidewalk refuse container provided by the Corporation is not sufficient to constitute removal.

9.4.1.3 Location and Time Regulations

- a) **Refreshment Vehicles (cart) may be located in areas within the community designated as commercial in accordance with this by-law and the Town's Development Permit By-law. Applicants require written approval from the owner of commercial properties.**
- b) No person shall vend from a refreshment cart on a public sidewalk. Further, the refreshment cart, if located on private property, shall not be located any closer than 1.2 metres to a sidewalk.

No person who vends shall place or locate himself or herself or anything on a street so as to be within nine (9m) metres from the nearest street intersection.

No person shall vend **on** any municipal property unless authorized to do so in writing **by Council, except as provided for in Section 9.2.1.**

Sales to occur between 6:00 o'clock in the forenoon (6:00 a.m.) and 11:00 o'clock in the afternoon (11:00 p.m.) of the same day.

10 VIOLATION/REVOCAION OF LICENCE

- 10.1 If after an inspection of an operation, an agent for the Town is satisfied that the operation does not conform to the standards of this by-law or any by-law governing the operation of a business within the Town of Carleton Place, a notice of by-law violation shall be sent to the licensee by personal service upon or sent by prepaid registered mail to the licensee, stating the particulars of the non-conformity, and may at the same time provide to the owner of the property with a copy of such notice. A sample notice of violation is attached hereto as Schedule "B.3".
- 10.2 The licensee shall have 24 hours from the date of receipt of the notice to rectify the stated violation or face the revocation of the licence.
- 10.3 Where a licence is revoked, the refreshment vehicle shall be removed from its location within 24 hours of the date of revocation.
- 10.4 Failure to remove the refreshment vehicle within the time period specified will allow the Town of Carleton Place to remove the vehicle at the operator's expense.
- 10.5 Where the Town removes the refreshment vehicle, it shall be entitled to recover the expense incurred from the owner of the vehicle before it releases custody of the vehicle to the owner.
- 10.6 Where a licence has been revoked, the licensee shall have the right to reapply for a new licence, and therefore, shall submit a new application together with the required application fee for the new licence, and if the application is approved, the operator shall pay such licence fee as is required.
- 10.7 In addition to any measures that are available to the Town in this Section, the Town shall have the right to seek to impose a penalty as provided for in Section II.

11 ENFORCEMENT

- 11.1 Any person who contravenes any of the provision of this by-law and the procedures with respect thereto is guilty of an offence and the enforcement and the penalty imposed thereunder shall be subject to the provisions of *The Provincial Offences Act*, R.S.O. 1990, Chapter P.53 and any amendments thereto, and the penalty for the commission of any such offence shall be as provided for in the said *Provincial Offences Act*.
- 11.2 This by-law shall be enforced by the Municipal By-law Enforcement Officer and/or by an Officer of the Ontario Provincial Police.

12 SEVERABILITY

- 12.1 Should any section, subsection, clause or provision of this by-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this by-law as a whole or any part thereof, other than the part so declared to be invalid.

13 REPEAL

13.1 By-law **57-2013** and amendments thereto are hereby repealed in their entirety.

14 SHORT TITLE

14.1 This by-law may be cited as The Refreshment Vehicle By-law.

15 EFFECTIVE DATE

15.1 This by-law shall come into force and take effect upon the date of final approval of the Regional Judge regarding set fines. Licences granted and issued in accordance with By-law No. **57-2013** may remain in effect until December 31, **2016**.

READ A FIRST TIME, SECOND TIME, THIRD TIME AND FINALLY PASSED THIS
12TH DAY OF APRIL 2016.

Louis Antonakos, Mayor

D.H. Rogers, Clerk

SCHEDULE “A” TO BY-LAW 16-2016

RESPECTING CLASSES OF LICENCES AND THE FEES PAYABLE THEREFORE

APPLICATION FEES

Non refundable application fee for all first time applicants	\$100.00
Non refundable application fee for renewal of existing licence	\$ 25.00
Located Refreshment Vehicle Application and Amendment Fee	\$250.00

***Note:** This fee is intended to partially recover the cost of inspections and review by various Town Departments that are required to comment on the application for licence.*

LICENCE FEES

Upon approval of the application and to obtain the following class of licence the following fee is payable:

ANNUAL LICENCE FOR:	FEES PAYABLE IN 2016	FEES PAYABLE IN 2017	FEES PAYABLE IN 2018
Mobile Refreshment Vehicles	\$515.00	\$520.00	\$525.00
Mobile Refreshment Vehicles – Riverside Park	\$578.00	\$580.00	\$585.00
Located Refreshment Vehicles	\$515.00	\$520.00	\$528.00
Refreshment Vehicles (Mobile Canteens)	\$515.00	\$520.00	\$525.00
Refreshment Vehicles (Cart)	\$275.00	\$280.00	\$285.00

NOTE : In accordance with Section 5 the fee payable in the first year of application shall be calculated and prorated for the number of months that are left to the end of the year in which the first application is made.

Application for licence in subsequent years from previous licensees shall be deemed to be for the whole year and the fee payable in all cases shall be the annual licence fee.

SCHEDULE “B” TO BY-LAW 16-2016

RESPECTING FORMS

Application for **Refreshment Vehicle** Licence..... Schedule B.1

Acknowledgement letter from adjacent restaurant owner Schedule B.2

SCHEDULE "B-1"

APPLICATION FOR REFRESHMENT VEHICLE LICENCE **

IN ACCORDANCE WITH BY-LAW NO. 16-2016

PART A

1. Name of Applicant/Firm

2. Address of Applicant/Firm

3. Telephone No. _____

Fax No. _____

4. Type of Vehicle Licence Requested for:

Refreshment Vehicle (Mobile)

Refreshment Vehicle (Mobile - Riverside Park)

Refreshment Vehicle (Located) *

Refreshment Vehicle (Cart)

Refreshment Vehicle (Mobile Canteen)

*** Note:** **Refreshment Vehicles** (Located) require a letter granting the property owner's permission as well as approval by site plan control from Council.

5. Vehicle Licence Number

6. Description of Items to be Sold

PART B

The Carleton Place By-law Department

The **Refreshment Vehicle** conforms to the requirements of By-law No. **16-2016**.

By-law Officer

PART C

Ocean Wave Fire Company

The **Refreshment Vehicle** conforms to the Requirement of the Ontario Fire Code.

O.W.F.C.

PART D

CLERK'S DEPARTMENT

_____	Completed Application
_____	Site Plan Approval
_____	Leeds, Grenville & Lanark District Health Unit
_____	Insurance
_____	Indemnification Form
_____	Owner of Property Letter of Permission

DATE

APPLICANT

The Application has submitted the above noted information.

DATE

CLERK

** Personal information contained on this form, collected pursuant to *The Municipal Act*, will be used for the purpose of that Act. Questions should be directed to the Freedom of Information and Privacy Coordinator at the institution conducting the procedures under that Act.

SCHEDULE "B.2"

**SAMPLE LETTER OF ACKNOWLEDGEMENT FROM
ADJACENT RESTAURANT OWNER(S)**

January 19, 2007

Mr. D.H. Rogers
Clerk
Town of Carleton Place
175 Bridge Street
Carleton Place, ON
K7C 2V8

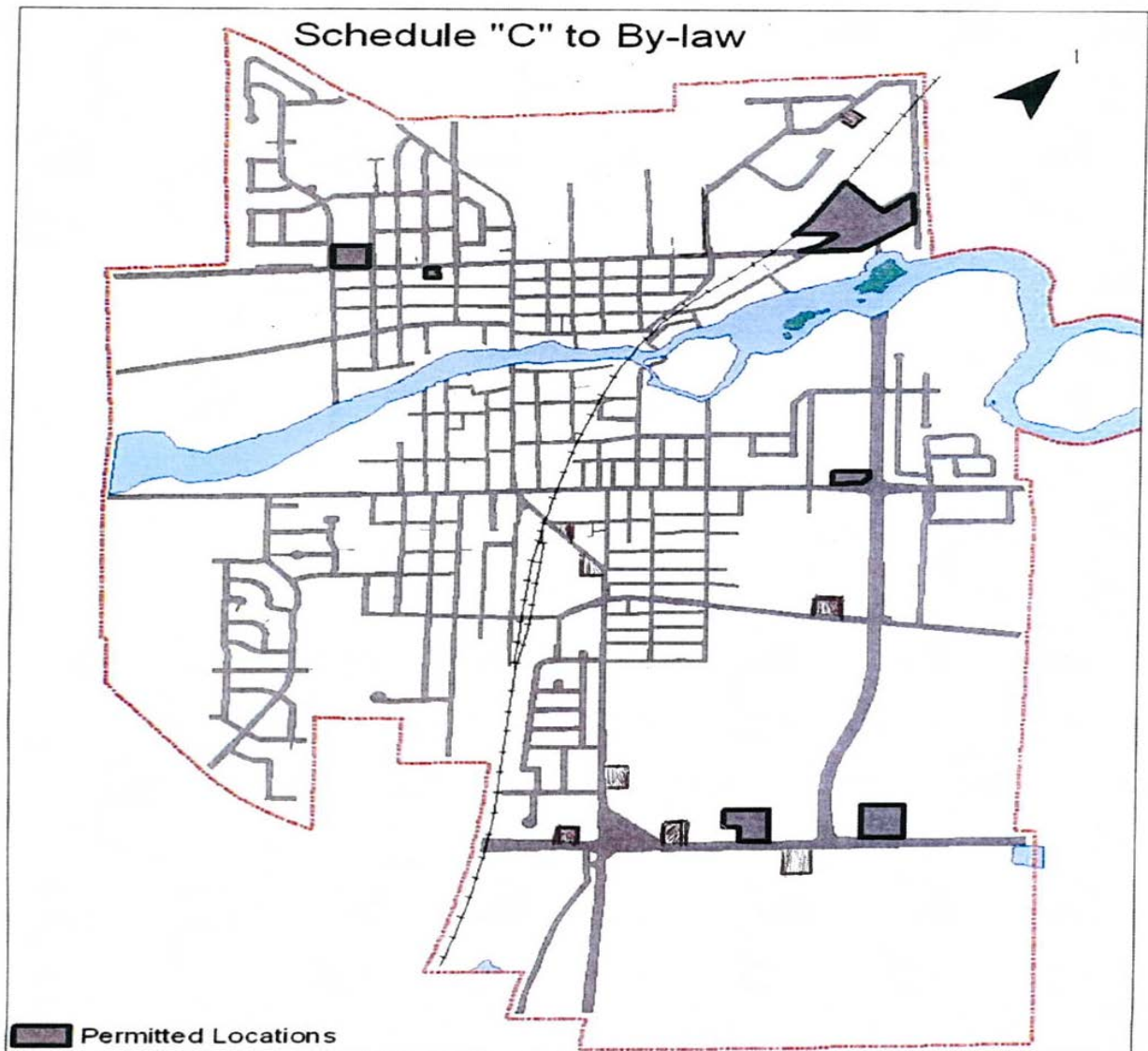
Dear Mr. Rogers:

**Re: Letter of Acknowledgement of Refreshment Vehicle
Location – Section 2 (15) of By-law No. 16-2016 of
The Town of Carleton Place**

In reference to the above noted Section of By-law No. **16-2016**, I acknowledge the desire of _____ to locate a refreshment vehicle within the 30-metre distance requirement of my eating establishment, and hereby inform the Town of Carleton Place that I have no objection to the said refreshment vehicle locating within the 30-metre distance requirement.

Yours truly,

J. Smith
Smiths's Restaurant



Permitted Locations:

- 49 Moore Street
- 163 Townline West
- 80 Townline West
- 315 Townline West
- 318 Townline West
- 124 Moore Street
- 10488 Highway No. 7
- 10446 Highway No. 7
- 10560 Highway No. 7
- 10451 Highway No. 7
- McNeely Avenue (320 Coleman)
- 309 Lake Avenue East
- 255 Franktown Road
- 185 Industrial Avenue
- 485 McNeely Avenue

SCHEDULE "D" TO BY-LAW NO. 16-2016

INDEMNIFICATION

In accordance with Section 7 of By-law No. **16-2016**, I hereby agree to indemnify and hold harmless the Town of Carleton Place, its agents, servants, employees and officials from any claim, actions or suits which might be brought against the Town of Carleton Place arising out of the operation of my refreshment vehicle in any matter whatsoever, or any error or omission.

Further; I hereby acknowledge that the Town of Carleton Place will receive in writing (at least 15 days prior notice) of any cancellation or expiration, or any changes to the terms and conditions of any insurance policy regarding a licensed vehicle.

Owner/Agent



Policy Review Committee
Council Report
March 22nd, 2016

COMMUNICATION 126459

Received from Wayne Fraser, Public Works Development Coordinator
Addressed to Policy Review Committee
Date November 17th, 2015
Topic 7 Beckwith Street

SUMMARY

On June 30, 2015 Council approved a report from Wayne Fraser seeking approval to award Contract PW1- 2015, a contract for a Pump & Treat System for the Mitigation of Tetrachloroethylene at the 7 Beckwith Street site to Milestone Environmental being the low tender at \$455,854 tax excluded. (Details below)

Accompanying the Milestone pump and treat tender submission was an alternate proposal for the design and construction of a **Zero Valent Iron Permeable Reactive Barrier (ZVI PRB)**. This system would be installed entirely below grade so there would be no surficial components.

This remediation system could provide ongoing operational cost savings for the town. Council was advised at the special council meeting that staff would investigate this possible cost savings option prior to executing the pump and treat contract with Milestone.

The investigation into the ZVI PRB option is described below:

- The Town has been working with Milestone and its subcontractor Vertex since July 2015 to explore the ZVI PRB option. The major appeals of this technology to the Town are no ongoing O&M costs which were estimated to be \$88,130 per annum and the "invisibility" of the system compared to P&T (ie: no above or below ground operating equipment involved). The existing annual site monitoring program would continue. (approximately \$15,000 / year)

126459 Continued

- The intent of the PRB will be to isolate as much of the PCE source area as possible on the up-gradient (south) side of the PRB such that contaminants migrating from the source are treated by the ZVI PRB system to prevent potential off-site migration.
- The Town worked with Milestone to develop a design for the PRB. The design so far has included hydro-geological modeling, ZVI treatability testing, and design of the required dimensions of the PRB. Presently it is anticipated that the PRB will consist of an approximately 1 m thick x 12 m long x 5 m deep gate containing up to 37% by weight ZVI (iron mixed with sand), and two impermeable funnel wings (constructed of concrete) each approximately 1 m thick x 7 m long x 5 m deep.
- Outstanding design work includes finalizing the precise location of the PRB's funnel and gates and preparation of "For Construction Drawings".
- Contingencies for potential *in situ* injection of ZVI (to pre-treat contaminated groundwater) are also being evaluated to supplement the PRB, if required in the future.

Milestone has indicated that depending on the design and final orientation of the wall, their total cost of design and construction would be **\$447,250** which is slightly less than their P&T tender price. Milestone proposes that the design be finalized soon and that construction of the PRB (**4 – 6 weeks duration**) would begin early spring 2016 (after spring melt).

On November 10, 2015 staff and its consultant (SNC Lavalin) reviewed the ZVI PRB system as a source area mitigation method for 7 Beckwith Street with the Ministry of the Environment and Climate Change (MOECC), and the Ministry is supportive of this plan.

UPDATE – March 22nd, 2016

On March 14, 2016 staff met with Milestone Environmental to review the detailed draft design of the ZVI PRB system to be installed at the Town's 7 Beckwith Street site. This system is to be implemented to mitigate the perc contamination at the site. The system was approved by Council on November 24th, 2015 (up to an upset limit of \$455,854 + applicable taxes).

126459 Continued

At the March 14th, 2016 meeting the following was confirmed:

- The project will start mid to late April (weather permitting);
- The contract between Milestone and Carleton Place will be modified to reflect discussions taken place at this meeting and returned to the Town for signing by March 22nd, 2016;
- The organizer of the summer weekly car shows will be informed that the parking lot at 7 Beckwith will likely be unavailable until June of 2016;
- The contractor will leave as much of the parking lot as possible, clean and available on weekends for Farmers' Market activities;
- It is expected that the project will be completed by early June of 2016;
- Security fencing will be in place throughout the work for public safety;
- It is expected that all soil created as a result of the construction will be non-hazardous and be handled and disposed of in accordance with environmental regulations; and
- The site will be restored to its original condition as the system will be entirely underground;

COMMENT

For Council's Information

STAFF RECOMMENDATION

Receive and Record

COMMITTEE DECISION

Receive and Record

COUNCIL ACTION

Receive and Record

COMMUNICATION 127114

Received from Carleton Place Youth Centre
Addressed to Policy Review Committee
Date February 2nd, 2016
Topic Annual Update

SUMMARY

The Youth Centre would like to provide Council with an annual update.

STAFF RECOMMENDATION

THAT Council hear the presentation
127114 Continued

COMMITTEE DECISION

THAT Council hear the presentation

COUNCIL ACTION

Receive and Record

COMMUNICATION 127115

Received from Les Reynolds, Director of Protective Services
Addressed to Policy Review Committee
Date March 15th, 2016
Topic Police Presentation

SUMMARY

The Police Services Board has arranged for Insp. D. Needham, Lanark County Detachment Commander, to make a presentation on police activities.

STAFF RECOMMENDATION

That Insp. Needham be permitted to speak to the committee.

COMMITTEE DECISION

That Insp. Needham be permitted to speak to the committee.

COUNCIL ACTION

Receive and Record



Physical Environment Committee
Council Report
April 5th, 2016

COMMUNICATION 127117

Received from Deputy-Mayor Flynn
Addressed to Duncan Rogers, Clerk
Date March 23rd, 2016
Topic Midway at Woolgrowers

SUMMARY

Woolgrowers is asking for a letter from the Town confirming that the Town does not object to a midway at the Woolgrowers property July 8, 9, and 10.

COMMENT

Staff have checked with the BIA and Joanne Henderson, Manager of Recreation and Culture and they have no concerns.

STAFF RECOMMENDATION

THAT the Town provide the letter confirming that the Town does not object to the midway. Receive and record

COMMITTEE DECISION

THAT the Town provide the letter confirming that the Town does not object to the midway. Receive and record

COUNCIL ACTION

Receive and Record

COMMUNICATION 127118

Received from Dave Young, Director of Public Works
Addressed to Physical Environment Committee
Date March 31st, 2016
Topic 2016 Capital Program

SUMMARY

Public Works staff have been working on developing the tenders for this year's Capital Program. Work is progressing well and it is anticipated that tenders will be available mid-April.

Coleman Street has been identified as the overlay project and the limits will be from Queen Street to MacGregor Street and will include the overlay at the intersection of Franktown Road and Coleman Street.

COMMENT

Staff will be hosting the 2016 Construction Open House on Wednesday April 13th from 4:00 p.m. to 7:00 p.m. All properties, adjacent to proposed projects, have been sent an invitation and the event will be promoted through Municipal Matters and the Town's website.

STAFF RECOMMENDATION

Receive and record

COMMITTEE DECISION

Receive and Record

COUNCIL ACTION

Receive and Record

COMMUNICATION 127119

Received from Dave Young, Director of Public Works
Addressed to Physical Environment Committee
Date March 31st, 2016
Topic Backyard Composter Program

SUMMARY

Public Works staff have developed a subsidy and Promotion and Education program for backyard composting. The launch will coincide with an upcoming recycling session at J. L. Couroux School.

COMMENT

The Public Works Department is planning on distributing an information brochure to all town residents that contains information about the new program and other projects and/or initiatives occurring in 2016.

STAFF RECOMMENDATION

Receive and record

COMMITTEE DECISION

Receive and Record

COUNCIL ACTION

Receive and Record

TO BE DISCUSSED

COMMUNICATION 127120

Received from Debbie Turner, OCWA
Addressed to Dave Young, Director of Public Works
Date March 30th, 2016
Topic Carleton Place Water Pollution Control Plant 2015 Annual Report

SUMMARY

Ms. Turner has provided the 2015 Annual Report for the Carleton Place Wastewater Pollution Control Plant as required by regulation. The report summarizes the operation of the plant over the course of the year including flow volumes, effluent sample results, biosolids management and significant operational issues encountered over the year.

127120 Continued

COMMENT

Flows at the plant over 2015 were down by 17.5% from the previous year. Also, all provincial compliance targets, relating to effluent quality, were met. The objective for suspended solids was not met due to work being done on the clarifier weirs when one sample was taken.

STAFF RECOMMENDATION

THAT Council hereby accepts the 2015 Carleton Place Water Pollution Control Plant Annual Report.

ALSO THAT this report be made available to the public via the Town's website.

COMMITTEE DECISION

THAT Council hereby accepts the 2015 Carleton Place Water Pollution Control Plant Annual Report.

ALSO THAT this report be made available to the public via the Town's website.

COUNCIL ACTION

THAT Council hereby accepts the 2015 Carleton Place Water Pollution Control Plant Annual Report.

ALSO THAT this report be made available to the public via the Town's website.

COMMUNICATION 127121

Received from	Wayne Fraser, Public Works Development Coordinator
Addressed to	Physical Environment Committee
Date	March 24 th , 2016
Topic	2015 Waste and Recycling Audit Report

SUMMARY

An improved and simpler recycling program became effective June 1st, 2013 in the Town of Carleton Place. There were significant changes made to the old program in an effort to increase the program's efficiency and usability thereby maximizing the amount of blue box material diverted from disposal in the immediate sense. These changes were also designed to limit future waste increases to only that which is proportional to demographic and developmental growth.

127121 Continued

In the spring of 2012 while the old recycling program was still in place, the Carleton Place public works staff conducted a waste audit and sampled 25 randomly selected houses on two consecutive weeks and measured the amount of waste diverted from landfill. The calculated diversion rate for this audit was 20%. This created a baseline and established a process with which to measure future diversion rates for Carleton Place.

In late April 2015, with Carleton Place taking the lead, Public Works staff along with staff of Mississippi Mills, and Drummond North Elmsley jointly conducted a new recycling waste audit. For comparison purposes, Town staff collected waste and recycling from the same 25 houses as were used in the 2012 audit and the collections took place on two consecutive weeks (similar to the 2012 audit). The waste and recycling materials were delivered to a roll-off container at the town public works yard. Progressive Waste Solutions (**PWS**) picked up these recycling and waste materials and took them to their facility in order to conduct an audit on the samples.

The main purpose of the 2015 audit was to compare its results to those of the 2012 audit.

Unfortunately there were some problems associated with the 2015 audit conducted by PWS. One problem arose when PWS inadvertently land-filled one week's collection of samples, requiring a repeat (3rd) collection by public works staff.

Shortly after the audit commenced there were staff changes at PWS that delayed the audit. When the initial draft audit report was finally received on November 2, 2015, staff reviewed and returned it to MWS noting many mistakes/inaccuracies. A second report was received in late November and again it was returned for corrections to be made by PWS.

On December 3, 2015 a third report stamped final was received. The results of this report left staff with doubt as to its accuracy. Examples of results of the 2015 audit that were difficult to rationalize were:

- why was the average waste generated per house per week in the 2015 audit samples almost half of that generated in the 2012 audit?
- why was the percentage of recyclables found in the waste stream samples almost double that as found in the 2012 audit?
- why was the increase blue box diversion rate only 0.9% higher in the 2015 audit than in the 2012 audit, especially with the new 2013 recycling program being so simple/easy to use and considering all the promotion and education efforts put forth by staff in the last few years?

127121 Continued

As a means to verify the actual blue box diversion rate for 2015, staff used the actual weights of garbage and recycling materials from 2012 (entirely under the old recycling program), 2013 (half of the year under the old recycling program and half under the new one), and 2015 (one and one half years under the new recycling program). The results of this exercise were as follows:

	<u>2012</u>	<u>2013</u>	<u>2015</u>
Garbage (MT)	2,544.19	2,554.68	
2,547.54			
Recycling (MT)	623.00	704.42	
876.52			
Blue Box Diversion Rate	19.7%	21.6%	
25.6%			

NOTE: It is important to realize that the above represents blue box diversion rates only. The overall municipal waste diversion rate is higher as it includes other diversion strategies.

As seen from the above there are two conclusions to be made:

1. The actual 2012 diversion rate (19.7%) is very close to that reported in the 2012 audit (20.0%)
2. The actual 2015 diversion rate (25.6%) is considerably different than what was found in the 2015 audit (20.9). This casts further doubt on the reliability of the 2015 audit.

The good news is that there was an actual 30% increase in our Town's blue box diversion rate between 2012 and 2015, confirming that our new recycling program and promotion & education policy has and continues to be quite successful.

Staff has little confidence as to the accuracy of the 2015 waste/recycling audit and therefore questions its use as a guideline for shaping the Town's future direction regarding its recycling policies and its waste reduction efforts.

STAFF RECOMMENDATION

THAT staff conduct a new waste/recycling audit in the fall of 2016.

COMMITTEE DECISION

THAT staff conduct a new waste/recycling audit in the fall of 2016.

COUNCIL ACTION

Receive and Record

COMMUNICATION 127134

Received from Dave Young, Director of Public Works
Addressed to Physical Environment Committee
Date April 5th, 2016
Topic Sewer Cleaning Quotations

SUMMARY

Quotations were received for Catchbasin and Sewer Line Cleaning Program up until 11:00 a.m. Tuesday, April 5th, 2016. Based on the anticipated 5 week duration for the work program bids are as follows:

Aqua-Drain	\$32,148.00
Clean Water Works	\$33,550.00
XSite	\$36,267.00
NCM Hydro Vac	\$41,550.00

COMMENT

Staff have not worked with Aqua Drain previously, but staff are confident they can demonstrate their ability to carry out the work plan.

STAFF RECOMMENDATION

THAT Council hereby authorizes staff to issue a Purchase Order to Aqua Drain to carry out the 2016 Catchbasin and Sewer Cleaning Program.

COMMITTEE DECISION

THAT Council hereby authorizes staff to issue a Purchase Order to Aqua Drain to carry out the 2016 Catchbasin and Sewer Cleaning Program.

COUNCIL ACTION

THAT Council hereby authorizes staff to issue a Purchase Order to Aqua Drain to carry out the 2016 Catchbasin and Sewer Cleaning Program.



Planning and Protection Committee
Council Report
April 5th, 2016

COMMUNICATION 127124

Received from Ontario Association of Fire Chiefs
Addressed to Mayor and Members of Council
Date March 4th, 2016
Topic Seminar: The Essentials of Firefighting and Firefighting 101

SUMMARY

The OAAFC is hosting a two day seminar April 30 – May 1 for municipal politicians in conjunction with its annual conference. The seminar is to aid politicians in understanding the challenges that face today's fire service and the importance of fire services to our communities. It includes an opportunity for elected officials to actually don turnout gear and participate in a live fire training session at the Greater Toronto Airport Authority Fire Department's training centre as well as time to visit the OAAFC Trade Show, the largest fire service trade show in Canada. The registration cost of \$310.00 and is limited to 24 people.

STAFF RECOMMENDATION

Any members of Council, interested in attending the seminar, should let the Director of Protective Services know as soon as possible.

COMMITTEE DECISION

Any members of Council, interested in attending the seminar, should let the Director of Protective Services know as soon as possible.

COUNCIL ACTION

Receive and Record

COMMUNICATION 127125

Received from Paul Knowles, Chief Administrative Officer
Addressed to Planning and Protection Committee
Date March 29th, 2016
Topic Ontario's Long-Term Affordable Housing Strategy

SUMMARY

Ontario is introducing a suite of legislative and policy measures, and investing \$178 million over three years, to ensure that the people of Ontario have access to affordable and adequate housing and to help them secure employment, raise a family and build strong communities.

Last year, Ontario announced that it would consult with communities to update the Long-Term Affordable Housing Strategy, first launched in 2010. The updated strategy is informed by feedback from key stakeholders including clients, developers, municipalities and advocates. It will make housing programs more people-centred and co-ordinated, and provide municipalities with flexibility to meet local needs.

To increase the supply of affordable housing and support the province's goal of ending chronic homelessness in 10 years, Ontario is:

- a) Creating a framework for a portable housing benefit that would give people who receive housing assistance the flexibility to choose where they want to live. Further, the province will invest more than \$17 million over three years to provide a portable housing benefit on a pilot basis to eventually support up to 3,000 survivors of domestic violence.
- a) Proposing legislation for inclusionary zoning that would enable municipalities to mandate the inclusion of affordable housing units in new development projects.
- b) Developing a Supportive Housing Policy Framework to improve client outcomes, and providing more than \$100 million in funding over the next three years for new supportive housing to improve access for up to 4,000 families and individuals to services like counselling, dispensing medication, and life skills, as well as support the construction of up to 1,500 new supportive housing units over the long term.
- c) Providing an additional \$45 million over three years to the Community Homelessness Prevention Initiative.
- d) Developing an Indigenous Housing Strategy in partnership with Indigenous communities.

127125 Continued

If you click on the following [it will take you to the ontario housing strategy site](#) for more details.

COMMENT

The province's plans do not seem to place a priority on affordable housing for seniors which is a local priority. For Council's Information.

STAFF RECOMMENDATION

Receive and Record

COMMITTEE DECISION

Receive and Record

COUNCIL ACTION

Receive and Record

COMMUNICATION 127126

Received from	Joanna Bowes, Manager of Development Services
Addressed to	Planning and Protection Committee
Date	March 22 nd , 2016
Topic	Development Services- Planning Activity

SUMMARY

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

COMMENT

For Council's Information

STAFF RECOMMENDATION

Receive and Record

COMMITTEE DECISION

Receive and record

COUNCIL ACTION

Receive and record

COMMUNICATION 126272

Received from Joanna Bowes, Building and Planning Technician
Addressed to Planning and Protection Committee
Date May 26th, 2015
Topic Development Permit By-law 15-2015 & Refreshment
Vehicle By-law 57-2013

SUMMARY

Previously, the Committee had asked to review the existing Refreshment Vehicle By-law with respect to permitted locations for refreshment vehicles and other housekeeping matters. During this review, staff found an inconsistency between the new Development Permit By-law and the current Refreshment Vehicle By-law.

BACKGROUND INFORMATION

Section 15.0 of the Development Permit By-law provides a definition for a restaurant which includes a refreshment vehicle and allows them to be located as a right in any location in which a restaurant may be located. This could apply, for example, to property in the Central Business District.

However, the Refreshment Vehicle By-law does not permit refreshment vehicles of any Type within the Central Business District.

Further, that the wording in the refreshment vehicle by-law needs to be clarified in a number of places.

COMMENT

Staff will review this matter further. Staff will prepare a draft By-law for the review of Committee.

UPDATE – March 22nd, 2016

Staff have reviewed the Refreshment Vehicle By-law as instructed by Council will present recommended changes.

STAFF RECOMMENDATION

That the Refreshment Vehicle By-law be forwarded to Council for approval.

COMMITTEE DECISION

That the Refreshment Vehicle By-law, with revisions, be forwarded to Council for approval.

COUNCIL ACTION

Receive and Record

COMMUNICATION 127090

Received from Joanna Bowes, Manager of Development Services
Addressed to Planning and Protection Committee
Date February 16th, 2016
Topic Conceptual Subdivision Approval Process and Related Fee

SUMMARY

Development Permit 15-2015 introduced a new review stream, Class 4, or scoped development permit application process. This class of review is meant to provide confidence on one specific matter for the developer, before moving ahead with a complete development permit application (Class 1, 1A, 2 or 3).

It has come to the attention of staff that while this process works for any projects that are required to go through the development permit by-law, there is no similar process related to other planning tools, specifically, subdivisions.

COMMENT

If a developer of a subdivision has a question related to one specific matter, that they would benefit from having the answer, before moving ahead with a project, they should be able to apply for a process similar to that of the Class 4. An example of the types of matters concerning the developer may be layout or design.

Staff is currently considering the implementation of the Conceptual Subdivision Approval Process. This process would function in a similar manner to a Class 4 application with the same requirements for notice and public meeting. The fee would be listed at \$3,500.00. If a developer were to go through this process and gain approval, a refund of the \$1,000.00 subdivision fee would be given.

The outline of the process would be as follows:

1. The developer would apply for Conceptual Subdivision Approval (\$3,500.00), detailing the specific request for design layout of the proposed subdivision.
2. The application would be reviewed by staff for completeness. The applicant would need to provide sufficient detail to ensure the required information is available for circulation.
3. A sign would be posted on the subject site within 10 business days of receipt of the application to ensure the public is aware of the application. Staff and Council would also be circulated.
4. The property would be posted for a 15 day commenting period.
5. Upon receipt of the comments, staff would collect the comments for the developer who would be required to address the identified concerns.

127090 Continued

6. The proposal would then brought forward to the Planning and Protection Committee for decision.
7. If the concerns have been addressed to the satisfaction of the Town, the developer would then move forward with completing the necessary application and technical reports for a complete subdivision application.

UPDATE – April 5th, 2016

Please see the distributed policy proposed for approval.

STAFF RECOMMENDATION

That staff implement the distributed policy for Conceptual Subdivision Approval Process.

COMMITTEE DECISION

That staff implement the distributed policy for Conceptual Subdivision Approval Process.

COUNCIL ACTION

Receive and record

COMMUNICATION 127127

Received from	Joanne Henderson, Manager Parks and Recreation
Addressed to	Paul Knowles, Chief Administrative Officer
Date	March 29 th , 2016
Topic	Wine'd Around Downtown

SUMMARY

The Sister City Committee has requested permission to serve alcohol at the following Town facilities/properties during their Wine'd Around Downtown event on May 28th, 2016.

1. Moore House
2. Town Hall Square; and
3. Parking lot south of 92 Bridge Street

Also, a committee has been set up to plan a "Farm To Table" dinner at the Market Square on June 4th, 2016 and they are requesting that alcohol be served.

127127 Continued

STAFF RECOMMENDATION

THAT permission be granted to serve alcohol at the above locations on May 28th, 2016 for the Wine'd Around Downtown event.

AND THAT permission be granted to serve alcohol at the "Farm To Table" dinner at Market Square on June 4th, 2016.

COMMITTEE DECISION

THAT permission be granted to serve alcohol at the above locations on May 28th, 2016 for the Wine'd Around Downtown event.

AND THAT permission be granted to serve alcohol at the "Farm To Table" dinner at Market Square on June 4th, 2016.

COUNCIL ACTION

Receive and Record

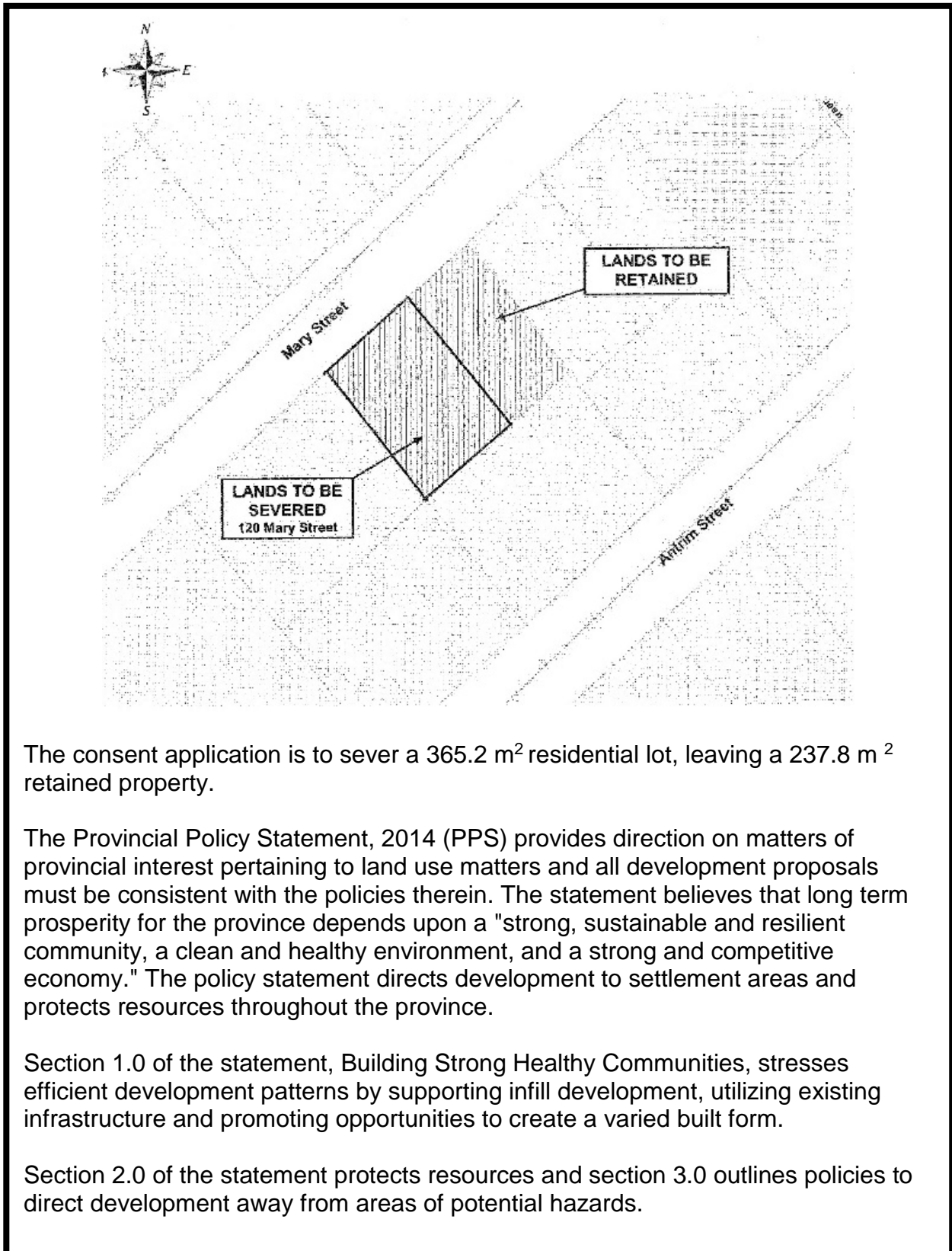
COMMUNICATION 127128

Received from	Joanna Bowes, Manager of Development Services
Addressed to	Planning and Protection Committee
Date	March 22, 2016
Topic	B16/030, 120 Mary Street Severance

SUMMARY

A consent application has been received from the property known municipally as 120 Mary St. This application has been to Council previously and granted approval with conditions. These conditions must be completed within a year or the date of decision. This did not occur and the consent lapsed. The subject lands are legally described as Lot 20 Plan 1844, Town of Carleton Place and illustrated on the next page.

127128 Continued



127128 Continued

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

The Official Plan designation for this property is Residential (R). This designation allows for a mix of housing types which complements the existing small town character. The Development Permit By-law also designated the property as residential (R). The severance will allow for the creation of a new residential lot. Both the retained and severed lots will meet the minimum frontage required under the Development Permit By-law.

COMMENT

The proposal, if approved, will allow for the creation of a new residential lot. Both the existing and retained lots are appropriately designated in both the Official Plan and in the Development Permit By-law. As with any severance application, staff compiles a list of conditions that the application must meet before final approval and creation of new deed. It should be noted that once Council makes a decision, the applicant must clear all conditions within one year from the date of that decision. The proposed conditions for all of the applications are:

1. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town of Carleton Place.
2. That the applicant provides a Site Grading and Drainage Plan for the retained and severed parcels to the satisfaction of the Town of Carleton Place.
3. That the applicant shall provide the Town of Carleton Place with a digital copy of the reference plan (in NAD83 datum).
4. That the applicant shall provide the Town of Carleton Place with a Building Location Survey demonstrating that the lands severed and the lands retained are in compliance with all Development Permit provisions. The Building Location Survey shall also include confirmation for both the severed and retained parcels that there is:
 - Adequate frontage along the maintained road
 - Adequate access along the maintained road
 - Compliance with the Ontario Building CodeShould compliance not be demonstrated, the applicant will take any and all steps to bring the property into compliance.
5. The new lot and any structures to be built on will not be permitted any variations to the provisions in the Development Permit By-law of the Town of Carleton Place unless a separate Development Permit application is submitted and approved.

127128 Continued

6. That a copy of the deposited reference plan be submitted to the Town of Carleton Place.
7. That a cash-in-lieu of parkland payment of \$640.00 be collected from the applicant.

STAFF RECOMMENDATION

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

COMMITTEE DECISION

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

COUNCIL ACTION

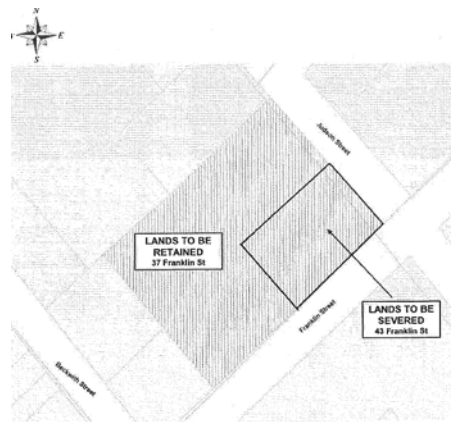
Receive and Record

COMMUNICATION 127129

Received from Joanna Bowes, Manager of Development Services
Addressed to Planning and Protection Committee
Date March 22, 2016
Topic B16/031, 37 Franklin St, Zion Memorial Church

SUMMARY

A consent application has been received from the property known municipally as 37 Franklin St (Zion Memorial Church). The subject lands are legally described as Lot 53 Plan 276, Town of Carleton Place and illustrated below.



127129 Continued

The consent application is to sever a 771.1 m² residential lot, leaving a 2976 m² retained property.

The Provincial Policy Statement, 2014 (PPS) provides direction on matters of provincial interest pertaining to land use matters and all development proposals must be consistent with the policies therein. The statement believes that long term prosperity for the province depends upon a "strong, sustainable and resilient community, a clean and healthy environment, and a strong and competitive economy." The policy statement directs development to settlement areas and protects resources throughout the province.

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

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

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

The Official Plan designation for this property is Mississippi Residential Sector (MRS). This designation allows for a mix of housing types which complements the existing small town character. The Development Permit By-law also designated the property as Mississippi Residential Sector (MRS). The severance will allow for the separation of Zion Memorial Church and it's manse. Both the retained and severed lots will meet the minimum frontage required under the Development Permit By-law.

COMMENT

The proposal, if approved, will allow for the separation of Zion Memorial Church from it's existing manse. Both the existing and retained lots are appropriately designated in both the Official Plan and in the Development Permit By-law. As with any severance application, staff compiles a list of conditions that the application must meet before final approval and creation of new deed. It should be noted that once Council makes a decision, the applicant must clear all conditions within one year from the date of that decision. The proposed conditions for all of the applications are:

1. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Town of Carleton Place.
2. That the applicant provides a Site Grading and Drainage Plan for the retained and severed parcels to the satisfaction of the Town of Carleton Place.

127129 Continued

3. That the applicant shall provide the Town of Carleton Place with a digital copy of the reference plan (in NAD83 datum).
4. That the applicant shall provide the Town of Carleton Place with a Building Location Survey demonstrating that the lands severed and the lands retained are in compliance with all Development Permit provisions. The Building Location Survey shall also include confirmation for both the severed and retained parcels that there is:
 - Adequate frontage along the maintained road
 - Adequate access along the maintained road
 - Compliance with the Ontario Building CodeShould compliance not be demonstrated, the applicant will take any and all steps to bring the property into compliance.
5. That a copy of the deposited reference plan be submitted to the Town of Carleton Place.

STAFF RECOMMENDATION

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

COMMITTEE DECISION

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

COUNCIL ACTION

Receive and Record

COMMUNICATION 127130

Received from Joanna Bowes, Manager of Development Services
Addressed to Planning and Protection Committee
Date March 29th, 2016
Topic Ontario Municipal Board Powers, Support of Motion from Aurora

SUMMARY

The Town of Aurora has made a motion regarding proposed reform to the scope of the powers of Ontario Municipal Board. The motion outlines the limiting of powers to questions of law and process, as is the case for all other municipal decisions.

127130 Continued

COMMENT

The Ontario Municipal Board currently functions as a third party judicial board. They make decisions not only related to questions of law and process, but also regarding the facts as they relate to planning decisions made by planners and municipal council for their municipality.

The Town of Aurora believes that the Ontario Municipal Board should respect the decisions made regarding planning issues specifically and notes that it is not within the jurisdiction of the board to be accountable to the residents of any given municipality.

STAFF RECOMMENDATION

That Council endorse the motion adopted by the Town of Aurora with respect to Ontario Municipal Board Powers and further, that staff forward the Town of Carleton Place motion to The Honourable Kathleen O. Wynne.

COMMITTEE DECISION

That Council endorse the motion adopted by the Town of Aurora with respect to Ontario Municipal Board Powers and further, that staff forward the Town of Carleton Place motion to The Honourable Kathleen O. Wynne.

COUNCIL ACTION

That Council hereby endorses the motion adopted by the Town of Aurora with respect to Ontario Municipal Board Powers;

FURTHER THAT staff forward the Town of Carleton Place motion to The Honourable Kathleen O. Wynne.

COMMUNICATION 127131

Received from	Paul Knowles, Chief Administrative Officer
Addressed to	Planning and Protection Committee
Date	March 30 th , 2016
Topic	Summer Meeting Schedule

SUMMARY

Summer meeting schedule should be established.

STAFF RECOMMENDATION

THAT regular meetings during July and August be cancelled and a Special Summer Policy Review meeting be held on Tuesday, August 2nd, 2016.

127131 Continued

COMMITTEE DECISION

THAT regular meetings during July and August be cancelled and a Special Summer Policy Review meeting followed by a Council meeting be held on Tuesday, August 2nd, 2016.

COUNCIL ACTION

Receive and Record

COMMUNICATION 127132

Received from	Les Reynolds, Director of Protective Services
Addressed to	Planning and Protection Committee
Date	March 30 th , 2016
Topic	Amendment to By-law 64-2008 (Property Standards)

SUMMARY

The previous Development Permit By-law (2008-50) contained a provision (Sec. 3.35) that detailed parking restrictions for vehicles over 2.0 metres in height and prohibited people living in any recreational vehicle for more than 30 days. This provision was not included in the new Development Permit By-law

STAFF RECOMMENDATION

That By-law 64-2008 (Property Standards) be amended by inserting the following:

2.1.4 PARKING RESTRICTIONS IN RESIDENTIAL DESIGNATIONS

No person shall use any driveway or front yard for the parking or storage of any vehicle with a height in excess of 2.0 metres (6.56 feet), unless said vehicle can be fully located a minimum of 2.0 metres (6.56 feet) from the curb or sidewalk, whichever is more restrictive. This provision includes, but is not limited to, cars, trucks, boats, recreational vehicles, trailers etc.

Where a recreational vehicle is parked in any yard on any lot, such vehicle shall not be used for living or sleeping accommodation for longer than 30 days by any person, and in no event shall such living or sleeping accommodation be leased or rented.

127132 Continued

COMMITTEE DECISION

That By-law 64-2008 (Property Standards) be amended by inserting the following:

2.1.4 PARKING RESTRICTIONS IN RESIDENTIAL DESIGNATIONS

No person shall use any driveway or front yard for the parking or storage of any vehicle with a height in excess of 2.0 metres (6.56 feet), unless said vehicle can be fully located a minimum of 2.0 metres (6.56 feet) from the curb or sidewalk, whichever is more restrictive. This provision includes, but is not limited to, cars, trucks, boats, recreational vehicles, trailers etc.

Where a recreational vehicle is parked in any yard on any lot, such vehicle shall not be used for living or sleeping accommodation for longer than 30 days by any person, and in no event shall such living or sleeping accommodation be leased or rented.

COUNCIL ACTION

Receive and Record

COMMUNICATION 127133

Received from	Les Reynolds, Director of Protective Services
Addressed to	Planning and Protection Committee
Date	March 9 th , 2016
Topic	Stray Cats

SUMMARY

Staff have received a complaint from a resident wondering why cats running at large are treated differently than dogs and asking that Council reconsider this approach. The resident is experiencing problems with stray cats digging in his garden and damaging his property. The by-law presently allows cats to run at large, so long as they are registered with the Town and have a means of identification.

COMMENT

The number of stray cats in town has increased steadily in recent years and they comprise the majority of animals we impound. Complaints about cats damaging gardens etc. are received on a regular basis

127133 Continued

STAFF RECOMMENDATION

That the Animal Control By-law be amended to prohibit cats from running at large in the same way that dogs are.

COMMITTEE DECISION

That the Animal Control By-law be amended to prohibit cats from running at large in the same way that dogs are.

DEFEATED

Receive and record

COUNCIL ACTION

Receive and Record

BY-LAW NO. 17-2016

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE ONE HUNDRED AND TWENTY SEVENTH COUNCIL OF THE CORPORATION OF THE TOWN OF CARLETON PLACE AT THE EIGHTH REGULAR MEETING OF COUNCIL OF APRIL 12, 2016

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

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

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

1. **THAT** the action of the 127TH Council of the Corporation of the Town of Carleton Place at the EIGHTH Regular Meeting of Council held on April 12, 2016, in respect of each motion and resolution passed, and other action taken by the Council of the Corporation of the Town of Carleton Place at its meeting, is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-law.
2. **THAT** the Mayor and proper officials of the Corporation of the Town of Carleton Place are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of the Town of Carleton Place referred to in the preceding section thereof.
3. **THAT** the Mayor and Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the Seal of the Corporation of the Town of Carleton Place.

READ A FIRST TIME, SECOND TIME AND A THIRD TIME AND FINALLY PASSED THIS 12th DAY OF APRIL 2016.

Louis Antonakos, Mayor

D.H. Rogers, Clerk